

Mencari format hukum kewarganegaraan yang tidak diskriminatif

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Abstrak

According to the constitutional provision, those who can be citizens are original Indonesian people and those of other nations who are legalized as citizens by law. Such as constitutional provision clearly causes two main problems. First, the problem of the difficulty to determine the criteria intended by original Indonesia people which could raise two categories that are original Indonesian citizens and non original ones. Such categorization finally does not support the occurrence of national integration process and tends to arise a discriminative problem. This problem can be solved if the determination of the status of Indonesian citizenship is directed to the principle of original born citizen. Second, the provision that states "legalized as citizens by law" is an excessive one, because one's citizenship is dogmatically personal/individual. Therefore the handing over the status of citizen should enough be carried out by making a beschikking, for example The president Decree. Besides, the provision that the status of citizen should be legalized by law, may give more burdon to legislative institute to make law any time a party needs the status of Indonesian citizens.