



Defense Strategy of The New Capital City in Makassar Strait

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ABSTRACT

This study was conducted to examine the comprehensive nature of Indonesia's national defense strategy in the Makassar Strait. The study is important because Indonesia has designated Nusantara, which is east of Kalimantan, as its new capital city to replace Jakarta. The position of Nusantara, the new capital, is right in front of the Makassar Strait, which is an archipelagic sea lane that must comply with the provisions of international law of the sea, especially UNCLOS 1982. The research was carried out using a mixed-method involving normative and empirical research. In addition to reviewing various works of literature, the researcher also conducted an in-depth interview with an official of the Indonesian defense ministry. The results of the study show that there are various strategies and national defense policies that have been prepared to protect the capital from all kinds of threats.

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1. Introduction.

Approval has been granted for the capital city of the Republic of Indonesia to be moved from Jakarta to Nusantara. The location of the new capital city is East Kalimantan. The new city has a land area of approximately 256,142 ha and an area of sea waters covering approximately 68,189 ha. It has boundaries with Balikpapan City, North Penajam Paser Regency, and Kutai Kartanegara Regency. Also, it borders the Makassar Strait in the east. The desire to move the capital city was actually expressed by the first president of Indonesia, Ir. Soekarno, and several presidents after him, but it did not materialize. However, during the reign of President Joko Widodo, the plan for the transfer received legal support, with the enactment of the State Capital Law.

There are several reasons behind the move of the capital city. In the Pocket Book of the National Capital City (Bappenas, 2021), the reasons given include the high population of Jakarta and the high commuting time. The commuting time of 2–3 hours/trip or 4–5 hours/roundtrip is one factor. Also, heavy traffic causes air pollution. Flooding is another issue; about 50% of Jakarta area has a flood safety level of less than

10 years. In addition, the Jakarta area is threatened by volcanic activity (Krakatau) and there is the potential for megathrust earthquakes/tsunami around West Java and Sunda Strait as well as land earthquakes around Baribis Fault, Lembang Fault, and Cimandiri Fault. The soil level fell by 35–50 cm during the period 2007–2017. Jakarta ranked 46 on the list of the most congested cities in the world in 2021 based on the TomTom Traffic index (Tomtom.com).

The selection of East Kalimantan as the new capital city went through careful planning. Brazil is one of the countries that were used as a pilot model in choosing the location. Lessons were learnt from the relocation of the Brazilian capital from the coastal region of Rio De Janeiro to the central part of the country, which is 934 km away, in 1960. The new capital, Brasilia, integrates and creates a center of economic and political growth in the center of the country, thereby facilitating interconnectivity between regions and moving the center of economic and political gravity from the coastal region to the central region of the country (IKN Pocket Book).

Centrality as the main consideration in choosing the location of a new capital has also been used by several other countries while moving their capitals, including Nigeria, Tanzania and Malawi. According to Schatz (2003), capital relocation is one of the more innovative tools for building states and national identification. He noted that the movement of capital cities in several countries is often for certain reasons that do not make

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security and defense more important than economic prospects. Schatz's research found that capital movement under empires was about court intrigues, for example the movement of the capital from Nanjing to Beijing in 1420. Also, capital city movement occurred under colonial rule in India, from Calcutta to New Delhi in 1911. Much later, when advanced industrial states like Japan and Germany considered such moves, security and control were less important considerations than economic prospects and technical rationality. According to Reva (2016: 8), more literature on relocation of capital city does not place the relocation-security nexus as a central theme and is only partially addressed. In fact, according to him, capital city relocation is an instrument of state- and nation-building that is accompanied by related strategies and objectives.

The national capital is a strategic, vital asset that must be protected by all the military forces of a country. It is important for Indonesia to anticipate possible attacks against its capital city. In an interview, the Director of Defense and Security of the Ministry of National Development Planning/Bappenas (VOL.id), revealed various potential defense threats and security disturbances that lurk in the new capital city of Indonesia. First, the border area between the capital city and Malaysia is prone to disputes over territorial boundaries, both land and sea. Second, the new location is surrounded by defense alliances, such as the Five Power Defense Arrangements (FPDA), involving Malaysia, Australia, New Zealand, Singapore, and Britain, as well as the security alliance of Australia, Britain and United States (AUKUS). Third, the capital is "squeezed" by the existence of the Belt and Road Initiative (BRI), which is a global development strategy by the People's Republic of China (PRC). Fourth, the island of Borneo is a potential threat; it is now often the location and route for transnational crimes, such as people smuggling and narcotics sales. Fifth, the capital city is close to the terrorist transit triangle, namely Sulu, Sabah, and Poso.

Security threats also come from the fact that the capital city is located right in front of the Makassar Strait, which is an archipelagic sea lane. The implication of straits being designated as sea lanes is that such straits apply the international law of the sea regime based on the United Nations Convention on the Law of the Sea 1982 (UNCLOS 1982). Indonesia, as a state party, must comply with the provisions of the above international agreement. In this archipelagic sea lane, foreign shipping uses the right of passage, both in the form of the right of innocent passage and the right of transit passage. A sea lane does not only apply to all types of foreign ships and submarines but is also a trajectory for foreign aircraft.

Freedom of navigation in the Makassar Strait is of course a real threat to the security of the capital city. Therefore, an appropriate defense system is needed to protect the capital city, which is a symbol of state sovereignty and "center of gravity". The extent to which the defense strategy has been planned is an object of research. It is vital to conduct research on this issue to give confidence to the whole community that the national defense system will be able to protect the capital city. This study aims to provide a description of the national defense strategy in the Makassar Strait in the context of moving the capital city.

2. Method.

This research is qualitative in nature and was carried out using a mixed method of normative and empirical legal research. The data collection technique for normative legal research is literature study by means of document review to explore legal norms contained in legal sources. The results of the document review were tested by clarification using an in-depth interview. In this case, the respondent is an official of the Ministry of Defense of the Republic of Indonesia. The interview, which was conducted directly in Jakarta, was an attempt to obtain information related to the government's policies and strategies in preparing the defense of the new national capital from the perspective of international law of the sea. The data and information obtained have been analyzed inductively to formulate general conclusions.

3. Results and Discussion.

Makassar Strait is a central feature of the second of Indonesia's three strategic archipelagic sea lanes (ASL II), which includes the Lombok Strait (Agoes, 2009). Some consider the Lombok and Makassar straits as an alternative to Malacca Strait as they provide a direct route between the Indian and Pacific oceans. The Makassar Strait stretches about 400 nautical miles from its northern gateway to its southern access. This lane is an important route for Australian north-south shipping. A decade ago, each year about 420 ships ply the Lombok and Makassar passageway carrying a total of 36 million tonnes of cargo worth US\$40 billion (Mohd Hasmi, 2012). Even though this route is much safer as it is relatively wide and deep and does not pose significant navigational hazards, it is not as navigationally convenient as the Straits of Malacca and Singapore. This is because passage along this route consumes more time.

In a state of crisis or war, the capital city of a country becomes a target for attack by the enemy to its full strength. Hence, the development of a defense system for the capital city of a country is something of absolute importance. When the capital moves, a military redeployment of adequate scope and scale is needed to defend the new capital. According to research by Laksmana (2019), there will be a significant institutional shift from Jakarta to Nusantara. The TNI General Headquarters will move, the army leadership and its supporting infrastructure will follow suit. To supplement the two existing regional commands, the Army will create a new Capital Security Regional Command. Army analysts have also suggested that Kalimantan needs new forces across the island. Because Eastern Kalimantan sits on the Makassar Strait, the new capital will be close to a direct route connecting the Indian and Pacific oceans, one of Indonesia's major shipping lanes. Therefore, the navy must move its headquarters and supporting units. Current proposals call for a new 'fleet-level' force, a new division-level marine unit and a third primary naval base in Kalimantan. The area also needs new port facilities and bases to host and maintain major platforms as well as a new naval airfield. The navy's transport command and hydrographic service could possibly be relocated there as well.

State defense in the Makassar Strait is also very important because the strait has to comply with international maritime law, especially the 1982 United Nations Convention on the Law of the Sea (UNCLOS). The provisions of UNCLOS allow ships to exercise the right of passage from the Sulawesi Sea to the Indian Ocean and vice versa, cross the Makassar Strait, Flores Sea and Lombok Strait. The axis lines, which are reference lines of the sea lane, were approved by IMO - MSC Resolution on Adoption, Designation And Substitution of Archipelagic Sea Lanes on 19 May 1998. The provisions of Article 53 of UNCLOS 1982 is a major concern in relation to building the national defense system, especially regarding the transfer of the national capital.

There are 12 rules governing the right of archipelagic sea lanes in Article 53 of UNCLOS 1982. Some of them are important rules for this paper given below:

The first rule stipulates that “An archipelagic state may designate sea lanes and air routes thereabove, suitable for the continuous and expeditious passage of foreign ships and aircraft through or over its archipelagic waters and the adjacent territorial sea.”

The second rule of this article confirms that “All ships and aircraft enjoy the right of archipelagic sea lanes passage in such sea lanes and air routes.”

The third rule of this article states that “Archipelagic sea lanes passage means the exercise in accordance with UNCLOS of the rights of navigation and overflight in the normal mode solely for the purpose of continuous, expeditious and unobstructed transit between one part of the high seas or an exclusive economic zone and another part of the high seas or an exclusive economic zone.”

The fifth rule stipulates that “Such sea lanes and air routes shall be defined by a series of continuous axis lines from the entry points of passage routes to the exit points. Ships and aircraft in archipelagic sea lanes passage shall not deviate more than 25 nautical miles to either side of such axis lines during passage, provided that such ships and aircraft shall not navigate closer to the coasts than 10 percent of the distance between the nearest points on islands bordering the sea lane.”

The twelfth rule states that “If an archipelagic State does not designate sea lanes or air routes, the right of archipelagic sea lanes passage may be exercised through the routes normally used for international navigation.”

Among the above provisions of UNCLOS 1982, the second rule has a great potential to cause security problems for the new capital. This rule gives the right of passage to all types of ships, including warships, submarines, and fighter planes of other countries. They can freely traverse the Makassar Strait without prior permission (unobstructed). The third rule makes the situation more serious because it stipulates that ships and aircraft exercising the right of passage can do so in the “normal mode”. The normal mode can be interpreted as covering all activities that are usually carried out by ships and aircraft while sailing or flying (Buntoro, 2017). If this approach is used, then a submarine is declared to be in the normal mode when passing in a submerged state. In contrast, if a submarine is passing through the territorial sea, it is meant to move on the surface,

as stipulated by Article 20 of UNCLOS 1982: “In the territorial sea, submarines and other underwater vehicles are required to navigate on the surface and to show their flag”.

Likewise, warships, especially aircraft carriers, have the habit of performing take-off maneuvers, using radar technology and positioning their weapons in a combat-ready state. However, there are restrictions that require navigation and overflight to proceed without delay and to refrain from any use of threat or force against the sovereignty, territorial integrity, or political independence of the strait state. There are also restrictions against any manner of violation of the principles of international law and restrictions against any activities other than those which are incidental to the normal mode of transit (Whiejin, 2018: 55).

According to the Indonesian defense ministry official, these threats have been understood and have become one of the factors being studied in the process of developing a defense strategy in the context of relocating the country's capital city. Based on the information obtained, in general, the strategies and policies of national defense have been compiled in the Regulation of the Minister of Defense concerning the State Defense Policy of 2022. The defense policy includes aspects associated with the new national capital, as follows: To realize the arrangement and management of an integrated military defense system between three dimensions in the East Kalimantan region, which will become the location of the new state capital, by predicting possible threats that are rapidly changing. One of the plans in the defense strategy that is directly related to the new capital city includes the production of surface-to-air missiles, both medium and long-range, as well as missile defenses for the national capital in accordance with the concept of national air defense that has been planned by the Indonesian Air Force.

The national defense policy is designed for the entire territory of the country. There are no special provisions regarding the strategy and defense policy for the Makassar Strait area. The policies made are general in nature. However, since the Makassar Strait is part of the country, these policies include national defense in the Makassar Strait. The defense policy in terms of developing the strength of the marine dimension, as ministry policies of 2022, is carried out through the following activities:

- a) The Navy's warship improvement program.
- b) Carrying out fulfillment and capacity building programs. Mid Life Modernization is the main tool of the selected defense system, through an assessment (cost and benefit analysis), to produce weapons with high operational readiness and combat capability.
- c) Increase anti-submarine warfare capabilities.
- d) Improve electronic warfare and mine warfare capabilities that can strengthen strategic choke points control strategies.
- e) Build maritime surveillance and reconnaissance capabilities covering the air, surface, and underwater domains by modernizing persistent and mobile surveillance systems, including maritime patrols and unmanned surface vessels.

- f) Improve amphibious and anti-amphibious warfare capabilities and coastal defense through the modernization of Marine Corps combat materials and weaponry.
- g) Improve base support capabilities by prioritizing the construction of port facilities.
- h) Add food production and construction units at the Naval Base and Main Naval Base levels.

Specific strategies related to the strait are also stipulated in the country's defense policy. The strengthening of defense in strategic strait areas will be carried out through the following activities:

- a) The placement of missiles in strategic straits which are choke points in accordance with Indonesia Archipelagic Sea Lanes (ASL) I, II, and III.
- b) Strengthening the coastal missile defense system and coastal surveillance system to carry out control of strategic straits in accordance with the Indonesian Archipelagic Sea Lanes (ASL) I, II, and III.
- c) Improve ship traffic surveillance and reconnaissance ships and aircraft in strategic straits, especially after the implementation of the TSS (Traffic Separation Scheme) in the Sunda Strait and Lombok Strait.

According to the respondent, presently, the ship traffic control system has been developed using IMSS (Integrated Maritime Surveillance System) technology. Referring to the description of Dotulung (2020: 9), the IMSS surveillance radar is designed to improve the lines of command, communication control, intelligence, surveillance and reconnaissance through the use of a ground platform based on remote, optical and wireless sensors. IMSS surveillance radar has several equipment components, such as radio detection and ranging, automatic identification system transponder, HF radio and day/night long range camera.

In addition to maximizing IMSS capabilities, according to the respondent, there is also a discussion on the possibility of a special surveillance gate system for the sea in front of the national capital. With this gate system, all traffic that crosses the Makassar Strait will be very easily detected, whether at sea level, underwater, or in the air. With this surveillance system, the components of the national defense can quickly find out and react when there is a potential threat. But so far, the draft is still in the discussion stage, especially in the context of technology and budget.

This gate system becomes very important when it is associated with the provisions of the axis lines specified in the sea lanes. These axis lines are navigation paths that must be passed by all ships, both on the surface and under water. They are also used as references in determining air routes for foreign aircraft flights that will pass through archipelagic waters. As stipulated in UNCLOS 1982, archipelagic sea lanes passage shall not deviate more than 25 nautical miles to either side of such axis lines during passage, provided that such ships and aircraft shall not navigate closer to the coasts than 10 percent of the distance between the nearest points on islands bordering the sea lane. This gate system can be installed at the set radius; with this system, monitoring will be very effective.

Conclusions.

The relocation of the capital city is not only due to political and economic factors. It is also associated with defense considerations. As the center of gravity, the defense strategy of Indonesia's new capital must receive serious attention. The government, in this case the Ministry of Defense, already has a comprehensive defense concept for the territory of Indonesia. The relocation of the capital city has become one of the focuses in the direction of defense policy, and various weapons systems and defense environments have been put in place to protect the new capital city from all kinds of threats. The implications of some provisions of the 1982 UNCLOS for the Makassar Strait as an archipelagic sea lane have also been anticipated. So it is only natural to say that the national defense system in the Makassar Strait is ready to face the movement of the capital city of Indonesia.

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