

ABSTRACT

The authority of provincial and municipal/city government in the land matters has shift due to the changes of regulation related to local government. At the time of Law Number 22 year 1999, the provincial and municipal /city government was authorized to deal with land matters and it was implemented by Departement of Land Matters, therefore such condition cause conflict of authority between the Land Bureau and Department of Land under local government institution. Nevertheless, such authority giver has been changes with promulgation of Law Number 32 year 2004. In this event the shifties of authority has occur from distribution of authority based on decentralization to basic services in the land matters. On the other side, there is overlapping the land matter in terms of earth, space, and natural resources within it due to sectoral regulation in the land matters, forest, mineral and coal, oil and natural gas, geothermal, water resources, plantation, coastal marine, all the sectoral regulations utter to agencies institution that related to.

As for the the of legal certainty, justice and achievement of legal ideas, therefore harmonization on the land, water, space and other natural resources stewardship is required. It is includes matters of ownership, use and stewardship of land, water, space, and other natural resources through institution arrangements that related to such stewardship as one unity system of agrarian law for the need community in which those system able to bring fairness and actualize mandate from Indonesian Constitutions for the greatest prosperity of the people, something that author called as Agrarian Institution that is authorized to do arrangement, development, and supervision of the land, water, space, and other natural resources stewardship. Hence, from structural perspective such institutional unification will coordinate and be under national land agency and other institution that deal with land, water, space, and other natural resources stewardships. Furthermore, through placing agrarian matters in Agrarian Institution, it can apply principle of centralization and decentralization by continuum, in this matters the division of government matters that is concurrent made based on criteria of externality, accountability, and efficiency. This consideration based on the view that decentralization as a principle that universally accepted, regarding that not all government matters can be done by centralization system

Key words: Agrarian institution, harmonization of land law