Optimization of Legal Support for State Defense and Security Interests in Indonesia

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Abstract

To optimize legal support for Indonesia's national security, there is a needfor improvementsintransparency, accountability, and flexibility. This involves strengthening legal support in areas such as cybersecurity, maritime sovereignty, and defense procurement, all aligned with Indonesia's defense vision. Collaboration between military and civilian roles within anational security frameworkis also crucial for resilience against internal and external threats. Legal reforms should focus on increasing transparency, accountability, and flexibility, while upholding democratic values and state sovereignty. According to Soerjono Soekanto's theory of law enforcement, the key factors for an effective legal system are laws, law enforcers, facilities, society, and culture. Challenges in the defense and security sector, including border violations, terrorism, transnational crime, andcyber security, highlight theurgency for adequate policy support, personnel, and facilities to achieve national goals.

Keywords: Defense, Defense Security, Legal Support, Optimization

I. Introduction

The 1945 Constitution of the Republic of Indonesia clearly states and requires the government to protect the nation and all of Indonesia's territory, advance public welfare, improve the nation's intelligence, and participate in realizing a world order based on independence, eternal peace, and social justice based on the 1945 Constitution.

That these basic principles determine the overall strategy for national defense, including the legislative and legal framework to support the protection of the nation, advance the general welfare, and educate the nation's life as well as efforts to change global geopolitics and various countries have adopted geodefense policies that utilize strategic resources based on geographic factors to enhance defense capabilities and reduce security threats. According to(Sarjito, 2023) This approach requires in-depth evaluation of its implementation and effectiveness in different national and regional contexts recently prompted a re-evaluation of this framework to ensure its suitability with contemporary threats and technological advances as Flint describes in his journal(Flint, 2021).

These basic principles determine Indonesia's national defense strategy, including the legal framework that supports the protection of the nation. In recent decades, global geopolitical changes (Najjar, 2024)demands that Indonesia continue to update its defense policy to face new, multidimensional threats, according to(Sarjito, 2023) As an archipelagic country with abundant natural resources, Indonesia faces complex security and legal challenges, so optimizing legal support is essential.

As a state of law (rechtsstaat), Indonesia has a clear commitment to upholding the principles of law as set forth in Article 1, Paragraph 3 of the 1945 Constitution. In accordance with the defense policy outlined in Presidential Regulation Number 8 of 2021, Indonesia's defense system is structured around the concept of total defense, which encompasses the mobilization of all national resources, including civil society, in response to internal and external threats (Simamora et al., 2023). This principle, which is at the core of Indonesia's national security doctrine, underscores the significance of a legal framework that protects state sovereignty, territorial integrity, and the well-being of citizens. The General Policy on State Defense, as set forth in Presidential Regulation Number 8 of 2021, asserts that Indonesia's defense system is universal in scope, encompassing all national resources, including citizens, in a comprehensive manner to safeguard state sovereignty and integrity from both internal and external threats. (Gilang Pangestu & Zakky Almubaroq, 2022).

Challenges in Optimizing Legal Support

Technological developments and the emergence of cyber threats, transnational crimes, and global health crises require Indonesia to develop a legal system. (Achievement, 2024)that is responsive to contemporary threats. Cyber threats, in particular, have become a critical issue that threatens national vital infrastructure, including sensitive data that must be protected through a strong and proactive legal approach (Balon et al., 2024). In this case, cyber defense strategy requires cross-country collaboration to ensure national security is maintained(Elberri et al., 2024).

In the opening of the 1945 Constitution of the Republic of Indonesia, the Government of the Republic of Indonesia is expressly mandated to realize the national goal of protecting all Indonesian people and all Indonesian territory, advancing general welfare, improving the life of the nation, and participating in implementing world order based on independence, eternal peace and social justice. This is an insight into the implementation of national defense and at the same time the management of the national defense system, including in formulating general national defense policies.(Prameisty & Ummah, 2024).

Presidential Regulation of the Republic of Indonesia No. 8 of 2021 concerning the 2020-2024 Jakumhanneg, states that 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. Indonesia in implementing national defense refers to a universal defense system(Prameisty & Ummah, 2024), which involves all citizens, territories and other national resources, and is prepared early by the government and is carried out in a total, integrated, directed and ongoing manner to uphold state sovereignty, territorial integrity and the safety of the entire nation from all forms of threats (Sarjito, 2024).

The orientation of national defense is based on the principles of democracy, human rights, public welfare, the environment, national legal provisions, international law and international customs, and the principle of peaceful coexistence by considering the geographical conditions of Indonesia as an archipelagic country. In order to achieve these goals, the function of national defense is carried out to realize and defend the entire territory of the Republic of Indonesia as a single, strong defense unit in facing threats from outside and from within the country.

Implementation of defense policies supported by a comprehensive legal system is very important to create synergy between the military and civilian sectors, in order to increase national resilience.(Yudha Pamungkas et al., 2024).So the defense sector will also be related to security.(Nemeth, 2024), where discussions about the security sector initially focused on the military, but then important developments occurred that made the definition of the security sector broader and deeper.

The security sector is defined as a combination of traditional security actors(Hoeffler et al., 2024)for example defense units, police, border guards, intelligence agencies, judicial institutions, unofficial defense forces such as military companies, private companies, rebel groups, as well as management and oversight organs such as ministries or parliaments.(Martill & Sus, 2022).

Security Sector Reform and the Role of Legal Institutions

A comprehensive national security approach requires integration between military and civilian roles. According to the Indonesian Legal Aid Foundation (YLBHI), security sector reform in Indonesia needs to strengthen coordination between security and law enforcement institutions, by actively involving civil society to realize a professional and effective security system.(Rakhma et al, 2024). This is in line with the Lemhannas approach which prioritizes harmonious civil-military relations and is based on respect for human rights.(Putri Sukowati et al., 2024)

It is therefore necessary to work together to organize and implement the system in a manner that is more consistent with democratic norms and principles of good governance, thereby contributing to a well-functioning security framework.

Security sector reform is also described more simply as a process to develop a professional and effective security structure that will make citizens live in security. This approach emphasizes the importance of inclusive security by integrating human rights principles into defense operations, as supported by Lemhannas in promoting good civil-military relations.(Widjojo, 2020).

Indonesia's commitment to the rule of law is also explicitly stated in Article 1, paragraph 3 of the Third Amendment to the 1945 Constitution, which reads, "The State of Indonesia is a country of law." This signifies that the Unitary State of the Republic of Indonesia (NKRI) is a country founded upon the rule of law (rechtsstaat), as opposed to a government based on arbitrary power (machstaat). Furthermore, the Indonesian government is structured around a constitutional system (basic law), as opposed to an absolutist system of unlimited power.

The legal embodiment is contained in the 1945 Constitution and the laws and regulations under it (Hakim et al., 2024). In general, the development of Hankam has resulted in the establishment of a national defense force at the deterrence level that is capable of responding to and overcoming incoming threats (both domestic and foreign), enhancing the professionalism of security forces in providing services to (Azzani et al., 2024) and society, and strengthening the ability to mitigate various threats with the support of information and intelligence that is increasingly sophisticated.

Due to the limitations of state finances, many defense and security development programs and activities have not been achieved optimally. An example here is the effort to fulfill the state's defense strength at the minimum essential force level that has not been fully

realized. The development of the state's defense strength and capabilities has only resulted in a state defense posture with limited strength.(H. Chen et al., 2024)(under Standard Deterrence).
In terms of achieving professionalism of security forces, many obstacles are faced so that until now the police institution has not been able to fully meet the expectations and demands of the community which also affects its image.(Angelucci & Isernia, 2020)
Despite having a strong legal basis, Indonesia faces challenges in adapting its legal framework to the rapidly changing dynamics of national and international security threats. Issues such as cyber threats according to(Azzani et al., 2024)non-traditional security threats such as pandemics, and regional tensions require a more dynamic and responsive legal approach to defense and security.

Furthermore, the expansive area encompassing both land and water, the considerable population, and the substantial value of national wealth that must be safeguarded within the framework of the Republic of Indonesia present significant challenges to the defense and security sector. In light of the aforementioned background, a number of issues have come to the fore. These include the constraints imposed by limited state finances, the need to enhance the professionalism of human resources within the defense and security apparatus (Prasetyo et al., 2023), and the challenge of managing a vast area encompassing both land and water, a sizable population, and a significant national wealth, for which the support of legislation is vital. Such legislation would serve to optimize the interests of state defense and security..

This comprehensive national security approach also emphasizes the protection of human rights and the maintenance of democratic principles, while integrating the roles of the military and civilians in the national security structure. According to(Yudho et al., 203 CE) emphasized that Indonesia's defense policy must balance internal and external threats by strengthening the legal framework that allows for a holistic national security approach. Sudarsono also highlighted the importance of "human security," where the protection of citizens' rights is a priority, in line with the government's responsibility to uphold human dignity and social justice in the national security structure.(Widjojo, 2024)
From the description of the problem above, the author identified the following questions:

1. How is the country's defense and security currently?
2. How to optimize legal support for the interests and defense of the country?

In order to gain a deeper understanding of the aforementioned issues, the author employs a multi-faceted approach, drawing upon a range of existing perspectives. Firstly, The issue of reform in the Hankamneg sector in Indonesia. Secondly, The underlying policies, doctrines, and strategies of the Hankamneg sector in Indonesia.

In light of the aforementioned explanations, it is crucial to present this overview in order to demonstrate the potential of optimized legal support in advancing the interests of the

country's defense and security sector, thereby facilitating the realization of Indonesia's national goals, including the protection of the entire nation and the Indonesian homeland from diverse threats.

In light of the multifaceted nature of contemporary security threats, it is imperative that legal frameworks are devised to facilitate collaboration between diverse institutional sectors, thereby fostering civil-military cooperation in the pursuit of robust homeland security. The objective of this study is to examine the utility value of providing legal support to the defense and security sector of the country in Indonesia. This is with a view to realizing a resilient defense and security sector reform against existing threats, supported by current policies.

2. Research Method

This qualitative descriptive research employs a literature review methodology to examine the provision of legal support in safeguarding defense interests. Qualitative research is conducted using a variety of approaches, including an analytical approach that describes the law regarding defense interests by collecting data through literature studies and combining it with empirical research (field research) that employs data collection methods through observation. The data collection process entails the gathering of information from a multitude of sources, including governmental policies, academic literature on legal matters and national security, and research studies. By examining existing knowledge and practices in the Indonesian defense sector, this research aims to identify the legal support encountered in efforts to achieve state security..

3. Results and Discussion

Facing Contemporary Threats Through Adaptation of Laws and Policies

The advent of new technologies and the emergence of cybersecurity threats, transnational crime, and health crises such as pandemics necessitate the development of a legal system that is capable of responding effectively to these novel security challenges. As an illustration, cybersecurity represents a significant and urgent concern that poses a risk to national infrastructure and sensitive state data (Guerrini et al., 2024). In response to the growing prevalence of cyber threats, countries around the world, including Indonesia, are enacting or amending their legal frameworks to enhance resilience to cyber attacks, which have now become a core component of national defense strategies (Sarjito, 2024).

In the face of increasingly complex threats, countries need to adjust legal policies to anticipate rapid changes in technology and crimes that cross national borders. Cyber threats, for example, have grown rapidly and not only attack the

infrastructure sector but also the economy, health, and defense sectors according to(Guerrini et al., 2024)emphasized that cyber threats have now become a cross-sectoral problem that requires multidisciplinary cooperation and adaptive legal policies to strengthen national resilience.

Countries around the world, including Indonesia, have formulated specific laws and regulations in the field of cybersecurity to deal with increasingly sophisticated attacks. Indonesia, through Law No. 11 of 2008 concerning Electronic Information and Transactions (ITE) which was revised by Law No. 19 of 2016, has tightened cyber regulations to protect sensitive data and prevent misuse of technology in illegal activities.(Yudha Pamungkas et al., 2024)

Furthermore, the formulation of policies that are responsive to transnational crimes such as human trafficking, narcotics, and terrorism is becoming increasingly crucial in the context of globalization. As Yudha Pamungkas et al. (2024) observe, the Indonesian government has sought to enhance cross-border law enforcement through strengthened cooperation with international institutions, including Interpol and ASEAN. This is in line with the approach taken by other countries in combating transnational crime, as noted by Supardi & Sriyono (2024). This includes the intensification of intelligence data exchange and specialized training for law enforcement personnel to effectively address the increasingly sophisticated and organized criminal modus operandi. The recent threat of the pandemic has also served to highlight the necessity for a responsive legal framework in dealing with public health crises. In this context, Law Number 6 of 2018 concerning Health Quarantine has been enacted to provide the government with the authority to control the spread of infectious diseases, which have the potential to threaten the stability and security of the country (Sarjito, 2023).

The importance of adapting legal policies to address these contemporary threats demands an anticipatory and collaborative strategy. According to(Guerrini et al., 2024) highlighted that artificial intelligence (AI) and machine learning technologies have been utilized in defense systems to detect suspicious activity early and analyze attack patterns. This technology allows the government to improve its response to cyberattacks by identifying security gaps before they are exploited by irresponsible parties. In Indonesia, the National Cyber and Crypto Agency plays a key role in implementing this strategy through strict supervision and monitoring of digital activities that have the potential to threaten national security.(Yudha Pamungkas et al., 2024).

Complexity and Challenges in Defense Systems

Indonesia's current defense system focuses on the Minimum Essential Force (MEF) which aims to increase defense capabilities without foreign dependence, which is achieved through empowering the domestic strategic defense industry.(Yudha Pamungkas et al., 2024)According to(Pambudhi, 2024)The relocation of the National Capital also has implications for strengthening the defense budget to address more complex threats in the new region. This strategy aims to ensure readiness and resilience in facing threats from maritime areas that are increasingly vulnerable to international conflict.

With its vast maritime borders, abundant natural resources, and large population, Indonesia faces very complex national defense challenges. Efforts to maintain the security of natural resources(Rakhma et al., 2024)These powers and borders require military strength and a comprehensive legal framework, especially with regard to maritime rights and resource protection. Defense experts support the revision of legal policies related to maritime sovereignty to secure Indonesia's strategic position in the Southeast Asian region, an approach that is also supported by studies on archipelagic defense strategies.(Z. Chen, 2023).

The concepts of national defense and national security are inextricably linked. Despite extensive debate and polemics concerning the concept and definition of national security, a consensus has yet to be reached. The challenge of developing a comprehensive and impartial understanding of national security has a considerable impact on the difficulty of formulating pertinent regulations in this area.
In some military circles, the understanding of national security is still limited to the perspective of its function in organizing the state. Defense is regarded as a constituent element of national security (Almubarok, 2023). Conversely, the police tend to conceptualize national security in terms of functional aspects. Those in senior positions within the military and those engaged in strategic thinking begin with the premise that "defense" represents a specific endeavor, whereas "security" is the result of that endeavor. The endeavor to construct national security within a system will ultimately revert to the concept that was previously designated as "defense" and "security" (Duarte et al., 2024)

In the context of national security, Indonesia is faced with challenges that are no longer only related to conventional military threats, but have expanded to become multidimensional threats that include ideology, politics, economics, social and environmental issues.(Harjo Susmoro & Opsla BDO Siagian, 2021)This shift reflects the dynamics of global geopolitics and geostrategy, which demands a more adaptive security policy framework. Lt. Gen. (ret.) Agus Widjojo stated that the term national security began to develop after World War II with an emphasis on the importance of protecting state sovereignty from external threats. According to Widjojo, national security involves defense from foreign military threats as well as domestic security that addresses domestic threats through law enforcement.(Duarte et al, 2024) This shows that the country needs a holistic strategy to protect sovereignty and territorial integrity from various sides.

In response to these complex threats, numerous countries have established National Security Councils with the objective of facilitating cross-sector coordination, sharing intelligence information, and enhancing national crisis response capabilities. In Indonesia, the establishment of a National Security Council is considered a crucial step to unify decision-making, enhance response to multidimensional threats, and effectively integrate the roles of the TNI and Polri in maintaining public security and order

(Susmoro, 2022). Conversely, MPR Decree No. VI and VII and Article 30 of the 1945 Constitution provide a legal foundation for the armed force and police to perform defense and security functions. However, these regulations require reinforcement to accommodate the increasingly complex modern threats (DPR RI, 2024). It is also crucial to reinforce the legal infrastructure in order to establish a security system that is capable of responding effectively to transnational crime, terrorism, and cybersecurity threats.
Moreover, the legal function serves as a tool for resolving disputes or conflicts, both as a tool for social control and a tool for social engineering, which is necessary for maintaining domestic stability, as stated by Sarjito (2024). An effective country not only maintains sovereignty and the rule of law but also ensures the protection of human rights, thus developing the concept of human security. As posited by Widjojo (2024), this concept regards state sovereignty as the state's obligation to safeguard and promote the human rights of its citizens. Consequently, the concept of national security encompasses not only the protection of military interests but also the expansion of collective security, whereby international cooperation plays a pivotal role in addressing global threats that affect regional and international stability (Setiawan et al., 2024).

According to Farouk Muhammad (who was then Governor of PTIK) from the Police, according to(Susmoro, 2022)in his journalthat State security is only one area of security, namely efforts to guarantee the security of the State as an entity. Although interrelated, State security is in a different domain from general security. State security concerns the existence/survival and peace of individuals/groups of people (in general) living in the State.
The group of people in the first domain is called the people who are bound in political moorings, while the second group is called the community who are bound in social moorings. Therefore, for Farouk Muhammad, threats to state security are not necessarily disturbances to human/group/community security. The construction of such a security concept is based on the formulation of MPR Decree No. VII which is a follow-up to the separation of the TNI-Polri which emphasizes, "maintaining public security and order". Likewise, the formulation of the 1945 Constitution, Article 30 paragraph 4: "maintaining public security and order."

An approach that allows to understand the form of security, seen from the escalation of disturbances. Forms of threats to state security can be in the form of piracy, smuggling, drugs, illegal logging, illegal mining/fishing, illegal immigrants and others. External threats included in state security issues are such as military invasion, military aggression and cross-border violations. State threats originating from within the country (internal) are such as armed rebellion, separatist movements, internal violent conflicts such as in Poso, Aceh and Papua, terrorism and others.(Susmoro, 2022).
Based on the National Security Bill, it is the nation's commitment to all kinds of simultaneous, consistent, and comprehensive efforts, all citizens who serve the strength of the nation's components to protect and maintain the existence, integrity, and sovereignty of the nation and state, effectively and efficiently from all threats including

their nature, sources, dimensions, and spectrum. This concept demands and places national security responsibility on all components of the nation, not only burdened on the Indonesian national army and Indonesian police.

Former Minister of Defense Prof. Juwono Sudarsono (2007) provided ideas about a comprehensive national security system based on four ideal functions of government, as follows.(Dewi et al, 2022):

a. National Defense is the function of the State government in facing threats from abroad in order to uphold national sovereignty, safety, honor and integrity of the Republic of Indonesia.
b. State security is the function of state government in facing domestic threats.
c. Public Security, namely the function of the State government in maintaining and restoring the safety, security and order of society through law enforcement, protection, patronage and public service.
d. Human Security, namely the function of the State government to uphold the basic rights of citizens.

This paradigm shows that national security in Indonesia now includes multidimensional aspects, beyond the traditional approach that focuses on the military. Modern threats such as terrorism, cyber, and social issues (Susmoro, 2022) requires a strategy that integrates a people-centered security approach, in which every individual and component of society plays an active role in maintaining national security and order.

With the National Security Council (DKN), which is implemented in many countries, Indonesia has the opportunity to strengthen cross-sector coordination to face multidimensional threats in an integrated and efficient manner. The establishment of DKN will also strengthen collaboration between the TNI, Polri, and the community in facing the ever-changing global dynamics. In addition, MPR Decree No. VI and VII and Article 30 of the 1945 Constitution provide a legal basis for enforcing these defense and security functions, although modern challenges demand legal reform to be able to respond to various forms of new threats more effectively.(DPR RI, 2024).

Public security is a dynamic condition that guarantees the realization of public security and order, the provision of services, community protection, and law enforcement in creating national security. Internal security is a dynamic condition that guarantees the continued upholding of sovereignty, territorial integrity, and the safety of all nations and countries from domestic threats in creating national security.(Yutrawanto & Pualillin, 2022). External security is a dynamic condition that guarantees the continued upholding of sovereignty, territorial integrity, and the safety of the entire nation from foreign threats in order to realize Indonesia's national security as stated by Baharudin Anwar in the Lemhanas article.(Annwar, 2024).

The new design of the national security system is basically not only in order to follow the dynamics of threats at the national, regional and international levels but must be based on national doctrine and philosophy.(Susworo, 2022). Although, our nation's ideology has not been revitalized and developed into the current condition and existence of the nation, however, Pancasila remains the source of all sources of law in Indonesia. The

trend of globalization, information technology, democratization and so on cannot change our basic views and identity as a nation.

Cyber Threats and Defense Strategies

Cybersecurity has become a major concern in national defense. Increasingly sophisticated cyber attacks demand responsive policies to protect the nation's critical infrastructure. According to(Ogugua Chimezie Obi et al., 2024)cyber defense strategy should include cyber awareness training for all defense personnel and the use of artificial intelligence and behavioral analytics to strengthen resilience to cyber threats. The study underscores the importance of collaboration between countries in sharing threat intelligence to strengthen the global cybersecurity ecosystem(Ashraf, 2023).

In Pancasila there is a conception of humanitarian values, national values and democratic values as well as social justice for all citizens. The national security system is thus not solely determined by the dynamics and external threats and the influence of globalization or other ideologies, as it is today where the type of threat is already an asymmetric threat, but in any case the national value system(Sukowati et al, 2024), self-identity, nationalism and national philosophy remain the main aspects. Therefore, we must be optimistic that with the nation's ideology and mindset, it will encourage the birth of a transformation of new thoughts and ideas that answer the need for a new national security system.

The national security system, in relation to the democratic system, must be formulated in a professional, effective, and accountable manner. The roles and functions of national security institutions are vital for upholding sovereignty, territorial integrity, and protecting citizens, as well as ensuring stable domestic security conditions and law enforcement. However, the economic and welfare aspects that support the national security system are currently limited, and there is a need to overhaul the way of thinking to make progress in this area. The 1945 Constitution of Indonesia emphasizes the state's duty to protect its citizens through the establishment of laws and regulations. It also highlights the obligation of every citizen to participate in the defense of the country. The defense and security efforts in Indonesia are carried out by the Indonesian National Army and the Indonesian National Police as the main force, with the support of the people. Therefore, maintaining the security of the country requires the collaboration of these institutions as well as the active involvement of Indonesian citizens
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In order to implement efforts to maintain the security and sovereignty of the State, it is necessary to pay attention to the National values contained in the articles of the 1945 Constitution, namely:

(1) Democratic values, this means that sovereignty is in the hands of the people, every citizen has the freedom to be responsible for the implementation of government;
(2) Values of equality, every citizen has the same rights, obligations and position before the law; and
(3) Values of obedience to the law, every citizen without discrimination is required to

obey every applicable law and regulation. So it is hoped that these values can be used as guidelines in community, national and state life within the framework of the Unitary State of the Republic of Indonesia.

The principles of the Indonesian nation in organizing defense are:

1. The Indonesian nation has the right and obligation to defend and maintain the independence and sovereignty of the country, territorial integrity, and the safety of the entire nation from all threats;
2. National defense is the responsibility and honor of every citizen. This principle contains the understanding that national defense efforts must be based on awareness of the rights and obligations of citizens;
3. The Indonesian people love peace, but love their independence and sovereignty more;
4. The Indonesian nation opposes all forms of colonialism and adheres to an active free policy;
5. The form of national defense is universal in the sense that it involves all the people and all national resources, as well as the entire territory of the country as a single unit; and
6. National defense is structured based on the principles of democracy, human rights, public welfare, the environment, and national legal provisions.

There are several reasons why national defense efforts are important for every citizen, including: to defend the country from various threats, to maintain the integrity of the country's territory, and is a historical call, because basically the Republic of Indonesia does not want any colonization on the face of this earth as stated in the Opening of the 1945 Constitution. So the efforts of citizens in defending the country from all threats and disturbances are a form of maintaining the security and sovereignty of the country. Efforts to maintain security and order are not only the task of the TNI and POLRI. But also the task of Indonesian citizens. However, if the TNI and POLRI only work alone, national defense and security efforts will never be realized without the help of the community or citizens (Hermanto, et al, 2024).

States thatNational defense is not solely the task of the TNI, but of all citizens according to their abilities and professions in the life of society, nation and state. National defense is also a philosophy that aims for every individual to be able to practice and apply regulations, both written and unwritten.(Sunara Akbar et al., 2024)which becomes the basic rule in a country with the intention that the individual himself is able to practice the rules that apply in that country, so that he can defend his country with a strong stance and strength.

Law enforcement is the center of all legal “life activities” starting from legal planning, law formation, law enforcement and evaluation. Law enforcement is essentially an interaction between various human behaviors that represent different interests within the framework of rules that have been agreed upon together. Therefore, law enforcement

cannot be considered solely as a process of implementing the law as the legalists argue. However, the law enforcement process has a broader dimension than that opinion, because law enforcement will involve the dimension of human behavior. With this understanding, we can see that the legal problems that will always stand out are the problems of "law in action" not "law in the books"

Law enforcement efforts are only one element of our overall problem as a country of law that aspires to uphold and realize social justice for all Indonesian people(Yutrawanto & Pualillin, 2022). The law cannot possibly be upheld if the law itself does not or has not yet reflected the feelings or values of justice that live in its society. The law cannot possibly guarantee justice if its material is mostly a legacy of the past that is no longer in accordance with the demands of the times. This means that the problems we face are not only related to efforts to enforce the law but also legal reform or the creation of new laws. Therefore, there are four important functions that require careful attention, namely (i) the making of laws ('the legislation of law' or 'law and rule making'), (ii) the socialization, dissemination and even the cultivation of law (socialization and promulgation of law, and (iii) the enforcement of law (the enforcement of law)(Indrajit, 2021).

There are 5 (five) causes of weak law enforcement and 5 (five) solutions to solving the problem which are further explained below:

a. The government's political system has not been tested, the solution to the problem is not to intervene in law enforcement efforts,
b. The community supervision system is not effective, the solution is for the role of community supervision to become an objective motivator,
c. The forgotten ethics of the law enforcement profession, the solution to the problem is, professional ethics are an integral part in regulating the behavior of law enforcers,
d. The influence of globalization on the Indonesian legal system and the theory of solving the problem is strengthening the Indonesian legal system by harmonizing laws that are developing globally and influencing the world, and
e. The weak existence of advocate organizations from the support of their members, solving the problem requires strengthening and resilience of professional organizations in society.

The ability to deal with them is based not only on the capabilities of the military, but also on the capabilities of other elements of national power, including the government's capacity to deal with them. All government apparatus (cabinet) is responsible for security, while the military is responsible for formulating everything related to defense operations and tactics. There is no doubt that certain threats must be met with certain instruments that are appropriate, effective, efficient and do not cause social, economic, political, ideological dislocation. Historical, geographical, ideological considerations and contemporary political developments must be taken into account. The gravity of interstate relations in economic dynamics does not completely eliminate the relevance of geostrategic political contexts.

Social pluralism, economic inequality, regional disparities make nation-building and state-building efforts a serious issue. Indonesia is a political entity (state) built on the foundation of plurality. The unity of Indonesia as declared in the 1928 Youth Pledge, has so far been more cemented by the common history of anti-colonialism. The State of the Proclamation of August 17 has the responsibility for nation-building. Events that have occurred in recent years in various regions show how the state has not been able to fulfill its duties to strengthen the imagined community of Indonesianness. The common history of facing colonialism seems to need to be manifested in a more concrete form, for example a common platform and commitment to uphold social justice, and by using more appropriate instruments such as democratic legal provisions. Bhinneka Tunggal Ika is a motto that should be interpreted as a commitment to respect diversity, not to create uniformity.

The primary challenge, encapsulated in the third inquiry, pertains to the optimal methodology for addressing the sources and characteristics of specific threats. It is imperative to ascertain the nature of internal threats. Ideologies, including communism and religious fundamentalism, have never been the direct impetus for political violence. The prevention of the possibility of such pressures re-emerging can only be achieved through efforts to overcome economic, political, and cultural deprivation. With regard to external military threats, it is evident that enhancing military capabilities (modernization and professionalization) represents a viable option. However, apart from economic considerations, the increase of military strength inevitably invites suspicion from other parties, particularly if it is achieved through the prioritization of the modernization of offensive weapons (Anggoro, K, 2003).

In an atmosphere of anarchy and uncertainty, unilateral efforts can create a security dilemma, especially if the unilateral effort is in the form of deploying new types of offensive weapons. The development of military power that leads to non-provocative defense is one strategic choice. In addition, in the midst of the wave of interdependence in international life, a country cannot secure itself by threatening others. Efforts to build security, therefore, shift from the concept of "security against" to "security with". What has been known as cooperative security, confidence building measures, and preventive diplomacy carried out bilaterally, regionally, globally, and multilaterally are some of the various efforts to answer this problem.

Challenges and Recommendations for Improving Legal Support

Despite having a strong legal basis, Indonesia faces major challenges in optimizing legal support for defense and security interests. Limited funds are often an obstacle to improving defense capabilities, which has an impact on efforts to modernize military equipment and infrastructure. The Minimum Essential Force (MEF) program aims to achieve an adequate level of military capability, but its funding still lags behind other Southeast Asian countries, such as Malaysia and Singapore (Prameisty & Ummah, 2024).

Modernization of the defense system requires not only financial investment but also a legal structure that supports procurement, innovation, and collaboration with the international defense industry. Legal experts recommend reviewing regulations related to military procurement and international partnerships to reduce Indonesia's dependence on outdated defense technology and improve the country's deterrent capabilities against security threats in the region (Jazuli, 2023). This approach is in line with Indonesia's long-term goal of achieving independence in the defense industry, as outlined in the latest defense policy review.

4. Conclusion

a. Optimizing legal support for Indonesia's national security requires improvements in the aspects of transparency, accountability, and flexibility. Based on Soerjono Soekanto's theory of law enforcement, there are five important factors to support an effective legal system: law, law enforcers, means or facilities, society, and culture.
b. Optimizing legal support in the interests of Indonesia's defense and security is a crucial step to respond to the complexity of security challenges that continue to grow. A strong legal basis has been stated in the 1945 Constitution, but contemporary threat conditions require flexible and sustainable policy adjustments. These efforts include strengthening legal support in the fields of cybersecurity, maritime sovereignty, and defense procurement, all of which need to be aligned with Indonesia's national defense vision. Collaboration between military and civilian roles within an integrated national security framework is also expected to increase the country's resilience to internal and external threats.
c. To ensure this resilience, legal reform must focus on increasing transparency, accountability, and flexibility, in order to uphold democratic values while maintaining state sovereignty and security. According to Soerjono Soekanto's theory of legal enforcement, there are five main factors that play a role in supporting an effective legal system:
d. Legal factors, namely the provisions of applicable regulations;
e. Law enforcement factors, including individuals and institutions that oversee the implementation of the law;
f. Facilities or infrastructure factors, in the form of supporting infrastructure for law enforcement;
g. Community factors, or the social context in which the law is applied;
h. Cultural factors, which reflect the values and norms that exist in society.

Various challenges in the development of the defense and security sector, such as border violations, terrorism, transnational crime, and cyber security, indicate the urgent need for adequate policy support, personnel, and facilities to achieve national goals.

Recommendation

As a concrete step, the Faculty of National Security of the Indonesian Defense University is advised to take strategic and integrated actions to improve legal support in the interests of national defense. The proposed steps include:

1. Emergency Law Program: The Faculty of National Security can initiate this program to strengthen the legal sector in emergency situations. Graduates of this program are expected to become legal experts in emergency situations who are able to make significant contributions to national defense and security.
2. Special Training for HR and Lecturers: Periodic training is needed for teaching staff and human resources at the Faculty of National Security, especially those related to law, to expand knowledge and readiness in facing various situations that require law enforcement in the national security sector.

More solid policy support along with increased personnel and infrastructure competency will strengthen Indonesia's national security and ensure the country's readiness to respond to increasingly complex threat dynamics

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