



Digital Services of Public Government Administration In The Industrial Revolution 4.0

Mulyono Kurniawan^{1*}, Khalimi²

^{1,2} Faculty of Law 17Agustus 1945 University, Jakarta, Indonesia.

 : mulyono0180@gmail.com

Corresponding Author*



Submitted: 2023-07-13

Revised: 2023-09-09

Published: 2023-10-30

Article Info	Abstract	
<p>Keywords: Legal Certainty; Industrial Revolution 4.0; E-Government.</p>	<p>Introduction: Technology and the Industrial Revolution 4.0 have enabled the development of e-government for faster and more effective services. However, its implementation still needs to be improved, particularly regarding legal certainty..</p> <p>Purposes of the Research: This study aims to analyze the legal uncertainty that occurred in the implementation of e-government in the Industrial Revolution 4.0 era.</p> <p>Methods of the Research: This research is normative legal research with a statutory and conceptual approach. The primary legal materials in this research include the 1945 Constitution of the Republic of Indonesia and the laws governing State Government administration. Secondary legal materials include books, articles, and research results. Non-legal material includes all non-legal studies related to electronic-based State Government Administration systems / e-government.</p> <p>Results of the Research: The study results provide an analysis of the constraints that occur in the implementation of Digital Government Administration. There needs to be an evaluation of the government's readiness in the e-government system, the affordability of the internet, the availability of server capacity that can accommodate many data, and the electronic devices used do not meet standards. It is suggested that the government must provide all technical and non-technical aspects that can support e-government performance as well as provide human resources who are experts in their fields, so that the government administration service system complies with the General Principles of Good Government (AUPB). It can be realized promptly by the principle of legal certaint.</p>	

1. INTRODUCTION

Indonesia is known as a country of law (rechtstaat) responsible for maintaining legal order. In this case, as the policy maker, the government is liable under the law to maintain lawful order to ensure that society runs well and is not disturbed by the regulations stipulated in the Unitary State of the Republic of Indonesia.¹ Carrying out and administering this legal order requires clear and firm statutory provisions. In addition, the government also needs to prepare a series of government administration service procedures. Good Government administrative services required by the community include, for example,

¹ Sri Nur and Hari Susanto, 'Penerapan Asas-Asas Umum Pemerintahan Yang Baik Dalam Praktik Peradilan Di Indonesia' (2021) 4 *Administrative Law & Governance Journal* 459, 460.

making birth certificates, e-KTPs, land certificates, passports, collecting levies, reporting problems, etc.²

Regulations in the administration of a state administrative government are contained in Republic of Indonesia Law Number 30 of 2014 concerning Government Administration.³ These rules provide basic guidelines in the implementation of government for state administrators to do everything in the form of actions, authorities, rights, and obligations to carry out their duties, namely serving the interests and needs of the community in implementing general welfare for the Indonesian people. General principles in implementing Good Government are often known as "AUPB" and are basic guidelines and rules regarding the administration of State government affairs. The implementation of a state government in public administration services is a demand and need for the community to obtain and fulfill legal rights fairly and with legal certainty.

Jimly Asshiddiqie defines the State as a construction made by humans or society that talks about a pattern of relations in social life in aspects of life, intending to fulfil common interests and goals.⁴ or "Association of community organizations whose goal is to reach agreement and common political goals within the government, also referred to as a state or a society politically organized".⁵ Good corporate governance is a benchmark or primary reference for the government to reflect performance effectively and efficiently. The government is directly responsible for public service administration that is clean, transparent, and free from corruption, where the main goal of the rule of law is the benefit of the law for the benefit of society.⁶ Now, government administration service procedures have also undergone updates due to technological developments in the Industrial Revolution 4.0 (IR4.0), resulting in faster, more responsive, and more effective government administration service procedures.⁷ The very advanced development of Information and Technology in the last five years has influenced the way people live their lives nowadays by being wholly digital and being pampered with instant things and being able to reduce the time needed to travel to an agency with advanced technology which allows government administration service procedures to be carried out quickly. Remotely, in real-time, and through just one door. Presidential Regulation Number 95 of 2018 concerning Electronic-Based Government Systems (SPBE)⁸ is the foundation for the birth of Digital Services in the field of Government Administration (e-government).

SPBE is needed to create an atmosphere of electronic-based government governance that is efficient, easy to understand, and used by all levels of society that is quality and trustworthy as a breakthrough for the Industrial Revolution 4.0 in the government sector.

² Slamet Adi Priyatna, 'Birokrasi Dan Pelayanan Publik Dalam Perspektif Hukum Administrasi Negara' (djkn.kemenkeu.go.id, 2022) <www.djkn.kemenkeu.go.id/artikel/baca/15537/BIROKRASI-DAN-PELAYANAN-PUBLIK-DALAM-PERSPEKTIF-HUKUM-ADMINISTRASI-NEGARA.html> accessed 27 January 2023.

³ Republik Indonesia, 'Undang-Undang Republik Indonesia Nomor 30 Tahun 2014 Tentang Administrasi Pemerintahan' (Republik Indonesia, 2014), p. 1.

⁴ Jimly Asshiddiqie, *Pengantar Ilmu Hukum Tata Negara* (Sekretariat Jenderal dan Kepaniteraan Mahkamah Konstitusi RI 2006), p. 13.

⁵ *Ibid.*

⁶ Hotma P Sibuea, *Asas Negara Hukum, Peraturan Kebijakan, Dan Asas - Asas Umum Pemerintahan Yang Baik* (Erlangga 2010), h. 68.

⁷ Assaf Arief and Muhammad Yunus Abbas, 'Kajian Literatur (Systematic Literature Review): Kendala Penerapan Sistem Pemerintahan Berbasis Elektronik (SPBE)' (2021) 8 *Jurnal Ilmiah Teknik Elektro* 1, h. 1.

⁸ Presiden Republik Indonesia, 'Peraturan Presiden Republik Indonesia Nomor 95 Tahun 2018 Tentang Sistem Pemerintah Berbasis Elektronik' (Presiden Republik Indonesia, 2018) 1.

IR4.0 technology is often called a "cyber-physical system," which combines cyber technology systems with digital automation technology that can be used and accessed as a means for the public to obtain e-government services face-to-face, cost-effectively, and quickly. This has influenced the development and use of Information Technology (IT) in public service government management, especially in e-government, to provide internet-based government services and information or education for the public regarding public service administration. The concept adopted by the "welfare state" is a state whose government's welfare is the subject responsible for the welfare of its population, where the form of intervention from power must be focused on the laws and regulations it makes, which are embodied in the principle of legality which is the pillar of the rule of law itself.⁹

In creating a prosperous and peaceful community environment, the government is given freedom and authority to regulate social life, not only focusing on statutory regulations, but in certain situations and conditions, the government is free to act without being based on statutory regulations but can be based on needs. Which insists on its actions to achieve the goals of the welfare of its people while remaining focused on the principles of good governance.¹⁰ The government must realize the welfare of the people in all aspects of their lives, so the natural action of the current government is deciding to try to cut the flow of the government bureaucracy, which is felt to be an obstacle in the process of public administration services, thus giving rise to ideas in implementing internet-based digital administration services, namely e-government with the hope of the industrial revolution 4.0 being implemented in the field of public government administration this can be useful to cut the long bureaucracy of a slow-running government system. Everyone in Indonesia can use these services immediately without having to meet face to face.

However, implementing e-government as a new procedure for government administration services still needs to overcome many obstacles. In the era of the COVID-19 pandemic, which put many activities at home, government administration services are to be carried out digitally by utilizing the Electronic-Based Government System (SPBE). Unfortunately, this haste results in unpreparedness, which has the potential to harm the community and create legal uncertainty. The principle of legal certainty in settling government administration is fundamental so that administrative disputes do not occur in the State Administrative Court.

Based on research from Aziz Bouti, Moh. Hidayat and Dian Novian entitled Evaluation of Electronic-Based Government Systems Using the E-Government Maturity Model (Case in Gorontalo Government) in implementing an electronic-based government system within the City Government of Gorontalo with an index value of 2.88 and obtaining a good predicate, Based on research from Wildan Zainul Faki entitled Evaluation of the Implementation of Electronic-Based Governance Systems (SPBE), the Situbondo Regency Government uses PAN-RB Ministerial Regulation Number 5 of 2018 Concerning Evaluation Guidelines. Based on research, the SPBE index value obtained was 2.7925. Based on the assessment, the quality of SPBE is in a suitable category. Based on research from Emilsyah Nur entitled Implementation of Public E-Government in Every Service-Based SKPD in Palu City. In the Palu City government, the implementation of E-Government has been mild in supporting its development, such as the development of human resources, infrastructure, and budgets to support the services of each SKPD in Palu City. The author conducted

⁹ Solechan, 'Asas-Asas Umum Pemerintahan Yang Baik Dalam Pelayanan Publik' (2019) 2 *Administrative Law and Governance Journal* 541, 543.

¹⁰ *Ibid.*

research that had not been carried out by previous researchers, where the context of the research, namely legal certainty in the implementation of Digital Government Administration

The public must also receive legal certainty regarding whether government administration services can provide fast, precise, and accurate services. If so, public trust in the government will arise, and the government administration service process can run well and smoothly. The novelty of this research is that the right solution will be found so that implementing online-based public administration services can provide legal certainty for all users of e-government applications. Based on this background, two problem formulations are discussed in this research: Who can legal certainty in Government Administrative Service? Second, how can the right solution for digital public administration services run well and effectively?.

2. METHOD

This research is normative. In this study, a statutory and conceptual problem-solving approach was used. To obtain accurate data, this research uses secondary data. The data and legal materials obtained through this research are then identified and collected based on the problems formulated and classified according to the source and level structure completely and comprehensively for analysis and discussion. The legal material collection stage was carried out through a literature study, and the data was then analyzed qualitatively.

3. RESULTS AND DISCUSSION

3.1 Legal Certainty in Government Administrative Services

Legal certainty is part of the General Principles of Good Governance (AUPB) in the Unitary Republic of Indonesia, where AUPB is accepted as the basis for good state administration. The process of government administration services can result in implementing a bureaucratic system that is better, fair, respectable, and free from abuse of authority and tyranny due to violations of regulations. AUPB is embodied in legal rules, legal norms, laws and regulations, and jurisprudence.

Sudikno states, "The principle of law (*rechtsbeginsel*) is the logic of thinking from legal regulations," where the principle of law is described as a general primary logical thought or is a background of a positive-law rule¹¹ According to Bellefroid, "The principle of law is a basic rule made from positive law so that the principle of law is the embodiment of positive law in society".¹² Legal certainty is realized by creating a general legal system, which can show that law not only functions to fulfill rights or interests but also serves to provide certainty.¹³

The existence of the Principle of Legal Certainty functions to protect the rights of those who seek them from arbitrary actions. Someone accepts what is expected. Legal certainty means the application of law that is clear, durable, and consistent when subjective

¹¹ Sudikno Mertokusumo, *Mengenal Hukum* (Liberty 1986), p. 32.

¹² Sudikno Mertokusumo, *Penemuan Hukum* (Liberty 2004), p. 45.

¹³ Yohanes Pattinasarany, 'Kepastian Hukum Kasasi Perkara Tata Usaha Negara Yang Dikeluarkan Oleh Pejabat Daerah' (2022) 6 *Refleksi Hukum: Jurnal Ilmu Hukum* 203, p. 214.

circumstances cannot influence its implementation.¹⁴ Legal certainty is a concept that guarantees that the law is implemented correctly so that there is no doubt in its application.¹⁵ Based on Law Number 30 of 2014 concerning Government Administration. AUPB is considered a basic rule that can be used as a benchmark for state officials when issuing a decision to the administration of the government system. AUPB can be concluded as the main rules that apply in the State Administration (AN) or State Administration Systems (TUN), which contain the following guidelines: a) Basic rules for implementing TUN-Officials in carrying out their authority functions; b) A Judge must implement important basic norms as a benchmark for AN/TUN Judges to determine whether a TUN Decision (K-TUN) applies; c) "The AUPB is not written in nature but can be binding when used as a legal reference for AN/TUN Judges in deciding a TUN case"; d) AUPB is a guide for implementing state administrative powers in determining the rules to be implemented by a State Apparatus in acting.

Several legal experts have tried to provide an understanding of "TUN Law or State Administrative Law (HAN)," including: a) TUN law, according to JHP Bellafroid, is defined as "All rules regarding state agencies and equipment, as well as special courts entrusted by the TUN court to carry out government duties"; b) Oppenheim argues that "HAN is a combination of binding regulations in central and regional government, where the authority of Good Governance has been given based on Constitutional Law (HTN), where HAN reflects the State in a state of the movement"; c) Logemann put forward "Government Law often referred to as HAN as a rule of basic principles that regulate as binding guidelines for executors of State administration in carrying out special tasks"; d) HAN, according to La Bascecour Caan, "is a set of certain rules that can move the state in its administration"; e) Sir W. Ivor Jennings defines HAN as a "Law relating to all state administration and regulating the powers and duties of state government administrators"; f) R.Kranenburg explains, "HAN as a law that regulates all the structure and special authority of state apparatus such as civil service"; g) Prajudi Atmosudirdjo, in his opinion, formulated, "HAN is a legal rule relating to the State and the officials involved in it, which in turn regulates the authority, functions, and behavior of State officials"; h) Crinice Le Roy argued that "the AUPB conception, a government that carries out good governance, has the following criteria"¹⁶: 1) "The Principle of Legal Certainty"; 2) "The principle of careful action"; 3) "The principle of fulfilling expectations"; 4) "The principle of motivation in every decision"; 5) "The principle of not mixing up authorities"; 6) "The principle of eliminating the consequences of a decision"; 7) "The principle of protection of views".

Apart from the Principles mentioned by Crinice Le Roy, Koentjoro also added two more, namely:¹⁷ "Principles of Wisdom" and "Principles of Implementing Public Interests". AUPB is listed in Dutch legal science as the principles of equality, trust, legal certainty, accuracy, the principle of justification or justification, the prohibition on misuse, and the

¹⁴ R Tony Prayogo, 'Penerapan Asas Kepastian Hukum Dalam Peraturan Mahkamah Agung Nomor 1 Tahun 2011 Tentang Hak Uji Materiil Dan Dalam Peraturan Mahkamah Konstitusi Nomor 06/PMK/2005 Tentang Pedoman Beracara Dalam Pengujian Undang-Undang' (2016) 13 Jurnal Legislasi Indonesia 192, p. 194.

¹⁵ Pattinasarany (n 15) 214.

¹⁶ Muhamad Azhar, 'Relevansi Azas-Azas Umum Pemerintahan Yang Baik Dalam Sistem Penyelenggaraan Administrasi Negara' (2015) 08 Notarius 274, 279.

¹⁷ Muhamad Azhar, 'Relevansi Asas-Azas Umum Pemerintahan Yang Baik Dalam Sistem Penyelenggaraan Administrasi Negara' (2015) 08 Notarius 274, 279.

prohibition of arbitrariness.¹⁸ Jazim Hamidi describes the AUPB comprehensively, as follows, namely¹⁹: 1) "Basic norms that develop in the HAN environment";²⁰ 2) "As a guideline for officials, in exercising their authority, it is also a basis for AN/TUN judges in assessing state actions in the form of K-TUN".²¹

AUPB can be used as a rule to guide the implementation of statutory provisions in government administration.²² AUPB can be used as a basis for suing K-TUN. AUPB can be used as a touchstone in canceling a K-TUN issued by a TUN official.²³ Jimly stated, "that in a legal state, all government actions must be based on existing and written laws, and these laws have been in effect before the TUN-legal acts were carried out so that every TUN-legal action must be based on an existing rule."²⁴ Implementing the principles of good governance is needed in public services to the community to increase the speed and efficiency of the performance of TUN officials. The government is developing principles of good governance to minimize the flow of bureaucracy and create faster and better public services for the community. On the other hand, the public still assumes that services provided by the bureaucracy in the government's public sector are long, long, and slow, so they need to be more professional. and expensive.²⁵

In Sadjjono's opinion, good governance means "procedures from the state government apparatus that are carried out starting from the common interest with existing regulations to realize the ideals of the state."²⁶ The implementation of good governance can be carried out in stages, starting with the readiness of the government to protect the people's needs. Efforts to combine "good governance" with public services are nothing new.²⁷ Applying the principle of good governance must exist in the government apparatus, one of which is the principle of professionalism, where this principle can increase the ability and morale of government administrators so that they can provide impartial, easy, straightforward, and affordable services.²⁸ Furthermore, apart from the principles mentioned, one must also apply the principle of transparency, which creates trust, accountability, and excellent service by guaranteeing timely service with good procedures, time certainty, and friendly and courteous service.²⁹

Implementing government administration services in Indonesia has also utilized "Industrial Revolution 4.0" (IR4.0). Where Industrial Revolution 4.0 was first announced in 2011 at the "Ham over-trade fair" trade exhibition by a group of experts from various fields

¹⁸ Philipus M Hadjon, *Pengantar Hukum Administrasi Indonesia* (Gajah Mada University Press 2008), p. 270.

¹⁹ Jazim Hamidi, *Penerapan Asas-Asas Umum Pemerintahan Yang Layak (AAUPL) Di Lingkungan Peradilan Administrasi Indonesia* (Citra Aditya Bakti 1999) 17–21.

²⁰ *Ibid.*

²¹ *Ibid.*

²² Sri Nur and Hari Susanto, 'Penerapan Azas-Azas Umum Pemerintahan Yang Baik Dalam Praktik Peradilan Di Indonesia' (2021) 4 *Administrative Law & Governance Journal* 459, 463.

²³ *Ibid.*

²⁴ Solechan (n 11) 543.

²⁵ Neneng Siti Maryam, 'Mewujudkan Good Governance Melalui Pelayanan Publik' (2016) VI *Jurnal Ilmu Politik dan Komunikasi* 1, 3.

²⁶ *Ibid* 3–4.

²⁷ *Ibid* 10.

²⁸ Neneng Siti Maryam, 'Mewujudkan Good Governance Melalui Pelayanan Publik' (2016) VI *Jurnal Ilmu Politik dan Komunikasi* 1, 5.

²⁹ *Ibid.*

in Germany.³⁰ The Industrial Revolution 4.0 began around the turn of the decade, and government infrastructure was built on digital technology, characterized by expanding internet networks, smaller and more efficient sensors, lower prices, and stronger artificial intelligence thanks to machine learning.³¹ Industrial Revolution 4.0 gave birth to e-government, aka SPBE, an Electricity-Based Government System.³²

E-Government is an electronic government system that has evolved from its original form into a website designed to provide information about a particular institution.³³ This integrated service system can not only be utilized by one institution but also by other interconnected institutions. This e-government system (SPBE) has succeeded in changing the one-way interaction between the community and the city government into a two-way interaction, where the community can communicate directly with the government.

3.2 Solution for digital public administration services run well and effectively

a. Forms of Electronic-Based Government Systems (SPBE)

Procedures For State Administrative Services That Use And Combine Industrial-Revolution 4.0 (IR4.0) Technology Consist Of Administrative Services Based On Text Messaging, Websites, And Applications.³⁴ For Example, Government Administration Services Based On Text Messaging Are Two-Way Text Communication Using The Whatsapp Chat Application. The Procedure Is Easy Because The Public Can Use This Chat Application To Ask Questions, Make Appointments, Send Data, And Complete The Administrative Services That Good Government Requires. Even So, The Problems That Often Arise Related To Text Messaging-Based Government Administration Services, For Example, Are Ineffective Communication Due To A Lack Of Human Resources In Charge Of Serving Incoming Messages, Chatbots That Are Less Responsive And Do Not Answer People's Needs, And The Length Of Time It Takes To Get Messages. Answers, And So On.

An Alternative Good Government Administrative Service Often Utilized By Various Government Agencies Is Website-Based Administrative Service Procedures. The Public Can Use The Website To Submit Requests And Reports And View Various Information. Website-Based Government Administration Services Are More Stable And Effective. Still, Unfortunately, The One-Way Communication Made Possible By Website Technology Means That Problems Reported By The Public Cannot Be Immediately Followed Up. For Example, Less Responsive Operators, Waiting Times After Submitting An Unclear Application, And Websites That Often Go Down When Many Users Open Due To Server Capacity Need To Be Better Prepared.

Another Good Governance Administration Service Procedure Widely Used By Various Government Agencies Is Administration Services Through Applications.

³⁰ Endang Irawan Supriyadi and Dianing Banyu Asih, 'Implementasi Artificial Intelligence (AI) Di Bidang Administrasi Publik Pada Era Revolusi Industri 4.0' (2020) 2 *Jurnal Sosial dan Humaniora* Universitas Muhammadiyah Bandung 12, 14.

³¹ *Ibid* 15.

³² Arief and Abbas (n 7) 1.

³³ Adelina Ibrahim, Assaf Arief and Saiful Do Abdullah, 'Pemerintahan Berbasis Elektronik (SPBE): Sebuah Kajian Pustaka Sistematis Security For E-Government In Publick Services Implementation: A Systematic Literature Review' (2020) 5 *IJIS Indonesian Journal on Information System* 135, 136–137.

³⁴ Handika Pramana Putra, Noverman Duadji and Eko Budi Sulistio, 'Penerapan Teknologi Industri 4.0 Dalam Pelayanan Publik Di Bidang Administrasi Kependudukan (Studi Pelayanan e-KTP Pada Dinas Kependudukan Dan Pencatatan Sipil Kabupaten Way Kanan)' (2020) 2 *Administrativa: Jurnal Birokrasi, Kebijakan dan Pelayanan Publik* 1, 1–3.

Government Administration Services Through This Application Require A Lot Of Preparation And Preparation Costs. Still, It's A Shame That Many Good Governance Administration Service Applications Need To Work More Effectively And Cause Problems When Used By The Public. In July 2022, The Minister Of Finance, Sri Mulyani, Stated And Complained About Several Applications Used By Ministries, Agencies, And Government Agencies For Operational And Administrative Purposes, Which Have Resulted In Inefficiencies." He Explained That Currently, The Country Has More Than 24,400 Applications.³⁵

The Problems That Arise In The Implementation Of The Electronic-Based Government System (SPBE) Have Created Legal Uncertainty, Which Makes The "General Principles Of Good Governance (AUPB)" Not Realizable In Indonesia. Therefore, It Is Necessary To Carry Out Evaluations On Various Fronts Regarding What Needs To Be Criticized And Improved In The Context Of Implementing E-Government In Government Administration Services By Utilizing Industrial Revolution 4.0 (IR4.0)

The Problems That Arise In The Implementation Of The Electronic-Based Government System (SPBE) Have Created Legal Uncertainty, Which Makes The "General Principles Of Good Governance (AUPB)" Not Realizable In Indonesia. Therefore, It Is Necessary To Carry Out Evaluations On Various Fronts Regarding What Needs To Be Criticized And Improved In The Context Of Implementing E-Government In Government Administration Services By Utilizing Industrial Revolution 4.0 (IR4.0).

b. Evaluation of Government Readiness

Government administration management is an activity prepared by the government to design public services with programs created to meet the aspirations and needs of citizens or the community. The ongoing COVID-19 pandemic has succeeded in causing shocks to government administrative services—the prohibition of face-to-face procedures forces e-government, "the Electronic-Based Government System" (SPBE), to be implemented immediately. One of the obstacles arising from this problem is the ineffectiveness of government administrative service procedures due to inadequate preparation. This ineffective service brings various losses to the community. Still, the loss is due to the absence of legal certainty in the "General Principles of Good Governance" (AUPB). To overcome this, it is necessary to criticize the government's readiness to implement e-government in post-pandemic Indonesia, which will be further explained in the following elaboration.

The readiness that needs to be evaluated first is the affordability of the internet network. In March 2021, there were ±212.35 million internet users in Indonesia. This places Indonesia in third place in Asia with the most internet users. In January 2021, internet technology users in Indonesia were recorded at ±202.6 million people, which means around ±73% of the Indonesian population with a population of ±274.9 million people.³⁶ However, the figures above cannot prove that the internet network is evenly accessible throughout Indonesia. A study by the "Indonesian Internet Service Providers Association" (APJII) explained that on the island of Java, it was detected contributing ± 41.7 percent of internet users in Indonesian territory, down from ± 73.3 percent. There is still a sizeable disparity

³⁵ Abdul Aziz Said, 'Sri Mulyani Keluhkan 24 Ribu Aplikasi Pemerintah: Banyak Dan Boros' (*katadata.co.id*, 2022) <<https://katadata.co.id/agustiyanti/finansial/62cc0215de92a/sri-mulyani-keluhkan-24-ribu-aplikasi-pemerintah-banyak-dan-boros>> accessed 27 January 2023.

³⁶ M Hisb Maulana, 'Apakah Jaringan Internet Di Indonesia Sudah Merata?' (*kumparan.com*, 2022) <<https://kumparan.com/muhammadhisbimaaulana/apakah-jaringan-internet-di-indonesia-sudah-merata-1xEbQ1kd5Hv/2>> accessed 27 January 2023.

between internet affordability on the island of Java and other regions throughout Indonesia, especially in the eastern part of the country.

The inaccessibility of the Internet to all communities throughout Indonesia creates the potential for legal uncertainty that could disrupt the effectiveness of public services in Indonesia. Apart from that, there are also several other obstacles related to the lack of preparation in implementing an Electronic-Based Government System (SPBE), for example, the procurement of systems and servers that can accommodate a lot of stable data to ensure easy public access to various Good Government administrative service procedures. Needed. The readiness of this system and server should pay attention to the number of Indonesians who need access, the internet network required, the ease of access by various groups, and especially the government's readiness to serve various incoming reports, applications, and requests. Problems related to internet affordability and the availability of adequate systems and servers can be minimized by collaborating professionally in preparation. Apart from that, research and development can also be carried out, aka testing and development, as well as trial and error, to formulate public administration service procedures that are effective, useful, and accessible to the wider community.

c. Evaluate the Availability of Systems, Gadgets, and Electronic Devices

The realization of Legal Certainty for the people of Indonesia related to government administration services is also constrained by the availability of systems, devices, and electronic devices. Undeniably, the development of "Industrial Revolution 4.0" (IR4.0) has brought technology to a rapid point of change, requiring constant adaptation and evaluation so that the system used remains relevant. Unfortunately, the community often experiences problems obtaining good and effective administration services because their devices must comply with the requirements for the devices needed to utilize public administration service procedures. As a stakeholder, the government should also pay attention to the Indonesian people from all walks of life who cannot use and utilize the latest updated gadgets whose prices may still be beyond the reach of the middle and lower economic communities. Therefore, it is necessary to evaluate the availability of systems suitable for the devices used by the community. In addition, it is necessary to ensure that the Electronic-Based Government System (SPBE) runs effectively on various types of devices with various operating systems so that people can use this e-government service well to get government administration services.

In addition, the government can also take various additional steps to ensure the proper implementation of e-government by the "General Principles of Good Governance" (AUPB), namely upgrading devices used by the public so that they can keep up with the latest operating system developments. , providing shared electronic devices in public places to be accessed by people who need them, as well as presenting service officers who are ready to help if there are people who have difficulty accessing government administration services electronically. These efforts will greatly assist people from various economic, educational, and cultural backgrounds in obtaining legal certainty and effective Good Government administration services.

d. Human Resources Evaluation

In addition to evaluating technical matters such as the readiness of servers, systems, gadgets, and electronic devices, it is also necessary to evaluate non-technical matters such as human resources who will utilize and provide services in SPBE. In its implementation, the Electronic Based Government System (SPBE) involves two parties who need each other:

the community as service users and the state as a service provider. Communities as service users need to be equipped with sufficient skills and abilities to become skilled human resources who utilize Good Governance administrative services. The skills and abilities of the community as service users are also divided into technical and non-technical skills. The technical skills needed by the public to make good use of government administration services, for example, are skills in using gadgets, skills in taking good photos, skills in submitting reports in clear and concise writing, and so on. These technical skills will help carry out e-government effectively and efficiently so that people can convey their aims and objectives. In addition, the community also needs to be equipped with non-technical abilities and skills such as critical reading, integrity, tolerance, and the desire to continue learning. Utilizing technology in the era of the 4.0 Industrial Revolution (IR4.0) requires the public to pay attention to any information and procedures that are digitally available, self-awareness to submit self-information or reports according to actual conditions, the ability to be self-aware to live side by side with a society that is multicultural and differs in religion, ethnicity, race, and class, as well as the ability to adapt to changes in administrative service procedures.

Furthermore, the government can also improve the preparation of government administration services by preparing the abilities and skills of service workers in government offices so that they are ready to handle various inquiries, requests, and reports from the public. The Electronic-Based Government System (SPBE) cannot run normally even though the technical aspects that have been evaluated can be used optimally because the actual quality of public services is determined by policymakers and official workers who process reports and requests from the public. These government administration service providers need to be equipped with technical capabilities and skills such as how to utilize various digital facilities to provide optimal reports, how to write effective answers and solve community problems, and how to operate digital administration service systems such as the WhatsApp chat application, website, and application. These abilities and skills will help people needing special assistance get government administration services because trained officers can provide assistance through applicable procedures and solve problems effectively, quickly, and efficiently.

The stage often forgotten by the government when implementing a good work program for the community is the socialization stage. To ensure the achievement of Legal Certainty by the General Principles of Good Governance (AUPB), the public needs to be aware of the availability of public administration services that can be accessed electronically through e-government. Of course, this awareness can only arise if there has been massive outreach from the government accompanied by guarantees that the public can get clear information, ask questions in real time, and send reports and requests, which will be processed thoroughly through administrative service procedures. If this can be carried out properly, it is certain that Legal Certainty, which has become the right of the people, can be realized in the Government of the Republic of Indonesia.

e. Right to Information and Public Services

The services received by the public in terms of their needs for various public government administration services are also manifestations of the rights of Indonesian citizens, namely the right to information and public services. This right has been guaranteed by the 1945 Constitution of the Republic of Indonesia (UD NRI) as the basis of the Indonesian state, based on Law and Pancasila, regulated in the 1945 Constitution of the

Republic of Indonesia Article 28F.³⁷ This legal regulation explains: "Everyone has the right to communicate and obtain information to develop their personal and social environment, and to seek, obtain, own and store information using all available channels." This public information also includes information regarding government administration services that can be accessed by the public and used as widely as possible according to community needs.³⁸

Awareness of the right to information and public services should improve services for government administration provided by various public agencies and institutions and convince the public to have the courage to question information as clearly as possible according to their needs. The right to information and public services can be used as a basis for society to obtain transparent services that have legal certainty and are fast, precise, and accurate. This government administration service with legal certainty is fast, precise, and accurate. It will facilitate social life, especially for various groups who must handle government administration files according to their needs.

A survey from Indonesian Political Indicators found that 34.3% of respondents from Indonesian society still felt that the use of digital applications in Indonesia needed to be evenly distributed nationally.³⁹ The inequality in the utilization and use of digital applications is caused by various factors, including several reasons for the ineffectiveness of government administration services discussed above, namely the uneven availability of the internet throughout Indonesia and the inequality in access to smartphone devices used to access digital applications. Apart from that, this survey also found several other reasons given by respondents regarding the uneven use of digital applications for government administration services in Indonesia, namely applications that are difficult to use, internet quota prices that are not yet affordable, application services that are not yet available or have not been provided by various responsible government agencies, the price of smartphone devices is high, the appearance (UI-User Interface/UX-User Experience) of applications that makes it difficult for users, and so on. Therefore, legal certainty and the public's right to information and public services must continue to be fought for, evaluated, and improved in quality.

The public's right to obtain information and public services with legal certainty does not only stop at opening access to appropriate, fast, and accurate government administration service information but also provides open information regarding the legal protection of citizens' data. Often, cases are found in government administration services where there is no legal protection for people's data, so personal data is treated haphazardly. People's data is freely distributed, easily accessed by unauthorized parties, and has a high risk of being misused by irresponsible parties. This, of course, violates the public's right to obtain information and public services, one of which is a service that is reliable, safe, and has legal certainty. The public's data needs to be kept confidential, especially if the public must continue to use their data to access various important government administration services by utilizing e-government services. Some of the public's data needs to be considered

³⁷ Republik Indonesia, 'Undang Undang Dasar Negara Republik Indonesia Tahun 1945 Pasal 1 Ayat 3 Tentang Negara Indonesia Sebagai Negara Hukum' (Republik Indonesia, 1945) 1 Pasal 28F.

³⁸ Kartika Widya Utama and Yudhitiya Dyah Sukmadewi, 'Dualisme Penyelesaian Sengketa Permohonan Informasi Publik' (2019) 2 *Administrative Law & Governance Journal* 672, 674 <<https://doi.org/10.14710/nts.v8i2.10259>>.

³⁹ Shilvina Widi, 'Survei : 34,3 % Masyarakat RI Nilai Akses Digital Belum Merata Pemerataan Akses Digital' (dataindonesia.id, 2022) <<https://dataindonesia.id/digital/detail/survei-343-masyarakat-ri-nilai-akses-digital-belum-merata>> accessed 27 January 2023.

for its use, storage, and management, for example, databases of names, dates of birth, NIK (resident identification numbers), email addresses, and telephone numbers. This data, if it is in the hands of the wrong person, can be used for various dangerous reasons, for example, online loan registration by profiteering other people's names, falsifying identity, and so on.

Therefore, there must be legal protection for public personal data information so it is not used carelessly. The government, in this case, the government administration service provider, must be able to provide transparent and open information regarding the management and security of public personal data sent during registration and government administration. Especially as we enter the era of the 4.0 Industrial Revolution (IR 4.0), personal data protection must be increasingly encouraged so that it is not misused for improper interests. In this era of technological progress facilitated by the internet and the sophistication of this online digital system, everyone can easily attach their identity card (e-KTP) and use their selfie photo to carry out various digital financial actions and transactions, for example, to apply for a loan through a loan. Online (pinjol), apply for a credit card, etc. Legal protection against disseminating people's data that irresponsible public members can use can result in fatal and dangerous impacts. It can be in the form of fraudulent financial transactions on fictitious loans in other people's names, and the government must act against irresponsible people to protect the public's right to information and public services.

4. CONCLUSION

Based on the discussion above, legal certainty in the completion of government administration services is the main focus in the public government system, especially in the Industrial Revolution 4.0 era, which has evolved into a digital government service called e-government. Through SPBE, it is hoped that digital government administration services for the public can be re-evaluated so that they can be implemented better, quickly, on time, efficiently, and at low cost and can be reached by all levels of society in the Unitary State of the Republic of Indonesia without obstacles. Apart from thorough preparation and adequate technical aspects, management also requires human resources (HR) who are qualified and reliable in operating the e-government system, as well as having expertise in the field of government administration technology, so that they can provide appropriate government administration services. Time, satisfying, and resolving existing problems in the community by the principle of legal certainty. Apart from that, the community as recipients and users of services also needs to receive socialization and be equipped with various technical and non-technical skills to utilize community administration service procedures according to their needs. So that legal certainty in using and receiving public government digital services can be realized. The state is not only responsible for providing public services that meet the needs of the community. Still, it is also responsible for ensuring the sustainability and success of these public services. Better, of course, supported by evaluation of various preparations and availability of devices, the ability of human resources to adapt, and integration between systems of administrative service procedures in various government agencies in Indonesia. Apart from that, the government also needs to pay attention to the public's right to information and public services, which is regulated in statutory regulations, specifically the 1945 Constitution of the Republic of Indonesia (UUD NRI) article 28F. In general, the government can fulfill people's rights with two main attitudes, namely providing information about public administration services that are easily accessible to the public, including providing transparent services that are legally certain, fast, precise, and accurate. Then, the second action that the government can take to fulfill people's rights to information and public services is to provide legal protection for people's

data sent when accessing e-government or SPBE services. A legal protection system must assure the public that the personal data they input into e-government applications and websites/portals can only be used by authorized parties for their proper needs and will not be shared with others irresponsible. The main objective of carrying out this evaluation is to achieve legal certainty, which is the right of citizens of the Republic of Indonesia (WNI) so that they can receive digital government administration services in the era of the Industrial Revolution 4.0 on time and protect personal data because of the use of e-government. Hopefully, Legal Certainty, also part of the General Principles of Good Governance (AUPB), can be realized in the Unitary State of the Republic of Indonesia and felt by all its citizens.

REFERENCES

Journal Article

- Arief A and Abbas MY, 'Kajian Literatur (Systematic Literature Review): Kendala Penerapan Sistem Pemerintahan Berbasis Elektronik (SPBE)' (2021) 8 *Jurnal Ilmiah Teknik Elektro* 1
- Azhar M, 'Relevansi Asas-Asas Umum Pemerintahan Yang Baik Dalam Sistem Penyelenggaraan Administrasi Negara' (2015) 08 *Notarius* 274
- Bouty, Abdul Aziz, Mohammad Hidayat Koniyo, and Dian Novian. "Evaluasi Sistem Pemerintahan Berbasis Elektronik Menggunakan E-Government Maturity Model (Kasus Di Pemerintah Kota Gorontalo)." *Jurnal Penelitian Komunikasi Dan Opini Publik* 23, no. 1 (2019). <https://doi.org/10.33299/jpkop.23.1.1758>
- Ibrahim A, Arief A and Abdullah DS, 'Keamanan Untuk Penerapan Layanan Publik Pada Sistem Pemerintahan Berbasis Elektronik (SPBE): Sebuah Kajian Pustaka Sistematis Security For E-Government In Publick Services Implementation: A Systematic Literature Review' (2020) 5 *IJIS Indonesian Journal on Information System* 135
- Maryam NS, 'Mewujudkan Good Governance Melalui Pelayanan Publik' (2016) VI *Jurnal Ilmu Politik dan Komunikasi* 1
- Nur S and Susanto H, 'Penerapan Asas-Asas Umum Pemerintahan Yang Baik Dalam Praktik Peradilan Di Indonesia' (2021) 4 *Administrative Law & Governance Journal* 459
- Nur, Emilsyah. "Penerapan E-government Publik Pada Setiap Skpd Berbasis Pelayanan Di Kota Palu." *Jurnal Penelitian Komunikasi dan Opini Publik*, vol. 18, no. 3, 2014
- Pattinasarany Y, 'Kepastian Hukum Kasasi Perkara Tata Usaha Negara Yang Dikeluarkan Oleh Pejabat Daerah' (2022) 6 *Refleksi Hukum: Jurnal Ilmu Hukum* 203
- Prayogo RT, 'Penerapan Asas Kepastian Hukum Dalam Peraturan Mahkamah Agung Nomor 1 Tahun 2011 Tentang Hak Uji Materiil Dan Dalam Peraturan Mahkamah Konstitusi Nomor 06/PMK/2005 Tentang Pedoman Beracara Dalam Pengujian Undang-Undang' (2016) 13 *Jurnal Legislasi Indonesia* 192
- Putra HP, Duadji N and Sulistio EB, 'Penerapan Teknologi Industri 4.0 Dalam Pelayanan Publik Di Bidang Administrasi Kependudukan (Studi Pelayanan e-KTP Pada Dinas Kependudukan Dan Pencatatan Sipil Kabupaten Way Kanan)' (2020) 2 *Administrativa: Jurnal Birokrasi, Kebijakan dan Pelayanan Publik* 1
- Solechan, 'Asas-Asas Umum Pemerintahan Yang Baik Dalam Pelayanan Publik' (2019) 2 *Administrative Law and Governance Journal* 541

Supriyadi EI and Asih DB, 'Implementasi Artificial Intelligence (AI) Di Bidang Administrasi Publik Pada Era Revolusi Industri 4.0' (2020) 2 *Jurnal Sosial dan Humaniora Universitas Muhammadiyah Bandung* 12

Widya Utama K and Dyah Sukmadewi Y, 'Dualisme Penyelesaian Sengketa Permohonan Informasi Publik' (2019) 2 *Administrative Law & Governance Journal* 672 <<https://doi.org/10.14710/nts.v8i2.10259>>

Book

Asshiddiqie J, *Pengantar Ilmu Hukum Tata Negara* (Sekretariat Jenderal dan Kepaniteraan Mahkamah Konstitusi RI 2006)

Hadjon PM, *Pengantar Hukum Administrasi Indonesia* (Gajah Mada University Press 2008)

Hamidi J, *Penerapan Asas-Asas Umum Pemerintahan Yang Layak (AAUPL) Di Lingkungan Peradilan Administrasi Indonesia* (Citra Aditya Bakti 1999)

Mertokusumo S, *Mengenal Hukum* (Liberty 1986)

— —, *Penemuan Hukum* (Liberty 2004)

Sibuea HP, *Asas Negara Hukum, Peraturan Kebijakan, Dan Asas - Asas Umum Pemerintahan Yang Baik* (Erlangga 2010)

Thesis, Web Page, and Others

Zainul Faki, Wildan. "Evaluasi Implementasi Sistem Pemerintahan Berbasis Elektronik (SPBE) Pemerintah Kabupaten Situbondo Menggunakan Peraturan Menteri PAN-RB Nomor 5 Tahun 2018 Tentang Pedoman Evaluasi SPBE." UT-Faculty of Computer Science.Universitas Jember, 2019. <http://repository.unej.ac.id/handle/123456789/99193>

Maulana MH, 'Apakah Jaringan Internet Di Indonesia Sudah Merata?' (*kumparan.com*, 2022) <<https://kumparan.com/muhammadhisbimaaulana/apakah-jaringan-internet-di-indonesia-sudah-merata-1xEbQ1kd5Hv/2>> accessed 27 January 2023

Priyatna SA, 'Birokrasi Dan Pelayanan Publik Dalam Perspektif Hukum Administrasi Negara' (*djkn.kemenkeu.go.id*, 2022) <www.djkn.kemenkeu.go.id/artikel/baca/15537/BIROKRASI-DAN-PELAYANAN-PUBLIK-DALAM-PERSPEKTIF-HUKUM-ADMINISTRASI-NEGARA.html> accessed 27 January 2023

Said AA, 'Sri Mulyani Keluhkan 24 Ribu Aplikasi Pemerintah: Banyak Dan Boros' (*katadata.co.id*, 2022) <<https://katadata.co.id/agustiyanti/finansial/62cc0215de92a/sri-mulyani-keluhkan-24-ribu-aplikasi-pemerintah-banyak-dan-boros>> accessed 27 January 2023

Widi S, 'Survei : 34 ,3 % Masyarakat RI Nilai Akses Digital Belum Merata Pemerataan Akses Digital' (*dataindonesia.id*, 2022) <<https://dataindonesia.id/digital/detail/survei-343-masyarakat-ri-nilai-akses-digital-belum-merata>> accessed 27 January 202