

Politics of Deconcentration for Local Government: The Case of Indonesia

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Abstract

Local government has a long experience in handling deconcentration tasks and functions, especially when the Law No. 5/1974 was implemented. There are some relevant reasons why deconcentration is regarded as an important instrument in maintaining the relationship between central and local government. Deconcentration has some advantages which cannot be provided by decentralization. It can also be applied along with the decentralization in order to give balance to the extensive distribution of power to autonomous regions. Historical, political, and administrative reasons have been the main factors to consider and analyze the application of deconcentration in Indonesia.

Keywords: deconcentration, roles, politics, functions, Indonesia

1. Introduction

Deconcentration practices in Indonesia have been changing significantly along with the development of more extensive decentralization process. The character of central and local government relationship currently is so much influenced by devolution policy and pattern. Deconcentration has functioned as a complementary and supporting instrument for massive decentralization.

The shift of central issue of central and local relationship is currently influenced by the efforts on how to balance the principle of decentralization and effectiveness in a governmental management. The era of democratization (especially in Indonesia) requires massive distribution of autonomy and decentralization for local community and other sectors. As the consequence, the authority and role of central government have to be divided.

On the contrary, central government realizes that the process of governmental management cannot be entirely shared to local government, because it has many limitations. We still need an institutional arrangement to balance the decentralization process and the role of central government (Widodo 2015). It is performed through deconcentration.

The enforcement of governmental functions by deconcentration has long been held. In New Order regime by Law No. 5/1974, deconcentration was used as the main instrument to determine the pattern of central and local relationship. Deconcentration was very dominant in local government management practices and had overlooked the benefits of regional autonomy and decentralization. Consequently, local government did not develop and was highly dependent on central government.

Besides the role of local government, deconcentration policy and program have also been implemented through the establishment of vertical institutions in regional area. But, in doing the functions, the institutions have to communicate and coordinate with the related local government in that area. This has to be done in order to synergize the deconcentration program of central government and decentralization program of the local government.

In the history of deconcentration program and policy in Indonesia, the head of local governments has a crucial and significant role, especially, the governor who has an authority as the representative of central government in regional area. Moreover, the role of local government as the head of administrative area to implement certain governmental task which is popularly known as the general governmental affairs.

But this time, with the massive efforts to enforce the decentralization process through regional autonomy, the role of local government as the agent of deconcentration policy has been reduced and limited. Local government is seeing the regional autonomy and devolution authority more appealing with extensive and flexible power to organize the natural and financial resources, and is intended to be more independent from the central government's influences.

Nonetheless, especially in the context of a unitary state framework, local government cannot entirely be released from the deconcentration program and policy. That's because of the massive role and power of central government to maintain the development program and policy of social, political, and economic affairs and also the diversity of financial and economic capacity of each local government.

2. Literature Review: Types of Deconcentration

The delegation of governmental affairs by decentralization principally involves transfer of political, administrative, and financial powers from central government to local or more decentralized units. The transfer

entails a hierarchical structure in each level of local government.

Deconcentration as one of the sub-concepts of decentralization is often called administrative decentralization or bureaucratic decentralization (Hoessein 2008). Smith and Fesler call it differently as a shape of local and regional administrative organization and/or field administration (Smith 1985, Fesler 1962).

Field administration may be identified as the national government's administration outside the capital city, the instrument by which the center carries its functions to the people of the country (Smith 1985). Cheema and Rondinelli (1983) state that deconcentration entails a redistribution of administrative responsibility within the jurisdiction of central government. It involves an intra-organizational transfer of particular functions and workloads of from the central government to its regional or local offices. The capital retains the major level of authority over the content of policies, even if the field offices and officers are given some direction over how such policies are to be carried out (Hutchcroft 2001).

Related to the nature of the terminology, decentralization, Lernieux (1986) explained that the term of deconcentration refers to “decentring” or dispersion of control within one single organization whereas the term of decentralization refers to the transfer of control from one organization to another. Deconcentration presupposes the hierarchical structure between the superior institution and the agents but conversely, decentralization signify the severance of the hierarchical link between the central institution and the decentralized unit, even if the center still retains the supervisory powers.

The early stage of decentralization usually happened in a unitary country actually takes the form of deconcentration (Litvack *et.al.* 1998). It is important to minimize the forces of localism and to promote the uniformity of decision making process in the entire territory of the state (Smith 1985).

Deconcentration can also be viewed as an extension of the state, a governance arrangement that has the potentials to fulfill the dual objectives of increasing state control while satisfying the demands of its citizens for more and improved services in a timely manner (Cheema & Rodinelli 2007).

Despite those benefits, deconcentration has also negative tendencies. If a field system has been a necessary instrument for assuring the degree of stability and national unity requisite to a viable polity, it has also often been an instrument of absolutism, exploitation, and totalitarianism (Fesler 1962).

There are two types of deconcentration, i.e.: field administration and local administration. A greater degree of deconcentration can be achieved through field administration. It is represented by the existence of employees of a central ministry in local jurisdiction and remains under its direction and control. By contrast, local administration is a form of deconcentration in which all subordinate levels of government become the agents of central government, usually the local executive branch (Cheema 1983).

Smith (1985) also states that conceptually, the pattern of deconcentration can be divided into two types, Functional Systems and Prefectoral Systems. The Prefectoral systems can also be divided into two forms, Integrated System and Un-integrated System. This is also similar with the division pointed out by Cheema and Rondinelli who divide the local administration into two other types, integrated and unintegrated local administration (Cheema 1983).

In the functional system model (Smith 1985), the senior representatives of the state bureaucracy in the provinces are in charge of functionally specific state services, such as education, health, industrial development, or agricultural extension work. This model can be designed along with or without the prefectoral system.

The prefectoral system of field administration involves appointment of a general representative of central executive to a sub-national territory such as provinces. The general representative can also be called as “the prefect” who is the senior government officer in the area. In the integrated prefectoral system, the prefect is the superior field officer to whom the officials of other ministries are subordinated. The prefect is there to bear responsibility for application of national programs in his area, and he is expected to bring to his task a broader, more sensitive appreciation of the character of that area than any highly specialized functional agent can be expected to have (Fesler 1962). The prefect represents the national interest, the state and the government (Smith 1985). This is one of the reasons why prefectoralism is often seen as having a strong association with authoritarianism (Hutchcroft 2001).

3. Indonesia's Experiences

In many quoted international literatures, decentralization is accepted as a broader concept which includes the sub-concepts of devolution, deconcentration, delegation, and privatization (Hoessein 2008). It is different from many perceptions in Indonesia where decentralization is interpreted more narrowly as devolution and the other forms of decentralization (deconcentration, delegation, and privatization) are considered as separated concepts. Besides, what more interesting is that devolution is stated clearly in the Indonesian constitution whereas the deconcentration is not mentioned at all, but it is only regulated in the implementing or secondary regulations (Syafudin 2006).

There are many similarities with the deconcentration forms described above. It can be seen from the dual role of governor, as a senior officer of autonomous region (province/*propinsi*) and as a representative of

central government in the respective region. Moreover, the existence of vertical institutions as the representative or regional branch office of central ministries or departments and Non-departmental institutions has also explained the deconcentration practices.

Role of the governor has become very crucial to maintain the stability of politics of decentralization in Indonesia. Because in each regime, central government has always placed the governors as a important official in order to represent the national interest concerning territorial integrity and to keep the synergy of central – local relationship.

In the context of central and local relationship, the implementation of deconcentration policy has always been changing along with the development of the transfer of authority to local government. The Law No. 5/1974, normatively, gave a balanced position between devolution and deconcentration. In this regime, both principles were employed simultaneously. As the manifestation, leadership in local government was laid on one hand and it can be called as uni-personal officer (Syafudin 2006).

In practice, deconcentration was widely used to delegate tasks and functions to local government and neglected the existence of devolution and regional autonomy. Even both principles were used simultaneously, but in practice, the distinction of the tasks (between decentralization and deconcentration) is less clear than it might appear in regulation (Devas 1997). Moreover, Hidayat and Antlov (Choi 2011) stated that although some governmental functions were delegated to local governments, the degree of centralization actually increased with the present of the vertical institutions across the regions. It made the relationship between central and local government became so centralized.

The condition drastically changed by the enactment of Law No. 22/1999 or Law No. 32/2004 and the principle of decentralization (regional autonomy) became very dominant. Consequently, deconcentration became unpopular and was only regarded as a complementary device.

The changing position and relevancies of deconcentration has eroded its functionality in the context of central-local relationship. Empirically, the implementation of deconcentration, nowadays, contains several problems, such as (Utomo 2015): (i) task or authority delegated by central government to the governor cannot be clearly defined. It makes the effectivity and efficiency of the deconcentration programs become very low. This condition might also cause the possibility of double funding in the National and Local budgeting arrangements; (ii) deconcentration functions are still considered as a second-class duty; and (iii) a crucial gap on regulation and implementation dimensions where deconcentration functions have not been entirely implemented according to the related regulation framework. Many scholars believe that deconcentration is no longer relevant and shouldn't be applied anymore.

4. Roles of Local Government

Local government, especially the province and governor, has important role and history in the implementation of deconcentration policy and program. Normatively, it can be seen through many regulations related to the arrangements of relationship of central and local government and the decentralization process. Empirically, the placement of local government in the context of deconcentration policy has been changing significantly related to the extensive process of decentralization and after the end of the New Order and Law No. 5/1974 regimes.

In this paper, I try to sum up the main characteristics of deconcentration functions and forms which have been employed to each level of local government according to the related regulations. In Indonesia, generally, local governments can be divided into three types, the provincial, municipal, and village government. The first of two levels of government have long experienced as deconcentration devices, except the village government.

The main characteristics of functions/tasks and forms of deconcentration involving the local government's role are described below.

Table 1. Comparison of Characteristics

	Characteristics	Scope	Law	
I	Dual roles of head of autonomous region as representative/agent of central government	province, municipality/regency, and sub-district	Law No. 5/1974	Centralized
		Province	Law No. 22/1999	Decentralized
		Province	Law No. 32/2004	Balanced
		Province	Law No. 23/2014	Balanced and Structured
II	Maintaining the general governmental affairs	province, municipality/regency, and sub-district	Law No. 5/1974	Centralized
		---	Law No. 22/1999	Decentralized
		Province	Law No. 32/2004	Balanced
		province, municipality/regency, and sub-district	Law No. 23/2014	Balanced and Structured
III	The establishment of administrative area	province, municipality/regency, and sub-district	Law No. 5/1974	Centralized
		Province	Law No. 22/1999	Decentralized
		Province	Law No. 32/2004	Balanced
		province and municipality/regency	Law No. 23/2014	Balanced and Structured
IV	The placement of local government head as the territory official	province, municipality/regency, and sub-district	only in Law No. 5/1974	Centralized
V	Deconcentration of some concurrent functions from central government	province, regency/municipality, and sub-district	Law No. 5/1974	Centralized
		---	Law No. 22/1999	Decentralized
		Province	Law No. 32/2004	Balanced
		Province	Law No. 23/2014	Balanced and Structured
VI	Hierarchical structure and relationship between province and municipality/regency in a formal arrangement	province, municipality/regency, and sub-district	Law No. 5/1974	Centralized
		no hierarchy	Law No. 22/1999	Decentralized
		no hierarchy	Law No. 32/2004	Balanced
		limited hierarchy	Law No. 23/2014	Balanced and Structured

Each functions and characteristics as mentioned above is further explained in the following description.

The implementation of deconcentration policy principally cannot be released from the pattern of decentralization. Empirically, in many countries, both principles are conducted simultaneously. What makes it different is the dominant proportion between the two policies. More dominant application of devolution (extensive decentralization) for local government will bring to the minimum application of deconcentration policy and vice versa (Cummings 1995). Therefore, it needs a balanced combination between the two principles based on the political and administrative dimensions and factors in the country.

Even under an ideal situation, it is impossible for subnational governments to undertake all kinds of governmental functions. A system in which decision-making is wholly decentralized is just as inconceivable as a system in which decision-making is wholly centralized. Some governmental functions are better performed by lower levels of government, whereas others have to be carried out by the central government (Wang 2016).

From the conceptual basis, there are several institutional choices and dimensions considered to decentralize or centralize some governmental tasks and functions, such as: the basic choice to perform the functions by decentralized or centralized mechanism, the relation to the public sector and effectiveness of the functions conducted whether by deconcentrated and hierarchical link or by decentralized body without a hierarchy from the supervisory organization, the most possible option to choose between the territorial or technical decentralization concept to solve governmental problems, the choice to employ between unifunctional

and multifunctional decentralization, and by considering many other factors such as leadership, connectivity, resources, financial capacity, and environment. All of the choices are interconnected (Lernieux 1986).

It can be assumed that principally deconcentration cannot always be considered pernicious to the politics of decentralization. That's because there are several factors why some governmental functions cannot be really handled by local governments because of lack of financial and political capacity, social and economic influences to other local community, and history of the nation including constitutional arrangements which give more unitary and integrality character.

Deconcentration was extensively applied in Indonesia in the regime of Law No. 5/1974. It is logical considering the legal politics of decentralization policy in the regime of the Law which emphasized on the application of uniformity principle on structure and shape of local government and to maintain the order of government management process. The territory of Indonesian country was divided into autonomous regions and administrative areas. For the purpose of deployment of development effects to entire area and for political stability and national integrity, relationship between central and local government was established based on principle of territorial integrality. In this regime, local governments in Indonesia operated within a complex system of central-local relationships, both formal and informal (Devas 1997).

The Law introduced administrative area concept for province and region which functioned as work jurisdiction for central government officials in order to hold general governmental affairs in the region. That governmental affairs are certain tasks concerning several issues such as public order and security, politics, coordination, supervision, and other tasks. It is so related to the concept explained by Syafrudin (2006) that principally and legally, deconcentration is a form of delegation of governmental authority from central government to the local government's official who is in charge of leading an administrative region whereas decentralization is a transfer of some governmental affairs to autonomous region.

The governor and regent/mayor were not elected by the local community through local election. But they were appointed and assigned directly by central government through Ministry of Home Affairs. It had made them became purely the agent or representative of the central government. This arrangement had brought low accountability and transparency concerning the process of governmental management in the local level. In addition, the direct and tight supervision and control from central government had made the governor and regent/mayor lost their bravery and initiative to resist the central's policy when it went against the interest and will of the local community.

Administrative areas exist at three levels, i.e., province, district (regency or municipality), and sub-district. These three levels of administrative areas were established to be the headquarters of branch offices of central departments or vertical institutions which have authority to undertake, not to decide, deconcentrated policies, programs and projects previously determined by the central authority (Widosari 1992). As the consequence, there is often close connection between the vertical institutions and the provincial or the regency/municipality. Also, the division of tasks between the vertical institutions and local government is often arbitrary and unclear (Devas 1997).

Law No. 5/1974 also introduced the concept of territory officials (*Kepala Wilayah*) for governors, regents and mayors, and subdistrict head (*Camat*). The authority gave the local government officials the dual functions, as a head of local government representing the autonomous region and a territory official reflecting the agent of central government. The personnel of the local government were then also given the dual status, as the employee of local government and the agent of central government.

Territory official is a representative of central government which can be regarded as a senior and prime official in the region. They had authorities to organize the local government, to coordinate regional development programs, and to maintain the life of local community in all fields. This made governor became so central in influencing and determining the development and administrative policy of the regency and municipality.

The regionalization is carried out both physically, which is conducted to fulfill the intention of the decentralization program, and administratively, which is undertaken to fulfill the intention of déconcentration (Widosari 1992). But Devas (1997) said that, decentralization practices by the Law is an elusive process, because the nature of decentralization is about the implementation of activities and public service delivery at local level not the transfer of political power of authority. It was only about shifting administrative responsibility rather than delegating decision-making power to local officials.

Massive changes on political situation in 1999 had led to the alteration of central – local government relationship through the enactment of Law No. 22/1999. The new Law was more democratic and decentralized. The Law had changed the capacity of local management by transferring functions, personnel and assets from the central government to provincial as well as district and municipal governments (Choi 2011).

Governmental tasks were implemented with the prioritization on regional autonomy policy to region level II. Deconcentration was only placed on provinces with the governor acting as the head of provincial government and also as a representative of central government. Province functioned as an administrative area in order to maintain certain governmental tasks. But the certain tasks were not stated and specified clearly in the

Law.

Regency and municipality purely functioned as the autonomous region authorized to make decisions independently according to the local aspiration and without any status as an administrative area as in Law No. 5/1974. This new Law assigned most functions to the district level, including the devolution of expenditure responsibilities, public works, health, education and culture, agriculture, communications, industry and trade, capital investment, environment, land, cooperatives and manpower affairs (Choi 2011).

Moreover, the existence of administrative area within the regency/municipal area was changed to be autonomous region. Consequently, several administrative areas established by Law No. 5/1974 were changed or united into the new autonomous local area. Another consequence was that special administrative regions which had been maintained by central government or third party, such as, special authorized institution, port area, residential area, industrial area, plantation area, mining area, forestry area, new urban area, tourism region, and such were also regarded as autonomous regions.

Through this Law, chain of command of central government to implement deconcentration policy and program in the local area was only to provincial level because the Law had terminated the hierarchy between provincial and regency/municipal government. It made the regency/municipality was not the subordinate of the province anymore. As the consequence, many regency and municipal governments regarded themselves as subordinate to the central government rather than to the provincial government (Choi 2011). The condition had made the governmental process became very ineffective and inefficient because of the lack of span of control from central to local government, especially in order to ensure the development policy to all regions.

This pattern is very different with the model applied in Law No. 5/1974 which used a hierarchical arrangement of deconcentration to provinces, regencies, and sub-districts. Then, made the regency and sub-district as the supervised and controlled unit by the province.

As an administrative area, province functioned to maintain the synergy of central – local government relationship within the framework of unitary state, to organize regional autonomy functions that cross territorial boundaries of regencies and municipalities, and to perform the regional autonomy functions which cannot be handled by regent or mayor.

The Application of Law No. 22/1999 was then terminated by the enactment of new regulation, Law No. 32/2004. The new Law was created on some considerations based on the experiences and problems of the application of the previous Law. It was intended to support the enhancement of efficiency and effectiveness of governmental management process and to strengthen the relationship of central and local government and between provincial and regency/municipal government. In this Law, deconcentration was still regarded as a complementary principle for decentralization.

As the representative of central government, governor was granted some tasks and authorities, such as, to develop, to coordinate and to supervise local government management in the province, regency and municipality; to coordinate the enforcement and supervision of co-administration management in the province and regency/municipality.

In practice, the implementation of deconcentration in regional area was only limited to the transfer of authority to governor to manage the deconcentration budget which was disbursed through sectoral departments by proposing the structure of financial management. Several problems were also arising, such as the obscurity of governor's authority and the lack of financial support from central government to carry out the deconcentration programs (Utomo 2007).

In this legal regime, the central government was not actually excluded from deconcentrating the other governmental tasks. It still held the original authority to perform the concurrent functions. Concurrent function is a number of tasks which can be executed mutually by central and local government but in different scale and scope of externality.

The concurrent functions can be implemented through deconcentration mechanism by the technical ministries directly, or vertical institutions in the regional area or by delegating it to governor as the representative of central government. At this point, it can be assumed that the scope of functions and tasks of deconcentration in Law No. 32/2004 is more extensive than in Law No. 22/1999.

The Application of Law No. 32/2004 ended after the enactment of Law No. 23/2014. Principally, spirit of deconcentration policy in Law No. 23/2014 is similar with the previous regulation. Deconcentration is still regarded as a complementary principle but has a vital role to support decentralization. In this new Law, forms of decentralization and deconcentration are more rigid, decisive, and hierarchical than in the Law No. 32/2004.

Deconcentration is interpreted as a form of delegation of some central authorities to governor as a representative of central government, to vertical institutions in a certain regional area, and/or to governor and regent/mayor as an official in charge of performing general governmental affairs.

General governmental affairs principally are the original authority of the President as the head of national government which can be delegated to the governor and the regent/mayor. It contains some tasks and functions related to the nation building and national security, upholding the ideology of the nation, the unity of

nation, handling social conflicts, coordinating the tasks and functions of central, provincial, and municipal government, and also performing all kinds of government tasks which are not part of local government and vertical institutions functions.

In performing the general governmental affairs, the province and regency/municipality are also regarded as an administrative area. Administrative area is a work environment for vertical institutions including governor as the representative of central government in order to perform the central government authority in the region and a working area for governor and regent/mayor to execute the general governmental affairs in their local area.

In this case, when the regent/mayor (together with the governor) performs the general governmental functions within the administrative area, they can also be regarded as part of deconcentration structure not only as the head of local government. Moreover, the Law also involves the sub-district head (*Camat*) to execute the general governmental functions. This model has some similarities with the deconcentration pattern in Law No. 5/1974.

To supervise and guide the process of regional autonomy management in the regency and the municipality, the governor can act directly on the behalf of central government in accordance with the Norm, Standard, Procedure, and Criteria (NSPK) regulated by the central government. In acting as the representative of central government, the relationship of the governor and the regent/mayor becomes hierarchical and put the regency/municipality as the subordinate of the province. This is can be called as a limited hierarchy between the province and the regency/municipality.

Table 2. Conditions and Problems

Regulations	Conditions/Problems
Law No. 5/1974	<ul style="list-style-type: none"> • Centralized; more deconcentrated • Devolution became weak and obscure • Local government was highly dependent to central government • Lack of local initiative and innovation • Local government was highly motivated as the representative of central government
Law No. 22/1999	<ul style="list-style-type: none"> • More decentralized; and lack of deconcentration • No hierarchy between province and municipality/regency • Local government became pure local leader • Extensive establishment of autonomous regions • Poor coordination and communication; lack of span of control • Regents/mayors became local bosses and elites
Law No. 32/2004	<ul style="list-style-type: none"> • Searching for balance; deconcentration was still a complement • No hierarchy between province and municipality/regency • Enhancement of governor's role as representative of central government • Extensive establishment of autonomous regions • Poor coordination and communication; lack of span of control
Law No. 23/2014	<ul style="list-style-type: none"> • More balanced and structured • Limited hierarchy between province and municipality/regency • Enhancement of governor's role as representative of central government • Role of regent/mayor and sub-district head (including the governor) as the implementer of general governmental affairs • Enhancement of span of control and central-local relation • In process

The table shows how the conditions and problems of each regulation have given effects to the pattern and politics of decentralization policy which bring further to changes of the politics of deconcentration. One of the main factors considered by the central government is the central government's role it-self to supervise and manage the synergy of relationship between each level of local government one of the ways is through the province's role. The main purpose is to ensure that the national policy and programs of development can be implemented and accepted by the local government.

5. Conclusion

In Indonesia, deconcentration has long been chose as an important policy instrument to manage the governmental affairs in local area. The policy was once employed dominantly when the regime of Law No. 5/1974 was implemented by emphasizing uniformity, integrality, hierarchy, and dual roles for local government leader. It had brought so many impacts especially related to the local capacity and initiative to decide the best

interest for the local community. The main problem was not the regulation or proportion between the decentralization and deconcentration, but the practices employed by central government to distribute the functions and tasks to local government were highly deconcentrated. One of the main factors was because of the political foundations of the New Order Regime in order to maintain and control all local governments in uniformity.

Currently, with the alteration of the regime, deconcentration application has been changing significantly. The condition is highly influenced by the extensive development of decentralization for local government. As the consequence, central government has to prioritize the distribution of authority more flexible and massive to local government by giving local autonomy status. This political option was then realized to be so excessive and imbalanced because central and provincial government had no clear span of control. Finally, it made the central government had to revise the regulations and to form more balanced arrangements.

The diminished role of deconcentration is not indicating that the policy is bad for democratization and decentralization in the local area. Deconcentration is still considered very important to keep up the extensive application of devolution. Moreover, not all kinds of governmental affairs can be handled entirely by the local government because some functions still need the crucial roles of the central government.

Option to implement decentralization or deconcentration policy highly depends on the political, economic, and administrative considerations. Each concept has its benefits and disadvantages. Decentralization might seem to be a better option, but the effectiveness and efficiency in government management and the synergy between central and local government cannot be ignored. It backs to the political negotiations of actors inside and outside the government institution to find the balance (Porter & Olsen 1976).

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