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Digital Transformation of Administrative Law for Good Governance in Indonesia

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Abstract
Digital transformation has fundamentally reshaped public governance in Indonesia, particularly in the implementation of administrative law. The expansion of digital public services, the Electronic-Based Government System (SPBE), and various e-government initiatives have significantly improved the efficiency, transparency, accountability, and accessibility of public administration. At the same time, digital governance has encouraged greater public participation and more responsive service delivery. Nevertheless, these developments have also created substantial legal and institutional challenges, including regulatory fragmentation, inadequate personal data protection, cybersecurity risks, disparities in digital infrastructure, and the limited digital competencies of public officials. This study aims to examine the transformation of administrative law in the digital era and to analyze its challenges and opportunities in promoting good governance in Indonesia. The research employs a normative legal research method using statutory, conceptual, and analytical approaches. Data were collected from primary, secondary, and tertiary legal materials and analyzed qualitatively. However, its effectiveness depends on regulatory harmonization, the consistent implementation of the General Principles of Good Governance (GPGG), strengthened institutional capacity, and effective oversight mechanisms. Therefore, an adaptive legal framework is essential to ensure legal certainty, protect citizens' rights, and support the sustainable realization of good governance in Indonesia.

Introduction

The rapid advancement of information and communication technologies has fundamentally transformed public governance worldwide, making digitalization an integral component of administrative reform rather than merely a technological innovation. In Indonesia, this transformation has been institutionalized through the implementation of the Electronic-Based Government System (SPBE), digital public services, and various e-government initiatives aimed at improving the efficiency, transparency, accountability,

and responsiveness of public administration. These reforms reflect the government's commitment to modernizing public services while promoting the principles of good governance as advocated by the United Nations Development Programme (UNDP), including transparency, accountability, participation, effectiveness, efficiency, and the rule of law.[1]

From the perspective of administrative law, digital transformation has substantially altered the legal relationship between the state and its citizens. Administrative decisions and public services that were traditionally delivered through conventional procedures are increasingly administered through digital platforms.[2] Consequently, administrative law must evolve to regulate the exercise of governmental authority within this new technological environment while continuing to guarantee legal certainty and protect citizens' rights. Administrative law therefore functions not only as a legal framework governing public administration but also as a mechanism for ensuring that every exercise of governmental power remains consistent with the principles of legality and the rule of law.[3]

The concept of good governance constitutes the normative foundation for digital administrative reform. According to the United Nations Development Programme (UNDP), good governance is characterized by public participation, transparency, accountability, responsiveness, effectiveness, efficiency, equity, and adherence to the rule of law. Digital technologies have the potential to strengthen these principles by improving access to public information, accelerating administrative processes, reducing bureaucratic inefficiencies, and facilitating greater citizen participation in governmental decision-making. Accordingly, digital governance should be viewed not merely as a technological transformation but as an instrument for improving the quality and legitimacy of public administration.

Nevertheless, the digitalization of government administration must remain firmly grounded in the constitutional principle of the rule of law. Every administrative decision, whether issued through conventional or electronic

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[1] Rusdianto Sesung and Sofyan A. Djalil, *Hukum Administrasi Indonesia: Konsep Dasar, Perkembangan, Dinamika, Perbandingan, Dan Reformulasi* (Bandung: Refika Aditama, 2025).

[2] Faisal Abdulhafez Alshawabkeh and Khaled Mustafa Al Jasmi, "The Role Of Modern Technology In Administrative Control Governance: A Legal Analytical Study Of The Impact Of Digital Transformation On Administrative Efficiency," *Corporate Law and Governance Review* 7, no. 3 (2025), https://doi.org/10.22495/clgrv7i3p12.

[3] Sumardi Sumardi, "Transformation of State Administrative Law in the Digital Government Era," *Rechtsnormen: Journal of Law* 2, no. 3 (2024), https://doi.org/10.70177/rjl.v2i3.1299; Najmatul Haya Zen, Aldi Frinaldi, and Roberia Roberia, "Peran Hukum Administrasi Negara Dalam Mewujudkan Good Governance Di Era Digital," *Innovative: Journal Of Social Science Research* 5, no. 1 (2025); Satunggale Kurniawan, "Transformasi Hukum Administrasi Di Era Digital Tantangan Dan Peluang Untuk Pemerintahan Yang Transparan Di Kota Probolinggo," *Journal Of Law And Social Society* 2, no. 1 (2025).

means, must possess a clear legal basis and comply with fundamental principles of legality, due process, proportionality, and accountability. In this regard, the General Principles of Good Governance (GPGG) serve as an essential legal standard for evaluating administrative conduct and ensuring that technological innovation does not diminish the protection of citizens' rights. Instead, digital governance should reinforce legal certainty, fairness, transparency, and administrative accountability.[4]

Despite its significant benefits, digital transformation also presents substantial legal and institutional challenges. Regulatory fragmentation, personal data protection, cybersecurity risks, the legal validity of electronic administrative decisions, disparities in digital infrastructure, and the limited digital competencies of public officials continue to hinder the effective implementation of digital governance. These challenges demonstrate that the success of administrative digitalization depends not only on technological advancement but also on coherent regulatory frameworks, institutional readiness, effective oversight mechanisms, and the capacity of public institutions to adapt to rapidly evolving technological developments.

Existing studies have primarily examined digital transformation from the perspectives of information technology, public administration, and public policy. Comparatively little attention has been devoted to its implications for administrative law, particularly regarding the adequacy of existing legal frameworks in addressing emerging legal issues arising from digital governance. This gap is increasingly significant as technological innovation continues to reshape administrative decision making and creates new legal questions concerning accountability, legality, procedural fairness, and the protection of citizens' rights.

Against this background, this study aims to examine the transformation of administrative law in the digital era and to analyze its challenges and opportunities in advancing good governance in Indonesia. The study seeks to contribute to the development of administrative law scholarship by providing a comprehensive legal analysis of digital governance while offering recommendations for establishing a more adaptive regulatory framework capable of ensuring legal certainty, strengthening institutional accountability, protecting citizens' rights, and promoting the sustainable realization of good governance in Indonesia.

[4] Arief Prayitno, "Digitalization of Business Administration in Government: Strategy towards Smart Government," *Journal of Governance* 10, no. 1 (2025), https://doi.org/10.31506/jog.v10i1.31554; Armenia Androniceanu and Irina Georgescu, "Public Administration Digitalization and Government Effectiveness in the EU Countries," *Central European Public Administration Review* 21, no. 1 (2023), https://doi.org/10.17573/cepar.2023.1.01.

Methods

This study employs a normative legal[5] research method to examine the transformation of administrative law in the digital era and to analyze its challenges and opportunities in advancing good governance in Indonesia. The research adopts statutory, conceptual, and comparative approaches. The statutory approach examines the legal framework governing public administration, digital governance, public services, and personal data protection, while the conceptual approach explores the theories of administrative law, good governance, e-government, digital governance, and the General Principles of Good Governance (GPGG). A limited comparative approach is also employed to evaluate Indonesia's digital governance framework in light of international developments. The study relies on primary, secondary, and tertiary legal materials collected through an extensive library-based review of legislation, scholarly publications, and other relevant legal sources. These materials were analyzed qualitatively using a descriptive-analytical method by interpreting legal norms and evaluating their consistency with contemporary administrative law theories and digital governance principles. The analysis further assesses the adequacy of Indonesia's administrative legal framework in responding to digital transformation and provides recommendations for strengthening an adaptive legal system capable of promoting legal certainty, protecting citizens' rights, and supporting the realization of good governance.

Results and Discussion

Digital Transformation of Administrative Law in Indonesia

The rapid advancement of information and communication technology has significantly transformed Indonesia's system of public administration. Digital transformation has not only changed the mechanisms through which public services are delivered but has also reshaped the paradigm of administrative law governing the legal relationship between the government and its citizens. Whereas administrative processes were traditionally dominated by manual procedures and paper-based documentation, public administration has increasingly shifted toward electronic service delivery through the integration of digital technologies. This development demonstrates that administrative law must continuously adapt to technological progress while maintaining the fundamental principles of the rule of law, legal certainty, and administrative accountability.

Indonesia's digital administrative transformation has been institutionalized through the implementation of the Electronic Based

[5] Peter Mahmud Marzuki, *Penelitian Hukum* (Jakarta: Kencana, 2024).

Government System (SPBE) under Presidential Regulation No. 95 of 2018. This regulation provides the legal framework for integrating information technology into governmental administration to improve public service quality, bureaucratic effectiveness, administrative efficiency, and institutional accountability. Accordingly, SPBE represents not merely a technological innovation but a comprehensive reform of public administration aimed at modernizing governmental governance.[6]

Conceptually, this transformation is consistent with Heeks' theory of Electronic Government (e-Government), which defines digital government as a fundamental transformation of administrative processes rather than simply the adoption of computers or internet technologies. Heeks argues that successful digital transformation depends on minimizing the design–reality gap, namely the disparity between the design of digital policies and the institutional realities of public organizations. The closer this alignment, the greater the likelihood of achieving effective digital governance.[7]

The findings of this study indicate that the implementation of SPBE has generated substantial improvements in Indonesia's public administration.[8] The digitalization of business licensing through the Online Single Submission (OSS) system, electronic civil registration, electronic procurement (e-procurement), and digital tax administration illustrates the practical realization of digital governance. These innovations have accelerated service delivery, simplified bureaucratic procedures, and expanded public access to government services, thereby enhancing the overall quality of public administration.

These developments also reflect the concept of Digital Era Governance proposed by Dunleavy, Margetts, Bastow, and Tinkler, which emphasizes integrated, data-driven, and citizen-centered governance. According to this perspective, digital transformation extends beyond technological modernization to encompass institutional restructuring and organizational reform, enabling governments to provide more responsive, efficient, and

[6] Lisdiana Lisdiana et al., "Optimization of Electronic-Based Government System Architecture (SPBE) In The Application Architecture Domain In XYZ District," *Asian Journal of Social and Humanities* 2, no. 12 (2024), https://doi.org/10.59888/ajosh.v2i12.405; Ilham Hadi and Ida Ayu Putu Sri Widnyani, "Modernization and Digitalization of Public Services: Realizing a Golden Indonesia Through Harmonization of Electronic-Based Government Systems (SPBE)," *Jurnal Kridatama Sains Dan Teknologi* 6, no. 02 (2024).

[7] T Damopoli, R Amalia, and F Dione, "Implementation of the Electronic-Based Government System (SPBE) in the North Sulawesi Provincial Government," *Jurnal Scientia* 13, no. 01 (2024); Engkus Engkus et al., "Implementation Of New Service Development In The Electronic-Based Government System (Spbe) In Sumedang Regency," *Jurnal DIALEKTIKA: Jurnal Ilmu Sosial* 21, no. 3 (2023).

[8] Lalu Ahmad Murdhani, "The Implementation of Digital Governance in Indonesia: A Systematic Review of Challenges and Opportunities," *International Journal of Scientific Research (IJSR)*, no. 1 (2025).

coordinated public services. Consequently, digital governance should be understood as a comprehensive transformation of administrative institutions rather than merely the application of digital technologies.

From the perspective of administrative law, digital transformation does not diminish the obligation of public authorities to exercise governmental powers in accordance with the principle of legality. On the contrary, electronically issued administrative decisions require even greater legal certainty because they produce legal effects equivalent to those of conventional administrative decisions. Consequently, the Government Administration Law serves as the principal legal framework governing administrative authority, discretionary powers, decision-making procedures, and the legal protection of citizens within the context of digital governance.

This principle is closely aligned with Friedrich Julius Stahl's theory of the Rechtsstaat, which maintains that all governmental actions must be exercised under the authority of law. Within the context of digital governance, this principle requires that the adoption of information technology must never compromise legal certainty or the constitutional rights of citizens. Instead, every electronic administrative decision must have a clear legal basis and remain subject to effective legal accountability.

In addition to the principle of legality, the General Principles of Good Governance (GPGG) constitute an essential foundation of digital administrative reform. According to Hadjon, these principles—including legal certainty, transparency, proportionality, accountability, and due care—serve as normative guidelines for the exercise of administrative authority. Their consistent application has become increasingly important in the digital era, where many administrative decisions are processed electronically, ensuring that technological innovation strengthens rather than weakens the legal protection afforded to citizens.

Overall, the findings demonstrate that the digital transformation of administrative law has significantly improved public service quality by expanding accessibility, strengthening transparency, and enhancing governmental accountability while reducing opportunities for maladministration and abuse of authority. These developments are consistent with the principles of good governance promoted by the United Nations Development Programme (UNDP), which identifies transparency, accountability, effectiveness, and public participation as the cornerstones of democratic governance.[9] Nevertheless, digital transformation should not be viewed solely as technological modernization. Its long-term success depends

[9] Dwi Oktarina, "Implementation of an Electronic-Based Government System (SPBE) at the Muaro Jambi Regency Communication and Information Service," *Sustainability (STPP) Theory, Practice and Policy* 3, no. 2 (2023), https://doi.org/10.30631/sdgs.v3i2.2083.

upon continuous regulatory reform, institutional capacity building, the development of a digital bureaucratic culture, and stronger legal safeguards capable of ensuring legal certainty, justice, and effective protection of citizens' rights within Indonesia's evolving system of digital governance.

Challenges in the Implementation of Administrative Law in Digital Governance

Digital transformation has become one of the Indonesian government's strategic priorities for establishing a more effective, efficient, transparent, and accountable public administration. The implementation of the Electronic-Based Government System (SPBE) represents a major administrative reform that integrates digital technologies into governmental operations. Nevertheless, the findings of this study reveal that digital transformation has not entirely resolved the legal and institutional challenges within Indonesia's administrative system. Instead, it has generated new legal issues requiring regulatory adaptation, institutional strengthening, and improved administrative capacity to ensure that digital governance remains consistent with the principles of the rule of law.[10]

One of the most significant challenges is regulatory fragmentation. Digital governance evolves considerably faster than legislative reform, resulting in legal gaps concerning the use of artificial intelligence in public services, data interoperability among government institutions, the legal validity of electronic documents, and accountability for algorithm-based administrative decisions. The absence of a comprehensive regulatory framework creates legal uncertainty for both public authorities and citizens. Consequently, administrative law must become more adaptive to technological innovation while maintaining the principles of legality and legal certainty.

This challenge is consistent with Heeks' Electronic Government theory, which explains that many digital government initiatives fail because of the design–reality gap, namely the discrepancy between digital policy design and the actual institutional conditions within government organizations. Successful digital transformation therefore requires not only technological innovation but also the harmonization of legal frameworks, organizational capacity, institutional culture, and public expectations.

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[10] muzzaman Almadani, Andi Asniar Dewi Cahyani, And Muhammad Khadafi, "The Influences Of Electronic-Based Government System (Spbe) Implementation On Performance Accountability In The Regional Secretariat Of South Sulawesi Province," *Jurnal Msda (Manajemen Sumber Daya Aparatur)* 12, No. 1 (2024), Https://Doi.Org/10.33701/Jmsda.V12i1.4057; R.M. Iman Rifai Rusdy And Suci Flambonita, "Penerapan Sistem Pemerintahan Berbasis Elektronik (Spbe) Di Pemerintah Daerah Untuk Mewujudkan Good Governance," *Lex LATA* 5, no. 2 (2023), https://doi.org/10.28946/lexl.v5i2.2351.

Another critical challenge concerns the capacity of public officials. Digital governance requires civil servants to possess adequate digital literacy, information technology skills, and data management competencies to deliver effective electronic public services. However, these competencies remain uneven across governmental institutions, particularly at the regional level, where limitations in human resources and technological infrastructure continue to impede the implementation of SPBE. As a result, disparities in institutional capacity remain a major obstacle to achieving integrated digital governance throughout Indonesia.

This issue can be further understood through Edwards III's Policy Implementation Theory, which identifies communication, resources, disposition, and bureaucratic structure as the primary determinants of successful policy implementation. Within the context of digital governance, effective implementation depends upon clear policy communication, sufficient technological and financial resources, strong institutional commitment, and well-coordinated administrative structures. Weaknesses in any of these dimensions may significantly hinder the implementation of digital government initiatives.

The protection of personal data and cybersecurity also represents a major legal concern. As increasing volumes of citizens' personal information are collected and processed through digital government platforms, the risks of data breaches, cyberattacks, and unauthorized use of personal information continue to increase. From the perspective of administrative law, protecting personal data constitutes an essential element of safeguarding citizens' constitutional rights. Consequently, the effective implementation of the Personal Data Protection Law is indispensable for maintaining public trust in digital government services.[11]

Digital transformation also raises important questions regarding the accountability of administrative decision-making. Although automated systems and algorithm-based technologies have significantly accelerated administrative processes, legal responsibility for administrative decisions remains vested in the competent public authority rather than the technology itself. Therefore, technological innovation must never diminish governmental accountability or weaken existing mechanisms of administrative oversight and judicial review.

[11] Jidapa Preecha, "Cybersecurity And Public Trust In Digital Governance: Focusing On Citizen Trust," *Proceeding of International Conference on Social Science and Humanity* 2, no. 2 (2025), https://doi.org/10.61796/icossh.v2i2.27; Guilherme Barcha Cardoso Schneider, "The Importance of Cybersecurity in Digital Government Implementations," *COGNITIONIS Scientific Journal* 8, no. 1 (2025), https://doi.org/10.38087/2595.8801.585.

This principle is reinforced by the General Principles of Good Governance (GPGG), which require that every administrative decision comply with the principles of legal certainty, transparency, proportionality, accountability, and due care. In the digital era, these principles have become increasingly significant because citizens expect not only efficient public services but also fair, transparent, and legally accountable administrative decision-making. Consequently, digital transformation should strengthen rather than diminish legal protection for citizens.

Beyond legal and institutional issues, Indonesia continues to face the challenge of the digital divide. Unequal access to digital infrastructure, educational disparities, and differences in technological literacy prevent certain segments of society from fully utilizing electronic public services. As argued by Van Dijk, digital inequality extends beyond infrastructure availability to include differences in the capacity to access and effectively use digital technologies. These disparities continue to limit the equitable delivery of digital public services across the country.

Overall, the findings indicate that the challenges facing administrative law in the digital era extend beyond technological issues and encompass legal, institutional, organizational, and social dimensions. Strengthening Indonesia's administrative legal framework therefore requires comprehensive regulatory harmonization, improved administrative capacity, stronger data protection mechanisms, enhanced intergovernmental coordination, and the consistent implementation of the General Principles of Good Governance. Such reforms are essential to ensuring that digital transformation effectively supports accountable, transparent, and citizenoriented governance.[12]

Conclusions

This study concludes that the digital transformation of administrative law has significantly strengthened public governance in Indonesia by improving the efficiency, transparency, accountability, and quality of public services through the implementation of the Electronic-Based Government System (SPBE) and other digital governance initiatives. However, its effectiveness remains constrained by regulatory fragmentation, personal data protection, cybersecurity risks, limited institutional capacity, and disparities in digital infrastructure. Therefore, strengthening administrative law requires adaptive regulations, effective oversight, enhanced institutional capacity, and the consistent application of the General Principles of Good Governance (GPGG). These measures are essential to ensuring legal certainty, protecting

[12] Dr Lekshmi Viswanath, "Digital Constitutionalism: Navigating Governance in The Technological Era," *Journal of Law and Legal Research Development*, 2025, https://doi.org/10.69662/jllrd.v2i1.33.

citizens' rights, and promoting transparent, accountable, and sustainable digital governance in Indonesia.

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