



Decentralization and Strengthening of Districts in Papua: Analysis in the Perspective of Constitutional Law

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Abstract

This study aims to analyze the weaknesses of district authority in implementing Papua Special Autonomy and its impact on the implementation of government and public services and examine the obstacles in implementing decentralization in Papua, especially related to the position and authority of the district. The research method used in this study is the normative legal research method using a statutory, conceptual, and comparative approach. The results of this study reveal that district authority in implementing the Papua Special Autonomy policy has a crucial role in bringing public services closer to the community and increasing the effectiveness of local government administration. Based on Law Number 2 of 2021 and its derivative regulations (PP Number 106 of 2021 and PP Number 107 of 2021), districts have a strategic role in development planning, regional financial management, and local wisdom-based governance. Meanwhile, the obstacles in implementing Special Autonomy at the district level in Papua reflect broader challenges in the decentralization system and regional governance. Based on an analysis of Law Number 2 of 2021, PP Number 106 of 2021, and PP Number 107 of 2021, the main obstacles faced in the implementation of Special Autonomy in the district include: limited capacity of district officials, less than optimal financial management, weak coordination between institutions, and low community participation in the governance process.

Keywords: Decentralization, Strengthening Districts in Papua, Constitutional Law Perspective

Introduction

Decentralization in Indonesia has given broader authority to regions in regulating and managing government affairs to improve public service efficiency and accelerate equitable development. In the context of Papua, this policy has a special dimension with the implementation of the Special Autonomy (Otsus) policy through Law Number 2 of 2021 concerning the Second Amendment to Law Number 21 of 2001 concerning Special Autonomy for Papua Province (Law Number 2 of 2021) which aims to accommodate the social, cultural,

and political uniqueness of Papua and improve the welfare of indigenous Papuans. (Lele, 2023)

However, although Otsus has given more authority to local governments, implementing this policy still faces various challenges. One of the main problems is the weak role of districts as government units at the intermediate level between regencies/cities and villages (Cahyaningsih & Fitriady, 2019). Districts have a strategic position in government administration because they are closer to the community, but in practice, they often experience limitations in authority, resources, and administrative capacity. As a result, public services and development at the district level are not optimal, contributing to development inequality and low welfare of the Papuan people.

This condition shows that strengthening the district within the framework of Papua's Special Autonomy needs to be considered so that the authority given to Papua through Special Autonomy can be implemented effectively up to the level of government closest to the community. to ensure that the authority given to Papua through Special Autonomy can truly be implemented effectively up to the level of government closest to the community. This strengthening includes increasing administrative authority, more proportional budget allocation, and increasing human resource capacity at the district level. Thus, districts can carry out more effective government functions in providing public services, empowering indigenous communities, and ensuring that Special Autonomy policies can benefit the Papuan people.

From a constitutional law perspective, a study of existing regulations is needed to understand the extent to which district authority can be strengthened to improve the effectiveness of local governance. can be optimized to provide greater authority to districts to improve the effectiveness of local governance (Sujono, 2022). Therefore, this study focuses on the analysis of constitutional law on decentralization and strengthening districts in Papua in order to understand the existing challenges and formulate solutions that can strengthen the effectiveness of regional government administration in this region. (Sujono & Nugroho, 2023)

This study aims to analyze the weaknesses of district authority in implementing Papua Special Autonomy and its impact on the implementation of government and public services and to examine the obstacles in implementing decentralization in Papua, especially related to the position and authority of the district. In contrast, the Benefits of the Research are first Academic benefits, namely providing scientific contributions to the study of constitutional law and decentralization, especially in the context of implementing Papua Special Autonomy. The second is Practical benefits, namely providing policy recommendations for local governments and related stakeholders to strengthen the role of districts in governance in Papua, and the third is Social benefits: Supporting increased effectiveness of public services and community empowerment in Papua by strengthening the role of districts as government units that are closer to the community.

Literatur Review

1. Decentralization and Regional Autonomy

- a. Decentralization. Decentralization, according to (Rondinelli, 1981), includes devolution,

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namely the granting of authority to regional governments, in this context, delegation as the granting of tasks to local administrative units, and deconcentration is the transfer of tasks from the center to the regions without providing full autonomy. Meanwhile, Smith (1985) stated that the success of decentralization depends on the capacity of regional governments, political support, and a clear legal system. In the context of Papua, this theory helps understand the limitations of districts in obtaining sufficient authority in the Special Autonomy system.

- b. Regional Autonomy. According to (Cheema & Rondinelli, 1983), regional autonomy can be assessed based on the political, administrative, and fiscal dimensions given to regional governments. In Papua, this theory assesses the extent to which districts have sufficient authority to carry out government functions effectively in the Special Autonomy system.
2. Policy Implementation. (Van Meter & Van Horn, 1975) Describes the main factors in policy implementation, such as policy standards and objectives, resources, inter-organizational communication, and the socio-political environment. Edwards III (1980) added bureaucratic factors and political support as key elements in public policy implementation. In Papua, this theory is relevant to understanding the challenges in implementing decentralization policies at the district level.
3. Good Governance. (World Bank, 1992) defines good governance as effective, transparent, accountable, and participatory governance. Meanwhile (UNDP, 1997) adds that the principles of good governance include the supremacy of law, justice, and efficiency in public services. Strengthening districts in Papua's Special Autonomy can be studied using this theoretical approach to assess the effectiveness of local government.
4. Authority. (Dicey, 1885) emphasizes the importance of the supremacy of law and the division of power in the government system. (Montesquieu, 1748) developed the concept of trias politica, which divides power into executive, legislative, and judicial. In Papua, this theory is used to analyze the weaknesses of district authority and the need for reform in the constitutional law system to strengthen decentralization.

Research Method

The research method used in this study is a normative legal research method with a statutory conceptual approach. Statutory Approach: This approach examines regulations related to decentralization, Papua Special Autonomy, and district authority in the regional government system. Some of the regulations analyzed include Law Number 2 of 2021, Government Regulation Number 106 of 2021 concerning the Authority and Institutions for the Implementation of the Papua Special Autonomy Policy (PP Number 106 of 2021), and Government Regulation Number 107 of 2021 concerning Receipt, Management, Supervision, and Master Plan for Acceleration of Development in the Framework of the Implementation of Papua Special Autonomy (PP Number 106 of 2021), as well as other related laws and regulations. Conceptual approach This study also uses a conceptual approach by analyzing relevant theoretical concepts, such as decentralization theory, regional autonomy theory, policy

implementation theory, and good governance theory. This approach aims to understand how these concepts can be applied in the context of strengthening districts in Papua. Data Collection Techniques This study uses secondary data obtained from primary legal materials (related laws and regulations), secondary legal materials (books, journals, scientific articles), and tertiary legal materials (legal dictionaries and legal encyclopedias). Data Analysis Techniques The data obtained were analyzed using qualitative methods through a descriptive-analytical approach. The analysis was carried out by examining the relationship between existing regulations, relevant legal theories, and implementation practices in the field to formulate effective policy strategies to strengthen the role of districts in the Papua Special Autonomy system.

Result and Discussion

1. District Authority in the Implementation of Papua Special Autonomy

a. The Role of Districts in the Implementation of Government

In the regional government system in Indonesia, the concept of decentralization and regional autonomy is the main basis for regulating government authority in the regions, including in Papua Province, which has special characteristics through Special Autonomy. Law Number 2 of 2021, as a revision of Law Number 21 of 2001, strengthens district authority, which is clarified in Government Regulation 106 of 2021, especially in public services, management of Special Autonomy funds, and development based on indigenous communities. However, the effectiveness of implementing district authority in Papua Special Autonomy still faces various challenges, including limited human resources, unsynchronized regulations, and governance that has not fully implemented the principles of good governance. (Ismail & Rusfiana, 2020)

In the context of the theory of Decentralization and Regional Autonomy (Smith, 1985), decentralization aims to provide greater authority to regional governments to formulate policies according to local needs. District authority should be integral to this decentralization, where districts play the main role in implementing public services. However, in practice, the role of districts is still limited by complex bureaucracy and dependence on decisions from district/city governments. Based on PP Number 106 of 2021 Article 4, districts have the authority in development planning. However, at the implementation level, many programs still have to get approval from the district/city, thus hampering the effectiveness of policies at the district level. (Lele, 2019)

One of the main obstacles to implementing Special Autonomy in districts is the lack of synchronization of regulations and coordination between levels of government. Based on the theory of Policy Implementation (Van Meter & Van Horn, 1975; Edwards III, 1980), the success of a policy is highly dependent on coordination between actors, available resources, and a supportive bureaucratic structure. In Papua, weak coordination between district, regency, and provincial governments often causes policies not to run optimally. For example, in managing Special Autonomy funds regulated in PP Number 107 of 2021, many districts have difficulty gaining full access to these funds because the distribution

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mechanism is still centralized in the district/city. (Sopaheluwakan et al., 2023)^v

Another problem that arises is the limited human resources and basic infrastructure, which are obstacles to public services at the district level. Data from the Papua Central Statistics Agency (2023) shows that Agats District in Asmat Regency, despite receiving a fairly large allocation of Special Autonomy funds, still experiences a shortage of health workers. Of the 24 existing health centers, only 5 have permanent doctors, indicating that the distribution of health workers is not optimal. A similar thing happened in Kurulu District, Jayawijaya Regency, where access to education and health services is still limited due to difficult-to-reach geographical conditions. This limitation is further exacerbated by the lack of administrative staff in the district, which causes public services not to run optimally. (Lubis, 2025)

From a good governance perspective, the implementation of district government should prioritize the principles of transparency, accountability, effectiveness, and community participation. However, in implementing Special Autonomy, there are still many obstacles in budget management and policy monitoring mechanisms. PP Number 107 of 2021 stipulates that Special Autonomy funds must be used for priority sectors such as education and health. Still, in practice, many districts have difficulty ensuring funds are used following local needs. Some causal factors include a lack of transparency in budget management, a weak monitoring system, and minimal community involvement in the policy planning and evaluation process.

Several strategic steps are needed to overcome these challenges, such as improving regulations so that there is no overlapping authority between districts, regencies, and provinces. In addition, strengthening human resource capacity is necessary, especially in government and regional financial management. Optimizing the management of Special Autonomy funds with a transparency-based monitoring mechanism and community participation must also be strengthened so that the available budget can be used more effectively. On the other hand, the development of basic infrastructure in remote districts must be a top priority so that public services can reach the entire community more evenly.

Although districts in Papua have quite broad authority in the Special Autonomy system, its implementation still faces many challenges related to regulations, bureaucracy, and limited resources. From the perspective of decentralization and policy implementation, the effectiveness of district governance is greatly influenced by coordination between levels of government, human resource capacity, and the application of good governance principles. Therefore, strengthening district institutions, optimizing budget management, and increasing community participation in governance are important steps in ensuring the success of Special Autonomy for Papua at the district level.

b. Case Studies of Districts with Success and Obstacles

Two case studies of districts with different levels of success and obstacles are presented to provide a clearer picture of the implementation of Special Autonomy at the district level. Merauke District is one example of a district that has been relatively successful in

optimizing the Special Autonomy policy. This district has utilized village funds and Special Autonomy funds to improve the quality of education services with district-based school programs. This success reflects the importance of cross-government coordination, as explained in the Policy Implementation theory (Edwards III, 1980).

Sufficient budget support and active community participation in development planning have enabled this district to improve health services, education, and the local economy. According to the report of the South Papua Regional Development Planning Agency (2023), the local wisdom-based community empowerment program in this district has increased community income by 15% in the last five years. In contrast, Kimaam District faces major challenges in implementing the Special Autonomy policy. The main problem is the lack of adequate educators and health facilities.

Another district is Mamberamo Tengah District. Poor road infrastructure makes it difficult for the community to access health and education services. This shows that decentralization policies are difficult to implement without adequate infrastructure support. In 2022, this district only received 5% of the total Special Autonomy funds allocated to Paniai Regency. This inequality has implications for the poor quality of public services in the district, contrary to the principle of fiscal decentralization in the theory of Regional Autonomy (Cheema & Rondinelli, 1983). In the context of the theory of Good Governance (World Bank, 1992), the difference between the two districts shows that good governance, including transparency in budget allocation and community participation, is an important factor in successfully implementing the Special Autonomy policy. Agats District, Asmat Regency, still faces serious challenges, especially regarding the availability of health workers, infrastructure, accessibility, and the effectiveness of fund management. Implementing Special Autonomy in Papua aims to provide broader authority for local governments to manage resources to improve community welfare. However, reality shows that implementing Special Autonomy still faces various challenges, such as those in Agats District, Asmat Regency, Kurulu District, and Jayawijaya Regency. These two districts experience problems in the health and education sectors, which reflect the ongoing gaps in workforce distribution, budget management, and the effectiveness of local government governance.

From the perspective of Decentralization theory (Rondinelli, 1981), delegating authority from the center to the regions is expected to increase the efficiency of public services. However, in Agats District, even though Special Autonomy funds have been allocated, the distribution of medical personnel is still a major problem. Based on the Papua Central Statistics Agency (2023), of the 24 existing health centers, only 5 have permanent doctors, while the rest rely on contract medical personnel who often move. The difficult-to-reach geographical conditions worsen the situation because the accessibility of health services for the community is very limited. This shows that fiscal decentralization has not been fully effective if it is not balanced with increased local capacity and equitable distribution of health workers.

On the other hand, Kurulu District faces problems in the education sector. The Papua Education Office (2023) noted that many schools in Kurulu experience a shortage of

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permanent teachers, so some schools only have 1-2 teachers to teach all subjects. As a result, the quality of education is low, and the dropout rate remains high. According to Paulo Freire's theory (2000), education should be a tool to empower the community. However, in the context of Kurulu, the limited number of educators means that education has not been able to become an effective means of social transformation.

From the perspective of Policy Implementation theory (Van Meter & Van Horn, 1975), the success of a policy is highly dependent on factors such as resources, communication, and local social and economic conditions. In the cases of Agats and Kurulu, several major obstacles identified include:

- **Insufficient resources:** both medical personnel in Agats and educators in Kurulu are still very limited even though special autonomy funds are available.
- **Weak inter-agency coordination:** the lack of synergy between the central, provincial, and district governments has led to an uneven distribution of labor.
- **Difficult social and geographical conditions:** the Papua region has unique geographical challenges, which complicate access to health and education services.
- **Lack of supervision in policy implementation:** the management of special autonomy funds is not yet fully transparent, so budget allocations are often not on target.

From a good governance perspective, good governance should include transparency, accountability, and community participation. However, in Agats and Kurulu Districts, low community participation in policy planning and evaluation has made many programs ineffective. Zimmerman (1995), in his Psychological Empowerment theory, emphasized that community empowerment must involve them in decision-making. In Papua, local communities should be more active in determining education and health policies that suit their needs. In addition, from an authority perspective, Law Number 2 of 2021 provides more flexibility for local governments in regulating local policies. However, without strengthening the capacity of human resources and adequate infrastructure, this broad authority has not been able to improve public services significantly. Edwards III (1980) emphasized that resource factors, implementer disposition, and bureaucratic structure greatly influence policy implementation. In the case of Papua, the limited capacity of regional apparatus is one of the main factors that hinders the effectiveness of Special Autonomy.

2. Obstacles in the Implementation of Special Autonomy in the District

a. Budget and Human Resource Limitations

The implementation of the Papua Special Autonomy policy as regulated in Law No. 2 of 2021, and its derivative regulations PP No. 106 of 2021 and PP No. 107 of 2021, aims to improve the welfare of the Papuan people through special funding allocated for the education, health, and infrastructure sectors. However, in practice, various obstacles have emerged, especially in terms of budget and human resource limitations, which directly impact the effectiveness of policies at the local level, such as in Agats District, Asmat

Regency, and Kurulu District.

Although Law No. 2 of 2021 has regulated an increase in the Special Autonomy fund to 2.25% of the national General Allocation Fund (DAU), PP No. 107 of 2021 has changed the fund distribution mechanism to be earmarked, which limits the flexibility of local governments in determining budget allocations according to local needs. In the context of fiscal decentralization (Oates, 1993), regions should have greater autonomy in financial management to adjust programs to the realities on the ground. However, this earmarked scheme strengthens central control, so regions such as Agats and Kurulu Districts have difficulty optimizing budgets for specific needs, such as recruiting medical personnel and teachers.

The impact is visible in the health sector in Agats District, where even though Special Autonomy funds are available, the distribution of medical personnel is still an obstacle. Data from the Papua Papua Central Statistics Agency (2023) noted that of the 24 existing health centers, only 5 have permanent doctors. This shows inequality in the distribution of human resources and also reflects weak coordination between the central, provincial, and district governments in managing health workers. According to Van Meter & Van Horn's (1975) Policy Implementation theory, the success of a policy is highly dependent on resources and bureaucratic compliance in implementing the policy. Suppose medical personnel are not available or the bureaucratic system hinders their distribution. In that case, the effectiveness of health policies at the district level will remain low, regardless of the allocated budget size.

Similar problems occur in the education sector in Kurulu District, where many schools experience a shortage of qualified teachers, so the quality of education remains low. PP Number 106 of 2021 emphasizes the role of the central government in developing human resources, which, in practice, actually makes regions more dependent on centrally controlled labor recruitment policies. In fact, according to the theory of Decentralization (Rondinelli, 1981), the success of regional autonomy is highly dependent on the balance between central and regional authority in managing resources.

This imbalance causes delays in filling teaching staff in remote areas such as Kurulu, which should be overcome with a local needs-based recruitment policy. In addition, budget and human resource limitations are also closely related to good governance in Papua's Special Autonomy. Ideally, the principles of accountability, transparency, and community participation in the planning and managing Special Autonomy funds must be applied to make policies more effective. However, in reality, many regional development programs are still made without adequate public consultation, so the resulting policies do not always reflect the community's real needs. As a result, the Special Autonomy funds that should be used to improve basic services such as health and education do not always have a significant impact due to weak planning and policy implementation.

b. Regulatory and Bureaucratic Barriers in the Regional Government System

Regulatory and bureaucratic barriers in the regional government system, especially in implementing Special Autonomy in Papua, cannot be separated from the dynamics of

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decentralization and policy implementation at the local level. Law No. 2 of 2021 and its derivative regulations, PP Number 106 of 2021 and PP No. 107 of 2021 aim to strengthen regional authority in managing development policies. However, they still face various challenges that hinder their effectiveness in practice.

One of the main problems is the imbalance between decentralization and centralization of authority. Although Law Number 2 of 2021 emphasizes that Papua has Special Autonomy in managing regional government and finances, implementing its derivative regulations strengthens the central government's role in supervising Special Autonomy funds. PP Number 107 of 2021 gives greater authority to relevant ministries in managing funds and strategic policies, ultimately limiting regional flexibility in allocating budgets according to local needs.

This problem is further complicated by the overlapping authority and weak coordination between provincial, district, and sub-district governments, which is clearly seen in the case of Agats District, Asmat Regency. Although this district received a fairly large allocation of Special Autonomy funds, the distribution of health workers remains a challenge. Data from the Papua Central Statistics Agency in 2023 showed that of the 24 health centers in Agats, only 5 had permanent doctors. This reflects the inefficiency in implementing health policies due to poor coordination between levels of government.

According to Van Meter & Van Horn's (1975) Policy Implementation theory, the success of a policy is highly dependent on communication between actors and bureaucratic compliance. In this case, the lack of integration between the central and regional governments caused the policies that had been designed not to run optimally. A similar thing happened in Kurulu District, where the education and health sectors still experience significant obstacles.

Although Law Number 2 of 2021 guarantees that Special Autonomy funds must be allocated for education and health, the implementation of this policy is still hampered by the weak capacity of the bureaucracy at the district level. According to PP Number 107 of 2021, the management of Papua's Special Autonomy funds is carried out through the General Allocation Fund (DAU) mechanism, which is earmarked. This means that the central government has determined the use of funds, so regional flexibility in formulating policies based on local needs is limited. In the context of the Fiscal Decentralization theory (Oates, 1993), this condition shows that regions do not yet have sufficient fiscal independence to regulate their own policies.

This high fiscal dependence also impacts the low implementation of the principle of good governance in regional governance. Decentralization should provide space for transparency, accountability, and public participation in decision-making. However, in practice, many regional policies are still made without adequate public consultation, so the formulated programs often do not match the community's needs. In addition, the lack of effective supervision of Special Autonomy funds makes various development programs less than optimal and vulnerable to deviations.

c. Lack of Coordination between Provincial, Regency, and District Governments

The implementation of Special Autonomy for Papua is expected to improve people's welfare through decentralization and strengthening regional authority. However, the reality on the ground shows that the lack of coordination between the Provincial, Regency, and District Governments is one of the main obstacles to the effectiveness of this policy. A study by the Papuan People's Assembly (2020) shows that over the past 20 years, the implementation of Special Autonomy has often experienced obstacles due to overlapping authority and weak synergy between levels of government.

In the theory of Decentralization (Rondinelli, 1981), delegating authority from the center to the regions aims to increase the efficiency of public services. However, in Papua, the implementation of Special Autonomy faces challenges in coordination between levels of government, which impacts the distribution of human resources and budget. For example, in Agats District, Asmat Regency, even though the allocation of Special Autonomy funds is available, the distribution of medical personnel is still a major problem. The Papua Central Statistics Agency (2023) noted that of the 24 health centers in Agats, only 5 have permanent doctors, while other medical personnel often move due to a lack of incentives and infrastructure support. This shows that fiscal decentralization has not been balanced with careful planning in the distribution of resources, so the policy's effectiveness is not optimal.

A similar condition also occurred in Kurulu District, Jayawijaya Regency, which faced problems in the education sector. The Papua Education Office (2023) reported that several schools in Kurulu experienced a shortage of educators, with only 1-2 teachers teaching all subjects. Referring to the Policy Implementation theory (Van Meter & Van Horn, 1975), the success of a policy is influenced by adequate resources and good coordination between various stakeholders. However, in the case of Papua, weak coordination between the provincial, district, and district governments led to inequality in the allocation of manpower and budget.

This lack of coordination can also be linked to the theory of Good Governance, which emphasizes the importance of transparency, accountability, and effectiveness in governance. The report of the Coordinating Ministry for Human Development and Culture (2023) revealed that until now, there has been no solid mechanism to ensure synchronization between central, provincial, and district government policies in implementing Special Autonomy. This results in a lack of clarity in the division of tasks and responsibilities between each level of government, so the designed programs often do not run optimally. For example, in the education sector in Kurulu, the lack of supervision and coordination has resulted in the budget for increasing teacher capacity not being optimally absorbed, so the quality of education remains low.

From the perspective of the theory of Authority, Law Number 2 of 2021 provides flexibility for local governments to regulate policies according to local needs. However, as stated by Friedrich (1940) in his theory, the effectiveness of the implementation of authority depends on administrative capabilities and synergy between institutions. In the

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case of Papua, weak coordination between provinces, regencies, and districts has created inequality in the distribution of human resources and management of Special Autonomy funds, ultimately hindering the achievement of the policy's main objectives.

Conclusion

District authority in implementing the Papua Special Autonomy policy has a crucial role in bringing public services closer to the community and increasing the effectiveness of local government administration. Based on Law Number 2 of 2021 and its derivative regulations (PP Number 106 of 2021 and PP Number 107 of 2021), districts have a strategic role in development planning, regional financial management, and local wisdom-based governance.

Obstacles to implementing Special Autonomy at the district level in Papua reflect broader challenges in the decentralization system and regional governance. Based on an analysis of Law Number 2 of 2021, PP Number 106 of 2021, and PP Number 107 of 2021, the main obstacles faced in implementing Special Autonomy in the district include limited capacity of district apparatus, suboptimal financial management, weak coordination between institutions, and low community participation in the governance process.

Recommendation

To improve the effectiveness of the implementation of district authority in Papua Special Autonomy, the central and regional governments must align regulations related to district authority so that there is no overlap with policies at the district and provincial levels. More specific technical policies need to be made in PP Number 106 of 2021 to clarify the role and authority of districts in budget management and public services.

To overcome obstacles in implementing Special Autonomy at the district level, several strategic steps are needed: Strengthening District Government Capacity, improving district officials' competence in development planning and regional financial management, and implementing policies based on local wisdom through training and mentoring. Optimization of Regional Financial Management, ensure the distribution and utilization of Special Autonomy funds following the principles of transparency, accountability, and efficiency by developing a technology-based monitoring system to prevent potential misuse of the budget. Synergy and Coordination between the Central, Provincial, and Regency Governments: Develop a more effective coordination mechanism to avoid overlapping authority and ensure that policies at the district level can be implemented properly and clarify the boundaries of authority between districts and regencies so that there are no administrative conflicts in the administration of government. Increasing Community Participation Encourage the involvement of indigenous communities and local stakeholders in the planning and decision-making process to ensure policies that are more in line with community needs through facilitating communication forums between district governments and communities. Policy Evaluation and Reform: Conduct

periodic evaluations of the implementation of Special Autonomy at the district level to identify obstacles and find more appropriate solutions, and formulate more specific derivative policies to clarify the implementation of district authority in Papua Special Autonomy following Law Number 2 of 2021, PP Number 106 of 2021, and PP Number 107 of 2021.

References

- Badan Pusat Statistik Papua. (2023). *Statistik Kesejahteraan Rakyat Papua 2023*. Badan Pusat Statistik Provinsi Papua.
- Cahyaningsih, A., & Fitriady, A. (2019). The impact of asymmetric fiscal decentralization on education and health outcomes: Evidence from Papua Province, Indonesia. *Economics and Sociology*, 12(2). <https://doi.org/10.14254/2071-789X.2019/12-2/3>
- Dacey A.V. (1885). *Introduction to the Study of the Law of the Constitution*. Penerbit: Macmillan & Co.
- Friedrich, Carl J. *Public Policy: A Yearbook of the Graduate School of Public Administration, Harvard University* (1940). Editor: Carl J. Friedrich dan Edward P. Mason Penerbit: Harvard University Press.
- Freire, Paulo. (2000). *Pendidikan Kaum Tertindas*. Terjemahan oleh Agung Prihantoro. Jakarta: LP3ES.
- Edwards III, George C. (1980). *Implementing Public Policy*. Penerbit: Congressional Quarterly Press.
- G. Shabbir Cheema & Dennis A. Rondinelli. (1983). *Decentralization and Development: Policy Implementation in Developing Countries*. Penerbit: Sage Publications, Beverly Hills.
- Ismail, I., & Rusfiana, Y. (2020). Asymmetrical Decentralization and Equitable Development in Papua. *MIMBAR: Jurnal Sosial Dan Pembangunan*, 36(1). <https://doi.org/10.29313/mimbar.v36i1.5484>
- Lele, G. (2019). Asymmetric Decentralization and the Problem of Governance: The Case of Indonesia. *Asian Politics and Policy*, 11(4). <https://doi.org/10.1111/aspp.12493>
- Lele, G. (2023). Asymmetric decentralization, accommodation and separatist conflict: lessons from Aceh and Papua, Indonesia. *Territory, Politics, Governance*, 11(5). <https://doi.org/10.1080/21622671.2021.1875036>
- LIPI. (2020). *Evaluasi Implementasi Otonomi Khusus Papua*. Lembaga Ilmu Pengetahuan Indonesia.
- Lubis, A. F. (2025). Harmonization of Derivative Legislative Products Post-Constitutional Court Decision. *Journal of Progressive Law and Legal Studies*, 3(01 SE-Articles), 32–40. <https://doi.org/10.59653/jplls.v3i01.1310>
- Montesquieu (1748). *De l'Esprit des Lois (The Spirit of the Laws)*. Penerbit: Barrillot & Fils di Jenewa.
- Oates, Wallace E. (1993). *Fiscal Decentralization and Economic Development*. *National Tax Journal*, 46(2), 237-243.

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- Peraturan Pemerintah Nomor 106 Tahun 2021 tentang Kewenangan dan Kelembagaan Pelaksanaan Kebijakan Otonomi Khusus Papua.
- Peraturan Pemerintah Nomor 107 Tahun 2021 tentang Penerimaan, Pengelolaan, Pengawasan, dan Rencana Induk Percepatan Pembangunan dalam Rangka Pelaksanaan Otonomi Khusus Papua.
- Rondinelli, D. A. (1981). *Government Decentralization in Comparative Perspective: Theory and Practice in Developing Countries*. *International Review of Administrative Sciences*, 47, 133-145. DOI: 10.1177/002085238004700205
- Smith, B.C. (1985). *Decentralization: The Territorial Dimension of the State*. London: Allen and Unwin.
- Sopaheluwakan, W. R. I., Fatem, S. M., Kutaneegara, P. M., & Maryudi, A. (2023). Two-decade decentralization and recognition of customary forest rights: Cases from special autonomy policy in West Papua, Indonesia. *Forest Policy and Economics*, 151. <https://doi.org/10.1016/j.forpol.2023.102951>
- Sujono, I. (2022). Urgensi Penemuan Hukum dan Penggunaan Yurisprudensi dalam Kewenangan Mahkamah Konstitusi. *Jurnal Konstitusi*, 18(3), 585. <https://doi.org/10.31078/jk1835>
- Sujono, I., & Nugroho, M. (2023). Omnibus Law as Investment Law Reform in Indonesia Based on the Hierarchy of Legislation Principles. *Journal of Progressive Law and Legal Studies*, 1(02 SE-Articles), 47–65. <https://doi.org/10.59653/jplls.v1i02.28>
- Undang-Undang Nomor 2 Tahun 2021 tentang Perubahan Kedua atas Undang-Undang Nomor 21 Tahun 2001 tentang Otonomi Khusus Bagi Provinsi Papua.
- Van Meter, D. S., & Van Horn, C. E. (1975). *The Policy Implementation Process: A Conceptual Framework*. *Administration & Society*, 6(4), 445-488.
- World Bank (1992). *Governance and Development*. Penerbit: The World Bank.
- Zimmerman, M. A. (1995). *Psychological empowerment: Issues and illustrations*. *American Journal of Community Psychology*, 23(5), 581-599.