



## Administrative Accountability in Personnel Document Management and its Implications for the Legal Certainty of State Civil Apparatus Decisions in Local Government

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### ABSTRACT

Personnel document management within local governments is integral to the legality of State Civil Apparatus (ASN) decisions. This study analyzes the construction of administrative accountability in document management and its implications for the legal certainty of ASN decisions. Employing a normative legal method with statutory and conceptual approaches, this research evaluates how internal administrative processes affect legality. The findings reveal that document management critically determines the authority, procedural, and substantive validity of administrative decisions. Although the Personnel Subdivision is a technical unit, not the final decision-maker, it bears functional accountability for procedural integrity. Because defective management causes legal vulnerability, strengthening procedural standards, substantive verification, and digital data validation is essential to guarantee legal certainty and protect ASN rights.

## **INTRODUCTION**

The administration of the Civil Servant (Aparatur Sipil Negara/ASN) within regional governments is part of the governmental function and is subject to the principles of the rule of law. Every administrative act carried out by governmental organs must have a lawful basis of authority, be implemented in accordance with proper procedures, and be legally accountable. In the context of public employment, decisions concerning appointment, promotion, transfer, disciplinary action, and dismissal of ASN are state administrative decisions that produce concrete legal consequences for individual civil servants. Therefore, the administrative process underlying such decisions cannot be separated from the construction of their legality.

In the doctrine of administrative law, the validity of a decision is determined not only by the authority of the person signing it, but also by the process through which it is formed. Indroharto (2003) emphasizes that a state administrative decision must meet the requirements of authority, procedure, and substance to be declared valid. In line with this, Hadjon (2015) states that the principle of legality (*wetmatigheid van bestuur*) is the core of governmental action, whereby any deviation from prescribed procedures may result in a legal defect in the decision produced. Therefore, administrative aspects are not merely matters of bureaucratic technique but constitute an essential component of the legality of governmental action.

In the practice of regional governance, various ASN disputes demonstrate that procedural issues and internal administrative deficiencies often serve as grounds for judicial review of decisions before the State Administrative Court. Studies on the resolution of public employment disputes in regional governments indicate that weaknesses in administrative processes are among the factors triggering legal conflicts (Nurfransiska et al., 2025). This shows that the quality of document management and administrative accuracy is directly related to the legal certainty of ASN decisions.

Bureaucratic reform and the implementation of the merit system increasingly require an administrative governance that is accountable and well-documented. For example, the implementation of the Civil Servant Information System (Sistem Informasi Aparatur Sipil Negara / SIASN) is designed to improve the accuracy and integrity of personnel data (Iqbal N et al., 2024). However, modernization of the system does not automatically eliminate the potential for legal issues. Errors in document verification, administrative negligence, or data inconsistencies may still result in procedurally defective decisions. In this context, Ridwan (2014) asserts that administrative responsibility in administrative law is inherent in every organ or official exercising governmental functions, especially when their actions produce legal consequences for citizens.

The issue of legal certainty in ASN management is also reflected in studies on legal protection for Government Employees with Work Agreements (Pegawai Pemerintah dengan Perjanjian Kerja / PPPK), which show that the clarity of employment status and rights is strongly influenced by administrative orderliness (Sugiyanto et al., 2025). In a broader view, Utrecht (1986) emphasizes that administrative law fundamentally serves to regulate the relationship between the government and citizens to prevent arbitrariness. Therefore, personnel administration cannot be regarded merely as an internal activity, but rather as a mechanism that guarantees legal protection and certainty of the legal status of ASN.

Within the organizational structure of regional government agencies, the Personnel Subdivision plays an administrative role in preparing, managing, and verifying personnel documents that form the basis for issuing ASN decisions. This unit may not be the official that signs the final decision, but the quality of its administrative work greatly determines the validity of the legal basis of that decision. The issue that then arises is how the administrative accountability of this technical unit should be understood when administrative defects occur that affect the legality of ASN decisions. Nugraha et al. (2007) affirm that in a modern rule-of-law state, every act of governmental administration must be accountable, both legally and ethically in administrative terms.

At this point lies a normative issue that has not been extensively examined in depth. The literature on administrative law has focused more on the authority of decision-making officials and the formal aspects of legality, while the position of technical administrative units within the construction of administrative accountability has received relatively little analysis. In practice, however, administrative defects at the stage of document preparation often serve as the starting point for disputes that challenge the validity of state administrative decisions.

Research specifically linking the management of personnel documents by technical units to the concept of administrative accountability and its implications for the legal certainty of ASN decisions remains relatively limited. Therefore, this study focuses on analyzing the construction of administrative accountability in the management of personnel documents within regional governments and how such management affects the legality and legal certainty of ASN decisions. Accordingly, this study is expected to make a theoretical contribution by expanding the understanding of administrative accountability in administrative law, while also providing a practical contribution to strengthening personnel administrative governance oriented toward legal certainty and the protection of the rights of the state civil apparatus.

## **THEORETICAL REVIEW**

### ***Theory of Administrative Accountability in Administrative Law***

Accountability in administrative law constitutes a consequence of the exercise of governmental authority. In a state governed by the rule of law (*rechtstaat*), every governmental action must be legally accountable because it may produce legal consequences for citizens. Utrecht emphasizes that administrative law regulates the relationship between the government and citizens in order to prevent the exercise of power from becoming arbitrary (Utrecht, 1986). In Indonesian administrative law, administrative accountability is closely related to the concept of authority. Hadjon (2015) states that every governmental action must be based on lawful authority, whether by attribution, delegation, or mandate. If an action is carried out outside or in deviation from such authority, it may be declared invalid. Ridwan (2014) explains that administrative accountability is attached to the office (*faute de service*) when an error occurs in the exercise of governmental functions, rather than arising from the personal fault of the official.

In the context of personnel administration, administrative accountability does not rest solely with the official who signs the decision, but also with the organ or unit that performs the administrative functions that form the basis for its issuance. Indroharto (2003) further explains that a state administrative decision may be declared void if there is a defect of authority, a procedural defect, or a substantive defect. Procedural defects are often directly related to internal administrative processes, including the completeness and accuracy of the documents serving as the basis for the decision. Thus, the management of personnel documents has direct implications for the construction of administrative accountability.

### ***Theory of Legality and the Validity of State Administrative Decisions***

The principle of legality is the primary foundation of administrative law. Hadjon (2015) emphasizes that the principle of legality requires that every governmental action have a clear legal basis and be carried out in accordance with the procedures prescribed by law and regulations. This principle is further reinforced by Law Number 30 of 2014 on Government Administration, which affirms that every decision and/or action of the government must comply with the principle of legality and the general principles of good governance.

According to Indroharto (2003), the validity of a state administrative decision is determined by three main elements:

1. The authority of the official issuing the decision
2. The procedure for the formation of the decision
3. The substance or content of the decision

If one of these elements is not fulfilled, the decision may be declared invalid. In practice, procedural defects often constitute grounds for annulment of a decision. Therefore, the quality of administration and of the documents underlying a decision play an important role in ensuring its legality Nugraha et al. (2007) affirm that in a modern rule-of-law state, every administrative decision must be subject to legal review and accountability. Legality is not merely a formal

matter, but also concerns the accountability and rationality of governmental action.

### *Theory of Legal Certainty*

Legal certainty is one of the primary objectives of law. In the context of governmental administration, legal certainty means that every decision issued by the government must be clear, unambiguous, and predictable in its legal consequences. Ridwan (2014) states that legal certainty in state administration can be achieved only when administrative processes are carried out in an orderly manner and in accordance with applicable provisions. Inaccurate administration can create legal uncertainty, especially when a decision subsequently becomes the subject of dispute. In the context of ASN management, legal certainty concerns the clarity of employment status, rights, and obligations, as well as protection against arbitrary administrative action. Therefore, the accurate and orderly management of personnel documents is an essential prerequisite for ensuring the legal certainty of ASN decisions.

### *General Principles of Good Governance*

The general principles of good governance constitute principles that both limit and direct governmental action. In Law Number 30 of 2014 on Government Administration, these principles include, among others, legal certainty, prudence, non-abuse of authority, and accountability. Widowati et al. (2023) emphasize that the general principles of good governance function as an instrument of control over governmental action, particularly where there is a gap or ambiguity in written norms. In the context of personnel administration, the principle of carefulness and legal certainty are highly relevant, as every administrative error has the potential to violate the rights of ASN. Accordingly, the management of personnel documents cannot be separated from the obligation to uphold the principles of carefulness, professionalism, and accountability. Where administrative negligence affects personnel decisions, it may be regarded as a violation of the general principles of good governance.

### *Analytical Framework of Legal Certainty in Personnel Administration*

To transcend a purely descriptive view of personnel administration, this study establishes an analytical framework connecting functional accountability, procedural regularity, and the theory of legal certainty. Legal certainty within state administration requires that every decision issued by government organs must be predictable, clear, and structurally sound. In the context of local government, the realization of legal certainty is heavily dependent on the preceding administrative chain executed by technical units, specifically the Personnel Subdivision.

Under the principle of legality (*wetmatigheid van bestuur*), any procedural deviation or material inaccuracy during the document verification and management stage structurally compromises the validity of the final decision signed by the authorized official. Therefore, this framework positions "accountability for the process" as a preventive mechanism. If technical units fail to uphold the principles of carefulness and professionalism in handling personnel documents, it creates an administrative defect that directly diminishes legal certainty, leaving the resulting ASN decision highly vulnerable to judicial review and annulment before the State Administrative Court.

## **METHODOLOGY**

This study employs a normative juridical method (normative legal research), namely legal research that focuses on the analysis of legal norms, principles, and doctrines applicable within the system of administrative law. This approach was chosen because the issues examined relate to the construction of administrative accountability and the legality of ASN decisions, and are therefore more appropriately analyzed through an examination of statutory regulations and legal literature rather than through empirical field data collection. Normative legal research essentially positions law as a body of norms to be systematically analyzed in order to formulate coherent legal arguments (Negara, 2023). In this context, the study aims to understand how legal norms regulate administrative accountability in the management of personnel documents and their implications for the legal certainty of ASN decisions.

### ***Research Approaches***

The approaches used in this study include the statutory and conceptual approaches:

1. The statutory approach: This is carried out by examining the provisions of Law Number 20 of 2023 on State Civil Apparatus and Law Number 30 of 2014 on Government Administration, as well as other relevant implementing regulations. Through this approach, the study analyzes how legal norms regulate authority, procedure, and responsibility in the formation of governmental administrative decisions.
2. The conceptual approach: This is used to examine the doctrines of administrative accountability, the theory of legality, legal certainty, and the general principles of good governance as developed in the literature of administrative law. The normative juridical method is commonly used in legal research to examine the structure of norms, the relationships among legal provisions, and the interpretation of applicable regulations (Wiraguna, 2024).

### ***Data Sources and Legal Materials***

The legal materials used in this study consist of primary legal materials and secondary legal materials. The primary legal materials include statutory regulations governing governmental administration and ASN management. The secondary legal materials comprise books and academic literature discussing administrative law, including the works of Philipus M. Hadjon, Indroharto, H.R. Ridwan, and Utrecht. In addition, relevant scientific journal articles are also used to enrich the conceptual analysis of administrative accountability and legal certainty in governmental administration. Normative juridical research generally relies on library research as the primary technique for collecting legal materials, namely by examining legal documents, academic literature, and prior research on the issues under study (Masnun et al., 2025).

### ***Analytical Procedures***

The analysis is conducted qualitatively through legal interpretation, both systematic and conceptual, to understand the relationship between the management of personnel documents by administrative units and the legality of ASN decisions. Through this approach, the study seeks to construct a logical, structured legal argument on the limits and forms of administrative accountability within the framework of administrative law.

## **RESEARCH RESULTS AND DISCUSSION**

### ***Personnel Documents as the Legal Basis of ASN Decisions***

The study finds that personnel documents constitute the primary legal basis of administrative decisions in ASN management within regional governments. Nearly all decisions affecting the status and rights of ASN, including appointment, transfer, disciplinary sanctions, and dismissal, are based on administrative records such as proposals, verification of requirements, official reports, technical considerations, and other supporting documents. Accordingly, the management of personnel documents cannot be regarded merely as a matter of administrative orderliness or file arrangement. Rather, it plays a decisive role in determining whether an administrative decision is produced through a proper process, satisfies legal requirements, and may ultimately be justified under the law.

### ***The Normative Construction of Legality in Administrative Decision-Making***

The results further demonstrate that the legality of ASN decisions is strongly rooted in the normative framework established by Law Number 30 of 2014 on Government Administration, particularly through the General Principles of Good Governance (AUPB). Article 10, paragraph (1) explicitly requires the observance of the principles of legal certainty and carefulness. This means that every ASN-related decision must be prepared through an administrative process based on complete, accurate, and verifiable documentation. In this context, document management is not external to legality, but forms an integral part of the legal construction of the decision itself. A decision may therefore be considered legally weak where the administrative basis underlying it is incomplete, inaccurate, or procedurally defective.

### ***The Dual Institutional Position of the Personnel Subdivision***

The study also shows that the Personnel Subdivision occupies a dual institutional position within the governance structure. On the one hand, it falls under Law Number 23 of 2014 on Regional Government, which grants regional governments authority to manage governmental affairs, including personnel administration, within the framework of regional autonomy. On the other hand, its substantive functions are governed by nationally integrated ASN standards under Law Number 20 of 2023 on State Civil Apparatus, which strengthens the merit system and national governance of ASN. As a consequence, the Personnel Subdivision operates within a layered normative framework: organizationally attached to local government, yet substantively bound by national administrative standards. This duality directly shapes its responsibilities in personnel administration.

The dual institutional position of the Personnel Subdivision inherently creates a subtle regulatory conflict in local governance. On one hand, based on Law Number 23 of 2014 on Regional Government, this unit operates under the umbrella of regional autonomy, which grants local executives' significant discretion in managing local bureaucratic affairs. On the other hand, Law Number 20 of 2023 on State Civil Apparatus mandates a strictly centralized, nationally integrated merit system that restricts regional variation.

This regulatory tension often leads to a dilemma in administrative accountability. When a local executive issues an ASN decision that deviates from national standards due to incomplete or flawed document verification at the local level, a conflict arises regarding who bears the legal liability. While classical administrative law doctrines strictly hold the final signing official accountable, a critical evaluation reveals that the technical unit's failure to bridge the gap between regional autonomy policies and rigid national ASN standards constitutes the primary catalyst for administrative defects and subsequent employment disputes.

### ***Administrative Accountability as Accountability for the Process***

Another major finding of this study is that administrative accountability should not be understood solely as responsibility for the final decision issued by the authorized official. Instead, it must also be interpreted as accountability for the administrative process through which the decision is prepared. Although the Personnel Subdivision may not be the formal signatory of ASN decisions, its role in collecting, verifying, preparing, and maintaining the relevant personnel documents determines whether the final decision rests upon a lawful procedural foundation. In this sense, administrative accountability is functional: it extends to the technical unit whose administrative work directly shapes the legality of the resulting decision.

### ***Procedural Defects in Document Management and Their Legal Consequences***

The results indicate that procedural defects in personnel document management have direct legal consequences for the validity of ASN decisions. Government Regulation Number 11 of 2017 on Civil Servant Management as amended by Government Regulation Number 17 of 2020, confirms that each personnel action must follow specific administrative procedures and be supported by certain required documents. Where documents are incomplete, improperly verified, inaccurately recorded, or poorly archived, the administrative process may be considered defective. Such defects cannot be treated merely as internal bureaucratic shortcomings, because they may ultimately affect the lawfulness of the decision itself. Thus, weaknesses in document management may render administrative negligence a matter of legal validity.

### ***Judicial Review, Formal Compliance, and the Limits of Administrative Practice***

The study further reveals that negligence in personnel document management may give rise to judicial review before the State Administrative Court. Under Law Number 5 of 1986 on the State Administrative Court as amended by Law Number 9 of 2004 and Law Number 51 of 2009, aggrieved parties have the right to challenge state administrative decisions that conflict with statutory regulations or the general principles of good governance. In practice, procedural defects often serve as grounds for annulment of administrative decisions. The study also identifies a recurring tendency toward mere formal compliance, in which documents appear administratively complete but their truthfulness, relevance, and substantive accuracy are not adequately verified. This creates decisions that may seem formally valid, yet remain legally fragile when tested against the principle of carefulness.

### ***Legal Certainty, Digitalization, and the Need for Preventive Accountability***

Finally, the study concludes that the quality of personnel document management has a direct impact on legal certainty in ASN administration. Legal certainty requires that administrative decisions be predictable, explainable, and supported by a demonstrable administrative basis. Where documents are incomplete or inconsistent, the resulting decisions become vulnerable to dispute and may create uncertainty regarding the legal status, rights, and obligations of ASN. This challenge is not automatically resolved by digitalization. Although the digital transformation of ASN management, including the implementation of SIASN, improves traceability and data integration, it may also generate new forms of administrative negligence, such as data-entry errors, outdated records, and overreliance on systems without sufficient human verification. For this reason, administrative accountability must be strengthened proactively through improved document governance, internal oversight, and procedural standardization. In this framework, the Personnel Subdivision should be understood not merely as a technical unit, but as the first institutional guardian of the legality and legal certainty of ASN decisions.

## **CONCLUSIONS AND RECOMMENDATIONS**

This study demonstrates that the management of personnel documents within local governments is not merely a technical administrative function, but a crucial element in ensuring the legality and legal certainty of State Civil Apparatus (ASN) decisions. The legality of such decisions depends not only on the authority of the final decision-maker, but also on the quality of the administrative process through which the decision is prepared. In this regard, the Personnel Subdivision holds a strategic functional role, as its responsibility in verifying, managing, and maintaining personnel documents directly affects the procedural validity of ASN decisions. Weaknesses in document management may lead to procedural defects, undermine legal certainty, and increase the possibility of disputes before the State Administrative Court.

Accordingly, local governments should strengthen administrative accountability through clearer procedural standards, stricter substantive verification of personnel documents, improved archival traceability, and more effective internal supervision. In addition, the implementation of digital personnel management systems should be accompanied by careful data validation and continuous oversight to ensure that digitalization supports, rather than weakens, legal certainty. By reinforcing these measures, personnel administration can better guarantee that ASN decisions are not only formally lawful but also substantively reliable and resistant to future legal challenges.

## **ADVANCED RESEARCH**

This study has several limitations. First, it is conducted using a normative juridical approach, which focuses primarily on the analysis of legal norms, statutory regulations, and administrative law doctrines. As a result, this study does not empirically examine how personnel document management is actually implemented within regional government institutions, nor does it directly assess the practical challenges administrative units face in carrying out these responsibilities. Second, the analysis is limited to the legal construction of administrative accountability in the management of personnel documents and its implications for the legality and legal certainty of ASN decisions. Accordingly, this study does not comprehensively address broader institutional, organizational, or technological factors that may also influence the quality of ASN administration, particularly in the context of digital governance. Third, this study is framed within the Indonesian legal system, especially the regulatory framework governing government administration, regional government, and ASN management, so its conclusions may not be directly generalizable to other administrative systems with different legal traditions and institutional arrangements.

In light of these limitations, further research is recommended in several directions. Future studies may adopt an empirical or socio-legal approach to examine how administrative accountability is implemented in practice within regional governments, particularly regarding the role of the Personnel Subdivision in document verification, record management, and procedural compliance. Comparative studies between different regional governments may also be undertaken to identify variations in administrative practices and their effects on the legality of ASN decisions. In addition, future research could explore the impact of digital personnel management systems, including SIASN, on the quality of administrative accountability, especially with respect to data accuracy, traceability, and legal certainty. Finally, further research may develop a more integrated model of administrative accountability that combines legal, institutional, and technological perspectives in order to strengthen personnel governance and minimize the risk of administrative disputes in ASN management.

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