



## Statelessness of Indonesian Citizens: Legal Analysis and Policy Critique of the S.A.K. Case

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**Abstract:** The issue of Satria Arta Kumbara (S.A.K.) losing his citizenship after joining a foreign military highlights the tension between state sovereignty and human rights responsibilities. This study aims to analyze S.A.K.'s legal status based on Law Number 12 of 2006 (Law No. 12/2006), identify the implications of statelessness, and critique the government's policy response. The methods used are Normative Law (analysis of Articles 23f and 32 of Law No. 12/2006) enriched with a Qualitative-Contextual approach through interviews to examine policy criticism and humanitarian dimensions. The results of the study show that the status of Indonesian citizens S.A.K. normatively fulfills the elements for automatic loss (ex-lege) as an affirmation of the principle of single loyalty. However, in practice, S.A.K.'s status is uncertain because the government has not issued an official decision (Dhanis, personal communication via WhatsApp, December 6, 2025), which indicates a discrepancy between practice and regulations. This ambiguity has the potential to create a condition of statelessness that strips S.A.K. of his civil rights and diplomatic protection, a condition that contradicts the spirit of the Universal Declaration of Human Rights. The main criticism arises from the sharp procedural asymmetry: the sanction of losing status is instantaneous, while the path to recovery (reacquisition under Article 32) is long and bureaucratic, disproportionately prolonging the duration of statelessness. The conclusion of this study emphasizes the need for policy reform to be more adaptive and proportional. Three pillars of improvement are recommended: strengthening preventive policies, simplifying reacquisition procedures to minimize statelessness, and developing diplomatic humanitarian protocols.

**Keywords:** Citizenship; Ex-Leg; Statelessness; Single Loyalty; Procedural Asymmetry

### 1. Introduction

Isu Citizenship is a fundamental pillar in the structure of modern states, defining the legal bonds, rights, and obligations between individuals and the state. In the context of Indonesia, this status is strictly regulated through Law No. 12 of 2006 concerning Citizenship of the Republic of Indonesia (Law No. 12/2006). This law stands at the intersection between state sovereignty (the right of the state to determine who its citizens are) and human rights responsibilities (the obligation to prevent the creation of stateless individuals). The debate between sovereignty and humanity was sharply actualized through the case of Satria Arta Kumbara (S.A.K.). S.A.K., a former soldier in the Indonesian Navy (TNI AL), became the subject of public attention after he consciously and voluntarily joined a foreign military service (the Russian military). This action triggered the application of Article 23 letter f of Law No. 12 of 2006, which stipulates the automatic (ex-lege) loss of Indonesian citizenship if a citizen: "joins a foreign military without prior permission from the President (Darmawan, 2023b)." The ex-lege aspect of this article is crucial, affirming the principle of single loyalty embraced by the state in order to maintain the integrity of national defense and security. However, the application

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of this automatic legal sanction inherently creates a humanitarian dilemma, namely the risk of statelessness. After losing his Indonesian citizenship, S.A.K. became an individual without legal protection from any country, a condition that contradicts the spirit of the Universal Declaration of Human Rights (Article 15) and the principles contained in the 1961 UN Convention on the Reduction of Statelessness (C. Prameswari et al., 2025).

Normatively, the enforcement of Article 23 of Law No. 12/2006 is a legitimate action and consistent with sovereignty. Qatrunnada Rania Hadad (Bachelor of Civic Education) supports this analysis by emphasizing that the loss of Indonesian citizenship is an automatic legal consequence of S.A.K.'s conscious decision to violate the provisions of the law (Amaliyah, 2025). However, in terms of public policy, this case has drawn harsh criticism. Public opinion, represented by Hidayatul Maulidia (undergraduate student) and Diva Dwi A (high school student), explicitly assesses the Indonesian government's response as "too rigid" and "slow" in responding to S.A.K.'s status, which is considered to ignore humanitarian aspects and leave individuals in a vulnerable condition.

The urgency of this research is reinforced by the existence of procedural asymmetry. Although the loss of status occurs instantly, the path to regaining citizenship (reacquisition) as regulated in Article 32 of Law No. 12/2006 requires a strict and lengthy administrative process, which *de facto* prolongs the duration of statelessness. The case of S.A.K. thus becomes a critical case study to examine the policy gap between the severity of legal sanctions and the need for an efficient path to restoration. This conflict shows that globalization and the intensity of digital interactions demand a more adaptive citizenship policy framework (Muhammad, 2024).

Based on the background described, this study aims to analyze the citizenship status of Satria Arta Kumbara in depth, particularly in relation to the implementation of Article 23 letter f of Law Number 12 of 2006 concerning Indonesian Citizenship. Furthermore, the research seeks to identify the legal implications and human rights consequences arising from S.A.K.'s stateless status abroad, especially in relation to the challenges faced in obtaining diplomatic protection. In addition, this study examines the conflict of responsibility between individual actions and the obligations of the state in such cases. Through this analysis, the research also aims to provide policy recommendations for improving the handling of stateless cases involving former Indonesian citizens in the future, ensuring better legal certainty and protection of human rights (Z. W. Prameswari et al., 2025).

Citizenship is a fundamental pillar in the structure of modern states, defining the legal bonds, rights, and obligations between individuals and the state. In the Indonesian context, citizenship is strictly regulated through Law Number 12 of 2006 concerning the Citizenship of the Republic of Indonesia (Law No. 12/2006), which reflects the state's commitment to the principle of single loyalty. This legal framework stands at the intersection between state sovereignty namely the authority to determine membership in the political community and the responsibility to uphold human rights, particularly the obligation to prevent statelessness.

In the era of globalization, however, this legal framework increasingly encounters structural challenges. Transnational mobility, including cross-border military engagement, has become more fluid due to global security dynamics and international

labor mobility, while citizenship regulations remain predominantly state-centered and territorially rigid. This structural tension becomes evident in cases where individual actions transcend national boundaries but are still governed by domestic legal consequences. The case of Satria Arta Kumbara (S.A.K.), a former Indonesian Navy soldier who voluntarily joined a foreign military force, illustrates how globalization and cross-border military mobility test the limits of Indonesia's citizenship regime.

The S.A.K. case is particularly relevant because it reveals deeper structural vulnerabilities within Indonesian citizenship law. Based on Article 23 letter f of Law No. 12/2006, joining a foreign military without presidential permission results in the automatic loss of Indonesian citizenship (ex lege), affirming the doctrine of single loyalty and the protection of national sovereignty. Normatively, this provision provides legal certainty. However, in practice, the immediate revocation of citizenship is not accompanied by an equally rapid and effective mitigation or restoration mechanism. This imbalance exposes individuals to legal uncertainty and the risk of prolonged statelessness, especially in the context of cross-border military engagement where replacement nationality or diplomatic protection is not guaranteed.

Therefore, the S.A.K. case should not be viewed merely as an isolated legal incident, but as a representation of broader structural issues faced by Indonesia in adapting its citizenship framework to globalization, international security dynamics, and evolving human rights standards. By situating this case within a globalized context, this study seeks to highlight the need for a more adaptive and proportional citizenship governance model one that continues to safeguard state sovereignty while providing adequate procedural protection against prolonged statelessness.

## 2. Materials and Methods

This study uses a normative legal research method (juridical normative) with a focus on legal analysis and doctrine. This approach aims to examine the consistency of legislation and its implementation in the context of specific cases. To strengthen contextual relevance and policy dimensions, this study is enriched with a Qualitative-Contextual approach that explores public opinion and the views of non-legal academics.

The legal approaches used include (Cheong, 2025): (a) Statute Approach: In-depth analysis of Law Number 12 of 2006 concerning Citizenship of the Republic of Indonesia ( ), particularly Article 23 letter f and Article 32, as well as relevant implementing regulations. (b) Conceptual Approach: Analyzing fundamental doctrines in Constitutional Law and International Law, such as the principle of single loyalty, the concept of state sovereignty, and state obligations in the context of statelessness.

### 2.1 Data Sources

The data used in this study are divided into two main categories, namely primary data and secondary data (Pramesti, 2025). The primary data (a) are qualitative-contextual in nature and were obtained through unstructured in-depth interviews. These data serve as contextual reinforcement, policy criticism, and ethical-social perspectives regarding the Satria Arta Kumbara (S.A.K.) case and the government's response to it. The interview sources represent two spectrums: (b) the academic/contextual law spectrum, represented by *Qatrunnada Rania Hadad (Bachelor of Civic Education)*, who provides insights on legal interpretation and civic values; and (c) the public/social perspective, represented by *Hi-dayatul Maulidia (Undergraduate Student)* and *Diva Dwi A (High School Student)*, who offer social perspectives, policy critiques, and humanitarian views related to the issue.

The secondary data (d) constitute the main foundation in this normative legal research. These consist of (e) *primary legal materials* such as the 1945 Constitution of the Republic of Indonesia, Law No. 12 of 2006 on Indonesian Citizenship, and relevant international conventions (even those not yet ratified, but used as *lex ferenda* or recommended legal principles); (f) *secondary legal materials* including scientific journals, textbooks, and scholarly works written by experts in Constitutional Law, International Law, and Human Rights; and (g) *tertiary legal materials* comprising credible mass media publications, official government documents (when available), and legal dictionaries that provide chronological information and formal responses regarding the case (Firdaus, 2025).

Data Collection Techniques(Sanubari et al., 2024a), (a) Library Research: Conducted to collect, identify, and analyze all secondary legal materials relevant to the topic. (b) Interviews: Conducted orally and in writing with key informants (primary data). The results of these interviews are processed to support and critique the results of normative analysis, particularly regarding policy and ethical issues.

#### a. Data Analysis Techniques (Wiraganti et al., 2025)

The collected data is analyzed descriptively and qualitatively, dividing the analysis process into two main paths: (a) Normative Analysis: Legal data is analyzed using deductive methods, starting from general premises (Article 23 letter f of Law No. 12/2006) to draw specific conclusions regarding the legal status of S.A.K. This analysis includes grammatical interpretation (understanding the meaning of words in the article) and theological/sociological interpretation (understanding the purpose of the law in the context of defense and society). (b) Qualitative-Contextual Analysis: Interview data is analyzed through data reduction, data presentation, and conclusion drawing. The interviewees' views are grouped by theme (coding by theme), namely policy criticism, individual responsibility, and humanitarian implications. This analysis aims to find a common thread between legal certainty (rechtssicherheit) and the demands of social justice (gerechtigkeit).

The rationale for incorporating non-academic interviews as a primary data source lies in the humanistic orientation of this legal research. While normative legal analysis focuses on statutes, doctrines, and formal legal reasoning, it often lacks the capacity to capture the lived experiences, social perceptions, and ethical responses generated by the application of law in real-world contexts. Non-academic interviewees, such as members of the public and students, provide valuable insights into how citizenship law and its consequences particularly statelessness are perceived and experienced beyond formal legal institutions.

By including non-academic perspectives, this study strengthens its humanistic dimension by situating legal norms within their social and moral context. These interviews are not intended to replace doctrinal analysis or serve as authoritative legal interpretation, but rather to complement normative findings by highlighting societal concerns, humanitarian implications, and public expectations toward state responsibility. This methodological choice allows the research to bridge the gap between legal certainty and social justice, ensuring that the analysis reflects not only legal validity but also ethical sensitivity in the enforcement of citizenship law.

### 3. Results and Discussion

This section presents an academic synthesis between the normative legal analysis of Law No. 12 of 2006 and the qualitative findings, which include the views of academics and public opinion, on the case of Satria Arta Kumbara (S.A.K.). This discussion thoroughly examines S.A.K.'s legal status, the multidimensional implications of statelessness, and a critical evaluation of the government's policy response (Kustiwa, 2025).

a. Normative Analysis of S.A.K.'s Loss of Indonesian Citizenship: Affirmation of Absolute Sovereignty (Ex-Lege)

The normative legal analysis focuses on the theological, historical, and grammatical interpretation of Article 23 letter f of Law Number 12 of 2006 (Law No. 12/2006). This article is the most sensitive legal instrument because it directly regulates the severance of an individual's highest political bond with the state (Widya, 2025).

b. The Doctrine of Single Loyalty and Ex-Lege Legal Derivation

The findings show that S.A.K.'s conscious and voluntary act of joining a foreign military (Russia) absolutely fulfills the formal elements of Article 23 letter f. The philosophy behind this article is rooted in the principle of single loyalty, which has been fundamental to Indonesian constitutional law since the post-colonial era. The loss of S.A.K.'s Indonesian citizenship status is automatic (ex-lege). The ex-lege doctrine has significant implications: legal status is lost immediately (*ipso facto*) when the legal act is committed, without the need for an administrative decision (SK) or court ruling. This analysis is supported by Qatrunnada Rania Hadad (personal communication, December 6, 2025), who emphasizes that the loss of S.A.K.'s status is a logical and automatic consequence of the individual's conscious decision to violate the provisions of the law relating to sovereignty (Ariski, 2023).

c. However, this normative finding is confronted by the reality of bureaucratic practice.

Although ex-lege applies immediately in doctrine, the views of legal practitioners, such as lawyer Dhanis (personal communication via WhatsApp, December 6, 2025), present procedural challenges. According to him, although S.A.K. normatively fulfills the elements of loss of citizenship, in practice this does not necessarily occur because the government will certainly take preventive measures or steps first. In fact, because the government has not issued an official policy or decision regarding this matter, S.A.K.'s citizenship status is currently still an Indonesian citizen. This view highlights the sharp discrepancy between practice and rules. The bureaucratic implementation of ex-lege requires in-depth review by the relevant ministries, particularly the Ministry of Law and Human Rights (Kemenkumham), which results in a person's legal status becoming uncertain. This reinforces the need for more detailed rules regarding the legal limits of Indonesian citizens' actions abroad (Research, 2025).

d. Legal Status of S.A.K.: From Potential Statelessness to Pending Status

The total application of ex-lege severed S.A.K.'s legal ties with the Republic of Indonesia in normative theory. The most immediate and severe consequence of the application of the ex-lege theory is the potential for statelessness. However, because the Indonesian government has not issued an official policy or decision, S.A.K.'s citizenship status is still Indonesian in practice (Dhanis, personal communication via WhatsApp, December 6, 2025). This situation creates a hanging status for S.A.K. This situation arises because Indonesia's ex-lege status is immediate, while the legal process of another country (Russia) in granting replacement citizenship is slow (Asrarudin, 2025).

Doctrinally, statelessness is a serious human rights issue that violates Article 15 of the Universal Declaration of Human Rights, which prohibits the deprivation of nationality and guarantees the right to it. Although Indonesia has not ratified the 1961 UN Convention, global ethical and humanitarian obligations (state obligations) remain. The S.A.K. case shows that the enforcement of absolute sovereignty without rapid mitigation mechanisms can lead to a failure to protect human rights (Foster, 2025).

Qualitative criticism of this impact is profound. Hidayatul Maulidya (undergraduate student) and Diva Dwi A (high school student) both emphasize that the loss of citizenship effectively deprives S.A.K. of the basic right to exist legally in a dangerous environment. This analysis confirms that although the enforcement of Article 23 of Law

No. 12/2006 is legitimate in terms of sovereignty, it requires the principle of proportionality; sanctions must be commensurate, but must not result in the deprivation of fundamental human rights (Darmawan, 2023a).

e. Legal Implications and Broader Human Rights Consequences

The consequences of statelessness extend from the domestic dimension, which involves the deprivation of basic constitutional rights, to challenges to diplomatic protection abroad (Roza, 2023).

f. Domestic Civil, Political, and Economic Rights Revocation

The loss of Indonesian citizenship for S.A.K. means the termination of all civil, political, and economic rights that are attached to Indonesian citizens. This impact is structural and includes (Fitriani, 2025): (a) Political Rights (Election Law): S.A.K. loses the fundamental right to vote or be elected in the political process (as stipulated in the Election Law). The loss of this right confirms a total severance of political ties. (b) Economic and Property Rights (Basic Agrarian Law): S.A.K. loses the right to land ownership based on the Basic Agrarian Law (UUPA). As a foreigner, he is only entitled to Right of Use or Right of Lease, forcing him to transfer or relinquish ownership of his property—a massive and forced economic loss. (c) Social and Public Service Rights: Full access to public facilities, social security (BPJS), and government assistance automatically ceases. If S.A.K. returns, he is subject to immigration law and must have a residence permit, and is not entitled to social welfare programs

Citizenship is a constitutional prerequisite for the fulfillment of these rights. Statelessness is effectively a very severe punishment because it strips away the legal foundation of an individual's life, turning them into a 'foreigner' in their own homeland.

3.2.2. Challenges of Diplomatic Protection in Conflict Zones and Force Majeure. The most difficult aspect is the loss of Indonesian diplomatic protection. When Indonesian citizenship is lost, Indonesian representatives (Embassies/Consulates) lose the legal basis to intervene politically, legally, or militarily on behalf of S.A.K., although minimal humanitarian assistance can still be provided. This is particularly critical given that S.A.K. is in a conflict zone; he cannot demand diplomatic protection or evacuation, which are rights of Indonesian citizens.

This situation is exacerbated by the sharp procedural asymmetry in Law No. 12/2006. This asymmetry is the most critical policy loophole because it calls into question the principle of procedural justice (Gustin, 2024): (a) Loss of Status (Article 23f): Instant and automatic sanctions (ex-lege). (b) Status Restoration (Article 32): The process of reacquiring citizenship requires a formal application to the President, through a lengthy bureaucratic process, strict verification (including a new oath of allegiance), and complex requirements (Ridha, 2025).

This contrast swift punishment versus slow recovery has resulted in the prolonged and disproportionate duration of S.A.K.'s vulnerable state of statelessness. This asymmetry is the main focus of criticism of the policy, indicating that the state does not yet have an efficient mitigation mechanism in place after the enforcement of sovereignty sanctions (Purwiningrum, 2025).

a. Public Policy Review: Conflict of Responsibility and Procedural Reform

Qualitative analysis reveals a fundamental conflict between the assertion of sovereign law and ethical/humanitarian demands that significantly influence public policy responses (Abil, 2022).

b. The Responsibility Debate: Individual versus State Obligation

Legally, the primary responsibility lies with S.A.K. because he made a conscious decision to violate the law (as confirmed by Qatrunnada Rania Hadad). However, in the

public eye, criticism has arisen that considers the factors that triggered the action (debt/gambling pressure), shifting the focus to moral responsibility and the state's failure to prevent it.

The public view, represented by Hidayatul Maulidia and Diva Dwi A, emphasizes the need for proactive state responsibility (state obligation). Even though ex-lege sanctions have been carried out, the state cannot completely "wash its hands" of the matter. The state needs to apply a more humane approach, viewing this case as an individual humanitarian crisis that must be mitigated. Failure to facilitate a quick recovery path can be interpreted as a violation of human rights, which is contrary to the principle of restorative justice in modern law.

### c. Evaluation of Government Response and Policy Reform Needs

The Indonesian government's response is considered legally consistent because it complies with Article 23, but it is not yet sufficiently sensitive and adaptive in terms of public policy. Hidayatul Maulidia explicitly states that the government's response is "too rigid" and "slow" in responding to S.A.K.'s vulnerable status, reflecting a slow bureaucracy on sensitive issues.

Based on these findings, this study formulates three pillars of urgent policy recommendations for improving citizenship governance: (Wiraganti, 2024).

- 1) Prevention and Social Support (Preventive Policy):
  - a) Massive education is needed regarding the severe legal consequences of joining a foreign military (Qatrunnada Rania Hadad).
  - b) The importance of providing integrated psychological support or trauma healing in the military (TNI) environment to prevent personal crises (debt, mental health) that lead to decisions that violate sovereignty (Diva Dwi A).
- 2) Procedural Justice Reform:
  - a) The government must reform Article 32 of Law No. 12/2006 or issue a Government Regulation that simplifies and accelerates administrative procedures for former Indonesian citizens who have lost their status due to Article 23f.
  - b) The main objective of this efficiency is to minimize the duration of statelessness, which is a human rights obligation.
- 3) Diplomatic Humanitarian Protocol: (Sanubari et al., 2024b).
  - a) Development of a balanced protocol for handling cases of stateless former Indonesian citizens at Indonesian diplomatic missions.
  - b) This protocol must ensure that basic humanitarian assistance is provided immediately and consistently, and that there is a fast track legal consultation mechanism for the reacquisition process, thereby balancing the assertiveness of sovereignty with human rights sensitivity.

The S.A.K. case is a crucial point of reflection for Indonesia. This study concludes that citizenship law must move towards a sensitive balance between asserting sovereignty in punishing betrayal of loyalty and humanitarian sensitivity to ensure that law enforcement does not create prolonged human rights problems for individuals on the global stage. The biggest challenge is to transform legal assertiveness (ex-lege) into a humane and efficient policy response, in accordance with the demands of a state based on the rule of law that upholds human rights.

### 3.1 Procedural Legal Implications: Pending Legal Status

The views of legal practitioners (Dhanis, personal communication via WhatsApp, December 6, 2025) highlight the ambiguity between ex-lege provisions in regulations and practices in the field. The implementation of regulations stating automatic loss of status faces bureaucratic requirements, whereby decisions must be preceded by a

review from the Ministry of Law. As a result, S.A.K.'s citizenship status becomes uncertain and demonstrates the need for more explicit and clear regulations to improve Law No. 12/2006. This uncertainty risks violating the principle of legal certainty for individuals and concerns national security issues, as it demonstrates the need for a limit on the legality of Indonesian citizens' actions abroad, especially those related to security or military agencies (Aulia, 2025).

The inconsistency between legal norms and administrative practices poses a fundamental challenge to the principle of legal certainty (*rechtssicherheit*). Although Article 23 letter f of Law No. 12 of 2006 establishes a clear and automatic legal consequence through the doctrine of *ex lege*, the failure of administrative authorities to issue timely and explicit decisions transforms normative clarity into practical uncertainty. This gap reveals that legal certainty cannot be sustained solely through statutory formulation; it also depends on coherent and consistent institutional implementation.

Critically, the divergence between law in books and law in action shifts the burden of legal ambiguity onto individuals, who must bear the consequences of administrative inertia without access to clear legal remedies. In citizenship cases, this uncertainty is particularly severe, as legal status functions as a gateway to civil rights, political participation, and diplomatic protection. The absence of administrative affirmation or denial effectively suspends these rights, creating a condition of "pending legality" that contradicts the core objective of *rechtssicherheit*, namely the protection of individuals from arbitrary or unpredictable state action.

From a broader perspective, this inconsistency reflects a structural weakness in citizenship governance, where the assertion of sovereignty is not accompanied by procedural accountability. When administrative practices fail to operationalize clear legal norms, the law risks becoming symbolic rather than functional. Such conditions not only erode public trust in legal institutions but also expose the state to normative criticism for prioritizing formal sovereignty over substantive legal protection and human dignity. Therefore, restoring *rechtssicherheit* requires not merely doctrinal clarity, but institutional commitment to timely, transparent, and proportional administrative action.

#### 4. Conclusions

This study has succeeded in thoroughly analyzing the fundamental conflict between the enforcement of state sovereignty and the responsibility to fulfill human rights, as actualized through the case of the loss of Indonesian citizenship (WNI) by Satria Arta Kumbara (S.A.K.). The main conclusion drawn is that although the actions of the Government of the Republic of Indonesia in deciding on S.A.K.'s citizenship are considered consistent and valid from a normative legal perspective, the accompanying policy response is considered inadequate and insensitive to the humanitarian dimension.

From the perspective of constitutional law, S.A.K.'s citizenship status was automatically revoked (*ex-lege*) based on Article 23 letter f of Law Number 12 of 2006. The revocation of this status was a direct and absolute consequence of S.A.K.'s conscious decision to join a foreign military service without official permission from the President. This *ex-lege* enforcement is a manifestation of the doctrine of single loyalty, which is absolutely upheld by the state in order to maintain the integrity of national defense. The law has quickly established legal certainty (*Rechtssicherheit*). However, this legal certainty is confronted with bureaucratic practices, in which S.A.K.'s status remains uncertain due to the absence of an official decision from the government. *De facto*, this creates the potential for prolonged statelessness. This condition structurally strips them of all civil, political, and economic rights, and most crucially, deprives them of their right to Indonesian diplomatic protection in conflict areas, a condition that violates universal principles of human rights.

The crux of the controversy in this case lies in the procedural asymmetry in Law No. 12/2006. Research has found that the speed of sanctions (instantaneous exit) is inversely proportional to the complexity of the recovery process (prolonged re-entry). While the loss of status occurs instantly, the path to reacquiring citizenship through Article 32 is regulated by lengthy, strict, and bureaucratic administrative procedures. This asymmetry and ambiguity substantially prolong the duration of S.A.K.'s legal status crisis, which in turn triggers qualitative criticism and public opinion that the government's response is "too rigid" and "slow" in addressing the vulnerable situation of a former Indonesian citizen. In this context, the state is faced with an ethical dilemma: should the enforcement of sovereignty sacrifice basic humanitarian obligations (state obligations), or should the law provide proportional mitigation mechanisms?

Based on the synthesis between legal assertiveness and humanitarian criticism, there is an urgent need to reform Indonesia's citizenship governance to be more adaptive, humane, and proportional in the era of globalization. This reform must include three main pillars. First, strengthening preventive policies and social support; the state must go beyond legal sanctions by providing massive education on the consequences of Article 23f and integrating psychological support or trauma healing services for state personnel, which serve as upstream mitigation measures against reckless decisions. Second, procedural reform of the restoration process is a must; the government must simplify the mechanism for reacquiring citizenship (Article 32) for cases of loss of status leading to statelessness, in order to minimize the duration of individual suffering and indirectly fulfill human rights commitments. Third, develop explicit diplomatic humanitarian protocols; Indonesian representatives must be equipped with fast track guidelines that ensure basic humanitarian assistance and legal consultation can be provided immediately to former Indonesian citizens who fall into statelessness, balancing the enforcement of sovereignty with humanitarian sensitivity in the field.

In conclusion, the S.A.K. case is a call for Indonesia to demonstrate that a strong constitutional state is one that is capable of upholding sovereignty without sacrificing the principles of justice (Gerechtigkeit) and human dignity. The biggest challenge is not the substance of the law (Article 23), but the efficiency and sensitivity of the bureaucracy in carrying out the restoration process. Indonesia must ensure that the strictness of ex-lege sanctions is followed by a rapid and humane response mechanism, so that citizenship law functions as a protector, not just a punisher.

The most strategic direction for further research is the adoption of empirical and policy-oriented approaches to evaluate the effectiveness of citizenship law reforms in preventing statelessness and ensuring legal certainty. Future studies should move beyond normative analysis by employing empirical methods, such as case-based policy evaluation, interviews with administrative officials, and comparative studies across jurisdictions that have implemented accelerated citizenship restoration mechanisms. Such approaches would allow researchers to assess whether procedural reforms particularly those aimed at simplifying and expediting the reacquisition of citizenship produce measurable improvements in legal protection and humanitarian outcomes.

In addition, longitudinal research examining post-reform cases of former citizens would be valuable in measuring the long-term impact of policy changes on access to civil rights, administrative efficiency, and diplomatic protection. By integrating empirical data with doctrinal analysis, future research can provide evidence-based recommendations that strengthen citizenship governance, balance sovereignty with human rights obligations, and transform legal reforms from normative ideals into effective administrative practice.

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