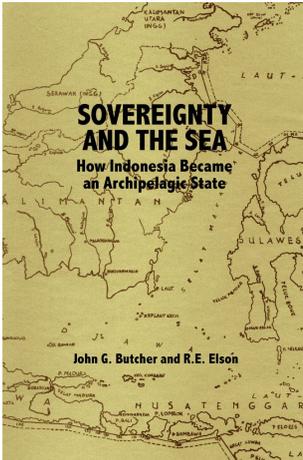


SOVEREIGNTY AND THE SEA: HOW INDONESIA BECAME AN ARCHIPELAGIC STATE



The book, which is published by the National University of Singapore Press, is written by two professors, John G. Butcher and R. E. Elson who are based in Australia. The writers explained on how Indonesia managed to earn the place as the greatest archipelagic state in the world, as gaining international recognition for its claim when the United Nations Convention on the Law of the Sea formally recognized the existence of a new category of states known as “archipelagic states” which had given these states sovereignty over their “archipelagic waters”, in the year of 1982. The book which has very strong subject on Indonesian and International Law is written by two professors which have no law background, put the important point on how a small group of Indonesians diplomat gave their persistence effort and finally give tremendous effect on how International Law of the Sea is currently conducted. The book gives us perspective which shows the importance of individual or group of

people from certain entity whether state or non-state performance in the making of international law, hence the performance of the small group of Indonesian diplomats should be regarded as extraordinary.

From the book we can recognize the long process of this initiative, which includes, the development of legislation in Indonesia, negotiations with neighbouring states, conflicts over the passage of foreign warships through the seas and straits lying between Indonesia’s islands, the particular problem of the passage of warships and tankers through the Malacca Strait, efforts by Indonesia and its fellow archipelagic states to agree on a common stand, the ups and downs of discussions with the United States, and the work of Indonesian delegation at UNCLOS III.

With the facts which are explained from the book we can understand the geopolitical dynamics in the post-colonialism and cold war era, where the newly established countries could challenge the hegemony of old western power by using institution such as the United Nations. Internationally, the cold war gave favorable situation for the newly established countries to bargain in international stage, by using the conflicting interest of the two super powers, the United States and the Soviet Union. Indonesia had proposed the concept of archipelagic state as early as in the 1950’s however the concept did not get international recognition, as it would disturb the interest of western maritime power. The struggle for the recognition was not going very well because during the 1960’s, Indonesia was still consolidating its domestic and regional politics, in West Papua issue, the *Konfrontasi*, the communist failed *coup*, and finally Indonesia active involvement in ASEAN’s creation to deescalate the region after the *Konfrontasi*. After it arrived at relatively pacified domestic regional politics, Indonesian foreign policy team started to formulate the right strategies to gain international recognition on its concept of archipelagic state. It was no easy

process as Indonesia had to convince many entities to accept the concept. Beside that “the nature of a state’s jurisdiction over its maritime space can vary markedly from one part of the sea to another depending on its relationship to the state’s land territory.” Surely, during the negotiation there were many diverging perspectives on how to define the archipelagic state and how to determine the relationship between the water and the land territory, but Indonesian diplomats’ tenacity finally got its result which was embodied in the United Nations Convention on Law of the Sea, 1982.

Indonesia’s diplomacy is internationally known as first class, which are shown by many examples. First, it could stop continuous blood-bath during the Indonesia’s revolution against the Dutch colonialist in 1949, while keeping the vast Indonesia’s archipelago as one Unitary State except West Papua, in contrast in the other part of the world such as Vietnam, China and Korea were still in constant conflicts. Second, the Asia Africa Conference which was held in Bandung, 1955, as the embryo of Non-Aligned Movement. Third, the success of West Papua Independence from the Dutch colonialist through the inclusion into the Republic of Indonesia in 1962 which then get international recognition through the United Nations in 1969. Fourth, Indonesia’s positive role in the founding of ASEAN as part of pacification of Southeast Asia from the effect of War in Vietnam at the end of 1960’s through the 1970’s was remarkable. Finally the recognition of Indonesia’s status as an archipelagic state in 1982.

Those achievement was not without setbacks, in 1975, Indonesia used its hard power to stop civil war in East Timor, and build it from the ruin, however Indonesia was framed as human rights abusers, Indonesia’s diplomacy face its lowest point when East Timor left Indonesia in 1999, and further Indonesia lost Sipadan and Ligitan Island through International Court of Justice (ICJ) in 2002. Those setbacks shall not let Indonesia forget the tradition of its first class diplomacy because from the start of its founding in 1945, Indonesia has declared to put commitment for participating in safeguarding the global security with the nature of active and free Foreign Policy, which means it wil survive and contribute into global system mostly thorough its dynamics diplomacy rather than rigid hard power or monotone soft power. This book shall remind us that even though the world is divided into different perspectives and interests, with its patience Indonesia has once shown that it can implement its perspective and interest in the world stage. As the late President Sukarno, our founding father, always reminds us, “for a fighting nation there is no journey end.”

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