

§ 1 Introduction

I. Why studying local government law with a comparative approach?

- for a *better understanding* of the own local government law, its particularities (and the alternatives), its strong and weak points and possible perspectives of its development
- as a *source of inspiration*: public administration in different countries often faces similar problems and even in the field of local government some legal solutions developed in one country may be useful in others too (you do not need to reinvent the wheel...)
- as a *warning* of possible unfavourable developments and threats (you do not need to repeat the mistakes of others...); therefore, *not only success stories* in other countries are interesting
- in the field of admin. law, comparison of laws is in particular interesting because admin. law is more influenced by the principles of rule of law, good governance and efficiency
 - however, regarding local government, special consideration must be taken of specific economic, social and civilisational conditions and historic and cultural backgrounds
- a long history of *legal reception*: many countries have successfully adopted legal concepts, instruments and institutions from other countries
 - note, however, that a simple "copy and paste" will usually fail: *foreign concepts must first be adapted* to the particularities of the own country and its legal order

II. Common and different backgrounds of local government law in Germany and Indonesia

- unitarian vs. federal system
- a constitutional guarantee of local autonomy, enforced and interpreted by the constitutional court (art. 18 et seq. Indonesian Constit. 1945 and art. 28(2) German Basic Law)

III. The terminology in the field of local government law

- different terms for the *federated states* in the federal state (states, cantons, Länder...)
- different terms for the *regional collectivities* in the unitary states (regions, provinces, autonomous communities...)
- different terms for the *sub-regional collectivities* (counties, regencies, districts...)
- different terms for *local autonomy* (local autonomy, local self-government, local self-administration, home-rule...)