



The Right to Public Participation in the Drafting of the IKN Law No. 3 of 2022 on the Relocation of the National Capital in East Kalimantan

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ABSTRACT

This research is motivated by the phenomenon of moving the national capital to East Kalimantan. The focus of this research examines the relocation of the national capital, whether the community was involved in the preparation of UU IKN No. 3 of 2022, whether community rights are actually important or not in the drafting of the IKN Law and what impact the transfer will have on the community afterwards. The purpose of this research is to find out in the foundation of UU IKN No. 3 of 2022 concerning the relocation of the State Capital, what are the Rights of the Community in the preparation of this IKN Law and to find out the negative and positive impacts that will occur when the State Capital is moved to East Kalimantan. This research is an empirical legal research, with a Sociology of Law approach, the subject of this research is the Petung Village Government of North Penajam Paser Regency, workers in North Penajam Paser Regency, Bank employees as well as content creators and Semboja Youth Leaders in Kutai Kartanegara Regency. The data extracted are the informant's identity and perception. The data was extracted by interview and documentation techniques. The results of the research show that regarding the rights of the people of East Kalimantan to the basis of UU IKN no.3 of 2022 it does not play an important role or there is no need for community rights in the preparation of UU IKN no.3 of 2022. The impact that was obtained from the results of the interviews was that there were negative and positive impacts from the relocation of the national capital.

Keywords: Capital Shift, Public Participation Rights, East Kalimantan, Community Rights

ABSTRAK

Penelitian ini dilatarbelakangi oleh fenomena pemindahan ibu kota negara ke Kalimantan Timur. Fokus penelitian ini mengkaji tentang pemindahan ibu kota negara, apakah masyarakat dilibatkan dalam penyusunan UU IKN No. 3 Tahun 2022, apakah hak-hak masyarakat benar-benar penting atau tidak dalam penyusunan UU IKN dan apa dampak dari pemindahan tersebut bagi masyarakat setelahnya. Tujuan dari penelitian ini adalah untuk mengetahui landasan UU IKN No. 3 Tahun 2022 tentang pemindahan Ibu Kota Negara, apa saja Hak-hak Masyarakat dalam penyusunan UU IKN ini

dan untuk mengetahui dampak negatif dan positif yang akan terjadi ketika Ibu Kota Negara dipindahkan ke Kalimantan Timur. Penelitian ini merupakan penelitian hukum empiris, dengan pendekatan Sosiologi Hukum, subjek penelitian ini adalah Pemerintah Desa Petung Kabupaten Penajam Paser Utara, para pekerja di Kabupaten Penajam Paser Utara, pegawai Bank sekaligus content creator dan Tokoh Pemuda Semboja Kabupaten Kutai Kartanegara. Data yang digali adalah identitas dan persepsi informan. Data digali dengan teknik wawancara dan dokumentasi. Hasil penelitian menunjukkan bahwa mengenai hak-hak masyarakat Kalimantan Timur terhadap dasar UU IKN no.3 tahun 2022 tidak berperan penting atau tidak diperlukannya hak-hak masyarakat dalam penyusunan UU IKN no.3 tahun 2022. Dampak yang didapatkan dari hasil wawancara adalah adanya dampak negatif dan positif dari pemindahan ibu kota negara.

Kata kunci: Pemindahan Ibu Kota, Hak Partisipasi Masyarakat, Kalimantan Timur, Hak Masyarakat

1. INTRODUCTION

The capital city is defined as the city where the seat of the central government of a country or the gathering place for elements of the executive, legislative and judicial administration. The existence of a capital city in a country is usually a symbol of the identity of the nation that forms the country. Bartolini said that the national capital is an important component that describes national identity, as the location of a country's power or represents the strength of a country, and also as a focal point for the existence of support groups, conflicts and cohesion between groups that make up a country/nation. The nation's capital is also a political center, having an important function in power debates to legitimize that power (Suharso Monoarfa, 2020).

Indonesia previously moved the National Capital to Yogyakarta from January 1946 to December 1949 because of the war of independence. According to history, Bukit Tinggi in West Sumatra was also the National Capital when President Sukarno formed an emergency government before he was arrested by the Dutch between December 1948 and June 1949. And Bireuen in Aceh Province was also the National Capital even though it was only for a week, and after that the capital returned to Jakarta begging for independence through the Proclamation of Independence of the Unitary Republic of Indonesia (Wesley Liano Hutasoit, 2018).

There has been a plan to move the national capital for a long time, since the era of President Sukarno's administration, then President Susilo Bambang Yudhoyono also wanted a new capital city. The relocation of the national capital is a plan echoed by the government of the President of the Republic of Indonesia, Ir. H. Joko Widodo. In his State of the Union address, he declared plans to move the capital city of the Republic of Indonesia from Jakarta to Kalimantan and asked for permission and support from council members, elders and national figures, especially from all the Indonesian people. During the state speech, President Joko Widodo also attended (Fikri Hadi & Rosa Ristawati, 2020). In a statement at the time, President Jokowi stated that this would be the new state capital to be built in the North Penajam Paser district to the Kutai Kartanegara area. In a statement at that time the President of the Republic of Indonesia declared North Penajam Paser to Kutai Kartanegara as two candidate areas to be made as points for the construction of the new National Capital. The new national capital will carry an adaptive concept in accordance with the times, namely through the concept of a smart city accompanied by green parks

for recreation (Sundawan Salya, n.d.). In 2022 the Minister of National Development Planning (PPN) Suharso Monoarfa stated that the new capital city would be named "Nusantara". The inauguration of the name of the new capital city will be carried out simultaneously with the stipulation of the State Capital Bill and the establishment of the National Capital Authority which will make the government administration in the archipelago city.

The North Penajam Paser and Kutai Kartanegara areas that were chosen as candidates for the new National Capital were not without reason, because these two areas are relatively safe from disasters such as floods, tsunamis, landslides, and earthquakes. Based on BNPB data, East Kalimantan is an area with the least disaster risk compared to other regions in Indonesia, in several studies that have been conducted by BNPB the East Kalimantan region has the potential for an earthquake disaster, but the shocks are below 5 on the Richter scale which are not damaging and little chance of triggering a tsunami.

Even though the level of disaster risk in the East Kalimantan region is relatively low, of course that will not guarantee that the East Kalimantan region is free from existing disaster risks, because low does not mean it does not exist. As one of the areas that has lowland tropical forest and has peat forest areas that are prone to fire, peat plantations have the potential to pose a risk of forest fires which will cause environmental damage and can release a lot of greenhouse gas emissions. The area proposed for the new capital city is not far from the Mahakam River, the area is full of peat forests. Not only that, East Kalimantan is also prone to flooding, for example in the city of Samarinda the area is quite worrying, because this flood disaster has paralyzed some activities in the city of Samarinda.

Not only the disaster factor that the government sees in moving the National Capital to East Kalimantan, there are also several other considerations that make East Kalimantan a candidate for the new National Capital, namely, currently Jakarta is considered unable to bear the heavy ecological burden as a mother city. These ecological problems that often occur every year in Jakarta such as floods, air pollution, and traffic jams are considered to have an impact on government productivity. Another factor can be found in the Academic Manuscript document for the IKN Bill. Jakarta is considered to have several acute ecological problems such as a decrease in the supply of raw water reserves, and lower groundwater levels (Bhakti Eko Nugroho, 2022).

These two regions are also considered suitable candidates for the New Capital City because of their strategic position, the existence of usable state land, access to large developed cities, adequate availability of surface groundwater, low occurrence of social conflict, and minimal negative impact on local residents. However, according to data from the Central Statistics Agency (BPS) in 2018, the province of East Kalimantan experienced mass conflicts which were quite high compared to other provinces on the island of Kalimantan. The types of problems included commotion between groups of residents, commotion between students, commotion between tribes, commotion between residents and government officials as well as with security forces.

Penajam himself, who is a candidate for the location of the New Capital City, is also not free from frequent conflicts. Based on information from the East Kalimantan Regional Police, the conflicts that often occur are conflicts caused by fights between tribes which then escalate into social conflicts by forming groups in society. However, the cause of this

conflict is often proven to be a criminal case which is actually only externally framed as a social conflict.

Regarding the conflict that occurred in this sharpener, it was also clarified again by the Deputy Chief of Regional Police of East Kalimantan, Brigadier General Pol. DRS, Eddy Sumitro, he gave an example of a conflict that occurred in Penajam-Paser where at first one of the individuals was drinking alcohol, then this individual also brought a traditional weapon and under the influence of the alcohol, he killed one of the other residents. After that, conflicts arose and brought up certain traditional names, and were provoked by hoaxes from irresponsible parties, even though these perpetrators were also local people (Hana Dwi Djayanti et al., 2022). In everyday life, inter-ethnic relations do not always run smoothly and good cooperation does not always occur. There are times when they will clash (conflict) for various reasons, both trivial and serious. According to Soemarjan, where there are two or several tribes living as close neighbours, because their culture is different as long as the relationship between them cannot be united, seeds of social conflict or cultural conflict will grow. Then it develops into a threat to identity where native tribes will be disturbed by the arrival of newcomers. With the plan for the National Capital to be moved from Jakarta to East Kalimantan, there will automatically be a plan for the transfer of core government employees (State Civil Apparatus) which will also be carried out in stages after all the infrastructure built has been completed and is ready for use. This of course will lead to an increase in the rate of migration and will bring together the culture of immigrants with the culture of the indigenous people (Bhakti Eko Nugroho, 2022). Therefore, with the rate of migration and bringing together the culture of immigrants, the government must balance the rights of indigenous people in East Kalimantan so as not to cause violations of rights and marginalization of indigenous peoples.

For now, the marginalization of indigenous peoples and the loss of local identity and culture is a concern shared by many local communities and traditional leaders. These problems are rooted in issues of land ownership, livelihoods and concerns about employment opportunities, as well as the displacement of cultural values and traditions by modernization and the recognition of cultural identity (Bhakti Eko Nugroho, 2022).

The author made initial observations, namely conducting interviews with several North Penajam Paser communities, from which the authors concluded from these interviews:

Results of interviews: that the community felt that there was no initial discussion in setting or revoking the stakes of the residents' land that would be made into new fish locations, the community also felt the possible impact that would occur from environmental damage, for example trees being cut down, clean water being polluted by water and beaches by wastes, not only that, people feel worried that they will be marginalized as local residents or indigenous people of East Kalimantan by the people who will move to a new fishery later and also the people regret why the people are not involved in or public rights in providing suggestions, opinions, and input were not included in the drafting of the IKN Law No. 3 of 2020 concerning the State Capital. The community also feels worried about the marginalization of the local culture in East Kalimantan with the new culture that will enter later when the new fish are created.

The government must also quickly facilitate the capacity building of people who are vulnerable to conflict. This is done so that the community gains the ability to overcome a social, political, and economic problem before these conflicts develop into violence. For example, by providing knowledge and sensitivity to conflict issues that occur to community groups such as academics, traditional leaders, religious leaders, as well as within the community. And also the government must routinely hold dialogue between tribes, religions, races, and also groups so that it can assist the mediation process and maintain harmony in society.

2. LITERATURE REVIEW

Literature review (prior research) regarding the description of the results of previous research regarding the issues to be studied. Previous research is needed to avoid research that is the same as the research that will be studied. Therefore the authors made a literature review of previous research. The research in question is:

1. Research by Fikri Himawan, a student majoring in Constitutional Law at UIN Sunan Kalijaga Yogyakarta with the research title "IMPLICATIONS OF THE REPUBLIC OF INDONESIA'S CAPITAL CAPITAL REMOVAL PLAN PERSPECTIVE MASLAHAH MURSALAH"(Fikri Himawan, 2021). Even though they have similarities in discussing the transfer of the National Capital (IKN), Fikri Himawan examines the implications or impacts when moving the national capital is carried out and explains the review of the concept of Maslahah Mursalah on the implications of the planned relocation of the Republic of Indonesia's National Capital, the problem studied is the impact what will happen if the plan to move the national capital is carried out and what are the implications of the plan to move the national capital of the Republic of Indonesia from the perspective of Maslahah Mursalah.
2. Research by Nurul Faidah, student majoring in Dakwah and Communication at UIN Alauddin Makassar with the research title "DISCOURSE ANALYSIS OF THE ISSUE OF MOVING THE CAPITAL CAPITAL OF THE INDONESIA LAWYERS CLUB (ICL) TVONE PROGRAM"(Nurul Faidah, 2019). Even though they have similarities in discussing the transfer of the State Capital (IKN), Nurul Faidah researched the discourse structure of the Indonesia Lawyers Club program "Does the Capital City Need to be Moved" and the discussion on the issue of moving the capital was discussed in the Indonesia Lawyers Club TVOne program entitled "Need the Capital City" The problem being investigated is how the discourse structure is in the Indonesia Lawyers Club program entitled "Does the Capital City Need to be Moved" and how is the issue of moving the Capital being discussed in the Indonesia Lawyers Club TvOne program entitled "Does the Capital City Need to be Moved".
3. Research by Muhammad Riki Mardiansyah, Political Science Student at UIN Raden Fatah Palembang with the research title "MOVING THE CAPITAL CITY OF THE REPUBLIC OF INDONESIA ACCORDING TO POLITICIANS IN THE CITY OF PALEMBANG"(Muhammad Riki Mardiansyah, 2021). Even though they have similarities in discussing the transfer of the National Capital (IKN), Nurul Faidah researched the background of the plan to move the Indonesian National Capital

and the views of politicians in the city of Palembang, the problem under study was what was behind the plan to move the national capital. Indonesia and the views of Palembang city politicians on moving the Indonesian capital.

3. RESEARCH METHODOLOGY

3.1. Research Design

This type of research is empirical legal research, or in other terms it is usually called sociological legal research or also known as field research. The object of empirical study is social fact. The starting point for research or empirical legal studies is the phenomenon of community law or social facts found in society, as well as research that emphasizes its observational aspects.

The approach used in this writing is the sociology of law approach. The sociology of law approach is a writing that aims to provide a concrete explanation of the state of the objects and problems studied and draw general conclusions, so that with this writing it is hoped that a comprehensive, complete picture can be obtained. and systematic about the object under study.

3.2. Participants of the Study

The object or problem to be investigated in this study is the polemic on the IKN Law no. 3 of 2022 concerning the transfer of the national capital to East Kalimantan. The research subject, namely the main source of research data, was 1 person from the Petung sub-district government, North Penajam Paser Regency, then 1 worker in North Penajam Paser Regency, 1 employee at the Bank who was also a content creator in Balikpapan City and 1 Semboja Youth Leader, Kutaiarta Negara Regency.

3.3. Instruments

A. Data

Data is information that is obtained in all forms of facts that can be used as material to compile information that is then adapted to a particular problem. The data that will be explored more deeply about this research are as follows:

1. The data to be explored by researchers is the identity of the informant, namely: Name, Occupation, then Address.
2. Regarding the rights of the people of East Kalimantan to the foundation of UU IKN No. 3 of 2022.
3. Then the impact of moving the new capital city on the indigenous people of East Kalimantan, after the move to the new capital, is there any impact on the community.

B. Data Source

The data source is the subject of a research data obtained. Then the data sources in this study were 1 person from the Petung sub-district administration, North Penajam Paser Regency, then 1 worker in North Penajam Paser Regency, 1 employee at the Bank who was also a content creator in Balikpapan City and 1 Semboja Youth Leader, Kutaiarta Negara Regency.

C. Data Collection Technique

Collecting data in this study using observation and interviews using interview guidelines that have been developed according to conditions in the field and the author himself will be the main instrument. The following are some of the data collection techniques used in this study, namely:

1. Interview

Interviews are data collection techniques that are carried out through an oral question and answer process that takes place in one direction, meaning that the questions come from the interviewing party and the answers from the interviewees. Interviews were conducted in North Penajam Paser sub-district, while the interviewees were the subjects of this study.

2. Documentation

Documents are records of events that have passed in the form of writing, drawings or monumental works of a person. Examples of documents in written form are diaries, life histories, stories, biographies, regulations and policies. Examples of documents in the form of images are photographs, live drawings, sketches, and others. Examples of documents in the form of works are pictures, sculptures, movies and others.

3.4. Data Analysis Techniques

Data analysis is a method of research that must be carried out in a study. Through data analysis, the research results are combined, adjusted, processed and concluded to obtain the final research results to be carried out. Data analysis can be understood as a way of systematically searching for and compiling data obtained from observations and interviews by organizing data into categories, describing them into units, synthesizing them, compiling them into forms, choosing which ones are important and which will be studied. then produce a conclusion and finally easily understood by the individual himself or the group.

In this study, in the first stage the researcher carried out the accumulation of data on the research results, namely from the results of observations and interviews. After the data has been thoroughly accumulated, then move on from the formulation of the problem, which is related to how the rights of the people of East Kalimantan are based on the IKN Law No. 3 of 2022 based on system theory and functional theory. UU IKN year no. 3 of 2022.

Next, it moves from the second problem formulation, which is about how the impact of relocating the new national capital on the indigenous people of East Kalimantan based on the theory of expediency. Based on this theory, it is known how the impact of moving the new national capital whether it has an impact on the good or bad community that is felt by the community from the transfer of the new national capital.

4. RESULTS

Findings

Based on the results of interviews conducted by researchers with four informants, it is possible to obtain descriptions regarding the right of public participation in the

preparation of UU IKN No. 3 of 2022 concerning the relocation of the national capital in East Kalimantan.

1. Informant I

Name :Achmad Fitriady. M., SH., MH
Work :Petung Village Head (North Penajam Paser District)
Address :Jl. Penajam Lawe-lawe, Penajam, North Penajam Paser Regency, East Kalimantan

Based on the results of interviews conducted with informant I regarding his perception regarding the right of public participation in the preparation of UU IKN no. 3 of 2022, the following data is obtained:

"Regarding law number 3 of 2020, yes regarding the archipelago, public participation is not really not involved in the formation of laws, mostly because at that time, eee, it was a pandemic, yes, in the end, everything was fast, instant, the process was fast, which was then finally enacted. -The law is issued even if public participation is only limited to people who don't really follow developments, for example at that time it is more crowded virtual or zoom which then invites people who really want to know but if for example those who really are local people in terms of local culture local in the sense that not already, even though the ethnic group is outside the original sand tribe, have they been asked directly, do they understand fish, do they understand what rights they got, and thenWhat is their defense, in this case who saw the rapid changes to the nation's capital of the Archipelago itself, that's not really even the proper tests, it's only part of academics, not clearly or in general, law number 3 of 2020 Even today, another test is being carried out based on additions or there will be adjustments to local conditions."

"Talking about law number 3 is it in accordance with the expectations of the community, now if we look at the formulation of laws, we are at the lowest level, the governor or regional regulation, meaning that in the formulation of regional regulations or pergub itself, we must also consider academics, then experts, rather than the legislature. then the SKPD or community SKPD supporting in the Perda or Pergub,Then, the social impact of regional regulations Community leaders, religious leaders, for example. So that's an element in the formation of regulations. Elements that must be met at the time of the formulation of the law. So, does the country really involve the people of East Kalimantan today? That means they don't see East Kalimantan only, but also the people who have grown up in North Penajam Paser Regency themselves, not only friends of Paser Dayak, maybe the Bugis should be involved, because they have grown and are big towards North Padang Pasir Regency, Javanese friends, other tribes who have grown up. How to enjoy growing up in North Penajam Paser Regency.

"Today, North Penajam Paser Regency is not really involved in the sense of what is really being accommodated, how much, for example, is the total area that is really forest, which is said to prioritize forest, hopefully this is not just a jargon. Some towers that It has been built today at IKN, it has also cleared the existing trees, so the hope is that they will grow lush and green again with what is in the activity, which has been running since 2000 since the IKN law was passed. about the area the area of the shoe has a huge impact it has a huge impact it has an economic impact it has a social impact

it has a social cultural impact it will change How was the previous living conditions with the people who came thousands of workers who came The IKN will also shift how social values that have previously been built with outside influences will continue to be cultured today, friends of the sand community, whether they are truly accommodating their interests. They talk about forests with their friends. Friends, I think it's about talking between humans and their God. How about their worship, for example, those who still believe in their worship by giving offerings and so on? That's still talking about humans and their God in terms of worship, it's different from us Muslims who worship clearly in our own way, that's what Aswaroh or Christian friends, it's clear that the worship is in our church at the mosque, but for friends who are still animist, have faith and still talk about the forest, it's not a place for them to worship. again economically the condition today economically even the house rent has reached 4 million per month in that place It's already a very big city maybe even if in Jakarta classes per month are like in Pantai Indah Kapuk the upper classes well that has also happened in kick there.

"Meanwhile, the sharpening area itself did not get the IKN, what did the euphoria get for the IKN, it didn't really feel and had an impact, those who felt it had it today, namely earlier from the social economy that was close to the point of the IKN itself, then proceeded from Simpang filter Arriving to Sepaku is good, that's what you feel has changed significantly in a short time from the damaged road from Simpang Silkar to the shoes it took time before when the road was still damaged 2 hours and a half now it can be reached by 1 hour and a half it's even faster this also talks about the price of the compensation value which he said is not unreasonable but may later survey the integration area Tap to ask directly near the IKN development center itself then with today's labor wages for the area In East Kalimantan alone, there are 150 handymen per day, 100 assistants per day, but if you get paid below that, no one will want to work, even if you recruit local human resources, even with this license, it's not in accordance with the conditions in that area. Then the second is the last information. a few days ago I went there, a lot of people who have returned and their wages are not paid, they are subject to supervision of distributors for labor. You also have to avoid giving birth with the sharpeners of Pasir Utara itself, giving birth to unemployed people who cannot return to their place of origin and filtering the workforce recruitment services in IKN so that it doesn't have an impact when the fish development is finished there will be a lot of unemployed living in Penajam Pasir Utara.""

"It's not my capacity to convey that based on an explanation based on academic values of cultural shifts and that there must be experts talking about culture such as local culture, friends of the sand themselves, friends of the sand themselves are able not to defend their identities with the flow of people who moving to Kalimantan in North Penajam Paser itself and then Is there a guarantee for local friends that there will be no conflict of interest with the tribes that have already come? more heterogeneous Those with various ethnicities, religions, races and classes have united in Penajam, especially in the Ikn area itself and various tribes have been present there, including the dominant one because I really like it, it's a transmigration area, which incidentally is also friends from the land of Jawi, so on, is there any guarantee against environmental damage? carried out on the construction of the IKN today will be able to be restored again that too is Ah the explanation that can explain is the experts from the

environmental people themselves then the people who are there yes for example the Sea Side The river side which then distributes distributive light bricks and stones mountains for construction. Now, those people there will definitely understand.””

"If it's more about the socio-economic conditions, that's how to change the mindset, namely the role of the local government itself, the role of the local government, in this case Penajam Pasir Utara Regency, polishes the mindset of the local community that how this fish is giving what is it, new civilization, new civilization to Kalimantan. The East, especially the North Sharp Paser, is a new civilization. Yes, the job opportunities, even though they are not worth the cost, at least change the mindset or mindset not to stand idly by and also to have to remain survive, the middle to lower economy, not to be someone who begs or earns. hands up but being an agent of eee the job opportunities that exist in those shoes the role of the local government is changing the mindset that we will be increasingly marginalized, eliminated, that has to be removed, yes, if I think like that, but if the people don't want to change, personally, they change their mindset. then it also returns to the local government which has a role including providing certification training and those things have been done by other governments if that's the case yes a few years ago we had to pressure the government to conduct training such as training for local human resources which eee when he got the eee to get the certification but he can immediately apply the sample application, for example if the Barbershop is a chapter, yes he can open it on the side of the road without there has to be that place and being a new cepster continues to prosper with your own capital you can also become a barista to open a shop with your own coffee and then work with other people. That's today's licensing certifications that can be immediately needed because of an example, workers who will entering again lonely 16,000 thousand of the information that I got What will come in after Eid which incidentally uses as many as 35,000 thousand workers to build several residential towers for employees at the IKN later.

"I think it's a bit difficult, because when talking about disasters such as landslides, flooding is already the nature of the almighty. If you say the potential for flooding, the Sepaku area has a large potential for flooding, because a few months ago, with a duration of rain that was so long, the tempo was so long. In the end, I am one of the villages that was flooded and then related to population density, there is also no guarantee for us because in this case KTPs throughout Indonesia, yes, even if he is for example Riau, Java and so on, he also has the right to be able to work in Papua, even if he is looking for a job in kicking alone and it's also hard to control for us to put pressure on people so they can't go kicking themselves and the population will definitely increase. It's a bit difficult, too. Also talking about earlier besides being a disaster. natural disasters are also rather difficult because it's nature that comes from the almighty, natural disasters, landslides, risks, and a development also has a risk of natural disasters, because we talk about the environment too. or advan for the development of a forest city that is environmentally sound, we must hold firmly, hold firmly, in the sense of adjusting the things that become these stages and become controls for, for example, planting a tree when we cut down one tree there must be a multiple of 2 We must also continue to monitor these trees for the benefit of IKN.”

From the results of the interview above it can be concluded according to the informant that the rights of the East Kalimantan people to the basis of UU IKN No. 3 of 2022 have no participation rights in the preparation of UU IKN No. 3 of 2022 concerning the transfer of the national capital to East Kalimantan. Because the reality is that the community does not play an important role in the drafting of the IKN Law.

Then regarding the impact of moving the new capital city on the indigenous people of East Kalimantan which are felt by the people themselves against IKN. because it doesn't really feel and have an impact but there are already a number of them, namely from the social economy which is close to the point of the IKN itself, then there are roads that have been repaired from those that actually can be traveled up to 2.5/hour now they can be passed with a travel time of 1.5/hour.

2. Informant II

Name : Ari Trishna
Work : Bank BNI employee, content creator.
Address : Balikpapan Peace City of Balikpapan, East Kalimantan

Based on the results of interviews conducted with informant II regarding his perception regarding the right of public participation in the preparation of UU IKN no. 3 of 2022, the following data is obtained:

"Regarding the participation and impact of this IKN, before going there, I would like to argue that if it's a problem, my community is enthusiastic, they will definitely support it because it increases regional income for themselves, because the background is clear, as what was conveyed for equity, not just Java, that's for sure If you take material about IKN, it will definitely be very useful and have an impact on economic growth in East Kalimantan. Moreover, Balikpapan and North Penajam Paser have a very big impact on increasing the population. If it gets more and more congested in Balikpapan, yes, that's because the effect is positive and negative, the negative is the increase in population and the positive is the increase in the negative economy, the price is getting more expensive but even though it's expensive, people still buy it because it's a necessity. Then regarding the need for the right of the community to participate in the drafting of UU IKN NO. 3 YEAR 2020, the right to public participation is unnecessary because it has nothing to do with the community because there is already someone who represents it. only certain parties or elements may disagree with the drafting of the IKN Law."

"Even later at the IKN there is something called IWAPI (Indonesian Entrepreneurs Women's Association) she has worked with PUPRT so there the work is provided in the canteen. The facilities are very complete, so the workers there don't go out. There is a mess. The HPK (Construction Worker's Residence) has 24 towers (towers in the sense of the construction worker's residence)."

"If the nation's capital city is not moved, not many people will always flock to Surabaya, Bandung, Yogyakarta, Jakarta. Whatever goes there, the results of local revenues that enjoy must be the center, so with the transfer of the national capital, there will be equity in all fields, law -The law is good and the system is good, but if the people run it dilapidated, then it will still be dilapidated with the change, so to change the culture that used to be Java Setris, it must be evenly distributed because in order to

be effective for all, automatically on the island of Borneo on the islands. On the other hand, especially in the eastern region, it will also be affected, so there is no need for too many systems. With the relocation of the nation's capital there has also been progress in development in East Kalimantan, namely one of which has become a toll road, which this toll road connects IKN with 2 cities at once, namely Balikpapan City and Samarinda City.

From the results of the interview above it can be concluded according to the informant that the rights of the people of East Kalimantan to the foundation of UU IKN No. 3 of 2022 do not require the right to participate in the drafting of the UU IKN because basically the people's voice has been represented by the East Kalimantan DPRD.

Then regarding the impact of moving the new capital city on the indigenous people of East Kalimantan, there are pluses and minuses from this move, namely that East Kalimantan will be seen more by the wider community, not just Java, but by moving this country's capital to East Kalimantan, this area will more viewed by the people of Indonesia, not only the local community, but there is a possibility that it will also be seen by tourists who will come to Indonesia later. 2 cities at the same time, namely Balikpapan and Samarinda, the impact that will also arise from the relocation of the nation's capital will be the density of population entering East Kalimantan when the nation's capital is ready later.

3. Informant III

Name : Creator

Work : Oil and logistics transport workers at North Penajam Paser

Address : Peaceful Balikpapan City of Balikpapan, East Kalimantan

Based on the results of interviews conducted with informant III regarding his perception regarding the right of public participation in the preparation of UU IKN no. 3 of 2022, the following data is obtained:

"In my opinion, the impact of moving the nation's capital has its positives and negatives too. The positives are that the economy in East Kalimantan is relatively higher than in previous years. This means that the economy in East Kalimantan has grown higher with the construction of this capital city. For environmental damage, in my opinion, we can see from the behavior of the people themselves who are in that environment or whether the community can protect the environment because we cannot blame or guess with the construction of this IKN later the environment will be damaged, we will return it all to how can they protect the environment or not. Basically, it is possible that later the negative impact of moving the country's capital will cause population density, it is also possible that the amount of waste will increase if the community cannot take care of it or they dispose of garbage in nature, it is possible that negative impacts will occur. As for the population density itself, it will indeed cause traffic congestion in the area around the IKN. The government actually has to pay attention to this and the government must also find a solution so that this traffic will not be too congested later."

"What people's intentions and goals are is different, we have to know because earlier they said whether the right of community participation is needed. Anything that says or raises questions about the people's rights in the drafting of UU IKN No. 3 of 2022 is the only person who brought the community into it. The proof is that it's fine there,

there isn't even turmoil there, in terms of those who protest why this matter of community participation was not included in the drafting, it is a natural thing everywhere, of course there will be upheavals like that, but the turmoil as a whole is only a part of it. Not all policies are accepted by society, but that doesn't matter. For this reason, we must know which community says that the right to community participation must be included in the drafting of the IKN Law.

From the results of the interview above it can be concluded according to the informant that the rights of the people of East Kalimantan to the foundation of the IKN Law No. 3 of 2022 are not too important because the community does not have to be involved in the drafting of the IKN Law, it's just that individuals are concerned about such things.

Then regarding the impact of moving the new capital city on the indigenous people of East Kalimantan, there are negative and positive impacts, that is, from a positive point of view, the economy is definitely increasing with the move to the new capital city, then also from a negative side, namely dense population and even traffic, self-awareness is reduced so that many scattered trash reduces the sense of beauty from the move to the new capital city.

4. Informant IV

Name : Upik

Work : Semboja Youth Figure

Address : Jl. Balikpapan-semboja, Margomulyo, kec. Samboja, Kutai Kartanegara Regency, East Kalimantan

Based on the results of interviews conducted with informant IV regarding his perception regarding the right of public participation in the preparation of UU IKN no. 3 of 2022, the following data is obtained:

"The impact that I feel in the Semboja area is that the road from Balikpapan to Semboja is somewhat better than before and wider than before too. Many roads from Balikpapan to Semboja have been repaired by the government, thank God, the asphalt is quite smooth, although only part of the road. However, yes, there are still damaged roads in this area. I really hope that the government pays more attention to areas that may not be accessible or areas that may not be visible, rather these areas are repaired too, so that the activities of the people there run smoothly too. with my hope. One of the impacts is also the fact that the nation's capital was legalized in East Kalimantan, so that the toll road now doesn't have many big cars passing through this road, although not all of them, yes, but it can reduce road damage that occurs later in this area. I also hope that the remnants of this coal can be repaired rather there will be no flooding or anticipation of flooding because there is no water absorption caused by the balding of the forests around here, hopefully by moving the state capital to East Kalimantan, all the damage in this Semboja area, OK? not only in Semboja but also in areas around it such as Balikpapan, Samarinda.

"For the right to participate in the community, in my opinion, it is important, because in the voice of the community, there is something that might concern the interests of the area, especially those that must be included by the people around the IKN. They know better what the conditions are like in the IKN and also the voice of the community's participation rights, in my opinion, so that it will make it easier for the

government in preparing it and also so that the public knows that the IKN Law will be ratified.”

From the results of the interview above it can be concluded according to the informant that the rights of the East Kalimantan people to the foundation of UU IKN No. 3 of 2022 that community rights are important because it is for the interests of the region itself so that it is the people who are supposed to take part in it.

Then regarding the impact of moving the new capital city on the indigenous people of East Kalimantan, there are definitely positive and negative impacts, such as the positive impact, namely the roads that are already good than before, and the damaged roads have reduced. The negative impact is that there are still roads in some areas that are still has not been realized so that there are inadequate roads for the community to pass.

Analysis

Based on the results of the interviews that the researchers conducted with informants related to the results of the research, the researchers conducted an analysis of the results of the research on two main issues.

1. The rights of the East Kalimantan people to the foundation of UU IKN No. 3 of 2022.

From the results of the interviews that have been described in the research report conducted with 4 informants, the informants are of the opinion that regarding the rights of the people of East Kalimantan to the basis of UU IKN no.3 of 2022 it does not play an important role or there is no need for community rights in drafting the law. IKN no. 3 of 2022.

2. The impact of moving the new capital city on the indigenous people of East Kalimantan.

Regarding the impact of relocating the country's capital city, from the interview results it was found that the impact was that there were negative and positive impacts from the relocation of the capital city, in which all informants gave opinions regarding the positive and negative impacts, which were as follows:

A. The positive impact of moving the national capital to East Kalimantan.

- 1) the economy will increase.
- 2) new infrastructure that has been built, for example: connecting toll roads from IKN to Samarinda and Balikpapan.
- 3) Many roads have been repaired, especially around IKN.
- 4) Kalimantan will be seen more by the wider community.
- 5) Much broader investment impetus.

B. The negative impact of moving the national capital to East Kalimantan.

- 1) The density of the population entering East Kalimantan.
- 2) Some areas are prone to flooding.
- 3) Increased air pollution in some areas due to dense population.
- 4) Environmental damage.

5. CONCLUSION

Conclusions and results of research on the Right to Public Participation in the Drafting of UU IKN No. 3 of 2022 concerning the Transfer of the State Capital in East Kalimantan.

1. The conclusion from the researcher is that the community's rights to the foundation of the IKN Law No.3 of 2022 are that there is no need for community rights, because researchers are of the opinion that the community's rights are only used in certain cases if there are irregularities in the drafting of the IKN Law that are not in accordance with the expectations of the community.
2. The impact of moving the new capital city on the indigenous people of East Kalimantan felt by the community regarding the transfer of the new national capital, is that it will have a definite impact on society and the environment and will have positive and negative impacts from the transfer of the national capital being moved to East Kalimantan where the location is in two regencies, namely Penajam Paser Utara and Kutai Kartanegara. From the opinions that researchers have obtained, there are positive and negative impacts, such as:
 - a) Positive impact:
 - 1) the economy will increase.
 - 2) new infrastructure that has been built, for example: connecting toll roads from IKN to Samarinda and Balikpapan.
 - 3) Many roads have been repaired, especially around IKN.
 - 4) Kalimantan will be seen more by the wider community.
 - 5) Much broader investment impetus.
 - b) Negative impact:
 - 1) The density of the population entering East Kalimantan.
 - 2) Some areas are prone to flooding.
 - 3) Increased air pollution in some areas due to dense population.
 - 4) Environmental damage.

Then the researchers concluded that the impact of moving the new national capital on the indigenous people of East Kalimantan indeed had positive and negative impacts, both the positive impacts such as the community's economy getting better or better than before, then also the abundance of manpower in it. As for the negative impact, as I feel myself, there are still areas that experience flooding to community housing so that the people in the area feel uneasy about flooding caused by heavy rains that hit then high tides.

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