

ABSTRACT

The title of this dissertation is “The Principles of Unitary State in the Framework of Decentralization and System of Distribution Affairs between Central and Regional Government under Indonesian Legislation”. The main problem of administering Unitary State and implementing the Principles of Decentralization is about administrative distribution affairs between Central Government and Regional Government under the Indonesian Legislation.

Since the adoption of the 1945 Constitution up to now, the Republic of Indonesia has adopted some different systems of allocation and distribution of autonomous affairs for Provincial Government and Municipal/ Regency Government, i.e. formal autonomy system, material autonomy system, real autonomy, and loose autonomy. The systems are provided in Law No. 1 of 1945, Law No. 22 of 1948 (including Law of the State of the East Indonesia No. 44 of 1950), Law No. 1 of 1957, Law No. 18 of 1965, Law No. 5 of 1974, and Law No. 22 of 1999.

From this research, it is found that the firstly, despite amendment, the notion of Principles of Decentralization as prescribed in Article 18 of the 1945 Constitution is still unclear; secondly, the system of administrative affairs distribution between Central and Regional Government is not accurately prescribed; thirdly, Law No. 22 of 1999 does not consistently implement Article 18 of the 1945 Constitution.

Key words : - Local and Central Government Affairs;
- The system of administrative affairs distribution;
- The Principles of Unitary State Decentralization;