

Analysis of DPR Policy in Rejecting the Transfer of the Capital City of Jakarta to the Capital of Nusantara

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Abstract. The relocation of Jakarta's capital to the National Capital Region (IKN) has sparked a heated debate in public policy circles. This article delves into the reasons why the House of Representatives (DPR) rejected the proposal, highlighting several key factors. The financial aspect was a major concern, given the high cost of building new infrastructure in IKN Nusantara, particularly in light of limited state funds and other development priorities. The social impact was also an important consideration, as population displacement, changes in lifestyle, and economic uncertainty were among the many potential consequences of moving the capital. Additionally, environmental issues such as ecosystem damage and increased pollution were also significant points of concern. Political stability was another crucial factor in the DPR's decision, as the potential disruption to stability caused by the move would need to be carefully assessed. The DPR has emphasized the importance of broad public consultation to ensure that any proposed relocation is supported by the community. An article highlights South Africa's successful capital relocation as an example of effective planning, strong public participation, and the resolution of infrastructure issues. These remarks can be applied to the Indonesian context to achieve a successful relocation.

Keywords: Function; Legislation; DPR; Rejection of Capital City Relocation; IKN Nusantara.

1 INTRODUCTION

The Constitution of the Republic of Indonesia of 1945 (UUD 1945) is the highest law in the nation and state where the Constitution of the Republic of Indonesia of 1945 (UUD 1945) regulates the relationship between the government and its state and the relationship between government institutions so that the Constitution of the Republic of Indonesia of 1945 (UUD 1945) can be said to be the constitution of the Republic of Indonesia. The constitution of a country regulates the following things: a) Determines the limitations on the power of state organs, b) Regulates the relationship between one state institution and another, and Regulates the power relationship between state institutions and citizens. c) The constitution typically regulates the achievement of the founding purpose of a country. Every country in the world has different goals that are set based on their people's views on the nation and their underlying outlook on life in the state. These goals are the objectives of the nation in state life.

The constitution or basic law of a State typically outlines its objectives, including those of the Indonesian state that are explicitly stated in the preamble to the 1945 Constitution of the Republic of Indonesia (UUD 1945). These objectives, outlined in the fourth paragraph, include protecting the entire Indonesian nation and promoting general welfare, enlightening

the nation's life, and participating in implementing world order. However, the 1945 Constitution does not provide a clear scope and limitations for the meaning of the law. While Article 20 states the DPR's authority to form laws with mutual agreement with the government, Article 24 C paragraph (1) determines that the Constitutional Court has the authority to review laws against the Constitution.[3] Therefore, to create a rule of law, the state must make standard rules regarding laws, procedures, and mechanisms for the formation of statutory regulations. In Indonesia, there are several regulations regarding the regulation of the formation of statutory regulations, namely TAP MPRS Number XX/MPRS/1966 concerning Sources of Legal Order, TAP MPR Number III/MPR/2000, and refined with Law Number 10 of 2004 concerning the Formation of Legislative Regulations. Feeling that the previous regulations were incomplete, on 12 August 2011, the government enacted Law Number 12 of 2011 to replace Law Number 10 of 2004 concerning the Formation of Legislative Regulations.

Law Number 12 of 2011 contains new provisions, namely the re-entry of the MPR TAP in the hierarchy of statutory regulations. In Article 7 paragraph (1) it is stated that the hierarchy of statutory regulations consists of the 1945 Constitution, TAP MPR, UU/Perpu, government regulations, presidential regulations, provincial regulations, and district regulations.[5] The House of Representatives (DPR) as a legislative institution in Indonesia has a very important role in drafting and formulating laws, including approval of laws. The legislative function of the DPR in the process of drafting bills up to ratification and approval of laws is an integral part of efforts to regulate and supervise the running of the central government of the capital city of Jakarta to the capital city of the archipelago (IKN) in Indonesia.

The House of Representatives (DPR) proposed to the government that there be a special decree for Jakarta to become a special area for the legislative capital. This proposal emerged during the final discussion of the problem inventory list (DIM) of the Jakarta Special Region Draft Law (RUU DKJ). However, the government rejected this proposal. Deputy Chairman of the DPR Legislative Body (Baleg) Achmad Baidowi proposed a provision to make Jakarta the legislative capital. He is guided by the scheme of forming capital cities in several countries which do not consist of just one place, but many places according to the branches of state power (*trias politica*).

The relocation of Indonesia's capital from Jakarta to Eastern Indonesia, which is stipulated in the Omnibus Law on Job Creation, has become a hot topic of discussion among the public and related parties. The decision to move the capital has sparked various reactions

and controversy, especially regarding the House of Representatives (DPR) rejection of this plan.

The background to the plan to move the capital city of Jakarta to Eastern Indonesia, especially the National Capital Region (IKN), is to overcome various problems that have long haunted Jakarta, such as traffic jams, high levels of air pollution, and pressure on existing infrastructure. unable to accommodate population growth and economic activity. Apart from that, it is hoped that moving the capital city will equalize development in various regions of Indonesia and accelerate economic growth in the Eastern region. However, the DPR's rejection of the plan to move the capital city of Jakarta to IKN has raised big questions among the public and public policy observers. The reasons behind this rejection are the subject of complex debate and require in-depth analysis to understand them thoroughly.

The DPR as a legislative institution has an important role in determining the direction of state policy, including policies as big as moving the capital city. The DPR's rejection of this plan could be influenced by various factors, such as political, economic, social, and environmental considerations. Apart from that, aspects of legality, transparency, public participation, and comprehensive consultation are also important considerations in making decisions regarding moving the capital city. With a deeper understanding regarding the DPR's rejection of the plan to move the capital city, it is hoped that this article can provide valuable insight for readers to understand the dynamics of public policy in Indonesia, as well as the consequences of political decisions taken by the legislative body.

Moving the nation's capital is a complex decision and must be considered carefully because it involves various important social, political, economic, and infrastructure aspects. Here are some reasons why a country cannot just move its capital:

1. Financial Aspect.

Moving the nation's capital requires large investments to build new infrastructure, government buildings, housing for officials, and other public facilities. The budget required to move the capital could place a huge burden on state finances.

2. Social Impact.

Moving to the capital city can have an impact on people's social lives, especially for residents who live in the old capital city. This movement can cause uncertainty, population displacement, and changes in people's living patterns.

3. Political Stability.

Moving the country's capital can affect political stability because changing the location of the center of government can trigger tensions between regions, conflicts of political interests, and shifts in power at the local and national levels.

4. Availability of Infrastructure.

Before moving the capital, the country must ensure the availability of adequate infrastructure in the new location, including transportation networks, clean water, electricity, and other public services. Infrastructure readiness is very important to support the continuity of government activities and community life.

5. History and Identity Aspects.

National capitals often have strong historical and symbolic value. Moving the capital city can raise questions regarding national identity and people's emotional connection to the existing capital city.

6. Public Consultation and Participation.

Before deciding to move the capital, the country needs to conduct consultations and involve broad public participation to ensure public support for the decision. Community involvement in the decision-making process will strengthen the legitimacy and acceptance of moving the capital city.

By considering these various aspects, a country must carry out a thorough evaluation and comprehensive study before deciding to move the country's capital. This decision must be taken wisely and based on careful consideration of the interests of the state and the welfare of society.

2 PROBLEM FORMULATION

From the background of the problem above, a problem formulation can be found, namely What is the Policy Analysis of the DPR in Rejecting the Transfer of the Capital from Jakarta to the Capital of Nusantara?

3 METHOD

Metode

The method used in writing this applied paper is a descriptive-analytical method, namely by using data that clearly describes problems directly in the field, the analysis is carried out, and then conclusions are drawn to solve a problem. The data collection method is through

observation and literature study to obtain solutions to problems in preparing this paper. In line with the research objectives to be achieved, the domain of this research is included in the realm of qualitative research, thus a qualitative approach method will be used. According to Petrus Soerjowinoto et al., the qualitative method emphasizes the process of the research in understanding the problem formulation to construct a complex and holistic legal phenomenon.

Approach

An empirical juridical approach or what is called field research is to examine applicable legal provisions and what happens in reality in society [10]. In other words, it is research carried out on the actual situation or real conditions that occur in society to know and find the facts and data needed, after the required data is collected it then leads to problem identification which ultimately leads to solving the problem. So, the empirical juridical approach intended in this research is that in analyzing the problems that have been formulated it is conducted by combining primary, secondary, and tertiary legal materials (which are secondary data) with primary data obtained in the field, namely DPR Policy Analysis. In the rejection of moving the capital from Jakarta to the capital of the archipelago in practice.

4 RESULT AND DISCUSSION

Analysis of DPR Policy in Rejecting the Transfer of the Capital City of Jakarta to the Capital of Nusantara

Democracy is a government by the people where the power of the majority of citizens is exercised. In modern democracy, democracy is carried out through representation, where the people elect their representatives. According to the basis of democracy, the highest decisions in state government lie in the hands of the people through the intermediary of the Representative Body. The members of the community who represent them are called Political Representatives.

There has been a lot of discussion regarding whether or not the 1945 Constitution needs to be amended or replaced.[13] After the Reform Era, the 1945 Constitution was no longer sacred, on the contrary, discourse about the Constitution in particular and other matters in general was widely opened. It is due in no small part to the contribution made by the 1945 Constitution in destroying the living conditions of the Indonesian state as it is today, including the worsening economic climate and the decline in the standard of living of the

people. Opportunities are open to carry out interpretations and implementation of the articles in the 1945 Constitution.

Improving the DPR's legislative function is not only seen in quantity, namely the number of legislative products (in the form of laws/agreements/etc.) that it produces, but also in the quality of the legislative products it produces, in the form of the content of laws or policies that should be more pro-partisan. in the interests of the wider community or other words pro-people policies. One indication of the policy results of the DPR's performance in the field of pro-people legislation is related to the crucial issue of moving the National Capital of Jakarta to the National Capital of the Archipelago (IKN Nusantara).

Basic Reasons for the DPR's Rejection regarding the Transfer of the Capital City of Jakarta to IKN Nusantara:

1. Financial Aspect.

Moving the capital city of Jakarta to the National Capital Region (IKN) of the Archipelago requires a very large investment. The DPR may consider the long-term financial impact of the transfer and the sustainability of the state budget.

2. Social Impact.

The DPR's rejection may be based on concerns about the social impacts of moving the capital, such as population relocation, changes in the local economy, and uncertainty for the affected communities.

3. Environmental Issues.

Moving the capital city to IKN Nusantara could also cause environmental problems, such as ecosystem damage, increased pollution, and changes in land use. The DPR may consider the possible environmental impacts.

4. Political Stability.

The DPR's rejection could also be influenced by considerations regarding political stability resulting from moving the capital, including the potential for political tensions between regions and shifts in power at the local level.

5. Public Consultation.

The DPR may also highlight the lack of adequate public consultation before the decision to move the capital was taken. Community involvement in the decision-making process is important to ensure support and legitimacy.

Meanwhile, another reason for refusing to move the capital city is based on the South African pilot. South Africa has three capitals, namely the executive branch of government is in Pretoria, the judiciary is in Bloemfontein, and the legislature is in Cape Town. For this

reason, the DPR proposes that the government agree with the DPR to include a provision or sentence stating that the Special Region of Jakarta becomes a legislative city in the DKJ Bill which is now just waiting for level one ratification.

Meanwhile, the driving reasons for making South Africa a Model for Successful Capital Relocation are as follows:

1. Infrastructure Problem Solving.

South Africa was chosen as an example because it succeeded in solving infrastructure problems faced in previous capital cities, such as congestion, pollution, and limited space.

2. Positive Impact on New Areas.

The relocation of the capital city in South Africa had a positive impact on the new region, including improving the economy, infrastructure, and access to public services.

3. Strong Public Participation.

The capital relocation process in South Africa involved strong public participation, ensuring community support and acceptance of the decision.

4. Infrastructure Planning and Readiness.

South Africa managed to demonstrate careful planning and infrastructure readiness before moving the capital, which was key to the successful implementation of the decision.

Taking into account the above factors, South Africa is considered a successful example of capital relocation and can inspire other countries to consider similar moves. Impacts that could arise if Jakarta was transferred to IKN Nusantara:

1. Social Impact.

Population Relocation.

Moving the capital city of Jakarta to IKN Nusantara will require a massive relocation of residents living around Jakarta, which could affect their social and economic lives.

Lifestyle Changes.

Relocated residents will experience changes in lifestyle, including access to the public, employment, and social services.

2. Economic Impact.

Infrastructure Investment.

Moving the capital city will require large investments in building new infrastructure in IKN Nusantara, which could cause a shift in budget and investment from other sectors.

Local Economic Development.

Moving the capital city can have a positive impact on local economic development in a new region, but it can also cause economic inequality between that region and other regions.

3. Environmental Impact.

Ecosystem Damage.

Building new infrastructure for a new capital city could cause damage to local ecosystems, including forests, rivers, and agricultural land.

Increased Pollution.

Development activities and increased mobility around IKN Nusantara can cause increased air, water, and land pollution.

4. Infrastructure Impact.

Infrastructure Readiness.

Moving to the capital city requires adequate infrastructure preparation in IKN Nusantara, including transportation, electricity, clean water, and other public facilities.

City Spatial Planning.

Good spatial planning is needed to ensure development around IKN Nusantara takes place in an orderly and sustainable manner.

5. Political Impact.

Shifts in Power

Moving the capital city can cause shifts in political power between regions, conflicts of political interests, and political tensions on a local and national scale.

Political Stability.

Changes in the location of the center of government can disrupt the political and administrative stability of the country.

Moving the capital city of Jakarta to IKN Nusantara will have broad and complex impacts, so it needs to be carefully considered through a comprehensive study to minimize negative impacts and maximize positive benefits for the country and society.

Meanwhile, there are several reasons why IKN Nusantara was chosen as a replacement for Jakarta, including:

1. Availability of Large Space.

The IKN Nusantara area has sufficient area to be used as the new national capital with adequate space for the development of infrastructure and public facilities.

2. Strategic location.

IKN Nusantara is located in the middle of Kalimantan Island, providing good accessibility to various regions in Indonesia. Its strategic location can facilitate coordination and communication between regions.

3. Economic Development Potential.

By moving the capital to IKN Nusantara, there is potential for new economic development in the region. It can help redistribute economic development to areas outside Java.

4. Environmental Considerations.

The choice of IKN Nusantara as the new location for the capital city could also be influenced by environmental considerations, with the hope of reducing the burden on the environment in Jakarta which is already too congested and polluted.

5. Solving the Overcrowding Problem in Jakarta.

Jakarta has experienced problems with overcrowding and severe traffic jams. By moving the capital, it is hoped that it can reduce pressure on population and infrastructure in Jakarta.

6. New Area Development.

Moving the capital city to IKN Nusantara could also stimulate the development of the wider area around it, creating new opportunities for economic growth and infrastructure development.

The choice of IKN Nusantara as a replacement for Jakarta as the nation's capital is a decision that is expected to provide long-term benefits for the country, society, and the environment. By considering the various factors above, it is hoped that the relocation of the capital city can be carried out taking into account the positive and negative impacts as a whole.

5 CONCLUSION

There are multiple reasons why the People's Representative Council (DPR) rejected the proposal to relocate Jakarta's capital city to the National Capital Region (IKN) of the Archipelago. The DPR cited several crucial aspects, such as financial implications, social impact, environmental concerns, political stability, and insufficient public consultation before making a decision. One of the primary reasons for rejection was the significant financial investment required to construct new infrastructure in IKN Nusantara, which could strain

limited state budgets. Additionally, social impacts such as population relocation, changes in lifestyle, and economic uncertainty are serious considerations.

Environmental issues are also a concern, as constructing new infrastructure could potentially harm ecosystems and increase pollution. The DPR also noted that political stability could be disrupted due to relocation and that wider public consultation is necessary to ensure community support and legitimacy. This article cites South Africa as an example of a successful capital relocation, with success factors including solving infrastructure problems, strong public participation, thorough infrastructure planning and readiness, and a positive impact on new territories.

In light of these considerations, the DPR must thoroughly analyze the potential impacts of relocating Jakarta's capital city to IKN Nusantara, including social, economic, environmental, and political aspects. Decisions should be based on comprehensive analysis and involve all stakeholders to mitigate negative impacts and maximize positive benefits for the country and society as a whole.

REFERENCES

- Sugiyono. (2017). *Metode Penelitian Kuantitatif, Kualitatif, dan R&D*. Alfabeta.
- Sugiyono. (2013). *Metode Penelitian Kuantitatif, Kualitatif, dan R&D*. Alfabeta.
- Soerjowinoto, D. P. (2006). *Buku Panduan Metode Penulisan Karya Hukum (MPKH) dan Skripsi*. Fakultas Hukum, UNIKA Soegijapranata.
- Soemantri, S. (2006). *Prosedur dan Sistem Perubahan Konstitusi*. Alumni.
- Sanit, A. (1982). *Perwakilan Politik: Suatu Studi Awal Dalam Pencarian Analisa Sistem Perwakilan Politik di Indonesia* (2nd ed.). Universitas Nasional.
- Rachman, A. (2024). Tak Mau Pindah ke IKN, DPR Ungkap Alasan Ini! CNBC Indonesia. Retrieved April 23, 2024, from <https://www.cnbcindonesia.com/news/20240318174458-4-523007/tak-mau-pindah-ke-ikn-dpr-ungkap-alasan-ini>
- Priyadi, Y. A. (2014). Tinjauan Yuridis Terhadap Fungsi Legislasi Dewan Perwakilan Rakyat Republik Indonesia Sebelum Dan Sesudah Perubahan Undang-Undang Dasar Negara Republik Indonesia 1945. *JOM Fakultas Hukum*, I, 1–15.
- Nilamsari, N. (2014). Memahami Studi Dokumen Dalam Penelitian Kualitatif. *Wacana*, 13(2), 177–181.
- Mohaimin. (2020). *Metode Penelitian Hukum*. Mataram University Press.

- Isra, S. (2010). Pergeseran Fungsi Legislasi: Menguatnya Model Legislasi Parlementer Dalam Sistem Presidensial. Rajawali Press.
- Indrati, M. F. S. (2007). Ilmu Perundang-undangan: Jenis, Fungsi, dan Materi Muatan. Kanisius.
- Effendi, S. (2008). Mencari Sistem Pemerintahan Negara. VISI, VI(8).
- Budiardjo, M. (2007). Dasar-Dasar Ilmu Politik. Gramedia.
- Asshiddiqie, J. (2011). Perihal Undang-Undang. Rajawali Pers.