

Regional Regulations: Implementation of Electronic-based Government System

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doi: <https://doi.org/10.37745/ejbir.2013/vol11n36169>

Published June 10, 2023

Citation: Haerofiatna H. and Chaidir J. (2023) Regional Regulations; Implementation of Electronic-based Government System, *European Journal of Business and Innovation Research*, Vol.11, No.3, pp.,61-69

ABSTRACT: *This Academic Paper Research uses two approaches in comprehensively examining aspects of regulatory legitimacy, namely normative legal research and empirical research. The data collection technique used is Library Research on secondary data. Literature study was conducted to obtain secondary legal material by conducting a review of books related to the object of preparation. Data analysis was carried out using the content analysis approach. The results showed that the evaluation of SPBE and the Maturity value of 2.67 was good. There are already juridical and philosophical aspects in developing this information system, and it has been developed based on laws and regulations and the vision and mission and objectives of the Serang Regency Government. Based on the results of the study, it can be concluded that the Government of Serang Regency has carried out the SPBE evaluation stage and obtained a Maturity score of 2.67 with a good predicate, Internal Policy is one of the domains in improving the quality of public services in Serang Regency, The philosophical basis for the Draft Serang Regency Regional Regulation on Government-Based Systems Electronic means the 1945 Constitution of the Republic of Indonesia Article 28F and the scope and direction of regulation of the Draft Regional Regulation on an Electronic-Based Government System in accordance with the vision, mission, goals and objectives to be achieved by the Central government in accordance with the mandate given in Presidential Regulation Number 95 of 2018 concerning Electronic-Based Government Systems.*

KEYWORDS: administration system, government, electronic-based, academic texts

INTRODUCTION

The information and communication technology (ICT) revolution has provided an opportunity for the government to innovate in the development of the state apparatus through the implementation of an Electronic-Based Government System (SPBE) or e-government, namely the administration of government that utilizes ICT to provide services to government agencies, the state civil apparatus, businesses, communities and other parties. SPBE provides an opportunity to encourage and realize open, participatory, innovative and accountable

government administration, increase collaboration between government agencies in carrying out government affairs and tasks to achieve common goals, improve the quality and reach of public services to the wider community, and reduce the level of abuse of authority in the form of collusion, corruption and nepotism through the implementation of an electronic-based monitoring and public complaint system.

The Government of Serang Regency realizes the important role of SPBE in supporting all development sectors. Efforts to encourage the implementation of SPBE have been carried out by the central government by issuing sectoral laws and regulations mandating the need for the implementation of an information system or SPBE. So far ministries, agencies, and local governments have implemented SPBE individually according to their capacity, and achieved a level of progress on SPBE that varies widely nationally. To build a synergy for the implementation of SPBE that has the force of law between Regional Apparatus Organizations and related institutions within the Serang Regency Government, a Serang Regency SPBE Master Plan is needed which is contained in the Serang Regency Regional Regulation as a guideline for all Regional Apparatus Organizations to achieve an integrated SPBE in accordance with its vision, namely "The realization of an integrated and comprehensive electronic-based government system to achieve high-performance bureaucracy and public services".

This academic text broadly discusses three aspects of legitimacy which are required by law to be included in Academic Papers, namely the philosophical aspect, the juridical aspect and the sociological aspect. The philosophical aspect aims to ensure that the regulatory instruments to be formed have philosophical alignment with existing legal sources. The juridical aspect requires that the regulatory instruments to be made have substantial coherence and harmonization both vertically and horizontally with other laws and regulations, as well as having clear legal references. While the sociological aspect is needed to ensure that the regulations to be made can ultimately be grounded and function effectively as a policy instrument in regulating community activities as a framework for solving problems or meeting the legal needs of society, (Ranggawijaya, 2018).

In general, the use of the preparation of this Academic Paper is as a reference or reference for the preparation and discussion of draft Regional Regulations. The draft Regional Regulation which is composed with reference to scientific studies in Academic Papers will pay attention to the philosophical, sociological and juridical aspects into the Regional Regulations for the Implementation of an Electronic-Based Government System in Serang Regency, so as to be able to encourage the development of the implementation of an electronic-based government system that brings benefits to society and the environment in Serang District.

The development of e-government is an effort to develop governance through the use of electronic media to improve the quality of public services. With the development of e-government, it is necessary to organize work systems and processes within the government through the use of information technology. Utilization of information technology includes 2 (two) activities or activities that are directly related, (Inpres No.3, 2003).

Information System is an arrangement of people, data, processes and information technology that interact with each other to collect, process, store and provide data as information/output needed to support the activities of an organization. Likewise, the information system developed by the government for public services is inseparable from the management of people, data, processes and information technology. This is evidenced by the existence of a government policy regarding the e-government Application System Blueprint, with the aim that the information system developed by the government can be accountable to the public and in accordance with the functional requirements of public services. Service, administrative and institutional functions are grouped into function blocks. Function block groups are arranged in a function chart which is then referred to in the blueprint document as the Functional Framework of the Governance System (Blueprint e-Gov, 2004).

E-government in Indonesia has been initiated since 2001 (based on Presidential Decree No. 6 of 2001 concerning telematics), several initiatives have been carried out to increase and accelerate e-government penetration in government agencies. However, the current implementation of e-government is felt not to provide optimal benefits, it still has many deficiencies that require improvements. In the public service sector, an integrity survey conducted by the Corruption Eradication Commission (KPK) in 2013 showed that the quality of Indonesia's public services had only achieved a score of 6.80 out of a scale of 10. The average central agency integrity score this year was (7.37), vertical (6.71) and local government (6.82). This integrity score shows the characteristics of quality in public services, as measured by indicators including experience of corruption, perspective on corruption, work environment, administration system, individual behavior, and prevention of corruption. Despite experiencing an increase in the average integrity index value compared to the previous 2012, the results of this survey show that there are still many government organizations that need to make improvements to indicators that are still lacking in order to improve the quality of public services in the eyes of the wider community, (Huda, 2017).

Meanwhile, the revolution in information and communication technology (ICT) provides an opportunity for the government to innovate the development of the state apparatus through the implementation of an Electronic-Based Government System (SPBE) or e-government, namely administration of government that utilizes ICT to provide services to government agencies, civil servants, countries, business actors, communities and other parties. SPBE provides an opportunity to encourage and realize open, participatory, innovative and accountable government administration, increase collaboration between government agencies in carrying out government affairs and tasks to achieve common goals, improve the quality and reach of public services to the wider community, and reduce the level of abuse of authority in the form of collusion, corruption, and nepotism through the implementation of an electronic-based monitoring and public complaint system, (Soemitro, 2020).

METHOD

This academic text research uses two different approaches in comprehensively examining aspects of regulatory legitimacy, namely normative legal research and empirical research. Normative legal research is mainly used to examine aspects of philosophical and juridical legitimacy through two stages. First, carry out an inventory of various laws and regulations that have relevance to regional regulations regarding peace and public order, (Manan, 2019). Second, the statutory regulations that have been inventoried will then be analyzed by relying on two aspects, namely the philosophical aspect and the juridical aspect. An analysis of the philosophical aspects is carried out on the content of laws and regulations, (Supranto, 2018). The study of the juridical aspect is carried out on the norms of laws and regulations that provide the basis for regional authority as well as those that determine the regulatory substance that must be accommodated in the preparation of a Regional Regulation on the Implementation of an Electronic-Based Government System. While empirical studies are used to describe aspects of sociological legitimacy. The empirical studies are carried out through team studies and Focus Group Discussions on studies related to the vision and mission; goals and objectives of the Implementation of an Electronic-Based Government System in Serang Regency.

The data collection technique used is Library Research on secondary data. A literature study was conducted to obtain secondary legal material by conducting a review of books related to the object of preparation (Narbuko et. al., 2017). Primary data was obtained through field studies (field research), namely by conducting interviews and Focus Group Discussions (FGD). An interview is a conversation with a specific purpose carried out by two parties, namely the interviewer (interviewer) who asks questions and the interviewee (interviewee) who provides answers to the questions. while FGDs are also commonly referred to as qualitative data collection methods and techniques by conducting group interviews, (Maleong, 2017). FGD can be defined as a method and technique in collecting qualitative data in which a group of people discuss a focus on a particular problem or topic guided by a facilitator or moderator.

Data analysis used is qualitative analysis. Qualitative analysis is a way of analyzing data sourced from law based on concepts, theories, laws and regulations, doctrines, legal principles, expert opinions or the views of the researchers themselves. Sources of data in the research on the Academic Documents for Regional Regulations for the Implementation of Electronic-Based Government Systems consist of three legal materials, namely primary materials, secondary legal materials, and tertiary legal materials, (Soekamto, 2018).

FINDINGS AND DISCUSSION

The scope and direction of regulation of the Draft Regional Regulation concerning Electronic-Based Government Systems is in accordance with the vision, mission, goals and objectives to be achieved by the Central government in accordance with the mandate given in Presidential Regulation Number 95 of 2018 concerning Electronic-Based Government Systems. The vision of an Electronic-Based Government System is the realization of an integrated and

comprehensive electronic-based government system to achieve high-performance bureaucracy and public services. This vision is a reference in realizing the implementation of Regional Government Electronic-Based Governance Systems to produce government bureaucracy that is integrative, dynamic, transparent and innovative, as well as improving the quality of public services that are integrated, effective, responsive and adaptive.

To achieve this vision, the missions of the Electronic-Based Government System are: To organize and strengthen the organization and governance of an integrated electronic-based government system; Develop electronic-based public services that are integrated, comprehensive and reach the wider community; Building an integrated, secure and reliable information and communication technology foundation; and building competent and innovative human resources based on information and communication technology. The objectives of the Electronic-Based Government System based on the vision and mission as stated above are: To realize clean, effective, efficient, transparent and accountable governance. Realizing quality and reliable public services; and Realizing an integrated electronic-based government system. While the objectives of the Electronic-Based Government System are: The realization of effective and efficient governance and management of the Electronic-Based Government System; Realization of integrated and user-oriented Electronic-Based Government System services; The implementation of an integrated Electronic-Based Government System infrastructure; and increasing the HR capacity of the Electronic-Based Government System.

The implementation of e-government is an effort to utilize information and communication technology which aims to increase efficiency, effectiveness, transparency, accountability in administering government and public services. e-government is needed to further improve public services to the community. There are often government services that are very slow, procedures that are sometimes complicated, and there is no certainty, resulting in many complaints that occur in the community about the bad bureaucracy of public services. For this reason, clear arrangements regarding e-government are needed, so that it can be implemented as well as possible and can provide better services to the public in all respects.

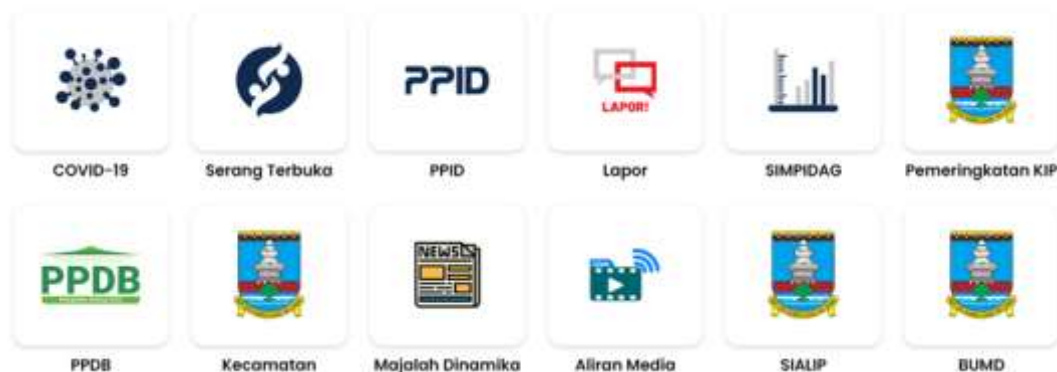
In Article 28 F of the Constitution of the Republic of Indonesia it is stated that Everyone has the right to communicate and obtain information to develop his personality and social environment, and has the right to seek, obtain, possess, store, process and convey information using all types of channels. available, (Kusumaatmadja, 2018). From the provisions of Article 28 F it is clear that the 1945 Constitution of the Republic of Indonesia provides protection for every layer of society to obtain the information needed without exception or to convey information quickly. By providing convenience in providing information and fast processing to the public, it will provide the best service and be able to satisfy the community. The provision of this information can be used using all types of available channels, meaning that the government can create a system that facilitates the process of providing this information, for example through the mass media, the internet, telephone complaints and others. This is the basis of the government's authority, in this case the Regional Government, to be able to give birth to regulations regarding the management of e-government.

Figure 1. Basis for the Development of an Electronic-Based Government System for the Government of Serang Regency



The Director of Government Informatics Application Services at the Ministry of Communication and Informatics of the Republic of Indonesia encourages the Serang Regency Informatics, Encryption and Statistics Communication Service (DiskominfoSatik) to further enhance socialization or training in the use of technology, information and communication (ICT) in conducting public services. This is in line with the expectations of the Regent of Serang Regency, who encourages the implementation of electronic-based public services through the Decree of the Regent of Serang Number 656.1/Kep. 160-Huk.Diskominfo/2020 concerning the Formation of a coordination team for the Serang Regency Government Electronic-Based Governance System in 2020. Services available at the Serang Regency Government.

Figure 2. Serang District Government Electronic-Based Governance System in 2020



This indicates that the design of e-government applications in the Serang District Government has begun. Seeing the application above, the local government of Serang Regency has entered the 3rd stage (Stabilization) in the implementation of e-government, although it is not yet maximal when referring to Presidential Instruction No. 6 of 2003. Application still needs

improvements and improvements. So that all applications that have been built can be utilized, the final target is to enter stage 4 (utilization).

Figure 3. Development of an Electronic-Based Government System for the Government of Serang Regency



CONCLUSION

Based on the description as mentioned above, the following conclusions can be drawn: The Government of Serang Regency has carried out the SPBE evaluation stage and obtained a Maturity score of 2.67 with a good predicate. The maturity value of SPBE implementation obtained by Serang Regency certainly makes the evaluation of SPBE implementation still needs to be improved with improvement efforts both in the SPBE policy domain, the implementation of SPBE governance and SPBE services. In addition, there is no Internal Policy related to SPBE in Serang Regency, so the urgency of forming regional regulations related to Electronic-Based Government Systems is felt to be very necessary.

Internal Policy is one of the domains in improving the quality of public services in Serang District. The policy can be in the form of legal instruments or regulations both at the level of Regional Regulations and District Head Regulations. So far, there is no Regional Regulation that regulates SPBE, so the urgency of forming this regulation is felt to be very necessary. Based on this, of course it is necessary to carry out research or legal studies on issues related to SPBE as the basis for establishing the Serang Regency Regional Regulation Draft concerning Electronic-Based Government Systems.

The philosophical basis for the Draft Regional Regulation of Serang Regency regarding the Electronic-Based Government System is the 1945 Constitution of the Republic of Indonesia Article 28F which states that everyone has the right to communicate and obtain information to develop their personality and social environment, and has the right to seek, obtain, possess, and store information using all kinds of available channels. This is a human right as a manifestation of the life of a democratic nation and state. The sociological basis for the Draft Regional Regulation of Serang Regency regarding Electronic-Based Government System is that in order to improve the quality of governance that utilizes information and communication technology effectively, efficiently and continuously, it is necessary to evaluate the implementation of Electronic-Based Government Systems. The juridical basis is that there is no Internal Policy related to SPBE in Serang Regency, so the urgency of establishing regional regulations related to the Electronic-Based Government System is felt to be very necessary.

The scope and direction of regulation of the Draft Regional Regulation concerning Electronic-Based Government Systems is in accordance with the vision, mission, goals and objectives to be achieved by the Central government in accordance with the mandate given in Presidential Regulation Number 95 of 2018 concerning Electronic-Based Government Systems. The scope of regulation of the Serang Regency Draft Regional Regulation concerning Electronic-Based Government Systems consists of a. SPBE Scope; b. SPBE Governance; c. SPBE Management; e. Information and Communication Technology Audit; f. SPBE organizers; and g. SPBE Monitoring and Evaluation.

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