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Prospects for the New Capital City Policy in Law and Economic Perspectives

6 Muhammad Kamal

Faculty of Law, Universitas Muslim Indonesia, Indonesia

*email correspondence: muhkamal.hidjaz@umi.ac.id

ABSTRACT

30 The relocation of the nation's capital city has been a dream for a long time, but it was only realized after 77 years of Indonesia's independence through Law No. 3 of 2022 concerning the State Capital (IKN Law). Nevertheless, the policy needs to be studied, considering that the current capital relocation will be carried out in the midst of various domestic polemics, as well as global issues such as inflation and the weakening of global economy after COVID-19, as well as the war between Russia and Ukraine. This study uses a socio-legal research method by combining an interdisciplinary approach between normative studies and economic studies through an analysis of opportunities, threats, strengths, and weaknesses (SWOT). The findings reveal that, from a law perspective, the 42 policy of the new capital city in the IKN Law is an obligation that must be carried out by the government, regardless of who will serve in the future. However, there are several notes to the IKN Law that are not yet in line with the principles of legislation. Meanwhile, from an economic perspective, the IKN policy is indeed based on the ideals of economic equity and sustainability, but financial factors, foreign debt, and global inflation are still a serious threat 19 to the sustainability of the current New capital city policy and for the next few years.

Keywords: Capital City Relocation; Equitable Development; Economic Law;

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21 INTRODUCTION

Indonesia is the largest archipelagic country in the world with 17,504 islands. Indonesia in the eyes of the world also ranks as the 14th largest country, with an area of 1,904,569 km² with a population of 277.7 million as of January 2022. (Isra & Tegnán, 2021) Indonesia is bordered by a number of neighboring countries in Southeast Asia, the Australian continent, and Oceania. Indonesia borders on land with Malaysia on the islands of Borneo and Sebatik, with Papua New Guinea on the island of Papua, and with Timor Leste on the island of Timor. Neighboring countries that only share sea borders with Indonesia are Singapore, the Philippines, Australia, and the union territory of the Andaman and Nicobar Islands in India. Indonesia is a unitary state with a republican



form of government based on the valid Indonesian Constitution, namely the 1945 Constitution of the Republic of Indonesia.

The journey of the Indonesian nation, which was officially independent in 1945, was certainly colored by various problems and polemics. Starting from the problem of the Asian economic crisis that also plagued Indonesia in 1996-1998, the socio-economic problems which are claimed to have not found a bright spot on development over the last 70 years, racial issues between ethnicities and religions socially; until the latest issue that has become a hot topic of discussion is the issue of relocating the nation's capital. (Usman et al., 2020) (Utama et al., 2017) Jakarta is the capital of the state of Indonesia, in the long journey of the Indonesian state from the time of the kingdom until it officially became one of the democracies, Jakarta in the past was the center of government of the Dutch East Indies in the colonial era. Even today, Jakarta as the nation's capital is not only the center of government, but also as the center of the economy. It is noted that between 70-75% of money circulation is centered in the capital city of Jakarta. (Fernandes & Fresly, 2017) (Hidajat, 2020) This logically also answers Indonesia's main problem, namely the distribution of development which for 70 years is still a work that seems to have never been completed. Due to the enormous circulation of money at one point in a country with an area of 1.9 million km², Jakarta has evolved into a magnet that moves people from all over Indonesia with one belief, namely improving the quality of life.

The migration of people from different ethnicities, religions, cultures and social levels to Jakarta has made Jakarta the city with the highest population density in Indonesia. (Isra & Tegnan, 2021) In fact, it is the second most populous city in the world with a population of 35,363,000 after Tokyo as the first with a population of 39,105,000. However, when compared with the area; Jakarta (661.5 km²) while Tokyo (2,194 km²) of course it can be concluded that with a very large population and occupying an area that is 1/3 of the area of Tokyo, it can be concluded that the Jakarta area is really unhealthy and has a systemic impact from various factors. sector (e.g., competition, job opportunities, environment, health, health-issue, law, etc) (Fernandes & Fresly, 2017) (Lele, 2019) (Mihardja et al., 2014) (Schütte, 2012) On the other hand, the location of the city of Jakarta, which tends to be located more to the west of the Indonesian part, is accused of causing high disparities between regions on a national scale. These various reasons and speculations later became the fundamental basis for the discourse to move the capital city in a mega project. (Shimamura & Mizunoya, 2020) The relocation of the capital city is considered a solution that has a strategic impact to improve and revitalize the life of the nation. Hope from the Government of Indonesia who also wants the concept of development in the newly adopted IKN is expected to be a role model for regional development governance in Indonesia in the future. (Shimamura & Mizunoya, 2020) (Azmy, 2021).

However, the IKN transfer plan is important to be criticized in order to improve the quality of policies that accommodate the rights of the affected people and the public interest. However,

the discourse of moving the city to date has not gone smoothly. Various reviews of the pros and cons adorn the idea of moving the capital by the Indonesian President Joko Widodo. In this research, the focus of the study includes: first, the normative analysis of the new state capital policy as stated in the IKN Law; second, how is the socio-economic analysis of the policy of the new capital city in the analysis of opportunities, threats, strengths, and weaknesses (SWOT)? Thus, this research uses an interdisciplinary approach that is not limited to the legal aspect but also socio-economically to produce a more comprehensive description (Kodir et al., 2021) (Kurniawan et al., 2021)

The Long History of Indonesia's Capital Relocation Plan

The issue of the planned relocation of the Indonesian capital is not a new discourse, even the discourse on the relocation of the capital has been echoed since the Dutch colonial era. Furthermore, the discourse of moving the capital city from Jakarta to Bandung and implemented by the Dutch East Indies government, namely General JP Graaf Van Limburg Stirum in 1906 even though it lacked the support of the *Volksraad*. (Van der Veur, 1968) The idea of moving the capital city in the Dutch colonial era in Indonesia stems from the results of HF Tillema's study on the health of cities on the island of Java. (Coté, 2002) Even emphasized by HF Tillema, Batavia (the name of Jakarta in the colonial period) was called not meeting the requirements as the center of the Dutch East Indies government, so Bandung was then chosen to replace Batavia's position as the new capital of the Dutch East Indies at that time. The idea of moving the capital of the Dutch East Indies then received support from J. Klopper (chancellor Magnificus Bandoengsche Technisce Hoogeschool) and implemented in 1920. (Wertheim, 1959) Since then, government and private offices have been relocated, such as the Mining and Energy Office (1924), the Geologisch Laboratory building (1928), the pension building (1940), Perum BIO Farma (1923), the post office (1928) and the railway head office. fire (1928). However, along the way, several government office buildings did not have time to be built because the Dutch government experienced a recession and caused the failure of the project over the discourse of moving the capital from all of Batavia to Bandung City. Besides Bandung, of course, Palangkaraya City has also been asked to be the destination city for the relocation of the capital; by President Soekarno (the first President of the Republic of Indonesia) declared Palangkaraya City as the new location for moving the capital from Jakarta in 1957. (Gedacht, 2021) (Van der Veur, 1968) The city of Palangkaraya was chosen as the destination for the relocation of the capital because it is considered geographically, this city is right in the middle of the territory of the Indonesian state. However, after Soekarno's presidential decree in 1959, the idea and discourse of relocating Indonesia's capital city seemed abandoned; President Soekarno refocused his attention on development in Jakarta, which he wanted to make as a symbol of Indonesia's rise as a Third World leader. Not only until the Soekarno government, the discourse on moving the capital also

continued to roll in the era of the second president of the republic of Indonesia, namely Suharto. Entering the new order era, the transfer of the capital came to the surface, where the idea was the same as what was aspired in the Dutch colonial era, namely moving the state capital Jakarta to Jonggol in West Java through Presidential Decree Number 1 year 1997 concerning the coordination of the development of the Jonggol area as an independent city (Jonggol and Bandung are both in the province of West Java). (Kodir et al., 2021) As a result, the presidential decree implemented Jonggol's development plan covering an area of 30,000 hectares as an Independent City. However, in line with the economic crisis that hit Asia and Indonesia, the plan to relocate the nation's capital to Jonggol did not continue with the fall of the Soeharto era, which had been in power for more than 30 years in Indonesia.

The plan for moving the capital city seemed to have never been realized after almost a decade of Indonesia's independence, this statement was reinforced by the next idea launched by President Susilo Bambang Yudhoyono in 2010 who formed a small team tasked with reviewing the idea of moving the state capital to Palangkaraya City as intended. by the Founding Father of the Indonesian Nation, Soekarno. Along with what was echoed by President Susilo Bambang Yudhoyono in early September 2010, the small team he formed provided three scenarios for the idea as a form of recommendation from the results of their study. The first recommendation is to maintain Jakarta as the nation's capital and make improvements to all existing problems. The second recommendation is to move the government center from Jakarta to a new location but still on the island of Java, and the third recommendation is to move the state capital and government center to a new location outside Java. But unfortunately, the plan to move the capital city of Indonesia back to its original condition, which is only a plan and has not been followed up further. In 2022, this issue strengthened again on the surface, the 7th president of the republic of Indonesia, Joko Widodo again breathed the issue of relocating the country's capital on January 18, 2022 with the ratification of a draft law (RUU) on the state capital (IKN) by the House of Representatives. People (DPR) of the Republic of Indonesia and the government. However, there is also a strong negative proposition that it is suspected that this issue will simply evaporate again just like his predecessor president, considering that the plan to move the country's capital initiated by Joko Widodo is also approaching the end of his reign in 2024.

METHOD

In principle, this study is legal research, but the study conducted is not only normative as in doctrinal legal research (normative legal research). Specifically, this legal research uses a socio-legal research approach, which is an approach in the study of legal science that utilizes an interdisciplinary approach to a legal problem (Wiratraman, 2015). Interdisciplinary legal research combines normative legal studies that are sui generis with theories from other disciplines. However, this approach must still seek coherence between the various methods and theories

used (Simarmata, 2011). Based on this paradigm, the analysis of the new IKN Policy is not only studied with a statutory approach based on doctrine and legal principles, but also from a socio-economic approach in the butterfly effect perspective and strategy analysis on strengths, weaknesses, threats, and opportunities (SWOT). The data came from primary legal materials such as legislation, secondary legal materials such as journal literature, and statistical data. The results of the analysis are presented qualitatively and quantitatively as descriptive.

ANALYSIS AND DISCUSSION

A. Relocation of the National Capital in the Legal Framework: National Capital City Law

The discourse on relocating the country's capital to Kalimantan Island had received permission from the House of Representatives of the Republic of Indonesia to President Joko Widodo in mid-2019. However, the discourse was suddenly stopped due to policies that forced the government to refocus the budget and policies to deal with the COVID-19 pandemic. So that from the beginning of 2020 to the end of 2021, the plan to relocate the national capital does not seem to be discussed again; The discourse was re-breathed after the COVID-19 pandemic was allegedly decreased in the final quarter of 2021, (Haryanti, 2022) as a result this new policy then gave rise to various attitudes and opinions that were pro and contra in the midst of society. For the government, there are several lofty goals for the relocation of the Indonesian state capital. (Al Fikry, 2022)

First, as a solution for equitable development in Indonesia, which for almost a decade has not been running optimally. Demands for equitable distribution of development that are considered unfair, such as the concentration of development on the island of Java, which is close to government access, as well as the dominant economic cycle in the western part of Indonesia, have made the condition of most people consider that the pattern of development during Indonesia's independence was still Java-centric. (Elisabeth, 2021) So that the implementation of IKN is logically considered to be able to provide opportunities for equitable development.

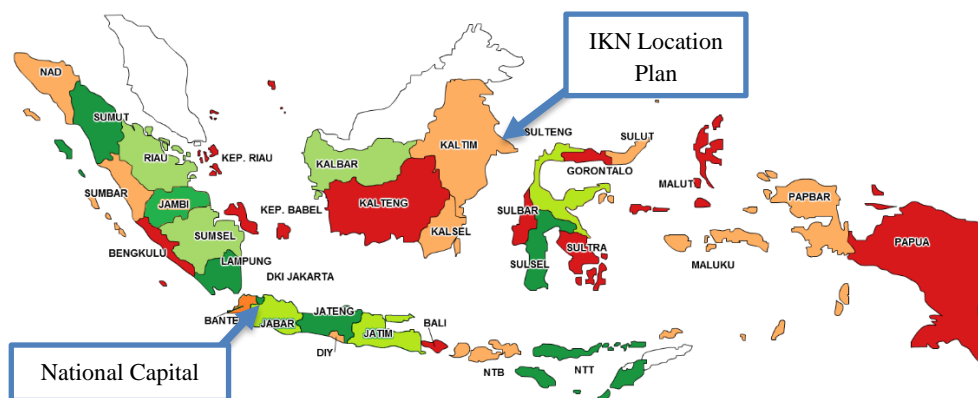


Figure 1. Indonesian Existing Condition Map

Logically, the assumption that is often made to the government about being Java-centric is difficult to dispel given the position of the state capital which is indeed more inclined to the western part of Indonesia. Thus, the IKN relocation plan chooses the Indonesian region right in the middle, as a long-term solution to overcome the problems of equitable development.

Second, the IKN solution means reducing the burden of problems that exist on the island of Java, especially the over-populated city of Jakarta. Quoting from the United Nations General Assembly (UNGA) which reviews the level of population density due to urbanization around the world, we also tried to review and modify the data to see a comparison between the level of population density and the area of the city so that it can be a more comprehensive comparison. The data we present in table 1 are data that we limit based on population levels above 10 million residents per city.

Table 1. Population Comparison

No	City Names in the World	Country	Population (2020)	Area (Km2)
1	Tokyo	Japan	37,393,129	2,190 _
2	Delhi	India	30,290,936	1,483 km ²
3	Shanghai	China	27,058,479	6,340 km ²
4	So Paulo	Brazil	22,043,028	1,521 km ²
5	Mexico City	Mexico	21,782,378	1,485 km ²
6	Dhaka	Bangladesh	21,005,860	306.4 km ²
7	Cairo	Egypt	20,900,604	3,085 km ²
8	Beijing	China	20,462,610	16,411 km ²
9	Osaka	Japan	19,165,340	223 km ²
10	New York City	United States of America	18,803,552	783.8 km ²
11	Karachi	Pakistan	16,093,786	3,780 km ²
12	Chongqing	China	15,872,179	82,300 km ²
13	Istanbul	Turkey	15,190,336	5,343 km ²
14	Buenos Aires	Argentina	15,153,729	203 km ²
15	Lagos	Nigeria	14,368,332	1,171 km ²
16	Kinshasa	Congo	14,342,439	9,965 km ²
17	Manila	Philippines	13,923,452	42.34 km ²
18	Tianjin	China	13,589,078	11,760 km ²
19	Rio de Janeiro	Brazil	13,458,075	1,200 km ²
20	Guangzhou, Guangdong	China	13,301,532	7,434 km ²
21	Lahore	Pakistan	12,642,423	1,772 km ²
22	Moscow	Russian Federation	12,537,954	2,511 km ²
23	Los Angeles	United States of America	12,446,597	1,299 km ²
24	Shenzhen	China	12,356,820	2,050 km ²
25	Paris	French	11,017,230	105.4 km ²
26	Bogotá	Colombia	10,978,360	1,775 km ²
27	Jakarta	Indonesia	10,770,487	661.5 km ²

28	Five	Peru	10,719,188	2,672 km ²
29	Bangkok	Thailand	10,539,415	1,569 km ²

Source: United Nations General Assembly (UNGA), 2022

In table 2, it can be seen that the ratio of population to area, Osaka, Bueonos Aires, Manila, Paris, Dhaka and Jakarta has a fairly high or even very high population which occupies an area of less than 1,000 km². Or it can be compared, for example, between the cities of Jakarta and Bangkok, which are both regions of Southeast Asia, then Jakarta when compared per 1km² of its area is occupied by about 1,077 people / 0.6 km² compared to the City of Bangkok. The comparison is 1,053 / 1.5 km². This significant difference between the two regions in Southeast Asia has prompted the Indonesian government to launch a program to relocate the country's capital.

It doesn't stop there, overpopulation then has a real impact on increasing the crime ratio. (Light & Miller, 2018) Jakarta²⁷ as the capital city of Indonesia is also listed as one of the most dangerous cities with the highest index in the Southeast Asian region. The Jakarta City crime index reached 53.42, while the security level score was 46.58. When compared between cities in Indonesia with the number of criminal cases, Jakarta is sovereign³⁶ as the city with the highest number of criminal cases (See Table 2). (Analytica, 2022) The massive magnetism of urbanization in addition to causing problems that have a global impact such as air pollution where the Air Quality Index (AQI) data, on (17/6/2022) stated that Jakarta's air quality is the second worst in the world with a score of 166 where the pollution is the second worst in the world. caused by transportation is the number one trigger for the biggest pollution contributor in the city of Jakarta besides industry (See Table 3). (Alam & Nurhidayah, 2017) These things then strengthened the government to relocate the capital.

Table 2. Number of Cases in Big Cities in Indonesia in 2017

No	City	Number of Cases / Polda
1	DKI Jakarta	44,298
2	North Sumatra	35,728
3	West Java	27.058
4	South Sumatra	22,708
5	Central Java	15,993
6	West Sumatra	14,955
7	South Sulawesi	14,925
8	East Java	14,102
9	Riau	9,644
10	East Kalimantan	9.095

Table 3. Cities³¹ with the Worst Air Quality in the World as of January 17, 2022

No	City	AQI Score
1	Johannesburg (South Africa)	195
2	Jakarta, Indonesia)	166
3	Dubai (UAE)	161

4	Riyadh (Saudi Arabia)	143
5	Santiago (Chile)	136
6	São Paulo (Brazil)	127
7	Chengdu (China)	126
8	Beijing (China)	124
9	Ho Chi Minh (Vietnam)	122
10	Hangzhou (China)	113

Source: databooks (Badan Pusat Statistik, 2016)

Third, the purpose of relocating the capital city of Indonesia is to realize a safe, modern, sustainable and resilient IKN. The construction pattern of the policy of relocating the nation's capital from Jakarta to the province of East Kalimantan provides a new spirit for Indonesia to create a city with a government structure that is much more organized than the current condition in Jakarta. The planning carried out by the Ministry of Agrarian Affairs, Spatial Planning and the National Land Agency of the Republic of Indonesia has designed the condition of the IKN which is divided into six regions that are integrated with each other and have their respective functions. The first area is the center of government which is the core area with an area of 6,671 hectares containing the center of national government and security, housing and settlements. In the western region of IKN with an area of 17,206 hectares which will become the center of economy and business, nature tourism, health services, higher education services, as well as defense and security. The eastern region of IKN with an area of 9,761 hectares which will later become a center for entertainment, tourism, trade and services, higher education services, as well as defense and security. The eastern IKN development area will also become a center for higher education, research and innovation center, trade and services, offices, and health services which will be developed in an area of 3,720 hectares. Furthermore, South IKN which has an area of 6,753 ha will be focused on new and renewable energy, rural settlements, defense and security. Having the largest area of 12,067 ha, the North IKN WP will become a research and innovation center, higher education services, office centers, and tourism. It is explained in detail in the third part of Article 6 of the IKN Law No. 3/2022 which discusses the coverage area. It is explained that the Nusantara IKN covers land and sea areas. sea area of approximately 68,189 hectares. Meanwhile, the construction of the Nusantara IKN development area covers an area of 199,962 hectares. Occupying a large area of 68:199 which is surrounded by forest, it will trigger and answer the ideals of the republic of Indonesia and the world as a country that has the concept of a green city and green sustainability country. The hope to realize the relocation of the capital city of the Republic of Indonesia (IKN) in order to create a new civilization is considered a representation of the nation's progress with the concept of a modern, smart, and green city. (Dreisbach, 2020) The arrangement of the IKN master plan in this pattern in the central part of Indonesia addresses three important geographical and geostrategic concepts that are expected to have a significant national impact, namely geostrategy where the relocation of the new capital city will be considered easier to access and observe throughout Indonesia, considering that IKN

is located symmetrically. located in the central region of Indonesia. Political geostrategy wherein the future relocation of the national capital from Jakarta to the central part of Indonesia in East Kalimantan Province, can cover security and politics throughout Indonesia, so that with the encouragement of this political geostrategy will have an impact on the economic geostrategy of the Republic of Indonesia in the future.

The serious attitude of the government of the republic of Indonesia regarding the relocation of the capital has been stated in Law no. 3/2022 concerning the National Capital City (IKN) to the latest policies that seem ambitious with the inauguration of the Head and Deputy Head of the IKN Authority on March 10, 2022. In Law no. 3/2022 also explicitly stipulates the name of the candidate for the new capital city, namely 'Nusantara,' and regulates several strategic aspects ranging from geographical area coverage, form and structure of government, land and spatial planning, transfer of ministries/agencies, monitoring and review, to financial sources. Of course, the insistence on making the law so that the ideals that have existed since the Dutch colonial era regarding the transfer of the state capital gain legal and clear legal legitimacy. Thus, the aims and objectives are implementation so that the status and process of relocating the state capital can be carried out under the applicable constitution. This can be pursued constitutionally considering that the ideals of relocating the country's capital have been stalled several times and have not found a common ground and the implementation of real follow-ups is approaching the 100th anniversary of Indonesia's independence, coupled with the government's fear that this ideal will stop at the end of the period. President Joko Widodo's administration in 2024. In this regard, the legalization of the ideals of relocating the state capital into law to serve as a juridical guarantee that the process of moving the state capital to a new location cannot automatically be canceled in the future. Thus, there is a continuous policy continuity despite changes in power holders, both in the executive and legislative branches.

B. National Capital City Law in the Study of Legal Principles

In theoretical and empirical studies, the process of moving the capital city of Indonesia is based on the noble desire to create an optimal national and state life through equitable development in all sectors. The attractiveness of the nation's capital as a forum to improve life and social strata is the biggest trigger for increasing urbanization rates in big cities, one of which is Jakarta. The increasing population then turns into Overpopulation, as a result, people experience a shortage of land to live in. On the other hand, overpopulation which is in line with the need for space and land which is also significant will have a systemic impact on health and crime rates in the city of Jakarta. The condition of the cities on the island of Java, especially the area of West Java, has made the island of Java an area which has grown in agglomeration since the capital city began with Batavia, until now 77 years of Indonesia's independence. This statement is in line with the results of a public policy study by with a quantitative approach to fixed effect panel data regression with the Jakarta city administration database in 2008 - 2013 revealing

that agglomeration of production in the area around the capital Jakarta has a positive and significant effect on economic growth. (Mauleny, 2015) But unfortunately, the positive effect is not in line (negative impact) on the poverty level and the human development index (IPM). Likewise, (Mauleny, 2015) adds that population agglomeration also has a significant effect on economic growth, but the significant impact on population agglomeration does not have a significant impact on poverty levels and HDI. Social disparities due to these agglomerations; bring a systemic impact on the aspect of the level of knowledge, which is in line with public health behavior in the city of Jakarta. in his study examined the relationship between different levels of knowledge, health behavior in the city of Jakarta by examining as many as 72 respondents quantitatively found the fact that there was a significant relationship between the level of knowledge on health behavior (p-value = 0.033 < 0.05). Still in terms of health and the environment, (Syarifa, 2019) revealed that DKI Jakarta, which has 13 major rivers, was declared to be in the heavily polluted category with a percentage value of 61%. Thus, in particular the local government of the city of Jakarta has issued various regulations, for example Government Regulation No. 17/2012 concerning the 2030 regional spatial plan, Government Regulation no. 35/1991 on rivers, the Law of the Republic of Indonesia No. 52/2009 on Population Development and Family Development.

Apart from the urgency and purpose of moving the capital city of the country as described previously, the policies that have been outlined in the form of legal norms must be in line with the principles of norm formation, which are currently also regulated in law. On that basis, the IKN Law, both in terms of its content (material) and the process of its formation (formal), needs to be reviewed for conformity with the principles and principles related to the formation of good norms, as formulated in Article 5 and Article 6 of Law No. 12 of 2011 and JU No. 15 of 2019 on the Establishment of Legislation. The results of the analysis of the conformity of the IKN Law with these principles are described as follows:

1. Based on the principle of clear purpose.

Every piece of legislation must have a clear goal to achieve, according to the principle of clarity of purpose. The urgency of the IKN Law in Article 2 aims to become a sustainable city in the world (point a), as a driver of the Indonesian economy in the future (point b), and become a symbol of national identity that represents the diversity of the Indonesian nation (point c), which is further emphasized in Article 3 paragraphs 1-3. However, problems and polemics that can appear on the surface are Even though it seems good and positive, the law is presented partially without publication and socialization of the master plan for the capital city of the archipelago as described in Article 7 paragraph 2. In this regard, IKN Law seems premature and ambitious by presenting the publication of regulations and all forms of supporting documents that are not comprehensive as the main study material for this law. Starting from article 1 to article 44, is dominantly identical in aspects of government administration, procedures,

and mechanisms for implementing the process of relocating the state capital rather than explaining in detail the paradox effect and solving problems related to the relocation of the state capital. Apart from that, the purpose of the IKN transfer still needs to be studied more deeply, namely whether the purpose of moving the IKN is to move the state capital, guarantee the legitimacy of the status of the state capital, or regulate both. This is certainly a positive input as well as an evaluation of the formation of this law because in substance it seems not to be in sync and focuses on efforts to move the state capital only, even though ideally a law needs to regulate many aspects that are more specific and comprehensive. Another problem is related to the formation of an authority body as a form of government in the new national capital, which has the potential to overlap with the regional government system. The format of this authority is considered to still have a number of ambiguities because it is not well known in the constitution as well as in laws and regulations other than the IKN Law. On the other hand, there is no detailed explanation and regulation regarding the government's decision to establish a new form of government administration in the form of an authority body. What is its position? Is it equivalent to a ministry, provincial or district/city government? What is its relationship vertically with central government organs and horizontally with other regional government organs? This leaves unclear objectives in establishing an authority body in the IKN Law.

2. Based on the principle of executable/can be implemented

IKN law must be formed by taking into account its effectiveness or working power in the community, both philosophically, sociologically, and juridically. As described in the purpose of transferring IKN, this philosophical aspect presents a policy orientation for equitable development and economic justice for people outside Java, including creating world-class role models for regional development. In fact, it seems paradoxical to link this statement with the concept of local government, considering that the current national development paradigm prioritizes the development of villages, border areas, and suburbs. Thus, it is clear that the idea of transferring IKN is a tactic to show the failure of regional autonomy practices that have been carried out so far. However, the question that arises is, can the government really realize this noble goal? Or will it be mere rhetoric? In this case, the IKN relocation policy has been stated in the IKN Law and thus is binding and coercive for the next government regime. There is a demand for whoever the government is to complete the work on the new IKN. In fact, this policy requires a large amount of financing, which will become a burden on the State Revenue and Expenditure Budget (APBN). Although it can be financed by foreign investment, how far is it able to support the completion of IKN? If investment is clearly profit-oriented, then how many investors are willing to invest in IKN development, which takes a long

time and costs a tremendous amount of money? In this case, the investment calculation becomes less realistic, so it is predicted that in the future, IKN funding will always burden the state budget in the next government period. IKN development has the potential to become a project that stops midway when a crisis or emergency occurs, which requires refocusing the state budget. This is due to legal policies that have not gone through careful planning so that they are not implemented.

3. Based on the principle of Beneficiary

This principle emphasizes that a statutory regulation is made because it is really needed and useful in regulating the life of society, nation, or state. Even though, philosophically, what is contained in Law No. 3/2022 contains positive things to build an advanced Indonesia in the future. However, the process of making and enacting this law, which was too short (42 days), later resulted in a lot of criticism and lawsuits. So it is very reasonable if the matter of judicial review in Law No. 3/2022 becomes questionable. For example, the IKN law is considered not to provide protection to citizens, especially those who are affected, such as local communities, especially indigenous people. Since the determination of its name, IKN has sparked controversy in the community. So far, the term "Nusantara" refers to the entire territory of Indonesia. Although it is claimed that "Nusantara" is a representative form of Indonesia, here the author argues that this claim is philosophically ambiguous and underestimates the meaning of the archipelago, which is understood as a national territorial unit. So far, compared to the name of the capital city of Jakarta, there is no conflict of philosophical representation, either with regional aspects (local wisdom) or with the understanding of the archipelago itself. Character names have different philosophies. Furthermore, from a sociological perspective, the transfer of IKN mandated in the IKN Law does not show any significant benefit to the community, especially in IKN candidate areas. On the other hand, many parties consider that the IKN policy could have a negative impact on the community. The Director of the East Kalimantan Forum for the Environment (WALHI), Yohana Tiko, for example, revealed that the IKN Bill was procedurally flawed and threatened the safety of the people in East Kalimantan. So far, civil society organizations have criticized the IKN Bill as threatening the safety of people's living spaces and endangered animals in East Kalimantan. Especially the people affected by the IKN project, namely Penajam Regency, Kutai Kertanegara Regency, and Balikpapan City. The IKN megaproject itself has the potential to displace the lands of indigenous peoples, especially the indigenous peoples of the Balik and Paser tribes, as well as transmigrants who have long lived in the 256, 000 hectares area. This is in stark contrast to the aim and idea of moving the capital city to ensure economic equity and sustainability.

4. Based On the principle of openness and participatory

The The principle of transparency requires that the formation of the IKN law begin with planning, preparation, discussion, approval, or determination and be announced transparently to the public, providing broad opportunities for all levels of society to provide input and direct participation. In general, this principle is the key to determining the legitimacy of a legal product. In fact, since the beginning of its publication, the IKN Law has drawn a lot of controversy because it was formed in a very short time, in just 42 days. Logically, the process of law formation from the planning stage to the discussion was colored by long debates that took a long time, involving many elements of the community. This means the formation of a law usually takes a relatively long time, even up to tens of years, as is the fate of the draft Criminal Code Law. The IKN Law itself has been repeatedly sued before the Constitutional Court, one of which by the National Sovereignty Axis (PNKN) submitted a formal review of the IKN Law to the Constitutional Court on February 2, 2022. The petitioners said the IKN Law did not go through a continuous planning process and did not represent the principle of public openness. The petitioners, for example, conveyed the fact that of the 28 stages or agendas for discussing the IKN Bill in the DPR, only 7 documents and information could be accessed by the public. The same thing is the reason for the former chairman of PP Muhammadiyah Din Syamsuddin, Professor of UIN Syarif Hidayatullah Azyumardi Azra, and 19 other people to file a lawsuit against the IKN Law. The petitioners considered the IKN Law to be formally flawed because it was not in accordance with the mandate of the 1945 Constitution of the Republic of Indonesia concerning people's sovereignty and community participation. The petitioners argue that the establishment of the IKN Law does not fulfill the public's right to be considered and the right to be explained. Thus, what has been done by the government in principle has not fulfilled the principles of openness and participatory principles.

C. Moving the National Capital from an Economic and Social Impact Perspective: Opportunities, Threats, Strengths, and Weaknesses.

The long plan of relocating the capital which has never been successful since the Dutch colonial era, is assumed to have an effect on why the formation of Law 3/2022 seems ambitious and very concise in terms of time. The positive side of the enactment of Law no. 3/2022 concerning IKN is that it aims to move the capital later in the next government to be a priority, because it has been mandated by law. But on the other hand, of course, in the next government, the issue of moving the country's capital will be a new and burdensome additional work for the government regime in the future; polemic indeed, but when we return to the issue of the urgency of the importance of moving the capital as previously described in this manuscript. The Indonesian people have no other choice. Indonesia is certainly not the only country that wants to move its

capital, previously according to historical records there were seven countries that had moved their capitals. First, Nigeria moved its capital from Lagos to Abuja City in 1991 on the grounds of overcrowding in Lagos. (Nwafor, 1980) Second, Brazil is listed as a country with a long history of relocating its capital, namely between 1549 – 1763; but right in 1960, the Brazilian government decided to move the country's capital again from Rio De Janeiro to Brasilia for reasons of population density. (Mubaroq & Solikin, 2019) Third, Myanmar moved the capital from Yangon to Naypdaw in 2005 on the basis of predictions of foreign attacks from the sea. (Seekins, 2009) Third, Myanmar moved the capital from Yangon to Naypdaw in 2005 on the basis of predictions of foreign attacks from the sea (Seekins, 2009). Fourth, Turkey moved its capital from Istanbul to Ankara in 1923 based on the control of British, French and Russian troops in Istanbul (Bilsel, 2007) . Fifth, Malaysia moved the nation's capital from Kuala Lumpur to Putrajaya in 1995-1999. The reason for relocating the capital city is due to the increasingly congested city of Kuala Lumpur. Sixth, Kazakhstan moved the capital from Almaty to Astana in 1997 also for reasons of population density. (Mubaroq & Solikin, 2019)

The hope to spread the benefits of development economically can be interpreted as the basis for the movement to relocate the national capital, of course, apart from the systemic effects produced by the population density in the capital city of Jakarta, this is the main confirmation that it will become a long-term ambitious project. Moreover, the aspiration to realize an Advanced Indonesia in 2045, which is supported by Indonesia-centric development that supports the creation of inclusive growth and at the same time sends a message to the world that IKN is not only physically moving the capital but also a new locomotive for Indonesia's transformation based on innovation and development. technology-based and green economy. Through the launch of a smart-transportation system which is claimed to be based on the integration of the development of public transportation, bicycles and pedestrians with the implementation of an integrated information system, intelligent transport system and innovative public transportation network, the capital city of Indonesia is expected to become the capital of a pilot country in the world. However, it needs to be examined more deeply, that the policy of moving the capital of the country primarily by looking at the current conditions in Indonesia is certainly not an easy thing; for example, if the study of capital relocation is viewed from the perspective of economic governance capacity which is very expensive (See. Fig 2). From CNN Indonesia, it is stated that the government currently sets a new capital development budget (IKN) of around IDR 466 trillion until the next 2045; of this total, the state budget will cover 19% or around IDR 88.54 – IDR 92.34 trillion. In addition to the expected absorption from the APBN, the development and process of moving the State Capital IKN will also utilize funds from private investment, BUMN, to the government and business entity cooperation scheme (KPBU). The urgency of the process of moving the country's capital is also reflected in Presidential Regulation no. 85 of 2021 concerning the government's work plan for 2022 where for 2022 the government will prepare funds worth IDR. 510.79 billion in the 2022

State Budget. The Minister of Public Works and Public Housing (PUPR) proposes a IDR budget. 46 trillion for the construction of the new capital to the Ministry of Finance.



Figure 2. Comparison of Income, Expenditures, and Surplus/Deficit (APBN 2022 and Outlook 2022)

Data-wise, the outlook for the state budget and the posture of the 2022 state budget is reflected as in figure 2 where state revenue in 2022 is targeted at IDR. 2.266 trillion, where this amount increased by IDR. 420.1 trillion or 12.7% compared to the 2022 State Budget which is IDR. 1846.1 trillion. The increase in income was obtained from revenues from the taxation sector of IDR. 1,784.2 trillion, while the income from non-tax state revenue (PNBP) is IDR. 481.6 trillion.

However, important attention is of course aimed at the prospect of IKN development which must be faced with the condition of state revenues and state expenditures. Where the portion of the state debt experienced a very significant development from year to year. This fear is the basis why the process of moving the capital is considered an ambitious project that can threaten economic stability. (Reinsberg et al., 2020) (Pinelli, 2018) Especially considering the Presidential Regulation no. 85 of 2021 is more burdensome for the state budget because the percentage of IKN projects involves 19% of APBN funds, which is the same as the percentage of education, health and social funds so far. For more details, the statistical position of Indonesia's foreign debt can be seen in table 4.

Table 4. Position of External Debt of the Republic of Indonesia by Group of Borrowers (in millions of USD)

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
1. Government and Central Bank	118.642	126,119	123,548	129,736	142,608	158,283	180,622	186,275	202.872	209,246	209,205	194.040
1.1. Government	112.427	116,187	114,294	123,806	137,396	154.875	177,318	183.197	199,876	206.375	200.175	185.555
1.2. Central Bank	6.215	9.932	9.255	5,930	5.212	3.408	3.304	3.078	2,996	2.871	9.030	8,485
2. Private	106,732	126,245	142,561	163.592	168.123	161,722	171.847	189,155	200,690	207,689	207.073	206.334
2.1. Financial institutions	24,570	30370	32,378	41.822	42,997	40.062	40,563	44,953	46,636	43,227	41,432	42.004
2.1.1. Bank	18,466	23.018	24,431	31,673	31,920	30,247	30,300	34,367	35,245	33,600	32,972	35,236

2.1.2. Non-Bank Financial Institution	6.103	7,713	7.947	10.149	11,077	9.815	10,263	10,586	11,391	9,627	8,460	6.768
2.2. Not a Financial Institution	82.162	95.515	110.183	121.771	125.125	121,661	131,284	144,202	154.054	164.462	165,641	164.330
Total (1+2)	225,375	252,364	266109	293.328	310,730	320.006	352.469	375,430	403.563	416,935	416,278	400,374

Source. www.bi.go.id

In table 4 it can be seen that there has been an increase in the amount of foreign debt of the republic of Indonesia, which has increased from 2011 to 2021, but in fact there has been a decrease in the amount of debt from 2021 to 2022. Payment of maturing Government Securities (SBN) dominates the payment of the debt. Based on data from BI, the value of SBN maturing in April is US\$ 1.32 billion, with a principal of US\$ 1.025 billion and an interest of US\$ 295 million (CNN Indonesia, 2022). The smooth payment of debt by the government was driven by the steadily improving state revenues. Moreover, there was a surge in international commodity prices which also improved. So that in the first four months of this year, the State Budget has a surplus of Rp 103.1 trillion or 0.58% of GDP.

However, it doesn't stop there, global economic conditions and the global crisis caused by the war between Russia and Ukraine, as well as China's invasion of Taiwan have become a frightening specter that can have an impact on the national economy. So that the economic impact can be felt to the republic of Indonesia. (Bakrie et al., 2022) The resulting economic impact began to be felt since COVID-19, which still left the economy not yet 100% recovered, then the blow of war between Russia and Ukraine, which not only had an effect on the crisis in Europe and America; but also in the Southeast Asian region as a country that depends on the global economy. This will be a threat to IKN itself caused by global inflation (See. Figure 3).

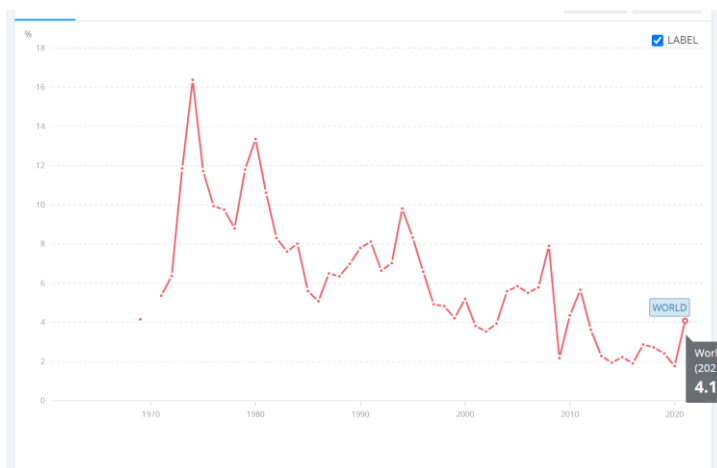


Figure 3. World Inflation Graph 1960-2021 (Source: Worldbank)

In the country cluster, Indonesia will have an inflation rate of 6.02% in 2022 (see Figure 4). If we look at Figure 4. The Southeast Asian region has a fairly significant inflation rate; This inflation has had a real impact on society to date. This needs extra attention for the government

in preparing strategic steps to obtain funds for IKN development in the future. Because the impact of inflation will certainly change the posture of the APBN in the future; Inflation will also provide a very logical form of resistance by the community if the IKN project is not carefully launched.

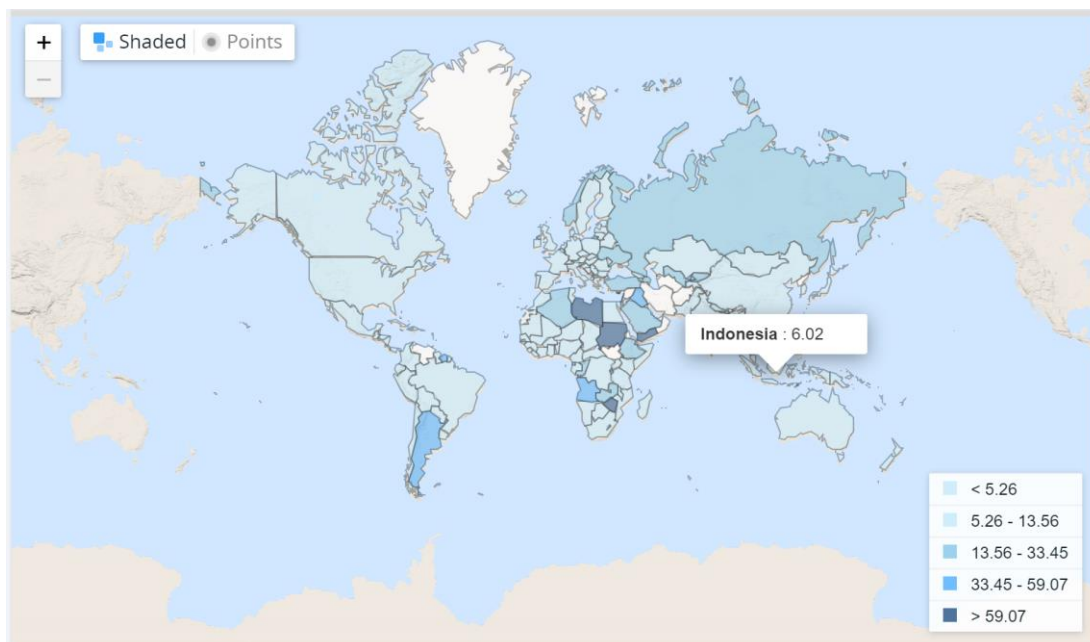


Figure 4. Indonesia Inflation Rate 2021-2022 (Source: Worldbank)

Paradoxial Cases: Butterfly Effect IKN

It is a big challenge for the Indonesian people to realize a just and equitable government referring to the mandate of the 1945 law. The challenge to realize IKN is very large in the current and future economic aspects. The butterfly effect that will be presented will place the current government until the year 2045 as an actor who can be remembered for suffering the conditions of the people. Therefore, it is necessary to understand that behind every opportunity there will certainly be a threat. Thus, this study provides a common thread from consideration of various sides, what the government should pay attention to in the future. After we describe the study of this study, the final part of this study finally presents a comprehensive overview of strategic analysis regarding NCI as presented in table 5.

Strength (S)

1. The draft of the IKN state capital relocation has been stated in Law no. 3/2022
2. The IKN budgeting mechanism has been stated in Presidential Regulation no. 65 years 2021
3. IKN master plan
4. The view of agglomeration and Javanese- sentism makes a strong basis for moving the country's capital
5. country 's capital

Weakness (W)

1. This project is considered by the community and many experts as an ambitious project that is considered not to be studied optimally.
2. Law No. 3 of 2012 with a very concise process (42 days) assessed many questions in the material test
3. In many documents, both Law no. 3/2022 and the master plan do not explain in detail the economic and environmental impacts of both indigenous peoples and affected communities.
4. The government's attention to the Act. No.3/2022 is more about the mechanism and procedures for moving the capital city rather than discussing in depth and philosophically the butterfly effect that will later have on the IKN process.
5. Financial control factors that rely on the state budget as the main sector of IKN funding
6. The capital relocation project (IKN) with a fairly large debt posture will be worrying

Opportunity (O)

1. The relocation of the national capital was originally planned since the Dutch colonial era through the results of scientific analysis which considered that urban areas on the outskirts of the island of Java were considered unhealthy.
2. The increasingly worrying population density is the fundamental reason for moving the country's capital in the IKN project
3. Indonesia is not the only country that has moved its capital city due to overcrowding. There are Turkey, Malaysia, Kazakhztan, Myanmar, Brazil who did this first
4. Jakarta is considered universally unhealthy (economic, social, legal, health)

Threat (T)

1. Global Inflation
2. Unpredictable foreign investment
3. The level of debt and interest returns is quite large, especially on foreign investment projects
4. Foreign debt

Table 5. Strengths, Weaknesses, Opportunities and Threats

	POWER(S)	WEAKNESSES (W)
INTERNAL FACTORS	<ol style="list-style-type: none"> 1. The draft of the IKN state capital relocation has been stated in Law no. 3/2022 2. The IKN budgeting mechanism has been stated in Presidential Regulation no. 65 years 2021 3. IKN master plan 4. The view of agglomeration and Javanese- sentism makes a strong basis for moving the country's capital 5. country 's capital 	<ol style="list-style-type: none"> 1. This project is considered by the community and many experts as an ambitious project that is considered not to be studied optimally. 2. Law No. 3 of 2012 with a very concise process (42 days) assessed many questions in the material test 3. In many documents, both Law no. 3/2022 and the master plan do not explain in detail the economic and environmental impacts of both indigenous peoples and affected communities. 4. The government's attention to the Act. No.3/2022 is more about the mechanism and procedures for moving the capital city rather than discussing in depth and philosophically the butterfly effect that will later have on the IKN process. 5. Financial control factors that rely on the state budget as the main sector of IKN funding 6. The capital relocation project (IKN) with a fairly large debt posture will be worrying
FACTOR EXTERNAL		

OPPORTUNITY (O)	SO ANALYSIS	WO ANALYSIS
<ol style="list-style-type: none"> 1. The relocation of the national capital was originally planned since the Dutch colonial era through the results of scientific analysis which considered that urban areas on the outskirts of Java were considered unhealthy. 2. The increasingly worrying population density is the fundamental reason for moving the country's capital in the IKN project 3. Indonesia is not the only country that has moved its capital city due to overcrowding. There are Turkey, Malaysia, Kazakhztan, Myanmar, Brazil who did this first 4. Jakarta is considered universally unhealthy (economic, social, legal, health) 	<ol style="list-style-type: none"> 4.1 The transfer of the country's capital in Law no. 3/2022 has been reviewed from various aspects, such as scientific aspects, theoretical aspects, sociological aspects, juridical aspects and philosophical aspects. 4.2 The desire to realize golden Indonesia in 2045 and also the aspiration to realize the nation's capital as a world model capital project that puts forward <i>green</i> and sustainability aspects 	<ol style="list-style-type: none"> 5.1 The financial control factor, which relies on the state budget as the main sector in IKN funding, can hinder the IKN project even though the idea of moving the state capital has been a dream that has been planned since the Dutch colonial era. 5.2. Financial control factors that rely on the state budget can pose a threat resulting in a slowdown in moving the nation's capital given the alarming population density and Indonesia's economic turnover of 70% centered in the capital city of Jakarta.
THREAT (T)	ST ANALYSIS	WT ANALYSIS
<ol style="list-style-type: none"> 1. Global Inflation 2. Unpredictable foreign investment 3. The level of debt and interest returns is quite large, especially on foreign investment projects 4. Foreign debt 	<ol style="list-style-type: none"> 1.1 Although the plan to move the capital city has been enacted, the process of moving it may slow down due to global inflation 1.2 Even though it has been promulgated, the APBN will later find it difficult to be charged in the long term. Thus, attention to foreign investment that is difficult to predict can also be an inhibiting factor 	<ol style="list-style-type: none"> 5. 2 Although Law no. 3/2022 regulates the mechanism for funding sourced from the APBN and foreign investment. However, foreign investment that is difficult to predict can become a serious threat that will not only affect the IKN project but also all socio-economic aspects of Indonesian society. 1.1. The capital relocation project (IKN) with a fairly large debt posture will be worrying, given the threat of global inflation 1.2. The government's attention to the Act. No.3/2022 is more about the mechanism and procedure for moving the capital city rather than discussing in depth and philosophically the butterfly effect that will later have on the IKN process, especially in increasing foreign debt.

CONCLUSION

The process of moving the capital city has become an ideal that has been proclaimed since the Dutch colonial era before Indonesia's independence with various logical and scientific considerations. Then these ideals developed into a vision and mission to realize a golden Indonesia in 2045 as the capital of a world model country that prioritizes aspects, equity, balance, modernity, and fairness in all aspects. Although it has become a mandate that has been stated in law no. 3/2022, which must be carried out by any Indonesian government in the future, but this attention is certainly inseparable from efforts so that all parties can enjoy the process of moving the country's capital without injuring the interests of any of the groups or parties affected by this policy. Financial factors, foreign debt and global inflation are a serious threat to IKN today and are predicted for the next few years. One of the short-term effects is inflation, which will make various prices for basic needs and so on which will become a burden for the Indonesian people outside the island of Kalimantan as actors whose regions are mandated as the capital of the country. Along with this threat, the government should also think about it, especially how to create a conducive economic environment, and anticipate national economic conditions in the midst of economic recovery after COVID-19 and global inflation. The government of course must be able to convince various elements of society, both private and foreign investors that the relocation of the capital (IKN) can provide fresh air for all elements involved in it. Finally, this study hopes that the relocation of the national capital can be continued; Even though the short-term effects of this project are certain to happen, the spirit and long-term optimism to create a golden Indonesia for the next generation of this nation is a consideration, especially for us as writers so that these ideals can be realized.

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