

LEGAL STUDY ON ADMINISTRATIVE DECONCENTRATION REGULATION BASED ON THE CONSTITUTION OF THE REPUBLIC OF DEMOKRATIK TIMOR LESTE

Gaspar Huno Gusmão

Graduate student master of Science of Law Universidade da Paz, Timor-Leste 2021

ABSTRACT

In this study, the contents are described in an abstraction covering the following chapters; In the introductory chapter on the background of the problem, the Debate on efforts to establish the principles of local government, the main focus is on which principles or principles should and should be used as guidelines in the application or establishment and implementation of local government. In principle, there are several principles or principles of regional governance, such as the principle of Deconcentration, Decentralization, *Medebewind*, and Devolution. The application of the principles referred to lies in the state government system that is adopted or adopted. Based on the principles mentioned above, the actual creation or formation of regional governments can occur in stages depending on the preparation and readiness of all the resources needed in the process of formation in question. The application of the principles of decentralization and decentralization in certain parts, from the authority of the central government to regional governments including Municipio Manatuto as stipulated in Article 6 of Government Regulation number 3/2016 are as follows: Health Affairs (Saude), Education (Edukasaun), Food Security (Seguransa Alimentar), Public Works and Transportation (Obras Publicas no Transporte), Clean Water, Basic Sanitation and the Environment (We, saneamentu Baziku no Ambiente), Agriculture (Agriculture), Market Management and Tourism (Jestaun ba Merkadu sira no turizmu), Social Action (Social Asaun), Civil Protection (Civil Protesaun), Natural Disaster Management (Jestaun ba Dezastre Natural sira), Civil Registry and Notary, and Land Development Deed (Rejistu, Notariadu no servisu cadastral sira), Supporting organizations non-governmental and community organizations (Apoiu ba organization la'os-government sira no ba organizasaun komunitaria sira). Are the arrangements regarding the delegation of authority from the center to the regions including the authority to appoint and place employees following their respective fields of expertise? How is the Administrative Deconcentration of the municipality of Manatuto implemented according to *Decretu Lei no. 3/2016*?

To answer these problems, as a basis for further justification, several theories and concepts are needed that are used as references for justification and assessment, including State Institutional Theory, Power Sharing Theory, Authority Theory, Administration Theory, Government Theory, Deconcentration Principle, Decentralization Principle, General Principle Good Governance in Public Service, and the Concept of the Rule of Law. These theories and concepts can be used as analytical tools in the study of the legal study of the implementation of administrative deconcentration in the local government of the Manatuto Municipality by using the following approach; the law approach (statute approach), the concept approach (conceptual

approach), pragmatism approach (pragmatism approach) and comparative approach (comparative approach).

The result achieved is that the implementation of deconcentration and decentralization is an implementation that arises from the Diploma Ministerial N.º 48 /2016 de 30 de Setembro *Estabelece os serviços das Autoridades Municipais e das Administrações Municipais e aprova a estrutura funcional*. With the general provisions of Article 1 Object of this Ministerial Diploma specifically stipulates *Autoridades Municipais e das Administrações Municipais*, regulated by no.1 and 2 articles 3 Decree-Decreto Lei No. 3/2016, 16 March and agreed to this functional structure, which is set forth in Article 2 of the Concrete Establishment of *Autoridades Municipais* They are established in *Autoridades Municipais and Municipal Administrations respectively*, provided for in paragraphs 1 and 2 of Article 3 Decreto Lei No.3/2016, Then it is stated in the Hirak Nebe Temi Ona Progress: Reve ona Politics no estrategia descentralizaun administrative, Aprova ona modelu uniforme no koerente ida ba local administrasaun iha national territory. The definition of ona servisu ba atividade local administrasaun or intervention iha prestasaun beins no servisu publicus. Reforsa ona orgaun local administrasaun sira or hola desizasaun. Fo ka delega dau-daun competence ba local administrasaun ne'ebe prepara ona iha rekursus umanos, infrastructure, facilidades no kondisoens hotu ne'ebe mak necessario ba deskonsentrasaun.

Keyword: Administrative Deconcentration and Decentralization

INTRODUCTION

The debate on efforts to establish the principles of local government is mainly focused on which principles or principles should and should be used as guidelines in the application or establishment and implementation of local government. In principle, there are several principles or principles of regional governance, such as the principle of Deconcentration, Decentralization, *Medebewind*, and Devolution. The application of the principles referred to lies in the state government system that is adopted or adopted. Based on the principles mentioned above, the actual creation or formation of regional governments can occur in stages depending on the preparation and readiness of all the resources needed in the process of formation in question.

In the application of these principles, resources are needed to achieve the objectives of a government policy, such as human resources, finance, materials, facilities, facilities, and infrastructure as well as a legal umbrella that will be used as a legal reference in the process of formation and implementation. This means that when thinking of establishing a regional

government, of course, first conduct an in-depth study or study, especially the conditions needed to support and facilitate the process of forming and implementing regional government.

In such a context, in many countries, the formation of regional governments is usually carried out in stages through pilot projects. Usually, this is done by applying the principle or principle of decentralization while accompanying and assessing developments and progress and then following up on the application of the principle of decentralization in the formation of regional government. In the first or experimental stage, namely through the application of the principle of deconcentration, it is intended to prepare all available resources to the maximum, so that in time the local government can carry out optimally and adequately. However, before reaching the level of formation as stated above, it always begins with an evaluation of the minimum conditions needed, so that the results are analyzed and then used as a reference to determine several fields or domains that will be given to the regions in the early stages in line with the results of legal studies. Administrative

deconcentration arrangements are carried out by the assigned team.

Deconcentration is the delegation of authority to an official or group of officials appointed by the central government in an administrative area. Departing from the above opinion, the process of establishing a regional government in Timor Leste was attempted through several stages, namely in the first stage through administrative deconcentration as a preparation for the formation and administration of a decentralized regional government. In line with that, it should be pointed out that why should it be preceded by deconcentration as *a pilot project*? Because this is closely related to the preparation and readiness of regional capabilities in terms of human, material, financial resources, and more importantly legal or legal conditions. Because after all the legal factor is the main factor and especially in the formation of a regional government in line with the basic laws that apply in a country.

According to the constitution of RDTL, it is stipulated that the state will respect the organization (In terms of the regional arrangement, the State will respect the principle of decentralization of general government Article 5 (1) KRDTL) Decentralization is the transfer of Government Power by the Central Government to autonomous regions based on the Autonomy Principle. This understanding is under Article 5 (1) of the 2002 RDTL Constitution, which stipulates that the state respects in its territorial organization the principle of decentralization in the administration of government. Republika's fundamental law also predicts, in paragraph 1 of Article 72, the existence of local power. formed by regional legal entities, endowed with representative bodies, to regulate the participation of citizens in solving their problems and promoting local development, without prejudice to the participation of the state.

Based on what is described above in the Democratic Republic of Timor Leste , it is emphasized in the Constitution as stated in Article 1 paragraph (1) which states that the Democratic Republic of Timor-Leste is a State based on democratic and sovereign law, independent and united, based on the will of the people and respecting human dignity (*A República Democrática de Timor-Leste é um Estado de direito democrático soberano, independente e unitário, baseado na vontade popular e no respeito pela dignidade da pessoa humana*). In line with that, the Democratic Republic of Timor-Leste was established and formed to provide comfort, prosperity, and peace for its people and citizens throughout the territory of Timor-Leste. This is in line with the objectives of the State as stated in the Constitution of the Democratic Republic of Timor-Leste (KRDTL) as stated in Article 6 letter a) which reads:

- a) *Defender e garantir a soberania do país;*
- b) *Garantir e promover os direitos e liberdades fundamentais dos cidadãos e respeito pelos princípios do Estado de direito democrático;*
- c) *Defender e garantir a democracia política ea participação popular na resolução dos problemas nacionais;*
- d) *Garantir o desenvolvimento da economia eo progresso da ciência e datechnica;*
- e) *Promoter a edificação de uma sociedade com base na justiça social, criando obem-estar material e espiritual dos cidadãos;*
- f) *Proteger o meio ambiente e preservar os recursos naturais;*
- g) *Affirmar e valorizar a personalidade eo património cultural do povotimorense;*
- h) *Promoter o estabelecimento eo desenvolvimento de relações de*

- amizade ecooperação entre todos os povos e Estados;*
- i) *Promover o desenvolvimento harmonioso e integrado dos sectores e regiões ea justa repartição do produto nacional;*
 - j) *Criar, promover e garantir a efectiva igualdade de oportunidades entre amulher eo homem.*

From the sound of Article 6 above, paragraphs (ah), paragraphs (i), and paragraph (j) are more relevant, and to realize these national goals and objectives, it is necessary to establish and establish regional governments throughout the territory of Timor Leste based on the principles of governance as they are known so that they are expected to be able to bring development closer to the people in the regions while at the same time being able to involve local communities in regional development, especially in the decision-making process regarding regional development. The establishment of regional government as mentioned above is constitutional, especially for the State of Timor-Leste as legally stated in Article 5 paragraph (1) and paragraph (2) of the Constitution of the Democratic Republic of Timor-Leste (KRDTL) which states.

1. The state respects its territorial organization, regarding the principle of decentralized public administration (*O Estado respeita, na sua organização territorial, o princípio da descentralização da administração pública*)
2. A law that will determine and stipulate the characteristics of various regional levels regarding the administrative authority of each regional institution(*A lei define e fixa as características dos diferentes escalões territoriais, bem como as competências administrativas dos respectivos órgãos*);

In line with that, to concretely realize the authority granted by the constitution, from the First Constitutional Government to the present Constitutional Government, the Government of Timor-Leste has carried out various mechanisms through administrative and institutional powers to form regional governments throughout the territory of Timor-Leste including the Region. Oe-Cusse-Ambeno Special Administration. Various real mechanisms that have been carried out so far are by applying the principle of administrative deconcentration, namely conducting *a pilot project*, namely by establishing three stages of implementing decentralization, namely:

- 1) Administrative decentralization or decentralization of administrative authority.
- 2) Institutional Decentralization, where several autonomous offices have been established in the regions accompanied by their administrative authority under the coordination of the Head of the Municipal Government.

Territorial Decentralization, meaning that at this stage the full implementation of the principle of decentralization in the formation of regional government and regional elections will be conducted in selecting the Head of Municipal Government and members of the regional legislature, known as the *Assembleia Municipal*. This is in line with Article 72 of the Constitution of the Democratic Republic of Timor Leste which states: "1) Local governments are formed by local communities collectively awarded representative bodies, with the aim of regulating citizen participation in solving their own regional problems and promoting regional development, without reducing the participation of the State (*O poder local é constituído por pessoas colectivas de território dotadas de órgãos representativos, com o objectivo de organizar a participação do cidadão na solução dos problemas próprios da sua*

comunidade e promover o desenvolvimento local, sem prejuízo da participação do Estado). 2) The organization, competence, function and composition of regional authorities are determined by law (*A organização, a competência, o funcionamento ea composição dos órgãos de poder local são definidos por lei*).

In connection with the above description, it is important to explain that the implementation of the principle of administrative decentralization, namely through the delegation of authority and administrative tasks has been carried out by the Central Government to Regional Governments throughout the Timor Leste Region based on Government Regulation number 3/2016 concerning Regional Government Administration, Interministerial Engineering Group for Decentralization Administrative (*Estatuto das Administrações Municipais, Autoridades Municipais, e Grupo Técnico Interministerial para a Descentralização Administrativa*).

The delegation of administrative competence has been carried out by the National Government to the Regional Government including the Municipal Government of Manatuto since September and October 2016 following the division of the Municipio Government's territory throughout the Timor Leste Territory except for Oe-Cusse-Ambeno. By the commitment of the National Government that after two years of implementing the delegated affairs, an evaluation will be carried out, especially the minimal conditions by the Central Government through the Interministerial Engineering Group and then the results of the evaluation are analyzed for local governments that meet the standards that have been set, then it will be proposed to take part in the Regional Election in the first stage and for local governments that have not met the established standards, they will continue to be fostered and accompanied by a technical

team who will then follow the following evaluation until the 12 regions are officially formed as Decentralized Regional Governments.

On the other hand, because the Municipio Manatuto Government does not have its local revenue so all resources must come from the central government, but the central government itself through each ministry that delegates its authority, turns out it can't do much because there is no budget or there is no available budget. Adequate to assist the Manatuto Municipal Government and other local governments. On the other hand, there are still overlapping rules regarding the process of recruiting and appointing Regional Officials, which causes the egocentricity of each ministry not to delegate it to the Regional Head, so that the appointment process falters.

The existence of overlapping regulations on staff promotion between the High Personnel Commission and the Ministry of State Administration, which resulted in officials who were promised to be appointed and promoted to high ranks, it turned out that they could not be implemented. The appointment of structural officials which according to the Civil Service Regulations must be appointed by the Public Service Commission is handed over to the Regional Head for the appointment process so that the officials appointed by the Manatuto Regional Head do not receive office allowances because they are contrary to Lei number 5/2009 concerning the Establishment of the High Personnel Commission. After all, the matter of appointment in office should be the full authority of the Timor Leste *public funsaun commission*.

This also causes many officials appointed by the Regional Head not to meet the requirements for rank as stipulated in the *Decree of Lei* number 5/2009 concerning the appointment to the position of State administration officials which should be

according to the Government Regulation and based on the Legal Implementation Guidelines for *the komisaun funsaun public.Lei number 8/2004 alteradu Lei Number 5/2009* which stipulates that for the appointment of a temporary office for the Head of the Minor rank Division, it must be Level 4, while for the definitive official at the Head of the Minor rank Division, it must be level 5 and so on, but in reality it is still some officials are appointed to positions and do not meet these minimum criteria, causing the implementation of duties and responsibilities to legally stagnate. This has caused the implementation of the administrative deconcentration function to stagnate in the administration of local government in the Manatuto Municipal Government.

For this reason, it is necessary to immediately conduct a study on the legal review of the decentralization of local government administration based on the principle of administrative decentralization, especially in the Manatuto Municipal Government, in line with the provisions outlined by the Timor Leste Government. For this purpose, about the results of the preliminary study at the end of 2019, observations indicate that there are several problems faced by the Government of the Municipality of Manatuto as follows:

- 1) The Manatuto Municipal Government Organizational Structure as stipulated in the *Decretu Lei n u m e r u 3/2016* which has been changed to *Decretu Lei numeru 9/2018* and has been changed back to *Decretu Lei 3/2016* has not been filled under the provisions- terms and conditions that should cause ineffectiveness and inefficiency;
- 2) Employee placement has not been based on the level of specialization and has not met the legal requirements for staffing;
- 3) Appointments in positions at the Agency Office within the

Government of Manatuto Municipality have not been carried out in line with the provisions applicable to it. This means that the appointment of regional officials has not been carried out by the Laws and Regulations concerning the Cartier system and promotion in office as stipulated by the applicable Civil Service Regulations;

- 4) Delegation of authority and administrative affairs to regional agencies has not been carried out following the regulations applicable to it;
- 5) There are still some officials at regional government agencies in the Manatuto Municipal Government who do not meet the rank system so they do not receive office allowances;
- 6) The unavailability of an adequate number of employees to fulfill the duties of the departments causes the stagnation of tasks in certain departments;
- 7) The Procurement System has not been implemented according to existing regulations;
- 8) The lack of development budget and items for the Regional Development Fund are not provided for the Regional Government and everything is still centralized, as well as for Minor Capital items there is also no allocation for the Municipio Manatuto Government
- 9) The placement of employees in positions based on political interests has created discrimination in terms of public services;
- 10) The placement of employees in certain positions is not based on an impartial policy, but tends to be based on political aspects and ideological similarities;
- 11) Placement of employees in various structural positions that ignore the requirements of education,

competence, specialization, and experience.

Starting from the problems faced by the Government of the Municipality of Manatuto, the researcher is interested in conducting research and limiting the scope of his research to a "deconcentration juridical review on the Implementation of Regional Government based on the Principles of Administrative Deconcentration in the Government of the Municipality of Manatuto".

Meanwhile, regarding the scope, the researcher can limit it to "Legal Studies regarding administrative affairs or authorities delegated to the Government of Municipio Manatuto based on Government Regulation number 3/2016 which was later changed to Government Regulation number 9/2018 and changed again to no 3/2016".

Formulation of the problem

Based on the description of the background of the problem above, the author raises several legal issues as follows:

1. Are the arrangements regarding the delegation of authority from the center to the regions including the authority to appoint and place employees following their respective fields of expertise?
2. How is the Administrative Deconcentration of the municipality of Manatuto implemented according to *Decretu Lei no. 3/2016*?

THEORY BASIS

As described in administrative law issues related to the Deconcentration of Regional Government Administration towards decentralization and regional autonomy as in the position of regional governments, which are within the authority of regional governments and are appointed as the basis for further justification, several theories and concepts are needed to be used as references for justification and The studies include State Institutional Theory, Power

Sharing Theory, Authority Theory, Administration Theory, Government Theory, Deconcentration Principle, Decentralization Principle, General Principles of Good Governance in Public Service, and the concept of the rule of law. These theories and concepts can be used as analytical tools in the study of legal studies of administrative decentralization arrangements in the local government of the Manatuto municipality.

Institutional Theory

In historical developments, theories and thoughts on the organization of power and the organization of the state developed very rapidly. The variety of structures and functions of state organizations and institutions develops in many varieties and forms, both at the central or national level as well as at the regional or local level.

Therefore, the doctrine of the welfare state also emerged in the human mind. According to the doctrine of the welfare state (*welvaartsstaat*) or the welfare state, the state is idealized to deal with matters that were not previously handled. Until the mid-20th century, mankind witnessed a trend in the expansion of the dimensions of state responsibility that justifies the symptoms of state intervention in the affairs of the wider community (interventionist state). According to Gerry Stoker, "*both central and local government have encouraged experimentation with non-elected forms of government as a way to encourage the greater involvement of major private corporate sector companies, banks and building societies in dealing with problems of urban and economic decline.*" The social, economic, and cultural problems faced are also increasingly complex, so we can no longer rely solely on conventional forms of a government organization to overcome them.

According to R. Rhodes, these institutions have three main roles, "First, these institutions manage the tasks assigned by

the central government by coordinating the activities of the various other agencies. For example, the Regional Department of the real-estate business in its territory. Second, monitoring and facilitating the implementation of various policies or policies of the central government. Third, representing regional interests in dealing with the center.”

Power Sharing Theory

In principle, the constitution or constitution of a country, among others, is a registration (registration) of the distribution of power within a country. The division of power according to its function shows the difference between the functions of government which are legislative, executive, and judicial which is better known as the Trias Politica.

Trias Politica is the assumption that state power consists of three kinds of power: First, legislative power or the power to make laws (in new terms it is often called (rule-making function); second, executive power or power to implement laws (*rule application function*). The three judicial powers or the power to adjudicate for violations of the law (*rule adjudication function*). Trias politica is a normative principle that these powers (functions) should not be delegated to the same person to prevent abuse of power by those in power. Thus the human rights of citizens are more guaranteed.

Montesquieu argues that independence can only be guaranteed if the three functions of power are not held by one person or body but by three separate people or bodies. It was said to him "if the legislative power and executive power are united in one person or one governing body, then there will be no independence, it will be a disaster if one person or one body, whether consisting of the nobility or the common people, is entrusted with administering the three powers. namely the power to make

laws, make general decisions, and adjudicate matters between individuals.

The state conducts *institutional experimentation* through various forms of government organs which are considered more effective and efficient so that *public services* can be truly guaranteed. For this purpose institutional guidance and supervision from the center to the regions. These institutions are referred to as councils, commissions, committees, boards, or authorities. In this regard, Abdilla Fauzi Achmad stated that coaching includes; government coordination between government structures, providing guidelines and standards for the implementation of government affairs, providing guidance, supervision, and consultation on the implementation of government affairs, education and training, and planning research, monitoring development, and evaluating the implementation of government affairs.

Therefore, a wave of debureaucratization, privatization, decentralization, and deconcentration emerged. One of the consequences is that the functions of power which are usually embedded in the functions of the executive, legislative, and even judicial institutions have been shifted to become the functions of separate organs that are independent. So that a new state institution can carry out mixed functions, each of which is independent (independent bodies) or quasi-independent.

Several experts classify this kind of independent agency in the domain or realm of executive power. Some scholars classify it separately as the fourth branch of the government, as stated by Yves Mene and Andrew Knapp. According to Crince le Roy, there is another power besides the three powers of the state according to Montesquieu, which is often called the fourth power, but experts often do not give place to the power found in the constitutional power pattern. As a result,

there is tension between the written law on the one hand and the reality in society on the other.

Based on their formation, the positions of the two types of state institutions are comparable to each other even though their positions are not higher, but their existence is explicitly stated in the law, so they cannot be abolished or dissolved just because of the policy of forming the law. The state institutions as the second tier of constitutional organs are the Minister of State, Defeza, the National Policia, the General Elections Commission, and the Central Bank. In addition, there are also constitutional organs that are included in the category of state institutions whose authority comes from regulators or forming regulations under the law

Authority Theory

The study of the theory of authority is related to the source of authority from the government in carrying out legal actions with public law and concerning private law. As quoted by Indroharto, HD Van Wijk suggests three kinds of authority that come from the laws and regulations. That authority includes:

1. A contribution; government power or government authority directly granted by law.
2. Delegation; transfer of government authority from a government agency or official to another government agency or official.
3. Mandat _as for the actual mandate, there is no change in the existing authority in a government institution.

Attribution is the granting of authority by the legislators themselves to a government organ, both existing and completely new. Delegation is the transfer of authority possessed by a government organ to another organ. Delegation contains a submission, namely what was originally the authority of person A, then becomes the

authority of person B. The authority that has been given by the delegate then becomes the responsibility of the recipient of the authority. Mandate, there is no granting of new authority or delegation of authority from one TUN Agency or Official to another. The responsibility for the authority based on the mandate remains with the mandate giver and does not transfer to the mandate recipient.

FA, M. Stroink, and JG Steenbeek, as quoted by Ridwan HR, suggest that there are two ways that government organs obtain authority, namely: Attribution; and Delegation.

Attribution relates to the delegation of a new authority, while delegation concerns the delegation of existing authority (by an organ that has obtained attributive authority to another organ; so logically it is always preceded by attribution). The two ways in which government organs obtain authority are used as the basis or theory to analyze the authority of the state apparatus in carrying out its authority. Philipus M. Hadjondivides the way to obtain authority in two ways, namely: Attribution; and Delegation and sometimes also mandate.

Attribution is the authority to make decisions (besluit) that are directly sourced from the law in a material sense. Attribution is also said to be a normal way to obtain government authority. So it seems clear that the authority obtained through attribution by government organs is the original authority because the authority is obtained directly from the legislation (constitution).

A mandate is defined as a delegation of authority to subordinates. The delegation intends to authorize subordinates to make decisions of the State Administration officials who give the mandate. Thus, all legal consequences arising from the decisions issued by the mandate are the

responsibility of the mandate giver. As a concept of public law, authority consists of at least three components, namely: Influence; Legal Basis; and legal conformity.

Position of Authority

The principle of a unitary state is that the one who holds the highest position of power over all state affairs is the central government, without any interference by a delegation or delegation of power to local governments (local government). The regulation of implementing state power has two forms, namely centralized or transmitted. If state power is concentrated then centralization occurs, and vice versa, if state power is dispersed then decentralization occurs. In various government developments, there has been a strong backflow to centralism, which is caused by certain factors.

According to H. D Stoud, authority is the whole of the rules that come from the law of government organizations, which can be explained as all the rules relating to the acquisition and use of government authority by subjects of public law in public legal relations. Whereas in the Black Law Dictionary, authority is defined more broadly, not only exercising power but authority is also defined in the context of implementing and enforcing the law, the existence of definite obedience, containing orders, decisions, jurisdictional supervision, and even authority associated with authority, khartistma, and even power. Physique. Authority is a core concept in constitutional law and state administrative law. Because in that authority contains rights and obligations, even in constitutional law authority is described as legal power (rechtskracht). This means that only legitimate actions (based on authority) have legal power (rechtskracht). Meanwhile, according to Bagir Manan as quoted by Ridwan HRsaid that authority in the language of the law is not the same as power. Power only describes the right to do

and not to do. Authority at the same time means rights and obligations.

Meanwhile, according to GR Terry, Authority in State Administrative Law is official power and official power to order other parties to act and obey those who have that authority, According to RC Davis in his book, Fundamental Soft Management: Authority Authority in State Administrative Law is a sufficient right. , which allows a person to complete a certain task/obligation. So, authority is the basis for acting, doing, and carrying out government activities/activities without authority people can't do anything . activity too.

Whereas according to the constitution Article 117, paragraph (1) that the authority of the government as a leader in the government is regulated in that article, the Prime Minister has the authority and is responsible for leading the government, knowing the council of ministers, guiding and directing general government policies and coordinating the activities of all ministers, without reducing the self-responsibility of each minister and each government department.

By the RDTL constitution in Article 115 of the authority of the government and Article 116 of the authority of the council of ministers and Article 117 of the authority of members of the government, as well as Article 118 of jurisdiction, paragraphs 1-3, concerning the jurisdiction of a court or judiciary, Article 120, and Article 121 of judges, i.e. the court is a sovereign body with jurisdiction. the authority to enforce justice on behalf of the people, as well as to carry out the function of the court, the right to obtain assistance from other government officials, and court decisions are binding and are above any other authorities.

Timor-Leste as stipulated in the Preamble to the Constitution of the Democratic Republic of Timor-Leste, "it is necessary to build a democratic culture and appropriate

institutions for a rule of law, in which respect for the Constitution and democratically elected institutions is an indispensable foundation. questionable. By interpreting the deep feelings, ideals, and belief in God of the people of Timor Leste.”

Nature of Authority

Regarding the nature of government authority, which is bound, facultative, and free, especially with the powers of making and issuing decisions (*besluiten*) and decrees (*beschikking*) by government organs, it is known that there are decisions that are bound and free.

According to Tobagus, first, on the authority that is bound, which occurs when the basic rules determine when and under what circumstances that authority can be used or the basic rules more or less determine the content and decisions that must be taken, second, facultative authority occurs in the case of a body or official. the state administration concerned is not obliged to exercise its authority or more or less there is a choice, even though that choice can only be made in certain cases or circumstances as specified in the basic regulations: third, free authority, which occurs when the basic regulations give freedom to the body or State administrative officials to determine for themselves the content of the decisions to be issued or the basic regulations provide the scope of freedom to the state administrative officials concerned.

Philipus Mandiri Hadjon quoting the opinion of NM Spelt and Ten Berge, divides free authority into two categories, namely freedom of wisdom (*beleids vrijheid*) and freedom of judgment (*beoordelings vrijheid*) which further concludes that there are two types of free power, namely: first, the authority to decide independently; second, the authority to interpret the disguised norms (*verge norm*).

Regulation of the administration of local government and how to apply the authority of local government in the implementation of public services. By using normative jurisprudence, it is concluded: 1. The power and authority of the central government, its implementation can be in the form of centralization, but can be dispersed through the form of decentralized government, deconcentration, and assistance to lower government (autonomous regions), supervision remains limited to the central government. 2. Community public service is one of the tasks, of local government administrators, this is a government obligation and vice versa as a right for citizens of the public, all of the above rights and obligations apply the other way around which includes the implementation of services, management, public complaints, information, supervision, counseling, and consultation is regulated in lei no.5/2014 Alteradu Lei no 9/2016 regarding the public funsaun commission

Government Theory

According to Syafie Inu Kencana, governance is a science that studies the meaning of how to manage the executive body. The regulation of the legislative body, leadership, and also coordination of the government, both central and regional, as well as the people and their government in every event and symptom of government. According to U. Rosenal, governance is a science that studies how external and internal work instructions, structures, and processes of global governance are studied. Meanwhile, JST Simorangkir, said that the government is an instrument of the state that carries out the duties and functions of the government. This opinion is following Haryanto's understanding of government, functionally a structural and organizational system of various functions that are carried out by applying certain basics in achieving the goals of a country. According to WS Sayre, the government is a state organization that

exercises its power over the people of the country.

According to CF Strong in Muhamad Kusnardi, the government in a broad sense is every activity of public bodies consisting of executive, legislative, and juridical activities or activities to achieve the goals of a country. In a narrow sense, CF Strong said that government is every form of activity of public bodies and only consists of executive bodies. According to M. Kusnardi, the government can be interpreted as the affairs carried out by a state in organizing the welfare of the people or its citizens by fulfilling the interests of its people and carrying out and carrying out executive, legislative, and judicial functions properly and correctly. Those are some of the definitions of government according to the experts that we can quote.

Timor Leste currently adopts a semi-presidential system of government, where there is a separation of powers namely the Executive, Legislative, and Judiciary based on the principle of "checks and balances", this provision is contained in the constitution, but further steps are needed to improve, especially the regulation of clear limits on power and authority. between the three state institutions.

In describing the forms of state, Aristotle divides them into two criteria, namely; Based on the number of people holding the government, and Based on the nature and purpose of the government. From the division of these criteria, the forms and cycles of government are created as follows: A state that is held by one person is called a *monarchy*. *Monarchy* is considered a good government if the king who leads always acts wisely based on the general will.

Then according to Aristotle, *Aristocracy* is a better form of monarchy. This is because, in the Aristocracy, the government is controlled by a group of people who have good qualities. This can change if the group

does not act in the public interest. So that the form of the Aristocracy is likely to turn into an *Oligarchy*. Therefore, Aristotle in *Politeia Republik* says the best form of government. This is because in the *Constitutional Republic* the power of government is in the hands of the general public (audience) where freedom is bound by the constitution which is the reference for the implementation of the government system. However, in practice, if the government acts based on the interests of the power holders only, then this form of government can turn into a *democracy*.

In any form of government, sometimes dissatisfaction arises from a group of people who feel they have been treated unfairly. These groups have the potential to create rebellions or revolutions that will try to overthrow the existing government and replace it with a new government ideology. This is why no government lasts forever. According to Aristotle, the best form of government is the Constitutional Republic, because it will minimize upheavals that lead to rebellion or revolution.

Rule of Law Concept

The concept of the rule of law is stated in Article 1 paragraph 1 of the Constitution of the Democratic Republic of Timor-Leste, in carrying out the duties and functions of state power, it must follow the principles of separation of powers and independence in the implementation of its functions as well as the interdependence between one institution and another. other matters, as regulated in Article 69 of the 2002 RDTL Constitution. Based on the RDTL Constitution, in the concept of the State of Law Timor-Leste also has the goals and ideals of the State as regulated in the provisions of Article 6 of the RDTL Constitution regarding state objectives "Objetivo do Estado". Therefore, the concept of the rule of law in Timor-Leste is a mixed law state (a mixture of the legal concept of rechtsstaat and the concept of the rule of law).

1. The philosophical element of "respect for human dignity" means that the State upholds the values and norms that have been adopted by the community as ancestral inheritance inherent in every citizen, as in the provisions of Article 2 paragraph (4) explains that, "The State will recognize and respect Timor-Leste's norms and customs which do not conflict with the constitution and any other laws which relate in particular to customary law.
2. The sociological element of the people's desire in the sense that, the process of administering the government to prosper the people's wishes, as stipulated in Article 6 paragraph (1) of the State's objectives in section (b) explains that, "To guarantee and promote the rights and freedoms of the people, the human rights of citizens and respect for the principles of a democratic state based on the force of law;
3. The juridical element contains "sovereignty of law" in the sense that the State of Timor-Leste is a State based on the power of law (rule of law). Therefore, every act of administering state government must be based on the law (principle of legality). Thus, the principle of checks and balances can be guaranteed properly.

Deconcentration Principle

Deconcentration (Dutch: deconcentrate, French: deconcentration) is an activity of handing over various affairs from the central government to other agencies. In this context, only administrative authority is delegated, not political authority. Political power remains with the central government.

Decentralization Principle

Untung Dwi H, Principle of Decentralization In a broad sense, it means

the implementation of the law in which various factors, organizations, procedures, and techniques work together to implement policies to achieve policy or program objectives.. Meanwhile, according to Ripley and Franklin, implementation is what happens after a law is enacted that gives authority to programs, policies, benefits or a type of tangible output. The term implementation refers to several activities that bind the statement of intent about program objectives and desired outcomes by government officials.

Implementation includes actions (without action) by various actors, especially bureaucrats, which are intended for the program to run. The definition of decentralization is the transfer of government authority by the government to autonomous regions to regulate and manage the government in a country. Decentralization as a principle has several perspectives that coherently enrich the theory of decentralization itself, and there is no monolithic research or aggregation of theories in decentralization, agreement, and understanding have an important role in the use of the concept of decentralization which is very dependent on the perspective of decentralization adopted by a country

Conyers in Bambang Supriyono, MS The application of the Decentralization Model will give birth to Local Government (*Local Government*) which affects Institutional Development starting from the Central Government level to Local Government. Transfer of Authority to Plan, Make Decisions and Manage Public Functions from Higher Levels of Government to Individuals, Organizations, or Agencies at Lower Levels. According to Sri Soemantri, the delegation of authority from the Central Government to autonomous regions is not something that is stipulated in the constitution, but because the problem is the essence of a unitary state. The reason for maintaining the unity and integrity of the state is one of the reasons for the Central

Government to always dominate the implementation of government affairs by putting aside the roles and rights of local governments to be directly and independently involved in managing and fighting for the interests of their regions. From a political point of view, there are principal differences between a federation and a unitary state. E. Utrecht stated that: "At the beginning of the development of the state, it is necessary to centralize power so that the forces that aim to destroy the new unity can be eliminated.

According to I Wayan Juniarta, IGAAG Dewi Sucitawathi P., Inácio Martia Soares Caetano, and Wayan Sudera The push for decentralized status has attracted many countries, especially developing countries. Conyers said that "this interest in decentralization is also in line with the growing interest of various international development agencies"

Wasistiono said, "According to the World Bank, of the twenty countries that are partners in decentralization, there are four countries, namely: Timor Leste, the Philippines, Pakistan, and Ethiopia which have implemented the *big bang decentralization*. gradually. It was further stated, "The World Bank gives the meaning of *big bang decentralization* as *A process where in the central level of government announces the centralization, passes laws, and transfers responsibilities, authority, and/or staff to sub-national and/or local government in rapid succession.*"

Through this paper, it is necessary to mention the limitations of decentralization, to avoid confusion of understanding, especially about the problems implied in this paper. Koswara cited the UN decentralization limitation that "Decentralization refers to a transfer of authority away from the national capital whether by deconcentration (i.e delegation) to a field office or by devolution to local authorities or local bodies." According to

Smith decentralization is, the "Centralization of administration in a particular center that gives power to the local (local) government." On the other hand, the World Bank Glossary states that decentralization is, "A *process of transferring responsibility, authority, and accountability for specific or broad management functions to lower levels within an organization, system, or program.*"

Observing the three limitations above, decentralization is a process of transferring responsibility, authority, and accountability, to lower hierarchies in an organization related to systems or programs. Litvack and Seddon in Wasistiono quoted by Suderana state that "decentralization is the transfer of authority and responsibility regarding public functions from the central government to sub-national governments, semi-autonomous bodies, and non-governmental institutions." If we look closely, the granting of decentralization to certain institutions, especially in the attitude of the state, is not an easy task, but on the contrary, it is a very complex task.

Cheema and Rondinelli quoted by Wasistiono, revealed, "Decentralization as the transfer of planning, decision-making, or administrative authority from the central government to its field organizations, local administrative units, semi-autonomous organizations, and parastatal organizations, local governments, or non-governmental organizations." Furthermore, Litvack and Seddon in Wasistiono stated, "Decentralization is divided into 4 types, namely: 1) political decentralization, 2) administrative decentralization, 3) fiscal decentralization, 4) economic or market decentralization. The focus of this research is administrative decentralization, so it is necessary to know the focus of the study. In general, decentralization aims to make the administration of government effective and efficient. Delegation of activities from

higher government officials to lower government should be selective.

Timor-Leste, which de jure seceded from the state of Timor-Leste in 2002, has also expressed interest in decentralization. This interest is legally formally stated in the Constituição da República Democrática de Timor-Leste. For example, Article 5 regulates decentralizing administração pública or decentralization of government, Article 71 concerns administrative organization or structuring of government organizations, and Article 72 concerns local poders or local governments.

The choice of decentralization has also become a commitment for the government to realize the constitutional mandate as described above. This commitment is realized in the form of various programs that are structured as mandatory for each constitutional government cabinet period of five years, although this effort does not always run smoothly. The demand for decentralization, which is conceptualized by the government as a work priority in each cabinet period of a constitutional government, tends to raise pros and cons among the public.

However, it is a *raison d'être* to question the government's commitment to establishing a decentralization policy consistently and responsibly.

One of the alternative policies that have been adopted and stipulated as a derivative of the RDTL constitution, regarding decentralization, is *Decreto Lei* (government regulation) number 3 of 2016 which has been revised with *Decreto Lei number 9* of 2018 concerning *Estatuto das Administrações Municipais, das Autoridade Municipais e do Grupo Técnico Interministerial para a Descentralização Administrativa* (Status of Municipal Governance, Municipal Authorities and Cross-Ministerial Technical Working Groups for Administrative Decentralization). According to *Decreto*

Lei, the Municipio government (Municipio) is designated as local state administration, which is interpreted as an agent of the central government in the region (field *administration*).

The main problem studied and discussed in this article is the implementation of the administrative decentralization policy in the Municipio Manatuto, Timor Leste. The implementation of administrative decentralization is a policy implementation process that involves some aspects to achieve the desired goals effectively and efficiently. These aspects include human resources (HR), financial resources, facilities, and the structure of the implementing bureaucracy.

Methods of collecting data through documentation, interviews with several informants, and observation. After the data collected were analyzed descriptively and qualitatively. Qualitative research emphasizes inductive data analysis, meaning that the collected data are grouped into patterns, themes, or categories for further careful and careful drawing of a conclusion. Based on the explanation above, thus the data analysis model will be more interactive between "data reduction, data presentation, and conclusion drawing or verification of interactive models.

Administrative Decentralization Policy: A Theoretical Approach The roots of administrative decentralization are more effective and efficient governance. Harold F. Alderfer quoted by Muluk explains that there are two general principles in distinguishing how the government allocates power downwards, namely in the form of "deconcentration" and "decentralization". While "deconcentration" which refers to the administrative authority given to representatives of central government agencies." Litvack and Seddon mention "administrative decentralization has three main forms: deconcentration, delegation,

and devolution.” “Administrative decentralization or decentralization involves the transfer of decision-making functions and powers within the central government hierarchy, through the transfer of workload from the central ministry to field officials, the creation of field agencies or the transfer of responsibility to local administrative units that controlled from the center. "Observing some of the concepts above, it turns out that administrative decentralization is, "The delegation of authority which was originally centered at the center, to subordinate officials.

As it is known that there are policies that are expected to be implemented. According to Wahab, citing Webster's dictionary, implementation is defined as " *to provide the means for carrying out* (providing the means to do something); *to give practical effect to* (to make an impact/effect on something)." Through decentralization, we hope to be able to increase the government's ladder to the needs and demands of the public which in turn the quality and quantity of government services to the public. Osborne and Gablersay, "Four advantages of decentralization: 1) Decentralized institutions are much more flexible than centralized ones, as they can respond quickly to changing environments and customer needs. 2) Decentralized institutions are much more effective than centralized ones. 3) Decentralized institutions are much more innovative than centralized ones. 4) Decentralized institutions result in higher morale, more commitment, and greater productivity."

In planning the national development strategy (Plan Estrategico Desenvolvimento Nacional/PEDN) 2011-2030 it is written that there are four strategic objectives to be achieved through decentralization, namely: a) developing the private sector in rural areas; b) providing new opportunities for democratic participation; c) promote the stability of strong state institutions; and d) improve the performance of public services that are efficient, effective and equitable.

As for the authority or competence that is delegated to local government institutions, both municipal administrative institutions, and municipal authorities, these are jobs related to basic services, namely: basic education; health; basic infrastructure and transportation; clean water, sanitation, and the environment; agriculture; market and tourism management; social work; civil defense

l; natural disaster management; asset registration, notary and cadastral; support of NGOs and community organs (Article 6 *Decreto Lei no. 3/2016*).

Van Meter and Van Horn, mention that four aspects run linearly from the implementation of public policies which include: implementation activities and inter-organizational communication; characteristics of implementing agents/implementors; economic, social, and political conditions; tendency (disposition) implementer/implementor. Meanwhile, the contents of the policy include the following: interests affected by the policy; the type of benefit to be generated; desired degree of change; desired change position; (who) implement the program; deployed resources. Meanwhile, Widodo also sees policy implementation as an activity. The implementation activities cover the following aspects: (a) *Organization; The establishment or rearrangement of resources, units, and methods for putting a policy into effect;* (b) *Interpretation; The translation of language (often contained in a statute) into acceptable and feasible plans and directives;* (c) *Applications; The routine provision of service, payments, or other agreed upon objectives or instruments.*

As for the analysis of policy implementation, there are two things to look at, namely: (1) the compliance approach, namely the implementation of the policy will be successful if the implementers comply with the instructions

given by the bureaucracy; (2) the Perspective Approach, namely analyzing the implementation of policies through what happens (what happens) in the implementation of a policy or program of all things (Wibawa).

To answer the research objectives, several aspects were determined as indicators to measure the effectiveness of implementation, namely: human resources, financial resources, facilities, and the structure of the implementing bureaucracy. First, is the aspect of human resources. According to the National Director of Local Administration, Ministry of State Administration, "HR is a determining factor in the success and failure of the implementation of administrative decentralization policies in almost all municipalities, including in Manatuto Municipality.

Literature Review

Definition of Government and Governance

The science of government is a branch of science from the study of political science. Until now there is still some debate about the science of government and political science. The main study of government leadership is public policy. In essence, making a government policy is a study of the policy process itself because public policy is decision-making (selecting and assessing available information to solve problems). Government is a science and an art, it is said to be a scientific discipline because the government has fulfilled the requirements of science such as being able to be learned and taught, having both material and formal objects, being universal and systematic, and specific. And according to Surya Ningrat, the government is a group of individuals who have a certain authority to carry out government power as an act or business, or rule.

Etymologically, the definition of government is as follows:

1. Command means doing the work of ordering (2 parties, namely those who govern and those who are ordered).
2. Government (Pe) means the body that exercises the power to govern
3. Government (suffix an) means action,

In state administrative law, state administrative officials are the main actors in carrying out legal actions and legal actions for the main functions of government and government service functions, but in carrying out their actions and actions they must have clear authority. In much of the literature, the sources of authority come from attribution, delegation, and mandate. Before knowing attribution, delegation, and mandate, the first thing that needs to be understood is authority and authority. The definition of authority in the Big Timor Leste Language Dictionary is interpreted as the same as the authority, namely the right and power to do something. Some expert opinions regarding authority and authority vary widely. According to Prajudi Atmosudirjo, authority is what is called formal power, the power that comes from legislative power or executive/administrative power. SF Marbun mentions authority means the ability to carry out a public legal action, or juridically is the ability to act given by the applicable law to carry out legal relationships. There are two aspects of the authority or competence possessed by government officials, namely:

1. Attribute Authority (original), is the authority granted directly by legislation.
2. Non-attributive (non-original) authority, is the authority given because of the existence of delegation/transfer of authority.

In the practice of implementing good governance, the terms government and

governance are very often encountered. At first glance, these two words look the same, but actually, there is a significant difference in meaning. The following is the difference in meaning between the two, from various reference sources.

Government in a broad sense is all the activities of public bodies which include legislative, executive, and judicial activities to achieve state goals. Government in a narrow sense is all the activities of public bodies which only include executive power. (CF Strong)

Government is an organization that has the power to make and enforce laws and regulations in a particular area. There are several definitions of government systems. Similarly, there are different types of government in the world. For example Republic, Monarchy/Kingdom, and Commonwealth (Commonwealth). Of these main forms, there are various branches, such as Constitutional Monarchy, Democracy, and Absolute Monarchy.

In general, a government can be defined as an organization that has the power to make and implement laws and regulations in a particular area. The government is an organization that has:

- 1) Authority Reign from a unit political;
- 2) Ruling powers something Public political (political);
- 3) Apparatus who is body government which working and operates power;
- 4) Power for making regulation legislation, for handle discord and talk about decision administration with a monopoly on power which legitimate.

Government in English is called government which comes from Latin; *gubernare*, greekky bernan which means to drive, or to control. The government's objectives include external security,

internal order, justice, general welfare, and freedom. Not much different from the opinion of SE Finer who sees the government as having continuous activities (process), the territory of the country where the activity takes place (state), governing officials (the duty), and methods or methods and systems (manner, method, and system). from the government to the people. This opinion is different from R. Mac Iver, who views the government from the point of view of the political science discipline, "government is the organization of undermining authority how to be governed". That is, the government is an organization of people who have power over how humans can be governed. So the science of government for R. Mac Iver is a science of how humans can be governed (a *science of how to manage over ned*)".

The need for government stems from the fact that human beings need to live in communities, also personal autonomy must be maintained in these communities. A country of enormous size and complexity will usually have levels of government: local, regional, and national. About the definition of government, it depends on each government system, including:

1. Monarchy (Monarchy) monarchy is a government led by somebody who has passed down hereditary. Monarchy originated from the language Greece which is Monos which means one, and arche in which means government. Despotism (Despotism) Despotism is a government that is led by a leader just and all the people are considered a servant.
2. Dictatorship (dictatorship) Dictatorship is a government led by somebody who has power full on the people and his country.
3. Oligarchy (Oligarchy) Oligarchy is the government that is led by a group of small person which has interest together or has a connection kinship.

4. Plutocracy (Plutocracy) Plutocracy is a government that originated from the class highest or group rich.
5. Democracy (Democracy) Democracy is a government in which the people hold power. Democracy can be direct (direct democracy) or through representatives (representative democracy).
6. Theocracy (Theocracy) Theocracy is the government led by paralytic religions.

Governing occurs and exists everywhere and at any time in every form of social life, including special social life which is categorized as "polity". Governing (in "policy" is called "open bestuur" Soewarjono, 1993 in Sumaryadi. Still, according to the same source, the relationship between government and governance is expressed by Leo Fonseka in Good governance while the term government indicates a political unit for the function of policy-making as distinguished from the administration of policies, the word governance denotes the Study of Regional Government and Public Service overall responsibility for both the political and the administrative functions. It also implies ensuring moral behavior and ethical conduct in the task of governing. The continuous ethical exercise of authority on both the political and administrative units of government.

The word governance (policy-making, regeneration, regulating and administration, besturen, managing) is broader than government (policy-making only). According to Leo Fonseka, there are three main regimes involved in good governance. They are the State, the Civil Society, and the Private Sector. In The International Encyclopedia of Social Science (1974), the government is defined as a group of people who are responsible for the use of power. In the Big Indonesian Dictionary, the government is defined as a system of exercising authority and power, or a system

of carrying out orders, which govern. In the Netherlands, the government is also called administrative for government in a broad sense, bestuur in a narrow sense.

The philosopher JJ Rousseau, the originator of the theory of The Social Contract, defines the government as an intermediary body established between the people as subjects and rulers, to adjust to each other, tasked with implementing the law and maintaining civil and political liberties properly. Meanwhile, Max Weber 1994 defines government as anything that succeeds in supporting the claim that it is he who has the exclusive right to use physical force to enforce its rules in

The concept of governance does not only involve the government and the state, but also the role of various actors outside the government and the state so that the parties involved are also very broad. According to WS Sayre, *Government is best as the organized agency of the state, expressing and exercising its authority*. The meaning of government in its best definition is as an organization of the state that demonstrates and exercises its power. According to CF Strong *Government, the broader sense is change with the maintenance of the peace and security of the state within and without. It must, therefore, have first military power or the control of armed forces, secondly, legislative power or the means making laws, and thirdly financial power or the ability to extract sufficient money from the community to defray the cost of the Study of Regional Government and Public Service* defending of state and of enforcing the law it makes on the state's half. It means that the government in a broad sense has the authority to maintain the peace and security of the country, therefore firstly it must have military power or the ability to control the armed forces, the second must have legislative power or in the sense of making laws, the third must have financial or legal power. the ability to meet public finances to finance the costs of the state's existence in

implementing regulations, this is in the context of implementing the interests of the state. According to Robert MacIver, *Government is the organization of undermining authority, and how a man can be governed*. The meaning of the government is as an organization of people who have the power over how humans can be governed. According to Woodrow Wilson, *Government in the last analysis is an organized force, not necessarily or invariably organized armed force, but two of a few men, of any man, or of a community prepared by an organization to realize its purpose with reference to the common affairs or the community*.

The meaning of the government at the end of his description is an organization of forces, not always related to the organization of the armed forces, but two or a group of people from many groups of people who are prepared by an organization to realize their common goals, with things that provide information. for public affairs.

- a. According to David Apter, *Government is the most generalized member ship unit processing defined responsibilities for maintenance of the system of which it is apart and*
- b. *the practical monopoly of coercive power.*

It means that the government is the most common member unit that has

- a. Not quite enough answer certain for Government maintain a system which covers it that is part and
- b. Monopoly is practical about power coercion.

From the above definitions, the concept of the government relates to:

1. bodies _ _public k who responsible answer in part or whole route provision service or service through authorization or privatization;
2. Government in meaning large which cover draft triad politics (executive, f and legislation judicial);

3. Tiers government which start from the government center until the government area.

The fundamental purpose of government is the maintenance of basic security and public order so that individuals can find happiness in the study of local government and public service. The philosopher Thomas Hobbes showed that humans as rational animals show their obedience to a government led by a ruler.

Controversy about how big, powerful, and how dominant the government will continue for the rest of human history. Regarding the purpose of government, in the context of kybernology, Ndraha argues that government aims to protect the rights of human existence, preserve the meaning of the environment, and fulfill their basic needs through the interaction process of 3 (three) roles, namely:

1. Increase sco resource power which there is and create (shaping) resourcene was role Culture Economy;
2. Controlling the Economy, empowering, and redistributing values that have succeeded in an upgrade or formed, through service to the customer by Culture Power;
3. Control role Culture Customer. If destination the achieved, the government (governance) qualified good (healthy, good) Ndraha.

Government The purpose of government is closely related to the function of government. Ryas Rasyid argues that government develops 3 (three) essential functions, namely service, empowerment, and development (Rasyid, 1999 in Sumaryadi). But in general, it can be said that the government has a service function, namely as a provider of public services that are not privatized and civil services, including Ndraha bureaucratic services.

Definition of Decentralization

Etymologically the term decentralization comes from the Latin, namely "de" which means free and centrum dares to be central. So according to the words, coming from decentralization is releasing from the center. Decentralization in the sense of self-government according to Smith in Khairul Muluk related to the existence of territorial subsidies that have self-government through political institutions that will be recruited democratically following their jurisdictional boundaries. It is intended that the election of members of the regional people's representative councils, both provincial and city districts, based on electoral districts that reflect the aspirations of the people in certain electoral areas. Because *assembleia municipal* is an element in the administration of local government.

According to Henry Maddick in Juanda, decentralization is a legal transfer of power to carry out specific and residual functions that are the authority of local governments. Amrah Muslimin said, the decentralization system, namely the delegation of authority to agencies and groups in certain regional communities to manage their households. Based on the opinion of Bachrul Elmi, that decentralization means giving part of the authority of the central government to the regions, to carry out and complete the affairs that are the responsibility and concern the interests of the region concerned (autonomy). Affairs concerning regional interests and responsibilities include general and government affairs, completion of service facilities, and social, cultural, religious, and community affairs. Further handover of government affairs, according to Siswanto Sunarno, explains that decentralization means the transfer of responsibilities that are within the scope of the central government to regional governments. Decentralization is often called the granting of autonomy.

The local government in the regulatory function is to establish regulations for the interests of the region which are abstract containing the norms of orders and

prohibitions, while the act of administering is a concrete event and the act of adjudicating, namely taking action in the form of decisions to resolve disputes in public, private and customary law. autonomous regions based on the principle of decentralization, local governments carry out their household administration affairs which have been delegated from the central government to local governments, by Jimly Asshiddiqie, it is stated that they have the authority to manage, as their regional household affairs, so that there are three teachings in the division of state government administration, namely: (1) material household teachings; (2) formal household teachings; and (3) real household teachings. Furthermore, these three household teachings are explained by Jimly Asshiddiqie as follows:

1. Material household teachings, to find out which affairs are included in the regional or central household.
2. Formal household teaching is a regional household affair with the submission based on statutory regulations so that the details of matters that become regional household affairs are emphasized in the law.
3. Real household teachings, namely household affairs based on real needs or real conditions, based on considerations to achieve the maximum benefit, an affair that is under the authority of the regional government is reduced because according to the current real situation, it is based on national needs.

A democratic government will be able to carry out the wheels of government based on the principles of accountability and transparency, effective and efficient participatory as well as moral, namely, the regional government carries out government actions properly and is accountable to the government and the

people following the principle of accountability, and can take place openly and ready to be corrected by the government. the people according to the essence of the principle of transparency. Meanwhile, in administering local government in Timor-Leste, local governments use the principles of Decentralization and Deconcentration as stated in Article 5 and Article 72 of the RDT Constitution which stipulates that the Government respects the implementation of Decentralized Public Administration in its territory. Meanwhile, Article 72, it is stipulated the implementation of regional government democratically.

When decentralization is not seen as an end in itself, decentralization can mean the creation of an open, responsive, and effective local government that can expand the representational system in making decisions for the benefit of the community. By providing opportunities for local communities and other entities to manage their affairs, and through facilitating closer relations between the center and the regions, an effective local government system can be able to take responsibility for various community needs and priorities to listen to their complaints, thereby ensuring there is direct intervention from the local government in meeting various social needs.

Decentralization attracted left center, and right people, and groups who disagreed with each other on some other issues. Manor. In essence, decentralization can attract anything and anyone. Mechanisms should be developed to ensure that local, rather than central, perspectives are given priority when disputes arise, versus the conventional view which sees the central perspective as being more valid because the center can carry out a holistic view Jim Ife.

Lagging in the academic aspect, ironically, tends to have an impact on the application of the concept of deconcentration at an

empirical level. This condition is at least contributed by the existence of 2 (two) things that become the root of the problem of misunderstanding about deconcentration.

1. Deconcentration has so far been seen as part of decentralization. As stated by Rondinelli (1999), decentralization consists of 4 (four) types, namely political decentralization, administrative decentralization, fiscal decentralization, and market decentralization. This division into 4 (four) types is the general understanding of decentralization. Administrative decentralization itself is further divided into deconcentration, delegation, and devolution. Compared to delegation and devolution, deconcentration is the weakest form of decentralization, because it does not imply a real transfer of authority from the Center to the Regions. The delegation, conceptually, is broader than deconcentration, while devolution reflects the existence of political will from the central government to give broad authority to the regions in its territory.
2. Deconcentration is often perceived as another form of centralization. Deconcentration in practice is often associated with the opposite or dichotomy of decentralization (in the sense of devolution) because it emphasizes the distribution of central power which strengthens and stabilizes central power in the regions. When associated with other forms of centralization, it is clear that the policy of deconcentration will not be popular, both in Timor Leste and in countries that regard themselves as democracies. In other words, deconcentrate indirectly and take care of some business matters, and vice versa.

In the dichotomy principle, the relationship between decentralization and deconcentration is an alternative (choice), while in the continuum principle, the relationship between the two is complementary (complementary)." This deconcentration implies that studies or decentralization, far from replacing each other, have always been considered as complimentary by political decision-makers". This statement implies that decentralization and deconcentration are carried out simultaneously to different degrees. When the pendulum moves to the left, this indicates a tendency towards a centralized government, but conversely, when the pendulum shifts to the right, the trend is a more decentralized government. Eko Prasjo (undated) also emphasized that centralization and decentralization are a continuum, not a dichotomous one. This means that in one country it is impossible to adhere to only the principle of centralization for all affairs so that there is not the slightest bit of autonomy given to local governments to regulate that decentralization should not abandon deconcentration altogether.

According to Smith decentralization is, the "Centralization of administration in a particular center that gives power to the local (local) government." On the other hand, the World Bank Glossary states that decentralization is, "A process of transferring responsibility, authority, and accountability for specific or broad management functions to lower levels within an organization, system, or program ." Observing the three limitations above, decentralization is a process of transferring responsibility, authority, and accountability, to lower hierarchies in an organization related to systems or programs. Litvact and Seddon in Wasistiono, state that "decentralization is the transfer of authority and responsibility regarding public functions from the central government to sub-national governments, semi-

autonomous bodies, and non-governmental institutions." If we look closely, the granting of decentralization to certain institutions, especially in the scope of the state, is not an easy task, but on the contrary, it is a very complex task.

Timor-Leste, which de jure seceded from the state of Timor-Leste in 2002, has also expressed interest in decentralization. This interest is legally formally stated in the *Contituição da Republica Democrática de Timor-Leste*. Article 5 regulates the *decentralized administração pública* or decentralization of government, Article 71 concerns *the administrative organization* or structuring of government organizations, and Article 72 concerns local leaders or local governments.

One of the alternative policies that have been adopted and stipulated as a derivative of the RDTL constitution, regarding decentralization, is Decreto Lei (government regulation) number 3 of 2016 which has been revised with Decreto Lei number 9 of 2018 concerning *Estatuto das Administrações Municipais, das Autoridade Municipais e do Grupo Técnico Interministerial para a Descentralização Administrativa (Status of Municipal Governance, Municipal Authorities and Cross-Ministerial Technical Working Groups for Administrative Decentralization)*. According to Decreto Lei, the Municipio government is designated as a local state administration, which is defined as an agent of the central government in the region (field administration). The main problem studied and discussed in this article is the implementation of the administrative decentralization policy in the Municipio Manatuto, Timor Leste. The implementation of administrative decentralization is a policy implementation process that involves some aspects to achieve the desired goals effectively and efficiently. These aspects include human resources (HR), financial resources,

facilities, and the structure of the implementing bureaucracy.

Principles of Local Government Administration

The Republic of Timor Leste as a unitary state adheres to the principle of decentralization in the administration of government, by providing opportunities and flexibility to regions to carry out regional autonomy. an autonomous regional government that gave birth to decentralization rights. The administration of government is the duty and obligation of the Central Government to regulate and manage it.

According to the Encyclopedia of Social Science, autonomy in the original sense is *the legal self of sufficiency of the civil body and actual independence*. In politics and government, regional autonomy is *self-government or the condition of living under one's laws*. So regional autonomy is a region that has *legal self-sufficiency* which is *self-government* that is regulated and managed by its law, therefore regional autonomy focuses more on aspirations than conditions.

The process of transition from a centralized system to a decentralized system is called regional government with autonomy, namely the handing over of government affairs to regional governments that are operational within the framework of the government bureaucratic system. The purpose of autonomy is to achieve effectiveness and efficiency in public services. While the objectives to be achieved in the delivery of these affairs are, among others, to develop the region in various fields, improve services to the community, and increase regional competitiveness in the growth process.

With this understanding of autonomy, Bagir Manan said: To enable the implementation of these freedoms (freedom in running the local government) and at the same time

reflect autonomy as democratization, autonomy always requires independence or flexibility. It is not even an exaggeration to relate the essence of autonomy to independence, although it is not a form of freedom for an independent unit.

According to Noer Fauzi, the implementation of regional autonomy is aimed at bringing the decision-making process closer to the lowest community groups, by taking into account the characteristics of the local culture and environment, so that public policies can be accepted and productive in choosing the needs and sense of community justice.

Overview of the Regional Government and its Implementation

According to The Liang Gie, Regional Governments are government organizational units that are authorized to organize all local interests of a group that inhabits an area led by the head of the regional government.

Each local government is led by a Regional Head (in the context of Timor Leste, it has not been democratically elected because until now we do not have a Law on Regional Government, so the Government is still regulated by Government Regulation no. 3/2016 where the Regents are still selected on merit according to lei no 5/2009 concerning the Civil Servant Commission (CFP), a special commission to conduct a merit selection and test for candidates for regent, so according to this provision, regents and regional secretaries are recruited on merit to carry out their duties for 5 years in a deconcentration manner and not in a decentralized manner. Regents have duties, powers, and obligations as well as prohibitions. Regents also have or should provide reports on the administration of regional government to the central government through relevant ministries, especially the Ministry of Home Affairs, and do not provide and provide account statements to the *Conselho consultive*

municipal because we do not yet have the Legislative Body in the Regions, but they can inform the public about the report on the administration of local government. The affairs that are delegated to the regions are still administratively deconcentrated and not administratively decentralized, in contrast to other regions in the world.

Indeed, the central government is trying to hand over affairs in an administrative decentralized manner but is still constrained by the absence of regional elections due to the absence of special legislation on regional government in addition to other factors such as the ability both from the aspect of human resources and other resources, on the other hand, political factors also play a role. determine the implementation of regional government in Timor Leste. Thus, not all affairs have been delegated deconcentratively to the regions, but only certain matters have been delegated to the regions, provided that the responsibility remains with the central government. In our country, it is the Regent who is the representative of the central government in the regions, not vertical agencies or regional offices. The Regent because of his position is the representative of the central government in the regions in tune with what is stated in Article 26 decreto lei No. 3/2016. This implies that to bridge and shorten the span of control of the implementation of the duties and functions of the Government, including the development and supervision of the administration of government affairs at the district government strata. In his position as the representative of the central government referred to, he is responsible to the Prime Minister through the Minister of Home Affairs of Timor-Leste.

Decentralization in its implementation must be oriented to the basis of the state, namely the Constitution, which means that democracy is one of the things that must be considered. Soewargono in Mahfud, argues that the dimensions of the philosophy,

formulation, and implementation of autonomy must be oriented to: first, the realization and implementation of democracy; second, the realization of regional independence; third, familiarize the regions to get used to managing their problems and interests; fourth, preparing political schooling for the community; fifth, providing channels for regional aspirations and participation; and sixth, building the efficiency and effectiveness of government.

The implementation of the principle of decentralization can be seen in several aspects as mentioned by The Liang Gie, as follows:

- a. in terms of politics, decentralization is intended to prevent the accumulation of power on one party which can eventually lead to tyranny.
- b. From the point of view of democracy, the implementation of decentralization is considered a democratic act to attract the people to participate in its governance and train themselves in the exercise of democratic rights.
- c. From an organizational technical point of view, decentralization is solely for achieving an efficient government.
- d. From a cultural perspective, this is also the reason for the implementation of decentralization. Specificity in an area such as geographical features, population conditions, economic activities, cultural characteristics, or historical backgrounds, requires the establishment of local authorities to pay attention to all of them.
- e. In terms of economic development interests, decentralization is needed because local governments are considered as an agency that can assist development.

Based on Article 5 of the Constitution of the Democratic Republic of Timor-Leste, it can be concluded that

"Timor-Leste is a decentralized unitary state"

First, Decentralization needs to be implemented because it is a juridical and systematic guideline of the Constitution and the political system of Timor-Leste. Second, decentralization is a necessity for the Government of Timor-Leste to continue national development in general and the first phase of long-term development in particular. Third, our democracy cannot be separated from issues that are now becoming a trend in the international world. Regarding what democracy is most needed today, of course, what is being discussed is not an ideal but a technical issue.

To carry out the role of decentralization, deconcentration, and co-administration, local governments carry out instrumental and operational government affairs but are still limited to basic matters, in contrast to the central government which carries out absolute government affairs. The division of affairs is based on the principles of accountability, efficiency, and externalities, as well as national strategic interests. These government affairs are the basis for the implementation of regional government in administrative deconcentration toward administrative decentralization

Timor Leste government affairs concerning Decretu Lei No 3/2016, Article 6 which Instrumental is Government Affairs relating to matters that form the basis for the implementation of government policies and programs at the local level, meanwhile there are other matters, namely operational matters. Operational Affairs include

1. Education.
2. Health.
3. Public Works and Transportation.
4. Peace, public order, and community protection.
5. Social.
6. Clean Water, Sanitation, and the environment
7. Registo Notariado, no Cadastro

8. Gestão de desastre naturais .
9. Gestão de mercado e turismo
10. Farming
11. Civil prosthesis

Instrumental Affairs in Decree lei 3/2016 on Articles 30, 58,91,94,98, relating to regional basic services are as follows:

1. Communication and Protocol
2. Fiscalization
3. Asset Management, Logistics, and Tenderization
4. Regional Planning
5. Regional Finance

Based on Law no. 11/2009 concerning the Division of Administrative Territories, Timor-Leste is divided into 12 Administrative Territories and one Special Administrative Region. Law No. 3 of 2014 concerning the Government of the Special Administrative Region of Oe-Cusse Ambeno which has been amended by Law no. 9/2019 states that regional government is the administration of government affairs by the regional government and *Local Conselho Consultivo* according to the principle of the widest possible autonomy in the system and principles of the Democratic Republic of Timor-Leste as referred to in the State Constitution Republic of 2002. Regional governments which are sub-systems of the national government administration system have the authority to regulate and manage their households in a deconcentration manner and remain responsible. answer to the Central Government through the Ministry in charge responsible for the administration of the Domestic Government.

Local Government according to Decretu Lei no 3/2016, Article 4 Local Government is State Local Administration that can guarantee the implementation of State administrative functions at the Regency and District levels which depend on the hierarchy and organically to members of the government who are responsible for the implementation of the Government Domestic. And based on the provisions of

this Government Regulation, in Decretu Lei no 3/2016, Article 5 has determined that the City Government and local government are regulated by the principles adopted by the Regional Government in Timor-Leste: The principle of legality; Specialization, Persecution, Public interest; The principle of good governance, the principle of transparency; Administrative deconcentration, Equation; The principle of respecting administrative rights and legitimate interests; Proportionality; Participation; Trust; Decision making principle Use of Official Language; Accountability; Accountability; Coherence; and Efficiency.

Based on Law no. 11/2009 which was later amended by Law no. 4/2014 states that the regional government in Timor-Leste is divided into 12 City Governments and One Special Region, namely the Region with a Special Administrative Region, namely Oe-Cusse Ambeno. We know that there are various levels of government, but we have a central government and a local government which is called City Government or *Governo Municipal*.

Then further, in the government regulations as mentioned above, it is also stated that the implementation of regional government is different from the implementation of regional government in the central government which consists of executive, legislative and judicial institutions, the administration of regional government is carried out by the regional head and regional offices.

Head Regions based on this Government Regulation are representatives of the central government as stipulated in Article 20 of the Government Regulation (PP) 3/2016. Regional offices are apparatus for implementing the mandate of the Central Government and are responsible for the answer to the regional head (President *Autoridade Municipalno* Administrator *Municipal*).

According to Harson, local government has the existence as:

- a. *Local Self Government* or local government in the local government system are all regions with various autonomous affairs for *local self-government*, of course, must be within the framework of the state government system.
- b. *Local State Government* or administrative local government is formed because the implementation of all state government affairs cannot be carried out by the central government alone.

The purpose of the implementation of the regional government, in which the implementation of the regional government as stated in the preamble of Government Regulation no. 3/2016 aims to accelerate the realization of community welfare through improvement, service, empowerment, and community participation, as well as increasing regional competitiveness, is the administration of government affairs by the Regional Government and regional offices according to the principle of autonomy and co-administration with the principle of autonomy in the system and the principle of the state. The Democratic Republic of Timor-Leste is referred to in the State Law of the Republic of Timor-Leste of 2002.

The mandate of the RDTL Constitution was then implemented by establishing a government structure, not in stages with all the functions and powers granted by the constitution either at the central or regional levels. In general, regional apparatuses consist of staff elements who assist in policy formulation and coordination, facilitated by the Secretariat Institution, supporting elements for regional heads in the preparation and implementation of regional policies and elements of implementing regional affairs in the Regional Service Agency.

The matters mentioned above are stated explicitly in Article 5

The principles or principles that form the legal basis in the Decreto lei No.3/2016 Article 5 can be described sequentially as follows:

1. Legal certainty is a principle in a state of law that prioritizes the basis of the provisions of laws and regulations and justice in every policy of state administration.
2. Orderly state administration is the principle that forms the basis for the order, harmony, and balance in controlling state administration.
3. The principle of public interest is the principle that prioritizes the general welfare in an aspirational, accommodative, and selective manner.
4. The principle of openness is a principle that opens itself to the right of the community to obtain correct, honest, and non-discriminatory information about state administration while still paying attention to the protection of personal rights, groups, and state secrets.
5. The principle of proportionality is the principle that prioritizes the balance of rights and obligations of state administration.
6. Principle professionalism is a principle that prioritizes expertise based on a code of ethics and statutory provisions.
7. The principle of accountability is the principle that determines that every activity and the final result of state administration activities must be accountable to the community or the people as the holder of the highest sovereignty of the state following the provisions of the legislation.
8. The principle of effectiveness is a goal-oriented principle that is effective and efficient.
9. The principle of justice is that every action in the administration of the

state must reflect proportional justice for every citizen.

In regional autonomy, the administration of regional government must be based on a system of good governance management based on transparency, accountability, effectiveness, and efficiency.

Residue The field and type of authority will certainly be able to meet the demands, interests, and needs of public services in the working area of the sub-district in the district. Then the area of authority is determined by a decree or regent's regulation and implemented.

Furthermore, periodic monitoring and evaluation are carried out to be able to increase, add or even withdraw if the delegated authority is no longer relevant to be carried out by the sub-district. By delegating some of the regent's authority to the sub-district head, it is hoped that the Camat will be able to optimize services to the community, which will have an impact on the empowerment of sub-districts and strengthening of sub-district institutions. The closer the service to the public, the faster, more precise, and more efficient service will be provided to the community so that the community can save energy, costs, and time because they no longer have to go to the district to take care of their needs and interests. Efforts to bring services closer to the community through the delegation of authority are expected to gradually change the paradigm of public services at the local level and change the image of government services which are considered too bureaucratic, rigid, and slow in the eyes of the public so far. Closer and better public services are expected to create community satisfaction which in turn will have a strong impact on the economic and socio-political aspects of local governments.

Definition of Municipio

Município is a word adopted from the Portuguese language and comes from the Latin *municipio* which is defined as follows: *Um município é uma divisão administrativa com estatuto corporativo e que, geralmente, possui governo e (ou) jurisdição próprios. O termo município também é usado para significar a instituição condutor de um município, como uma prefeitura. Next Um município é uma subdivisão administrativa de uso geral, ao contrário de um distrito, que tem fins especiais. O termo é derivado do francsmunicipalite e do latimmunicipium, antiga designação romana. um território dotado de personalidade jurídica e de certa autonomia, constituído por órgãos administrativos e políticos. Quando o território é designado pelo termo municipalidade, muitas vezes se implica que ele não tem, de fato, personalidade jurídica. Por "município", entende-se o espaço territorial político, por vezes com zona rural e urbanizada, dentro de um Estado e administrado por uma prefeitura.*

That the City Government and Regional Government are State Local Administration services that aim to ensure the implementation of state administration functions. at the municipal level and the administrative level and which are hierarchically and organically dependent on board members. The government is responsible for simple State Administration at the more specialized regional level (Município). As stated in Article 4 decreto Lei no.3/2016, and Article 6 states the Central Government and Local Governments, their mission is to ensure the performance of State administrative functions through the implementation of Government policies and programs at the local level.

Regional Government Administration System

Timor Leste is a country whose territory is divided into regions and districts. The district area is further divided into sub-

district areas. In the process of administering the regional government, there is what is called regional autonomy. Regional autonomy is the authority to regulate local government affairs according to their initiatives based on the aspirations of the community. Thus, decentralization embodies the autonomy of the local community to solve various problems and provide welfare services for the community concerned. The role of local governments is very important in accelerating the development of underdeveloped areas.

To optimize its role, local governments also need to encourage the participation of other competent parties in efforts to accelerate the development of underdeveloped areas, such as the private sector and non-governmental organizations. Regions also need to encourage coordination and cooperation between regions involving two or more different regions. It is also important to note that the local government is prepared to provide data and information that is easily accessible to the public and to act as a consulting partner in the process of accelerating the development of underdeveloped regions.

The government of the Unitary State of Timor Leste adheres to the notion of democracy so that all authority belongs to the people. The country of Timor Leste, which is large and geographically wide and consists of an area bordered by the sea, will not be able to implement democracy centrally. Therefore, the constitution of the Republic of Timor Leste in 2000 regulates regional government. As a constitutional juridical consequence, a regional government is formed which is regulated by legislation. As for the conditions, it can be said that a country must have 3 elements, namely the first is the existence of territory, the second is the people, and the third is the existence of a sovereign government.

Government decentralization whose implementation is realized by granting

autonomy to regions to enable these regions to increase the efficiency and results of government administration in the context of providing services to the community and implementing development. Thus, regions need to be given the authority to carry out various government affairs as their household affairs and at the same time have regional income but at this time it has not been implemented or implemented due to the absence of regional regulations and others.

The implementation of autonomy has the principles of democracy, broad autonomy and broad authority, justice, distribution of power, regulation of authority, and respect for indigenous rights. Thus, it is one of the principles of implementing state government which emphasizes the granting of authority by the state to regions to regulate and manage the interests of local communities.

The district government is a combination of several sub-districts in the vicinity. The district government (pemkab) is led by a regent. In carrying out his duties, the regent is assisted by a deputy regent and regional officials. Districts are administrative divisions under *municipalities*.

Municipal government is the division of administrative areas under municipalities which are equivalent to districts. Like regencies, municipal areas or often also referred to as cities consist of several regions. The city government is led by a regent who is assisted by a regional artist secretariat and other regional officials.

Placement Concept Overview

The definitions of placement according to several experts are as follows:
According to Irham Fahmi (2017), "placement is the assignment or reassignment of an employee to a new job. Most placement decisions are made by this manager."

According to Danang Sunyoto "placement is the process or filling of positions or reassignment of employees to new tasks or positions or different positions". Based on the above definition, it can be understood that placement is the process of filling a position or reassigning an employee to a new job or position.

According to Hasibuan, "employee placement is a follow-up to the selection, which is placing the accepted employee candidate (passing the selection) in the position/job that requires it and at the same time delegating authority to that person".

According to Sikula, "placement means matching or fitting a person's qualifications and jobs requirement".

According to Mathis and Jackson, "placement is putting someone in the right position". According to Rivai, "employee placement means allocating employees to certain work positions, this is especially true for new employees. For old employees who have occupied positions or jobs including the target of the employee placement function in the sense of maintaining their position or transferring to another position, placement in this connection includes promotions, transfers, and demotions.

According to Sastrohadiwiryo, "employment placement is the process of assigning tasks and jobs to workers who pass the selection to be carried out according to a predetermined scope and can account for all risks and possibilities that occur in their duties and work, authorities, and responsibilities.". According to B. Siswanto Sastrohadiry, quoted by Suwatno, defines that "Employee placement is to place employees as elements of implementing work in positions that are by their abilities, skills, and expertise". According to Yuniarsih and "employee placement is not just placing, but must match and compare the

qualifications of the employee with the needs and requirements of a position or job so that the right man on the right job is achieved.

Research methods

The type of research used in this paper is the type of normative law. The normative legal research method or the library legal research method is a method or method used in legal research that is carried out by examining existing library materials. In this paper, the problem approach used is the normative juridical approach, the statutory approach, and the legal concept analysis approach. In research, there are usually three types of data collection tools, namely the study of documents or library materials, observations or observations, and interviews or interviews. The analysis of the legal materials that have been obtained is carried out by description, argumentation, and analysis.

Types of Research and Approaches

This type of research is normative research conducted by analyzing secondary data or primary legal sources and supported by secondary and tertiary legal sources.

The approach used in this research is;

- a. The statute approach _ _
- b. Conceptual approach (conceptual approach)
- c. Pragmatism approach and
- d. Comparative approach

Of these several approaches, each has material and formal uses. The use of a legal approach to analyze the legal basis and normative conditions underlying the administration of administrative decentralization in Timor Leste. The conceptual approach is used to help explain several concepts related to the decentralization and decentralization system in the RDTL government, pragmatism and comparison approaches are used as analytical tools in comparing the direct benefits or benefits of implementing decentralization and decentralization of

government when viewed from a direct comparison with systems in other countries.

Legal Material Collection Techniques

Legal materials that are considered relevant are collected, then coded and arranged systematically according to the needs of the thesis preparation. For example, the collection of legal materials begins with an inventory activity, with the collection and organization of legal materials into an information system, thus facilitating the retrieval of these legal materials. These legal materials are collected using a documentation study, namely by recording primary legal materials and secondary legal materials, then inventorying relevant legal materials by recording or quoting using a card system.

Legal Material Analysis Techniques

The legal materials that have been collected and systematically arranged are analyzed according to the sequence of research writing problems, starting from the main problem to the sub-sub-problems systematically and logically. other;

1. Di script technique is a basic analytical technique that cannot be avoided using it. Description means an actual description of a condition or position of legal or non-legal propositions
2. Perspective EngineeringThe research approach used by the author in writing this law is the statute approach and literature.
3. Evaluation technique is an assessment of right or wrong, agree or disagree, true or false, valid or invalid researchers on a view, proposition, statement of formulation of norms, decisions both listed in the primary and in secondary legal materials.
4. The argumentative technique cannot be separated from the evaluation technique because the assessment must be based on reasons that are

legal reasoning, the more it shows the depth of legal reasoning.

5. Comparative Engineering, Juridical qualitative data analysis to discuss
6. research materials whose data leads to studies that are qualitatively regarding the principles, the rules, and the understanding of the legal understanding related to the implementation of the principle of horizontal separation.

DEVOTION OF AUTHORITY OF THE CENTER TO REGIONS IN THE APPOINTMENT AND PLACEMENT OF CIVIL SERVANTS ACCORDING TO EACH EXPERTISE

Source of Authority

In the rule of law, the principle of legality is known which is the main pillar and is one of the main principles that is used as the basis for every administration of government and state in every state of law, especially for countries of law and the constitutional system. Philipus M. Hadjon argued that authority was obtained through three sources, namely; attribution, delegation, and mandate. Attribution authority is usually interpreted through the division of state power by the constitution, delegation and mandate authority are powers that come from delegation.

The difference in the delegation's authority is that there is a transfer or transfer of existing authority, or in other words, the transfer of attribution to officials under it accompanied by a transfer of responsibility. Meanwhile, in the mandate authority, namely in this case there is no recognition of authority or transfer of the hands of authority, only internal work promises between the authorities and employees (there is no transfer of responsibility or permanent responsibility to those who give the mandate). Each authority is limited by content or material, region, and time. Defects in these aspects lead to defects in authority (onbevoegdheid) which involve

defects in the content, defects in the territory, and defects in time.

In the RDTL constitution Article 2 paragraph (1) and paragraph (2) and Article 6 paragraph (1) imply that the administration of government must be based on the law and provide guarantees for the basic rights of the people. The principle of legality is the basis for the legitimacy of government actions. In other words, every state and government administration must have legitimacy, and legality, namely the authority granted by law. Authority (authority, gezag) itself is formalized power for certain people or power over certain areas of government originating from legislative power or the government. Indeed this seems somewhat formal legality. Law in its original form is limiting the power and seeks to allow for a balance in social life. While authority (bevoegdheid), is the ability to carry out certain legal actions.

SF Marbun said that authority means the ability to carry out a public legal action, or juridically is the ability to act given by the applicable law to carry out legal relationships. In the concept of a state of law, the authority of government comes from the laws and regulations. This means that whenever there is authority, it must be sourced from laws and regulations so that in a country that declares itself to be a state of law, the principle of legality will become one of the main principles that are used as the basis for the administration of government, especially for countries that adhere to the "civil law system". (Continental Europe).

The ability to be able to carry out these desires is caused by physical strength, psychological superiority, or intellectual ability. A person's power will increase if he gets a response from a group dedicated to realizing his goals. The root of power is the desire to dominate others and subject them to their influence. According to Bagir Manan, in constitutional law, power

describes the right to act or not to act. Authority means rights and obligations. In Article 115 paragraph (2) paragraph a), the Constitution mentions submitting draft laws and draft resolutions to the national Parliament, which means giving the government the authority to form Government Regulations instead of Laws in the event of compelling interests, this is reinforced by Article 116 paragraph (C) mentions ratifying draft laws and proposed resolutions.

Decreto Lei No. 3/2016, 16 Março *Statuto das administradores municipais das autoridade municipais e do Grupo tecnico inter ministerial para descentralizaun administrativa* Administrasaun municipio or autoridade municipio and the Inter-Ministerial Technical Group for Administrative Decentralization then in accordance with the RDTL constitution determine, in paragraph 1 Article 5, that the State respect in the territorial organization the principle of decentralization in government. The constitution stipulates, also, in Article 72 paragraph (1), the existence of a Regional Government, formed by a legal entity of a region, which is endowed with a representative body, to organize citizen participation in solving problems in the community and promoting local development, without prejudice to state participation.

The National Development Strategic Plan (*Plano Estrategia Desenvolvementu national* (PEDN) 2011-2030) sets out four objectives to be achieved through the administrative decentralization policy, namely:

1. Private sector development in rural areas;
2. Creation of new opportunities for democratic participation;
3. Promotion of strong state institutions;
4. Formation of services that are more effective, efficient, and equitable to the public.

However, it is recognized that achieving the goals proposed by PEDN 2011-2030 for a policy of decentralization of administration, i.e. through the introduction of a new level of municipal governance, requires some preparation time for capacity building of Local Governments, namely through the introduction of management systems, processes and procedures of public and democratic governance at the local level. and through the design and implementation of human resource capacity development measures influenced by local administration agencies and services gradually becoming autonomous from the Central government and settling as local government institutions and services.

The reforms pursued through Decreto Lei No.3/2016 introduced the basic meaning of a gradual transition strategy for City Government and Local Government services to the scope of Local Power, through three basic phases:

1. The administrative deconcentration phase, in which services will be established administratively, under the Direct Administration of the State, is endowed with organic structures, administrative systems, and human, material, and financial resources capable of ensuring the provision of quality goods and services.
2. The phase of institutional administration decentralization, in which City and Municipal Administration services move from the environment from Direct Administration to Indirect Administration, starting to ensure that the provision of local public goods and services is only subject to the supervision of members of the Government; and finally,
3. The decentralization phase of the territorial administration of the City Government and local government was transferred to the Autonomous Administration, becoming

dependent on the representative bodies of the Regional Government.

Strengthening the authority, competence and power of regional government heads must be accompanied by strengthening mechanisms to strengthen accountability, not only through the instruments already established for this purpose, namely through the service of the national supervisor (*inspector general*), but also through the supervision of the *municipal Camara*, established based on the provisions of Lei no. 4/2014, January 22, *estabelece a estrutura administrativa* which regulates the elaboration of competencies to enable democratic participation of citizens in the areas of local government, monitoring the activities of City Governments, and Local Governments and provides to the *Municipal Administrator* and *Presidente autoridade municipal*, the council which proved useful and timely for the progressive increase in the provision of public goods and services at the local level and for the promotion of local development, meaning the delegation of duties and responsibilities from the central government to the regions must be based on legal provisions.

The Regional Administration Reform also provides for the establishment of administrative services, within the scope of *infra-municipal territorial jurisdiction, endowed with an organic structure and a legally guaranteed framework of administrative powers that guarantee the implementation of the principle of the proximity of Public Administration services to the population, as provided for in paragraph 2 of Article 137 Constitution of the Democratic Republic of Timor-Leste, and the so-called Posto Administrativo Administration. The Posto Administrativo Administration will be led by the Posto Administrativo Administrador, who is recruited through a merit-based selection process.*

Similarity, in fact, to what will also happen with the other management position holders and heads of City Administration Administration. Aiming to promote gender equality in filling management and leadership positions within the scope of the Regional Government, the city remains. A minimum of 30% to fill the position by a female government employee.

Finally, acknowledging the important work that has been developed over the last two years by the Inter-Ministerial Technician Workers group and by the Permanent Technical Group for the harmonization of the administrative deconcentration strategy, outlined by the respective government departments, with the Government's administrative and administrative decentralization deconcentration strategy, as well as the important contribution that these agencies can continue to provide technical coordination in the process.

The regional deconcentration is to be carried out, by the inter-Ministry Technician group or groups for Administrative Decentralization and, within it, the Permanent Technician group, whose composition is in line with the structure of the VI Constitutional Administration and the range of skills is expanded with Lei No. 4/2014, dated January 22, in connection with the general and institutional provisions of Article 1 of this Decreto lei No.3/2016 stipulates the principles and rules of the organization, competence, and functions of the City Government. Here in after Article 6 Decretu Lei no 3/2016 to ensure the performance of the administrative functions and actions of the State through the implementation of Government policies and programs at the local level.

About the regulation of the performance of administrative functions in Article 6 Decreto lei no. 3/2016, based on Article 103 of the Constitution, the government is a sovereign body responsible for the direction

and implementation of state general policies and is the highest general governing body, subject to and accountable to Majelis s. Article 107 of the Constitution the government is responsible to the President of the Republic and the National Parliament for the direction of domestic and foreign policies, following the constitution and other laws of the National Parliament, and is obliged to carry out the decisions of the Parliament. So the Prime Minister is the highest general government administrator.

According to Toha, in public policy and good governance written by Artifin Tahir, defines government policy as an authoritative allocation for the whole community so that everything the government chooses to do or not to do is the result of the allocation of these values. Meanwhile, Koontz and O'Donnell define policy as a general statement of understanding that guides the mind in decision-making. Meanwhile, according to Anderson, policy is an action that has a purpose that is carried out by an actor or several actors to solve a problem.

Furthermore, Anderson classifies policies, policy, into two: substantive and procedural. The substantive policy is what the government should do, while the procedural policy is who and how the policy is implemented. This means public policies are policies developed by government agencies and officials.

Furthermore, it is said that there are four things related to public policy. First, a goal or goal-oriented activity should be the primary concern of random behavior or sudden events. Second, a policy is a model pattern of government officials' actions regarding their discretionary decisions separately. Third, policies must include what governments do, or what they say they will do. Fourth, the form of public policy in its positive form is based on legal provisions and authorities. The purpose of public policy is to achieve public welfare

through policy products made by the government.

Meanwhile, the contents of the policy include the following: interests affected by the policy; the type of benefit to be generated; desired degree of change; desired change position; program implementers; deployed resources.

Widodo also sees policy implementation as an activity. The implementation activities cover the following aspects:

- a) *Organizations; The establishment or rearrangement of resources, units, and methods for putting a policy into effect ;*
- b) *Interpretation; The translation of language (often contained in a statute) into acceptable and feasible plans and directives;*
- c) *Applications; The routine provision of service, payments, or other agreed-upon objectives or instruments.*

Central and regional government authorities

Discussion of the 2002 RDTL Constitution Article 115 concerning the authority of the government to determine and implement general state policies after being ratified by the national parliament, to guarantee the use of citizens' basic rights and freedoms, to guarantee public order and social discipline, to prepare a general guideline for the state budget and state revenues. implement it, after being ratified by the national parliament, and regulate the activities of the economic and social sectors.

The relationship of authority between the Central Government and the Regional Government Authority comes from the basic word "authority" which in legal language is not the same as power (Macht). Power only describes the right to do or not

to do. Power is the ability to carry out the will. In law, authority as well as rights and obligations (Rechten en plichten) Fauzan in Diponlo about regional autonomy, right implies the power to regulate itself (selfregelen) and manage itself (self besturen). While the obligation has two meanings, namely horizontal and vertical. Horizontally means the power to administer the government as it should. And authority in a vertical sense means the power to run the government in an orderly state government bond as a whole.

Based on this, there are three models of the relationship of authority between the central government and local governments, namely:

1. Model relative autonomy, this model provides freedom to local governments, and at the same time, the same does not deny the reality of the state. The emphasis is on giving local governments freedom of action within the framework of predetermined powers and obligations.
2. The agency model is a local government model that is seen primarily as an agent for implementing central government policies.

Thus, the relationship of authority between the central government and local governments must pay attention to aspects of democracy, justice, equity, as well as potential and diversity, and broad, real, and responsible autonomy. By the Timor Leste Constitution Article 117 (paragraph 1) letter e and (paragraph 2) letter a and b, to ensure harmonious relations between the central government and regional governments as well as between regions.

The authority of the regional government is to plan and control development, plan, utilize and supervise spatial planning, maintain public order and public peace, provide public facilities and infrastructure,

handle the health sector, organize education and allocate human resources, tackle social problems, and serve the manpower sector. Governmental Authority In the formation of laws under the constitution of the RDTL state sovereignty institution, there are four (4) (Article 67) state power institutions, namely; President of the Republic (Article 74 and Article 85 of the President's authority) National Parliament (Article 92 and Article 95 of parliament's authority) Government (Article 115) judicial institutions (118) based on the state's sovereign institutions each carry out their respective functions of authority based on the principle of separation of powers (Article 69), namely, there is a vague norm, because of the power of the Legislative institution based on the RDTL Constitution, there are two (2) institutions, each of which has the authority to formulate laws, namely the Legislative and Executive Institutions, which are regulated in Article 92, concerning the authority of the Parliament, Article 115. Concerning the authority of the Government, Article 96 of licensing legislation from the Legislature to the government (Norma is vague), and Article 97 concerning Initiatives of Law (Norma is empty)P). Sociological1. The formation of laws by the government can guarantee the existence of elements of benefit to the community.2. The laws formed by the government can be realized from the state's goals, namely the welfare and prosperity of the people.3. The law that is formed can create legal certainty for the community (P). TheoreticalBased on the Trias politica theory regarding the separation of state power into three (3) institutions, namely the Legislative Institution; Executive, and Judiciary, each institution carrying out its functions, there must be no interference between one institution and another.

Timor-Leste is a democratic legal state, as stipulated in Article 1 paragraph (1) of the Constitution of the Democratic Republic of Timor-Leste which states, "The Democratic

Republic of Timor-Leste is a democratic, sovereign, independent and united State, based on the force of law, the will of the people, and respect for human dignity.

The Authority of State Institutions in Forming Laws Based on the Constitution of the Democratic Republic of Timor-Leste" is carried out by examining the problems, based on legal scientific aspects, namely: legal philosophy, legal theory, and legal dogmatics.

Philosophical aspect, the authority to form laws is the attribution authority obtained through the constitution. From an ontological perspective, in the context of a state of law, the sources and limits of power are determined by the law and must be used within the legal framework. Epistemologically, to avoid the accumulation of power that can lead to acts of abuse of power, the concept of a state of law also requires a separation or division of power. From the axiological aspect, decisive power is not only obtained by subjugating the weak party through physical strength but lies in the power of the people's voice through a democratic system.

Theoretical aspects, the authority of state institutions in the formation of laws and the development of human rights, democracy, and power-sharing, can be justified through several theories, namely: trias politica theory, government system theory, authority theory, and legislation theory.

The juridical aspect, the division of authority of state institutions in the formation of laws, according to the provisions of Article 69 of the 2002 RDTL Constitution states that state institutions in carrying out their respective functions must follow the principle of separation of powers, and the principle of separation of powers in question, that state sovereignty institutions, must be separated both in form

and in carrying out their respective functions.

Sociological aspect, the government's authority in carrying out its duties and functions as a public service is not efficient, because the government as an executive institution as well as a legislative body, will have an impact on the abuse of authority and arbitrariness in carrying out its functions.

Many laws or statutory regulations produced by the two state institutions (National Parliament and Government) fail to be implemented or are ineffective. The ineffectiveness of the statutory regulations is because the legal norms are unclear "unclear norms", giving vague delegation of authority, or are too broad (blank delegation) to provide opportunities for corruption, collusion, nepotism, abuse of authority, or government arbitrariness. It should be remembered that legal norms, which have a clear formulation, are still being deviated. Therefore, it can be understood that the ineffectiveness was caused because the design was carried out unilaterally for purely political interests so it was rushed even without the support of the people and adequate legal materials, causing turmoil and even being rejected because of its repressive characteristics.

Jeremy Bentham in his book on the theory of legislation, states that the laws adopted from other countries to be applied in the country are not under the reality of the people in that country. Because the laws in other countries are formed based on the needs of the people of the country concerned.

The concept of Timor-Leste also has the goals and ideals of the State as also regulated in the provisions of Article 6 of the RDTL Constitution regarding the objectives of the state "Objectivo do Estado". Therefore, the concept of the rule of law in Timor-Leste is based on several

elements of the rule of law which are based on philosophical, sociological, and juridical foundations as follows:

1. The philosophical element of "respect for human dignity" means that the State upholds the values and norms that have been adopted by the community as ancestral inheritance inherent in every citizen, as in the provisions of Article 2 paragraph (4) explains that, "The State will recognize and respect Timor-Leste's norms and customs that are not in conflict with the constitution and any other laws specifically relating to customary law
2. The sociological element of the people's desire in the sense that, the process of administering the government to prosper the people's wishes, as stipulated in Article 6 paragraph (1) of the State's objectives in section (b) explains that, "To guarantee and promote the rights and freedoms of the people, the human rights of citizens and respect for the principles of a democratic state based on the force of law;
3. The juridical element contains "sovereignty of law" in the sense that the State of Timor-Leste is a State based on the power of law (rule of law). Therefore, every act of administering state government must be based on the law (the principle of legality). Thus, the principle of checks and balances can be guaranteed properly.

The authority of state institutions in the formation of laws, philosophically, it is necessary to build a democratic culture and appropriate institutions for a rule of law, where respect for the constitution and democratically elected institutions is an unquestionable foundation. By interpreting the deep feelings, ideals, and belief in God of the people of Timor Leste;

Concerning the formation of the constitution in Timor-Leste, there are two state institutions, each of which has the authority to form laws, namely; legislative and executive bodies as stipulated in Article 95, Article 96, Article 97, and Article 115 paragraph (3) of the 2002 RDTL Constitution.

Sharing of content between the National Parliament and the Government;

1. The material content of the law from the National Parliament as stipulated in Article 95 is called *projetu da lei*. Send;
2. The content of the law from the government as stipulated in Article 96 is called *the proposta da Lei*. In addition, in Article 115 paragraph
3. AuthorityThe government exclusively makes laws that regulate the procedures for the implementation of its government, either directly or indirectly, which is called *Dekreto da Lei*.

Good laws and regulations are regulations that can fulfill a sense of justice and guarantee legal certainty and meet the expectations and demands of the community. That is, the regulation must fulfill an individual sense of justice as well as a sense of social justice, as well as legal certainty. Normatively, the meaning of statutory regulations is all general binding regulations issued by the House of Representatives together with the Government both at the central and regional levels as well as decisions of the State Administration Agency or Official at the Central, Central, and Regional levels which also generally binding.

Enforcement of the Proposed Bill; In the provisions of Article 73 of the RDTL Constitution, the promulgation of laws and decisions; paragraph (1) that, laws and decisions will be published by the sovereign bodies in the State Gazette. With

the enactment of the RDTL state law, it can be explained as follows:

1. Philosophical Foundation; Philosophically, the authority of state institutions in the formation of laws is a supporter of the implementation of development in the field of constitutional law and is the embodiment of efforts to achieve the nation's goals as mandated in the constitution.
2. Juridical basis; Legislation in the State of Timor-Leste, the content of the law is specified in Article 95 paragraph (2) and Article 96 paragraph (1), and Article 115 paragraph (3) of the 2002 RDTL Constitution.
3. Sociological Foundation; The authority of state institutions in the formation of laws, as one form of legislation departs from the reality that exists in society.

The enactment of the law is one of the requirements for a democratic rule of law, therefore, any laws, decisions made or issued by authorized officials or state institutions, laws, and regulations that can be enforced must be enforced. published in the State Gazette (Journal da Republika).

Based on the description of the discussion of the three problems above, it can be concluded as follows:

1. The philosophical consideration of the division of authority of state institutions, in the State Constitution of the Democratic Republic of Timor-Leste, is to avoid the accumulation of authority in one of the state institutions, which can lead to acts of abuse of power. Considering that the Democratic Republic of Timor-Leste (NRDTL) is a state of law, to obtain and use its authority and boundaries, it must be regulated so that it can be accounted for according to the laws and regulations, and in addition, so

that there is mutual control between state institutions. each other, to ensure a system of checks and balances.

2. The division of authority The contents of the Law between the National Parliament and the Government are:
 - a. The contents of the Law fall under the authority of the National Parliament as stipulated in paragraph (2) Article 95 of the RDTL Constitution, hereinafter, Parliament The National has the authority to submit a bill through a law initiative as follows: regulated in Article 97 paragraph (1) of the RDTL Constitution
 - b. The content of the Law from the Government;

In the provisions of Article 103 of the 2002 RDTL Constitution, the Government is the sovereign body responsible for the direction and implementation of the state's general policies and is the highest general government body. Furthermore, Article 115 paragraph (3) the Government has the exclusive authority to form regulations governing the procedures for implementing government either directly or indirectly. In addition, in the provisions of Article 96, the National Parliament may allow the government to propose a law on the subject matter regulated in paragraph (1), through a legislative initiative as regulated in Article 97 of the 2002 RDTL Constitution.

3. The validity of the proposed legislative licensing bill depends on:
 - a) The term of office of the legislature, meaning when in transit; President The Republic dissolves the National Parliament,

- then the proposed bill cannot be continued, and/or
- b) The term of office of the Government, that is, when in the course of government; The President of the Republic dissolves the Government and dismisses the Prime Minister, the proposed legislative licensing bill cannot be continued.
 - c) When the legislative permit bill proposed by the Government is rejected twice in a row by the National Parliament.

Based on the presentation of the material above, suggestions can be given to parties who play a role in the formation of the law of the State of Timor-Leste, both those who are directly or indirectly involved in the process of forming the law, to consider the following matters:

- 1) It is necessary to make amendments to the constitution, to clarify the division of authority of state institutions based on the principle of separation of powers or division of powers so that in carrying out their functions, they can avoid abuse of authority and guarantee the principle of checks and balances. noa description of the division of authority of state institutions in carrying out their functions, so that the sentences become unclear which has an impact on the abuse of authority, and arbitrariness so that in the end the practice of criminal acts of corruption occurs; overlapping authorities that have an impact on the governance process.

It is necessary to enact a law to limit the licensing of legislation from the National Parliament to the Government, so that the Government in carry out the law following its authority, with the aim of:

- 1. To regulate the material content of the law that is given to the executive, so that in the implementation of its function as a law-implementing institution it can be carried out effectively and efficiently.
- 2. It is necessary to form a law regarding the hierarchy of laws and regulations, to determine the content of each level of legislation that is formed, and to avoid conflict of norms, the ambiguity of norms, and the vacuum of norms.
- 3. It is necessary to form a national legislative body to draft a bill on the content of the material which is under the authority of the National Parliament and the Government, so that there is a clear division of authority to propose the material of the bill between the National Parliament and the Government.

The Authority of State Institutions in Forming Laws based on the Constitution of the Democratic Republic of Timor-Leste is the statedemocratic law,as stipulatedin the OpeningConstitution of the Democratic RepublicTimor-Leste that, "it is necessary to build"a democratic and institutional culture thatin accordancefora rule of law, where respect for the constitution and democratically elected institutions is an unquestionable foundation. By interpreting the deep feelings, ideals, and belief in God of the people of Timor Leste."

In the dissertation title "The Authority of State Institutions "in Formation of Laws Based on the Constitution Republic Democratic Timor Leste "In this study, an assessment of the problem was carried out, based on the legal scientific aspects, namely: legal philosophy, legal theory, and legal dogmatics.

Aspect philosophy, the formation authority of the law is the attribution authority obtained through the constitution. From side ontology, in the context of the rule of

law, the sources and limits of power are determined by the law and must be used within the legal framework. Epistemologically, to avoid the accumulation of power which can lead to action abuse of power, then in concept state of the law is also required to existence separation or distribution of power. From an aspect axiological, Decisive power is not only obtained by subjugating the party whois weak through strength physique but lies in the power of the voice of the human conscience.

Aspect theoretical, authority institution country information Constitution and development human rights, democracy, and division power, can be justified through several theory namely: Triassic theory politics, theory authority, and statutory theory.

Aspect juridical, distribution authority institution country in the formation of the law, according to the provisions of Article 69 of the 2002 RDTL Constitution stating that state institutions in carrying out their respective functions must follow the principle of separation of powers, and the principle of separation of powers in question, that the institutions of state sovereignty, must be separated shapely nor in doing their respective functions.

Sociological aspect, the government's authority in carrying out its duties and functions as a public service is not efficient, because the government as an executive institution as well as a legislative body, will have an impact on the abuse of authority and arbitrariness in carrying out its functions.

Starting from the description above then, the authority of State institutions in the formation of laws is limited to the authority of the legislative body and the authority of the executive in formulating laws based on the RDTL Constitution. The philosophical basis of the authority of State institutions in

the formation of laws is based on the Constitution of the Democratic Republic of Timor-Leste in the Division of authority on the material content of the law between the National Parliament and Government. Applicability of the proposed draft law based on the Constitution of the Democratic Republic of Timor-Leste

The philosophical, theoretical, juridical, and sociological rationale for the authority of State institutions in making laws, both legislative institutions and executive agencies, and analyze the validity of proposed laws from the National Parliament and the Government. Based on the following problems:

1. Conduct an analysis of the philosophical basis of authority state institutions in the formation of laws based on the Constitution of the country Democratic Republic of Timor-Leste.
2. Conduct an analysis of the nature of the division of the authority of the content of the law between the Parliament National and Government based on the country's the Constitution Democratic Republic of Timor-Leste.
3. Conduct an analysis of the importance of the juridical provisions of the applicable laws formed by the institution executive based on the constitution as well as in the administration of the State Government of the Democratic Republic of Timor-Leste.

Article 69 Constitution RDTL 2002, Principles separation of powers, and Chapter 97 RDTL Constitution 2002, on initiatives Constitution. Furthermore, Article 96 on legislative licensing by Parliament National to the Government and Theory permit charge legislature to the Government as regulated in Article 96 paragraph (1) Letters (a) to (1), and paragraph (3)

Article 96 states that the law on legislative licensing cannot be used more than once and is no longer valid when the Government is dismissed, with the expiration of the legislative term, or with the dissolution of the National Parliament.

Jhony Ibrahim explained that normative law can be used multiple models approaches: 1: Approach regulation legislation (statute approach), approach case (case approaches) approach comparison (comparative approach), historical approach philosophical approach (philosophical approach), and conceptual approach (conceptual approach).

The placements in structural positions that have been carried out so far have taken into account the educational background, experience and competencies possessed while still paying attention to the aspirations that develop in the community and paying attention to community complaints as well as a response to improve service delivery in the future.

This shows that the appointment activities in structural positions also pay attention to the expectations of the community, so it is hoped that the personnel who occupy the structural positions in addition to having competence in their fields also receive full support in the implementation of activities. Complaints submitted by the community are an indicator that the arrangement of the apparatus has not met the expectations of the general public.

IMPLEMENTATION OF ADMINISTRATIVE DECONCENTRATION MUNICIPIO MANATUTO Implementation of Administrative Decentralization

The Decentralization Implementation Process is by the provisions of *Decreto Lei No. 3/2016 alteradu Decretu Lei no. 9/2018 no Segundo Alterasaun Decretu Lei No 3/2016*. The VIII Constitutional

Government is committed to achieving the constitutional objectives related to the process of active administrative deconcentration and decentralization, particularly about creation and establishment. local government was reaffirmed in the 2011-2030 Development Strategic Plan and in particular in the Government Programme, Constitutional Governance VIII. In this regard, a series of concrete actions are assumed to achieve this goal, namely the review of the "legal framework for the organization and functioning" of City Governments and Local Governments, continuing the strategy of decentralizing the administrative framework that underlies the ratification of *Decretu lei No. 3/2016, March 16"*

Decretu lei Decree No. 3/2016, 16 March, created and established the legal framework governing local State administrations, municipalities, and local governments, characterizing the process of their preparation, development, and approval by the search and meeting of aggregation, consensual and transverse solutions to various sectors of Public Administration, at the level political decision-makers, or leading cadres, regarding the mission, functions and set of skills that will be concentrated in directly in the State Local Administration to decentralize in the future in the municipal government as well as in what respects the principles and rules of the institutional organization and functioning of the city administration and city authorities.

Lei Decision No. 9/2018, April 9, the first amendment to Decree *Decreto Lei No. 3/2016, March 16*, is characterized, by operating excessive concentration, on members of the Government who are in charge of the regions. state administration, administrative competence in human resources, formerly left to the city administrator or the president of the city government (without prejudice to being legally associated with the State Civil Apparatus Commission), to operate a

combination of several municipal services, regardless of fulfilling their respective areas of attribution, competence, or their relationship and articulation with government material departments.

Organically competent in this context, a new amendment was made to the Decreto Lei No. 3/2016, 16 March, to restore, albeit in part, to the administrative concentration process in terms of human resources, to resolve legal and operational constraints in terms of the division of competence, organization, and competence in the functioning of municipal services, or in the case of appointing alternate directors and heads, depending on job vacancies or sheer hindrances or absence, or city leaders and heads, whose service commissions are terminated for reasons not expressly provided for in Decree Decreto Lei No. 3/2016, March 16, or an increase in the threshold value until the city administrator confirms regular meetings and functions of the respective municipal advisory councils.

Inter-ministerial Technical Group for Administrative Decentralization. Thus, the Government stipulates, following paragraph 3 of Article 115. and letter d) Article 116 of the Constitution of the Republic, to be valid as a law.

A government with an organic structure that allows it to fulfill the objectives set out for Decree Law n.º 14/2018, 17 August; based on the need to pay attention to the process of administrative deconcentration and transfer of multiple competencies in city administration; municipal governments, whose competence, organization and functions are approved in their legal certificates; third, it is necessary to rationalize the central administration of the State.

The process of governance is one of the benchmarks of democracy. The process itself is closely related to the system of government developed by a country. One

system of government that is widely adopted by the state is that the decentralized system has become an option in the administration of government in Timor-Leste; because since the founding fathers formulated the state format, the concept of decentralization has been accommodated through the Constituição da República Democrática de Timor-Leste (RDTL Constitution). This is by Articles 5, 63, and 72. [32]. This choice in principle has been in tune with the development of globalization.

The phenomenon of globalization which is characterized by a radical level of change, rapid technological developments, and an increasing level of pluralism has resulted in the traditional government is no longer able to accommodate the changes that occur. External parties, the public, and the private sector are needed to assist the government in carrying out public affairs. A new understanding of the meaning of government (from the government to governance) signifies the opening of greater public participation in determining the course of government. In other words, to deal with the various forms of change that occur, responsive, accommodative, and participatory government management is needed.

A centralized government is seen as no longer able to answer the expectations of the community in the future so decentralization appears as a concept that is believed to be able to answer the expectations of the community.

With broad regional autonomy, in many ways, the system is seen as effective because formally, the system guarantees a government that is closer to the people and at the same time can empower the region (empowering). Timor Leste, a new paradigm of local government administration with a decentralized, decentralized system based on Law

Number 3 of 2016 concerning Regional Government.

The issuance of this law can be considered as one of the positive consequences of the reform process since the economic crisis occurred, indicating that there has been a paradigm shift from a centralized government system to a decentralized government system. In this decentralized system, the principle adopted is broad regional autonomy, but its implementation must be based on the principles of democracy, community participation, equity, and justice, and pay attention to regional potential and diversity.

Up to this stage of discussion, it seems that it has triggered an interesting issue that needs to be studied because before reaching this stage, in the three packages of bills that were submitted to the National Parliament, only one bill had been discussed and had been ratified as a law (lei), namely Lei No. 11/2009 on *Divisão Territorial e Administrativa*. Meanwhile, the other two important bills have yet to be discussed by the National Parliament. The question that was then raised was, why has the National Parliament not scheduled a discussion on the other two bills? The answer to this question is on the agenda in the National Parliament itself, because according to Cobb & Elder quoted by Lester & Stewart as saying that the policy agenda is " *a set of political controls that will be viewed as falling within the range of legitimate concerns meriting the attention by a decision making body*".

However, it must also be acknowledged that the process of making public policy, always involves a political process, "who does what and to get what".

Even Islamy (2000) quoted by Kusumanegara said, "actor both from government and non-government are involved with value issues in the policy process"

The system is needed not only as an instrument for implementing government programs in various regions of the country concerned, but it may also be more important as an instrument for local communities to be able to participate in, and determine priorities for their regional development (Devas, et al., 2008). According to *decreto lei No. 3 of 2016 concerning Regional Government*, in carrying out the above government, the government uses the principles of decentralization, co-administration, and deconcentration, meaning that district and city regional governments regulate and manage their government affairs according to the principles of decentralized autonomy, co-administration (*medebewind*), and deconcentration.

This means that Timor Leste has made its choice between a regional government system based on decentralization or a local autonomy approach. Indeed, decentralization is a wave that most countries will almost certainly no longer be able to avoid. The main argument is that local government is an institution that has become a common phenomenon in modern government. In addition, when the wave of democratization tightens, it will almost certainly be followed by a tightening wave of decentralization.

These two waves are inseparable. Democracy means to "hand over" government to the people, and decentralization aims to "bring" government closer to the people. According to Iglesias, this can only happen if decentralization is applied at the level of *political decentralization devolution* which gives birth to autonomous regions, and administrative decentralization which gives birth to administrative regions using the principle of deconcentration. In this context, the purpose of the establishment and the nature of the existence of regional government has at least 2 (two) aspects,

namely politically or administratively. Both of these are very substantial shifts towards a more appropriate application of the principle of decentralization.

Based on the provisions of Decreto Lei No. 3 of 2016, Article 38, Paragraph 1, the tasks and authorities of the Regent are quite complex, because, in addition to the three duties and authorities mentioned above, there are still 16 (sixteen) mandatory affairs that are under the authority of the district government which is affairs on a district scale, including the handling of the health sector, cross-district employment services, and population and civil registration services (Decreto lei No. 3 of 2016, Article 13, Paragraph 1). To be able to carry out the various tasks and authorities assigned to him as well as possible, the district government certainly needs an adequate budget.

The need for this budget causes the relationship in the financial sector between the government (central) and local governments to remain very necessary, such as in the case of the allocation of balancing budgets to regional governments as regulated in Law no. 51/2018 concerning Financial Balance between Central and Regional Governments. The need for an adequate budget for each region is a consequence of the form of granting broad autonomy to regions, where regional authority is getting bigger.

Specifically for the budget (funding) for the implementation of the policy on the delegation of government affairs through the decentralization mechanism (deconcentration programs and activities) in the provinces, or the budget for the tasks and powers of the Governor as stated earlier, is charged to the State Revenue and Expenditure Budget (APBN), and the budget referred to as a deconcentration fund or budget. Concretely, the deconcentration budget policy is a budget originating from the APBN which is carried out by the

municipal administrator and the President autoridade Municipio as representatives of the central government which includes all revenues and expenditures in the context of implementing deconcentration, excluding the budget allocated to central vertical agencies in the regions (Law No. 51/2018, Article 16, paragraph 1). The deconcentration budget policy is part of the budget of the state ministries/agencies allocated based on the ministry's plans and budgets.

The focus of this study is only on the delegation of government affairs which is the authority of the central government carried out by the Ministry of Home Affairs. In contrast to the co-administration budget (funding is allocated for physical programs and activities), funding for programs and deconcentration activities in the regions is only allocated for non-physical activities, such as coordinating planning, facilitation, training, coaching, monitoring, and controlling activities.

Because the deconcentration budget is part of the budget of the state ministry/institution which is allocated based on the plans and budget of a state ministry/institution, other ministries also have a deconcentration budget allocated to the provincial regions after the delegation of authority from the central government through a state ministry/institution.

The powers that can be delegated by the central government to regional governments include some authorities in the fields of foreign policy, defense and security, judiciary, monetary and fiscal, religion, as well as some other areas of authority (national planning and control of macro-national development, financial balance funds, financial system state administration and state economic institutions, development and empowerment of human resources, strategic utilization of natural resources and

high technology, conservation, and national standardization).

Then, based on the results of the monitoring of the Planning and Budget Bureau of the Ministry of Home Affairs in provincial areas, in general, the policy of delegating government affairs within the scope of the Ministry of Home Affairs through the deconcentration mechanism still faces barrier/constraint problems in its implementation by SKPD in the regions. The portrait of the problem in question includes the problem of differences in perceptions of program implementers, sectoral egoism, reporting, and resource issues (risors) for program implementers.

The problem of differences in perception as well as "interest-interest" is between the Government Bureau and the Finance Bureau in the implementation of the program, which among others concerns the appointment of a treasurer who must have a treasury certification and is generally only taken from the Finance Bureau. The problem of "sectoral egoism" is especially desirable that there is a treasurer in each Dinas. Reporting problems arise because reporting has not been implemented. Resource problems (risors) were encountered in the implementation of the deconcentration policy, especially the lack of Human Resources (only relying on the treasurer). In addition, other problems are the lack of supporting facilities and infrastructure, and the lack of funds for the implementation of monitoring and evaluation regularly. "why" it is necessary to conduct a study on the implementation of the deconcentration policy implemented by the Ministry of Home Affairs?

In the context of policy evaluation, evaluation of the second aspect above is referred to as evaluation of policy implementation, while evaluation of the third and fourth aspects is called policy impact evaluation. The four policy aspects mentioned above can encourage someone

who conducts a study to specifically examine the content of the policy content, both from the legal dimension and especially from its logic in achieving goals, as well as the context of environmental policies that affect the entire policy process.

The main theoretical reference needed in carrying out this study activity is the concept of delegation of government affairs through deconcentration mechanisms and the concept of implementing public policies. The two concepts need to be described in "a *set interrelation by the concept*." First, is the Deconcentration Delegation Policy for Government Affairs.

In practice, in administering local government in Timor Leste, the government uses 3 (three) principles, namely: (1) the principle of decentralization, (2) the principle of co-administration, and (3) the principle of decentralization deconcentration (Decretu lei No. 3 of 2016, Concretely, the regulation of local government administration in Timor Leste adheres to three principles (principles), namely: decentralization, co-administration (medebewind), and deconcentration. The implementation of the deconcentration principle and its funding policy, which is the focus of this study, is the embodiment of the theory. Decentralization According to the United Nations (2001), the process of decentralization through delegation to regional officials is a deconcentration principle. In this process or method, the central department delegates authority and responsibility for certain administrative areas without accepting full delegation of powers in terms of administration decentralized administration, or the principle of deconcentration. So, deconcentration is a delegation of implementation authority given to central officials at the local level (deconcentration principle).

In Timor Leste today, the deconcentration policy, which refers to the concept of deconcentration as described earlier, is normatively regulated in Law no. 51/2018 concerning Financial Balance between Central and Local Governments, decretu lei no. 3/2016 concerning Regional Government. Thus, this study also refers to the law from its normative aspect. The articles in the law (as well as the elaboration through PP No. 7 of 2008) are the constitutional basis and operational basis of the deconcentration policy. The philosophical basis of the deconcentration policy is decree lei no 3/2016, which mandates that financial relations, public services, and the use of natural resources and other resources between the central government and local governments are regulated and implemented fairly and in harmony.

The basic considerations and objectives for implementing the principle of deconcentration are:

- a) Maintained the integrity of the State of Timor Leste;
- b) Realization implementation of national policies in reducing disparities between regions;
- c) Realization of harmonious relations between government structures and between local governments;
- d) Identified the potential and maintenance of regional socio-cultural diversity;
- e) Achieved efficiency and effectiveness of the administration of the government, as well as the management of development and services for the public interest of the community; and
- f) Creation of social communication & social culture.

The arrangement for funding the Government's authority through the Timor Leste state budget includes the funding of some government affairs which will be delegated to the President of the municipal autoridade and municipal administrator

based on the principle of deconcentration, and part of government affairs which will be assigned to the Autoridade municipal area. and municipal administrations based on the principle of co-administration.

This is in line with the Decree of Lei Number 3 of 2016 concerning Financial Balance between the Central Government and Regional Government which states that the financial balance between the Government and regional governments is a comprehensive system in the framework of funding for the implementation of the principles of decentralization, deconcentration, and co-administration. Financial balancing is carried out in line with the division of government affairs between the Government and regional governments, which in the regulatory system does not only cover aspects of regional income but also aspects of management and accountability.

In line with this, the delegation of government authority, the delegation of government authority, and assignments from the Government in the context of implementing the principles of decentralization, deconcentration, and co-administration must also be followed by funding arrangements and efficient and effective use of national resources. The deconcentration budget is essentially a part of the ministry/institutional budget allocated to *the Municipio Administrador* as the representative of the Government in the *Municipal Administration area* by the burden and type of authority delegated with the obligation to report and be accountable to those who gave the delegation. In addition, the allocation of deconcentration funds is intended to better ensure the availability of a portion of the ministry/institution budget for the implementation of programs and activities that have been stipulated in the Field Work Plan which refers to the Periodic Work Plan. To achieve the harmony and synergy mentioned above, in the preparation of the

Budget Work Plan for the Field Work Plan, a good communication and planning process must first be carried out between the ministry/institution and the president of the municipal autoridade who will receive the delegation of authority, and with the Municipal Autoridade.

Another view of public policy is that experts pay special attention to the implementation of public policies, namely viewing public policies as government decisions that have certain goals or purposes. That is, public policy is a series of instructions from decision makers to the implementation of policies that explain the goals and ways to achieve these goals (Nakamura and Smallwood in Edward III and Sharkansky, 2004).

In addition, public policy is also considered to have predictable consequences, namely as hypothetical research containing initial conditions whose implementation consequences can be predicted (Pressman and Wildavsky in Edward III and Sharkansky, 2004). So, if we examine carefully the various definitions put forward by the policy analysts above, then in general there are at least 2 (two) views, namely:

1. Public policy is equated with actions taken by the government, where all actions taken by the government can be referred to as public policy; and
2. Public policy is actualized in the implementation of public policies (public implementation), in the sense of a series of instructions from decision makers to the implementation of policies that explain the goals and ways to achieve these goals. The policy of deconcentration in the implementation of district government is a public policy (government) which includes the two definitions above.

Apart from being an action from the central government that allocates deconcentration funds to *the president of the municipal autoridade* as the representative of the central government in the regions, there are also a series of instructions from the central government through the state ministries/agencies for the implementation of the deconcentration fund policy in the regions (President of the Autoridade Municipal and the SKPD) which explains the objectives and means to achieve the objectives of the deconcentration policy. The implementation of the policy for the delegation of government affairs through the deconcentration mechanism within the Ministry of Home Affairs is also following the above concept, namely the implementation of controlling deconcentration policy actions by implementers in the regions (Presidente Autoridade Municipal and SKPD) within a certain time, as an action taken by the government (center) through the Ministry of Home Affairs, which is intended to achieve the objectives outlined in the previous deconcentration policy discussion.

The stage of deconcentration socialization of officials and the community in the Manatuto area

One example of action as a social creature is the existence of socialization in community life. It has become natural that every human being or individual needs a socialization process in carrying out his life, because every individual cannot grow and develop without help or relationships and interactions with other individuals. In other words, through the socialization process, each individual can learn and develop their social behavior patterns in social life.

In addition, the existence of socialization is also a means for each individual to be able to understand and carry out their respective roles and social status. The role and social status also concern the rights and obligations that are adapted to the culture of

each society. Therefore, socialization is an important and very necessary process in people's lives.

Socialization itself is defined as a process of interaction and learning in the individual's adjustment to his environment, both the social environment and the physical environment. The learning also concerns values, norms, habits, to the rules that apply in society, so that each individual can place themselves and carry out what should be carried out. In other words, socialization provides direction regarding various examples of social roles and social status of each individual, so that they can play an active and useful role in their environment.

Meanwhile, according to sociologists, socialization is defined as a concept of a role, in which there is learning about the role of each individual that should be carried out. This role will be useful in the relationship between individuals in the development of a society. Through the socialization process, the behavior patterns and characteristics of a society are usually formed.

Soejono Dirdjosisworo also gave his understanding of socialization, where according to him there are three important meanings in socialization, namely:

- a. The learning process of socialization is a learning process for individuals, where individuals will absorb, filter, retain, and change aspects of themselves based on the way of life and culture of the community concerned.
- b. Habits are included in a learning process, socialization is a means for individuals to learn habits, values, ideas, behavior patterns, and individual compliance in the community concerned.
- c. Attitudes and skills through the socialization of all traits and skills acquired and learned can be

developed and structured as a unit within each individual.

From the explanation above, it can be concluded that socialization is a process of interaction and relationships between individuals that affect the formation of character and adjustment to the community environment. Without socialization, each individual may find it difficult to develop and also to know the role of each other's social status. Because after all the role of each individual in the life of society is very important, whereas the process of socialization has several stages. Some experts also provide explanations regarding the stages of socialization, including the following.

- a. The stages of socialization, in general, can be divided into two types based on the types of socialization, the two stages and types are: Primary socialization is the first stage of the socialization process that will be faced by individuals from birth or children.
- b. Secondary socialization can be interpreted as a second stage for individuals to learn and understand new things. It is at this stage that an individual will learn to recognize the environment outside the family, both regarding the values and norms of society, as well as certain cultures within the community concerned.

From the explanation above, it can be briefly concluded that the difference between primary and secondary socialization is in the environment where the socialization stage takes place, where primary socialization is more in the family environment while secondary socialization is in the environment outside the family or community environment. In addition to the two stages and types of socialization above, several experts also gave their opinions regarding the stages of socialization in society.

George Herbert Mead also argues that each individual develops gradually through a process of interaction in his environment so that the process of socialization cannot be separated from the process of interaction and relationships between individuals. According to him, there are four stages in socialization, namely:

- a. The *Preparatory Stage*, the first stage of socialization is the preparatory stage experienced by each individual from birth. This stage is the stage where an individual begins preparation to get to know the social world or the surrounding environment. These values and norms will also be a guide for individuals to get along in their environment even though it has a very simple context because it is still an early stage of the socialization process.
- b. *Imitate Stage or Play Stage*, If at the preparatory stage the imitation process is not perfect, but at this second stage it has been marked by a more perfect individual imitating the role and behavior patterns of the people around him. In this stage, an individual will begin to understand themselves and be aware of the various activities that take place around them.
- c. *Ready to act or Game Stage*, At this stage, imitation or imitation activities have begun to decrease so that an individual can give a direct and full role in the surrounding environment. In addition, the values and norms of society outside the family environment that are obtained slowly from the previous stages also begin to be understood thoroughly, so that an individual begins to understand and know that there are rules, values, or norms that apply in a certain community environment that must be followed. complied with and enforced.
- d. *Stage of Acceptance of Collective Norms or Generalizing Stage*, At this last stage of socialization, an individual can place himself in the community with full awareness. In addition, there are stages of socialization according to Charles H. Cooley also gave his understanding of the socialization process, where according to him, in every socialization process, social interaction or interaction between individuals is the most important point in it. So socialization cannot take place without a process of social interaction. The stages of socialization according to Charles H Cooley are as follows:
 - a. The first stage is the stage where an individual begins to be able to imagine how they are in the eyes of others around them.
 - b. The second stage is the stage where an individual also imagines how the people around them judge their existence.
 - c. While the last stage concerns how the feelings and actions of an individual as a response or result of the assessments in the previous stage.

Those are the stages of socialization that will usually be passed by each individual in public life, both based on the type of socialization and based on the explanations of experts on the stages of socialization. Thus an explanation of the stages of socialization in society, hopefully, can be useful.

Government is a multi-process system that aims to meet and protect the needs and demands of the governed for public and civil services. According to Taliziduhu Ndaraa, The government is an organ that is authorized to process public services and is obliged to process civil services for everyone through government relations, so that every member of the community

concerned receives it when needed, following the demands of the expectations of the governed. Means the matter, method, struggle, or business of a body that is in power and has legitimacy.

The desire to work is influenced by the existence of incentives such as income or adequate salary under the necessities of life such as clothing, food, decent housing, and other facilities so that a person will pour out his thoughts that he faces. While the quality and ability and skills of work are influenced by education, training, work experience. (Abdurraman The education by Dra. Sanafiah Faisal consists of three types:

- a. Formal Education is a modern education system that is divided into tiered, arranged, and sequentially from elementary to high school and college.
- b. Informal Education, namely through daily experiences and interactions with certain people in the work environment.
- c. Non-formal education is a colorful form of activity organized education that takes place outside the school system.

Deconcentration is the delegation of government authority by the Government to the President of Autoridade Municipal as a representative of the government and vertical agencies in certain areas. Deconcentration and co-administration are carried out because not all government authorities and tasks can be carried out using the principle of decentralization. In addition, as a consequence of the unitary state, all government authorities can't be decentralized and autonomous even in the regions. Co-administration is the assignment from the government to the district to carry out certain tasks.

Strengths and Weaknesses of the Implementation of Administrative Deconcentration.

A. Advantages

In the implementation of the Administrative Deconcentration program, of course, there are the following advantages:

1. Politically, the existence of deconcentration will reduce regional complaints against central government policies;
2. Deconcentration allows direct contact between the government and those who are ordered/people
3. The presence of deconcentration devices in the regions can secure the implementation of central government policies or national policies in the political, economic, and administrative fields
4. Can be an effective tool to ensure national unity and integrity.

B. Weakness.

Of the advantages described above, of course, there are also shortcomings or weaknesses in implementing the administrative Deconcentration program, namely as follows:

1. Due to the large size of government organs, the government structure becomes more complex which makes coordination difficult
2. The balance and harmony between various interests and regions can be more easily disturbed
3. Can encourage the emergence of regional fanaticism
4. The decisions that are taken take a long time
5. It costs more; _
So it is stated in Lei Decree No. 3/2016 as follows:
 - There is no one clear and stable politics regarding Administrative Decentralization
 - No law defines development in the Administrative Decentralization process
 - There is no coordinated and harmonized administrative work at the local level

- Lack of human resources for a person to work in the field of local government administration (lack of human resources)
- There is no single system of processes and procedures regarding local Democratic management

The results of the Implementation of Administrative Deconcentration and Decentralization in Municipio Manatuto are by Decree No. Lei. 3/2016

The result of the implementation of decentralization, decentralization is an implementation that arises from the Diploma Ministerial N.º 48 /2016 de 30 de Setembro *Estabelece os serviços das Autoridades Municipais e das Administrações Municipais e aprova a estrutura funcional.*

With the general provisions of Article 1 Object of this Ministerial Diploma specifically stipulates *Autoridades Municipais e das Administrações Municipais*, regulated by no.1 and 2 articles 3 Decree-Decreto Lei No. 3/2016, 16 March and approved this functional structure, which is set out in Article 2 of the Concrete Establishment of *Autoridades Municipais* They are established in *Autoridades Municipais and Municipal Administrations respectively*, regulated in paragraphs 1 and 2 of Article 3

1. There is already a political and administrative decentralization strategy
2. There has been approval and signing of a uniform and coordinated model of local administration in all districts and national areas
3. Defining work into local administrative activities or interventions a public work material achievement
4. Strengthening local administrative organs for decision making
5. Give or delegate competence to local administrations who prepare

human resources, infrastructure, facilities, and conditions for all needs for concentration.

CONCLUSION

Based on the provisions of decreto lei no 2/2016 de 16 marsu estateuto presidenti das autoridades municipais ou das administrador municipais Article 67 paragraph (1) states that the City Administrator or Mayor requires authorization from the State Civil Apparatus Commission to enter into a temporary employment contract when one of the following situations occurs: The contract is intended for the provision of work of a temporary nature, for the satisfaction of a specific purpose and not permanent, emergency or priority and of a specified duration:

1. Whereas the authority of the regional government to recruit employees can be done if the need for administrative services requires additional staff. This is done within the time limit specified by law.
2. The implementation of decentralization and decentralization is an implementation that arises from the Ministerial Diploma N.º 48 /2016 de 30 de Setembro *Estabelece os serviços das Autoridades Municipais e das Administrações Municipais e aprova a estrutura funcional.* With the general provisions of Article 1 Object of this Ministerial Diploma specifically stipulates *Autoridades Municipais e das Administrações Municipais* , regulated by no.1 and 2 articles 3 Decree-Decreto Lei No. 3/2016, March 16 and approved this functional structure, which is set forth in Article 2 of the Concrete Establishment of *Autoridades Municipais* They are established in *Autoridades Municipais and Municipal Administrations* , *respectively* , provided for in paragraphs 1 and paragraphs2 Article 3 of Decreto Lei No.3/2016, it is

stated in the hirak nebe temi ona progression: Reve ona politic no estratejia decentralizasaun administrative , Aprova ona modelu uniforme no koerente ida ba local administrasaun iha national territory . The definition of ona servisu ba atividade local administrasaun or intervention iha prestasaun beins no servisu publicus . Reforsa ona orgaun local administrasaun sira atu hola desizasaun . Fothe head of the daudaun delegation, the local administrator, ne 'e be prepara ona iha rekursu s u manos, infraestrutura, facilidades no kondisoens hotu ne 'e be mak necessario ba deskonsentrasaun.

SUGGESTION

1. It is recommended to the central government and regional governments the implementation of employee recruitment to carry out their duties and authorities at the regional level, first to harmonizing national laws, especially at the planning stage or drafting a regulation regarding the delegation of authority for the appointment of employees at the regional level, to avoid disharmony of laws and regulations. invitation, so that the right to authority gets protection through a definite law.
2. As a logical consequence of the implementation of deconcentration and decentralization, it is hoped that the central government in the Placement of State Civil Apparatus (ASN) in structural positions in the district must follow the system and applicable rules such as Lei No.5/2009 and Orientação no 1/2010 Funsaun Publica ba selesaun por merito. Factors for the placement of State Civil Apparatus (ASN) in structural positions in the district such as education, knowledge, skills, experience, and age factors

should be given more attention as benchmarks in the placement of State Civil Apparatus (ASN) in officedistrict structure.

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