

THE DYNAMICS OF STATE ADMINISTRATIVE LAW IN INDONESIA: A CRITICAL STUDY AS A RESULT OF ANWAR USMAN'S LAWSUIT IN THE STATE ADMINISTRATIVE COURT

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Abstrak: *The legal action initiated by Anwar Usman before the State Administrative Court (PTUN) has become a very captivating case among Indonesian practitioners of Administrative Law. This matter is significant not only because it pertains to a Chief Justice of the Constitutional Court, but also because it gives rise to very serious inquiries concerning the concept of judicial independence. This study employs a normative legal research methodology, specifically a descriptive-analytical qualitative technique. The data study included content analysis methods to ascertain the primary topics in legal documents, and discourse analysis to investigate the narratives that have emerged in legal literature about judicial independence and administrative law. The study results suggest that the Jakarta Administrative Court Decision Number 604/G/2023/PTUN.JKT strengthens the concepts of legality and procedural fairness, therefore reinforcing the Administrative Court's fundamental responsibility in upholding the integrity of Administrative Law. The results of this study have important practical consequences that emphasize the need of implementing procedural changes and increasing accountability in administrative activities. They also underscore the need of bolstering the function of the Administrative Court by providing more resources and authority. The present study enhances the advancement of state administrative law theory by providing a more flexible and comprehensive perspective on social and political transformations.*

Keywords: Administrative Law, Administrative Court, Legal Reform

I. INTRODUCTION

Administrative law is an essential foundation for preserving the equilibrium between executive authority and the rights of citizens, and it has a vital function in guaranteeing democratic and responsible administration. Within the Indonesian environment, the Administrative Court (PTUN) has been created as a crucial tool for maintaining administrative justice, enabling citizens to contest actions or judgments of the government that are considered unjust or illegal. Nevertheless, the Administrative Court's function as a protector of administrative justice is being challenged by high-profile cases, such as the lawsuit initiated by Anwar Usman, a constitutional judge and a notable figure in the realm of law and judiciary in Indonesia. This legal action not only provokes discussion among legal professionals and scholars but also highlights significant issues about the functioning of administrative law in Indonesia, namely concerning the autonomy of the judiciary and the implementation of equitable and impartial principles of administrative law.

The civil action initiated by Anwar Usman presents a multifaceted legal quandary: while the Administrative Court is tasked with overseeing the administrative activities of government officials, the participation of a notable judicial figure such as Anwar Usman ignites a discussion on the limits of power and the autonomy of the judiciary. The Jakarta Administrative Court Number 604/G/2023/PTUN.JKT has declared the Decision of the Constitutional Court of the Republic of Indonesia Number 17 of 2023, which granted Suhartoyo the position of Chief Justice of the Constitutional Court (MK) for the term 2023-2028, as null and void. Through his appeal, Anwar Usman seeks the reinstatement of his dignity and honor as a constitutional judge to their initial condition and insists that the Constitutional Court rescind the ruling. Nevertheless, the Administrative Court rejected Anwar Usman's plea for reinstatement as the Chief Justice of the Constitutional Court and did not levy a penalty on the Constitutional Estate.

The primary focus of this research is to examine the impact and potential reformation of the dynamics of administrative law in Indonesia, namely in relation to the preservation of the equilibrium between judicial and executive powers. A more precise inquiry is to what degree this legal action demonstrates the possible endangerment to the core tenets of administrative law, as well as its influence on public opinion about fairness and the credibility of the legal system in Indonesia.

The objective of this study is to thoroughly investigate the influence of Administrative Court Decision Number 604/G/2023/PTUN.JKT on the functioning of Administrative Law in Indonesia, namely regarding the responsibility of the Administrative Court in maintaining the credibility of the judicial system. Through the cancellation of Suhartoyo's nomination as Chief Justice of the Constitutional Court, these ruling initiates a discourse on the boundaries of administrative power in the selection of senior judicial personnel. The primary aim of this study is to analyze the legal consequences of the verdict and its impact on the public's opinion of the autonomy and responsibility of the judicial system in Indonesia.

While numerous studies have explored the function of the Administrative Court in upholding accountability and transparency in public administration in Indonesia, there is a scarcity of research that particularly investigates the consequences of Administrative Court rulings on the dynamics of judicial power. The current body of research mostly concentrates on the normative study of administrative law, neglecting to thoroughly investigate the influence of PTUN rulings on the autonomy of judicial institutions. This is evident in the situation of the Chief Justice of the Constitutional Court. Hence, the objective of this study is to address this limitation by conducting a meticulous examination of Administrative Court Decision Number 604/G/2023/PTUN.JKT and its consequences for the judicial integrity in Indonesia.

This study introduces a novel viewpoint to the examination of administrative law in Indonesia, namely the investigation of the impact of the decisions made by the administrative court on the organization of the judicial authority. The present study goes beyond the conventional approach of evaluating procedural or normative aspects by combining empirical analysis with administrative law theory to evaluate the actual consequences of judicial decisions. This innovation is significant not merely for enhancing scholarly comprehension but also for offering pragmatic perspectives that might be utilized by legislators in devising judicial improvements. Through an analysis of the Anwar Usman case, this study also seeks to emphasize the often-neglected considerations of justice and integrity in formal debates of administrative law.

II. METHODOLOGY

The present study utilizes normative-empirical legal research methodology, incorporating a descriptive-analytical qualitative approach. Conducting this kind of research is fruitful in acquiring a profound comprehension of how judicial rulings impact the framework and procedures inside the legal system (John W. Creswell, 2014). The present study centers on a comprehensive legal examination of pertinent legal documents, encompassing statutes, regulations, and judicial rulings pertaining to the legal action initiated by Anwar Usman before the Administrative Court. The juridical-empirical approach is employed to supplement normative analysis by incorporating empirical evidence. The present study centres on a comprehensive legal examination of pertinent legal documents, encompassing statutes, regulations, and judicial rulings pertaining to the legal action initiated by Anwar Usman before the Administrative Court. The juridical-empirical technique is employed to supplement normative analysis by incorporating empirical evidence pertaining to the implementation of administrative law in the given instance (Robi Assadul Bahri, 2024).

Primary data was obtained via document analysis, which included the Jakarta Administrative Court ruling Number 604/G/2023/PTUN.JKT, trial transcripts, and other relevant legal records. Secondary data for this study includes a comprehensive examination of journal articles included in Scopus and Sinta, together with pertinent legal textbooks, in order to acquire theoretical and contextual knowledge (Alan Bryman, 2016).

The data analysis was performed using content analysis methods to detect prominent themes in legal texts and discourse analysis to investigate the narratives that have emerged in legal literature about judicial independence and administrative law. The aforementioned methodology enables the recognition and analysis of the impact of judicial rulings on standards and procedures within the field of administrative justice (Johnny Saldana, 2015).

III. FINDING AND DISCUSSION

1. The Development and Dynamics of Administrative Law in Indonesia: The Impact of Anwar Usman's Lawsuit

The legal action initiated by Anwar Usman before the Jakarta Administrative Court, documented in ruling Number 604/G/2023/PTUN.JKT, is a very influential case in the advancement of administrative law in Indonesia. This case is captivating not only because of its involvement of influential individuals in the court system but also because it exemplifies the application of administrative law in a multifaceted and complicated environment.

A primary consequence of this litigation is the enhancement of the Administrative Court's function as a judicial supervisory body for administrative actions. Within the framework of administrative law in Indonesia, the Administrative Court (PTUN) bears a crucial duty of guaranteeing that all acts carried out by public officials not only comply with the relevant legislation but also uphold individual rights (Seipul, et.al. 2024). This has become more

pertinent given the multitude of instances where administrative measures implemented by the government can have a substantial effect on individuals' lives. This case's verdict reinforces the notion that all administrative actions must be conducted in accordance with the relevant laws and the principles of procedural justice, which are fundamental pillars of a democratic legal system.

This assertion is consistent with prior research, which indicates that the Administrative Court frequently functions as a significant venue for evaluating the legality of administrative actions (Iqbal Maula Ariky, et.al. 2024). According to data, the Administrative Court has received a substantial increase in the number of cases filed over the past five years, which is indicative of the public's increasing awareness of their legal rights (Nurhikmah, et.al., 2024). Furthermore, this demonstrates that society is progressively engaging in the protection of their rights and the pursuit of justice through legal means. In addition to its role as a judicial institution, the Administrative Court also serves as a mechanism to enhance accountability and openness in governance (Bertha Maulidina, et.al, 2023). When the public perceives that administrative actions are unjust or in violation of the law, they become more assertive in filing lawsuits, which in turn reinforces the Administrative Court's role in maintaining the rule of law (Andriyani Masyitoh, 2021).

An investigation of this phenomenon reveals a robust association between the growing number of litigations in the Administrative Court and the escalating public expectations for fairness and transparency in governance. These findings suggest the necessity for additional changes in the public administration system to ensure that the activities carried out by public officials not only comply with the law but also address the demands of society. Therefore, in order to tackle this problem, it is necessary to adopt a comprehensive strategy that includes improving the capabilities of the Administrative Court, offering legal education to the public, and reinforcing the systems of supervision for administrative transactions. Consequently, enhancing the function of the Administrative Court as a judicial supervisory body is crucial not only for maintaining justice but also for fostering public confidence in the legal system and government in their totality (Sofia Tio Ardana & Diki Zukriadi, 2024).

The judicial proceeding involving Anwar Usman further emphasizes the need for openness and responsibility in administrative procedures. Through this decision, the Administrative Court conveys a clear message that administrative authorities must be responsible for their acts and that these acts must be legally justified (Nedia M. Resmadiktia, et. al., 2023). This assertion corroborates the notion that the government and its citizens must maintain a harmonious balance of power, which is facilitated by effective judicial control (Azhari S. Fodhi, et.al., 2024). Furthermore, this ruling of the Administrative Court has practical consequences for the execution of administrative authorities' responsibilities. In the aftermath of this case, public authorities have been more cognizant of the need to follow rigorous legal protocols and protect the procedural rights of citizens in whatever administrative actions they undertake. The cultivation of this consciousness is anticipated to mitigate the possibility of power misuse and enhance the caliber of administrative decision-making in subsequent periods. Furthermore, this ruling by the Administrative Court also stimulates discussion on the necessity for reform in Indonesia's Administrative Law. A number of legal scholars have suggested modifications to the laws and regulations that govern administrative proceedings in order to give priority to and facilitate the implementation of the objectives of procedural fairness in daily practice (Muhammad Darif, Syaripudin, & Atikah, 2024). In the context of Administrative Law, this reform is anticipated to fortify the Administrative Court's role as a guardian of justice and to guarantee that Indonesia's Administrative Law remains pertinent to the requirements of contemporary society.

In terms of theoretical analysis, this case significantly enhances the existing body of knowledge on state administrative law in Indonesia. This decision underscores the need for

adopting a comprehensive strategy when evaluating administrative acts. This approach should not only concentrate on the formal legality of actions but also take into account principles of substantive and procedural justice. This approach strengthens the notion that administrative law should develop not only as a form of regulation but also as a means to attain fairness in the interaction between the government and citizens (Lismanto, & Yos Johan Utama, 2020). The present study also highlights the necessity of formulating a theory of administrative law that exhibits greater adaptability to evolving social and political processes. Given the social-political circumstances of this case, this study argues that administrative law should be more flexible and able to address emerging issues resulting from the interaction between administrative bodies and society.

From a sociological standpoint, this ruling has heightened public consciousness of the significance of judicial supervision of administrative activities. This surge in consciousness is quite noteworthy, given the multitude of instances where administrative measures have the potential to infringe upon individual rights. Within this particular framework, judicial oversight functions as a safeguard that ensures that any acts carried out by the authorities do not infringe against the fundamental concepts of justice and human rights (Seipul, et.al., 2024). Additionally, this elevated level of public consciousness has established a forum for dialogue between the judiciary and the community, enabling the public to express their dissatisfaction with policies or administrative actions that are perceived as detrimental (Julfizar, & Ade Akhyar, 2024).

Judiciary oversight is crucial not only for safeguarding individual rights but also for bolstering public confidence in the judicial system and existing legal frameworks (Samuel Yakub et.al., 2024). When the community perceives that there is a viable avenue for resolving administrative actions that are perceived as unjust, they experience an increased sense of security and protection (Amiruddin, 2021). This fosters a more stable social environment, in which individuals have confidence in the ability of state institutions to govern with fairness and transparency. Therefore, the need for enhancing judicial monitoring becomes paramount, not only to safeguard individual rights but also to establish public confidence in the entire legal system. This consciousness is expected to encourage greater engagement of the community in the legal proceedings, hence establishing a more responsive and accountable system.

Ethically, this case serves as a reminder of the need to uphold integrity in judicial and administrative procedures. This integrity acts as the primary basis for guaranteeing that every decision made by the administrative authority is grounded not only on the relevant legislation but also on globally recognized principles of justice (Darmawan Choirulsyah, & Azhar, 2024). The ruling rendered by the Administrative Court underscores the ethical obligation that administrative jurisdictions have to behave with fairness, transparency, and responsibility. Under these circumstances, openness becomes crucial for establishing public confidence in the legal system because each person has the entitlement to comprehend the procedures that impact their lives.

Furthermore, these ethical implications underscore the significance of safeguarding individual rights within the framework of administrative law, which is a fundamental component of establishing justice in the relationship between the government and citizens (Lismanto, & Yos Johan Utama, (2020). This protection encompasses not only the entitlement to have transparent information about the concluded judgments but also the entitlement to express concerns or lodge appeals against decisions that are considered harmful. The presence of a robust and accountable legal framework is essential to guaranteeing the protection of individual rights (Soni Rohima Daulay, & Tumaulina Br. Sembiring, 2024). Furthermore, it is imperative to undertake a thorough and discerning examination of administrative decisions, given that any action undertaken by the government can directly influence the well-being of society. Hence, in order to achieve a just and responsible system, it is necessary to foster

cooperation among the government, civil society, and judicial institutions to maintain purity and fairness in the legal proceedings.

The legal action initiated by Anwar Usman in the Jakarta Administrative Court has had a significant influence on the field of administrative law in Indonesia, encompassing theoretical, practical, and social and ethical components. This ruling not only confirms the significance of current principles of administrative law but also promotes the adoption of new legal measures and improvements in administrative procedures. The present study significantly contributes to the advancement of responsive and equitable administrative law while also providing a fresh viewpoint on comprehending the function of the administrative court as a custodian of justice inside the administrative legal framework of Indonesia.

2. A Legal Assessment of the Jakarta Administrative Court Decision Number 604/G/2023/PTUN.JKT and Its Significance for Future State Administrative Law Practices

Case Number 604/G/2023/PTUN.JKT, decided by the Jakarta Administrative Court, establishes a substantial legal basis within the framework of State Administrative Law in Indonesia. Within this verdict, the Administrative Court undertook a comprehensive examination of the legality of the administrative measures implemented by public authorities. This is a vital element in guaranteeing that every government action is not only legally legitimate but also equitable and open. Given the ever-evolving complexity of administrative law, as every policy and action made by the government must be grounded on applicable legal norms, this has become increasingly relevant. Furthermore, this ruling not only establishes a legal precedent but also demonstrates the dedication of the Administrative Court to maintain fairness and legal predictability in all administrative proceedings.

The legal assessment carried out by the Administrative Court in this case exemplifies a rigorous implementation of the fundamental concept of legality. Each administrative action carried out by government authorities must be supported by a distinct and valid legal foundation in order to be subject to legal accountability (Nedia M. Resmadiktia, et. al., 2023). Within this framework, the Administrative Court underscores that the norm of legality serves as the fundamental basis of Administrative Law, with the objective of safeguarding individual rights against capricious governmental acts. Such a claim is substantiated by the fact that breaches of the concept of legality can lead to administrative actions being considered null and without legal force (Dzikry Gaosul Ashfiya, 2023). In order to prevent potential legal disputes in the future, it is crucial for every government agency to guarantee that all policies and administrative actions it implements are in accordance with relevant legal provisions.

Moreover, the ruling of the Administrative Court underscores the significance of the concept of procedural justice in all administrative proceedings. In this instance, the Administrative Court identified infringements of the norms of procedural fairness, namely regarding the transparency of information and the freedom for affected parties to offer input. This suggests that while administrative actions may be legally justified, the formulation of these acts must also adhere to rigorous criteria of justice. Deviation from equitable processes can lead to the nullification of administrative proceedings, therefore strengthening the contention that procedural justice is a fundamental component in upholding the integrity of administrative law (Bertha Maulidina, et.al, 2023). This decision not only offers public authorities guidance in fulfilling their responsibilities, but it also underscores the importance of transparency and accountability in all administrative decision-making processes.

The ramifications of the Jakarta Administrative Court's ruling, Number 604/G/2023/PTUN.JKT, for the future application of State Administrative Law are highly consequential. Firstly, this ruling establishes a significant legal precedent in the implementation of the concepts of legality and procedural fairness in Indonesian

Administrative Law. This verdict is expected to prompt the administrative authorities to exercise greater prudence in guaranteeing that every activity they undertake is firmly grounded in the law and implements transparent and equitable procedures. This has the potential to improve the norms of administrative law in Indonesia, therefore fostering more confidence in administrative authorities and the judicial system among the people. Furthermore, this ruling underscores the need for providing clear and responsible procedures in administrative activities. This decision by the Administrative Court underscores the need for holding administrative authorities responsible for all their actions in accordance with the law. This demonstrates a dedication to guaranteeing the prevention of administrative authority abuse and the preservation of individual rights. The practical consequence of this ruling is a demand for administrative authorities to strengthen responsibility in decision-making, which may include a reassessment of internal policies and procedures to guarantee conformity with the legal standards set by the Administrative Court.

The Jakarta Administrative Court has issued Decision Number 604/G/2023/PTUN. Furthermore, JKT promotes discussion on the necessity of reforming Indonesia's administrative legal system. Given the breach of procedural justice principles established by the Administrative Court, it becomes necessary to enhance the rules and regulations that control administrative operations. The implementation of this reform is crucial to guarantee that the principles of legality and procedural justice are not only superficial standards but are genuinely enforced in all administrative activities (Faidhul Mannan, et.al., 2024). The proposed reform may involve a thorough examination of current legal processes, together with improved training for public officials to guarantee their comprehension and proficient implementation of the principles of administrative law. Furthermore, this ruling has the potential to foster the advancement of administrative law theory in Indonesia. Through an analysis of the Administrative Court's interpretation and application of legal principles in this particular case, the theory of administrative law can develop to include a more inclusive approach in evaluating administrative activities. Furthermore, it is crucial to acknowledge the significance of the social and political environment in the execution of administrative law and to guarantee that the law is adaptable to the constantly changing dynamics of society.

Ultimately, the Jakarta Administrative Court's ruling Number 604/G/2023/PTUN. JKT has the capacity to bring about substantial transformations in the policy formulation and implementation processes of administrative bodies. Given the focus on procedural justice, it is anticipated that public officials will give greater consideration to the consequences of each administrative decision on individual constitutional rights. The scope of this extends beyond the acknowledgment of fundamental rights to include the implementation of wider concepts of justice in all areas of public policy. In this particular situation, the importance of transparency becomes paramount since the process of making decisions must be carried out in a manner that is transparent and clearly available to the general public. When citizens perceive that they have the ability to comprehend and engage in this process, their confidence in government institutions can be enhanced.

Moreover, this modification has the potential to establish a more comprehensive and responsible administrative atmosphere. In practical terms, this implies that the decisions taken are not exclusively influenced by the interests of a limited number of persons or certain groups but instead consider the opinions and requirements of the wider society. By including diverse stakeholders, including marginalized community groups, in the decision-making process, administrative authorities can guarantee that the resulting policies are conducted with greater fairness and equity. Implementing this approach can mitigate societal discontent and bolster the credibility of the adopted policies, as the community perceives their active involvement in influencing the policies that impact their lives (Robi Assadul Bahri, 2024).

Adopting a more comprehensive approach to policy formulation is crucial for administrative agencies. This encompasses continuous assessment of the effects of current policies and meaningful participation of the community in the process of developing policies. The expectation is that by adopting this approach, the safeguarding of individual rights will be enhanced and the perspectives of the community will be more prominently considered throughout all phases of the administrative procedure. These measures would not only enhance procedural justice but also establish a more equitable and enduring society, where each person feels esteemed and acknowledged inside the institutional framework of governance.

Implementing more stringent administrative law standards can considerably reduce the likelihood of future litigation. Within this particular framework, it is crucial to comprehend that administrative activities that fail to adhere to relevant legislation frequently constitute the primary source of conflicts in a court of law. To substantially reduce the probability of legal challenges, it is crucial to ensure that every decision and action made by the administrative authorities is grounded on a well-defined and open legal framework. In addition to safeguarding the authorities against legal liabilities, this practice also cultivates public confidence in the current administrative structure (Maya Widyastuti, & Diki Zukriadi, 2024).

Respect for the community's rights will be guaranteed through the implementation of equitable and transparent procedures in all facets of public administration (Seipul, et al., 2024). For instance, when the decision-making process incorporates public involvement and allows all parties to articulate their views, it will diminish the likelihood of disputes that may result in legal action. Furthermore, by implementing comprehensive documentation and defined protocols, the administrative authorities can effectively showcase their professional conduct and adherence to legal requirements. Consequently, this can enhance their standing in the event of future conflicts.

The effectiveness and efficiency of public administration are enhanced by the application of more stringent administrative law principles, which also safeguard authorities from legal liabilities (Andy Winardi, 2023). Over time, this will result in the conservation of resources and time that would otherwise be allocated to civil litigation, while also enhancing the standard of public services offered to the community. Consequently, it is crucial for all government institutions to adhere to sound administrative procedures that are in line with the law to establish a favorable atmosphere for development and the general well-being of society (Muhammad Basri, 2024).

An analysis of the legal significance of Administrative Court Decision Number 604/G/2023/PTUN. JKT reveals that this verdict is not only applicable to the specific case but also carries lasting consequences for the field of administrative law in Indonesia. Through the reinforcement of the fundamental principles of legality and procedural justice, this ruling establishes a significant legal standard that can be employed to direct future administrative agencies. Furthermore, this study highlights the necessity of reforming state administrative law to enhance the current legal structure and guarantee the uniform and efficient application of its principles in all administrative activities.

IV. CONCLUSION

Decision of the State Administrative Court Number 604/G/2023/PTUN. JKT provides significant reinforcement to the principles of legality and procedural justice in state administrative law in Indonesia. This decision not only strengthens the role of the Administrative Court as a crucial oversight institution in ensuring that administrative actions comply with applicable laws but also encourages increased accountability and transparency in public administration practices. In addition, from a theoretical perspective, this research enriches the literature on administrative law by emphasizing the importance of an approach that integrates formal legality and substantive justice in the assessment of administrative

actions. The practical implications of Jakarta Administrative Court Decision Number 604/G/2023/PTUN. The JKT is expected to encourage procedural reforms that will strengthen the protection of individual rights and enhance public trust in the administrative legal system in the future.

The recommendations from this research emphasize the importance of procedural reform in Indonesian administrative law to ensure that every administrative action is based on clear laws and carried out in accordance with the principles of procedural justice. It is recommended that administrative authorities enhance transparency and accountability in decision-making, supported by ongoing training for public officials. In addition, strengthening the role of the Administrative Court through the enhancement of resources and authority is necessary to reinforce the function of judicial oversight. Further research is proposed to explore the long-term impacts of this administrative court ruling and to develop a comparative approach with the administrative law systems in other countries. Finally, public participation in the administrative process must be enhanced to strengthen the legitimacy of decisions and more effectively protect individual rights.

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