

Democratic Governance Reform from a Legal Perspective

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ABSTRACT

Democratic governance reform is an important issue in the development of a rule-of-law state because government administration requires not only political legitimacy but also legal certainty, transparency, and accountability. This study aims to analyze the effectiveness of legal regulations in supporting democratic governance reform and to examine the urgency of strengthening regulations in responding to the development of modern public administration. This research employs a normative juridical method using statutory and conceptual approaches. The analysis focuses on Law Number 30 of 2014 concerning Government Administration, Law Number 14 of 2008 concerning Public Information Disclosure, and Law Number 25 of 2009 concerning Public Services as legal instruments for establishing transparent and accountable governance. The findings indicate that these regulations provide a legal foundation for limiting governmental authority, strengthening public oversight mechanisms, and improving the quality of public services. However, the effectiveness of these regulations still requires stronger implementation, institutional capacity, and adaptation to the development of digital governance. This study confirms that democratic governance reform requires harmonization between regulations, administrative practices, and rule-of-law principles to establish a responsive and accountable government system.

Keywords: *Accountability, Administration Law, Democracy, Governance, Government Reform.*

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1. | INTRODUCTION

Governance reform is a fundamental aspect in the development of a democratic state based on the rule of law. The success of democracy is determined not only by political mechanisms but also by the ability of government institutions to exercise their authority transparently, accountably, and based on legal principles. Modern governments are required to establish an administrative system capable of ensuring a balance between state authority and the protection of public rights. From a legal perspective, democratic governance positions law as the primary instrument for limiting power, directing government actions, and ensuring that all public policies are implemented in accordance with the principles of legality and the public interest (Widianingsih et al., 2019).

The shift in the governance paradigm from the traditional bureaucratic concept of governance to good governance demonstrates that government effectiveness is measured not only by administrative capacity but also by the level of accountability, openness, and public participation. Bureaucratic reform is a crucial part of building a responsive government because the bureaucracy plays a strategic role as an implementer of state policy and a provider of public services. Dwiyanto (2019) explains that bureaucratic reform must be directed at institutional and cultural changes to create a more professional government focused on the public interest.

In the context of state administrative law, governance reform is closely linked to regulations regarding the authority and responsibilities of government officials. Law Number 30 of 2014 concerning Public Administration provides the legal basis that government administration must be guided by the principle of legality, the General Principles of Good Governance (AUPB), and the prohibition on restricting permits. These provisions demonstrate that the law functions not only as a formal rule but also as a control mechanism for the use of government power to ensure it remains in accordance with the principles of the rule of law (Wibawa, 2021).

In addition to the aspect of government authority, democratizing governance also requires information transparency as an instrument of public oversight. Law Number 14 of 2008 concerning Public Information Transparency emphasizes the importance of public access to information on government administration as part of the provision of public rights. Government transparency is closely linked to democracy because the public requires adequate information to participate in and exercise control over government policies (Sari & Wahyudi, 2022). Thus, information transparency is not only an administrative obligation but also a legal element that strengthens the relationship between the government and the public.

On the other hand, governance reform is also related to the state's ability to provide quality public services. Law Number 25 of 2009 concerning Public Services positions the public as having the right to effective, transparent, and accountable services. Public service is a crucial indicator in assessing the success of democratic governance because government legitimacy is achieved not only through the political process but also

through the ability to meet public needs fairly and with legal certainty (Prasojo & Kurniawan, 2020).

However, the implementation of governance reform still faces challenges in the form of gaps between legal norms and government practice. Established regulations require strengthening through consistent legal principles, increased institutional capacity, and the development of a legal culture within government officials. Governance reform is not sufficient merely through regulatory changes; it also includes oversight and accountability mechanisms that ensure the law truly serves as an instrument for controlling power (Fauzi & Suparman, 2020).

Developments in governance are also increasingly influenced by digital transformation, which presents new needs in governing government administration. The digitalization of public services and government administration opens up opportunities for increased efficiency and transparency, but also requires a legal approach to ensure the protection of public rights and the accountability of government officials (Sugiarto, 2023). Therefore, discussing democratic governance reform from a legal perspective is crucial for understanding the extent to which existing regulations support democratic, transparent, and accountable governance.

Based on this description, this study formulates two research questions. First, how effective are legal regulations in supporting reform?

2. | RESEARCH METHOD

This research employs a normative juridical legal research method that focuses on the study of legal norms, legal principles, and regulatory construction related to democratic governance reform. Normative legal research is used to analyze how law functions as a regulatory instrument, limiting authority, and strengthening accountability in governance. This approach places legislation as the primary basis for analysis by examining the relationship between applicable legal norms and the concepts of the rule of law, democracy, and the principles of good governance in governance (Wibawa, 2021).

The research approaches employed include a statutory approach and a conceptual approach. The statutory approach is conducted through an analysis of various legal provisions relevant to governance, specifically Law Number 30 of 2014 concerning Government Administration, Law Number 14 of 2008 concerning Public Information Disclosure, and Law Number 25 of 2009 concerning Public Services. These three regulations are analyzed to understand how the law regulates government authority, transparency mechanisms, and the accountability relationship between the government and the public.

Meanwhile, a conceptual approach is used to examine legal concepts related to the rule of law, constitutional democracy, bureaucratic reform, and good governance. This approach aims to gain a more comprehensive understanding of the legal position in supporting democratic governance reform. Conceptual studies are also used to examine

the relationship between regulatory effectiveness and the need to strengthen a transparent, responsive, and accountable government system (Prasojo & Kurniawan, 2020).

The legal materials in this study consist of primary legal materials in the form of laws and regulations related to government administration, public information disclosure, and public services. Furthermore, this study utilizes secondary legal materials in the form of scientific journal articles from the last five years discussing state administrative law, bureaucratic reform, good governance, democracy, and governance transformation. These legal materials are analyzed using a descriptive-analytical method, namely by describing applicable legal provisions and then analyzing their relevance to democratic governance reform. Through this method, the research is expected to provide an understanding of regulatory effectiveness and the urgency of strengthening the law in building a government that aligns with the principles of a democratic rule of law.

3. | RESULTS

Effectiveness of Governance Regulations

The effectiveness of regulations in democratic governance reform can be seen from the ability of legal norms to regulate government authority, establish oversight mechanisms, and ensure a balanced relationship between government and society. From the perspective of state administrative law, regulations serve not only as formal instruments that legitimize government actions but also as mechanisms to limit power so that governance is carried out in accordance with the principles of the rule of law. Governance reform requires legal instruments capable of ensuring that every administrative action has a clear basis for authority, a legitimate purpose, and is legally accountable (Wibawa, 2021).

One of the main regulations that serves as the basis for governance is Law Number 30 of 2014 concerning State Administration. This regulation plays a strategic role because it governs government authority, administrative decisions and actions, and the implementation of the General Principles of Good Governance (AUPB). Through these regulations, the government is not only granted the authority to carry out government functions but also limited to prevent arbitrary use of authority. The existence of the principles of legality and the AUPB (Authorized Public Information System) serve as indicators that the effectiveness of government regulations is measured not only by the existence of rules, but also by their ability to create accountable governance (Handayani & Nur, 2022).

In the context of bureaucratic reform, the effectiveness of Law Number 30 of 2014 is also evident in the paradigm shift in government administration, from a previously power-oriented approach to one based on service and accountability. Government administration regulations provide a legal framework for state officials to act professionally and encourage legal certainty in government decision-making. This

aligns with the view that state administration reform requires legal support that integrates institutional aspects, authority, and government responsibility (Prasojo & Kurniawan, 2020).

In addition to regulating authority, the effectiveness of democratic governance is also determined by the level of government openness to the public. Law Number 14 of 2008 concerning Public Information Disclosure serves as a legal instrument that strengthens transparency as part of democratic principles. This regulation provides the basis for the public's right to obtain public information as a form of oversight of government administration. Transparency through information disclosure strengthens public participation because government decisions can be more openly monitored and evaluated (Sari & Wahyudi, 2022).

However, the effectiveness of information disclosure regulations depends not only on the existence of legal norms, but also on the readiness of government institutions to provide easily accessible, accurate, and relevant information. From a good governance perspective, transparency is a crucial element in building public trust and preventing abuse of authority. Therefore, the implementation of Law Number 14 of 2008 must be understood as part of a transformation in government culture that positions the public as having the right to participate in government processes (Fauzi & Suparman, 2020).

Furthermore, the effectiveness of governance regulations can also be seen through the regulation of public services. Law Number 25 of 2009 concerning Public Services provides the legal basis for the government's obligation to provide quality, transparent, and accountable services. This regulation demonstrates that the success of democratic governance is determined not only by compliance with legal procedures but also by the government's ability to meet public needs through effective service delivery. Public service is one concrete measure of the application of the principle of accountability in government administration (Dwiyanto, 2019).

These three regulations demonstrate a complementary relationship in building democratic governance. The State Administration Law provides a framework for controlling authority, the Public Information Disclosure Law strengthens public oversight mechanisms, and the Public Services Law ensures government's orientation toward fulfilling public rights. The integration of these three legal instruments demonstrates that the effectiveness of government regulations depends not only on legal substance but also on institutional capacity and the legal culture involved in their implementation (Sendika et al., 2023).

Therefore, the effectiveness of regulations in democratic governance reform can be assessed through three main aspects: the legal capacity to limit government power, guarantee transparency in government administration, and ensure accountable public services. Existing regulations provide a strong legal foundation, but their success still requires strengthened implementation to optimally realize the principles of a democratic rule of law.

In addition, the effectiveness of governance regulations is increasingly influenced by the use of digital technology in public administration. Digitalization provides opportunities to improve transparency, accelerate public services, and strengthen public participation through more accessible information platforms. The implementation of e-government can support more transparent and accountable public services by expanding public access to government information and improving administrative efficiency (Didin et al., 2024). However, digital governance also requires regulations that are adaptive to technological developments and capable of addressing challenges related to data protection, cybersecurity, and digital inequality. Therefore, governance reform should not only focus on strengthening existing legal frameworks but also on developing regulatory mechanisms that are responsive to social and technological changes. The integration of legal certainty, institutional capacity, digital innovation, and public participation is essential to ensure effective and accountable governance.

The Urgency of Strengthening Democratic Governance Regulations

The urgency of strengthening regulations in democratic governance is based on the need to ensure that the exercise of state power always operates within the law, with transparency, and accountability. Societal developments, technological changes, and increasing public demands for quality governance require continuous review and strengthening of regulations governing governance. From the perspective of a state based on the rule of law, democracy is understood not only as a mechanism for the transfer of power through the political process, but also as a system requiring legal guarantees for the exercise of power to prevent abuses of authority (Santosa, 2021).

Strengthening government regulations is crucial because the relationship between power and law is a fundamental aspect of a democratic system of governance. Government authority must always be accompanied by oversight and accountability mechanisms to prevent arbitrary action. Law Number 30 of 2014 concerning Government Administration plays a crucial role in limiting the use of government authority through the principle of legality and the General Principles of Good Governance (AUPB). However, the increasingly complex practice of government administration demonstrates the need for continued strengthening of regulations to address changing forms and patterns of government administration (Wibawa, 2021).

Beyond controlling authority, the urgency of strengthening regulations is also related to the need to increase government transparency. Modern democracy positions the public not only as recipients of policies but also as parties with the right to know, monitor, and provide input on government processes. Law Number 14 of 2008 concerning Public Information Disclosure serves as a crucial legal basis for building an open government. However, developments in digital governance and the increasing demand for public information indicate that information disclosure regulations need to be continuously developed to address new challenges in government information management (Rahman & Hidayat, 2022).

In the context of digital governance, technological transformation has altered the relationship between government and the public. The digitalization of government administration provides opportunities to increase efficiency, transparency, and public access to public services. However, this transformation also presents a need for strengthening legal aspects, particularly regarding certainty of authority, information security, data protection, and accountability of digital government systems. Therefore, governance reform cannot be separated from the law's ability to adapt to technological developments and changing societal needs (Sugiarto, 2023).

The urgency of strengthening regulations is also evident in the need to strengthen the quality of public services as a concrete manifestation of the democratic relationship between the government and the public. Law Number 25 of 2009 concerning Public Services has provided a legal basis for the government's obligation to provide quality services, but evolving public needs demand improved service standards, oversight mechanisms, and administrative innovation. Effective public services are an important indicator that the government not only possesses legal legitimacy but also has a social responsibility to fulfill the rights of the public (Dwiyanto, 2019).

Furthermore, governance reform requires regulations that integrate legal, institutional, and administrative cultural aspects. Good regulations serve not only as a regulatory instrument but also as a means of shaping the behavior of government officials who are professional and oriented toward the public interest. Sustainable bureaucratic reform requires legal support that creates procedural certainty, strengthens oversight, and increases the effectiveness of government administration (Prasojo & Kurniawan, 2020).

Strengthening regulations is also linked to building public trust in government institutions. Democratic governance requires a high level of public trust, and this trust is greatly influenced by the government's ability to uphold the principles of openness, accountability, and legal certainty. Clear and responsive regulations serve as instruments to ensure that government actions are accountable administratively and socially (Fauzi & Suparman, 2020).

Therefore, the urgency of strengthening democratic governance regulations relates not only to improving existing regulations but also to the law's ability to respond to the dynamics of governance. Law No. 30 of 2014, Law No. 14 of 2008, and Law No. 25 of 2009 have provided an important foundation for democratic governance, but their effectiveness requires ongoing evaluation and development. Strengthening regulations is necessary to ensure the law continues to function as a check on power, a protector of public rights, and a foundation for transparent and accountable governance.

In addition, the strengthening of governance regulations must be directed toward creating an adaptive regulatory framework that can respond to the increasing complexity of digital government. The development of digital government has changed the way public institutions manage information, deliver services, and interact with citizens. Consequently, regulations should not only regulate administrative procedures

but also provide clear standards for digital data management, information security, interoperability, and institutional accountability. Digital transformation can improve the efficiency and accessibility of public services, but its effectiveness depends on the capacity of government institutions to integrate technology with appropriate regulatory and organizational frameworks (Djarmiko et al., 2025).

The strengthening of regulations is also important to ensure that digital transformation does not create new forms of inequality or weaken public oversight. Digital public services may improve access to government information, but differences in digital literacy, infrastructure, and technological access can prevent some groups from benefiting equally. Djarmiko et al. (2025) stated that regulatory reform should incorporate principles of inclusiveness and equal access to ensure that digital governance remains oriented toward public interests. Regulations should also establish mechanisms that allow citizens to participate in evaluating government services and provide feedback on the implementation of digital policies. Public participation is essential because transparency alone does not guarantee accountability unless citizens have meaningful opportunities to monitor and respond to government actions.

Furthermore, the effectiveness of digital governance depends on the relationship between regulation, institutional capacity, human resources, and technological infrastructure. Recent research on digital governance in Indonesia indicates that regulation, employee skills, leadership, infrastructure, information and communication technology, transparency, and accountability are important factors influencing the implementation of digital government services (Pribadi et al., 2024). This finding demonstrates that strengthening regulations cannot be separated from improving institutional readiness. Regulations that are comprehensive but unsupported by adequate institutional capacity may have limited practical impact.

Therefore, future regulatory strengthening should adopt an adaptive and integrated approach. The government needs to periodically evaluate existing regulations to ensure their relevance to technological and social developments. At the same time, regulatory frameworks should strengthen transparency, accountability, data protection, public participation, and service quality. Through this approach, regulations can function not merely as instruments for controlling government authority but also as strategic foundations for developing responsive, inclusive, and trustworthy digital governance. Such regulatory strengthening is essential to ensure that democratic governance remains capable of protecting public rights while adapting to the changing demands of contemporary society.

4. | CONCLUSION

Democratic governance reform is a process of strengthening governance, oriented not only toward administrative effectiveness but also toward legal certainty, limitations on power, transparency, and the fulfillment of public rights. Based on normative legal studies, regulations governing governance play a crucial role as legal instruments in

ensuring that government authority is exercised responsibly and in accordance with the principles of the rule of law.

The effectiveness of regulations in supporting democratic governance can be seen through the existence of three main legal instruments: Law Number 30 of 2014 concerning Government Administration, Law Number 14 of 2008 concerning Public Information Disclosure, and Law Number 25 of 2009 concerning Public Services. These three regulations provide the legal basis for controlling government authority, increasing transparency in government administration, and strengthening accountability in public services. However, the effectiveness of these regulations remains dependent on the consistent application of legal norms, institutional capacity, and legal culture of government officials.

Strengthening democratic governance regulations is a necessity due to the constant changes in society, technology, and patterns of government administration. Existing regulations need to be continually reviewed to address new challenges in government administration, including the need for digital government, information transparency, and improving the quality of public services. Therefore, governance reform must not be achieved solely through the establishment of legal regulations, but also through strengthening implementation, oversight mechanisms, and integrating law with democratic principles.

Therefore, law plays a strategic role in building democratic governance because it serves as a limit on power, an instrument of accountability, and a means of protecting public interests. Continuous strengthening of regulations is necessary to ensure the government can exercise its authority effectively, transparently, and in accordance with the values of a democratic state based on the rule of law.

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The authors declare that there is no conflict of interest.

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Data Disclosure Statement

The data that support the findings of this study are available from the corresponding author upon reasonable request.

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