

**TENDENCY OF ECONOMIC CRIME IN THE USE OF ARTIFICIAL INTELLIGENCE
AGAINST ONLINE SINGLE SUBMISSION RISK BASED APPROACH IN SUKOHARJO
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ABSTRACT

The implementation of business licensing has been regulated in government regulation Number 5 of 2021 concerning the Implementation of Risk-Based Business Licensing, however the use of the online single submission risk-based approach system in reality causes many problems including collusion and abuse of the authority of the verifier team's access rights which will cause investment realization becomes undirected and there are elements of criminal acts. This matter uses the Empirical Juridical method. In implementing the online business licensing system, the single submission risk-based approach is contrary to Law No. 28 of 1999 concerning State Administration that is Clean and Free from Corruption, Collusion and Nepotism. In conclusion, regarding Artificial Intelligence in public services, it should prioritize good governance that is accountable, not merely in the capacity to take advantage or enter into malicious conspiracy or collusion with those who have the authority to access rights.

Keywords—*artificial intelligence, economic crime, online single submission, risk-based approach, Sukoharjo.*

INTRODUCTION

The Unitary State of the Republic of Indonesia is a state based on law. This is stated in the constitution in the 1945 constitution contained in article 1 paragraph 3. The result of this article is that every reaction to an action, be it the action of the community or the decision of state administrators, namely the government, must be legitimized, by law and must not conflict with the positive law (*ius constitutum*) that applies in the unitary state of the Republic of Indonesia [1].

The concept of the idea of a rule of law state is a state scheme that is set in obtaining applicable and just laws and is also structured in a constitutional concept, where all people in the government, both those who are instructed and those who govern, must obey the regulations set out. The same, so that everyone is the same and treated the same and everyone who is different is treated differently on the basis of rational differentiation, without regard to differences in skin color, race, gender, religion, region and belief, and government authority is limited based on a principle of distribution power, so that the government does not act arbitrarily and does not violate the rights of the people, therefore the people are given roles according to their abilities and roles in a democratic manner [2].

A legal state is characterized by the concept of a welfare state and a welfare state can only be achieved by upholding the supremacy of law and sustainable development carried out by the government. In running the government, don't forget that the foundation of the economy must be strong. And in encouraging the economic ecosystem, the country must elaborate with business actors, in this case the government as the regulator and business actors who dominate the course of the economic cycle [3].

This is not to forget that the government of the Republic of Indonesia under the leadership of Joko Widodo made a policy through the Ministry of Investment/BKPM of the Republic of Indonesia, namely the implementation of a digitalization or artificial intelligence system, namely Online Single Submission Risk Based Approach. In creating this licensing system, it is inevitable that the bureaucracy of the central government and regional governments is very long-winded and there is no solution that makes things easier for business actors. With the current digital era, business actors are greatly helped by the business licensing system because it will speed up existing legality as a form of manifestation of the company's position [4].

The meaning of development is a set of human efforts to direct social and cultural change in accordance with the goals of national and state life, namely achieving the growth of civilization in social and cultural life on the basis of the targets that have been implemented. Peter L. Berger expressed his opinion that basically development is a problem faced by humanity today. A reality that actually exists. There is no life in a nation that does not face any problems at all, such as the problems are hunger, disease, high death rates, ignorance, backwardness, the need for housing, and the lack of job opportunities. Thus, development is an issue for general policy makers, who in this capacity are the state [5].

In facing these problems, the state must create a series of policies that can resolve these problems, namely through development policies. One of the development policies implemented by the government is development policy in the economic sector to improve community welfare. Development in the economic sector has only one goal, namely achieving a prosperous national life. The welfare of the nation cannot only be measured from the high income of the community and state income, because the high income of the community must still be measured from the volume of equal distribution of the results of economic development for the entire community in a fair manner [6].

To overcome the low income of the people, the government must prioritize people's economic efforts or the people's economy by providing loan funds to the Small and Medium Enterprises (UKM) sector as well as developing them and providing employment opportunities for people who have reached productive age. One of the government's efforts in economic development is to prepare good legal instruments in the form of licensing sector regulations. Licensing is a policy instrument of the central government or regional government (Pemda) to control negative externalities that may arise from social

and economic activities. A permit is also an instrument for legal protection for ownership or carrying out activities. As a licensing control instrument, it requires clear rationality and is stated in the form of government policy as a reference. Without rationality and clear policy design, licensing will lose its meaning as an instrument to defend corporate interests for actions based on individual actions. Considering its very central function in preventing market failure of corporate activities, the legality function of licensing is clearly a juridical function that must be handled by government [7]

For example, the government regulates the procurement of certain goods and services that must be distributed to the market, which at a certain level does not have a negative impact on the sustainability of corporate businesses. In this context, an action of government intervention in the form of licensing must be aimed at the main government functions, namely the allocative function, the distributive function and the stabilization. It is not impossible that licensing instruments that are too strict will encourage informal activities in the economy, or what is often called the black market economy, but licensing that is too loose will also lead to high social costs that must be borne by society, such as traffic jams, environmental damage, malaise. economy, inflation, and pollution as a result of uncontrolled market activity [8].

Therefore, a licensing mechanism activity must consider the stability between the interests of the central government and regional governments and corporate interests and individual interests that accelerate economic activities. Licensing policies are designed to prevent market failure. The form of licensing must be prepared in such a way that the government does not have to bear any losses caused by uncontrolled economic activities in the community. The definition of permission basically includes a very complex meaning, namely something that allows a person or legal entity to do something that according to regulations must have permission first, so you can know the legal basis for the permission. According to Prajudi Admosudirjo, "a permit (vergunning) is a determination which is a dispensation rather than a prohibition by law". According to the concept of a juridical state, the government's authority is not only to maintain order and security but also to strive for general welfare for all existing ecosystems [9].

Every government legal policy, whether in carrying out regulatory functions or service functions, must be based on the authority granted by applicable laws and regulations. One form of this provision is permission. Based on the types of provisions, permits are included as constitutive provisions, namely provisions that are constitutive, namely provisions that create new rights that were not previously owned by the person whose name is listed in the decree. Thus, a permit is a juridical instrument in the form of a decree which is constitutive and which is used by the government to deal with or determine concrete events for each decree. Permits are made with the provisions and requirements that apply to the decree in general [10].

One of the principles of a modern legal state is *wetmatigheid van bestuur* or government based on regulations. Every government legal action, whether in carrying out regulatory functions or service functions, must be based on the authority granted by applicable laws and regulations. Making and issuing permits is a legal government action. As a legal policy, there must be authority granted by regulations or based on the principle of legality [11].

In fact, in implementing the online single submission risk based approach licensing system, there are many licensing brokers who collaborate with licensing elements in local authorities. This violates the reform mandate and is contrary to Law Number 28 of 1999 concerning Clean State Administration. and Free from Corruption, Collusion and Nepotism. With the existence of collusion or more commonly known as collusion, the implementation of permits will be hampered and the investment cycle will be negatively affected and will have an impact on implementation, in terms of bureaucracy, disruption of clear and clean stability and excellent public services in the business licensing sector as well as abuse of authority. or what is called abuse of power [12].

Based on the description above with various descriptive arguments, opinions and substance that have been elaborated, in the context of writing the following title can be formulated: "Tendencies of Economic



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Crime in the Use of Artificial Intelligence Against Online Single Submission Risk Based Approach in Sukoharjo Regency".

METHOD

A research method is a method of working to understand the object that is the target of the science in question. Methods are the way a scientist studies and understands the environment he understands. Research methods in determining them are considered important because there is a close relationship between the type of research and systematics, methods and data analysis in order to achieve high validation values both for the data collected and the final results of the research" [13].

a. Types of research

The approach method used in this research is "Empirical juridical or non-doctrinal method is an approach method used to solve problems by researching secondary data first and then conducting research on primary data from the field. The juridical approach in this research is reviewed from secondary data, namely regulations regarding the Tendency of Economic Crime in the Use of Artificial Intelligence Against Online Single Submission Risk Based Approach in Sukoharjo Regency.

Then the empirical/sociological approach is a legal research that uses primary data and sometimes also uses secondary data, which is a legal research method that functions to see the law in real terms and examine how the law works in society. Because this research examines people in their living relationships in society, the empirical legal research method can be said to be sociological legal research. It can be said that legal research is taken from facts that exist in a society, legal entity, business entity and government agency.

So apart from the author obtaining data directly from the field, the author also obtained data from literature books in order to obtain accurate data according to the title of the article, namely: Tendency of Economic Crime in the Use of Artificial Intelligence Against Online Single Submission Risk Based Approach in Sukoharjo Regency.

b. Research sites

This research was conducted in the Sukoharjo area. The reason for researching the location was because the moment coincided with the author's workplace. where is the Tendency of Economic Crime in the Use of Artificial Intelligence Against Online Single Submission Risk Based Approach in Sukoharjo Regency. Carried out and in accordance with where the author lives and wants to know how and what are the obstacles and solutions to the Tendency of Economic Crime in the Use of Artificial Intelligence Against the Online Single Submission Risk Based Approach in Sukoharjo Regency.

c. Method of collecting data

It is the method used to achieve a goal, while what is meant by research method is the main method used to achieve a goal in research by collecting certain tools.

In this research, data collection tools are needed, namely primary data and secondary data. Each of these data can be explained as follows:

1. Primary data

It is a series of data/a number of information obtained directly from field research or research objects. To obtain primary data, data collection tools are used, namely:

- a. Observation is a tool for collecting research data directly by observing different symptoms and recording them systematically and in categories for identification;
- b. Interviews are a data collection tool where the author conducts direct interviews with business actors, state civil servants in charge of licensing. Based on the respondent's answers, the information is recorded as material to be analyzed [14].

2. Secondary Data

It is data obtained from decision or reference materials that are related to the problem under study, including from statutory regulations, government regulations, journals, scientific books, letters, state and general news, instructions, etc. with research objectives and materials.

3. Data Analysis

Data analysis techniques are methods or ways to get data into information so that the characteristics of the data are easy to understand and also useful for finding solutions to problems, especially problems related to research. Data analysis techniques are a research process that is very difficult to carry out because it requires hard work, creative thinking and high knowledge skills. In his view, data analysis techniques cannot be equated between one study and another, especially regarding the methods used.

In actualizing the data, these include the following:

1. Data Interpretation

Data interpretation techniques can be carried out as follows:

- a. Expand the analysis results by asking questions regarding relationships, differences between analysis results, causes, implications of previous analysis results;
- b. Relationship of findings to personal experience;
- c. Give a critical view of the results of the analysis carried out;
- d. Connect analysis results with theories, etc.
- e. Connect or review theories that are relevant to the problem at hand.

RESULT AND DISCUSSION

In the cycle of social activity, actions often occur or, better known, actions that conflict with morals, ethics and legal norms which serve as guidelines for dealing with life. In carrying out an intention or what is better known as mensrea. There must be a goal that they want to achieve in the various ways they face it as well as strong relationships to complete the intended effort. In the substance of economic crimes, regardless of class, strata and position, everyone in the unitary state of the Republic of Indonesia is a citizen who must obey and submit to the constitution and the legal products that exist under it. At the same time, foreign citizens also have the same rights.

A country that is strong and has a fundamental economy must have an adequate ecosystem and infrastructure that is well integrated with various existing instruments, including:

1. Regulation;
2. Competent Human Resources;
3. Innovative adapted to the times;
4. Digitalization;
5. And others [15].

Regarding the theory of Utilitarianism, the figure who is very fundamental to the development of this theory is Jeremy Bentham and is very relevant behind the scenes in the business licensing process because in the context of the theory of utilitarianism it is put forward elements of usefulness and happiness for existing legal subjects [16].

Jeremy Bentham was a philosopher and legal expert in Great Britain, especially England, who was nicknamed the Luther of the Legal World or in Indonesian, namely Luther in the world of law. This nickname took the figure of the theologian Martin Luther, who in his mind created an initiative to reform certain ideas within the Catholic faith. This figure is considered to have the initiative to carry out a reform movement towards the English legal system in the 18th century which was considered outdated at that time and tended to be very corrupt. This figure gave sharp criticism as well as an offer of reform to the English legal system. This theory was initiated by Jeremy Betham to reconstruct the English legal system, which he thought was very far from true legal values.

Utilitarianism is also known as consequentialism. According to historians, Richard Cumberland, a 17th century English moral philosopher who is considered to be the first person to ideate utilitarianism. Then, Francis Hutcheson provided a clearer theoretical touch regarding this understanding. He not only analyzed that good deeds are those that benefit the greatest number of people (the greatest happiness for the greatest number), but also proposed what he called moral arithmetic to calculate it. The development of this theory was further carried out by David Hume, a philosopher and historian from Scotland. However, Bentham is considered a figure who was completely and comprehensively able to formulate and then popularize the idea of utilitarianism. However, Bentham himself admitted that the theory he put forward was a synthesis of the thoughts of previous experts and philosophers such as Joseph Priestly, Claude Adrien Helvetius, Cesare Beccaria, and David Hume [17].

In applying for licensing registration, human resources face Artificial Intelligence or websites and systems. The presence of information technology has changed people's lifestyles and ways of working from conventional to modern using a digital approach. Society has now entered a transition phase leaving the era of industrial revolution 4.0 because of the existence of industrial revolution 5.0 which is arriving more quickly. In connection with the current progress of transformation, there is also the concept of society 5.0 which allows access to the virtual world which will increasingly feel like the real world so that everyday human problems can be overcome using technology. The concept of society 5.0 was put forward by Japanese Prime Minister Shinzo Abe as a new vision for Japan [18].

The idea of society 5.0 is intended to build a society based on technology-based humans. Along with its

development, the idea of society 5.0 has encouraged the birth of industry 5.0 which is based on the cyber physical human center. Industry 5.0 has a character emphasis aimed at the role of humans as the center of civilization which utilizes technology as a means of living in addition to cyber physics. Thus, in Industry 5.0 there are not only machine to machine relationships and robotic effectiveness, but there are also human to machine relationships and vice versa. This situation certainly has a significant impact on the progress of innovation and efficiency in digital transformation, one of which is the use of information technology in the form of Artificial Intelligence (AI) [19].

AI is a technology that can help human activities by imitating human intelligence through machine learning and the ability to learn from data (autonomy learning). Aristotelis Trisrigos, an expert in the field of AI, explains that AI is a sophisticated computer algorithm that is slowly acquiring basic human abilities, such as vision, speech and navigation. The presence of the internet has had a significant impact on the development and use of AI. AI technology underlies much of the internet, such as search engines, recommender systems, and Web site aggregators. Increasing data availability, connectivity and computing power also have a significant influence on the development of AI. Such circumstances mark a new era of advancement and innovation potential in AI. This can be observed with the emergence of AI innovations such as robotic vehicles, voice recognition features, autonomous planning and scheduling, logistics planning, robotics, machine translation, and so on [20].

Regarding the existence of artificial intelligence, AI, namely Artificial Intelligence, in the business licensing sector, it requires access rights to someone who is given the authority to operate it, but in granting these access rights, it is actually exploited by irresponsible individuals for personal interests. In terms of the essential substance of business licensing in its implementation, there is a lot of collusion. This will cause a buse of power or abuse of authority. These problems could disrupt the existing stability, especially the realization of investment and the investment ecosystem in the region. The method is through an evil agreement carried out by the consultant with state civil servants, in this case having a very tendentious influence on the licensing bureaucracy because of their position and the granting of Online Single Submission Risk Based Approach (Oss Rba) access rights which is the key to verifying business permits. based on the risk. In order for the permit to be issued quickly, the state civil servants told the consultant to provide some very fantastic amounts, which made the bureaucratic culture worse. And it will cause disease in society in the future [21].

This is proven by the admission of one of the staff in the Sukoharjo Regency regional government who is in charge of permits for building approvals. In order to expedite and speed up the permits, he had to give a sum of millions of rupiah (gratuity) to the head of the division who handles permits for building approvals for the permits. quickly published and finished [22]

And in the national scale WhatsApp group in the licensing sector, there is indeed collaboration between central government and regional government elements as well as consultants in the syndicate. This has been played out in a structured and massive manner. Individuals often look for and see opportunities for things that can be used for their business which results in receiving money to facilitate all their needs. The victims are often entrepreneurs whose modus operandi is always to collaborate with third parties or consultants when it comes to the substance of this problem, they take as much profit as possible and widen the ecosystem of the wave of licensing collusion games that exist in the regions and those in the central government. So, this is contrary to the relevant law [23]. One of them is Law Number 28 of 1999 concerning the administration of a state that is clean and free from corruption, collusion and nepotism, namely Article 21, namely:

"Every state administrator or member of the Audit Commission who commits collusion as intended in article 5 paragraph can be punished with imprisonment for a minimum of 2 (two) years and a maximum of 12 (twelve) years and a fine of at least Rp. 200,000,000,- (two hundred million rupiah) and a maximum of Rp. 1,000,000,000,- (one billion rupiah)" [24].

These problems make good governance a problem solving which generally aims to help implement and achieve national and even regional goals, which is one of the basic foundations that must be implemented immediately. It must be believed that the implementation of good governance will be able to assist efforts in eradicating and preventing corruption and nepotism.

Referring to some of its characteristics [25].

good governance should be when the principles of effectiveness, efficiency, accountability, law enforcement, equity (justice) can be upheld, practices of abuse of authority can be minimized. We also do not deny that the principles of transparency, consensus, participation, responsiveness and strategic vision must also be upheld at every level, so that there is balance for state administration institutions (the state, business community and civil society) [26].

Practices of abuse of authority, based on existing facts, give rise to a tendency for practices of corruption, collusion and nepotism. We certainly agree that corruption, collusion and nepotism will cause inefficiency in the use of national and even very limited regional resources. Likewise, if we mismanage resources, we can be sure that the goals we want to achieve will be lost or, in other words, ineffective. Therefore, it is not an exaggeration that if one of the characteristics of good governance is realized then the problem of corruption can be minimized. In this case, the principles of accountability and law enforcement were discussed [27].

To realize good governance requires commitment and consistency from all parties, state apparatus, business world and society, and its implementation in addition to requiring good coordination, also requires integrity, professionalism, work ethic and high morals [28].

In this context, it is necessary to consistently apply the principles of good governance, such as accountability, transparency and law enforcement, so that government administration and development can take place efficiently and successfully. It is also necessary to understand that the implementation of good governance, especially in relation to eradicating corruption and nepotism must be carried out through effective and balanced preventive strategies and repressive strategies [29]

CONCLUSION

In the conditions of this era where implementing the 5.0 system and even using artificial intelligence (AI), actions or actions that delegitimize the bureaucracy, especially in the licensing sector, still occur which are not good records. One of them is the abuse of policy and authority of a bus of power as well as collusion in malicious conspiracy carried out by irresponsible individuals who have access rights to the Online Single Submission Risk Based Approach (Oss Rba) licensing system who collaborate with consultants in search of profit. as many individuals as possible whose actions are contrary to the mandate of Law No. 28 of 1998 concerning the administration of a state that is clean and free from corruption, collusion and nepotism. good governance is one of the solution parameters for creating a good investment cycle.

The authors suggest that: (1) Supervision of the business licensing system must be strict and selective. This will be better in terms of monitoring and auditing the implementation of existing business permits from internal and external parties in terms of systems and people; (2) Commitment to integrity must often be sought in starting business licensing bureaucratic activities from the bureaucracy to entrepreneurs; and (3) Anti-corruption, collusion and nepotism zone education in human resources in the bureaucratic sector as well as the community and existing stakeholders.

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