



Discourse on the Absolute Competence of the State Administrative Court Post-Birth of Government Administrative Law

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Abstract: This paper analyzes the expansion of the absolute competence of the State Administrative Court (PTUN) based on Law Number 30 of 2014 and its consequences. Using a normative juridical method through literature research, the study finds that the expansion covers several aspects: a broader definition of decisions and government administration, including judicial, executive, and legislative actions, as well as factual acts; examination of administrative effort results; requests for positive fictitious decisions; review of abuse of authority; and testing of discretion. This expansion strengthens PTUN's role in resolving administrative disputes and protecting public rights. However, it also brings consequences such as potential conflicts with administrative law theory, overlaps with criminal law in authority abuse cases, longer administrative procedures affecting access to justice, and challenges in regulating discretion due to complex legal issues.

Keywords: Competency Expansion; Consequences.

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1. Introduction

Institution justice order State business is entity law in charge inspect cases related disputes with administration countries, including dispute personnel between body and official administration country with individual or body law civil.¹ This dispute arises from decisions made by state administrative bodies based on applicable legal regulations. State administrative courts are part of the judicial system that functions to provide access to justice for the public in resolving disputes related to state administration. ²However, this court is not the only judicial institution, but rather one of several judicial mechanisms tasked with adjudicating state administrative disputes.³

The State Administrative Court is a judicial institution under the State Administrative Court and is located in the capital city of a district or city. As a First Instance Court, the main task of the State Administrative Court is to examine, issue decisions, and resolve disputes related to State Administration. ⁴The existence of this court is based on Law Number 5 of 1986 concerning State Administrative Courts. The function of this court is to provide legal protection provided by the state to the community due to the issuance of a decree (*beschiking*) by a state official who is considered to have violated administrative provisions. ⁵The purpose of establishing the State Administrative Court is to resolve disputes between the government and citizens and to carry out judicial control *over* the decrees (*beschiking*) issued by state administrators.⁶ However, technical, organizational, administrative, and financial guidance of the Court is still carried out by the Supreme Court (Judicial Branch).

In the considerations of Law Number 5 of 1986 concerning State Administrative Courts, it is stated that the purpose of establishing State Administrative Courts is to achieve a prosperous, safe, peaceful, and orderly state and community life, as well as to guarantee the position of citizens in the law and maintain harmonious, balanced, and harmonious relations between state administrative apparatus and the community. ⁷Therefore, the existence of State Administrative Courts is needed

¹ Yusri Munaf, *Hukum Administrasi Negara* (Pekanbaru: Marpoyan Tujuh Publishing, 2016).Page 66

² Roy Syahputra, "Urgensi Pengaturan Citizen Lawsuit Melalui Penafsiran Terhadap Pasal 53ayat (1) Undang-Undang Republik Indonesia Nomor 9 Tahun 2004 Tentang Perubahan Atas Undang-Undang Nomor 5 Tahun 1986 Tentang Peradilan Tata Usaha," January 31, 2023.

³ Andika Prawira Buana, "Hakikat Dan Eksistensi Peradilan Adat Di Sulawesi Selatan," *Journal of Indonesian Adat Law* 2, no. 1 (April 1, 2021), <https://doi.org/10.46816/JIAL.V2I1.13>.

⁴ Tika Nurjannah, "Penyelesaian Sengketa Sertifikat Ganda Hak Atas Tanah (Study Kasus Pada Pengadilan Tata Usaha Negara Makassar)," 2016.

⁵ Gracia Kamarov et al., "Halaman 1 Urgensi Peradilan Tata Usaha Negara Dalam Pencabutan Keputusan Tata Usaha Negara (Analisis Yuridis Putusan Nomor : 117/G/2020/PTUN-MDN)," n.d.

⁶ Dola Riza, "Hakikat KTUN Menurut Undang-Undang Peradilan Tata Usaha Negara Vs Undang-Undang Admnistrasi Pemerintahan," *Soumatera Law Review* 2, no. 2 (November 20, 2019): 207–20, <https://doi.org/10.22216/SOUMLAW.V2I2.3566>.

⁷ Helga Nurmila Sari et al., "Polemik Pemberlakuan UU No. 30 Tahun 2014 Tentang Administrasi Pemerintahan Dalam Antologi Peraturan Perundang-Undangan Hukum Tata Usaha Negara," *Sosio*

which are able to uphold justice, truth, order, and legal certainty, so that they can provide protection to the community, especially in relations between State Administrative Agencies or Officials and the community.

In general, the position of the State Administrative Court (PTUN) in a country is in line with the legal system adopted by the country. Legal systems can be classified into categories of parent legal system or major legal system, such as the *Civil Law system* which is also known as the continental legal system, the codification legal system, or the term *Rechtsstaat legal state*, and the Common Law system which is also known as the *Anglo-Saxon legal system*, the precedent legal system, or the term *rule of law legal state*. Countries that have characteristics that approach the main legal system as a whole can be said to have similarities with the main legal system.⁸

According to many Indonesian legal experts, Indonesia has a unique concept of a state based on law, namely the Pancasila state based on law, which is different from *Civil Law*. (*Rechtsstaat*) and *Common Law* (*Rule of Law*).⁹ Discussions and debates on the form of the Indonesian legal state have not specifically discussed the issue of the organizational structure of the judicial power, especially the position of the PTUN. However, the existence of the PTUN is actually one of the characteristics of the legal state of *Rechtsstaat*, where the PTUN is also a fundamental thing in a legal state.¹⁰

Abuse of authority refers to government actions that substantially violate the limits of authority held, take actions that blur the limits of authority, or act arbitrarily.¹¹ On the other hand, maladministration¹² can be interpreted as behavior or actions that violate the law, exceed the authority held, use authority for purposes different from the purpose of the authority itself, including negligence or neglect of legal obligations in the provision of public services carried out by state and government

Yustisia: Jurnal Hukum Dan Perubahan Sosial 1, no. 2 (November 30, 2021): 1–21, <https://doi.org/10.15642/SOSYUS.V1I2.108>.

⁸ Ahmad Shodiqin and Arif Wibowo, "Menekuni Kedudukan Pengadilan Tata Usaha Negara Di Indonesia," *Jurnal Penelitian Multidisiplin* 2, no. 1 (February 8, 2023): 40–44, <https://doi.org/10.58705/jpm.v2i1.98>.

⁹ Achmad Irwan Hamzani, "Menggagas Indonesia Sebagai Negara Hukum Yang Membahagiakan Rakyatnya," *Yustisia* 3, no. 3 (April 21, 2019): 137–42, <https://doi.org/10.20961/YUSTISIA.V3I3.29562>.

¹⁰ Haposan Siallagan, "Penerapan Prinsip Negara Hukum Di Indonesia," *Sosiohumaniora* 18, no. 2 (October 26, 2016): 122–28, <https://doi.org/10.24198/SOSIOHUMANIORA.V18I2.9947>.

¹¹ Sobirin Malian, "Penyalahgunaan Wewenang Jabatan Oleh Pejabat Negara/Pemerintah: Perspektif Hukum Administrasi Negara Dan Hukum Pidana," *Jurnal Hukum Respublica* 20, no. 1 (November 30, 2020): 102–21, <https://doi.org/10.31849/RESPUBLICA.V20I1.5363>.

¹² Muhammad Anshori Sudirman, Amiruddin Amiruddin, and Lalu Parman, "Tindakan Maladministrasi Dalam Perspektif Tindak Pidana Korupsi," *Pagaruyuang Law Journal* 3, no. 2 (February 26, 2020): 232–58, <https://doi.org/10.31869/PLJ.V3I2.1952>.

institutions, and cause losses both materially and immaterially to the community, both individuals and legal entities.¹³

Competence is divided into 2 types, namely relative competence (*Relative Competentie*) and absolute competence (*Absolute Competentie*).¹⁴ Here are the opinions of a number of legal experts about competence in various terms:

Sudiono Mertokusumo defines Relative Competence as the division of judicial power or the authority of judges related to the jurisdiction of a court. This includes the division of relative authority between judges.¹⁵ Meanwhile, Absolute Competence refers to the authority held by a court to examine certain types of cases absolutely, which cannot be examined by other courts, either in the same judicial environment (such as district courts, high courts) or in different judicial environments (such as district courts, religious courts).

Retno Sutantio explained that relative authority refers to the division of similar court powers in deciding cases. While absolute authority relates to the division of powers between court bodies based on the type of court. This involves granting authority to try certain cases, which in Dutch is called *attributie van rechtsmacht*.¹⁶

M. Yahya Harahap put forward clearer criteria in delimiting between Relative Competence and Absolute Competence.¹⁷ In Relative Competence, the limitation of court authority is based on the jurisdiction where each judicial body in an environment has the authority determined based on the jurisdiction of the court. Each judicial body has limitations of court jurisdiction determined by law. The limitations of the jurisdiction of each judicial body can refer to various provisions of the law.

In Indonesia, the authority to test government policies related to citizens' rights is placed in a separate judicial institution, namely the State Administrative Court.¹⁸ The existence of the PTUN is inseparable from the commitment of the Indonesian

¹³ Lutfil Ansori, "Diskresi Dan Pertanggungjawaban Pemerintah Dalam Penyelenggaraan Pemerintahan," *Jurnal Yuridis* 2, no. 1 (2015): 135–50, <https://doi.org/10.35586/V2I1.165>.

¹⁴ Salwa Kayati, "Kompetensi Hakim Pengadilan Agama Dalam Menyelesaikan Perkara Ekonomi Syari'ah," 2010.

¹⁵ Muhammad Rozi, "Efektifitas Hakim Mediasi Dalam Menyelesaikan Perkara Perceraian Di Pengadilan Agama Jakarta Selatan," 2014.

¹⁶ Irene Svinarky, "Bagian Penting Yang Perlu Diketahui Dalam Hukum Acara Perdata Di Indonesia - Irene Svinarky - Google Buku," accessed June 25, 2023, <https://books.google.co.id/books?hl=id&lr=&id=Nw-yDwAAQBAJ&oi=fnd&pg=PR1&dq=Retno+Sutantio+menjelaskan+bahwa+wewenang+relatif+m+erujuk+pada+pembagian+kekuasaan+pengadilan+yang+serupa+dalam+memutuskan+perkara&ots=T1azU64vfC&sig=fwoddoFmjdGwxLbRTTe44q5LL8U&r>.

¹⁷ Z.A. Sangadji, *Komptensi Badan Peradilan Umum Dan Peradilan Tata Usaha Negara: Dalam Gugatan Pembatalan Sertifikat Tanah*, 2003.

¹⁸ Tedi Sudrajat; Endra Wijaya, *Perlindungan Hukum Terhadap Tindakan Pemerintahan* (Jakarta: Sinar Grafika, 2020).

people to establish a state of law and protect the interests of citizens in their country. The position of the State Administrative Court (PTUN) in the 1945 Constitution of the Republic of Indonesia ¹⁹contains:

"Judicial power is exercised by a Supreme Court and judicial bodies under it in the general judicial environment, religious judicial environment, military judicial environment, state administrative judicial environment, and by a Constitutional Court". ²⁰For the state administrative judicial environment based on law number 5 of 1986 concerning State Administrative Courts as amended by law number 9 of 2004 concerning amendments to law number 5 of 1986 concerning State Administrative Courts in article 47 regulates the competence of the PTUN in the judicial system in Indonesia, namely having the duty and authority to examine, decide, and resolve state administrative disputes.²¹

The authority of the Court to receive, examine, decide and resolve cases submitted to it is known as competence or authority to adjudicate. PTUN has the competence to resolve state administrative disputes at the first level, while the High State Administrative Court (PT.TUN) is for the appeal level. However, for state administrative disputes that must first be resolved through administrative efforts based on Article 48 of Law No. 5 of 1986 in conjunction with Law No. 9 of 2004, PT.TUN is a first-level judicial body. There is no appeal against the PT.TUN decision, but rather cassation.²²

¹⁹ Ahmad; Fence M. Wantu; Novendri M. Nggilu, *Hukum Konstitusi (Menyongsong Fajar Perubahan Konstitusi Indonesia Melalui Pelibatan Mahkamah Konstitusi)* (Yogyakarta: UII Press, 2020). Page 33

²⁰ Achmad Edi Subiyanto, "Mendesain Kewenangan Kekuasaan Kehakiman Setelah Perubahan UUD 1945," *Jurnal Konstitusi* 9, no. 4 (May 20, 2016): 661, <https://doi.org/10.31078/JK944>; Ahmad Ahmad and Lisawaty Wadju Badu, "Purifikasi Pemberian Amnesti Dan Abolisi: Suatu Ikhtiar Penyempurnaan Undang Undang Dasar 1945," *Ius Civile: Refleksi Penegakan Hukum Dan Keadilan* 5, no. 2 (October 28, 2021), <https://doi.org/10.35308/jic.v5i2.2547>; Ahmad Ahmad and Novendri M. Nggilu, *Constitutional Dialogue: Menguatkan Intraksi Menekan Dominasi (Konvergensi Terhadap Pengujian Norma Di Mahkamah Konstitusi)* (Yogyakarta: UII Press, 2023); Yovita Arie Mangesti et al., "Term Limitation of Indonesian Parliamentarians Seen from Constitutionalism," *Revista de Investigações Constitucionais* 11 (November 15, 2024): e263, <https://doi.org/10.5380/rinc.v11i2.91104>; Viorizza Suciani Putri, Ahmad Ahmad, and Mohamad Hidayat Muhtar, "Antara Otoritas dan Otonomi: Pertautan Hak Asasi Manusia dalam Praktik Eksekusi Putusan PTUN: Perlindungan HAM dalam Eksekusi Upaya Paksa Terhadap Putusan Peradilan Tata Usaha Negara," *Jurnal Konstitusi* 21, no. 3 (September 1, 2024): 392–412, <https://doi.org/10.31078/jk2133>; Usman Rasyid et al., "Reformulation of the Authority of Judicial Commission: Safeguarding the Future of Indonesian Judicial Power," *Jambura Law Review* 5, no. 2 (July 31, 2023): 386–413, <https://doi.org/10.33756/jlr.v5i2.24239>.

²¹ Umar Dani, "Memahami Kedudukan Pengadilan Tata Usaha Negara Di Indonesia: Sistem Unity Of Jurisdiction Atau Duality Of Jurisdiction? Sebuah Studi Tentang Struktur Dan Karakteristiknya / Understanding Administrative Court In Indonesia: Unity Of Jurisdiction Or Duality," *Jurnal Hukum Dan Peradilan* 7, no. 3 (December 18, 2018): 405–24, <https://doi.org/10.25216/JHP.7.3.2018.405-424>.

²² H Yodi and Martono Wahyunadi, "Kompetensi Pengadilan Tata Usaha Negara Dalam Sistem Peradilan Di Indonesia," n.d.

The expansion of the absolute competence of the PTUN has legal impacts that can occur both formally and materially, and in its implementation it also faces new challenges. This situation is related to the fact that the PTUN has long operated an established system and procedural law, but has not fully accommodated the new authority. The implementation of the authority stipulated in Law Number 30 of 2014 has faced obstacles so far. This is because the judges were previously only trained to apply Law Number 5 of 1986. As a result, this can affect the professionalism and quality of decisions given by the judges.

The problem raised is: What is the form of the Regulation on the Expansion of Absolute Competence of State Administrative Courts in Law Number 30 of 2014 concerning State Administration? And what are the consequences of expanding the absolute competence of the State Administrative Court?

2. Method

This study uses normative legal research through a statutory approach, a conceptual approach. The statutory approach is carried out by examining several laws related to the legal issues being handled. Secondary data consists of data obtained from library materials including official documents, books and so on. Specifically, the objects of the study are: Conducting an analysis of the form of shifting absolute competence of the PTUN according to Law Number 30 of 2014 concerning Government Administration, and Conducting an analysis of the consequences of shifting absolute competence of the PTUN, all data is then analyzed using qualitative descriptive methods.

3. Analysis and Discussion

3.1 Expansion of Absolute Competence of PTUN

Competence absolute PTUN related with his authority in inspect And to judge a related disputes with object or substance dispute said, although No all action from body or official order business country can on trial by PTUN. Law no. 5 of 1986 concerning The State Administrative Court has experience two changes , namely through Law No.9 of 2004 concerning change on Law No.5 of 1986 and Law No.51 of 2009 concerning change second on Law No.5 of 1986. In Article 47 of the Regulations Law , it is explained that PTUN's competencies include tasks like check , decide , and finish dispute administration country .

After implementation law no. 30 of 2014 concerning Administration Government (UUAP), occurred significant expansion to competence or jurisdiction absolute PTUN. UUAP provides base law for PTUN to to judge action administration (administration) *handling*) as object dispute, not only limited on decision written (*beschikking*). In context enforcement law administration , the presence of UUAP can considered as law material , whereas Constitution The State Administrative

Court (UU Peratun) is law formalities that regulate order method or procedural law applicable in PTUN.²³

Expansion competence absolute State Administrative Court (PTUN) in Invite Invite Number 30 of 2014 concerning Administration Government own significant impact to system law And order manage government in Indonesia. Here are is analysis about expansion competence absolute PTUN:

First , expansion PTUN's competence includes court to decision government from institution executive , legislative , and judiciary . ²⁴This is show existence balance power inter-agency government And ensure that the resulting decision by all institution the can tested in a way independent For ensure compliance to regulation legislation .

Second, the expansion of PTUN's competence also includes testing of factual actions. PTUN has the authority to examine whether actions taken by the government or state-owned enterprises are in accordance with applicable legal provisions. ²⁵With the testing of factual actions, PTUN can ensure fair legal protection for the community against arbitrary actions by the government.

Furthermore, the PTUN also has the authority to test the results of administrative efforts. This provides an opportunity for parties who are dissatisfied with the results of administrative efforts to obtain justice through the testing process at the PTUN. ²⁶Thus, the expansion of the PTUN's competence provides an alternative for resolving administrative disputes that is fairer and more transparent.

The expansion of PTUN's competence also includes testing of positive fictitious decisions. PTUN can test the validity of applications for positive fictitious decisions submitted by parties involved in administrative disputes. This is important to prevent abuse of authority and ensure that the resulting decision is based on actual facts.²⁷

²³ Dewi Asimah, Zainal Muttaqin, and Dewi Kania Sugiharti, "Implementasi Perluasan Kompetensi Ptun Dalam Mengadili Tindakan Faktual (Onrechtmatige Overheidsdaad/Ood)," *ACTA DIURNAL Jurnal Ilmu Hukum Kenotariatan* 4, no. 1 (2020): 152–70, <https://doi.org/10.23920/ACTA.V4I1.531>.

²⁴ Dola Riza, "Keputusan Tata Usaha Negara Menurut Undang-Undang Peradilan Tata Usaha Negara Dan Undang-Undang Administrasi Pemerintahan," *Jurnal Bina Mulia Hukum* 3, no. 1 (September 28, 2018): 85–102.

²⁵ Ridwan HR, Despan Heryansyah, and Dian Kus Pratiwi, "Perluasan Kompetensi Absolut Pengadilan Tata Usaha Negara Dalam Undang-Undang Administrasi Pemerintahan," *Jurnal Hukum Ius Quia Iustum* 25, no. 2 (May 2018): 339–58, <https://doi.org/10.20885/IUSTUM.VOL25.ISS2.ART7>.

²⁶ Kadek Agus Sudiarawan dan Bagus Hermanto and Jalan Pulau Bali Nomor, "Rekonstruksi Pergeseran Paradigma Upaya Administratif Dalam Penyelesaian Sengketa Prapemilihan Kepala Daerah," n.d.

²⁷ Wahid Abdul Rokhim, "Kompetensi Absolut Peradilan Tata Usaha Negara Sebelum Dan Sesudah Berlakunya Undang-Undang Nomor 30 Tahun 2014 Tentang Administrasi Pemerintahan (Analisis Terhadap Putusan PTUN Yogyakarta Tahun 2015-2017)," August 16, 2018.

In addition, the PTUN also has the authority to test elements of abuse of authority in administrative actions. In carrying out its duties, the PTUN can assess whether administrative actions carried out by the government or other public institutions violate legal principles and general principles of good governance. With the existence of testing for abuse of authority, the PTUN plays a role in maintaining integrity and accountability in the implementation of government administration.²⁸

Finally, the expansion of PTUN's competence also includes the authority to test discretion in administrative decision-making. Discretion refers to the freedom of government institutions to make decisions that are not strictly bound by laws and regulations. PTUN can examine whether decision-making based on such discretion is carried out proportionally and in accordance with applicable legal principles.

Law No. 5 of 1986 concerning State Administrative Courts is considered no longer relevant to the development of existing society. Therefore, an update is needed through the presence of Law No. 30 of 2014 concerning State Administration. To provide a reference in running the government, this State Administration Law provides various new authorities to the PTUN. Many parties refer to it as the PTUN material procedural law. Through research conducted, several authorities mandated by Law No. 30 of 2014 have been studied by researchers and among them are the following:

1) Authority For Inspect Action Discretion

The definition of Discretion in the Legal Dictionary and the Draft Law on State Administration has significant differences. According to the legal dictionary, discretion refers to the freedom to make decisions in various situations,²⁹ while in the draft law on State Administration in July 2008, discretion is defined as the authority of a government agency or official or other legal entity to make choices in taking factual actions in state administration.³⁰ Discretion is an element that complements the principle of legality, namely the legal principle that states that every state administrative action must be based on the provisions of the law.

However, it is impossible for the law to regulate every situation that occurs in everyday life. Therefore, freedom or discretion is needed in state administration, which consists of two forms, namely free discretion and bound discretion. In free discretion, the law only sets certain limitations and the state administration has the

²⁸ Zahratul Idami Azzahrawi Azzahrawi, Husni Djalil, "Wewenang Dan Kendala Pengadilan Tata Usaha Negara Dalam Menyelesaikan Sengketa Kepegawaian Setelah Upaya Administratif | Azzahrawi | Syiah Kuala Law Journal," accessed June 25, 2023, <https://jurnal.usk.ac.id/SKLJ/article/view/12189>.

²⁹ Lutfil Ansori, "Reformasi Penegakan Hukum Perspektif Hukum Progresif," *Jurnal Yuridis* 4, no. 2 (January 11, 2017): 148–63, <https://doi.org/10.35586/.V4I2.244>.

³⁰ Juanda Syahputra et al., "Analisis Yuridis Diskresi Kepala Daerah Dalam Penyelenggaraan Pemerintah: Studi Atas Keputusan Bupati Gayo Lues No. 900/206/2021 Tentang Pembekuan Sementara Unsur Pimpinan Majelis Adat Aceh Kabupaten Gayo Lues Periode 2020-2024," *Locus: Jurnal Konsep Ilmu Hukum* 2, no. 1 (March 1, 2022): 123–35.

freedom to make decisions as long as it does not violate these limitations. On the other hand, in bound discretion, the law sets several alternative decisions and the state administration is free to choose one of the alternative decisions that have been provided by the law.³¹

The principle of legality states that every action or deed in state administration must be based on the provisions of the law. ³²However, regulating every situation or case in daily life with the law is impossible. Therefore, freedom or discretion is needed in state administration, which is divided into free discretion and bound discretion. In free discretion, the law only sets certain limitations and the state administration has the freedom to make decisions as long as it does not violate these limitations. While in bound discretion, the law provides several alternative decisions and the state administration is free to choose one of these alternatives in accordance with the provisions of the applicable law.³³

The PTUN's authority to examine discretionary actions is an important aspect of the administrative justice system. In this analysis, several points related to the impact and implications of this authority will be discussed.

First, the existence of PTUN's authority to examine discretionary actions provides stronger legal protection for the community against potential abuse of power by the administration. Discretion itself is the authority given to the administration to make decisions based on policy considerations, so that supervision carried out by PTUN is important to ensure that decisions taken remain within legal limits and do not violate the rights of citizens.

Second, PTUN supervision of discretionary actions can increase government accountability and transparency in decision-making. With an objective and independent testing process, the administration is expected to be more careful and responsible in making decisions that impact the public interest. This can reduce the risk of arbitrary actions or policies that are not in accordance with applicable legal principles.

Furthermore, the PTUN's authority to examine discretionary actions also allows for updates or improvements to public policies that are ineffective or detrimental to the public. Through careful supervision, the PTUN can provide recommendations or decisions that encourage the administration to change or correct policies that are deemed not to meet the principles of justice, better public policy, and the interests of the public in general.

³¹ Ansori, "Diskresi Dan Pertanggungjawaban Pemerintah Dalam Penyelenggaraan Pemerintahan."

³² HR, Heryansyah, and Pratiwi, "Perluasan Kompetensi Absolut Pengadilan Tata Usaha Negara Dalam Undang-Undang Administrasi Pemerintahan."

³³ Sudirman, Amiruddin, and Parman, "Tindakan Maladministrasi Dalam Perspektif Tindak Pidana Korupsi."

In addition, the authority of the PTUN can also provide better legal protection for individuals or groups who feel disadvantaged by discretionary actions. The PTUN as an independent judicial institution can provide an opportunity for parties who are dissatisfied with administrative decisions to file lawsuits and obtain justice through an objective and fair testing process.

Finally, it is important to note that the PTUN's authority to examine discretionary actions also requires a deep understanding and special expertise from administrative judges. Discretionary actions often involve complex policy considerations and require a good understanding of the context and objectives of the policy. Therefore, training and development of the competence of administrative judges is an important aspect to ensure that the decisions taken can produce justice that is in line with applicable legal principles.

Overall, the PTUN's authority to examine discretionary actions makes a significant contribution to ensuring justice, accountability, and legal protection for administrative actions. However, its implementation also requires in-depth skills and knowledge as well as continuous efforts to improve the quality of administrative justice.

2) Provision Decision Fictional Positive

Applicant is the individual requesting competent court For emit the decision that acknowledges reception application they , remembering that No There is decisions taken or actions taken by body or official government related application said . Application This considered fictitious Because as if Already There is decision , while That considered positive Because application applicant has accepted And submitted to court For get decision about reception said . If applicant No accept answer about reception or rejection application in time maximum 10 days after submit it with complete , and Because That is authority And obligation body or official government , attitude silent they considered as granting application said . Decision the Then become base for applicant For submit application to court for decision about reception application the can quick issued . Of course, the court will conduct an examination of whether the application is granted, rejected, or inadmissible. If the application is granted, the court will order the government agency or official to issue a decision or take action related to the application.³⁴

In order to obtain a decision or step that has a positive impact on the public service process, the public (both individuals and legal entities) who submit the application must comply with all the terms and conditions that have been set out in the laws and regulations. This includes the authority of the authorized institution, the procedures that must be followed, and the conformity with the substance of the application. The occurrence of a positive decision that is fictitious is the result of a paradigm shift in public service, which requires government agencies or officials to

³⁴ Budiamin Rodding, "Keputusan Fiktif Negatif Dan Fiktif Positif Dalam Peningkatan Kualitas Pelayanan Publik," *Tanjungpura Law Journal*, 1, no. 1 (2017): 26-37.

be more responsive to public requests. One of the goals and directions of legal policy carried out by the State Administration Law is to improve the quality of government administration. However, the situation in the State Administrative Court (PTUN) located in the provincial capital can make it difficult for justice seekers to gain access to the justice system.

The authority of the State Administrative Court (PTUN) in resolving the provisions of positive fictitious decisions in the Law on State Administration has a significant impact on maintaining the integrity and legal certainty in governance. The following is an analysis of the authority of the PTUN in resolving the provisions of positive fictitious decisions:

First, the PTUN's authority to test the validity of positive fictitious decisions helps prevent abuse of authority in government administration. Positive fictitious decisions refer to decisions given by authorized parties without a clear legal basis or based on incorrect facts. The PTUN can examine and test the validity of such decisions, so that it can ensure that decisions made by the government or public institutions are based on proper legal principles.

Second, the PTUN's authority in resolving the provisions of positive fictitious decisions provides access to justice for parties affected by such decisions. Parties who feel aggrieved or dissatisfied with positive fictitious decisions can file a lawsuit with the PTUN to obtain a review and a fairer decision. Thus, the PTUN's authority in this case plays a role in providing equal legal protection for all parties in government administration.

Furthermore, the PTUN's authority in resolving the provisions of positive fictitious decisions contributes to the enforcement of the principles of transparency and accountability in governance. The PTUN can examine whether the positive fictitious decision is contrary to applicable laws and regulations or violates the general principles of good governance. Thus, the PTUN plays a role in ensuring that government administrative actions are carried out transparently and responsibly.

In addition, the authority of the PTUN in resolving the provisions of positive fictitious decisions also has an impact on improving the quality of government administrative decisions as a whole. With stricter testing of positive fictitious decisions, the government and public institutions are expected to be more careful and ensure that the decisions made are based on a strong foundation and in accordance with applicable laws. This has the potential to increase the efficiency, fairness, and sustainability of administrative decisions taken.

Finally, the PTUN's authority in resolving the provisions of positive fictitious decisions also plays a role in encouraging the improvement and development of a better government administration system. With careful testing of positive fictitious decisions, the PTUN can identify weaknesses or gaps in the governance of

government administration. This provides valuable input for the government and public institutions in improving the decision-making process and preventing the occurrence of positive fictitious decisions in the future.

Overall, the PTUN's authority in resolving the provisions of positive fictitious decisions has a positive impact on maintaining legal certainty, encouraging transparency, and improving the quality of government administration. The PTUN acts as a judicial institution that can provide legal protection and justice for parties affected by positive fictitious decisions. In addition, the PTUN's authority also contributes to increasing government accountability and encouraging improvements to the overall government administration system.

3) Give Meaning TUN Decision

State Administrative Court has authority For do examination , giving verdict , and finish related disputes with decision in State Administration field . Provisions about the decision that becomes object disputes in the State Administrative Court are regulated in Article 1 to Article 52 of the Law on State Administrative Courts, because Constitution this also plays a role as law material . In context this , article 87 of the law about Administration Government set draft State Administrative Decisions Implemented must in accordance with draft State Administrative Decisions that are regulated in Constitution about Administration Government . With expand meaning the State Administrative Decision , all provision in Constitution about State Administrative Court which uses phrase State Administrative Decisions (KTUN) must interpreted in a way wide in accordance with Meaning Article 87 of the law about Administration Government . Consequently , the authority The State Administrative Court was expanded , as stated in Article 47 of the law regarding the State Administrative Court, which states that court own task And authority For check , give verdict , and finish dispute in field of State Administration.³⁵

With existence Constitution Administration Government , there is expansion meaning to State Administrative Decisions that become subject disputes in the State Administrative Court . Disputes that are examined , decided , and resolved at the State Administrative Court after ratification of the law is disputes that arise consequence issuance a decision written or he did action factual as action law by government that causes loss for society . This action is carried out based on the applicable laws and regulations in General Administration and State Administration, and is concrete, individual, and has final characteristics in a broad sense.

4) Resolving Elements of Abuse of Authority by TUN Officials

Article 17 of Law Number 30 of 2014 concerning State Administration regulates acts of abuse of authority that can be carried out by government agencies or officials,

³⁵ Riza, "Keputusan Tata Usaha Negara Menurut Undang-Undang Peradilan Tata Usaha Negara Dan Undang-Undang Administrasi Pemerintahan."

including the prohibition of exceeding authority, the prohibition of mixing authority, and the prohibition of acting arbitrarily. As a follow-up to these provisions, the Supreme Court of the Republic of Indonesia has issued Supreme Court Regulation Number 4 of 2015 which regulates the Guidelines for Proceedings to assess the elements of Abuse of Authority. The PTUN has the authority to hear an application for assessment regarding the abuse of authority by government officials, which can be carried out before the criminal process. This shows that the criminal justice process can override the administrative justice process. However, the PTUN only has the authority to hear an application for assessment regarding abuse of authority after supervision by the government's internal supervisory apparatus (APIP). Therefore, the applicant cannot directly submit an application for assessment to the PTUN. In carrying out government functions, government officials are prohibited from abusing their authority, and supervision of this prohibition on abuse of authority is carried out by the APIP.³⁶

5) Provision Effort Administrative

Disputes in the field of State Administration occurred when happen dispute between individual or body law civil with body or State Administration officials , both at the level center and also area . According to with the provisions contained on Article 48 of the law Number 5 of 1986 concerning State Administrative Court , no. every State Administrative Decision (*beschikking*) can direct submitted lawsuit to State Administrative Court as object State Administrative Dispute . If there is mechanism effort available administrative , disputes in the field of State Administration must be completed through effort administrative moreover formerly before can submitted to State Administrative Court .

As A a country based on Pancasila as ideology And view in all action , effort administrative become a must in protect rights law people in disputes in the field of State Administration. Efforts administrative must done moreover formerly by individual or body law civil before decide For submit settlement through State Administrative Court . Procedure law For submit object in dispute personnel Apparatus State Civil Servants (ASN) can found in Article 129 of the law number 5 of 2014 concerning apparatus civil country . If individual or body law civil (as plaintiff) filed lawsuit to State Administrative Court without through effort administratively available , the judge will reject lawsuit the .³⁷

3.1.2 Consequences of the Expansion of the Absolute Competence of the PTUN in the Law on State Administration

³⁶ Henny Juliani, "Akibat Hukum Penyalahgunaan Wewenang Administrasi Pejabat Pemerintahan Yang Menimbulkan Kerugian Keuangan Negara," *Administrative Law & Governance Journal* 2, no. 4 (2019).

³⁷ Erna Dwi Safitri, "Penerapan Upaya Administratif Dalam Sengketa Tata Usaha Negara," *Jurnal Pembangunan Hukum Indonesia* 3, no. 1 (2021): 34–45.

The expansion of the absolute competence of the State Administrative Court (PTUN) has significant consequences in a country's legal system. The following is a review of the impact of the expansion of the absolute competence of the PTUN:

1. The expansion of the absolute competence of the PTUN strengthens legal protection for the community in state administrative disputes. By having broader authority, the PTUN can handle various types of administrative disputes, whether involving government actions, state-owned enterprises, or other public institutions. This provides a guarantee that administrative decisions and actions can be independently tested by the authorized judicial institution.
2. The positive impact of expanding the absolute competence of the PTUN is the creation of more effective law enforcement in the field of public administration. By having broad authority, the PTUN can ensure that administrative decisions issued by the government are in accordance with applicable laws and regulations. The PTUN can test whether the administrative decision is contrary to the law or violates the general principles of good governance. This contributes to increasing accountability and transparency in government actions.
3. The expansion of the absolute competence of the PTUN also has an impact on improving the administrative justice system. With broader authority, the PTUN can strengthen its role as an independent and objective judicial institution in resolving administrative disputes. Increasing the competence and capacity of the PTUN in adjudicating administrative disputes will bring better legal certainty to the community.
4. The impact of expanding the absolute competence of the PTUN is also seen in the increasing public trust in the judicial institution. With broader authority, the PTUN can handle administrative disputes in more detail and depth. This provides confidence to the public that the resolution of administrative disputes will be carried out fairly and based on applicable law.
5. The expansion of the absolute competence of the PTUN also provides encouragement for the government to improve the quality of administrative actions. With the existence of a judicial institution that has broad authority in testing administrative decisions, the government will be more careful in making decisions and complying with applicable legal principles. This has the potential to encourage the government to carry out administrative reforms to improve the quality of public services.

Overall, the expansion of the absolute competence of the PTUN has a positive impact on legal protection, effective law enforcement, improvement of the administrative justice system, public trust, and improvement of the quality of administrative actions. With this expansion of competence, the PTUN can play a more effective role in maintaining justice and legal certainty in the field of public administration.

With the expansion of absolute competence, the State Administrative Court (PTUN) has a significant impact on the legal system of a country. This expansion gives the PTUN broader authority in handling disputes related to state administration, including actions taken by the government, state-owned enterprises, and other public institutions. The positive consequence of the expansion of the PTUN's absolute competence is the realization of more effective law enforcement in the context of public administration. In this case, government decisions and actions can be assessed independently by the judicial institution, thus maintaining the principle of justice in the public administration system.

After providing an explanation of the impact of the previously explained expansion related to the testing of judicial institution decisions by the PTUN which can affect the independence of judges and the objectivity of decisions, there is something else that needs to be stated. Related to the cassation of PTUN decisions, the cassation testing process will be carried out by the Supreme Court independently. The following will describe several explanations regarding other implications that have previously been explained in detail. What is meant as the implication of the expansion of PTUN's absolute competence in the State Administration Law is as follows:

1) Granting of Testing Authority for Administrative Efforts

Testing (*Toetsing*) in administrative efforts is different from testing in state administrative courts. In state administrative courts, testing is limited to the application of the law in accordance with the provisions contained in Article 53 paragraph (2) letters (a) and (b) of Law No. 9 of 2004 concerning amendments to Law No. 5 of 1986 concerning state administrative courts. The purpose of this testing is to determine whether the state administrative decision is contrary to applicable laws and regulations and violates the general principles of good governance (AAUPB).

However, in the administrative effort procedure, testing is carried out comprehensively both in terms of the application of law and policy by the institution issuing the decision. Not all regulations governing the issuance of state administrative decisions include provisions on administrative efforts. Therefore, the provisions stipulated in article 48 of Law No. 5 of 1986 in conjunction with Law No. 9 of 2004 concerning State Administrative Courts have an important role in the procedural aspects related to the competence or authority to adjudicate state administrative disputes.

If the basic regulation only regulates the existence of Administrative efforts in the form of reviewing the letter of objection, then the lawsuit against the related state administrative decision must be filed with the state administrative court. However, if the basic regulation regulates the existence of Administrative efforts, the lawsuit against the state administrative decision that has been decided in the administrative

appeal level must be directly filed with the high state administrative court in the first instance that has the authority.

2) Provision About Action Administration Government

State Administrative Court (PTUN) has an important role in finish action administration government involving parties who feel disadvantaged . The following are several reasons regarding the authority of the PTUN in the context of government administration.

First, the PTUN has the authority to test the validity and enforceability of government administrative actions. In this case, the PTUN can examine whether the actions taken by the government are in accordance with applicable laws and regulations. If there is a violation or non-compliance, the PTUN can cancel or change the action.

Second, PTUN also plays a role in resolving disputes or disagreements that arise due to government administrative actions. When a party feels aggrieved by government actions, they can file a lawsuit with PTUN to obtain justice. PTUN will try the case and decide the dispute based on applicable law.

Third, the PTUN has the authority to examine whether the administrative actions of the government involve arbitrary actions. In this case, the PTUN will assess whether the government has exceeded its authority or used its authority improperly. If arbitrary actions are found, the PTUN can cancel or correct the actions to ensure justice and compliance with the law.

Fourth, the PTUN is also tasked with examining whether the administrative actions of the government have respected the rights of citizens. The PTUN will assess whether the actions have violated human rights, principles of justice, or constitutional rights held by citizens. If there is a violation of citizens' rights, the PTUN can take steps to restore the related rights.

Fifth, PTUN also plays a role in ensuring government accountability in the implementation of administrative actions. With the existence of PTUN, the government must be able to be responsible for the actions it takes. PTUN will test these actions objectively and independently, thus ensuring transparency and accountability in the implementation of government administration.

Overall, the authority of the PTUN in resolving administrative government actions is very important to maintain justice, compliance with the law, and government accountability. The PTUN provides a mechanism that allows parties who feel disadvantaged by government actions to obtain justice and legal protection. Thus, the PTUN acts as a law enforcement agency that ensures that administrative government actions are carried out in accordance with legal principles and respect the rights of citizens.

3) Authority to Conduct Tests Against Arbitrary Actions

Administrative law is essentially related to public authority and the methods of testing its authority as well as the law regarding control over such authority. In this case, an official uses his authority for other purposes that deviate from the purposes that have been given to the authority, thus the official violates the principle of specialization. Abuse of authority is only possible by those who obtain authority on the basis of attribution and delegation. Testing whether or not there is abuse of authority in Peratun is understood as part of the administrative (non-penal) approach, complementing the criminal approach which is *ultimum remedium*. Testing abuse of authority in aspects such as this is very limited when compared to the broad scope of abuse of authority in administrative law.³⁸

First of all, the legal basis that regulates the authority of the PTUN in conducting tests on arbitrary actions is the law that regulates state administrative courts, namely Law Number 5 of 1986 concerning State Administrative Courts and Law Number 30 of 2014 concerning Government Administration. In this legal basis, the PTUN is given the authority to test and decide on administrative actions that are considered arbitrary by the government or state administrative bodies.

The main purpose of the PTUN's arbitrary action review is to protect individual rights from government abuse of power. With this authority, the PTUN acts as an independent and neutral institution in upholding the principles of law and justice in public administration.

The process of testing arbitrary actions at the PTUN involves a thorough examination of the facts relating to the action in question, as well as an assessment of the compliance of the action with applicable laws and regulations. The PTUN can also examine the reasons underlying the action, and examine whether the action has violated the general principles of good governance.

The implication of the PTUN's authority in testing arbitrary actions is the creation of legal certainty and protection of individual rights in public administration. With the testing carried out by the PTUN, arbitrary actions can be corrected and improved, and the community can get justice in relations with the government.

In addition, the protection of individual rights is also a major focus in the testing of arbitrary actions by the PTUN. In the testing process, the PTUN has the responsibility to ensure that individual rights are not neglected or violated by arbitrary government actions. This is important to maintain the principles of justice, equality, and protection of human rights in state administration.

Overall, the PTUN's authority to test arbitrary actions is an important instrument in maintaining justice, legal certainty, and the protection of individual rights in

³⁸ Enrico Parulian Simanjuntak, "Penguji Ada Tidaknya Penyalahgunaan Wewenang Menurut Undang-Undang Administrasi Pemerintahan," *Jurnal Hukum Dan Peradilan* 7, no. 2 (2018).

public administration. With this authority, the PTUN can act as a guardian of fair and transparent government policies, and ensure that government actions do not exceed the limits of its authority.

4. Conclusion

Based on analysis that has been outlined previously, can concluded that expansion competence absolute State Administrative Court according to with Constitution Number 30 of 2014 concerning Administration Government covers a number of aspects, including expansion meaning decision And Administration government that includes decision from government judiciary, executive, and legislative as well as action factual. Besides that, there is also testing to results effort administrative, application decision fictitious positive, testing element abuse authority, and authority for test discretion. Expansion this give PTUN more authoritywide in handle dispute administration country And ensure compliance to principles law as well as protection rights public in context administration public.

Second, Consequences from expansion competence absolute PTUN in Constitution Administration Government covers a number of things, including the existence of potential opposition with theory law administration government ;intersection between law criminal And law administration country in case testing abuse authority ; complexity in the process of effort administration that can extend time For public get justice ; and challenge in arrangement the discretion that is faced a number of complex problems .

References

- Agus Sudiarawan dan Bagus Hermanto, Kadek, and Jalan Pulau Bali Nomor. "Rekonstruksi Pergeseran Paradigma Upaya Administratif Dalam Penyelesaian Sengketa Prapemilihan Kepala Daerah," n.d.
- Ahmad, Ahmad, and Lisnawaty Wadju Badu. "Purifikasi Pemberian Amnesti Dan Abolisi: Suatu Ikhtiar Penyempurnaan Undang Undang Dasar 1945." *Ius Civile: Refleksi Penegakan Hukum Dan Keadilan* 5, no. 2 (October 28, 2021). <https://doi.org/10.35308/jic.v5i2.2547>.
- Ahmad, Ahmad, and Novendri M. Nggilu. *Constitutional Dialogue : Menguatkan Intraksi Menekan Dominasi (Konvergensi Terhadap Pengujian Norma Di Mahkamah Konstitusi)*. Yogyakarta: UII Press, 2023.
- Ahmad; Fence M. Wantu; Novendri M. Nggilu. *Hukum Konstitusi (Menyongsong Fajar Perubahan Konstitusi Indonesia Melalui Pelibatan Mahkamah Konstitusi)*. Yogyakarta: UII Press, 2020.
- Ansori, Lutfil. "Diskresi Dan Pertanggungjawaban Pemerintah Dalam Penyelenggaraan Pemerintahan." *Jurnal Yuridis* 2, no. 1 (2015): 135–50. <https://doi.org/10.35586/.V2I1.165>.
- — —. "Reformasi Penegakan Hukum Perspektif Hukum Progresif." *Jurnal Yuridis* 4, no. 2 (January 11, 2017): 148–63. <https://doi.org/10.35586/.V4I2.244>.

- Asimah, Dewi, Zainal Muttaqin, and Dewi Kania Sugiharti. "Implementasi Perluasan Kompetensi Ptun Dalam Mengadili Tindakan Faktual (Onrechtmatige Overheidsdaad/Ood)." *ACTA DIURNAL Jurnal Ilmu Hukum Kenotariatan* 4, no. 1 (2020): 152-70. <https://doi.org/10.23920/ACTA.V4I1.531>.
- Azzahrawi Azzahrawi, Husni Djalil, Zahratul Idami. "Wewenang Dan Kendala Pengadilan Tata Usaha Negara Dalam Menyelesaikan Sengketa Kepegawaian Setelah Upaya Administratif | Azzahrawi | Syiah Kuala Law Journal." Accessed June 25, 2023. <https://jurnal.usk.ac.id/SKLJ/article/view/12189>.
- Buana, Andika Prawira. "Hakikat Dan Eksistensi Peradilan Adat Di Sulawesi Selatan." *Journal of Indonesian Adat Law* 2, no. 1 (April 1, 2021). <https://doi.org/10.46816/JIAL.V2I1.13>.
- Budiamin Rodding. "Keputusan Fiktif Negatif Dan Fiktif Positif Dalam Peningkatan Kualitas Pelayanan Publik." *Tanjungpura Law Journal*, 1, no. 1 (2017): 26-37.
- Dani, Umar. "Memahami Kedudukan Pengadilan Tata Usaha Negara Di Indonesia: Sistem Unity Of Jurisdiction Atau Duality Of Jurisdiction? Sebuah Studi Tentang Struktur Dan Karakteristiknya / Understanding Administrative Court In Indonesia: Unity Of Jurisdiction Or Duality." *Jurnal Hukum Dan Peradilan* 7, no. 3 (December 18, 2018): 405-24. <https://doi.org/10.25216/JHP.7.3.2018.405-424>.
- Enrico Parulian Simanjuntak. "Pengujian Ada Tidaknya Penyalahgunaan Wewenang Menurut Undang-Undang Administrasi Pemerintahan." *Jurnal Hukum Dan Peradilan* 7, no. 2 (2018).
- Erna Dwi Safitri. "Penerapan Upaya Administratif Dalam Sengketa Tata Usaha Negara." *Jurnal Pembangunan Hukum Indonesia* 3, no. 1 (2021): 34-45.
- Hamzani, Achmad Irwan. "Menggagas Indonesia Sebagai Negara Hukum Yang Membahagiakan Rakyatnya." *Yustisia* 3, no. 3 (April 21, 2019): 137-42. <https://doi.org/10.20961/YUSTISIA.V3I3.29562>.
- Henny Juliani. "Akibat Hukum Penyalahgunaan Wewenang Administrasi Pejabat Pemerintahan Yang Menimbulkan Kerugian Keuangan Negara." *Administrative Law & Governance Journal* 2, no. 4 (2019).
- HR, Ridwan, Despan Heryansyah, and Dian Kus Pratiwi. "Perluasan Kompetensi Absolut Pengadilan Tata Usaha Negara Dalam Undang-Undang Administrasi Pemerintahan." *Jurnal Hukum Ius Quia Iustum* 25, no. 2 (May 2018): 339-58. <https://doi.org/10.20885/IUSTUM.VOL25.ISS2.ART7>.
- Irene Svinarky. "Bagian Penting Yang Perlu Diketahui Dalam Hukum Acara Perdata Di Indonesia - Irene Svinarky - Google Buku." Accessed June 25, 2023. <https://books.google.co.id/books?hl=id&lr=&id=Nw-yDwAAQBAJ&oi=fnd&pg=PR1&dq=Retno+Sutantio+menjelaskan+bahwa+wewenang+relatif+merujuk+pada+pembagian+kekuasaan+pengadilan+yang+serupa+dalam+memutuskan+perkara&ots=T1azU64vfC&sig=fwod doFmjdGwxLbRTTe44q5LL8U&r>.

- Kamarov, Gracia, Vincent Stanly, Miguel Iskandar, and Rivaldo Vicenzo. "Halaman 1 Urgensi Peradilan Tata Usaha Negara Dalam Pencabutan Keputusan Tata Usaha Negara (Analisis Yuridis Putusan Nomor : 117/G/2020/PTUN-MDN)," n.d.
- Kayati, Salwa. "Kompetensi Hakim Pengadilan Agama Dalam Menyelesaikan Perkara Ekonomi Syari'ah," 2010.
- Malian, Sobirin. "Penyalahgunaan Wewenang Jabatan Oleh Pejabat Negara/Pemerintah : Perspektif Hukum Administrasi Negara Dan Hukum Pidana." *Jurnal Hukum Respublica* 20, no. 1 (November 30, 2020): 102–21. <https://doi.org/10.31849/RESPUBLICA.V20I1.5363>.
- Mangesti, Yovita Arie, Ahmad Ahmad, Mohamad Hidayat Muhtar, Grenaldo Ginting, and Rian Sacipto. "Term Limitation of Indonesian Parliamentarians Seen from Constitutionalism." *Revista de Investigações Constitucionais* 11 (November 15, 2024): e263. <https://doi.org/10.5380/rinc.v11i2.91104>.
- Nurmila Sari, Helga, Moh Bagus, Sri Warjiyati, and Kata Kunci Abstrak. "Polemik Pemberlakuan UU No. 30 Tahun 2014 Tentang Administrasi Pemerintahan Dalam Antologi Peraturan Perundang-Undangan Hukum Tata Usaha Negara." *Sosio Yustisia: Jurnal Hukum Dan Perubahan Sosial* 1, no. 2 (November 30, 2021): 1–21. <https://doi.org/10.15642/SOSYUS.V1I2.108>.
- Putri, Viorizza Suciani, Ahmad Ahmad, and Mohamad Hidayat Muhtar. "Antara Otoritas dan Otonomi: Pertautan Hak Asasi Manusia dalam Praktik Eksekusi Putusan PTUN: Perlindungan HAM dalam Eksekusi Upaya Paksa Terhadap Putusan Peradilan Tata Usaha Negara." *Jurnal Konstitusi* 21, no. 3 (September 1, 2024): 392–412. <https://doi.org/10.31078/jk2133>.
- Rasyid, Usman, Novendri Mohamad Nggilu, Fence Wantu, Julisa Aprilia Kaluku, and Ahmad Ahmad. "Reformulation of the Authority of Judicial Commission: Safeguarding the Future of Indonesian Judicial Power." *Jambura Law Review* 5, no. 2 (July 31, 2023): 386–413. <https://doi.org/10.33756/jlr.v5i2.24239>.
- Riza, Dola. "Hakikat KTUN Menurut Undang-Undang Peradilan Tata Usaha Negara Vs Undang-Undang Administrasi Pemerintahan." *Soumatara Law Review* 2, no. 2 (November 20, 2019): 207–20. <https://doi.org/10.22216/SOUMLAW.V2I2.3566>.
- — —. "Keputusan Tata Usaha Negara Menurut Undang-Undang Peradilan Tata Usaha Negara Dan Undang-Undang Administrasi Pemerintahan." *Jurnal Bina Mulia Hukum* 3, no. 1 (September 28, 2018): 85–102.
- Rozi, Muhammad. "Efektifitas Hakim Mediasi Dalam Menyelesaikan Perkara Perceraian Di Pengadilan Agama Jakarta Selatan," 2014.
- Sangadji, Z.A. *Komptensi Badan Peradilan Umum Dan Peradilan Tata Usaha Negara: Dalam Gugatan Pembatalan Sertifikat Tanah*, 2003.
- Shodiqin, Ahmad, and Arif Wibowo. "Menekuni Kedudukan Pengadilan Tata Usaha Negara Di Indonesia." *Jurnal Penelitian Multidisiplin* 2, no. 1 (February 8, 2023): 40–44. <https://doi.org/10.58705/jpm.v2i1.98>.

- Siallagan, Haposan. "Penerapan Prinsip Negara Hukum Di Indonesia." *Sosiohumaniora* 18, no. 2 (October 26, 2016): 122–28. <https://doi.org/10.24198/SOSIOHUMANIORA.V18I2.9947>.
- Subiyanto, Achmad Edi. "Mendesain Kewenangan Kekuasaan Kehakiman Setelah Perubahan UUD 1945." *Jurnal Konstitusi* 9, no. 4 (May 20, 2016): 661. <https://doi.org/10.31078/JK944>.
- Sudirman, Muhammad Anshori, Amiruddin Amiruddin, and Lalu Parman. "Tindakan Maladministrasi Dalam Perspektif Tindak Pidana Korupsi." *Pagaruyuang Law Journal* 3, no. 2 (February 26, 2020): 232–58. <https://doi.org/10.31869/PLJ.V3I2.1952>.
- Syahputra, Juanda, Budiman Ginting, Mirza Nasution, and Affila. "Analisis Yuridis Diskresi Kepala Daerah Dalam Penyelenggaraan Pemerintah: Studi Atas Keputusan Bupati Gayo Lues No. 900/206/2021 Tentang Pembekuan Sementara Unsur Pimpinan Majelis Adat Aceh Kabupaten Gayo Lues Periode 2020-2024." *Locus: Jurnal Konsep Ilmu Hukum* 2, no. 1 (March 1, 2022): 123–35.
- Syahputra, Roy. "Urgensi Pengaturan Citizen Lawsuit Melalui Penafsiran Terhadap Pasal 53ayat (1) Undang-Undang Republik Indonesia Nomor 9 Tahun 2004 Tentang Perubahan Atas Undang-Undang Nomor 5 Tahun 1986 Tentang Peradilan Tata Usaha," January 31, 2023.
- Tedi Sudrajat; Endra Wijaya. *Perlindungan Hukum Terhadap Tindakan Pemerintahan*. Jakarta: Sinar Grafika, 2020.
- Tika Nurjannah. "Penyelesaian Sengketa Sertifikat Ganda Hak Atas Tanah (Study Kasus Pada Pengadilan Tata Usaha Negara Makassar)," 2016.
- Wahid Abdul Rokhim. "Kompetensi Absolut Peradilan Tata Usaha Negara Sebelum Dan Sesudah Berlakunya Undang-Undang Nomor 30 Tahun 2014 Tentang Administrasi Pemerintahan (Analisis Terhadap Putusan PTUN Yogyakarta Tahun 2015-2017)," August 16, 2018.
- Yodi, H, and Martono Wahyunadi. "Kompetensi Pengadilan Tata Usaha Negara Dalam Sistem Peradilan Di Indonesia," n.d.
- Yusri Munaf. *Hukum Administrasi Negara*. Pekanbaru: Marpoyan Tujuh Publishing, 2016.