ABSTRACT

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Legal Aspect of Compensation in Civil Matters in regard to Unlawful Act Conducted by States Officials

As a social human beings that are need each others, it is clearly that people as human definitely interacts with their society. It is commonly found that in these interactions there will be clash of interest among others, then the law is needed as regulator. Based on this, in the statehood matters interaction between states will be represent by government officials and their people, who sometimes have the possibility to have conflicts of interest around them. This thesis discuss about how the state official's act who can be categorized as an unlawful act by the civil law and also about the form of it compensation. Research respond to this legal issues are discussed using qualitative analysis with statue approach and conceptual approach. Government actions that interfere with the rights of others is an unlawful act which regulated in Indonesian civil law and stipulated in the Civil Code especially on clause 1365. However, all actions of state officials stipulated in Law No. 51 of 2009 on the Administrative Courts, as well as if there is someone who feels aggrieved by the actions of state officials because of the issuance of a decision. Sometimes an error regarding absolute competence happened when someone sued state officials.

References: 20 (1978-2014)