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THE ROLE AND EFFECTIVENESS OF THE NATIONAL LEGAL DOCUMENTATION AND INFORMATION NETWORK AS A FORM OF PUBLIC SERVICE TO OBTAIN LEGAL INFORMATION

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ABSTRACT

The provision of a National Law Database containing various integrated legal information is very important to realize the development of national law through the Law Reform Agenda Volume II. Legal information that is integrated, easy to access quickly and easily is very important as a raw material for legal development. The development of national law cannot be separated from the National Legal Documentation and Information (JDHIN) because the main purpose of its formation is to support and accelerate the development of national law. The purpose and usefulness of this paper is to determine the role and effectiveness of JDHIN as a form of public service to obtain legal information. The method used is descriptive analytical research. The discussion contains about JDHIN as a form of public service and the effectiveness of JDHIN to obtain legal information. The conclusion that can be drawn from this paper is that JDHIN is still ineffective because there are several inhibiting factors. Suggestions that the author can give include the need for new regulations for the management of the Legal Documentation and Information Network.

Keywords: National Law Database, Legal Information.

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INTRODUCTION

Indonesia is currently working to realize the vision and mission of an independent, fair and prosperous nation within 20 years. In order to realize these goals, development must be comprehensive to all fields including development in the field of law because development in the field of law determines the establishment of institutional pillars that will impact and accelerate the development in the economic, social and political fields.

The provision of a National Legal Database containing a variety of integrated legal information is essential to realizing national legal development through the Legal Reform

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Agenda Volume II. Encrypted legal information, easily accessible quickly and easily is very important as a raw material for legal development.

The development of national law cannot be separated from the National Legal Documentation and Information (JDIHN) because the main purpose of its establishment is to support and accelerate the development of national laws. The third National Law Seminar in 1974 in Surabaya was the beginning of the idea to form JDHIN. Weak support for comprehensive, fast and precise national legal documentation is one of the things that resulted in slow legal development. Weak support of legal documentation to national builders is due to factors including:

1. Legal documents are not integrated, spread across central agencies and areas whose area span is very wide;
2. The management of legal documents has not gone through the system;
3. Lack of reliable management personnel;

Lack of attention to the existence of documentation and legal libraries.¹ Seminar participants agreed to recommend to the government the following things because they look at the importance and influence of legal documentation on national development:

1. The preparation of a network system of documentation and information accommodated by a national policy
2. Improvement of procedures for promulgation and issuance of laws and regulations to make it easier to find legal information and documentation.
3. Legal Documentation and Information Network needs to be compiled and developed to use existing information.²

JDHIN (Legal Documentation and Information Network) is an integrated, orderly and continuous system as an effort to use the cooperation of laws and other legal documentation materials and as a means to provide accurate, easy and fast legal information services.

The realization of careful and careful information on laws and regulations that can support the smooth running of government, community and development tasks in all fields is the purpose of the preparation of the Legal Documentation and Information Network which is a continuation of the collection of materials from all regulations to be patterned, organized, systematic in grouping or classification so as to facilitate the search.

As of December 13, 2021, there were 365,633 legal documents provided by JDHIN. This type of document consists of central-level legal products, regional level, colonial era, legal monograph, legal articles/magazines, and jurisprudence/verdict. To date, the number of integrated JDHIN members is 637 members, consisting of

a) JDIH Ministry 33

¹ National Law Seminar Results Association I-VII and Seminar Akbar 50 Years of Legal Development

² *Ibid.*

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- b) JDIH Secretariat of State Institutions 8
- c) JDIH Non-Ministerial Government Agency 26
- d) JDIH Provincial Government 33
- e) JDIH District Government 274
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- g) JDIH Provincial DPRD 12
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- i) JDIH DPRD City 21
- j) JDIH Law Library 7
- k) JDIH Echelon Unit 1 Kemenkumham 10
- l) JDIH Kemenkumham Regional Office 33
- m) JDIH Non-Structural Institutions 10

The number of jdhin website visitors until December 15, 2021 was 168,807.

The use of information technology is something that cannot be separated from efforts to realize the availability of integrated legal information. So that *the process of searching information (searching information)* and rediscovering documents (*retrieval documentation*) is more efficient and effective. The responsibility of providing *content* (integrated legal information) is the center and members of JDHIN. Diversity of documents is required for the development of national laws consisting of non-departmental laws and regulations.³

Karianga in Hadita (2020) Associated with the use of moral responsibility in the office, Roscoe Pound pointed out that in a society which people may assume that people who are on around him are people who civilized, as a result, in the event of an act that deviates would hold accountable the parties that did such acts, as a result.⁴

Reform of the constitution marked by an amendment to the 1945 Constitution in the Republic of Indonesia in the period 1999-2002, has implications for the structure in the constitutional system of the Republic of Indonesia. This very fundamental change also gave birth to many new state institutions, which were expected to be able to sustain in aspects of national and state life.⁵

The government finally invited Presidential Decree No. 91 of 1999 on the National Legal Documentation and Information Network in State Gazette No.135 which was later updated by Presidential Regulation No. 33 of 2012 on The National Legal Documentation and Information Network Of State Gazette Number 82. During the period since the regulation was enacted until now there are still several issues, among others:

³ Sucipto Setiadi, "Kebijakan Badan Pembinaan Hukum Nasional Dalam Pembinaan Dan Pengembangan Jaringan Dokumentasi Dan Informasi Hukum Nasional," *Paper* (n.d.): 6.

⁴ Cynthia Hadita, Regional Autonomy Political Politics Of Regional Liability Reports To Regional Representatives In The Implementation Of Local Government, *Nomoi Law Review*, Volume 1, Issue 1, May 2020, p. 94.

⁵ Andryan, Eka NAM Sihombing, Penguatan Mahkamah Konstitusi Republik Indonesia Melalui Constitutional Complaint, *Jurnal Hukum Perancangan Peraturan Perundang-undangan*, Vol. 4 No. 2, November (2018).

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Understanding of the main functions and duties of legal documentation Documenting is often considered a trivial, unimportant, not a professional job. Problems that exist in the regulation of laws and regulations that cause difficulty determining the number of regulations include too many regulations (*hyper-regulation*), conflicting, overlapping (*overlapping*), multi-interpretation, non-compliance with the principle (*inconsistency*), ineffective, creating unnecessary burdens and creating a *high cost economy*.⁶

JDIH must certainly be supported by a globalized internet network that negates limits and distances in the dissemination of information so that the public as a searcher for information is easy to access. Currently the one-click method to obtain information in cyberspace becomes a lifestyle and even the needs of people everywhere and anytime.⁷

The use and utilization of Information and Communication Technology (ICT) in the operation of JDIH to serve the public to obtain information in the era of openness in line with the principles contained in the implementation of public services that are open (transparency), easy and accessible to all parties who need and adequate and easy to regulate.⁸

The efforts made by the problem are to make regulatory arrangements a priority for legal reform. The agenda proposed on regulatory arrangements include:

1. Strengthening the establishment of laws and regulations;
2. Evaluation of all laws and regulations;
3. Creation of a database of laws and regulations.

The existence of the National Legal Documentation and Information Network (JDIHN) is important because JDIHN is a forum to empower legal documents in a regular, detailed, orderly, integrated, sustainable and sustainable so that accurate, precise, easy and fast information is obtained. Therefore JDIHN is something important in the implementation of government, the development of national laws and the life of the nation and state.

In the framework of the implementation and effectiveness of Presidential Regulation No. 33 of 2012 on the National Legal Documentation and Information Network, the Ministry of Law and Human Rights issued Regulation of the Minister of Law and Human Rights No. 33 of 2019 on Standardization of Technical Management of Documentation and Legal Information as the implementation of the provisions of Article 8 paragraph (3) of the government regulation which aims to provide guidelines on the standards of management of documentation networks.

METHOD

⁶19, "Rapat Koordinasi Penataan Regulasi Diselenggarakan Oleh BPHN."
⁷Testiani Makmur, *Perpustakaan Era Keterbukaan Informasi Publik* (Yogyakarta: Graha Ilmu, 2015).

⁸Nomensen Sinamo, *Hukum Administrasi Negara* (Jakarta: Jala Permata Aksara, 2005).

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The nature of the research used is descriptive analytical research. Research that is descriptive, which is research that characteristics of the population and the circumstances or phenomena that are being studied. Data sources used include the State Constitution of the Republic of Indonesia year 1945, Law No. 23 of 2014 on Local Government, Law No. 12 of 2011 on the Establishment of Laws and Regulations, Law No. 25 of 2009 on Public Services, Law No. 14 of 2008 on Public Information Disclosure, Presidential Regulation No. 33 of 2012 on National Legal Documentation and Information Network, Regulation of the Minister of Law and Human Rights No. 02 of 2013 on Standardization of Technical Management of Legal Documentation and Information as well as reference books and other sources related to the theme. Tenik and data collection procedures are by *library research* techniques conducted to obtain secondary data, namely by conducting an assessment of applicable laws and regulations, literature, scientific papers and internet searches related to research. The data analysis method used is qualitative analysis that is presented descriptively so as to produce a picture that has a correlation between one part and another.

DISCUSSION

Documentation And Information Of National Law (Jdihn) As A Form Of Public Service

The definition of public service as stated in Law No. 25 of 2009 on Public Service is any activity or series of activities in order to meet the needs of services in accordance with the provisions of the laws and regulations for every citizen and resident of goods, services, and / or administrative services provided by public service providers.

In order to realize a just, prosperous and prosperous society, the law is needed as a guideline for the state and the course of government. In order for the interests of the community and run normally, peacefully, orderly and neatly arranged then all laws must be implemented but in reality there are still irregularities and violations of the law. One of the causes is the low level of public legal awareness. This raises problems due to a lack of understanding of the applicable law.

Public service about legal products contained in a government area is one form of service provided by the government to the community. Legal products are products in the form of laws, presidential regulations, government regulations, local regulations (prolegda), national regulations (prolegnas) and others. Legal products are required by the government in the wheels of government. The manufacture of legal products must rely on Law No. 12 of 2011 on the Establishment of Laws and Regulations.

The validity of a legal product if made by an authorized institution. To prevent it from clashing with other regulations, it must pay attention to the principles of the establishment of legislation. Law enforcement is one of the efforts to create a just society. The survival of life is greatly supported by the existence of the law. Such continuity includes the protection, security, and happiness felt by all groups of society without exception.

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Public services that facilitate access to legal information and documentation encourage the creation of accountability, transparency and legal certainty of governance. Legal knowledge of state officials, law enforcement academics and other legal professions and even ordinary people can increase with easy access to legal information.

In the framework of the establishment and development of national law, it is necessary to provide accurate, complete and easily obtainable legal documentation and information to increase public awareness and obedience to the law. In the current period of openness to information, people have the right to get complete legal information, clear, accurate, fast, not expired and of course at a cost that is affordable by all levels of society.

Providing information that is open to all people is something that cannot be avoided by the government. Specially in the digital era, the existence of government develops into *e-governance* (*electronic government*). Understanding *e-governance* is the use of information and communication technology in activities carried out by the government that aims to serve the community in all fields, making it easier for people to get information, so that it is expected to increase effectiveness and efficiency in the implementation of government so as to make it more accountable and transparent.

Websites belonging to government organizations that provide legal information are the wrong implementation of *e-governance*. Currently, information service media based on communication technology and informatics (ICT) is almost owned by every government organization as one of the *e-governance e-governance* that has been introduced in the 1990s. Such information includes legal products, known as JDIH (Legal Documentation and Information Network).

Uploads or publications of various legal products have been widely carried out by the websites of government agencies / agencies, both in the form of national regulations and local regulations. JDIH local governments generally provide products in the form of Regional Regulations (Perda) Regional Head Regulations (Perbup / Perwali) and Regional Head Decrees.

The background to the establishment of JDIH is so that existing legal information can reach more people. The use of the internet provides an advantage over conventional means such as the delivery of books and other printed goods. Distance and time constraints on delivery time can be overcome by the internet. The advantages of JDIH include:

- a) Visitors and users of diverse backgrounds
- b) Visitors reach various regions including from abroad
- c) The website can be accessed 24 hours anytime and anywhere
- d) Safer and does not require large space because the information that has been uploaded automatically becomes a digital archive

APJII (Indonesian Internet Service Providers Association) released the results of a survey in 2019-2020 on internet penetration. The number of internet users reached 196.71 million people out of a total population of 266.91 million people in Indonesia. If presented, it means that as many as 73.7% of Indonesia's population as internet users.

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Based on these data it can be said that the internet has become a necessity and lifestyle of today's society.⁹

This prompted the government to publish policies regarding JDIH. JDIH policy or regulation is regulated in Presidential Decree No. 91 of 1999 and updated by Presidential Regulation No. 33 of 2012 concerning the National Legal Documentation and Information Network.

The idea of the birth of JDIH is driven by the spirit to utilize and empower electronic media in this case the internet, to forward information and documents about the law so that legal information services can be received more quickly, accurately, easily and completely by the public. In addition, people's knowledge and understanding of law is increasingly open, it is expected that the quality of national law development and public services will also increase.

JDIH as a channel or means to disseminate information, has more or less changed the face of bureaucracy. Nowadays by using the internet, conventional habits that take a long time to obtain copies of legal products that have been enacted will not happen again. The lower level bureaucracy can immediately download and implement or implement the regulation shortly after uploaded by the top-level institutions / agencies. Thus the cost of printing and *hard copy* postage can be cut.

The public is also facilitated to get accurate information quickly and precisely because posts or publications over the internet more reach various communities and are not bumped into working hours, in the sense that it can be accessed 24 hours.

It is stated in Law No. 14 of 2008 on Public Information Disclosure (UU KIP) that every public information can be accessed by every user of information quickly, on time, light cost and simple ways. Thus the role and importance of jdih's existence gained momentum.

The existence of JDIH certainly has consequences, the government is required to always develop information service systems in a good and efficient manner so that it is easily accessible to its users. The obstacle in the implementation of JDIH and *e-governance* is that there is still the provision of government organization websites only to be present and only as a medium of information.

It is not possible for transactions by users and higher ranks or still limited to informative and interactive levels. The cause is still in the classic problem, namely the lack of information technology equipment, the low commitment of regional organization leaders and human resources that handle it is still weak. Especially resources in the field of information technology so that there is a delay in updating the latest information. The users means is the people who use the digital access.

Effectiveness Of National Legal Documentation And Information Network (Jdihn) To Obtain Legal Information

⁹ <https://apjii.or.id>.

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Effectiveness in general is an indication that describes the success rate against a set goal. The higher its effectiveness means the more it achieves the intended goal.

According to Soerjono Soekanto, the effectiveness of law is the functioning of legal order and rules in society. In order for the law to function effectively, it must be considered:

- a. The legal validity of juridically, if it is formed in a predetermined manner, if the determination is based on higher rules of its level and shows the relationship of necessity between conditions and their consequences;
- b. The enactment of the law sociologically, meaning that the enactment of legal rules can be forced to be accepted and recognized by the community;
- c. The philosophical enactment of the law means that the law as the highest positive value as aspired.

When connected with the effectiveness of JDIHN, according to the author until now is still not effective because JDHIN has not been integrated with some JDHIN members and the lack of socialization of JDHIN programs to the community.

The fact is that JDHIN is the joint utilization of all legal documents that are the result of cooperation between units in the management of legal documentation in an orderly, integrated, and continuous manner, so that it becomes a means of providing legal information services in a complete, accurate, easy, and fast manner.

The purpose of the establishment of JDHIN according to article 3 of Presidential Regulation No.33/2012 is:

- a. Ensuring the incorporation and integration of Legal Documentation and Information Management in various government agencies and other institutions;
- b. Ensure the availability of legal information and documentation that can be accessed easily and quickly and completely and accurately;
- c. Provision of legal information and documentation that is the result of effective cooperation between network centers and network members;
- d. Realize a transparent, good, efficient, effective and responsible governance to improve
- e. Improving the quality of national law development and service to the public as one of the forms of good governance, transparent, effective, efficient, and responsible.

Legal documentation is seen from the purpose and way it works specifically has a function to manage legal documents to support legal development activities. The position of a legal institution is very important in a legal state because it provides a means of providing legal information. The rule of law can manifest one of the conditions *sine quanonna* (conditions that must be met) is the availability of access for the public to get legal information.

The cobwebs are an illustration of jdhin's form of cooperation, the jarring consists of a center and members. As the center of the network is BPHN (National Legal Development Agency of the Ministry of Law and Human Rights) and as a member is a law firm and /or work unit whose duties and functions organize activities related to legal documents.

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Effectiveness and efficiency can be improved by implementing 3 (three) jdhin cooperation principles:

a. Work Joint Venture

Each JDHIN member is required to collect and manage documents issued by their respective regions, so that there is no duplication of work.

b. Sharing information

Between JDHIN members as managers of information and documentation to improve utilization in providing mandatory services to share documents and information.

c. Technically Obedient

Agree and adhere to technical guidelines² or standards in managing legal documents and information. This is contained in the Regulation of the Minister of Law and Human Rights No. 2 of 2013 on the Standardization of Documentation and Legal Information Management.

Some indicators¹ to find out the effectiveness and success rate of JDHIN:

According to Presidential Regulation No. 33 of 2012 concerning the National Legal Documentation and Information Network article 6 JDHIN has integrated well with JDIH City and Provincial Districts, or also with JDIH members. This means that work units as sub domains interact with each other and share information with JDIH as a main domain.

The government nets aspirations for legal needs continuously and sustainably. In addition to capturing aspirations, the government can also provide education about information that is emerging, so that the public knows and responds to legal information that is being talked about.

Utilizing ICT (Communication Information Technology) as a means of conveying information carried out by first processing the data to be sent. In general, the functions and benefits of ICT are:

- a. Capture information from a wide variety of sources, so that users can select and sort out reliable and credible information (Capture Function).
- b. Processing several series of activities, ranging from data input to information, both in the form of text and images (Processing Function).
- c. Managing information becomes easier to understand e.g. information in the form of graphs or tables (Generating function).
- d. Store data or information on certain media such as hard drives (Storage Function)
- e. ICT can browse, copy, and re-open data or stored information (Retrival Function)
- f. ICT serves to send digital information or data (Transmission Function).
- g. as a means of communication
- h. Facilitate the learning process
- i. Media exchanges information
- j. Save costs
- k. Increase productivity

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Introducing, promoting and socializing the JDHIN website as an official government website through digital media, print media and other media to the public will seek information about the law and legal documents. Website as a means of supporting is an interrelated web page. It generally contains a collection of information in the form of text, image, video, audio or a combination of two or more of these components. Website provides a space to participate that allows the public to convey criticism, suggestions, ideas, ideas and others to create good and orderly governance. Website easy to access (*User friendly*). User friendly website types are characterized as follows:

- a. Website must be able to be opened through a browser on mobile phones because nowadays people cannot be separated from these devices.
- b. Website can be easily accessed by various groups.
- c. The structure of the information displayed on the website is clear. Make sure there is a "*search*" button.
- d. The content of the website is neat and always "*updated*"
- e. When accessing the website is fast enough speed

Simple search for example using JavaScript or HTML in the menu to make it easier for users to get information.

CONCLUSION

That the effectiveness of the Legal Documentation and Information Network until this writing was made according to the author is still less effective because there are several factors that inhibit. There are several indicators that should be met to streamline JDHIN as the official government website in providing public services to the community. In order for JDHIN to be effective, several actions are needed, among others, the existence of new regulations for the management of the Legal Documentation and Information Network, policies and support from agency leaders in developing documentation networks, coaching to members of the district / city Legal Documentation and Information Network, the need for additional bimtek training to members in order to manage and understand the importance of the Legal Documentation and Information Network. The need for a separate room to manage physical legal products and literature books, in addition, it also needs shelves that are in accordance with the standards of storage of these books, requires server to accommodate district / city legal product data that can later be integrated into the national legal documentation and information network center, requires additional managers who manage the Legal Documentation and Information Network in accordance with their fields and additional budgets for development and development. Management of Legal Documentation and Information Network

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