

## ABSTRACT

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### **Key words: Law Politics, Dual Banking System.**

Law Politics of Dual Banking System as a step in determining the law to be used both in the law that have been enacted (*Ius Constitutum*) and that will apply (*Ius constituendum*) with regard to conventional and Islamic banking. The policy taken by the government should be in accordance with the national legal system is based on the 1945 Constitution and Pancasila as the basis of the State of Indonesia. Various factors that affect the application of the Dual Banking System became more widespread.

This research focused on the foundation of the Law in accordance with the existence of the Dual Banking System, as well as factors that affect conventional banks that implement the Dual Banking System. For the validity of the runway, we use the theory of Moh Mahfud MD who states that the law politics as the official policy of the law to be enforced either by making new law or replacement of the old law, in order to achieve the goal of Country. The foundation of enforceability of Law at Dual Banking System to make law guidelines which are used for operations, neither of the factors that influence Conventional banks is applying the Dual Banking System.

The method used in this research is the library research, namely the research focused on research matter book connected with law politics and regulation of validation on Laws UU No.10 of 1998 about banking and UU No. 21 of 2008 about Sharia Banking.

The research finding shows that regulation of validation UU that manage Dual Banking System in Indonesia, using two laws, namely UU No. 10 of 1998 about banking and UU No. 21 of 2008 about shariah banking. Some factors that influence conventional banking are applying the Dual Banking System obtained from external which includes social, economic, religious, political and imitation other state (Malaysia). The internal factor is the philosophy of five basic principles of the Republik of Indonesia.