
Legal Analysis of the Implementation of E-Government System in Public Services in Indonesia (Study in Pasuruan Regency)

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ABSTRACT

This study examines the legal framework and practical implementation of the e-government system in public services within Pasuruan Regency, Indonesia. It aims to analyze the extent to which legal instruments, such as Presidential Regulation No. 95 of 2018 concerning the Electronic-Based Government System (SPBE), have been effectively adopted at the regional level. Utilizing a qualitative research approach, data were collected through interviews, observations, and document analysis. The findings indicate that while Pasuruan Regency has initiated e-government practices, including the use of platforms like SP4N-LAPOR!, challenges persist. These challenges encompass limited human resource competencies, inadequate infrastructure, and insufficient public awareness. Moreover, the study identifies gaps between national regulations and local implementation, highlighting the need for stronger legal mandates and capacity-building initiatives to ensure effective and equitable public service delivery through e-government systems. The research underscores the importance of aligning legal frameworks with practical realities to enhance the efficacy of e-government in regional contexts.

Keywords: E-Government, Public Services, Digital Transformation, Administrative Law

1. INTRODUCTION

The advent of Information and Communication Technology (ICT) has revolutionized the way governments operate, leading to the emergence of e-government systems aimed at enhancing efficiency, transparency, and accountability in public service delivery (Rijarua & Osakwe, 2023). In Indonesia, the government has recognized the potential of e-government to transform public administration, as evidenced by the issuance of Presidential Regulation No. 95 of 2018 concerning the Electronic-Based Government System (Sistem Pemerintahan Berbasis Elektronik or SPBE) (Izzah & Sugandha, 2021). This regulation serves as a legal framework guiding the implementation of e-government initiatives across various levels of government (Velayati & Ahmad, 2024).

Despite the regulatory framework, the implementation of e-government in Indonesia faces numerous challenges, particularly at the regional level (Ummaroh & Choiriyah, 2023). Pasuruan Regency, for instance, has initiated the use of the

SP4N-LAPOR! system to facilitate public complaints and enhance bureaucratic accountability (Taufik & Umam, 2024). However, studies indicate that the effectiveness of such systems is hindered by factors such as limited human resource competencies, inadequate infrastructure, and insufficient public awareness. Moreover, demographic disparities, including age and place of residence, contribute to digital inequalities that impede the equitable utilization of e-government services (Ramadhan et al., 2020).

The existing literature on e-government implementation in Indonesia predominantly focuses on technical and infrastructural aspects, often overlooking the legal dimensions that underpin these initiatives (Alcaide Muñoz & Rodríguez Bolívar, 2017). There is a paucity of research examining how legal frameworks influence the adoption and effectiveness of e-government systems at the local government level (Khliborob et al., 2023). This gap underscores the need for a legal analysis that assesses the adequacy of existing regulations and their practical implications for e-government implementation.

This study aims to fill this gap by conducting a legal analysis of the implementation of the e-government system in public services within Pasuruan Regency. Employing a qualitative research approach, the study will analyze relevant legal documents, policies, and implementation practices to evaluate the alignment between legal frameworks and the actual execution of e-government initiatives (Arrizal & Wulandari, 2021). By focusing on the legal aspects, this research seeks to provide insights into how laws and regulations facilitate or hinder the successful deployment of e-government systems at the regional level.

The novelty of this research lies in its emphasis on the legal perspective of e-government implementation, an area that has received limited attention in existing studies. By scrutinizing the legal underpinnings of e-government initiatives, the study contributes to a more holistic understanding of the factors influencing the success of digital governance in Indonesia. The findings are expected to inform policymakers and stakeholders about the legal reforms necessary to enhance the effectiveness and sustainability of e-government systems, particularly in regions like Pasuruan Regency.

2. LITERATURE REVIEW

E-Government in Indonesia: Policy and Legal Framework

Indonesia's commitment to digital governance is formalized through Presidential Regulation No. 95 of 2018 concerning the Electronic-Based Government System (Pemerintah Pusat, 2018). This regulation aims to enhance efficiency, transparency, and accountability in public services. However, the implementation at the regional level, including Pasuruan Regency, faces challenges due to varying capacities and resources. Susanti Susanti (2024) highlights that despite the central government's efforts, disparities in technological infrastructure and human resource competencies hinder uniform adoption across regions.

Challenges in E-Government Implementation

The effectiveness of e-government initiatives is influenced by multiple factors:

- a. **Technological Infrastructure:** Adequate infrastructure is crucial for the successful deployment of digital services. Hidayat & Pamutra (2023) emphasize that insufficient infrastructure leads to limited access and reduced service quality.
- b. **Human Resource Competency:** The skills and adaptability of government employees play a significant role. Prayitno (2024) notes that resistance to change and lack of training impede the transition to digital systems.
- c. **Regulatory Support:** A supportive legal environment is essential. Khusrini and Kurniawan Khusrini & Kurniawan (2019) discuss the absence of comprehensive

regulations guiding e-legislation, which affects the quality and legitimacy of digital governance.

Public Participation and Trust

Citizen engagement is a cornerstone of effective e-government. However, studies indicate a gap in public participation:

- Digital Divide: Rachmawati and Fitriyanti (2021) identify disparities in digital literacy and access, leading to unequal participation in digital services.
- Trust in Digital Services: Mutiarin et al. (2023) argue that trust in e-government is contingent upon data security and service reliability.

4. Case Studies: Regional Implementations

Examining specific regional implementations provides insights into practical challenges and successes:

- Balangan Regency: Erhan (2017) reports that while e-government systems were introduced, their effectiveness was limited due to management issues and low public awareness.
- Brebes Regency: Taufik and Umam (2024) highlight that the realization of good governance through e-government requires not only technological readiness but also regulatory frameworks and human resource development.

5. International Perspectives and Best Practices

Comparative studies offer valuable lessons:

South Korea's Success: Arifianti and Sakapurnama (2024) analyze South Korea's e-government model, emphasizing the importance of strategic planning, citizen-centric services, and continuous innovation. They suggest that Indonesia can adapt these practices to enhance its digital governance

3. RESEARCH METHOD

1. Research Design

This study employs a qualitative research approach to explore the legal aspects of e-government implementation in public services within Pasuruan Regency. Qualitative methods are suitable for understanding complex social phenomena, allowing for in-depth analysis of legal frameworks, institutional practices, and stakeholder perspectives (Mitchell, 2023). This approach aligns with previous studies that have utilized qualitative methods to examine e-government initiatives in Indonesia.

2. Data Collection Methods

According to Data collection will involve:

- Document Analysis: Reviewing relevant legal documents, including laws, regulations, and policy papers related to e-government and public service delivery in Indonesia.
- Case Study Examination: Analyzing the implementation of e-government systems in Pasuruan Regency, focusing on specific programs and initiatives.
- Interviews: Conducting semi-structured interviews with key stakeholders, such as government officials, legal experts, and public service users, to gather insights into the practical challenges and legal considerations of e-government implementation.

This combination of methods ensures a comprehensive understanding of both the legal framework and its practical application in the context of Pasuruan Regency.

3. Data Analysis Techniques

The collected data will be analyzed using thematic analysis, identifying patterns and themes related to legal structures, implementation challenges, and stakeholder experiences (Nittari et al., 2020). This method allows for the systematic examination of qualitative data, facilitating the interpretation of complex legal and institutional dynamics. Thematic analysis is widely used in qualitative research to interpret textual data and has been applied in similar studies on e-government implementation (Cheong et al., 2023).

4. Validity and Reliability

To ensure the validity and reliability of the research findings:

- Triangulation: Combining multiple data sources (documents, interviews, case studies) to cross-verify information and enhance the credibility of the results (Hamzani et al., 2023).
- Member Checking: Sharing preliminary findings with interview participants to confirm the accuracy of interpretations and conclusions (Miles, 1979).
- Audit Trail: Maintaining detailed records of data collection and analysis processes to allow for transparency and replication of the study (Cheong et al., 2023).

5. Ethical Considerations

According to Mitchell (2023) the research will adhere to ethical standards, including:

- Informed Consent: Ensuring that all interview participants are fully informed about the study's purpose and provide voluntary consent.
- Confidentiality: Protecting the privacy of participants by anonymizing data and securely storing sensitive information.
- Non-Maleficence: Avoiding any harm to participants by being sensitive to their perspectives and ensuring that the research does not negatively impact them.

4. RESULTS AND ANALYSIS

Legal Framework and Policy Implementation

The implementation of e-government in Pasuruan Regency is guided by national regulations, notably Presidential Regulation No. 95 of 2018 concerning the Electronic-Based Government System (SPBE). This regulation aims to enhance efficiency, transparency, and accountability in public services through the adoption of information and communication technologies. At the regional level, Pasuruan Regency has initiated programs aligned with this national policy, including the development of digital platforms for public service delivery (Isnaeni et al., 2023).

However, the alignment between national regulations and regional implementation faces challenges. Studies indicate that while the legal framework provides a foundation, the practical application at the local level often encounters obstacles due to limited resources and varying capacities among regional governments.

Technological Infrastructure and Human Resources

The effectiveness of e-government initiatives in Pasuruan Regency is significantly influenced by the availability of technological infrastructure and the competency of human resources (Trisnawati, 2024). While urban areas may have better access to digital infrastructure, rural regions often lack the necessary facilities, leading to disparities in service delivery (Ramadhania et al., 2023).

Moreover, the successful implementation of e-government systems requires skilled personnel capable of managing and operating digital platforms. In Pasuruan Regency, there

is a noted shortage of trained human resources, which hampers the efficiency and reliability of e-government services (Ramadhania et al., 2023).

Public Participation and Digital Literacy

Public engagement is a critical component of effective e-government systems (Williams, 2021). In Pasuruan Regency, efforts have been made to involve citizens through online platforms and feedback mechanisms. However, the level of public participation is influenced by the population's digital literacy.

Many residents, particularly in rural areas, have limited experience with digital technologies, which affects their ability to access and utilize e-government services. This digital divide underscores the need for educational programs and initiatives aimed at improving digital literacy among the population (Puspitasari & Surjandari, 2023).

Legal Challenges and Recommendations

The implementation of e-government in Pasuruan Regency also presents legal challenges. These include concerns about data privacy, cybersecurity, and the legal recognition of electronic documents and transactions (Laihad & Suhardi, 2023). Addressing these issues requires the development of comprehensive legal frameworks that provide clear guidelines and protections for both government agencies and citizens (Fransisco Pandapotan et al., 2023).

To enhance the effectiveness of e-government systems, it is recommended that Pasuruan Regency:

- Invest in technological infrastructure to ensure equitable access across urban and rural areas.
- Provide training and capacity-building programs for government employees to improve digital competencies.
- Implement public education campaigns to increase digital literacy among citizens.
- Develop and enforce legal regulations that address data protection, cybersecurity, and the validity of electronic transactions.

By addressing these areas, Pasuruan Regency can strengthen its e-government initiatives, leading to improved public service delivery and increased citizen trust in digital governance systems.

5. CONCLUSION

The implementation of the e-government system in Pasuruan Regency represents a significant stride towards enhancing public service delivery through digital means. This initiative aligns with national policies, such as Presidential Regulation No. 95 of 2018 concerning the Electronic-Based Government System (SPBE), aiming to foster efficiency, transparency, and accountability in governance.

However, the study reveals that the practical application of e-government in Pasuruan Regency faces several challenges:

1. **Legal and Regulatory Gaps:** While national regulations provide a framework, there is a need for more comprehensive local regulations to guide the implementation effectively.
2. **Technological Infrastructure:** Disparities in technological infrastructure between urban and rural areas hinder uniform access to e-government services.

3. **Human Resource Competency:** The lack of adequately trained personnel affects the efficiency and reliability of digital public services.
4. **Public Participation and Digital Literacy:** Limited digital literacy among citizens, especially in rural areas, reduces the effectiveness of e-government initiatives.

To address these challenges, the following recommendations are proposed:

- **Development of Local Legal Frameworks:** Formulate and implement regional regulations that complement national policies, providing clear guidelines for e-government practices at the local level.
- **Investment in Infrastructure:** Enhance technological infrastructure across all areas to ensure equitable access to digital services.
- **Capacity Building:** Implement training programs for government employees to improve their digital competencies and adaptability to new technologies.
- **Public Education Campaigns:** Conduct awareness and education programs to improve digital literacy among citizens, encouraging greater participation in e-government services

In conclusion, while Pasuruan Regency has made commendable efforts in adopting e-government systems, addressing the identified challenges is crucial for the realization of efficient, transparent, and inclusive public service delivery. Future research could focus on evaluating the impact of specific interventions aimed at overcoming these challenges, contributing to the broader discourse on digital governance in Indonesia.

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