

## **Indonesia's Capital Relocation: A Normative-Juridical Review of Governmental, Criminal Law, and State Stability**

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Received: 25/07/2025

Revised: 30/08/2025

Accepted: 25/10/2025

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**Abstract**

The relocation of the National Capital has become a strategic issue and a legal urgency in Indonesia due to its impact on governmental stability, legal order, and national security. Emerging issues include the government's authority in determining the location of the National Capital, potential legal conflicts between national and international regulations, and the risk of criminal law violations in land acquisition and project implementation. This study aims to analyze the juridical aspects of the National Capital relocation by integrating perspectives from administrative law, criminal law, and the stability of the Unitary State of the Republic of Indonesia (NKRI). The research employs a normative-juridical method with legislative, case study, and conceptual approaches. The results indicate that the relocation of the National Capital must consider legality based on Law Number 3 of 2022 concerning the National Capital, principles of good governance, and the prevention of criminal acts related to land acquisition and development. The integration of administrative and criminal law is crucial for maintaining political, social, and economic stability. In conclusion, the relocation of the National Capital is legally valid if carried out with strict adherence to legal compliance, transparent oversight, and effective mechanisms for mitigating criminal risk, thereby supporting the sustainable stability of the Republic of Indonesia.

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**Keywords**

National Capital Relocation; Juridical Analysis; Criminal Law; NKRI Stability

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### **1. INTRODUCTION**

The relocation of Indonesia's capital from Jakarta to East Kalimantan is a strategic government project with significant implications for governance, national development, and national stability (Wahyudi, 2023). This project emerged in response to various structural problems affecting Jakarta, including high population density, traffic congestion, air pollution, and the risk of natural disasters such as flooding and land subsidence. These cumulative pressures have exceeded Jakarta's carrying capacity as the center of national governance, necessitating a redistribution of state administrative functions to a more sustainable region. (Vina Carolin, 2023)



Based on data from the Central Statistics Agency (BPS), population density data for 2021 show significant variations between provinces in Indonesia. DKI Jakarta was recorded as the region with the highest density, reaching 15,978 people per square kilometer, followed by West Java with 1,379 people/km<sup>2</sup>, Banten with 1,248 people/km<sup>2</sup>, and the Special Region of Yogyakarta with 1,185 people/km<sup>2</sup>.

Meanwhile, regions outside Java generally have much lower densities. Provinces in Kalimantan, such as North Kalimantan and Central Kalimantan, have densities of only nine people per square kilometer and 18 people per square kilometer, respectively. Several newer regions, including Southwest Papua, South Papua, Central Papua, and Highland Papua, lack recorded density data.

Nationally, Indonesia's average population density is 142 people per square kilometer, with provinces in Java dominating the high density, while eastern Indonesia remains relatively sparsely populated. This difference illustrates the striking disparity in population distribution between regions. Jakarta has a population density of over 15,978 people per square kilometer, significantly higher than the national average (BPS, 2023). This imbalance not only burdens infrastructure and public services in Jakarta but also reinforces long-standing regional development disparities between Java and other regions.

A report by the Ministry of National Development Planning (MOBP) shows that development in Indonesia has tended to be concentrated on the island of Java, particularly Jakarta. As a result, eastern Indonesia continues to lag in terms of infrastructure, investment, and job opportunities. This disparity underscores the need for strategies to promote equitable development and increase the capacity of other regions to become new growth centers.

The relocation of the national capital to East Kalimantan aims to spread development evenly outside Java, accelerate government operations, and provide better public services to the community. The new capital will also be developed as a modern, technology-based, environmentally friendly, and sustainable city, not simply a relocation of government offices. The new capital is envisioned not merely as an administrative relocation, but as a smart, sustainable, and environmentally conscious city that reflects the modernization of Indonesian governance. (Bappenas, 2022)

This project is also intended as a symbol of the modernization of Indonesian governance. However, despite these potential benefits, relocating the national capital raises several complex legal issues. Several issues arise regarding the central government's authority to determine the location of the national capital, including its compliance with applicable laws and government regulations. Furthermore, potential conflicts with international law, particularly regarding foreign investment, the rights of indigenous peoples, and environmental protection provisions, require attention.

From a legal perspective, the policy of moving the National Capital contains at least three main interrelated issues:

First, within the framework of governmental law, questions arise concerning the constitutional basis and legitimacy of relocating the capital city. The 1945 Constitution and its derivative legislation provide the normative foundation for state governance, including the determination of the capital's location. Critical issues include the scope of authority exercised by the President and the House of Representatives, the legal status and powers of the Nusantara Capital City Authority (Otorita IKN), and the harmonization of authority between the central government and the East Kalimantan regional government within Indonesia's asymmetric decentralization system. (Asshiddiqie, 2021)

Second, from a criminal law perspective, the National Capital Relocation Project carries significant risks of legal violations due to its massive scale, budget, and involvement of multiple stakeholders (Wahyu, D., & Frinaldi, 2024). Potential risks include corruption, abuse of authority, bribery, irregularities in land acquisition, and environmental crimes. Accordingly, the effectiveness of criminal law instruments—such as anti-corruption legislation, procurement law, environmental criminal law, and corporate criminal liability—becomes central to ensuring accountability and preventing systemic violations (Fadhlansyah & Syahril, 2025; Muladi, 2021). In this context, the implementation of the National Capital Project will be a crucial test of the performance of criminal law enforcement in large-scale national strategic projects.

Third, in terms of NKRI stability, the relocation of the capital city intersects with geopolitical considerations, national defense, and social cohesion (Purnama & Chotib, 2022). East Kalimantan's strategic location may strengthen national integration; however, it also presents challenges related to socio-cultural diversity, indigenous peoples' rights, and environmental sustainability. Failure to adequately address these issues could trigger social conflict, environmental degradation, and threats to political stability, thereby undermining the broader objectives of national resilience and sovereignty. (Safitri, M. A., Arizona, Y., & Sirait, 2023)

These three dimensions demonstrate that the relocation of the national capital is not merely a physical development project but represents a fundamental transformation of Indonesia's legal and governance architecture. Therefore, an integrated legal review is essential to ensure legal certainty, regulatory coherence, and effective risk mitigation throughout the transition and post-relocation phases.

A legal review of the relocation of the national capital is crucial for understanding the legal dimensions and risks involved, both in terms of legislation and national stability. Normative approaches, case studies, and conceptual approaches can ensure that the relocation remains in accordance with the constitution and applicable regulations. International experience shows that the

success of a capital relocation depends heavily on legal integration, transparent oversight, and effective legal risk mitigation. This provides important lessons for Indonesia to ensure the project's safe, legal, and sustainable implementation.

Considering the complexity of relocating the National Capital, this study emphasizes the urgency of integrating governmental and criminal law as the primary foundation for implementing the policy. This integration plays a crucial role in ensuring that the entire relocation process adheres to the principles of legality, transparency, and strict accountability. This approach is expected to minimize the potential for legal violations, corruption, abuse of authority, social conflict, and political instability that could disrupt the smooth progress of development.

Furthermore, legal integration serves as a strategic instrument for strengthening the legitimacy of government policies in the public eye and ensuring compliance with applicable regulations. Based on this description, the research problem formulation centers on the main question: How can the relocation of the National Capital be implemented legally and effectively through a synergy between governmental and criminal law, as well as the implementation of mechanisms to strengthen the stability of the Unitary State of the Republic of Indonesia?

## 2. METHOD

This study employs a normative-juridical research method, which focuses on examining law as a normative system comprising principles, norms, and legal doctrines governing the relocation of Indonesia's National Capital. The research employs several complementary approaches, including the legislative approach, doctrinal (conceptual) approach, and case-study approach, which are commonly used in contemporary legal research to analyze complex state policies. (Ibrahim, n.d.; Marzuki, 2021)

Primary legal materials consist of binding laws and regulations, including Law Number 3 of 2022 concerning the National Capital, the 1945 Constitution of the Republic of Indonesia, legislation on regional government, criminal law provisions, and regulations related to environmental protection and public procurement. Secondary legal materials include peer-reviewed scientific journals, legal textbooks, official government reports, policy documents, and relevant academic publications published within the last five years. Tertiary legal materials, such as legal dictionaries and encyclopedias, are also utilized to clarify legal terminology and concepts. (Marzuki, 2021; Susanti, D. O., & Efendi, 2022; Wignarajah, 2023)

Data collection is conducted through a systematic literature review and doctrinal analysis, involving the identification, classification, and evaluation of legal materials based on their relevance to the research objectives. Case studies are selected using specific criteria, namely: (1) relevance to national strategic projects, (2) involvement of public authority or state institutions, and (3) implications for

criminal liability, governance, or national stability (Wignarajah, 2023). These case studies function to contextualize normative analysis and illustrate the practical application of legal norms.

The data are analyzed qualitatively using content analysis, with an emphasis on legal interpretation techniques (Burhan Bungin, 2017; Mezak, n.d.; Patton, 2002). The study applies systematic interpretation to examine the coherence between constitutional norms, statutory regulations, and implementing rules; teleological interpretation to assess the purpose and objectives of capital relocation legislation; and conceptual interpretation to integrate governmental law and criminal law perspectives within the framework of NKRI stability. (Asshiddiqie, 2021; Barak, 2020)

The methodological flow of this research consists of the following stages: Identification of legal issues related to the relocation of the National Capital, Collection of primary and secondary legal materials, Classification and verification of legal sources based on relevance and authority, Normative and interpretative legal analysis using systematic and teleological approaches, Integration of findings from governmental law, criminal law, and national stability perspectives, Deductive formulation of conclusions and legal recommendations. (Barak, 2020; Safitri, M. A., Arizona, Y., & Sirait, 2023)

Conclusions are drawn using deductive legal reasoning, linking general legal principles and doctrines to the specific context of Indonesia's National Capital relocation (Ibrahim, n.d.; Marzuki, 2021). This methodological design enables the study to provide a comprehensive normative evaluation, identify potential legal risks, and formulate an integrated legal framework to ensure that the relocation policy is implemented in a legal, transparent, accountable, and stable manner.

### 3. FINDINGS AND DISCUSSION

#### 3.1. Relocation of the National Capital from a Legal and Government Administration Perspective

The Indonesian government has taken a significant strategic step by moving the nation's capital from Jakarta to East Kalimantan. This policy is not merely an administrative decision, but an integral part of efforts to strengthen governance and promote equitable national development, which has historically been concentrated on the island of Java. This relocation reflects the central government's constitutional authority to regulate and administer the government effectively, efficiently, and fairly. (Pratama, 2024)

In its implementation, this policy must be based on the principles of legality, transparency, and accountability, which are the main pillars of good governance. The primary legal basis for this capital relocation policy is stipulated in Law No. 3 of 2022 concerning the National Capital (Indonesia, 2022). This law regulates various important aspects, such as land acquisition mechanisms, development funding, management institutions, and coordination across ministries and agencies. The implementation of transparent e-government can serve as a preventive legal instrument in the

relocation of the National Capital, as it plays a role in preventing the abuse of authority and strengthening the accountability and openness of public information to the public.

The relocation of Indonesia's capital to East Kalimantan represents an exercise of constitutional governmental authority aimed at strengthening administrative effectiveness and correcting long-standing regional development imbalances. Based on Law Number 3 of 2022, the legality of this policy rests on adherence to administrative-law principles, including legality, transparency, accountability, and coordination among state institutions. From an administrative-law perspective, the relocation reflects the doctrine of discretionary power (*freies Ermessen*) exercised within statutory limits and subject to public accountability mechanisms. (Asshiddiqie, 2018; Hadjon, 2020)

Empirical indicators of administrative preparedness include the establishment of the Nusantara Capital Authority (Otorita IKN), the adoption of integrated spatial planning instruments, and the issuance of standardized operating procedures (SOPs) governing land acquisition, licensing, and inter-agency coordination. Comparative experience from Brazil's relocation to Brasília demonstrates that weak inter-agency coordination during early stages led to administrative inefficiencies and budget overruns, underscoring the importance of regulatory coherence in Indonesia's context. (Holston, 2019)

Infrastructure is an element related to the availability of adequate e-government facilities. Although the government can manage e-government and the public can also access it, without adequate infrastructure, the desired e-government implementation will certainly not be realized. Therefore, the government needs to optimize the provision of infrastructure that supports the sustainability of e-government.

From a legal perspective, every policy and decision related to the nation's capital must be based on the principle of legality. This means that all administrative processes must have a clear legal basis and be subject to legal accountability (Khair, 2022). The selection of East Kalimantan as the location for the new capital was conducted through an in-depth study that considered disaster risk factors, land availability, regional accessibility, and the potential for smart city development. This study referred to provisions of laws and regulations, as well as national spatial planning, to ensure that government decisions are not unilateral but are made through legitimate legal mechanisms.

Inter-agency coordination is a central element in the capital city relocation process. The central and regional governments must work synergistically to regulate authority in various aspects such as land acquisition, public facility development, strategic infrastructure provision, and resource management. This institutional synergy is crucial to prevent overlapping authority, bureaucratic inefficiencies, or administrative conflicts that could slow down the project. Furthermore, public participation is an integral aspect of the capital city relocation process. (Chatrine & Triadi, 2024)

The government is implementing various communication and public participation strategies to support the relocation of the capital. One of the primary steps taken is the dissemination of comprehensive policies to the public. This dissemination aims to provide a comprehensive understanding of the objectives, stages, and implications of the capital relocation policy for various aspects of social, economic, and environmental life.

Furthermore, the government is holding structured public consultations, both through face-to-face forums and digital mechanisms, to gather public aspirations and expand public participation. Direct involvement with affected communities is a crucial part of this process, as it provides an opportunity for citizens to adapt to the significant changes occurring and provides input that can enrich policy planning.

In terms of planning, the government has prepared a master plan for the spatial planning of the National Capital, taking into account the principles of sustainable development, environmental aspects, natural disaster risks, and regional carrying capacity. The government has established an internal monitoring unit and a periodic audit mechanism to ensure that all project implementations comply with relevant legal provisions and adhere to the principles of good governance. Therefore, the integration of government law and public administration management is key to preventing overlapping authority and potential legal conflicts.

International experience also demonstrates that legal certainty, regulatory consistency, and administrative transparency are key factors in the success of the capital relocation. Therefore, the Indonesian government has implemented Standard Operating Procedures for every stage of the project, from planning and land acquisition to the construction of public facilities. These SOPs serve to provide a clear legal basis and operational guidance for all agencies involved.

Coordination across ministries and institutions is carried out systematically. At the same time, public consultations, internal audits, and regular reporting to the House of Representatives (DPR) serve as forms of both vertical and horizontal accountability, thereby strengthening oversight. The relocation of the national capital is positioned as a national strategic project and also serves as an instrument to encourage bureaucratic reform. The new location of the central government is expected to accelerate the decision-making process, enhance cross-sector coordination, and expand the reach of public services nationwide in Indonesia.

The government ensures that administrative governance, legal planning, and public oversight are integrated. Close collaboration with local governments and relevant ministries is also crucial for smooth and sustainable resource management, infrastructure development, and public service delivery. Strict oversight of environmental, social, and legal aspects is being implemented to ensure that the

development of the national capital city is not solely focused on physical development but also ensures sustainability and social justice for affected communities. (Amri & Lessly, 2024)

The implementation of e-government systems functions as a preventive administrative instrument to reduce discretion abuse and enhance public oversight. However, the effectiveness of digital governance depends on the availability of adequate infrastructure and institutional capacity. Administrative-law theory emphasizes that digital transparency must be accompanied by enforceable accountability mechanisms to avoid merely symbolic compliance. (Bovens, M., Goodin, R., & Schillemans, 2019)

Capital relocation policy demonstrates a comprehensive and adaptive implementation of governance laws. The government combines the principles of legality, transparency, accountability, and public participation to ensure the project is legally valid, administratively effective, and developmentally sustainable. The capital relocation is not merely an administrative matter, but also a transformation of national governance toward a more modern, efficient, and inclusive government. With strict oversight, solid coordination, and public support, the capital relocation is expected to be implemented professionally and have a long-term positive impact on the nation's stability and progress.

Overall, the findings suggest that the success of capital relocation from a governmental law perspective is contingent upon institutional synergy, enforceable administrative norms, and participatory governance, aligning with the principles of modern public administration law.

### **3.2. Relocation of the National Capital from a Criminal Law Perspective**

The Indonesian government recognizes that relocating the nation's capital is not only a large-scale development project, but also carries significant potential criminal law risks. These risks primarily arise in strategic sectors, including land acquisition, infrastructure development, and state budget management. Experience shows that any national project involving large funds and spanning multiple sectors is vulnerable to legal violations, such as corruption, bribery, abuse of authority, collusion, and nepotism, unless accompanied by a strong and structured oversight mechanism. Therefore, criminal law aspects are a crucial focus in planning and implementing the relocation of the nation's capital.

The main foundation in this legal violation prevention framework is Law Number 31 of 1999 in conjunction with Law Number 20 of 2001 concerning the Eradication of Criminal Acts of Corruption, which serves as the legal basis for overseeing the use of the budget and the implementation of the authority of the state apparatus (Republik Indonesia, 2001). The government emphasizes that all processes of land acquisition, construction contracts, and project implementation must follow strict, transparent, and auditable legal procedures.

The relocation of the capital is also closely linked to environmental and forestry legal regulations, such as the Environmental Protection and Management Law and the Forestry Law. Large-scale infrastructure development has the potential to harm ecosystems if not properly managed and controlled. Violations of environmental regulations can result in criminal sanctions for both individuals and corporations involved. Therefore, the government is conducting a comprehensive environmental impact analysis to ensure that development does not cause permanent damage.

To prevent criminal activity, the government has established a strict internal oversight mechanism. Internal audits are conducted periodically to monitor all project stages, from planning and land acquisition, through the tender process, to the physical construction of public facilities. This mechanism is complemented by a whistleblowing system, which allows the public and internal employees to report any indications of criminal law violations. This measure aims to create a culture of transparent reporting and strengthen public accountability. (Ramadhani & Djuyandi, 2023)

In the context of criminal law, criminal liability for fraudulent practices in the property business, including pre-project selling schemes, is also important, particularly in relation to the construction of the new capital city. This practice occurs when developers offer projects without obtaining official permits or providing certainty of construction, resulting in losses for consumers and violating the principles of honesty and public legal protection.

Law enforcement officials, both at the central and regional levels, are also receiving special training to understand the authorities, responsibilities, and potential legal risks inherent in the National Capital Project. This will enable them to act swiftly and appropriately in enforcing the law should any irregularities occur. Besides corruption, other forms of criminal law violations that need to be addressed include misuse of funds, monopolistic practices in the tender process, and breaches of construction contracts. Therefore, compliance with government procurement regulations is an absolute must.

The integration of criminal law and government law is a crucial tool in managing legal risks in the National Capital Project. This approach ensures that all administrative processes are not only procedurally valid but also protected from potential criminal acts. In addition to internal oversight, external oversight by institutions such as the House of Representatives, the Supreme Audit Agency, and independent institutions also plays a vital role in monitoring legal compliance. This multilayered oversight serves as a deterrent against potential violations and enhances public transparency.

Environmental criminal law also receives special attention. The development of new cities inevitably changes the ecological conditions of the surrounding area. Therefore, the government conducts comprehensive environmental studies and ensures that all development activities comply with environmental law. If violations occur, environmental criminal sanctions can be implemented as a form of firm and preventative law enforcement.

Crime prevention efforts are carried out proactively and systematically, starting from the initial project planning stage. Clear legal procedures, regular audits, the involvement of law enforcement officials from the planning stage, and an open monitoring system are strategic steps to minimize the risk of crime. Compliance with criminal law is not only repressive (enforcement), but also preventative, by building a strong legal system to anticipate potential violations early.

Every development contract and procurement budget is designed in accordance with the principles of legality, transparency, and accountability. All administrative documents are prepared in a comprehensive and accountable manner, facilitating audits and investigations if irregularities are discovered. The oversight mechanism, involving both internal and external officials, serves a dual purpose: to deter violators and to strengthen public trust in the implementation of this national project.

From a criminal-law standpoint, the National Capital Relocation Project presents inherent risks due to its large budget, complex procurement processes, and extensive land acquisition activities. Identified risks include corruption, procurement fraud, abuse of authority, environmental crimes, and falsification of land documents. These risks align with the theory of "opportunity structures" in white-collar crime, where large-scale state projects increase incentives for illicit conduct if oversight is weak. (Levi, 2020; Sutherland, 2018)

The principal legal instruments governing prevention and enforcement include the Anti-Corruption Law, environmental criminal statutes, procurement regulations, and corporate criminal liability doctrines. Case-based evidence from Indonesia's infrastructure sector indicates that the early involvement of supervisory institutions and law enforcement significantly reduces corruption risks. (Edner, A., & Arizona, 2019; ICW, 2022; Miller, R. E., & Blair, 2009)

Preventive mechanisms such as internal audits, whistleblowing systems, and real-time financial monitoring are complemented by external oversight from the Supreme Audit Agency (BPK) and the House of Representatives (DPR). A comparative analysis with Kazakhstan's capital relocation to Astana illustrates that the absence of independent oversight initially facilitated elite capture, a risk that Indonesia seeks to mitigate through multilayered supervision (Kassenova, 2019). Collaboration between law enforcement officials at the local and national levels is crucial for ensuring effective oversight. With effective synergy, legal action can be taken promptly if any indication of irregularities arises.

Overall, the criminal law perspective on the capital relocation policy emphasizes three main aspects: preventing legal violations, multilayered oversight, and comprehensive legal compliance. All three are integrated with public administration principles to ensure this strategic project is transparent, legally sound, and protected from potential criminal activity. Thus, criminal law functions not merely as a repressive tool but as an integral component of governance, reinforcing administrative legality and safeguarding public trust.

### 3.3. Social Impact and Protection of Community Rights

The relocation of the nation's capital to East Kalimantan will have a significant direct impact on local communities and indigenous communities living in the areas where development will be carried out. The government recognizes that this relocation process is not only related to the physical aspects of infrastructure development, but also concerns the legal rights of the communities who have long occupied the area. (Fadillah et al., 2025)

Therefore, the implementation of this strategic project must be based on the principles of justice and legal certainty to avoid future social conflict. Every process of land acquisition and construction of public facilities must comply with the provisions of the Basic Agrarian Law and other laws and regulations that guarantee the protection of community rights and the rights of indigenous peoples. This legal approach aims to ensure that every individual or community group whose land is affected receives legal, appropriate, and legally accountable compensation. Development must respect, protect, and fulfill the rights of communities in the affected areas. The government has a crucial responsibility to strike a balance between investment interests and the rights of local communities, ensuring that development proceeds sustainably without infringing upon legal or social norms.

One of the important steps taken by the government to protect community rights is the implementation of open policy dissemination. This dissemination ensures that the public receives clear information regarding development plans, the relocation stages, and the potential social and economic impacts. By providing information from the outset, the public can gain a comprehensive understanding of the process and anticipate potential changes to their environment.

Furthermore, the government is holding public consultations as a participatory mechanism to prevent rejection or resistance from local communities. Public consultations offer a platform for affected communities to share their views, raise objections, and provide suggestions regarding development plans. In this way, residents are not merely the objects of policy but active subjects who play a role in the planning and implementation of the new capital city.

A transparent and fair compensation mechanism is a crucial element in this process. The government stipulates that every citizen or community whose land ownership is affected has the right to receive compensation at a fair value and in accordance with applicable legal provisions. This compensation procedure must be carried out with the principle of accountability to avoid irregularities, data manipulation, or unclear ownership status that could trigger future legal disputes. In the context of indigenous communities, legal protection is even a top priority. The government is obliged to respect traditional rights, local wisdom, and natural resource management systems that have been passed down through generations. The constitution recognizes the existence of indigenous communities, so development processes must not ignore their existence.

In its implementation, the government integrates administrative and criminal law approaches to minimize the potential for violations in the land acquisition and development process. From an administrative law perspective, the government regulates permits, spatial planning, and community engagement mechanisms to ensure they align with the principles of good governance. Meanwhile, from a criminal law perspective, strict oversight is implemented to address potential criminal acts such as corruption, bribery, abuse of authority, or manipulation of land documents. To ensure regulatory compliance, ongoing internal oversight is conducted, including periodic audits of each development stage. This oversight is intended to detect and prevent potential irregularities early on.

Beyond the legal aspects, relocating the capital also has significant social impacts. One major impact is the demographic change resulting from the migration of people from various regions to the new capital area. The relocation of civil servants, project workers, and economic supporters has led to a significant population shift.

The government needs to respond to this phenomenon with thoughtful population management policies to prevent these changes from creating social inequality, horizontal conflict, or disparities in access to public facilities. To this end, the government is developing various socioeconomic programs for local communities, including job skills training, community economic empowerment, and expanding access to education and healthcare. These programs aim to ensure that affected communities are not merely spectators but also share in the benefits of development.

The government has also established a public complaints mechanism and whistleblowing system to accommodate public complaints and reports of alleged violations. This mechanism provides a formal channel for citizens to raise concerns without fear of repression. Structured public complaints help detect potential conflicts early and strengthen government accountability in project implementation. Furthermore, the government conducts regular social monitoring to assess the impact of development on the local economy, education, culture, and environment. The results of this evaluation serve as the basis for policy adjustments to ensure that development does not create social inequalities that harm local communities.

The relocation of the capital has direct legal and social implications for local and indigenous communities in East Kalimantan. The protection of land rights, fair compensation, and cultural recognition is constitutionally mandated and reinforced by agrarian and human rights legislation. Normatively, this reflects the principle of social justice as a substantive element of administrative decision-making (Rodríguez-Pose, 2013). Public consultations, participatory planning, and transparent compensation mechanisms serve as key instruments to prevent social conflict. Empirical studies indicate that inadequate consultation in large development projects correlates strongly with prolonged legal disputes and social resistance. (Colchester, M., & Chao, 2021)

In the context of conflict mitigation, the government collaborates with law enforcement officials, independent institutions, and civil society organizations to anticipate potential legal disputes and maintain security and stability. This collaboration demonstrates that protecting community rights is not merely an administrative obligation but a crucial strategy for maintaining national stability, social integration, and the integrity of the Unitary State of the Republic of Indonesia.

Thus, the success of the capital relocation will depend largely on the government's ability to enforce the law, respect the rights of the people, and uphold the principles of social justice. If these legal and social approaches are consistently implemented, the capital relocation process can proceed peacefully, legally, and stably, providing tangible benefits to the wider community and the nation as a whole.

The integration of administrative and criminal law ensures that land acquisition processes are both procedurally valid and substantively fair. Criminal sanctions act as deterrents against document falsification, bribery, and coercion, while administrative law governs permits and spatial planning. Socioeconomic programs, including employment training and community empowerment, are essential for mitigating demographic shifts and preventing horizontal conflict. These findings confirm that community-rights protection is not ancillary but central to maintaining long-term national stability.

### **3. 4. Impact on the Economy, Politics, and National Stability**

The relocation of the nation's capital from Jakarta to East Kalimantan is one of the largest strategic policies in the history of modern Indonesian development. This policy is not only intended to relocate the center of government physically, but is also expected to be a driving force for national economic and political transformation (Nugroho, 2020). The government positions this project as a catalyst that can drive economic growth, particularly in eastern Indonesia, which has historically lagged behind the western region. With the construction of the new capital, East Kalimantan is projected to become a new center of economic growth capable of balancing the national development structure.

The government strives to create equitable development through increased investment, the construction of basic and supporting infrastructure, and the opening of new economic opportunities. Previously underdeveloped regions are now receiving intensive attention from the government and the private sector. The presence of infrastructure such as roads, mass transportation, energy systems, and modern public facilities is expected to create a conducive economic climate. To achieve this, legal certainty is crucial.

Investors, both domestic and foreign, require assurance that all regulations related to investment, land permits, and infrastructure development are consistently and predictably implemented. Therefore, the government is strengthening the legal framework and enforcing compliance with various laws and regulations to minimize legal risks that could hinder investment.

The direct economic impact of the capital relocation is also evident in the increased employment opportunities and economic activity of the local community. The development of infrastructure, housing, government buildings, and public facilities has created a significant number of new jobs, spanning the construction sector, support services, and micro, small, and medium enterprises. This is expected to reduce unemployment in East Kalimantan while increasing local incomes (Taufiq, 2020). The government ensures that the budget management for this strategic project is transparent and accountable. Internal and external audits are conducted periodically to ensure that all public funds are used appropriately and to avoid potential misuse or corruption.

Beyond the economic impact, relocating the capital also carries significant political consequences. Moving the center of government involves more than just moving state buildings or institutions; it also shifts the center of power and decision-making. With this relocation, the government aims to strengthen political legitimacy by equalizing authority between the central and regional governments. (Utami, 2024)

A more equitable distribution of power is expected to strengthen national cohesion and reduce regional inequality, which has long been a source of social and political tension. The government is also conducting intensive inter-agency coordination and consultation with legislative bodies to ensure the entire process runs smoothly and avoids political friction, both horizontally (between regions) and vertically (between the central and regional governments).

National stability is a primary focus in this relocation process. The government is aware that large-scale changes, such as moving the capital city, could trigger social or political unrest if not properly anticipated. Therefore, various risk mitigation strategies are designed to maintain public order and national political stability. The experiences of other countries serve as important references in this context. Brazil's development of Brasilia, Malaysia's development of Putrajaya, and Kazakhstan's development of Astana (now Nur-Sultan) demonstrate that the success of capital relocations depends heavily on legal compliance, administrative transparency, and public involvement. Indonesia adopts these principles by integrating government and criminal law as the primary instruments for maintaining stability and preventing irregularities during the development process.

To strengthen oversight, the government has established a multilayered oversight mechanism. External audits are conducted by the Supreme Audit Agency (BPK), while political oversight is provided by the House of Representatives (DPR). Additionally, independent institutions are involved to ensure transparency and public accountability. This mechanism is crucial to prevent corruption, collusion, and nepotism, which could potentially undermine project credibility and public trust. The political aspect is also strengthened through public participation.

The government conducts policy socialization and consultations with various stakeholders, including local communities, academics, the business world, and legislative bodies. This participatory approach aims to build the legitimacy of government decisions and foster a sense of ownership among the community. The public is positioned not only as beneficiaries of the impacts but also as part of the development process of the new capital city.

This way, public trust in the government can be built naturally, and potential conflicts can be mitigated early on. Economically, the relocation of the capital is designed to stimulate growth in Eastern Indonesia and reduce dependency on Java-centered development. Legal certainty plays a crucial role in attracting investment, as investors require a predictable regulatory environment. Comparative evidence from Malaysia's Putrajaya shows that investment growth closely follows regulatory clarity and consistent enforcement. (Goh, 2017)

Politically, relocating the capital redistributes decision-making power and reinforces decentralization, contributing to national cohesion. From a constitutional perspective, this supports the principle of balanced central–regional relations within a unitary state (Turner, 2020). National stability is reinforced through multilayer oversight, public participation, and integration of governmental and criminal law. Lessons from Brazil, Kazakhstan, and Malaysia suggest that capital relocation is more successful when legal compliance, transparency, and citizen engagement are institutionalized rather than ad hoc.

Overall, the relocation of the nation's capital cannot be viewed as simply a physical relocation of the government's center from Jakarta to East Kalimantan. This project is a strategic effort that integrates various legal, economic, political, social, and environmental aspects within a long-term national development framework. Through the integration of strong governance laws, strict criminal law oversight, protection of local communities, and economic and political strengthening, the government is striving to ensure that the relocation of the capital is a crucial step in strengthening the stability of the Unitary State of the Republic of Indonesia. With good governance, information transparency, and compliance with the law, the relocation of the capital can be a new milestone in equitable development and strengthening national integration.

The findings demonstrate that governmental authority, criminal law enforcement, social protection, and economic and political transformation are legally interconnected. Drawing on administrative-law theory, effective governance requires not only lawful authority but also accountability and participation. Criminal law complements this framework by addressing enforcement gaps and deterring systemic abuse. Comparative experiences confirm that integrated legal mechanisms are essential for preserving legitimacy and stability in capital relocation policies.

#### 4. CONCLUSION

Based on the normative-juridical analysis conducted in this study, the relocation of Indonesia's National Capital constitutes a legally valid state policy when implemented in compliance with Law Number 3 of 2022, the principles of good governance, and the broader framework of constitutional and administrative law. The findings demonstrate that the effectiveness and legitimacy of this policy are highly dependent on the consistent integration of governmental law and criminal law, particularly through clear institutional authority, inter-agency coordination, transparency, accountability, and multilayered oversight mechanisms to prevent corruption, abuse of authority, and other legal violations.

Furthermore, the protection of community rights—including those of indigenous peoples—through fair compensation, meaningful public participation, and continuous socioeconomic monitoring is essential to mitigate social conflict and maintain the stability of the Unitary State of the Republic of Indonesia. From an economic and political perspective, the relocation of the National Capital holds the potential to promote more equitable regional development, create employment opportunities, and strengthen political legitimacy; however, these objectives can only be achieved if legal certainty, regulatory consistency, and public trust are firmly upheld throughout the implementation process.

Therefore, the relocation of the National Capital should be understood not merely as an administrative relocation, but as a comprehensive transformation of national governance that requires a coherent and sustained application of integrated legal frameworks to ensure legality, sustainability, and long-term national stability.

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