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Analysis of Indonesia's Foreign Policy in the Naturalization Process: Legal and Social Implications for National Identity

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ABSTRACT

The naturalization of football players seems to be increasingly intensively carried out at this time. The naturalization program for football players in Indonesia began to be discussed in 2010. At that time, Indonesia naturalized footballers such as Cristian Gonzales and Irfan Gonzales. becoming an athlete's nationality is no longer a new thing in the international world. But in the field of sports, the case of naturalization of football players in Indonesia has received less attention from academics. The introduction of foreign talent is supported by national policy, with the aim of strengthening the Indonesian national team towards the World Cup. This paper examines several legal concepts and various phenomena, such as foreign policy, social identity, naturalization, naturalization procedures and legal basis in the life of naturalized football players. The aim is to make the exchange of citizenship of soccer players a case that needs to be discussed in the current state of sports status in Indonesia, in the interaction of sports and society.

Keywords: *naturalization, policy, identity, legal basis, football*

INTRODUCTION

The naturalization policy in Indonesia, especially in sports such as football, has been in the spotlight and public debate in Indonesia. Football has become one of the most popular sports in Indonesia, football was originally introduced by Dutch people who lived in Indonesia during the colonial period. Football continued to grow with the establishment of the national football federation, PSSI (Persatuan sepak seluruh Indonesia). Which is now chaired by Mr. Erik Tohir. Until now, soccer is still a sport that is widely favored by the Indonesian people according to data from web databoks released on 05/10/2021, with

the title 10 sports with the highest number of fans, the results state that soccer is the most popular sport in the world with a total of 4 billion people.

The phenomenon of naturalization of football players seems to be getting higher. football player programs in Indonesia have been hotly discussed since 2010. At that time, Indonesia naturalized footballers such as Cristian Gonzales and Irfan Bachdim to strengthen the Indonesian national football team as a preparatory step towards the 2010 AFF cup.

Naturalization refers to the legal actions that can be taken by individuals who are not citizens of the State. to acquire citizenship of a State according to applicable laws and regulations (chiu, 2021). This can be understood as the process of making a person a citizen of that State. This is because the process of naturalizing players has been regulated in Law Number 12 of 2006. Where it is explained in article 20 also regarding the conditions for obtaining citizenship, namely: foreigners have contributed to the Republic of Indonesia or on the grounds of the interests of the State. This naturalization rule has been around since 2006.

However, the process contains many pros and cons. As stated by the PSSI chairman at that time Mochamad Irawan, before carrying out a naturalization policy, it is important to look at the age, productivity, and quality of the player concerned. This is because the naturalization program is considered to have short-term benefits, because it is to qualify the Indonesian national team for the 2026 world cup. In my opinion, this is one of the long term because in terms of the age of naturalized players, it can now be said that young players whose ages range from 20-25 years old.

RESEARCH METHODOLOGY

This research is a qualitative study. The research process involves questions and procedures that arise, data collection, data analysis inductively builds from details to general themes, and researchers make interpretations about the meaning of the data. This research uses secondary data analyzed from previous research in the form of journals, articles, books and through credible news portals. The data collection process is carried out through literature studies from International Relations theory books, journals, articles and news about US foreign policy towards Venezuela which can then help this paper become a unified whole.

RESEARCH FINDINGS

Foreign policy

Foreign policy is one of the theories put forward by K.J Holsti. In his theory, foreign policy is an idea and idea in forming a formulation with the aim of solving a problem or aiming to make changes in a region. There are differences in goals and differences in policies of each country, with the existence of foreign policy, each country must equalize and have an understanding in cooperation, this is done to achieve and meet personal needs and collective interests. Foreign policy is one of the steps taken by every country, to gain benefits by influencing other countries, gaining prestige and aiming to maintain mutual security. In foreign policy theory, there are three formulations that are the purpose of a country to form and conduct foreign policy, including;

1. The value of a country's goals is one of the important factors in the drive to formulate foreign policy. This is because foreign policy is formulated and implemented based on the goals of a country.

2. The element of time, in conducting foreign policy there is an element of time whose targets must be met in achieving goals.
3. Type of goal demand, is one of the demands that must be carried out by member countries within a certain time in accordance with the agreement that has been made.(K.J Holsti.1983).
4. In its ability to design and implement any foreign policy, the state has a basis and a series of assumptions and objectives. certain goals by considering national scale security. While the components used in foreign policy are the existence of views, attitudes carried out or owned by other countries, decisions and actions that must be taken based on appropriate considerations.(K.J Holsti.1983)
5. Every country has interests and needs in various aspects such as the economy, security stability, and interests in the political elite. Each country is free to determine the direction of policy in accordance with the desired goals and direction, but each country must also be aware of the interests of other countries that must also be respected so that there is no intervention that poses threats or triggers unrest in security stability (Rachmaniyah, 2014).

National identity

The term national identity comes from the words identity and national. Identity literally means the characteristics, signs, or self that are attached to a person or thing that distinguishes it from others (ICCE, 2005; 23) while the word national is an identity attached to larger groups that are bound by commonalities, both physical such as culture, religion, language and non-physical such as desires, ideals, and goals.

According to Kaelan (2007), national identity is essentially a manifestation of cultural values that grow and develop in aspects of the life of a nation with distinctive characteristics, and with that distinctive a nation is different from other nations in its life. The cultural values that reside in the majority of people in a country and are reflected in the national identity, are not finished goods that have been completed in a normative and dogmatic freeze, but something open that tends to continue to develop because of the desire for progress owned by the supporting community.

According to Koento Wibisono (2005), National Identity is the manifestation of cultural values that grow and develop in aspects of the life of a nation with distinctive characteristics, and with these distinctive characteristics a nation is different from other nations in its life. According to Achmad Zubaedi, National Identity is a characteristic possessed by a nation that philosophically distinguishes the nation from other nations. According to Muhamad Erwin, national identity is a characteristic inherent in a nation or better known as the personality/character of a nation. According to Robert de Ventos in his book “the power of identity”. He argues that in addition to the factors of intensity, territory, language, religion and culture, it must also be understood in a dynamic sense, namely that the nation is accelerating its development, including the process of interacting globally with the international world.

The birth of a nation's national identity has its own characteristics, characteristics and uniqueness, which are determined by the factors that support the birth of identity, namely:

- (1) Objective factors, which include geographical, ecological and demographic factors.
- (2) Subjective factors, namely historical, social, political and cultural factors owned by the nation. There are several national identities based on their sources, namely: Basic

state, territory and geographical conditions, Indonesian politics, ideology and religion, economy, defense and security, demography, culture and language.

Legal basis

1. Law number 12 of 2006 on citizenship of the republic of Indonesia.
2. Government regulation number 2 of 2007 concerning procedures for obtaining losing canceling and regaining Indonesian republic citizenship.
3. Government regulation number 21 of 2022 concerning amendments to government regulation number 2 of 2007 concerning procedures for obtaining losing canceling and regaining Indonesian republic citizenship.
4. Government regulation number 28 of 2019 concerning types and tariffs on types of non-tax state revenue applicable to the Ministry of Law and Human Rights of the Republic of Indonesia.
5. Regulation of the Minister of Law and Human Rights No. 36/2016 on the procedure for submitting a declaration to become an Indonesian citizen.
6. Regulation of the Minister of Law and Human Rights number 21 of 2020 concerning procedures for submitting applications for citizenship and submitting minutes of the oath of granting citizenship of the Republic of Indonesia.

DISCUSSIONS

Naturalization

According to KBBI naturalization is the acquisition of citizenship for foreign residents; the matter of making citizens; citizenship obtained after fulfilling the requirements as stipulated in the laws and regulations; So we can say that naturalization in general is a process carried out by foreigners in order to become Indonesian citizens legally and completely and naturalization is divided into 2 types, namely ordinary naturalization and special naturalization, the difference is quite significant because naturalization is carried out alone with various conditions that must be completed while special naturalization is the process of citizenship given by the state to someone because it is considered to have contributed to the State.

Based on Article 20 of Law Number 12 of 2006, foreigners who have contributed to the state of Indonesia can be granted Indonesian citizenship by the president after obtaining the consideration of the House of Representatives or DPR. Special naturalization cannot be granted to a person if after the granting of Indonesian citizenship, the person becomes a g-citizen. Examples of recent special naturalization are justin hubner and shayne pattynama and many more.

Naturalization is often referred to as Naturalization, which is a legal process carried out by a person to obtain or have citizenship of a country or change status from a foreigner (foreign citizen) to an Indonesian citizen (Indonesian citizen). Foreigners can obtain Indonesian Citizenship by submitting ("Application for Citizenship") to the Ministry of Law and Human Rights with the criteria:

1. Naturalization based on the application of the foreigner himself.
2. Based on mixed marriage.
3. Citizenship for foreigners who are meritorious or by reason of the interests of the State;
4. Citizenship for children who have not yet acquired citizenship.

Naturalization procedure

Recently, naturalized players have received a lot of attention from the media. The naturalization policy for the benefit of the Indonesian national football team is being debated with their respective arguments. For those who are pro to the naturalization policy for the benefit of the Indonesian national football team, they assume that naturalized players have quality above local players. In addition, naturalized players can have a positive impact on local players with their experience of seeking football knowledge abroad. However, for those who are against the naturalization policy, they consider that the naturalization of hereditary players or foreign nationals will hinder the development of local players and consider that the federation has not paid attention to the continuation of the careers of local players.

Naturalization has two forms, namely normal and special (Luntungan, 2013). Normal naturalization is a process that must be passed by foreigners to obtain Indonesian citizen status in accordance with the Citizenship Law. The normal procedure is regulated through Article 9, which states that the applicant for Indonesian citizen status is 18 years old or has been married, fluent in Indonesian, physically and mentally healthy, and has never been sentenced for committing a criminal offense punishable by imprisonment of 1 year or more.

In accordance with the enactment of Law No. 12/2006 on Citizenship, there are two processes for foreign nationals who will apply to obtain Indonesian citizenship status. In its implementation, the two naturalization procedures are divided into normal procedures and special procedures. The normal naturalization procedure is explained and regulated in Article 9, namely, an application for naturalization can be submitted by the applicant if it meets the following requirements :

1. 18 (eighteen) years old or married.
2. At the time of application, the applicant has resided for 5 consecutive years or at least 10 non-consecutive years in the territory of the Unitary State of the Republic of Indonesia.
3. Physically and mentally healthy
4. Can speak the language of the unitary republic of Indonesia, and recognize the Pancasila and the 1945 Constitution of the Republic of Indonesia.
5. Has never been sentenced, for a criminal offense punishable by 1 year or more imprisonment;
6. Does not have dual citizenship;
7. Have a job and regular income; and

Pay citizenship money to the State treasury.

CONCLUSION

The results of this study indicate that the role of the Law of the Republic of Indonesia number 12 of 2006 concerning Citizenship on the naturalization process of baseball players is not optimal, because in it there are no clearly written requirements such as one of which is the age of players with productive age, so that many of them take advantage of this by naturalizing players whose majority are almost three heads so that they can only be used in one or two editions of the tournament. then it is not optimal in playing to defend the Indonesian national team and in the action of defending the Indonesian state in the field of sports.

The country expects high-level overseas talents to drive the football market and eventually form a virtuous circle of football ecology. However, as a whole, society and any changes to any part. Therefore, football policy formulation should not be done in isolation but should explore the significance and long-term impact from a broader perspective.

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