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Abandoned at Sea: The Tribunal Ruling and Indonesia's Missing Archipelagic Foreign Policy

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Indonesia's response to the 2016 UNCLOS tribunal ruling was underwhelming, even as a nonclaimant in the South China Sea disputes. Given its maritime geography and interests, the response is symptomatic of the country's underdevelopment of an "archipelagic foreign policy"—one where the entire foreign policy system, from its bureaucracy, doctrine, and strategy, should be geared to secure and defend its external maritime interests. This article further argues that the authoritarian New Order regime (1966–1998) repressed the development of an archipelagic foreign policy in two ways: (1) the army-dominated foreign policy establishment deprioritized external maritime interests and (2) the infusion of the National Resilience (Ketahanan Nasional) concept into the "Archipelagic Outlook" (Wawasan Nusantara) doctrine as a regime maintenance tool further "domesticated" what could have been a geopolitical outlook. These authoritarian legacies put Indonesia's foreign policy on a path-dependent trajectory that even President Joko Widodo's Global Maritime Fulcrum could not break.

Key words: archipelagic state, authoritarian legacies, foreign policy, Indonesia, maritime security

放弃海洋权益：南海法庭仲裁和印度尼西亚群岛外交政策的缺失

对于2016年仲裁庭引用《联合国海洋法》做出的南海仲裁，印度尼西亚的回应平淡无奇，甚至在南海争端中，印尼没有提出任何主张。基于其海洋地理位置和利益，这一回应反映了该国"群岛外交政策"的不成熟。整个外交政策体系 — 官僚制度、理论和战略 — 应该旨在

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确保和捍卫其外部海洋利益。本文进一步论证了专制的“新秩序政权”(1966-1998)从两方面抑制了“群岛外交政策”的发展：(1)制定以军队主导的外交政策忽视了其外部海洋利益；(2)在“群岛前景”(Wawasan Nusantara)理论中引入“国家弹性”(Ketahanan Nasional)的概念作为政权维持工具， 进一步引进了“地缘政治前景”的概念。这些专制遗产使得印尼的外交政策走上了一条路径依赖的轨道, 就连佐科·维多多总统提出的“全球海洋支点”战略也无法打破。

关键词：外交政策, 群岛国, 海洋安全, 南海, 印度尼西亚, 专制遗产

Abandonado en el mar: el fallo del tribunal y la inexistente política exterior de archipiélago en Indonesia

La respuesta de Indonesia al fallo del tribunal de la CDM de 2016 fue decepcionante, inclusive como no reclamante de las disputas del Mar del Sur de China. Dados sus intereses y geografía marina, la respuesta es síntoma del bajo desarrollo de una 'política exterior de archipiélago' en el país– una donde el sistema de políticas exteriores completo—desde su burocracia, doctrina y estrategia– debería estar dirigido a asegurar y defender sus intereses marítimos. Este artículo adicionalmente argumenta que el régimen del Nuevo Orden autoritario (1966-1998) reprimió el desarrollo de una política exterior de archipiélago de dos maneras: (1) el establecimiento político dominado por el ejército le quitó prioridad a los intereses marítimos externos, y (2) la infusión del concepto de la resiliencia nacional (Katahanan Nasional) dentro de la doctrina de "perspectiva de archipiélago" (Wawasan Nusantara) como una herramienta para mantener el régimen "domesticó" adicionalmente lo que podría ser una perspectiva geopolítica. Estos legados autoritarios ponen a la política exterior de Indonesia en una trayectoria dependiente del recorrido que inclusive el fulcro marítimo del presidente Joko Widodo no podría romper.

Palabras clave: política exterior, estado archipiélago, seguridad marítima, Mar del Sur de China, Indonesia, legados autoritarios

Indonesia is not a claimant State in the South China Sea disputes. It is not that there are no potentially overlapping areas of sovereign rights with China's expansive nine-dash line but that the country does not stake a claim in the disputed Spratlys. The July 2016 ruling of the UNCLOS arbitral tribunal (with the Permanent Court of Arbitration [PCA] as a registry) therefore did not specifically, immediately, and directly affect Indonesia. The ruling, however, has strategic implications for Indonesia's maritime interests, including the stability of its immediate regional environment, the country's sovereign rights over the Natuna Islands' exclusive economic zone (EEZ), and its renewed fight to counter illegal, unregulated, and unreported (IUU) fishing practices in its waters. More broadly, it impacts Indonesia's ardent support for a global maritime order based on UNCLOS and for the unity and centrality of ASEAN—the country's chief foreign policy "cornerstone."

And yet, despite these interests, Indonesia's response to the ruling was underwhelming. The Foreign Ministry issued a bland statement where it: (1) calls on all parties to exercise restraint and refrain from escalatory activities and secure Southeast Asia from military activities that could threaten peace and stability; parties should instead respect international law, including the 1982 UNCLOS; (2) calls on all parties to continue the common commitment to uphold peace and exhibit friendship and cooperation; (3) urges all parties in

the South China Sea to behave and conduct their activities according to agreed-upon principles; (4) continues to push for a peaceful, free, and neutral zone in Southeast Asia to further strengthen the ASEAN political and security community; and (5) urges all claimants to continue peaceful negotiations over the overlapping sovereignty claims in the South China Sea according to international law (Kementerian Luar Negeri, 2016).

The Foreign Ministry made no mention of the ruling and its implications, even when it clearly vindicated, for example, Jakarta's established position that the nine-dash line is illegal under international law.[1] Furthermore, despite domestic and regional criticisms, Indonesia has not publicly pushed for the ruling to be officially included in ASEAN-related statements or in its foreign policy public positions. Foreign Ministry officials further refrained from mentioning the ruling in their speeches and statements. One senior diplomat argued, "Why do we need to reiterate the ruling publicly when it is already part of international law?"[2] Domestically, Indonesia refocused its energy on developing a National Sea Policy to "accelerate" President Joko "Jokowi" Widodo's Global Maritime Fulcrum (GMF) vision. In other words, life after the ruling for Jakarta appears as if the ruling never happened.

Analysts have noted the political and personal considerations behind Indonesia's lackluster and inconsistent approach to the South China Sea and the tribunal ruling (Connelly, 2016; Laksmana, 2016). Rather than rehashing these arguments, this article focuses on what such response reveals about the broader trends in Indonesia's foreign policy. We offer a longer term, structural approach and locate Jokowi's maritime-related policies—the South China Sea included—within their larger historical context. We argue that Indonesia's lackluster response to the tribunal ruling is but another symptom of the country's failure to appreciate Indonesia's maritime geography as the determinant of foreign policy. This failure is the hallmark of what we call a "minimalist archipelagic" or "unthalassic" foreign policy. Unthalassic—a negation of "thalassa" or anything related to the sea—connotes an attitude that fails to take the sea seriously when making foreign policies. As an archipelagic state, Indonesia has failed to make its maritime geography as the primary determinant of its foreign policy making system. The government either vastly underrated the importance of the maritime domain or acknowledged it but decided to focus on other priorities (Till, 2015).

We develop the concept of an archipelagic foreign policy in the next section. Suffice to note here that the absence of an archipelagic foreign policy is puzzling.[3] For one thing, Indonesia's predominantly maritime geography preoccupied policymakers since its independence in 1945. Particularly from the 1956 Djuanda Declaration to the 1982 UNCLOS, Indonesia's foreign policy had focused on securing the country's maritime interests (J. G. Butcher & Elson, 2017; Prabawaningtyas, 2015). But since the 1980s until today, Indonesia has never had a fully developed archipelagic foreign policy. For another, Indonesia's strategic interests, especially in recent years with China's rise, have almost always been intimately tied to its maritime domain. We argue that the authoritarian New Order rule (1966–1998) repressed the development of an archipelagic foreign policy for Indonesia. The "militarization" of the foreign policy establishment and the "domestication" of the Archipelagic Outlook (Wawasan

Nusantara) doctrine as a regime maintenance tool, specifically, created path-dependent effects on Indonesia's foreign policy. We further show that Jokowi's maritime and foreign policies should be seen within this broader context.

We substantiate this argument in the following sections. First, we outline a preliminary conceptual framework of an archipelagic foreign policy and show how it applies to Indonesia. Second, we describe how the 2016 tribunal ruling affects Indonesia's strategic interests as a nonclaimant in the South China Sea disputes. Third, we provide an overview of some of Indonesia's pressing (external) maritime security challenges. Taken together, these two sections also establish why Indonesia needs an archipelagic foreign policy. Fourth, we examine how the New Order's authoritarian legacies hinder the development and institutionalization of an archipelagic foreign policy. In the fifth section, we demonstrate the path dependence of such legacies in our discussion of Jokowi's maritime and foreign policies. We note how his GMF and National Sea Policy represent a continuation of Indonesia's inward looking rather than externally oriented strategic vision. Finally, we draw several conclusions and policy implications of Indonesia's missing archipelagic foreign policy.

Archipelagic Foreign Policy: A Preliminary Conceptual Framework and Application

To the best of our knowledge, there is no extended conceptual or empirical discussion of an archipelagic foreign policy.[4] We borrow the term from Yayan Mulyana, an Indonesian diplomat and former special staff to President Susilo Bambang Yudhoyono. He wrote an op-ed in *The Jakarta Post* in 2012 arguing for an "archipelagic foreign policy" (Mulyana, 2012), although he never developed the term. This article sees an archipelagic foreign policy when the archipelagic features and interests of the country are consistently embraced, developed, and manifested throughout the foreign policy establishment. It is when the Foreign Ministry's structure, policy formulation process, and goals are geared to defend the country's external maritime interests. In this sense, maritime diplomacy is not only one foreign policy feature or priority out of a set of others. Instead, an archipelagic foreign policy means external maritime interests define and shape the entire foreign policy making apparatus and system. By external, we mean that they deal with actors or problems that lie outside of the immediate boundaries of the State, including, for example, maritime territorial disputes or regional fisheries management. While maritime interests have both internal and external dimensions, an archipelagic foreign policy focuses on the latter. Internal maritime problems, such as a domestic fisheries industry, fall within a broader maritime policy framework. An archipelagic foreign policy in this sense is a subset of a state's broader maritime policy.

This external focus follows the principle of "archipelagic states" granted by the 1982 UNCLOS. According to UNCLOS, these are states constituted wholly by one or more archipelagos where the group of islands, interconnecting waters, and other natural features are so closely interrelated that such islands, waters, and other natural features form an intrinsic geographical, economic, and political entity. An archipelagic state may draw straight archipelagic baselines joining the outermost points of the outermost islands and drying reefs of

the archipelago. The sovereignty of an archipelagic state then extends to the waters enclosed by these archipelagic baselines.[5] By 2015, 20 states, from the Philippines, Indonesia to Vanuatu, have utilized these provisions by enacting archipelagic baselines within which they claim sovereignty over their archipelagic waters subject to the navigational rights of others (Baumert & Melchior, 2015). An archipelagic foreign policy is not singularly Indonesian therefore. The archipelagic state principle nonetheless creates the initial unique set of maritime-based challenges: from governance of the waters to the overlapping claims with neighboring states (cf. Ku, 1991).

Archipelagic states, however, do not automatically have archipelagic foreign policies. When and how they develop such policies are left to empirical examinations. If we think of an archipelagic foreign policy as a dependent variable, the term can be conceived in two ways: first, as a binary of absence or presence of an archipelagic foreign policy, a state either has it or not; second, as an analytical spectrum with degrees of development. At the most ideal point, a state's foreign policy establishment consistently prioritizes maritime-related interests. We can call this a "maximalist archipelagic" or "thalassic" foreign policy. At the least ideal point, an archipelagic state's maritime features do not systematically and consistently define its foreign policy interests. Consequently, the foreign policy establishment is not always geared to defend the country's maritime interests. We can call this a "minimalist archipelagic" or "unthalassic" foreign policy. This notion is analogous to the "sea-blindness" concept: states either vastly underrate the importance of the maritime domain or acknowledge it in theory but decide to focus on other priorities (Till, 2015, p. 4).

Most archipelagic states' foreign policies would likely ebb and flow between the two ideal points. There are numerous factors (or independent variables) that could shape where an archipelagic state's foreign policy would be in the spectrum. Domestic variables, such as economic development, regime type, maritime security capabilities, or the idiosyncrasies of political leaders, could shape whether and how an archipelagic foreign policy emerges. International variables, such as external wars, regional security tensions, or the role of multilateral organizations, could also shape the extent to which archipelagic states formulate and institutionalize archipelagic foreign policies. As this article is a preliminary attempt to develop and employ the archipelagic foreign policy concept, we focus on only one such factor: authoritarian legacies. We will elaborate this below as we describe how the archipelagic foreign policy concept applies to Indonesia.

Explaining Indonesia's (Missing) Archipelagic Foreign Policy

Indonesia is the world's largest archipelagic state and has the world's third largest EEZ. The country's waters make up about 58% of the total area of 4.5×10^6 km^2 over which the state asserts its sovereignty. The country's EEZ, within which the government exercises sovereign rights, give the government jurisdiction over a further 5.4×10^6 km^2 (J. Butcher, 2009, p. 28). As Mulyana (2012) noted, such archipelagic underpinning is a logical built-in part of Indonesia's foreign policy that carries with it the country's archipelagic interests. Ideally, an archipelagic foreign policy for Indonesia, if implemented, could accomplish three broad goals (Mulyana, 2012):

1. Define priorities that meet archipelagic needs. To go beyond border diplomacy, Indonesia could mainstream the archipelagic dimension into the international agenda that affects its interests, such as climate change or food and energy security.
2. Define the choice of foreign policy instruments, especially when archipelagic challenges arise. Trade instruments, for example, could be useful to support the integration of regional markets, such as the Asia-Pacific which has a maritime portion.
3. Locate the imperatives that emerge at the crossing point between Indonesia's security policy and foreign policy. Those imperatives would include, inter alia, ensuring the tactical and strategic capacity to respond to traditional and nontraditional (maritime) security challenges or secure the country's archipelagic sea lanes (ASLs; Indonesian abbreviation: ALKI).

Taken together, these goals suggest that Indonesia could benefit from developing a maximalist archipelagic foreign policy. Two additional reasons are worth noting. One, the country's foreign policy has traditionally been subjected to the forces of domestic politics and presidential idiosyncrasies (Sukma, 1995). As such, Indonesia's foreign policy system has not been properly institutionalized. After the New Order, the Foreign Ministry has attempted to implement a set of organizational reforms (Nabbs-Keller, 2013; Wuryandari, 2009). These reforms, however, appear to be bureaucratic tinkering rather than fundamental overhauls to prioritize Indonesia's external maritime interests. Recently, the Foreign Ministry enshrined maritime diplomacy as one of its top priorities (out of a dozen others).[6] This claim, however, is not equivalent to fully embracing and institutionalizing Indonesia's archipelagic interests into the foreign policy system.

Two, as detailed further below, Indonesia's external maritime security interests are increasingly harder to defend. The growth in IUU fishing in recent years has led to economic losses and more incidents at sea involving fishermen and maritime law enforcement agencies from Vietnam, Malaysia, and China, among others. Meanwhile, Indonesia's regional environment surrounding the South China Sea has deteriorated under China's militarization activities. The amplification of the competitive features of U.S.-China relations, particularly in the maritime domain, has exacerbated this trend. More broadly, the challenges to the global maritime order underpinned by UNCLOS, following the shelving of the 2016 tribunal ruling by Beijing and Manila, has indirectly undermined Indonesia's archipelagic state interests.

Under these conditions, Indonesia's foreign policy should have been geared toward defending the country's maritime interests. Indeed, the post-New Order democratization process had given the Foreign Ministry a window of opportunity to hit the reset button on the policymaking system. Unfortunately, as one recent assessment noted, Indonesia remains bereft of an outward-looking projection in its regional and international influence (Sebastian, Supriyanto, & Arsana, 2015, p. 327). This is symptomatic of the country's unthalassic or minimalist archipelagic foreign policy. As the following section shows, Indonesia's underwhelming approach to the tribunal ruling could be understood within this context.

We argue that when it comes to Indonesia's foreign policy, the New Order's authoritarian legacies exert a powerful influence through: (1) the militarization of the foreign policy establishment and (2) the domestication of a geopolitical doctrine, Archipelagic Outlook, by infusing it with the National Resilience (Ketahanan Nasional) concept designed to maintain the regime. The first part is organizational, where an authoritarian rule obsessed with legitimacy and internal security skewed the foreign policy establishment away from external maritime projection or interests. The second part is ideational, where authoritarian concepts became institutionalized essentially for reasons of power and interests, which will prolong their influence and impact on contemporary policy (Goldstein & Keohane, 1993).

Taken together, the New Order's authoritarian rule stunted if not repressed the development of an archipelagic foreign policy with enduring effects. We ground this explanation in the broader comparative politics literature on authoritarian rule and its legacies (Brancati, 2014; Geddes, Frantz, & Wright, 2014). The premise here is that early policy choices and discursive ideas during authoritarian rule tend to become institutionalized in the form of organizations, power-sharing agreements, prerogatives, and increasing returns and sunken costs (Pion-Berlin, 2005, p. 160). These legacies therefore create path-dependent trajectories; once a country has chosen to go down a policy track, the costs of reversal are very high and thus lead to the entrenchments of certain institutional arrangements that further obstruct an easy reversal of the initial choice (Levi, 1997; Pierson, 2000). The Indonesian Foreign Ministry's postauthoritarian reforms did not break such path dependence. As such, Jokowi's GMF could not be a harbinger to an archipelagic foreign policy.

How the Tribunal Ruling Affected Indonesia

The arbitral tribunal ruling on July 12, 2016 not only reinforced Indonesia's maritime boundary claims but also reaffirmed the sanctity of UNCLOS as the only legitimate basis of maritime claims in general (see details in Permanent Court of Arbitration [PCA], 2016). This is consistent with the opinion of senior Indonesian diplomat and maritime legal expert, Arif Havas Oegroseno. On July 4, 2016, he expected the ruling to carry "wide implications for Indonesia" as an archipelagic state, given its clarification of UNCLOS provisions on what maritime features should constitute an island (Oegroseno, 2016). This section further discusses some of the ruling's salient implications for Indonesia as a nonclaimant in the South China Sea disputes.

First, the tribunal "does not rule on any question of sovereignty over land territory and does not delimit any boundary between the parties" (PCA, 2016, p. 1). Since China has respected Indonesia's sovereignty over the Natuna Islands (Yu, 2015), it should also respect any maritime zone (EEZ and continental shelf) the Natuna Islands may generate. In accordance with UNCLOS, any claim to maritime zone must observe "the land rules the seas" principle. It would be paradoxical if China respects Indonesian sovereignty over the Natuna Islands but rejects any maritime zones that UNCLOS bestows upon Indonesia the right to generate based on that sovereignty.

Second, the tribunal concluded that China's nine-dash line claim is inconsistent with UNCLOS. This reinforced Indonesia's 2010 *note verbale* to the UN, arguing that the nine-dash line "clearly lacks international legal basis and is tantamount to upset[ting] UNCLOS 1982."[7] After all, senior Indonesian diplomats have described the nine-dash line as "an illustrative and not a real [map]," which is "incomplete, inaccurate, inconsistent and legally problematic" (Johnson, 1997, p. 155; Oegroseno, 2014). This part of the ruling therefore should embolden Indonesia's maritime legal diplomacy and push the maritime delimitation talks with Vietnam and Malaysia—thereby delegitimizing further China's nine-dash line.

Third, the tribunal found that although Chinese navigators and fishermen "had historically made use of the *islands* in the South China Sea, there was no evidence that China had exercised exclusive control over the *waters* or their resources" (PCA, 2016, p. 2) (italics original). This ruling dismisses China's claim of historic rights or traditional fishing grounds in Indonesian EEZ or continental shelf around the Natunas. Even if Chinese fishermen might have operated in what is now Indonesian waters, they were there only on a temporary and irregular basis, and most likely shared the same grounds with fishermen from other countries including Indonesia. So even if one took China's "historical" claim seriously, it still fails to demonstrate any semblance of continuous occupation and presence by Chinese fishermen. Nor has China ever attempted to consistently exclude other fishermen from operating there. Indonesia therefore stands on solid legal footing in its law enforcement efforts in and around the Natuna waters, including against IUU fishing activities perpetrated by China and others.

Fourth, the tribunal decided that all maritime features in the Spratly Islands do not constitute islands; they are rocks, reefs, sandbanks, or other forms of seabed features. UNCLOS states that only islands are entitled to a full EEZ and/or continental shelf, whereas rocks or other high-tide elevations are only entitled to a 12-nm territorial sea. Consequently, if China makes its claim consistent with UNCLOS, there would be no potential overlap with Indonesia's EEZ or continental shelf around the Natuna Islands. There should be no doubt therefore that there are no overlapping maritime claims between China and Indonesia.

Fifth, the tribunal strongly criticized the "irreparable" damage to the marine environment caused by China's "large scale land reclamation and construction of artificial islands" and fishing activities in the South China Sea. It also found that Chinese authorities intentionally "failed to fulfil their due diligence" under UNCLOS to stop their fishermen from "the harvesting of endangered sea turtles, coral, and giant clams on a substantial scale . . . using methods that inflict severe damage to the environment." If such destructive practices were to happen in Indonesian waters, it would have certainly struck the very core of Jokowi's GMF, of which anti-IUU fishing and environmental protections are central (Salim, 2015). This is partially why Fisheries Minister Susi Pudjiastuti has been adamantly against the operation of Chinese fishermen in Indonesian waters (Daniel, 2016; Nafi, 2016; Salim & Saragih, 2015). The ruling thus strengthens Indonesia's position on fisheries management.

Sixth, the ruling shaped how Indonesia set out to finalize its ongoing maritime delimitation negotiations with its neighbors, beginning with a new official map. In July 2017, Indonesia published a map describing the maritime zone around the Natunas as the "North Natuna Sea." China regarded it as "unilateral name-changing actions . . . not conducive to maintaining this [the China-Indonesia relationship] excellent situation" (Ismail, 2017). The map was a response to the regional trend of renaming parts of the South China Sea to align them to the geographical vantage points of littoral nations.[8] While the legal implications may be negligible, the renaming carried a strong political message. Indonesia may not be able to force China to abide by the ruling, but the former can certainly present a fait accompli to the latter, which hitherto seems to be the most assertive party. Additionally, the map also touched on the maritime borders with Singapore, Malaysia, the Philippines and Palau (Soeriaatmadja, 2017). The ruling was specifically invoked to justify the "expansion" of Indonesia's EEZ in its border with Palau by assigning Tobi Island, Helen Reef, and Merir Island a 12-nautical-mile enclave rather than a 200-nautical-mile maritime entitlement. While these designations are still subject to ongoing negotiations, they show that Indonesia—as a nonclaimant—was perhaps among the first states to "implement" the tribunal ruling.

Finally, the ruling also affected Indonesia's broader regional interests. The ruling should allow Indonesia to rally the rest of ASEAN to stand against China's claims and its militarization of the South China Sea. It should also help Indonesia and ASEAN to push back against Chinese efforts to divide the grouping and to conclude a final, legally binding code of conduct. Indonesia, after all, still maintains ASEAN as its foreign policy cornerstone; any development that threatens ASEAN's unity or centrality also undermines Indonesia's interests. Jakarta believes that ASEAN can maintain stability by peacefully managing the tensions surrounding the South China Sea disputes.

How Maritime Challenges Require an Archipelagic Foreign Policy

The tribunal ruling reasserted Indonesia's belief in UNCLOS as the only viable and valid instrument for making and basing maritime claims. However, having international legal recognition is one thing, ensuring that others scrupulously comply is quite another. If an archipelagic foreign policy had been developed, Indonesia's Ministry of Foreign Affairs should have forcefully come out against China's rejection of the ruling and rally the region to uphold and implement it. Instead, as briefly noted at the outset of this article, Jakarta merely issued an underwhelming statement. The necessity to rally the region in support of the ruling and in support of UNCLOS is more pressing, given Indonesia's (external) maritime security interests that remain vulnerable.

The failure to physically control the sea and secure the waters effectively is the *first* maritime security challenge that Jokowi must grapple with. Indeed, the concern over the vulnerability of Indonesia's maritime inner sanctum—the waters that connect and unite the country's thousands of islands—was one of the primary drivers behind Jakarta's historical push for the archipelagic state concept to be adopted by UNCLOS.[9] However, rather than prioritizing sea control first in order to achieve the GMF, the doctrine seems to envision that

effective sea control is one of the goals to be achieved (Supriyanto, 2016a). Regional geopolitics nonetheless became a major security issue following Indonesia's designation of the ASLs to facilitate international navigation, including military, through its archipelagic waters.[10] Jokowi alluded to the importance of ASL in his 2014 East Asian Summit speech as maritime "corridors" facilitating international navigation between the Indian and Pacific oceans—the Indo-Pacific (Sekretariat Kabinet Republik Indonesia, 2014).

In 1996, Indonesia designated ASLs in the form of three north-south axes to facilitate navigation of foreign shipping and aircraft.[11] However, the International Maritime Organization determined that the designation was only "partial" as it had yet to accommodate "all routes normally used for international navigation" (Forward, 2009, p. 143). Indonesia must designate additional ASLs that accommodate the east-west axis of the archipelago.[12] Without a full designation, foreign military forces could and did refuse to comply; they can pass through the archipelago through whatever routes they used prior to the designation. This is a perennial strategic concern because foreign naval and air forces may intentionally pass through or above the waters outside the designated ASL without exercising "innocent passage."[13] These challenges not only require a strong naval force but also a foreign policy establishment geared toward engaging and socializing the international community to the ASL and principles of innocent passage, for example.

Meanwhile, unresolved maritime boundaries and territorial disputes constitute the *second* most important maritime security challenge. The South China Sea disputes are not just a matter of sovereign rights in the purported overlap between Indonesia's EEZ and China's nine-dash line. They are also about the sanctity of UNCLOS as the only legal basis for Indonesia's (and international) maritime boundary delimitation (Supriyanto, 2016c, p. 23). Indeed, Indonesia's UNCLOS-sanctioned archipelagic state status allowed it to delimit and consequently claim the EEZ around the Natunas. China's rejection of the tribunal ruling means that it can set UNCLOS aside when UNCLOS-based delimitations do not conform with its "historical claims." This is where a future impasse if not conflict between Indonesia and China might arise. Although China has never challenged Indonesia's offshore and seabed explorations in the Natuna waters, its deployment of mobile offshore platforms to impose its claim is a plausible scenario. China might also demand that Indonesia accommodate Chinese "traditional fishing grounds" within some portions of Indonesia's EEZ and archipelagic waters. The March and May-June 2016 incidents illustrated that China could physically challenge Indonesia's sea control if it wanted to (Supriyanto, 2016b).

These challenges with China require a fully-developed and institutionalized foreign policy making infrastructure geared toward securing Indonesia's maritime interests. After all, Indonesia must also deal with other maritime disputes. The Indonesian-Malaysian dispute over the Ambalat Block in the Sulawesi Sea has generated intense attention from the military and the public. Indonesia's "loss" of its Sipadan and Ligitan Islands to Malaysia in 2002 following a ruling by the International Court of Justice has led the former to doubt the efficacy of third-party mechanisms in preserving its territorial integrity. As a result, Indonesia relied almost exclusively on military means to deal with Ambalat, which

kept the prospect of naval skirmishes with Malaysia alive.[14] Recently, however, both Indonesia and Malaysia appointed special envoys to manage and possibly negotiate bilateral territorial disputes (Teoh, 2015). But as Jokowi made the preservation of maritime sovereignty and sovereign rights a central feature of his GMF, the recently released National Sea Policy does not include the Ambalat Block as part of unresolved maritime boundary disputes to be settled.

The *third* maritime security challenge comes from maritime resource mismanagement and the associated transnational (organized) crimes, particularly in fisheries which transcend the GMF's second and fourth pillars (Neary, 2014). Two reasons motivated Jokowi's vigorous anti-IUU fishing campaign. The first was the rate of economic losses and environmental degradation. One estimate suggested that IUU fishing in Indonesia constituted 30% of total losses of IUU fishing worldwide (Syafputri, 2014). Jokowi also claimed that out of 5,400 foreign fishing boats operating daily in Indonesian waters, around 90% were illegal (Widhiarto, 2014). In 2015, the World Bank estimated that IUU fishing cost Indonesia around US$20 billion annually or about three times the size of its defense budget.[15] The second was the nexus between IUU fishing and transnational crimes, such as human or drug trafficking, tax evasion, and money laundering. In 2015, for example, there were reports of human trafficking and slavery in Thailand's fishing industry that operated illegally in Indonesian waters (McDowell, Mason, & Mendoza, 2015).

With a mandate from Jokowi, Fisheries Minister Pudjiastuti implemented tough anti-IUU fishing policies, including moratoriums on the operation of foreign fishermen in Indonesian waters, as well as a ban on certain fishing methods (e.g., bottom trawls) (Langenheim, 2015). Between October 2014 and April 2017, Indonesia also sunk 317 IUU fishing vessels from, among others, China, Malaysia, the Philippines, and Vietnam (Alaidrus, 2017). The Indonesian Ministry of Marine Affairs and Fisheries (KKP) claimed that these policies helped replenish Indonesia's fishing stock from 7.31 to 12.54 million tons between 2013 and 2016 (Ardhian, 2017). These unilateral acts, however, do not touch the regional dimension of the problems. Challenges ranging from regional fisheries management to maritime security cooperation all require a coherent archipelagic foreign policy as well.

The *fourth* and *fifth* challenges revolve around maritime safety and security, marine pollution, and environmental degradation. Indonesia's maritime safety standards are among the world's lowest; more than a quarter of all maritime losses in 2015 occurred in the South China Sea, Indochina, Indonesia, and the Philippines (Allianz Global Corporate & Specialty, 2016). Some of the causes include the overloading of passengers and/or cargo, substandard ships as well as poor supervision and enforcement of safety regulations (Taufan, 2016). Indonesia is also second only to China as the world's largest plastic marine polluter (Jambeck et al., 2015; Langenheim, 2017). Challenges of maritime safety and marine pollution overlap too. In March 2017, the MS *Caledonian Sky* cruise ship ran aground and destroyed over 1,800 m^2 of pristine reefs in Papua's Raja Ampat (Booth, 2017).

Taken together, these challenges require as much external engagement as domestic maritime capacity building. Indonesia's present maritime capacity is barely enough even to address domestic concerns, let alone regional challenges.

The Indonesian Navy's capabilities to effectively control and patrol all of the country's waters are limited, amidst a chaotic maritime governance structure (Koh, 2015; Laksmana, 2014). Indonesia's civilian maritime law enforcement agencies are also underfunded, underequipped, and understaffed (Supriyanto & Rusdi, 2013).[16] Under these conditions, an archipelagic foreign policy should have been a strategic imperative for Indonesia both to engage its regional and global environment and to defend and secure its maritime interests. After all, policymakers in Jakarta are fond of saying "diplomacy is our first line of defense."

For example, Indonesia needs an active foreign policy establishment engaging China on thorny delimitation issues, rather than "sidelining" them for the sake of economic relations. After all, Indonesia already signed a strategic partnership agreement with China and appointed special envoys to deal with other territorial issues. With expectations of economic gain, Indonesia seemed reluctant to take a clear stand against China on maritime delimitation and IUU fishing.[17] To take another example, Indonesia could consistently and proactively engage regional countries and others to comply with the designated ASLs while maintaining freedom of navigation. A regional multilateral forum and/or agreements on sustainable fisheries management, the combatting of IUU fishing practices, and marine environmental protection—all require the full push by Indonesia's foreign policy establishment to designate key maritime interests as top priorities.

Authoritarian Legacies and Archipelagic Foreign Policy

The preceding sections suggest that Indonesia's strategic interests are mostly located within and stem from its maritime domain. The tribunal ruling affected several of the country's external maritime interests requiring a foreign policy response. Broader maritime security challenges that require Indonesia's urgent attention also require a foreign policy establishment focused on securing and defending those interests. However, as with the underwhelming response to the tribunal ruling, the lack of positive development on these issues suggests that an archipelagic foreign policy has not materialized. This section offers what we consider to be the maiden explanation for this puzzling trend. We will discuss Jokowi's maritime and foreign policies in the next section.

We argue that previous administrations had not focused on ensuring that Indonesia's *foreign policy* system had a strong maritime character. We do not suggest that they ignored *maritime* problems completely. The New Order, after all, fought for and won the archipelagic state principle to be recognized under UNCLOS and set the foundation for numerous maritime-related laws.[18] Between 1969 and 2003, Indonesia concluded a series of 19 maritime boundary agreements with Malaysia, India, Australia, Thailand, Vietnam, Singapore, and Papua New Guinea (Prabawaningtyas, 2015, p. 62). President Abdurrahman Wahid created what we now call the Fisheries and Ocean Affairs Ministry in 1999. His successor, Megawati Sukarnoputri, issued the "Sunda Kelapa Call" to revive the archipelagic state by: reviving the maritime paradigm; restoring sovereignty over the seas; developing maritime industries and services; managing coastal areas, seas, and small islands; and developing maritime national law

(Prabawaningtyas, 2015, p. 72). Yudhoyono issued a decree on the development of national shipping industries and a joint ministerial decree to accelerate maritime development. He also incorporated maritime infrastructure projects into the long-term National Development Plan (2005–2025) (Prabawaningtyas, 2015, p. 72).

Taken collectively, however, these maritime policies either ignore foreign policy challenges or have never been fully incorporated as the single defining outlook of the foreign policy making system. What we claim therefore is not that Indonesia never had *maritime* policies but that the country's *foreign* policy has not been explicitly maritime in nature, focus, and strategy. We further contend that Indonesia's minimalist archipelagic or unthalassic foreign policy is a consequence of authoritarian legacies. As noted above, they do so through: (1) the militarization of the foreign policy establishment, and (2) the "domestication" of a geopolitical doctrine, Archipelagic Outlook, through the conceptual infusion of the National Resilience concept by President Suharto and his men.

The Militarization of Foreign Policy

Following Indonesia's independence in 1945, there was seemingly a "civil-military fusion" over foreign policy; senior officers led foreign policy missions and senior diplomats led defense and security task forces (see Mukmin, 1991). But after the 1965 failed coup and Suharto's rise, the military took control of the foreign policy system. By 1966, backed by a series of presidential decrees and bills, military authorities embarked on a process of "purifying and cleansing" of the bureaucracy, including the Foreign Ministry which was viewed as the ideological fulcrum of Indonesia's communist-inspired revolutionary foreign policy (Mukmin, 1991, pp. 69–72; Nabbs-Keller, 2013). More widely, the take-over was designed to strengthen internal security by monitoring potentially foreign-inspired subversive activities while restoring Indonesia's "foreign favorability" to bring investments and thus legitimize the New Order. Foreign policy thus became a regime maintenance tool.

In April 1966, through a ministerial decree, a Team for Restoring Order was established within the Foreign Ministry, which then became the Agency for the Coordination, Integration, and Synchronization of Foreign Policy Counter-Guerilla and later, Special Executive Foreign Affairs (Mukmin, 1991, p. 149).[19] Their officers were posted at overseas diplomatic missions to monitor Indonesian students and the screening of embassy staff. By 1970, six senior military officers were imbedded within the Foreign Ministry, and although civilians remained numerically preponderant, three out of six Director-General positions were held by officers (Nabbs-Keller, 2013, p. 59). Intelligence officers were also assigned to the ministry to facilitate the rapprochement between Indonesia and Malaysia and they pushed for the establishment of ASEAN (Mukmin, 1991, p. 150). Since then, it became the norm for generals to hold several top Foreign Ministry positions.

Outside of the Foreign Ministry, officers were assigned to monitor foreign policy developments through their representatives inside the parliamentary chambers. Senior generals sat at legislative leaderships and controlled the National Resilience Institute (Mukmin, 1991, p. 151). Suharto often personally

selected and assigned senior officers to key ambassadorial positions, whether for strategic reasons or to sideline those he believed could challenge him (Nabbs-Keller, 2013, p. 60). Over time, the foreign policy authority of the State Secretary, responsible for coordinating cabinet ministers on behalf of the president, increased at the expense of both the foreign and defense ministry (Nabbs-Keller, 2013, p. 61). The influence of State Secretaries Sudharmono and Moerdiono (both retired officers) in the 1980s and 1990s maintained the militarization of Indonesia's foreign policy.

Military officers consider themselves capable of formulating and engaging in foreign policy because many of them went through foreign professional military education and training as well as numerous "foreign policy missions" during the Cold War, from U.N. peacekeeping missions to sensitive bilateral negotiations (Mukmin, 1991, p. 180). The military believed it was so well-versed in foreign policy that in the first two decades of Suharto's rule, one general claimed, "Diplomacy is an integral part of defense policy." (cited in Mukmin, 1991, p. 181). The militarization of the foreign policy establishment directed the processes and strategies of engaging with the outside world to ensure domestic regime legitimacy and internal security rather than defending external maritime interests on a regular basis. This militarization lasted for decades and had created a foreign policy system—from its recruitment process, education and training, to appointments—designed as an extension of an inward-looking regime. The processes leading up to the 1982 UNCLOS and Indonesia's "victory" in securing the archipelagic doctrine was perhaps the closest approximation of an archipelagic foreign policy. Afterwards, however, problems of maritime governance dominated, ASEAN needed more push amidst the wars in mainland Southeast Asia of the 1970s, and the New Order needed more economic successes to sustain the regime.

Archipelagic Outlook: The Geopolitical Doctrine That Was Not?

The Archipelagic Outlook was originally designed to complement Indonesia's Archipelagic Principle based on the Djuanda Declaration, claiming:

> all waters surrounding, between and connecting the islands constituting the Indonesian state, regardless of their extension or breath, are integral parts of the territory of the Indonesian state and therefore, parts of the internal or national waters which are under the exclusive sovereignty of the Indonesian state (Djalal, 1996, p. 29).

Over time, as the New Order militarized foreign policy, this inherently geopolitical outlook became infused with the regime's doctrine of National Resilience: a framework to "enhance the state's capability and its people in all fields of national endeavor so that the nation could survive safely while at the same time preserve its own identity" (Bandoro, 2008).

This ideational infusion effectively "domesticated" the Archipelagic Outlook that could have been an externally oriented geopolitical commitment. Instead, the New Order attempted to "export" the National Resilience concept to ASEAN to build "regional resilience." Consequently, as ASEAN increasingly became Indonesia's foreign policy cornerstone, the foreign policy establishment had to further incorporate the doctrinal precepts of National Resilience. The

Archipelagic Outlook eventually became a conceptual tool to promote the nation as a single political, sociocultural, economic, and security entity (Supriyanto, 2016a). This reflected the New Order's preoccupation with internal security and domestic stability. Even Indonesia's geostrategic "crossroads" location (between the Pacific and Indian oceans) was viewed as a source of internal security threats, whether in the form of foreign-assisted separatism or foreign-operated IUU fishing.

Taken together, these organizational and ideational legacies outlasted the New Order. For one thing, Indonesia's immediate postauthoritarian foreign policy was geared toward damage control in terms of restoring the country's image and economy. For another, while the Foreign Ministry under Sukarnoputri initiated reforms to "demilitarize" the organization (Nabbs-Keller, 2013), they were not maritime in nature. Instead, the ministry reform focused on tinkering the structure and improving professionalism to better reflect Indonesia's democratic values and the practice of modern corporate culture. In fact, for years, especially under Yudhoyono, the Foreign Ministry attempted to project "soft power," combining Indonesia's democratic consolidation and Islamic moderation as a model to emulate. If maritime policies came into the picture, the Foreign Ministry focused on issues such border management and multilateral diplomacy. In short, Indonesia's postauthoritarian trajectory remains without of an archipelagic foreign policy.

Path Dependence and the GMF

Analysts had high expectations when Jokowi was elected president as he had run on a series of maritime-related platforms. During the campaign, these included references to Indonesia as an important nexus between the Indian and Pacific oceans and as an archipelagic state; the need to develop "comprehensive maritime cooperation" and boosting the military (TNI) as a "regional maritime force," while tackling maritime-related economic challenges as well as security problems (Widodo & Kalla, 2014). It stands to reason that Jokowi's GMF would then be the harbinger of an archipelagic foreign policy. The doctrine, however, along with the recently launched National Sea Policy, was devoid of such a foreign policy. Instead, the focus remains skewed toward domestic agenda; a developmentalist one to be exact, where other problems of government—including presumably foreign policy—were subordinated to infrastructure and deregulation goals (Warburton, 2016).

Before Jokowi's inauguration, his chief foreign policy advisor, Rizal Sukma, outlined the GMF's fundamental tenets (Sukma, 2014). The GMF is an aspiration, a doctrine, and a part of the national development agenda. As an aspiration, it is a call to return to Indonesia's archipelagic state identity underpinned by unity, prosperity, and dignity. As a doctrine providing a sense of common purpose, it sees Indonesia as a "force between the two oceans." This underscores the geopolitical and geo-economic realities where Indonesia's future lies and where it should seek influence. As a developmental agenda, it provides operational plans, including, for example, the construction of a "sea toll" to ensure inter-island connectivity within the archipelago, and others. He noted the three basic strategies required: (1) human capital development, from the

mainstreaming of a nautical outlook to technical and technological development and training, to raising maritime domain awareness; (2) the strengthening and improvement of maritime infrastructure; and (3) the development of multilateral maritime partnerships, including perhaps an Indonesian "maritime partnership initiative" with Japan, China, India, South Korea, and Singapore.

What Sukma suggested was that the GMF was not formulated as solely and fully an externally oriented foreign policy outlook—although parts of it could be a foundation for an archipelagic foreign policy. Upon assuming office, Jokowi outlined the five pillars of the GMF during a major speech at the EAS held in Myanmar in November 2014: rebuild maritime culture, manage marine resources, develop maritime infrastructure and connectivity, advance maritime diplomacy, and boost maritime defense forces (see Witular, 2014). But there was no specific foreign policy blueprint. In fact, since then, specific policy guidance detailing how the pillars were to be translated have been scant if not nonexistent.

By March 2017, Jokowi released Presidential Regulation No. 16 on Indonesian Sea Policy, designed to "facilitate the acceleration" of the GMF (Sekretariat Kabinet Republik Indonesia, 2017). The Sea Policy was supposed to codify the GMF as part of Indonesia's regulatory hierarchy and coordinate maritime-related policies across different ministries. The GMF was officially defined as the vision for a "sovereign, developed, and strong maritime state capable of positively contributing to the peace and security of the region and the world, according to its national interests." This is further detailed in two appendices containing a long-term framework (a 37-page National Document) and a short-term scheme (a 198-page Action Plan 2016–2019). The GMF's original pillars were expanded into: marine and human resource development; naval defense, maritime security, and safety at sea; ocean governance institutionalization; maritime economy, infrastructure, and welfare; environmental protection and ocean space management; nautical culture; and maritime diplomacy (see details in Laksmana, 2017).

Taken collectively, the Sea Policy does not fundamentally change how Jakarta would implement the GMF and does not constitute an archipelagic foreign policy as we conceptualize it. First, despite the "maritime" labels attached to the hundreds of policy activities, there is no single authoritative agency to corral the ministries or agencies into concerted action. The document continues to leave the planning, budgeting, and execution of the various programs to the respective ministries and agencies. Second, the Sea Policy remains heavily skewed toward domestic policies. Consider the fact that the Action Plan tasks the Ministries of Transportation, Industry, and Marine Affairs and Fisheries with 181 (out of 425) policy activities (or 42%), while the Foreign Ministry only merits 23 activities (Laksmana, 2017). Even then, the Foreign Ministry's focus seems to be on "norms-building" and maritime and multilateral diplomacy in general, with only a brief mention of challenging issues like the South China Sea.

Both the GMF and Sea Policy are at best an expansive framework for national economic and social development. While they include foreign policy elements, they do not provide the specific wherewithal to fully develop and execute an archipelagic foreign policy. Indonesia thus continues its unthalassic foreign policy "tradition"; despite the numerous externally oriented challenges stemming

from the maritime domain discussed above. Further, given the domestic focus on bringing investment and boosting infrastructure development, it is not surprising that foreign policy considerations take a back seat to domestic political ones when it comes to the South China Sea in general and to the tribunal ruling in particular.

Such domestic focus and inward-looking nature of the GMF and Sea Policy as well as Indonesia's underwhelming approach to the South China Sea effectively follows the path-dependent trajectory that began under the New Order discussed above. As one recent assessment noted, Jokowi's foreign policy, rather than trending toward an archipelagic foreign policy as a natural byproduct of the GMF, exhibits: (1) a revival of nationalist ideology; (2) a tendency to narrow the concentric circles of Indonesia's strategic interests; (3) a belief that national power should be based on domestic capabilities (similar to Suharto's New Order with its focus on economic development); and (4) a tendency to reduce the concept of national interest to material gains, especially a strong economy (wealth) (Rosyidin, 2017). These are familiar themes from the New Order era. They permeate Jokowi's GMF, Sea Policy, and foreign policy—suggesting the enduring effects of authoritarian legacies.

Conclusions and Implications

This article examines the 2016 tribunal ruling's impact for Indonesia within its broader historical context. It seeks to explain the puzzling trend of Indonesia's "missing" archipelagic foreign policy. The previous sections demonstrated how the tribunal ruling affected Indonesia's maritime interests and why the country's external maritime security challenges require an archipelagic foreign policy. It further argued that Jokowi's GMF and Sea Policy have not led to an archipelagic foreign policy. The persistence of authoritarian legacies, as we argued above, explains this continuity. Specifically, we discussed how the militarization of Indonesia's foreign policy establishment and the "domestication" of the Archipelagic Outlook left enduring legacies and institutionalized internal security-driven concepts into the state apparatus. These legacies have stunted the growth of an archipelagic foreign policy.

Our analysis draws attention to the importance of both domestic political factors as well as the foreign policy identity of Southeast Asian states in dealing with challenges in its regional maritime environment. One should not consider China-Southeast Asia relations purely from a geopolitical standpoint. We also highlight the importance of understanding the longer historical context of maritime and foreign policy development in Southeast Asia. Analyses that advocate accommodative or confrontational policies against China would do well to keep such historical contexts in mind. Finally, we hope to start a broader conversation about Indonesia's puzzling minimalist archipelagic of unthalassic foreign policy.

Future research should address the current limitations of our study. First, we did not test for contending explanations to the persistent lack of an archipelagic foreign policy. Future research would do well to bring broader comparative assessments from other archipelagic states such as the Philippines. Second, our article did not describe the decision-making process behind Indonesia's

inconsistent South China Sea approach in detail. Third, we did not discuss the specific effects of maritime policies vis-à-vis the foreign policy establishment. The relationship between the Foreign Ministry and other maritime-related agencies, such as the coast guard, navy, or fisheries ministry, for example, are essential if we were to explain Indonesia's archipelagic foreign policy. Finally, we did not provide a detailed analysis of the evolution of Indonesia's maritime policies in general how it might have shaped the foreign policy thinking. Despite these limitations, however, we submit that our analysis moves the debate over Indonesia's foreign policy forward.

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Notes

[1]This position was most recently stated in "Note from the Permanent Mission" (2010). Available at http://www.un.org/Depts/los/clcs_new/submissions_files/mysvnm33_09/idn_2010re_mys_vnm_e.pdf.

[2]Personal conversation with a senior Indonesian diplomat, Jakarta, September 13, 2016.

[3]It should be noted that there has been numerous research on the challenges and deficiencies of Indonesia's maritime policy in general (see e.g., Cribb & Ford, 2009; Febrica, 2017), of which foreign policy appears to be one component of it. We flip the focus and examine instead why Indonesia's foreign policy has not had an explicitly maritime focus for decades despite the country's predominantly maritime geography.

[4]We conducted several searches through several global publications databases—Google Scholar, Factiva, LexisNexis, and ProQuest—using the specific search term "archipelagic foreign policy." We did not find a single reference in mainstream academic journals or media reports to the concept.

[5]See Articles 46–54 of UNCLOS. For a broader discussion on the principle, see Kopela (2013) and Schofield and Arsana (2009).

[6]This is noted in the Foreign Ministry's latest strategic planning document, *Rencana Strategis 2015–2019* (Kementerian Luar Negeri, 2015). The document, however, is merely a broad policy guidance and devoid of specific directives to fully embrace the country's maritime interests. In fact, maritime diplomacy was only one out a dozen other priorities, which heavily skew toward multilateralism as well as "middle power" and economic diplomacy.

[7]See the "Note from the Permanent Mission" (2010). Available at http://www.un.org/Depts/los/clcs_new/submissions_files/mysvnm33_09/idn_2010re_mys_vnm_e.pdf.

[8]For example, Vietnam and the Philippines have renamed the South China Sea as the "East Sea" and the "West Philippine Sea," respectively.

[9]The adoption of UNCLOS 1982 meant that Indonesia, as an archipelagic state, is entitled to "archipelagic waters," which basically legitimized Indonesian jurisdictional control over its maritime inner sanctum as the archipelago doctrine had envisaged. See UNCLOS Articles 47(1) and 49(1).

[10]This designation was a trade-off Indonesia made with the foreign maritime powers who initially resisted the adoption of archipelagic waters as a legal principle during UNCLOS negotiations. For more detail, see Sebastian et al. (2015).

[11]See Indonesian Law No. 6 (1996) on Indonesian Waters and Indonesian Government Regulation No. 37 (2002) on Archipelagic Sea Lanes. The latter specifies in detail the rights and obligations of foreign vessels and aircraft when exercising "archipelagic sea-lane passage."

[12]However, the lack of agreement among the maritime powers, particularly the United States, United Kingdom., Japan, and Australia, to come up with a single proposal on how a "full" ASL, including the east-west axis, should ideally look like seems to explain why Indonesia has been very reluctant to designate additional ASL. For more detail, see Buntoro (2012, pp. 176–81).

[13]For example, unlike in ASL where foreign submarines and military aircraft can transit in "normal mode," international navigation through and above the archipelagic waters must comply with the regime of "innocent passage." This means that foreign submarines are required transit on the surface,

while shipborne military aircraft must stay on deck. Indonesia's insistence on foreign military forces to comply with the regime of innocent passage through the archipelagic waters has created minor diplomatic incidents, including one with the United States in July 2003. See, UNCLOS Articles 52 and 53(12); Caminos and Cogliati-Banz (2012, pp. 200–1).

[14]The Indonesian navy chief in 2014 even considered the Ambalat dispute part of his strategic rationale for building a submarine base in Sulawesi (Sangadji, 2013).

[15]Cited from Task Force 115 (2017), *Indonesian Presidential Task Force to Combat Illegal Fishing* booklet, a copy of which we obtained during a roundtable discussion in Depok, 9 February 2017.

[16]In 2015, for instance, the KKP only operates 27 ships to patrol the entire Indonesian waters, including the EEZ. These figures are from the Ministry of Fisheries and Ocean Affairs, available at http://djpsdkp.kkp.go.id/public/upload/files/data-jumlah-kapal-pengawas-dan-speedboat.pdf#viewer.action=download, accessed on November 1, 2017.

[17]Indonesia is concerned a strong a stand against Beijing might derail plans to secure Chinese investments required to build infrastructure projects that the president needed (Syailendra, 2017, p. 243)

[18]These include, among others, laws on Indonesia's EEZ (No. 5 of 1983), fisheries (No. 9 of 1985), UNCLOS ratification (No. 17 of 1985), sailing, navigation, and waters (No. 21 of 1992 and No. 6 of 1996).

[19]This unit was headed by an army Brigadier-General who reported directly to the military commander of the Restoration of Security and Public Order Command (Nabbs-Keller, 2013, pp. 58–9).

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