Optimization of the Universal Defense System with Strengthening Air Sovereignty in the Republic Of Indonesia

**Abstract:** The international recognition of airspace as part of state sovereignty provides strong legitimacy for Indonesia to fully and exclusively regulate its air space. Unfortunately, this has not been done optimally by Indonesia, which can be seen from the lack of adequate facilities, infrastructure and human resources that affect the ability to maintain national airspace sovereignty. Even though the regulation regarding regional borders has been clearly regulated through the 1944 Chicago Convention. Based on these problems, the purpose of this study is to identify and analyze efforts to strengthen airspace sovereignty that can be done by Indonesia in order to maintain the sovereignty of the Indonesian state. This study uses a descriptive qualitative approach by collecting secondary data sources through literature study. From the review conducted, it was found that the efforts that can be made by the Indonesian government to strengthen the sovereignty of the airspace of the Indonesian state are by optimizing aspects of the universal defense system in accordance with Law no. 3 of 2002, which was then followed by a strategy of strengthening airspace sovereignty in the form of improving and optimizing the resources owned.

**Keywords:** Universal defense system, state sovereignty, air space.

**INTRODUCTION**

Indonesia as an archipelagic country has a clear territorial area, which consists of land, sea, islands and air. Basically, the sovereignty of a country is an essential right that must be owned by a country. One of the characteristics of a country that has complete sovereignty is that it has a clear territorial area. Territorial territory can be divided into land, sea and air areas. This territorial area needs to be clarified by determining the border area with neighboring countries (Soemarw, 2016).

Determination of border areas on land, sea and islands will have an impact on the air sovereignty of a country as stated in Articles 1 and 2 of the Chicago Convention, 1944. So, basically the basis for managing horizontal air boundaries is the 1944 Chicago Convention on Civil Aviation. Aerospace is understood as the space above the earth's surface and the natural objects contained in it, and starting from air space to include space that rises and expands without limits. The dimensions of aerospace that are adopted internationally consist of air space as an area of sovereignty and outer space as an area of international interest. There is no definite provision for the vertical delimitation of airspace in the range of 110-130 km as regulated in the 1944 Chicago Convention (Kemhan).

Meanwhile, Law of the Republic of Indonesia Number 3 of 2002 concerning National Defense Article 9 paragraph (1) mandates that "Every citizen has the right and is obliged to participate in efforts to defend the country which is realized in the implementation of national defense". This defense effort is also included in strengthening the sovereignty of air space, air space defense is an important part that must be maintained. Because in the air space provides advantages in the source of means of transportation. Therefore, the strengthening of air space must be in line with the existing universal defense system.

The Chicago Convention 1944 has presented the management of air boundaries horizontally, but the facilities and infrastructure provided in Indonesia, including Human Resources (HR) have not been able to strengthen the sovereignty of this air space as intended in Indonesian Law Number 3 of 2002. Therefore However, there are still obstacles to facilities and infrastructure, including human resources, in optimizing the universal defense system to strengthen the sovereignty of Indonesia's air space. From the explanation above, the author is interested in researching how to optimize the universal defense system by strengthening air sovereignty in the territory of the Republic of Indonesia in the air.
THEORETICAL FRAMEWORK

1. Sovereignty Concept

The term sovereignty comes from English, namely *sovereignty*, which means the highest authority that is not subject to other authorities. The term can be used as a synonym for the term independence. This term is often juxtaposed with the term state. Because as one of the conditions for the formation of a state, is the strengthening of the sovereignty of the state itself. Jean Bodin (in Prayoga, 2019) said that sovereignty is a special attribute and characteristic of a country. Without sovereignty, there would be no such thing as a state. Furthermore, sovereignty contains the only powers as (Prayoga, 2019):

a. Original, meaning not derived from another power
b. Supreme, there is no other power that is higher and can limit its power
c. Eternal or eternal
d. Cannot be divided because there is only one supreme power
e. Cannot be transferred or handed over to other parties

Kusumaatmaja & Agoes (2003) say that as the highest power, sovereignty has two important restrictions, namely a) that power is limited to the boundaries of the country that has that power; and b) that power ends where the power of another country begins. Furthermore, as the highest power, sovereignty can also be seen from various aspects, namely legal, political, internal and external aspects. Sovereignty from an internal and external perspective is a form of state sovereignty, or government internally or externally. Internal sovereignty is the power of the government or the state over the individuals (people) within its territory. It should be noted that the power of this internal sovereignty is only within the limits of its jurisdiction. Meanwhile, external sovereignty is intended as the power of the state to determine its attitude and destiny freely and independently without intervention from other countries (Sibuea, 2014).

Thus, it can be said that external sovereignty is closely related to the condition of the association of a country with other countries, especially related to the recognition of other countries as independent countries. Then sovereignty in terms of the rule of law, namely the existence of a certain party's power to determine and demand the fulfillment of the law that it applies to individuals within its jurisdiction. In the life of the state, the rule of law is carried out by the government which is further carried out by its completeness tools such as the legislative, executive and judicial institutions as well as other supporting organs. Then sovereignty in terms of political sovereignty, which concerns the people's power to be involved in determining political policies in the administration of state life (Sibuea, 2014).

2. Universal Defense System/ Sistem Pertahanan Semesta (Sishanta)

The formation of Sishanta was based on the Republic of Indonesia Law No. 3 of 2002 and Law of the Republic of Indonesia 34 of 2004, which stated that Hankamrata was a universal defense system, which involved all citizens, territories and other national resources and was prepared early by the government. government and implemented in a total, integrated, directed, sustainable and sustainable manner to uphold state sovereignty, defend the territorial integrity of the Unitary State of the Republic of Indonesia and protect the safety of the entire nation from any threats.

The Universal Defense System (Sishanta / Total Defense) is all defense efforts that are universal in which all citizens of the state and all other national resources are involved in a total, integrated, directed, and continuous manner to uphold the sovereignty of the State and maintain the safety of the entire Indonesian nation from all threats. universe supports) (Abdurrochman, 2014). The Sishanta doctrine is defensive and influenced by ground-level thinking. This doctrine contains a very strong political aspect, namely concerning the territorial role of the military which is embodied in the structure of the Territorial Command. In the Sishanta concept, the national defense force consists of three components, namely the TNI as the Main Component, then the Reserve Component (Komcad) and the Supporting Component (Komduk). (Abdurrochman, 2014).

Komcad is prepared to be deployed through mobilization to enlarge and strengthen the strength and capabilities of the Main Components in dealing with military threats and hybrid threats, the law states. Supporting component. It is a National Resource that can be used to increase the strength and capabilities of Main Components and Komcad. This commander consists of groups of trained citizens such as retired TNI/POLRI, Menwa, Satpam, Satpol PP, Polsus, Linmas and members of mass organizations who can be equated with trained citizens. Banser and Kokam for example. In addition, groups of experts according to their professions and expertise and other community groups such as Veterans and ASN are also included in this Komduk.

RESEARCH METHODS

This type of research is a descriptive qualitative research, where the data collected is in the form of words, pictures, not numbers or numbers. According to Bogdan and Taylor (in Nafis, 2013) , qualitative research is a research procedure that produces descriptive data in the form of written or spoken words from people and observed behavior. While descriptive research is a research to describe or describe existing phenomena, both natural phenomena and human engineering. The purpose of descriptive research is to make a description in a systematic, factual, and accurate
way related to the facts and characteristics of a particular population or area (Nafis, 2013).

Writing scientific articles is done by applying a literature study or literature study, which means looking for theoretical references that are relevant to the case or problem raised in the writing of this article. For example, the theory of international relations is concerned with diplomacy and harmonization of relations. According to Sarwono (2006), literature study is an effort to study reference books and the results of previous similar studies that have been carried out by other people. This is done with the aim of getting a theoretical basis on the problems to be studied. Where in this method includes four things, 1) examine the theoretical from scientific disciplines empirically to obtain empirical truth as well; 2) studying all research objects philosophically or theoretically and related to validity; 3) studying theoretical linguistics; and 4) the study of literary works (Bungin, 2001). Thus, through this literature study, researchers will have a broader and deeper insight into the problems and topics they raise.

RESULTS AND DISCUSSION

1. Airspace Sovereignty Polemic in Indonesia

State sovereignty in the air is complete and exclusive as stated in the Chicago Convention of 1944. In this context, Indonesia is dealing with at least 2 things that are very principled. The first is referring to Prof. Dr. Saefullah Wiradipradja, namely regarding the territorial airspace of the Republic of Indonesia which has not been included in the 1945 Constitution as the sovereign territory of the Republic of Indonesia, although it has been amended 4 times. Next, there is still the sovereign airspace of the Republic of Indonesia whose management authority is not in the hands of the Indonesian government. Referencing to these two very principles, we will always find it difficult to discuss anything related to state sovereignty in the air (Aries, 2021).

The existence and dignity of a country is closely related to the extent to which that country can determine firmly and clearly and is able to safeguard and maintain its sovereign territory. In terms of state sovereignty in the air, it can be said that Indonesia is still not fully sovereign. The reason is that there is still a fairly wide airspace and it is even located in a very strategic area because it is the location of the second busiest trade traffic center in the world. This location is even a critical area because it is directly related to the border lines of several other countries and until now we have not or do not control it.

Meanwhile, at the global level, a strategic development that still haunts many countries is international terrorism, which was marked by the 911 tragedy in 2001 (Aries, 2021). At that time, the United States was evaluating its country's defense and security system, which turned out to be able to be breached by international terrorist groups using Commercial Civil Aviation. The symbols of the dignity and sovereignty of the United States of America were successfully penetrated through the air by the terrorists.

The results of the investigation of the 911 tragedy have concluded about the need for new institutions in the United States government structure to deal with National Security issues (Sudirman & Sari, 2017). New institutions that must be formed in the framework of anticipating international terrorist attacks against the heart of the US government and trade do not happen again. The American government then formed the so-called Department of Homeland Security. It didn't stop there, the United States also formed a new transportation security agency known as Transportation Security Administration (TSA).

This step was also followed by increased supervision of the management mechanism for civil and military air traffic or air traffic (Civil Military Air Traffic Flow Management System). Those are three quick steps taken by the United States government immediately after it finished its initial evaluation and investigation of the 911 tragedy in 2001 (Aries, 2021).

Will of course not stop at the use of civil commercial aviation by terrorists. The widespread use of drones, for example, in various advanced capabilities lately cannot be taken lightly. Disturbances to several flight routes have occurred several times in Indonesia, on certain airways routes. Meanwhile, regulations are not sufficient to anticipate the use of drones in their deployment in many locations. This has made people appear to be free to use drones at altitudes that are prone to disrupting air traffic.

More than that, the Cyber world in the form of UAV (Unmanned Aerial Vehicle) or popularly called drones will slowly and surely gradually scatter in any space and in accordance with the intentions and wishes of those with an interest behind it. Drones accompanied by the development of artificial intelligence (AI) have grown very widely including espionage, sabotage, and terrorism (MUHAMMAD, 2016). The development of drones as a replacement for aircraft that are far more practical has been developed by aircraft manufacturers Boeing and Airbus. Air facilities will soon become the venue for the operation of drones with various functions and needs of the military and civilians. Drones will definitely have a lot of impact on a country's defense and security system.

Next, as a top issue, we must carefully consider the dangers of the Covid-19 pandemic. The virus that started in Wuhan at the end of 2019 spread very quickly to all corners of the world because of the sophistication of the international air transportation system. The Covid-19 pandemic has positioned the world now in uncertain situations and conditions.
and conditions. Observing these developments in terms of maintaining airspace sovereignty, we are faced with a situation where we must, like it or not, develop national capabilities in the aerospace industry (Rahmawati, Roselina, et al., 2021).

Indirectly as described above, the potential problems and polemics that occur against the sovereignty of airspace are not due to the lack of laws or laws governing airspace borders but the weak or inadequate facilities and infrastructure to aspects of Indonesian human resources in anticipating and solve problems in Indonesia's airspace. Therefore, several comprehensive strategies that can be pursued to strengthen the sovereignty of airspace in Indonesia are urgently needed. One of them is strengthening the defense and security aspects of the universe.

2. **Optimization of Sishanta in Law Number 3 of 2002**

Law Number 3 of 2002 concerning National Defense is placed in the State Gazette of the Republic of Indonesia of 2002 Number 3. The explanation of Law Number 3 of 2002 concerning State Defense is placed in the Supplement to the State Gazette of the Republic of Indonesia Number 4169. For everyone to know (Wijayanto, 2013).

In the life of the state, the defense aspect is a very essential factor in ensuring the survival of the country. Without being able to defend itself against threats from abroad and/or from within the country, a country will not be able to maintain its existence. The Indonesian nation, which proclaimed its independence on August 17, 1945, is determined to defend, defend and uphold the independence, and sovereignty of the state and nation based on Pancasila and the 1945 Constitution. From the perspective of life mentioned above, the Indonesian people in the implementation of national defense adhere to the principles of: (Wijayanto, 2013):

a. the Indonesian people are entitled and obliged to defend and defend the independence and sovereignty of the state, territorial integrity, and the safety of the entire nation from all threats;

b. defense which is realized by participating in national defense efforts is the responsibility and honor of every citizen. Therefore, no citizen may be avoided from the obligation to participate in the defense of the state, unless stipulated by law. This principle contains the understanding that national defense efforts must be based on awareness of the rights and obligations of citizens and belief in strength;

c. love peace, but love their independence and sovereignty more. The settlement of disputes or conflicts that arise between the Indonesian people and other nations will always be endeavored through peaceful means. For the Indonesian people, war is a last resort and is only carried out if all efforts and peaceful settlements fail. This principle shows the views of the Indonesian people about war and peace;

d. people oppose all forms of colonialism and adhere to a free and active policy. For this reason, the external defense of the state is active defensive, which means it is neither aggressive nor expansive as long as the national interest is not threatened. Based on these attitudes and views, the Indonesian people are not bound or involved in a defense pact with other countries;

e. the form of state defense is universal in the sense that it involves all the people and all national resources, national facilities and infrastructure, as well as the entire territory of the state as a defense unit;

f. National defense is prepared based on the principles of democracy, human rights, general welfare, the environment, provisions of national law, international law and international custom, as well as the principle of peaceful coexistence by taking into account the geographical condition of Indonesia as an archipelagic country. In addition to these principles, national defense also pays attention to the principles of independence, sovereignty, and social justice.

The era of globalization which is marked by the development of advances in science, technology, communication, and information greatly affects the patterns and forms of threats. Threats to state sovereignty that were originally conventional (physical) and are now developing into multidimensional (physical and non-physical), both originating from abroad and from within the country. These multidimensional threats can come from ideological, political, economic, socio-cultural issues as well as security issues related to international crimes, including terrorism, illegal immigrants, the dangers of narcotics, theft of natural resources, pirates, and environmental destruction. All of this causes defense problems to become very complex so that the solution does not only rely on the ministry that handles defense, but also becomes the responsibility of all relevant agencies, both government and non-government agencies.

Law Number 3 of 2002 states "Every citizen has the right and is obliged to participate in efforts to defend the country which is manifested in the implementation of national defense. In other words, strengthening the sovereignty of Indonesia's airspace, which lies from limited facilities and infrastructure to human resources, begins with strengthening the universal defense system first. The strengthening of Sishanta is carried out through the participation of citizens in efforts to defend the State which is realized through (Sukarnita & Surata, 2021).

a. civic education;

b. compulsory basic military training;
c. service as a soldier of the Indonesian National Armed Forces voluntarily or on a mandatory basis; and

d. dedication to the profession.

e. have the initial ability to defend the country.

3. Sishanta Optimization in Strengthening Airspace Sovereignty

Air is an inseparable part of a country, both a two-dimensional country covering land and air and a three-dimensional country covering land, air and sea. As with land and sea space, this air space can also be used for commercial purposes to improve the welfare of the nation and act as a medium for the movement of military aircraft for defense purposes (Nugraha, Tedemaking, & Sacharissa, 2021).

National defense is all efforts to defend the sovereignty of the state, the territorial integrity of the Unitary State of the Republic of Indonesia, and the safety of the entire nation from threats and disturbances to the integrity of the nation and state. Furthermore, national defense is also defined as a universal defense effort, the implementation of which is based on awareness of the rights and obligations of all citizens and belief in their own strength to maintain the survival of the independent, sovereign and united Indonesian nation and state. This is in line with the conception of Indonesian Defense and Security which is universal, the efforts of all Indonesian people as a state defense and security system in defending and securing the country for the survival and life of the nation and state (existence). Thus it can be said that the defense and security of the state is carried out in order to realize and defend the entire territory of the Unitary State of the Republic of Indonesia with all its contents as a defense unit.

Based on the nature of Sishanta above, the deployment and use of defense forces is based on the Sishankamrata doctrine and strategy which is carried out based on consideration of the threats facing Indonesia. In order for the deployment and use of defense forces to be carried out effectively and efficiently, it is necessary to strive for synergistic integration between the military and other elements, as well as between military and non-military forces whose strengthening is more on the ability of the Directorate General of Air Transportation as the main control over national airspace, and the TNI in enforcing sovereignty in airspace (Kementerian Pertahanan, 2015). However, in reality the universal people's defense and security system as the main concept in maintaining the sovereignty and integrity of the Unitary State of the Republic of Indonesia is still not able to be implemented massively and optimally. This is due to the lack of facilities and infrastructure as well as available human resources. Therefore, in order to overcome these limitations, several strategies can be taken to strengthen the sovereignty of Indonesia's airspace related to the available sishanta, including (Aries, 2021):

1) The Directorate General of Air Transportation as the main control of the national airspace, and the TNI in upholding sovereignty in the airspace, has taken the main steps at least starting with an inventory of what has been owned so far and then measuring the available potential to determine the initial targets to be achieved.

2) In the process of developing the aerospace industry, it is time that the program nationally must refer to and be integrated into the strategic plan of the state defense and security system. The derivative of the form and posture of national security and defense that flows to the need for defense equipment in the field that is estimated to be capable of being carried out alone must be arranged on a priority scale to be included in the national aerospace industry planning roadmap.

3) Because research and development or R&D activities as well as efforts to regenerate human resources in the aviation sector are indeed rare, a comprehensive integration of the equipment needs, especially defense equipment in the TNI ranks, must begin with the thought of the need which is truly a unified weapon system of an integrated armed forces, and structured. This will not only avoid duplication of procurement of war equipment between forces but will also make it easier to sort out which ones can already be produced domestically and which cannot.

4) The existence of integration in production planning between Pindad, PT PAL, and PTDI towards efficient use of very limited funds. Certainly weapons products from PTDI, for example, are closely related to various products made at PT PAL and also to Pindad products.

CONCLUSION

Based on the above discussion, it can be concluded that although the regulations regarding the border of airspace in Indonesia have been clearly regulated, the airspace or territory of Indonesia is not recognized as the territory of a sovereign state, which can be seen from the many violations and breaches of the territory or space. Indonesia's own air. This is due to problems with facilities and infrastructure as well as human resources that must exist to uphold the sovereignty and security of the national airspace which is related to the ability of Indonesian human resources to maintain sovereignty and security in the national airspace. If this continues, it can threaten the defense and security of the Indonesian state.

In order to overcome the existing limitations, several efforts need to be made to strengthen the sovereignty of Indonesia's airspace. This can be done by strengthening Sishanta first through the implementation of programs that support state defense activities as
stated in Law Number 3 of 2002: a) citizenship education; b) compulsory basic military training; c) service as soldiers of the Indonesian National Armed Forces voluntarily or on a mandatory basis; and d) dedication in accordance with the profession.

In line with the strengthening of Sishanta Indonesia, the strategy in strengthening air sovereignty can be implemented, especially to overcome the problem of the lack of facilities, infrastructure and Indonesian defense human resources, among others: a) begin to take inventory of what resources they already have; b) develop a scale of priorities related to the need for defense equipment and the preparation of strategic programs that refer to Sishanta; c) support research activities and efforts to regenerate superior human resources; and 4) The existence of integration in production planning between Pindad, PT PAL, and PTDI towards efficient use of very limited funds.

**REFERENCE**


