



# Legal Protection of the Community against Maladministration of Public Services: A Case Study at the Population and Civil Registry Service of Semarang City

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**Abstract.** Public services in the field of population administration are a basic right of the community that must be fulfilled by the government quickly, accurately, and accountably. However, in practice, various forms of maladministration are still often found that are detrimental to the community, such as prolonged delays, procedural deviations, and non-transparent services. This study aims to analyze the forms of public service maladministration and legal protection efforts provided to the community in the implementation of population administration services at the Semarang City Population and Civil Registry Office. The research method used is empirical juridical legal research with a statutory regulatory approach and a case approach. Data were obtained through literature studies and interviews with related parties and community service users. The results of the study indicate that maladministration still occurs in the form of delays in the completion of population documents and a lack of certainty in service procedures. Legal protection for the community is carried out through an internal complaint mechanism, supervision by the Ombudsman of the Republic of Indonesia, and the implementation of the provisions of Law Number 25 of 2009 concerning Public Services and Law Number 30 of 2014 concerning Government Administration.

**Keywords:** Administrative Law, Legal Protection, Maladministration, Population and Civil Registry, Public Services.

## 1 Introduction

Indonesia is constitutionally recognized as a state governed by law, a principle clearly stated in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia. This constitutional foundation implies that every action taken by the government must be grounded in law and subject to legal control. One direct consequence of this principle is the state's obligation to ensure legal protection for its citizens, particularly in relation to the exercise of governmental authority. Such protection is crucial in preventing arbitrary actions, abuse of power, and maladministration in the delivery of public services. In this sense, legal protection forms the backbone of the relationship between the government and the community.

Public service is one of the most tangible expressions of governmental responsibility toward citizens. Within the framework of modern administrative law, public service is no longer perceived merely as routine bureaucratic activity. Instead, it represents a legal relationship in which the government exercises authority while citizens hold enforceable rights that must be respected and safeguarded. Therefore, the implementation of public services must adhere to the principles of legality, accountability, transparency, and the General Principles of Good Governance [1, 2]. These principles serve as safeguards to ensure that public authority is exercised fairly and responsibly.

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Among various public service sectors, population administration occupies a particularly strategic position. Population documents—such as identity cards, family cards, and civil registration certificates—serve as formal recognition of a person's legal identity. These documents are essential for accessing a wide range of constitutional rights, including education, healthcare, voting rights, employment, and social welfare benefits. Law Number 24 of 2013 on Population Administration explicitly assigns local governments the responsibility to provide population administration services in a professional, equitable, and non-discriminatory manner.

Despite the existence of a relatively comprehensive legal framework, challenges persist in the practical implementation of population administration services. Various forms of maladministration continue to emerge. Under Law Number 37 of 2008 concerning the Ombudsman of the Republic of Indonesia, maladministration encompasses unlawful conduct, misuse of authority, unreasonable delays, neglect of legal duties, and deviations from established procedures in public service delivery. Such practices not only cause direct harm to citizens but also reveal deficiencies in the effectiveness of legal protection mechanisms within administrative governance [3].

Recent developments indicate that maladministration remains a recurring problem in Indonesia's public service system. The principles of good governance have not been fully realized, partly due to weak enforcement of administrative law against officials who engage in improper conduct [4]. As a consequence, citizens often experience limited protection when confronted with administrative irregularities. Although a number of studies have addressed maladministration issues, many of them approach the topic in a general manner without concentrating specifically on the population administration sector.

Research concerning the role of the Ombudsman of the Republic of Indonesia shows that, despite its authority to oversee and address maladministration in public services, the implementation of its recommendations by local government agencies is frequently inadequate [5]. These studies tend to focus on the institutional authority and structural position of the Ombudsman rather than examining how effective legal protection is perceived and experienced by citizens who directly utilize public services.

Other studies analyzing complaint-handling processes at regional Ombudsman offices highlight structural challenges, including limited human resources and low levels of public legal awareness [6]. While these findings contribute valuable insights into procedural aspects of complaint resolution, they often stop short of connecting these issues with the everyday realities of service delivery in specific population administration offices.

A review of existing literature reveals several research gaps. First, much of the scholarship remains normative or institution-centered and does not comprehensively explore how legal protection functions in the practical implementation of population administration services. Second, there is insufficient integration between administrative law frameworks—particularly the General Principles of Good Governance, the Public Service Law, and the Government Administration Law—and empirical conditions at the local level. Third, case-based research conducted in major urban centers with complex service demands, such as Semarang City, remains relatively limited [7].

The Population and Civil Registration Office of Semarang City operates in an environment characterized by high population mobility and increasing public expectations for efficient, transparent, and reliable services. Reports of delays in issuing documents, lack of procedural clarity, and insufficient transparency suggest the potential occurrence of maladministration. These issues raise concerns about the effectiveness of legal protection mechanisms available to citizens.

In light of these conditions, this study is both timely and necessary. It seeks to examine in detail the forms of maladministration occurring in population administration services and to assess the effectiveness of legal protection for the community at the Population and Civil Registration Office of Semarang City. By adopting an integrated juridical-empirical perspective, this research aims not only to fill existing gaps in the literature but also to contribute to the development of administrative law theory and to offer practical recommendations for enhancing accountability and service quality in public administration.

## 2 Method

This study employs an empirical juridical research method, which combines the examination of legal norms with an analysis of their practical application [8]. Through this approach, the research investigates how laws regulating public services and population administration are implemented in reality, particularly in relation to legal protection against maladministration at the Population and Civil Registration Office of Semarang City. The objective is to connect formal legal provisions with factual conditions observed in the field.

Two main approaches are utilized in this research: the statutory approach and the case approach. The statutory approach involves analyzing relevant legislation governing public service and administrative conduct, including Law Number 25 of 2009 on Public Services, Law Number 30 of 2014 on Government Administration, Law Number 24 of

2013 on Population Administration, and Law Number 37 of 2008 concerning the Ombudsman of the Republic of Indonesia. These legal instruments provide the normative framework for assessing the duties and responsibilities of public officials.

The case approach, on the other hand, focuses on examining specific instances of maladministration and evaluating how legal protection mechanisms operate in practice within the population administration services of Semarang City. This approach enables the researcher to analyze concrete situations and identify gaps between legal standards and administrative implementation.

The research utilizes both primary and secondary data sources. Primary data are collected through interviews with officials from the Population and Civil Registration Office of Semarang City, as well as members of the public who have accessed population administration services. These interviews aim to capture firsthand perspectives on service delivery practices and experiences related to maladministration. Secondary data are obtained through a review of relevant literature, including statutory regulations, textbooks on administrative law, and scholarly publications addressing public service governance and maladministration.

Data collection techniques consist of interviews, document analysis, and literature review. After gathering the data, the study applies qualitative descriptive analysis. This method involves systematically interpreting empirical findings in light of applicable legal provisions and the General Principles of Good Governance (*Asas-Asas Umum Pemerintahan yang Baik – AUPB*). Through this analytical process, the research evaluates the extent to which legal protection mechanisms effectively safeguard citizens against maladministration in the provision of population administration services.

### 3 Result

#### 3.1 Maladministration in Population Administration Services as a Violation of the Principles of Administrative Law

The empirical evidence gathered in this study reveals that maladministration within the Population and Civil Registration Office of Semarang City is not merely an occasional error but a persistent systemic issue. The most prevalent manifestations include "undue delays" in finalizing essential identity documents, a lack of transparency regarding the specific criteria for service, and a general opacity concerning processing durations [9]. These insights, synthesized from direct stakeholder interviews and field observations, suggest a significant gap between official policy and ground-level execution.

From a jurisprudential standpoint, these failures transcend simple technical glitches; they represent a fundamental violation of the core tenets of administrative law. When a government body operates with procedural ambiguity or unreasonable delays, it stands in direct opposition to the principles of legal certainty, prudence, and professional service as mandated by Article 10 of Law Number 30 of 2014. Legal certainty is not a suggestion—it is a requirement that ensures citizens can predict the outcome of their interactions with the state.

Furthermore, these findings underscore that population administration is a definitive governmental action (*bestuursdaad*) with binding legal weight [10]. Therefore, any deviation from established standards is a deviation from the General Principles of Good Governance (*AUPB*). The research highlights a failure in accountability: while Law Number 25 of 2009 demands transparency and quality, the reality for many citizens is a confusing and unreliable bureaucracy that results in profound administrative injustice.

The impact is not merely bureaucratic; it is socio-economic. When a citizen cannot obtain an ID card or birth certificate in a timely manner, their access to healthcare, education, and employment is compromised. Thus, maladministration acts as a barrier to the fulfillment of basic human rights, signaling a desperate need for the bureaucracy to shift from a rigid, "rule-driven" mindset to a "service-oriented" philosophy [11].

#### 3.2 Structural and Cultural Factors as Causes of Maladministration

The data suggests that blaming individual "bad actors" is an oversimplification. Instead, maladministration is fueled by a combination of structural deficiencies and an entrenched bureaucratic culture.

##### 1. Structural Barriers

There is a stark misalignment between the volume of service requests and the available resources. A shortage of qualified personnel leads to burnout and backlogs, reflecting a failure to build a structure capable of meeting the

mandates of modern public service regulations. Furthermore, while Standard Operating Procedures (SOPs) exist on paper, they are often applied inconsistently or treated as mere formalities rather than functional guides.

## 2. Cultural Barriers

There remains a "power-logic" within the bureaucracy where officials prioritize internal processes over citizen rights. Instead of the system adapting to serve the person, the person is forced to navigate an opaque labyrinth.

This environment suggests that the General Principles of Good Governance have not been "internalized" by the workforce; they are viewed as external obligations rather than core values [12]. Without a cultural transformation, structural fixes, like new software or more staff, will likely yield only marginal improvements.

### 3.3 Legal Protection of the Community against Maladministration: Between Norms and Implementation

Normatively, legal protection for the public against maladministration in public service delivery is firmly established within the Indonesian administrative law framework. Law Number 25 of 2009 on Public Services guarantees the public's right to obtain quality, transparent, and equitable services, as well as the right to submit complaints regarding service irregularities. This protection is further reinforced by Law Number 30 of 2014 on Government Administration, which positions the General Principles of Good Governance as benchmarks for the legality of governmental actions [13].

In the context of population administration services, legal protection is also manifested through external oversight by the Ombudsman of the Republic of Indonesia, as regulated under Law Number 37 of 2008 [14]. Through this mechanism, the public is provided with access to remedies against maladministration, both through internal administrative procedures and external supervision.

However, the research findings reveal that the implementation of such legal protection remains suboptimal in practice. Although complaint mechanisms formally exist, many members of the public experience difficulties in understanding complaint procedures and obtaining certainty regarding complaint resolution. This condition illustrates a gap between normative regulation and actual practice, where legal protection exists formally but has not been fully realized substantively.

In practice, weak follow-up on public complaints diminishes the effectiveness of legal protection. Maladministration is often treated as a minor administrative error rather than as a violation requiring systemic correction [15]. As a result, legal protection tends to be reactive and procedural, rather than preventive and corrective.

Furthermore, limited institutional capacity and weak internal accountability mechanisms contribute to the persistence of maladministration. Inadequate supervision allows maladministrative practices to recur without meaningful consequences for service providers. Consequently, the effectiveness of legal protection becomes highly dependent on the goodwill of individual officials rather than on a robust institutional framework.

Thus, legal protection for the public against maladministration in population administration services remains positioned between normative regulation and practical implementation. Although the legal framework is sufficiently comprehensive, its effectiveness is constrained by institutional weaknesses, low accountability, and insufficient internalization of administrative law principles [16]. Strengthening legal protection therefore requires not only normative reinforcement but also improvements in institutional capacity and bureaucratic governance.

### 3.4 Effectiveness of Legal Protection from a Good Governance Perspective

The effectiveness of legal protection against maladministration cannot be separated from the implementation of good governance principles in governmental administration. Good governance emphasizes the protection of citizens' rights through transparency, accountability, participation, responsiveness, and legal certainty. In this sense, legal protection is not merely defined by the existence of legal norms, but by the ability of the administrative system to ensure the realization of public rights [17].

The research findings indicate that the effectiveness of legal protection in population administration services remains limited when assessed from a good governance perspective. Transparency has not been consistently implemented, particularly with regard to information on procedures, requirements, and service timelines. This lack of transparency weakens the public's position in asserting their rights and increases the risk of maladministration.

Accountability mechanisms are also found to be ineffective. Follow-up actions on maladministration reports are often not accompanied by clear sanctions or systemic improvements, allowing similar violations to recur. This condition demonstrates that accountability has not functioned as a deterrent against maladministration.

Moreover, the principle of responsiveness has not been fully realized. Responses to public complaints tend to be slow and overly administrative, failing to provide prompt and fair solutions. From the perspective of administrative law, responsiveness is a key prerequisite for effective legal protection, as it reflects the state's commitment to safeguarding citizens' rights [17].

Therefore, the effectiveness of legal protection for the public against maladministration in population administration services continues to face significant challenges. Legal protection remains largely reactive and formalistic, rather than preventive and substantive. Strengthening its effectiveness requires consistent implementation of transparency, reinforcement of accountability mechanisms, and enhancement of bureaucratic responsiveness, ensuring that good governance principles are not merely normative ideals but are concretely realized in public service practices.

#### 4 Conclusion

Maladministration in population administration services remains a systemic problem manifested in undue delays, unclear procedures, and lack of transparency, which constitute violations of administrative law principles, particularly the General Principles of Good Governance. These practices undermine legal certainty, due care, and the obligation to provide good public services. The persistence of maladministration is influenced by interconnected structural and cultural factors within the local government bureaucracy, including limited human resources, inconsistent implementation of standard operating procedures, and a bureaucratic culture that is not yet fully service-oriented. Although legal protection against maladministration has been normatively regulated and supported by internal and external oversight mechanisms, its implementation remains ineffective in practice. The gap between legal norms and their application indicates that legal protection is still largely formalistic and has not ensured substantive justice for affected communities. From a good governance perspective, the effectiveness of legal protection continues to face challenges in the areas of transparency, accountability, and responsiveness. Therefore, strengthening legal protection requires not only legal framework refinement but also organizational reform, capacity building, and the internalization of good governance principles in public service delivery.

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