



Effectiveness of SPBE Regulation in Digital Public Service Transformation

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Abstract

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This study aims to analyze the effectiveness and urgency of regulations within the electronic-based government system (SPBE) in improving the quality of public services. Digital transformation in government requires a legal framework that is not only comprehensive but also adaptable to technological advancements. This study employs a comparative method with a normative approach to compare various regulations related to public services and the utilization of information technology. The research findings indicate that, from a normative perspective, regulations such as the Public Service Law, the Electronic Information and Transactions Law, and the Presidential Regulation on SPBE have provided an adequate foundation for supporting the digitization of public services. However, their implementation still faces various challenges, such as infrastructure limitations, low digital literacy, and a lack of system integration. Furthermore, the rapid pace of technological development demands continuous evaluation and updating of regulations to ensure they remain relevant. Therefore, an assessment of the effectiveness and urgency of these regulations is crucial to ensure that the government's digital transformation can proceed optimally, sustainably, and effectively meet the needs of the broader public.



1. Introduction

The development of information and communication technology has driven fundamental changes in governance, especially in the implementation of public services that are increasingly oriented towards digitalization. This transformation is not only related to administrative efficiency, but also reflects systematic efforts to improve the quality of services that are more transparent, accountable, and inclusive. In this context, the implementation of an electronic-based government system (SPBE) is one of the strategic instruments in supporting bureaucratic reform that is adaptive to the times. The digital transformation is also seen as a response to the demands of the community who want fast, accessible, and technology-based public services (Firdaus et al., 2021).

Normatively, the implementation of public services has a strong legal foundation through Law Number 25 of 2009 concerning Public Services, which affirms that every citizen has the right to obtain quality and non-discriminatory services. This provision requires the government to continue to innovate in the provision of services, including through the use of digital technology. In addition, the legitimacy of the use of technology in public services is strengthened through Law Number 11 of 2008 concerning Electronic Information and Transactions as amended by Law Number 19 of 2016, which provides a legal basis for the use of electronic systems in government activities. The technical implementation of digital transformation is further regulated in Presidential Regulation Number 95 of 2018 concerning Electronic-Based Government Systems which is the main policy framework in the development of government digital services.

Although the regulatory framework has been comprehensively available, the implementation of SPBE in practice still faces significant challenges. One of the main obstacles is the uneven limitation of technological infrastructure and the low level of digital literacy among the public, which directly affects the effectiveness of the use of electronic services (Ibrahim et al., 2020). In addition, another problem that arises is the lack of integration between systems and applications in the government environment, leading to duplication of services and inefficiencies in data management (Arief & Abbas, 2021). This condition shows that although regulations have been well designed, their implementation has not been fully able to achieve the expected goals.

On the other hand, the implementation of SPBE also has a positive impact on increasing transparency and public participation in government processes. Digital technology allows the public to access information more openly and interact directly with the government in various public services (Junaidi, 2021). This is in line with the principles of good governance which emphasizes the importance of accountability, transparency, and community participation in government administration (Azan et al., 2021). However, the success of SPBE implementation does not only depend on the availability of technology, but also on the readiness of human resources and policy consistency in supporting digital transformation.

Furthermore, regulations that regulate SPBE have an important role in providing legal certainty and policy direction in the implementation of digital services. Regulations not only function as normative guidelines, but also as a control instrument to ensure that digital transformation runs in accordance with applicable

legal principles. However, the dynamics of rapid technological development require an evaluation of existing regulations, whether they are still relevant and effective in responding to evolving challenges (Widiyarta et al. , 2020). In addition, the need to strengthen regulations is also important in order to be able to accommodate various technological innovations that continue to develop (Prawira et al., 2023).

In this context, an analysis of the effectiveness and urgency of SPBE regulations is becoming increasingly relevant to be carried out. The evaluation of regulations not only aims to identify weaknesses in implementation, but also to provide a basis for developing policies that are more adaptive and responsive to the needs of the community. Thus, this study is expected to contribute to strengthening the legal framework that supports the digital transformation of government in a sustainable manner.

Based on this description, the formulation of the research questions asked is as follows: RQ1: How effective are regulations related to electronic-based government systems in improving the quality of public services? RQ2: Why are regulations related to electronic-based government systems urgent to be studied in the context of the development of digital transformation of government?

2. Methods

This study uses a comparative approach to analyze the effectiveness and urgency of regulations in the electronic-based government system (SPBE) in the context of public services. The comparative approach was chosen because it allows researchers to compare various regulatory frameworks that govern the

implementation of digital-based public services, both from normative and implementive aspects. Through this approach, the research not only focuses on one specific regulation, but also looks at the linkage, consistency, and conformity between applicable regulations, especially Law Number 25 of 2009 concerning Public Services, Law Number 11 of 2008 concerning Electronic Information and Transactions and its amendments, and Presidential Regulation Number 95 of 2018 concerning Electronic-Based Government System.

The comparative approach in this study is carried out by comparing the substance of the regulations in each regulation, especially related to the principles of public services, the use of information technology, and the governance of an electronic-based government system. In addition, this study also compares the normative goals that each regulation wants to achieve with the reality of implementation that occurs in digital-based public service practices. Thus, the analysis carried out is not only descriptive, but also evaluative of the suitability between legal norms and their implementation.

This type of research is included in the category of normative legal research with a conceptual approach and regulatory comparison. The data used in this study are secondary data obtained through literature studies, which include laws and regulations, books, and scientific articles relevant to the research topic. These sources were selected based on relevance to the theme of SPBE, public services, and digital transformation of government in the last five years of publication.

The data collection technique is carried out by identifying, classifying, and analyzing various literature related to the research topic. Furthermore, the data that

has been collected is analyzed using qualitative analysis techniques, namely by interpreting the content of existing regulations and literature to find patterns, relationships, and gaps between norms and implementation. In the analysis process, the researcher also grouped the main issues that emerged, such as the effectiveness of regulations, system integration, and challenges in the implementation of SPBE.

Through this method, the research is expected to be able to provide a comprehensive picture of the effectiveness of existing regulations and identify the urgency of strengthening regulations in supporting the digital transformation of government. In addition, the comparative approach also allows researchers to provide more objective and analysis-based recommendations for future policy development.

3. Results and Discussion

3.1. The Effectiveness of SPBE Regulations in Improving the Quality of Public Services

The effectiveness of regulations in the electronic-based government system (SPBE) is a crucial aspect in assessing the extent to which the policies that have been set are able to achieve the expected goals, especially in improving the quality of public services. Normatively, the existence of Law Number 25 of 2009 concerning Public Services, Law Number 11 of 2008 concerning Electronic Information and Transactions and its amendments, and Presidential Regulation Number 95 of 2018 concerning SPBE has provided a fairly comprehensive legal framework in supporting the digitization of public services. These regulations not only regulate the

basic principles of public services, but also provide legitimacy for the use of information technology in the administration of government. However, the effectiveness of regulations is not only measured by the completeness of norms, but also by their implementation in practice.

From an implementation perspective, various studies have shown that SPBE regulations have made a positive contribution to improving the efficiency and accessibility of public services. Digitization of services allows administrative processes to be carried out more quickly and transparently, so that it can reduce bureaucratic obstacles that have been the main obstacles in public services (Pratiwi et al., 2020). In addition, the use of information technology is also able to improve the quality of interaction between the government and the public, which ultimately has an impact on increasing service user satisfaction (Junaidi, 2021). This shows that conceptually, SPBE regulations are on the right track in encouraging public service transformation.

However, the effectiveness of these regulations still faces various challenges in their implementation. One of the main problems is the uneven limitation of technological infrastructure, causing gaps in access to digital services (Ibrahim et al., 2020). This condition shows that although the regulation has provided a clear framework, its implementation still depends heavily on the readiness of supporting infrastructure. In addition, the low level of digital literacy among the community is also an inhibiting factor in optimizing the use of SPBE, so the goal of improving service accessibility has not been fully achieved.

Another problem that also affects the effectiveness of regulations is the lack of integration between systems in the government environment. The large number of applications developed sectorally without good coordination leads to duplication of systems and inefficiencies in data management (Arief & Abbas, 2021). This shows that there is a gap between the goal of regulation that requires system integration and the reality of implementation which is still fragmentative. In this context, Presidential Regulation Number 95 of 2018 has actually emphasized the importance of system integration and interoperability, but its implementation still requires strengthening in terms of technical policies and inter-agency coordination.

In addition to technical factors, the effectiveness of SPBE regulations is also influenced by the human resource aspect. The availability of a workforce that has competence in the field of information technology is one of the determining factors for the successful implementation of SPBE (Fauzia et al., 2021). Without adequate human resource support, even good regulations will not be able to be implemented optimally. Therefore, strengthening human resource capacity through training and competency development is an important part of increasing the effectiveness of regulations.

On the other hand, SPBE regulations also have a role in encouraging good governance principles, such as transparency, accountability, and public participation. The use of digital technology allows the public to access information more openly and participate in government processes (Azan et al., 2021). This is in line with the goals of the Public Service Law which emphasizes the importance of openness and accountability in the provision of services. Thus, SPBE regulations not only function

as an administrative tool, but also as an instrument to strengthen democracy and good governance.

However, in practice, there is still a gap between norms and implementation which shows that the effectiveness of regulations is not fully optimal. Evaluation of the implementation of SPBE shows that there are still various weaknesses, such as lack of coordination between institutions, budget limitations, and suboptimal supervision of policy implementation (Widiyarta et al. , 2020). This condition shows that the effectiveness of regulations does not only depend on legal substance, but also on institutional and governance factors that support policy implementation.

Furthermore, other studies also show that although regulations have provided a clear direction in the development of SPBEs, there is still a need for strengthening in the implementation aspect to ensure that policy objectives can be achieved optimally (Prawira et al., 2023). This includes improving coordination between agencies, strengthening technological infrastructure, and increasing human resource capacity. Thus, the effectiveness of SPBE regulations can be improved through a more comprehensive and integrated approach.

Based on this description, it can be concluded that the SPBE regulation normatively has an adequate framework to support the improvement of the quality of public services. However, its effectiveness in practice is still influenced by various factors, such as infrastructure, system integration, and human resource capacity. Therefore, continuous efforts are needed to strengthen the implementation of regulations so that the goals of digital transformation of government can be achieved optimally.

3.2. The Urgency of SPBE Regulation Studies in the Digital Transformation of Government

The urgency of regulatory studies in the electronic-based government system (SPBE) is becoming increasingly important along with the acceleration of digital transformation in governance. The development of information technology that is very dynamic requires a legal framework that is not only adaptive, but also able to anticipate changes that occur quickly. In this context, regulations such as Law Number 25 of 2009 concerning Public Services, Law Number 11 of 2008 concerning Electronic Information and Transactions and their amendments, and Presidential Regulation Number 95 of 2018 concerning SPBE have a strategic role in providing direction and limits in the implementation of digital-based public services. However, the dynamics of rapid technological development often exceed the speed of regulatory adaptation, thus creating an urgent need to conduct studies on an ongoing basis.

One of the main reasons for the urgency of the SPBE regulatory review is the gap between technological developments and regulatory readiness to regulate them. Digital transformation in government not only includes the digitization of services, but also involves the use of advanced technologies such as big data, artificial intelligence, and complex system integration. In this condition, regulations that are not regularly updated have the potential to become irrelevant and unable to accommodate evolving needs (Pitriyani, 2021). Therefore, the study of regulations is important to ensure that the legal framework remains in line with technological developments.

In addition, the urgency of regulatory studies is also related to the need to ensure legal certainty in the implementation of digital services. The use of information technology in public services has various legal implications, such as the protection of personal data, information security, and the validity of electronic transactions. In this case, the Law on Information and Electronic Transactions provides an important legal basis, but its implementation still requires adjustments to increasingly complex technological developments (Ibrahim et al., 2020). Without continuous study, existing regulations have the potential to be unable to provide adequate legal protection for the public and the government.

Furthermore, the urgency of regulatory studies can also be seen from the existence of various problems in the implementation of SPBE. Studies show that the lack of system integration, limited infrastructure, and low digital literacy are the main obstacles in optimizing electronic-based services (Arief & Abbas, 2021). This problem is not only related to technical aspects, but also shows weaknesses in policy formulation and implementation. Therefore, the study of regulations is important to identify aspects that need to be improved so that the implementation of SPBE can run more effectively.

On the other hand, digital transformation in public services also brings great opportunities in improving the quality of governance. The use of technology allows for increased transparency, efficiency, and public participation in the government process (Junaidi, 2021). This is in line with the principles of good governance which emphasizes the importance of openness and accountability in the administration of government (Widanti, 2022). However, to be able to take advantage of these

opportunities optimally, regulations are needed that are able to regulate the use of technology appropriately and responsibly. Without adequate regulations, digital transformation has the potential to pose new risks, such as data misuse and access inequality.

The urgency of regulatory studies is also related to the need to improve the quality of public services in a sustainable manner. Regulations that are adaptive and responsive to changes will allow the government to continue to innovate in the provision of services. In this context, evaluation of existing regulations is important to ensure that the policies implemented are truly able to improve the quality of services and meet the needs of the community (Azan et al., 2021). In addition, regulatory studies can also be the basis for formulating new policies that are more relevant to current conditions.

Another factor that strengthens the urgency of the regulatory review is the importance of strengthening the capacity of human resources to support the implementation of SPBE. Digital transformation not only requires technology, but also human resources who have adequate competencies. Studies show that the limitation of digital talent in government is one of the obstacles in the implementation of SPBE (Fauzia et al., 2021). Therefore, regulations need to be able to accommodate the needs of human resource development, including in terms of training and capacity building. The study of regulations is important to ensure that this aspect has been adequately accommodated.

In addition, the urgency of regulatory studies is also related to the need to improve coordination between institutions in the implementation of SPBE.

Regulations that are not well integrated can lead to policy fragmentation and inefficiencies in the implementation of digitalization programs (Widiyarta et al. , 2020). Therefore, a comprehensive study is needed to ensure that existing regulations support each other and do not contradict each other. This is important to create an integrated and efficient electronic-based government system.

Furthermore, regulatory studies are also important in the context of increasing public trust in the government. The success of SPBE implementation is not only measured from the technical aspect, but also from the extent to which the public feels trust in the system used. Public trust can increase if regulations are able to provide guarantees for the security and reliability of digital services (Katharina, 2021). Therefore, the study of regulations is important to ensure that the aspect of public trust has become a concern in policy formulation.

Thus, it can be concluded that the urgency of the SPBE regulatory review is not only based on the need to adjust to technological developments, but also to ensure the effectiveness of implementation, legal certainty, and improvement of the quality of public services. The regulatory review is a strategic step in supporting the digital transformation of government that is sustainable and oriented towards the interests of the community.

4. Conclusion

Digital transformation in government administration has driven significant changes in public service systems, particularly through the implementation of e-government systems. The existence of regulations such as the Public Service Act,

the Electronic Information and Transactions Act, and the Presidential Regulation on SPBE indicates that, from a normative perspective, the government already possesses a sufficiently robust legal framework to support the digitization of public services. These regulations serve not only as a legal foundation but also as instruments to guide more efficient, transparent, and accountable governance.

However, the effectiveness of these regulations in practice still faces various challenges. Limitations in technological infrastructure, low digital literacy, lack of system integration, and limited human resources are the main factors affecting the optimization of SPBE implementation. This indicates that the success of regulations is not only determined by the quality of legal norms but also by the readiness of the supporting ecosystem, which encompasses technical, institutional, and human resource aspects.

On the other hand, the urgency of regulatory review becomes increasingly important amid the rapid development of digital technology, which is constantly evolving. Regulations that are not adaptive risk falling behind and failing to accommodate new needs in the delivery of public services. Therefore, continuous evaluation and updating of regulations are strategic steps to ensure that the legal framework remains relevant and responsive to the dynamics of technological development.

Furthermore, strengthening regulations is also necessary to ensure legal certainty, protect public interests, and enhance public trust in government digital services. With robust, integrated, and adaptive regulations, it is hoped that digital transformation in government can proceed optimally and sustainably. Therefore,

synergy between effective regulations and consistent implementation is the key to achieving high-quality public services in the digital age.

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