# EXECUTORY POWER OF STATE ADMINISTRATIVE COURT DECISIONS THAT HAVE PERMANENT LEGAL FORCE AS AN E-COURT IN THE ARCHIPELAGO

Soeleman Djaiz Baranyanan, Dezonda Rosiana Pattipawae, Benjamin Carel Picauly, Ekberth Vallen Noya
*Corresponding Author: soeleman.djbaranyanan@gmail.com
Pattimura University

**Info article**

*Submited: 2026-10-19*
*Revision: 2026-11-08*
*Accepted: 2026-11-26*

***Keywords:***
*e-Court; Administrative Court; Enforcement of judgments; Archipelago Region*

**Abstract**

*The development of the electronic court system (e-Court) in the Indonesian Administrative Court has significantly changed the dispute resolution process between citizens and administrative officials. However, the effectiveness of the implementation of final and binding decisions (inkracht) of the Administrative Court through e-Court is still problematic, especially in archipelagic areas such as Maluku and North Sulawesi. This study aims to analyze the effectiveness of the implementation of Administrative Court decisions that have obtained permanent legal force (inkracht van gewijsde) and examine the relevance of the digital transformation of the judiciary through e-Court and identify practical obstacles in the Ambon Administrative Court and the Manado Administrative Court. Using empirical juridical methods, this study combines legal and field approaches, including interviews with judges, clerks, and administrative officials. The findings show that e-Court is basically an electronic administrative instrument and litigation process, which includes case registration, payment of case fees, electronic summons or notifications, and electronic hearings to improve efficiency and transparency. Therefore, e-Court cannot be equated with the mechanism for executing state administrative court decisions and does not by itself provide coercive power to officials or government bodies to implement decisions that have permanent legal force. Normatively, the decisions of the Administrative Court have executive power based on Article 116 of Law No. 5 of 1986 as amended by Law No. 9 of 2004 and Law No. 51 of 2009, but empirically, the implementation often experiences delays or non-compliance. This study emphasizes the need to strengthen the development of a state administrative court execution system that is normatively and institutionally different from the administration of electronic cases through implementing regulations and electronic supervision of compliance of government bodies and/or officials with the decisions of the state administrative court that have been inkracht to ensure that the final and binding principles achieve substantive justice.*

## I. Introduction

Article 24 paragraph (1) of the Constitution of the Republic of Indonesia 1945 (Constitution of the Republic of Indonesia 1945) stipulates that "Judicial power is an independent power to manage the judiciary in order to uphold law and justice" Article 24 paragraph (2) of the 1945 Constitution of the Republic of Indonesia states that "Judicial power is exercised by the Supreme Court and the judiciary under it in the General Judicial Environment, the Religious Justice Environment, the Military Justice Environment, the State Administrative Justice Environment, and by the Constitutional Court". Indonesia as a democratic country is obliged to empower its people, respect the rights of its people, and strive to realize civil society. One of the important elements in realizing the sovereignty of the people and civil society is the existence of a strong State Administrative Court that can provide a sense of justice to its people. In view of this reality, it is clear that the existence of an executive institution in the State Administrative Court and its legal basis is an urgent need.

The State Administrative Court is the main instrument in guaranteeing the principle of the rule of law (rechtsstaat), especially in providing legal protection against government actions that are considered to violate the rights of citizens. Since the enactment of Law No. 5 of 1986 concerning the State Administrative Court, which was later amended by Law No. 9 of 2004 and Law No. 51 of 2009, the State Administrative Court has a central function in enforcing the principle of legality in every administrative act of the government. Article 2 paragraph (4) of Law No. 48/2009 stipulates that trials are conducted simply, quickly, and at low cost" With the trial process carried out based on the principle of simple, fast, and low costs, the Supreme Court enacted an electronic court process to overcome obstacles and obstacles in the process of administering justice. The State Administrative Court is tasked with supervising individuals and/or civil legal entities who feel that their interests are harmed due to decisions and/or written decisions issued by State Administrative Officials or Bodies that are individual, concrete, and final that cause legal consequences for a person or civil law entity.[1]

Judicial power can be used to examine, decide, and decide on problems in the field of State Administration on persons and civil legal entities as well as state administration officials, then the State Administration Court and the highest State Administration Court in the Supreme Court have the right to be able to examine the validity or not of the actions taken by the State Administration Agency or Officials

[1] Dezonda Rosiana Pattiipawae, 2019, *Pelaksanaan Eksekusi Putusan Pengadilan Tata Usaha Negara Di Era Otonomi*, Jurnal Sasi Vol. 25 No. 1, Fakultas Hukum Universitas Pattimura, hal. 93. DOI: https://doi.org/10.47268/sasi.v25i1.151

in every State Administration decision. The Supreme Court issued an electronic court system that shows that the judiciary in Indonesia is moving towards electronic justice and has a fundamental impact on reforming the judicial practice system. Regulation of the Supreme Court of the Republic of Indonesia Number 1 of 2019 concerning Electronic Administration of Cases and Trials in Courts (Statute Book of the Republic of Indonesia of 2019 Number 894), (hereinafter abbreviated as Perma No. 1/2019) In Supreme Court Regulation Number 1 of 2019, it is now not only useful for the registration of cases commonly known to the public as Electronic Courts (E-Court) but also online-based trials, namely e-litigation. Electronic Court is a court instrument as a form of service to the community in terms of online case registration, online payment, sending trial documents (replicas, duplicates, conclusions, answers) and online summons.[2] The electronic justice system is a new breakthrough in the world of justice because in the application of technology, namely information technology, efficiency can be achieved in accordance with the implementation of trials and of course makes the implementation of justice more different according to the changing times.[3]

Archipelago is an area that has geographical characteristics with a sea area larger than the main mainland where there are islands that form an island group so that it becomes a geographical and socio-cultural unit. An archipelago province is an area that has geographical characteristics with a sea area larger than the main mainland where there are islands that form an island group so that it becomes a geographical and socio-cultural unit. A regency/city area in an archipelago is a regency or city area that has geographical characteristics with a sea area larger than the main land, where there are islands that form an island group so that it becomes a geographical and socio-cultural unit. As an archipelago with a land area of 77,990 km2 and a water area of 776,500 km2, geographical areas in the form of islands will require integrated transportation infrastructure, especially between land and sea transportation. Meanwhile, other infrastructure such as clean water infrastructure, settlements, and energy are also needed to support all forms of community activities. Therefore, infrastructure development on the island of Maluku must be based on the development of island clusters. Therefore, infrastructure development in the Maluku islands must be based on the development of island clusters. The infrastructure condition of the islands in the eastern part of Indonesia is indeed relatively lagging compared to the islands in the central and western parts. This is one of the barriers

[2] Pratiwi, S. J., Steven, S., & Permatasari, A. D. P. (2020). The Application of e-Court as an Effort to Modernize the Justice Administration in Indonesia: Challenges & Problems. *Indonesian Journal of Advocacy and Legal Services*, *2*(1), 39–56. https://doi.org/10.15294/IJALS.V2I1.37718.

[3] Gracia, Majolica Fae Ocarina, dan Ronaldo Sanjaya, (2021), *Eksistensi E-Court Untuk Mewujudkan Efisiensi dan Efektivitas Pada Sistem Peradilan Indonesia di Tengah Covid-19*, Syntax Transformation Vol. 2 No. 4, hal. 500. DOI: https://doi.org/10.46799/jst.v2i4.253

to investment in this region so that the economic growth of the region is slow. In addition, the islands here make the costs needed to carry out production and trade activities relatively more expensive.

The State Administrative Court also implements an electronic trial system for e-Litigation. Through e-Courts, items held in accordance with electronic trials can facilitate the delivery of trials such as Answers, Replicas, Duplicates, conclusions and/or submission of results that are enforced electronically by the court and also the parties. Article 3 of Perma No. 7/2022 stipulates that "The administration and arrangement of electronic trials apply in the Court of first instance and the level of appeal for the types of civil, special civil, religious civil, military administration, and State Administration". The implementation of online trials is a sign that a new era in the judiciary has begun as a form of transformation carried out by utilizing technology in the modern era, but in the implementation of the electronic trial system there are several critical notes, one of which is related to the power of law. However, the effectiveness of these institutions is often questioned due to the weak implementation or implementation of decisions that have permanent legal force. This weakness creates a paradox between the final and binding principles recognized in legal theory and the reality of implementation in the field. The implementation of State Administrative Court decisions is one of the classic unresolved issues to date. State Administrative Courts still need to fully meet the expectations of society in seeking justice.[4]

The development of information technology through the e-Court system launched by the Supreme Court based on Supreme Court Regulation (Perma) Number 3 of 2018 concerning Electronic Administration of Cases in Court provides new hope in realizing the principle of fast, simple, and low costs in judicial processes. This system was then strengthened by Perma Number 1 of 2019 concerning Electronic Case Administration and Trials in Courts, which expands the scope of e-Court to the stage of electronic trials and subpoenas. E-court trials can be problematic, because trial systems that rely on electronic power tend to experience obstacles not in the law enforcement system but in electronic systems. This is considered to cause an uneven law enforcement process in remote areas or in other words, people in remote areas who have not been exposed to electronic systems will experience difficulties in implementing electronic court systems. However, the implementation of the State Administrative Court's decisions through the e-Court system has not been strictly

[4] Soeleman Djaiz Baranyanan, Nilam Firmandayu, and Ravi Danendra, "Journal of Sustainable Development and Regulatory Issues (JSDERI) The Compliance of Regional Autonomy with State Administrative Court Decisions," *Journal of Sustainable Development and Regulatory Issues* 2, No. 1 (2024): 35–52, https://doi.org/10.53955/jsderi.v2i1.25.

regulated, especially in the context of electronic execution of officials who do not implement court decisions. This condition is increasingly complex in archipelagic regions such as Maluku and North Sulawesi, where geographical factors, limited internet access, and inequality of legal human resources are structural obstacles to the implementation of decisions.

Several previous studies have highlighted the weak implementation of the State Administrative Court's decision. For example, Ismail A. Rumadan[5] in the Journal of Law and the Judiciary, that the problem with the implementation of the State Administrative Court lies in the absence of a coercive mechanism against public officials. Meanwhile, Ayuk Hardani, [6] The execution of Administrative Court decisions relies on the sense of self-respect and legal awareness of administrative officials, with no forced efforts against them if they do not implement it. However, studies can be identified that studies on the implementation of PTUN decisions have developed in several directions. First, research that focuses on non-compliance of government agencies or officials with court decisions. Second, research that examines the weaknesses of dwangsom and administrative sanction arrangements. Third, research that proposes strengthening coercive mechanisms and the establishment of special institutions for executing decisions. Fourth, research that examines the digitalization of the judiciary through the e-Court system. Some previous studies have focused more on the weaknesses of execution norms and instruments, while research on e-Court has mostly discussed the efficiency of case administration and trials. There is not enough integrated discussion on how the digital justice system can be developed not only to support the case examination process, but also to strengthen monitoring, transparency, supervision, and accountability in the implementation of state administrative court decisions.

This research develops an understanding that the executory power of PTUN decisions is not enough to be measured based on final and binding status, but must be assessed based on the ability of the legal system to ensure the implementation of the judgment in real terms. This study does not only repeat the study of the weak execution of PTUN decisions, but seeks to build a model of strengthening the executory power that integrates aspects of legal politics, legal certainty, government administrative accountability, institutions, and digital transformation. Therefore, this study fills the research gap by emphasizing that empirical studies are used to show the institutional discontinuity between the increasingly digitized judicial process and

[5] Ismail A Rumadan, "PROBLEMATIKA EKSEKUSI PUTUSAN PENGADILAN TATA USAHA NEGARA," *Jurnal Hukum Dan Peradilan* 1, no. 3 (November 30, 2012): 435–62, https://doi.org/10.25216/JHP.1.3.2012.435-462.

[6] Ayuk Hardani, (2019). The Execution of the Administrative Court's Decision; Looking for Its Justice and Legal Certainty. *Jurnal Hukum Novelty*, *10*(1), 34–42. https://doi.org/10.26555/novelty.v10i1.a12704

the ongoing difficulties related to monitoring and ensuring compliance with final and binding administrative court decisions in two courts operating in the geographical context of the islands.

Field studies at the Ambon State Administrative Court and the Manado State Administrative Court show that there is a difference between the decisions that have been inkracht and the implementation of their implementation. Most of the decisions obtained by the plaintiffs are not executed by state administrative officials for administrative, technical, or political reasons. Meanwhile, the e-Court system that is supposed to facilitate transparency and accountability has not functioned optimally at the post-judgment stage. In the context of administrative law theory, the executive power of the State Administrative Court's decisions is a manifestation of the principle of the rule of law over executive power. According to Ridwan H. R, the implementation of the decision of the State Administrative Court is not just a formal order, but a concrete form of state recognition of the rights of citizens harmed by unlawful administrative actions.[7] However, empirical facts show that implementation often depends on the will of the officials concerned, rather than on a binding legal mechanism. Therefore, this study is important to examine the extent to which the e-Court system can strengthen the power of execution of State Administrative Court decisions in the archipelago, as well as to look for a model of law enforcement that can ensure the implementation of the final and binding principle substantially, not just normatively.

This research has theoretical and practical urgency. From the theoretical side, this research enriches the property of state administrative law by combining two dimensions, namely positive law (normative) and practical implementation (empirical). From the practical side, this study provides concrete input for the Supreme Court and local governments in improving the mechanism for implementing decisions of the State Administrative Court based on electronics, especially in the archipelago that has unique geographical characteristics.

In addition, the results of this study are expected to be a reference for procedural law reform of the Administrative Court by including norms related to electronic implementation as part of the digital reform of the administrative court.

## 2. Research Methods

This research uses an empirical juridical method, which is a research approach that examines the law not only from the normative aspects written in laws and

[7] H R Ridwan, " Hukum Administrasi Negara Edisi Revisi," *Jakarta: Raja Grafindo Persada*, 2018, hlm 215

regulations, but also from the practice of its application in the field. This approach is important because the problems studied are not only about the legal norms that examine the implementation of final and binding decisions (*inkracht van gewijsde*) from the Indonesian State Administrative Court as well as the potential role of digital judicial infrastructure in supporting post-judgment monitoring and supervision, especially in archipelagic areas such as Maluku and North Sulawesi. According to in empirical juridical research, the determination of legal validity does not only depend on abstract norms but is based on the reality or reality that exists in people's lives.[8] Thus, this study integrates the analysis of legal norms with empirical findings regarding institutional practices, implementation constraints, and the experiences of relevant actors involved in the post-decision process.

Empirical juridical research is also in line with the views of Bambang Sunggono, who emphasizes that this approach is used when researchers want to test and evaluate the application of law in the field, especially in situations where written law does not work as it should.[9] In the context of this study, the implementation of e-Court decisions of State Administrative Courts in the islands still faces social, technical, and institutional challenges that need to be empirically disclosed. This approach is used to assess how regulations provide a legal basis for the implementation of decisions of State Administrative Courts through e-Court and the extent to which applicable legal norms support the effectiveness of implementation in the islands.

The research locations were determined in the Ambon State Administrative Court and the Manado State Administrative Court. The selection of these two locations was based on geographical, social, and administrative considerations as representation of the archipelago in eastern Indonesia. These locations were deliberately chosen because they provided a relevant institutional context to examine the implementation of final and binding administrative court decisions and the practical challenges associated with post-judgment oversight. The selection of Ambon and Manado also allowed this study to assess how the applicable national legal frameworks operate in a variety of institutional and regional settings that represent the characteristics of the archipelago with limited information technology infrastructure and wide distances between regions, which impact the effectiveness of the implementation of the judgment. The Ambon State Administrative Court and the Manado State Administrative Court represent islands with a more advanced level of technological development and judicial governance, but still face obstacles in implementation due to the complexity of the relationship between state administrative officials and local governments. The selection of these

[8] Noor, A. (2023). Socio-Legal Research: Integration of Normative and Empirical Juridical Research in Legal Research. *Jurnal Ilmiah Dunia Hukum*, *7*(2), 94–112. https://doi.org/10.56444/JIDH.V7I2.3154

[9] Bambang Sunggono, *Metodologi Penelitian Hukum*, RajaGrafindo Persada, Jakarta, 2018, hlm. 52.

two locations is expected to provide a comparative picture of the effectiveness of the e-Court system in the implementation of the decisions of the State Administrative Court and the State Administrative Court in the geographical context of the different islands.

Data sources in empirical legal research, data sources are divided into two main categories, namely primary data and secondary data. Interviews were conducted in a semi-structured manner to obtain in-depth information about the implementation of the implementation through e-Court and the obstacles faced in practice. Informants were selected based on institutional position, professional experience, and direct knowledge of the administrative court process and the implementation of the final decision. The informants consisted of four judges, two court clerks or court officials, three government officials or representatives of government institutions involved in administrative disputes, According to Peter Mahmud Marzuki, the simultaneous use of primary and secondary legal materials in empirical legal research is very important to ensure the theoretical and factual validity of the research results.[10]

The data that has been collected is analyzed qualitatively and descriptively using Miles and Huberman's interactive analysis approach, which includes three main stages, namely data reduction, data presentation, and conclusion-making.[11] This stage involves selecting, concentrating, simplifying, and transforming raw data from interview results and documents into information relevant to the focus of the research, i.e. on several issues: the procedures followed after the administrative court decision becomes final and binding; the institutional mechanisms for monitoring compliance; the practical obstacles encountered in the implementation of the decision; the response to non-compliance by government agencies or officials; coordination between judicial institutions and the government; and the actual and potential functions of the digital justice system in documenting, monitoring, and supervising the implementation of the decision. . The subtracted data is presented in the form of narrative descriptions and analytical tables to facilitate understanding the relationship between legal norms, implementation in the field, and the effectiveness of the e-Court system. The researcher interprets the empirical findings by relating them to legal theory and legal provisions. Conclusions are inductive, which is taken from the results of field observations towards conceptual generalizations that can be used to strengthen legal theories or policies. To ensure the validity and reliability of the research results, triangulation techniques and methods are used.[12] Source triangulation is carried out by comparing information from various sources, while method triangulation is

[10] Peter Mahmud Marzuki, *Penelitian Hukum*, Kencana Prenada Media Group, Jakarta, 2021, hlm. 133.
[11] Miles, M.B. & Huberman, A.M., *Qualitative Data Analysis: An Expanded Sourcebook*, Sage Publications, California, 1994, p. 10.
[12] Lexy J. Moleong, *Metodologi Penelitian Kualitatif*, PT Remaja Rosdakarya, Bandung, 2017, hlm. 325.

carried out by comparing the results of interviews, observations, and document studies. In addition, to maintain the validity of the data, the researcher conducts a member examination of key respondents to ensure that the researcher's interpretation is in accordance with the respondent's views in their field. Thus, the results of this research can be accounted for both academically and methodologically.

## 3. Results and Discussion

### The normative basis of the power to execute PTUN decisions

Normatively, the executive power of the decision of the State Administrative Court is a manifestation of the principles of the rule of law and the rule of law in the Indonesian constitutional system. The PTUN was established based on Law Number 5 of 1986 as a special judicial institution authorized to adjudicate disputes between citizens and state administrative officials related to state administrative decisions (beschikking) that are considered to violate the subjective rights of citizens.[13] The decisions of the Ambon State Administrative Court and the State Administrative Court, like other judicial decisions, have three legal forces, namely binding power, evidentiary power, and executory power.[14] Executive power is a coercive power inherent in a decision so that it can be exercised by the losing party (in this case, state administrative officials). In the context of administrative law, executive power is an important aspect because it distinguishes between mere "declaratory decisions" and "operational decisions".

In accordance with Article 116 paragraph (1) of Law No. 5 of 1986 jo. Law No. 51 of 2009, it is stated that: "If within a maximum period of 60 (sixty) days after the decision of the court that has acquired permanent legal force, the official concerned does not carry out the obligations as referred to in Article 97 paragraph (9), then the disputed state administrative decision no longer has legal force." This provision emphasizes that the decision of the State Administrative Court is "self-executing", meaning that it does not always require the assistance of another party (such as the district court) to carry out the execution. However, in practice, many officials do not comply with the decision of the State Administrative Court, so the decision becomes ineffective and loses its substantial meaning.

[13] Philipus M. Hadjon, *Pengantar Hukum Administrasi Indonesia (Yogyakarta: Gadjah Mada University Press,*, 2019), hlm. 87.
[14] S.F. Marbun, *Peradilan Administrasi Negara dan Upaya Administratif di Indonesia* (Yogyakarta: FH UII Press, 2015), hlm. 64.

A judgment that has acquired permanent legal force (*inkracht van gewijsde*) is legally binding on the parties and establishes an authoritative determination of an administrative dispute. However, finality does not necessarily mean that the substantive obligations imposed by the judgment have been performed by the government body or the defendant's official. Legal finality and practical enforcement therefore represent two interrelated yet distinct dimensions of administrative justice. This distinction is particularly important in the Indonesian State Administrative Court system because the implementation of administrative judgments differs from the implementation of conventional civil proceedings against private parties. The purpose of implementation often involves the execution, withdrawal, amendment, or issuance of administrative decisions or the implementation of administrative actions by government bodies or officials. Therefore, the effectiveness of the final judgment depends not only on the binding legal status but also on the institutional mechanisms available to ensure government compliance.

According to Philipus M. Hadjon, the main purpose of administrative justice is to ensure legal protection for the people from arbitrary government actions (detournement de pouvoir).[15] Therefore, when a State Administrative Officer ignores a decision of the State Administrative Court that has been inkracht, it is not only an administrative violation, but also a violation of the principle of the rule of law. In Indonesia's positive legal structure, the executive power of the State Administrative Court's decisions has a layered normative basis, ranging from the constitution to the implementing regulations of the Supreme Court. Hierarchically, the main sources that govern the implementation of the decisions of the State Administrative Court can be described as follows:

1. Article 24 paragraph (1) of the 1945 Constitution of the Republic of Indonesia emphasizes that judicial power is an independent power to manage the judiciary in order to uphold law and justice. Thus, every court decision, including the State Administrative Court, has binding legal force and must be respected by every citizen, including government officials.
2. Law No. 5 of 1986 jo. Law No. 9 of 2004 jo. Law No. 51 of 2009 This Law provides a legal basis for the implementation of PTUN decisions and regulates administrative implementation mechanisms. In Article 116 paragraph (4) it is emphasized that if state administrative officials do not implement the decision, then the Chief Justice of the Supreme Court conveys the matter to the President as the holder of the highest government power to order its implementation. If the decision is still not implemented, it will be announced in the national and regional mass media.
3. Supreme Court Regulation Number 3 of 2018 and Number 1 of 2019 concerning e-Court. This regulation is the normative basis for the implementation of

[15] *Ibid*, hlm. 64.

electronic case administration and trials, including the possibility of using electronic means at the post-decision stage (execution). Although they do not explicitly regulate the mechanism of electronic execution, these two Regulations open up space for the digitization of communication and administration between courts and implementing officials.

4. Supreme Court Circular Letter (SEMA) Number 4 of 2016, SEMA regulates the procedure for implementing decisions of the State Administrative Court which have permanent legal force and emphasizes that officials who do not implement the decision can be subject to administrative sanctions in accordance with applicable laws and regulations.

The role of the e-Court must also be distinguished from the legal mechanisms that govern the implementation of administrative court decisions. Within the current regulatory framework, in particular Supreme Court Regulation No. 1 of 2019 which has been amended by Supreme Court Regulation No. 7 of 2022, e-Court primarily provides technological infrastructure for the administration of electronic cases and electronic judicial processes Its functions relate to matters such as electronic registration, payments, summonses and notices, submission of documents, and electronic processes. Therefore, the e-Court is not currently an autonomous executory mechanism capable of forcing government bodies or officials to carry out the obligations set forth by the final judgment. This distinction substantially limits the claim that the e-Court "executes" administrative court decisions. A more accurate proposition is that the existing digital judicial infrastructure can provide a technological basis for developing post-judgment monitoring mechanisms. As such, the study does not propose the transfer of executory authority to the e-Court application. Instead, it proposes the expansion of digital judicial governance to facilitate the administration, documentation, monitoring, and supervision of the post-judgment implementation process.

Based on this normative framework, the power to execute decisions of the State Administrative Court has strong legal legitimacy. However, problems arise when instruments of coercion are not implemented effectively. As stated by Jimly Asshiddiqie, the rule of law is not only measured by the existence of the law, but also by the ability of law enforcement agencies to ensure the implementation of court decisions.[16] In the context of State Administrative Courts, the non-compliance of officials with inkracht decisions indicates weak enforcement of administrative law and low legal awareness of public officials.

**Final and binding concepts in administrative law**

The executable power of the State Administrative Court's decision is closely related to the concept of final and binding or "permanent legal force". In the judicial system,

[16] Jimly Asshiddiqie, *Konstitusi dan Konstitusionalisme Indonesia* (Jakarta: Sinar Grafika, 2019), hlm. 215.

the final and binding status indicates that all legal remedies have been taken or the filing period has expired, so the judgment must be enforced by the losing party. However, in the practice of the State Administrative Court, the final and binding nature is often not accompanied by an effective enforcement mechanism. In fact, according to Lawrence M. Friedman's theory of legal effectiveness, the success of the law is determined not only by the norm (legal substance), but also by the implementing apparatus (legal structure) and the legal culture of the society (legal culture).[17] In this context, the legal substance is quite adequate because the State Administrative Court Act has regulated the obligation to execute decisions. However, the legal structure, especially the mechanism of coercion against non-compliant officials, is still weak. On the other hand, the legal culture (officials' awareness of the rule of law) has also not been optimally developed in the regional bureaucratic environment.

According to Satjipto Rahardjo, state administrative law should be a tool of service, not a tool of power.[18] This means that the law should be used as a tool of public service, not a tool of power. But in practice, many State Administration officials still place the law as a tool to maintain authority, not a means to submit to fair legal decisions. Therefore, the executive power of State Administrative Court decisions, which is supposed to be an affirmation of officials' compliance with the law, is often hampered by structural and cultural resistance within the government bureaucracy.

**Normative Analysis of Article 116 of the State Administrative Justice Law**

Article 116 of Law No. 5 of 1986 jo. Law No. 51 of 2009 is the core of the regulation regarding the implementation of the decision of the State Administrative Court. Textually, this article regulates several important matters:

1. The official is obliged to implement the decision within 60 days after the decision has permanent legal force;
2. If the official does not execute, then the disputed decision loses its legal force;
3. The chief justice leaves supervision to the President and the legislature;
4. If the official still has not implemented, it can be announced publicly through the mass media.

Normatively, this provision appears to be unequivocal and provides clear legal consequences. However, in practice, this norm is difficult to implement because

[17] Lawrence M. Friedman, *The Legal Systems: A Social Science Perspective*, Russell Sage Foundation, New York, 1975, pp. 12–18

[18] Satjipto Rahardjo, *Hukum dan Masyarakat* (Bandung: Angkasa, 2009), hlm. 94.

there are no coercive sanctions or direct coercion against officials. According to Indroharto, the main weakness of the State Administrative Court's execution system lies in the "absence of an executive body" that has the authority to compel officials to implement decisions.[19] The Supreme Court as a judicial institution does not have executive authority to compel government officials; while the executive branch often refuses to implement decisions on administrative, political or technical grounds.

This situation creates a paradox: court decisions have permanent legal force, but they do not have any real coercive force. In Hans Kelsen's terms, the law loses its normative character if it is not accompanied by effectively enforceable sanctions.[20] Thus, the normative basis of the executive power of the State Administrative Court's decisions is actually strong, but its implementation requires more operational implementation regulations, including the integration of the e-Court system as a tool of administrative and digital control over non-compliant officials.

**The Relevance of e-Court to the Principles of Legal Certainty and Effectiveness**

Normatively, the e-Court system has great potential in strengthening the implementation of the State Administrative Court's decisions. Through this system, all stages of the case — from registration, trial, to notification of the decision — are carried out electronically. This opens up opportunities to apply the principles of transparency, accountability, and speed of information at the post-decision stage. As emphasized by the Supreme Court of the Republic of Indonesia, the main purpose of the e-Court is to realize the principle of "fast, simple, and low cost" in accordance with the mandate of Article 2 paragraph (4) of Law Number 48 of 2009 concerning Judicial Power. In the context of implementation, e-Court can be an administrative means to send electronic notifications to officials who are obliged to implement decisions, as well as a database to monitor the level of compliance with the implementation of decisions.

Institutionally, the State Administrative Court that renders judgments at the first level should remain the primary judicial institution responsible for managing and monitoring the implementation process, in accordance with the applicable legal framework and the Supreme Court's system of institutional oversight. The Supreme Court, in particular through the relevant administrative judicial structure, will provide regulatory governance, oversight, and technology. Relevant government agencies and officials will participate as legally obligated parties to report on the steps taken to comply with the judgment. The proposed system could operate through several successive stages. Once a judgment acquires

[19] Indroharto, *Usaha Memahami Undang-Undang tentang Peradilan Tata Usaha Negara, Buku II* (Jakarta: Pustaka Sinar Harapan, 1993), hlm. 285.
[20] Hans Kelsen, *General Theory of Law and State*, Harvard University Press, Cambridge, 1949, p. 61.

permanent legal force, its status will be recorded electronically in a dedicated post-judgment monitoring module. The system will then record the date when the final judgment was formally submitted or received as that date is legally relevant to the period of implementation of the law.

In addition, the implementation of e-Court is also in line with the principle of legal certainty (rechtszekerheid) as stated by Gustav Radbruch, who emphasizes that legal certainty must be supported by procedural transparency and clarity of norms.[21] With an electronic system, every action of the court and the implementing official can be well documented, thereby minimizing manipulation or delay in implementation. However, normatively there is no rule that explicitly regulates the mechanism of electronic execution (e-execution) in the procedural law of the State Administrative Court. Therefore, legal reform is needed that emphasizes the integration between the implementation norms in Article 116 of the PTUN Law and the e-Court system as a digital monitoring and reporting tool. Thus, the normative basis of the executive power of the State Administrative Court's decisions has strong legal legitimacy, but still requires complementary instruments so that norms can be effectively implemented through the e-Court system.

If a legal period expires without documented compliance, the system may generate an administrative notice for the authorized court official. If the applicable legal requirements are met, the plaintiff may file an application for enforcement electronically. Subsequent court orders, responses from the defendant's government agency or officials, compliance documents, and oversight measures can then be recorded in the same digital case environment. The system must also distinguish different statuses, such as "final and binding," "pending voluntary compliance," "execution requested," "court order issued," "compliance reported," "compliance in verification," "non-compliance identified," and "execution completed." Such a classification would make enforcement proceedings traceable without allowing the information system itself to make legal determinations to which judges or other legal officials are entitled.

**Implementation of PTUN Decision Implementation through e-Court in the Islands (Study at the Ambon State Court and Manado State Court)**

Since the issuance of Supreme Court Regulation (Perma) No. 3 of 2018 and updated with Perma No. 1 of 2019, the e-Court system has been implemented in all judicial environments, including State Administrative Courts. The system includes four main features, namely: (1) e-Filing (electronic case registration), (2) e-Payment (electronic case fee payment), (3) e-Summons (electronic summons), and (4) e-

[21] Gustav Radbruch, *Rechtsphilosophie*, 8th ed., ed. Erik Wolf and Hans-Peter Schneider (Stuttgart: K. F. Koehler, 1973), p. 184.

Litigation (electronic hearing). In the context of the State Administrative Court, the implementation of e-Court has brought progress in the efficiency of case administration. Registration and submission of documents can be done online, saving time and costs, especially for parties who live far from the court office. However, this system is still limited to the pre-trial stage and during the trial. There are no provisions governing the mechanism for the execution of decisions (execution) electronically or digitally.

Based on the results of an interview with one of the current Clerks of the Ambon State Administrative Court, the current e-Court system has not been able to achieve the post-decision-making process, including the execution of execution. According to him: "We have indeed used e-Court for all stages of administration and trials, but for the execution of executions, it is still done manually. Execution warrants are still sent physically and require the signatures of the relevant officials."[22] This condition shows that the digitization of the judiciary through e-Court only touches the administrative dimension, not yet reaching the substantive stage of law enforcement against State Administration officials who do not implement the decision. As a court serving the archipelago in Maluku Province, the Ambon State Administrative Court faces significant geographical challenges in implementing the ruling. The jurisdiction of the Ambon State Administrative Court covers areas that can only be reached by sea and air transportation, such as the Seram Islands, Tual, Buru, and Aru. These geographical barriers cause the process of filing an execution warrant and coordinating with TUN officials to be often delayed.

Based on the results of an interview with the Deputy Legal Clerk of the Ambon State Administrative Court, it is known that during 2022–2024 there were 15 decisions that had permanent legal force, but only 6 of them were successfully executed. The rest were delayed for various reasons, such as the defendant's official having changed his position, no order from his direct superior, or no response to the execution warrant.

Some of the technical hurdles found in the execution at the Ambon State Administrative Court include:

1. The internet network is restricted in the destination area so that the execution notice cannot be sent via e-Court.
2. Lack of digital literacy from local government officials who are defendants.

[22] Pieter P. Resimanuk, Hasil Wawancara dengan Panitera Pengadilan Tata Usaha Negara Ambon. 18 Juli 2025 di PTUN Ambon

3. Delays in inter-agency coordination, especially between the State Administrative Court, the governor's office, and the technical ministry.

Interestingly, based on field observations, the Ambon State Administrative Court has begun to develop a simple digital-based internal system in the form of a case execution monitoring dashboard. This system is used to record the status of the implementation of each decision and as a means of reporting to the Supreme Court through the electronic justice network (SIPP). Although it is not yet fully integrated with the e-Court, this initiative shows the direction of strengthening the digitalization of the implementation of decisions. As stated by S.F. Marbun, the success of the implementation of the decisions of the State Administrative Court is largely determined by the political will of the relevant officials and the coordination between the court and the executive institution. In the context of the Ambon State Administrative Court, although legal tools and administrative systems are available, the implementation of decisions still faces structural obstacles that cannot be overcome through the e-Court system alone.

In contrast to the Ambon State Administrative Court, the Manado State Administrative Court is in an area with a relatively better information technology infrastructure. The implementation of e-Court at the Manado State Administrative Court has been carried out thoroughly at the administrative stage, even some internal communication processes between the court and litigants have been carried out online through the Supreme Court's internal application and the court's official email.

Based on data from the Manado State Administrative Court in 2022–2024, there were 21 inkracht decisions, with 14 decisions (66%) having been fully implemented by State Administration officials. Although the success rate is higher than that of the Ambon State Administrative Court, there are still substantial obstacles, such as:

1. The defendant's official postponed the implementation of the verdict on the grounds of waiting for instructions from the central ministry;
2. There are no direct sanctions that trap officials who do not comply with the ruling;
3. Ineffective inter-agency coordination between the courts and the executive branch.

According to one of the judges of the Manado State Administrative Court, the existence of the e-Court system does help speed up administrative communication between the court and the plaintiff, but "there is no legal umbrella that allows the electronic delivery of execution warrants that have the formal legal force of physical

documents."[23] In practice, after the Manado State Administrative Court's decision obtains permanent legal force, the clerk still sends copies of the judgment and execution order via official courier or registered mail. Plaintiffs are also given access to monitor the progress of cases through the e-Court portal, but there is no digital reporting mechanism that binds the defendant's officials to respond to the execution order electronically. In fact, the e-Court system has a basic feature for sending notices or electronic notices to the plaintiffs. If this feature is extended to the stage of executing the judgment, then the process of summons and notification of execution can be done faster and monitored.

Therefore, in addition to context-specific authorization of the use of ADM, there is a need for general legislation that outlines the requirements of good government, transparency and public liability.[24] In other words, digital transformation such as e-Court must be followed by a change in legal paradigm and bureaucratic culture so that it not only becomes a symbol of modernization, but actually increases the effectiveness of law implementation.

From the results of data collection in both research locations, it can be concluded that there are several main similarities and differences in the implementation of the implementation of the State Administrative Court's decisions through the e-Court system. This analysis shows that the effectiveness of the implementation of PTUN decisions through the e-Court system is not only influenced by technological factors, but also by the social context, legal culture, and local governance. This is in line with Lawrence M. Friedman's theory of legal effectiveness, that the success of law depends on three elements: legal substance, legal structure, and legal culture.[25] In the context of the State Administrative Court in the archipelago, legal substance has been available through the State Administrative Court Law and the Perma e-Court; The legal structure is still weak because there is no effective implementing institution; and the legal culture of officials is still low. The combination of these three factors explains why the electronic implementation of State Administrative Court decisions is not optimal in regions such as Ambon and Manado.

**Reflection on the Principle of Legal Certainty and Effectiveness**

The implementation of e-Court in the implementation of State Administrative Court

[23] Fitrayanti Arsyad Putri, S.H., Hasil Wawancara Hakim Pengadilan Tata Usaha Negara Manado, 27 Agustus 2025 di PTUN Manado

[24] Suksi, M., (2020). Administrative due process when using automated decision-making in public administration: some notes from a Finnish perspective. *Artificial Intelligence and Law 2020 29:1*, *29*(1), 87–110. https://doi.org/10.1007/S10506-020-09269-X

[25] Lawrence M. Friedman, *Op. Cit*, hlm. 13.

decisions in the islands still faces serious problems related to legal certainty and law enforcement effectiveness. According to Sudikno Mertokusumo, legal certainty not only means the existence of clear regulations, but also ensures that the law is applied consistently.[26] In the case of the Ambon and Manado State Administrative Courts, the legal norms are clear, but the implementation and enforcement mechanisms are inconsistent. The limitations of e-Court in supporting the implementation stage cause the principle of legal certainty not to be achieved. State Administration officials can avoid the implementation of judgments without clear sanctions, while plaintiffs as aggrieved parties do not get substantive justice.

As Philipus M. Hadjon emphasized, the effectiveness of legal protection for citizens depends on the ability of administrative courts to force the government to submit to legal rulings.[27] Therefore, the existence of e-Court must be expanded to include a digital reporting and supervision system in the execution of executions. Thus, empirical results from the Administrative Courts of the States of Ambon and Manado show that the implementation of e-Court in these islands is still partial and administrative. In order for the e-Court to truly become an effective administrative law enforcement instrument, it is necessary to integrate formal legal mechanisms (normative) and technological (empirical) infrastructure that reinforce each other.

**Obstacles and inhibiting factors in the implementation of electronic implementation in the Ambon State Administrative Court and the Manado State Administrative Court**

The implementation of the decisions of the State Administrative Court through the e-Court system in archipelago areas such as Ambon and Manado still faces various serious obstacles, both from normative, technical, institutional, and cultural aspects. Based on the results of empirical research and field data analysis, it was found that these obstacles are multidimensional which reflects the complexity of the relationship between the legal system, technological infrastructure, and socio-bureaucratic characteristics in the archipelago. This subsection discusses in depth the main inhibiting factors in the implementation of electronic implementation in both courts, as well as their relationship with the theory of legal effectiveness and legal certainty of state administration.

Normative obstacles are obstacles that come from the imperfection of the legal norms that govern the implementation of decisions of the State Administrative Court and the lack of integration of implementation mechanisms in the e-Court system. First,

[26] Sudikno Mertokusumo, *Penemuan Hukum: Sebuah Pengantar*, Liberty, Yogyakarta, 2017, hlm. 89.
[27] Philipus M. Hadjon, *Perlindungan Hukum bagi Rakyat di Indonesia*, Bina Ilmu, Surabaya, 2007, hlm. 56.

Law Number 5 of 1986 jo. Law Number 51 of 2009 has not regulated the implementation of electronic decisions. Article 116 does provide a framework for the implementation of executions, but it is administrative and declarative, with no explicit provisions regarding the form and mechanism of electronic coercion against non-compliant officials. Second, Supreme Court Regulation (Perma) Number 3 of 2018 and Perma Number 1 of 2019 only regulate the stage of case administration and electronic trials, which have not yet reached the post-verdict stage. In the context of the implementation of procedural law, this creates a normative vacuum that has an impact on the absence of a legal basis to carry out "digital implementation" against State Administration officials. Third, there are no strict and direct legal sanctions against officials who do not implement the decision of the State Administrative Court. Although SEMA Number 4 of 2016 regulates the announcement of officials who do not implement the decision, this mechanism is administrative in nature and has no real legal consequences such as fines, demotion, or dismissal.

According to Indroharto, the main weakness of the procedural law of the State Administrative Court is the aspect of the execution system, because administrative law in Indonesia still puts the government in a higher position than citizens.[28] As a result, although the e-Court system is technically modern, without the renewal of legal norms that provide coercive power, its implementation remains weak and symbolic. This condition shows that digital modernization is not followed by the modernization of legal substance. In Roscoe Pound's legal theory, the law must be able to adapt to social needs (the law as a tool of social engineering).[29] However, in the context of the State Administrative Court, procedural changes through the e-Court are not followed by updates to the substance of procedural law, so the results are not significant to the effectiveness of implementation.

The next obstacle relates to the limitations of information technology infrastructure in the archipelago. Based on the results of field observations and interviews at the Ambon State Administrative Court and the Manado State Administrative Court, some of the main technical problems were found as follows:

1. Uneven Internet Access
   In the Maluku region, especially in districts such as East Seram, Aru Islands, and Tual, internet access is still very limited. This hinders the sending of electronic emails, decision notifications, and online communication through e-Court.
2. Inadequate Technology Devices
   Some of the work units of the State Administrative Court in the islands do not yet

[28] Indroharto, *Op. Cit*. hlm. 295.
[29] Roscoe Pound, *An Introduction to the Philosophy of Law*, Yale University Press, New Haven, 1922, p. 47.

have hardware (servers, scanners, and LAN networks) compatible with the Supreme Court's e-Court system. In the Ambon State Court, for example, the delivery of digital documents is often delayed due to unstable network capacity.

3. Technical Support Limitations
   The limited number of IT professionals in the courts is also a hindrance. Based on internal data from the Ambon State Administrative Court in 2023, there are only two IT staff responsible for all court electronic systems, including SIPP and e-Court. This condition causes system maintenance to be less than optimal.

According to Bambang Sunggono, the effectiveness of the law is greatly influenced by the ability of supporting facilities to ensure that the law can be operationalized.[30] In this context, e-Court as a means of digital law requires the support of reliable infrastructure and human resources. Without it, the law will only function symbolically and will not be able to realize the substantive justice promised by the principle of the rule of law. In addition, technical obstacles in the archipelago are also exacerbated by geographical conditions that make it difficult to coordinate between agencies. For example, an execution letter sent to an official on a certain island sometimes takes days to arrive, as it must be passed by sea or air. Although normatively the letter can be sent electronically, officials in the region do not yet have the readiness of the digital infrastructure to receive and act on it.

Institutional barriers are structural problems in judicial governance and inter-institutional relations. Based on the results of empirical research at the Ambon State Administrative Court and the Manado State Administrative Court, there are several significant forms of institutional barriers. Until now, the Supreme Court does not have a special implementing unit that has the authority to impose coercion on officials who do not implement the decisions of the State Administrative Court. The implementation of executions is entirely dependent on the good faith of the officials concerned. Jimly Asshiddiqie assesses that Indonesia needs an administrative implementing institution under the Supreme Court or the Ministry of PAN-RB to ensure that the implementation of administrative decisions runs effectively.[31] According to Lawrence M. Friedman, the weakness of the legal structure will hinder the effectiveness of the law, even though the legal substance is good. [32] In the context of the State Administrative Court, the institutional structure of the judiciary and bureaucracy is not designed to support the implementation of electronic decisions, as the relationship between the judiciary and the executive is still hierarchical and

[30] Bambang Sunggono, *Op. Cit.,* hlm. 74.
[31] Jimly Asshiddiqie, *Peradilan Etik dan Etika Konstitusi*, Sinar Grafika, Jakarta, 2018, p. 263.
[32] Lawrence M. Friedman, *Op. Cit,* p. 13–14

formalistic, not yet coordinated.

An equally important factor is the legal culture of officials and the legal community in the archipelago. Legal culture includes values, perceptions, and behaviors towards the law. In the context of the implementation of the State Administrative Court's decision, the legal culture of government officials in the region still shows a pattern of resistance to judicial power. According to interviews with Agus Efendi as Deputy Chairman of the Manado State Administrative Court and judge of the Manado State Administrative Court, many regional officials still consider the decisions of the State Administrative Court to be only a recommendation, not a legal order that must be applied.[33] This shows the weak internalization of the principle of the rule of law in the bureaucratic environment of local government.

Another factor that worsens this condition is the low legal literacy among government officials, especially in the archipelago. Many officials do not understand the legal consequences of refusing to implement court decisions, because there are no concrete sanctions that they feel. Satjipto Rahardjo called this phenomenon a law that does not live in public consciousness.[34] This means that the law has not yet become part of the culture of social behavior, but is only considered a normative text that does not need to be substantially complied with. In addition, legal culture resistance has also emerged from the court officials themselves. Based on interviews at the Ambon State Administrative Court, some court employees stated that the e-Court system is still considered complicated and takes a long time to adapt. As a result, some administrative processes are still carried out manually. This condition shows that changes in the digital system do not necessarily change the legal culture. According to Eugen Ehrlich, effective law is a law that lives in society, not just a law written on paper.[35] In the context of e-Court, the success of this system depends largely on the extent to which officials and judicial officials internalize modern legal values based on transparency and accountability.

## 4. Conclusion

Based on normative and empirical findings, this study proposes a post-judgment electronic monitoring mechanism. This proposal should not be understood as the establishment of an electronic bailiff or the replacement of the law enforcement framework under Article 116.

[33] Agus Efendi, Hasil Wawancara dengan Wakil Ketua Pengadilan Tata Usaha Negara Manado, 28 Agustus 2025 di PTUN Manado

[34] Satjipto Rahardjo, *Op. Cit*, p. 132

[35] Eugen Ehrlich, *Fundamental Principles of the Sociology of Law, trans.* Walter L. Moll (Cambridge, MA: Harvard University Press, 1936), p. 56.

Instead, it is designed as a digital oversight layer that supports the implementation of existing legal procedures. Institutionally, the State Administrative Court that renders judgments at the first level should remain the primary judicial institution responsible for managing and monitoring the implementation process, in accordance with the applicable legal framework and the Supreme Court's institutional oversight system. The Supreme Court, in particular through the relevant administrative judicial structure, will provide regulatory governance, oversight, and technology. Relevant government bodies and officials will participate as legally obligated parties to report on the steps taken to comply with the judgment.

The proposed system can operate through several successive stages. Once a judgment acquires permanent legal force, its status will be recorded electronically in a dedicated post-judgment monitoring module. The system will then record the date when the final judgment is formally submitted or received as that date is legally relevant to the statute's implementation period. If the legal period ends without documented compliance, the system may generate an administrative notice for the competent court official. If the applicable legal requirements are met, the plaintiff may file an application for execution electronically. Subsequent court orders, responses from the defendant's government agency or officials, compliance documents, and oversight measures can then be recorded in the same digital case environment. The system must also distinguish different statuses, such as "final and binding," "pending voluntary compliance," "execution requested," "court order issued," "compliance reported," "compliance in verification," "non-compliance identified," and "execution completed." Such a classification would make the enforcement process traceable without allowing the information system itself to make legal determinations that judges or other legal officials are entitled to.

The results of the study show that the e-Court system at the Ambon State Administrative Court and the Manado State Administrative Court from the research site shows that the existence of a final and binding judgment does not automatically result in its timely implementation. Empirical evidence shows that there is a sustained gap between the normative obligation to comply with the judgment and the institutional capacity to monitor, coordinate, document, and ensure its implementation. This gap becomes particularly significant in geographically dispersed regions, where distance between islands, institutional coordination, accessibility, and differences in digital and administrative capacity can affect post-judgment communication and supervision. Therefore, the effectiveness of administrative justice should not be measured only by the issuance of a final judgment but also by whether the legal consequences established by the judgment are actually realized. The study also concluded that the e-Court, within the existing legal framework, should not be categorized as an executory mechanism. Its main function remains to facilitate the administration of electronic cases and judicial processes. Therefore, the e-Court does not independently have the legal authority to compel government bodies or officials to implement final administrative court decisions or impose sanctions for non-compliance. Nevertheless, the technological infrastructure developed through judicial

digitization provides a relevant institutional basis for building digitally supported post-judgment monitoring systems. Such a system should complement, not replace, the law enforcement framework established under Article 116.

Based on this, the study recommends the development of an integrated post-judgment electronic monitoring mechanism in administrative courts. The mechanism should electronically record the date the judgment becomes final, the date when the judgment is formally delivered to the parties, the period of enforcement of applicable law, actions taken by government bodies or defendant officials, enforcement requests submitted by the prevailing plaintiff, judicial follow-ups, evidence of compliance, and the final status of execution. Automated notifications can be used to identify the expiration of relevant legal periods, but any determination of non-compliance and the application of legal consequences must remain within the authority of the institution or official legally authorized to make the decision. Institutional coordination should also be strengthened. The State Administrative Court responsible for the enforcement of the judgment should maintain a traceable electronic record of the post-judgment process. The Supreme Court, through its administrative judicial structure and oversight mechanisms, should establish uniform technical standards for electronic monitoring and reporting. Government bodies or officials who are the subject of the final decision should be required to submit verifiable information regarding the steps taken to implement the judgment. If non-compliance persists, the information generated through the monitoring system must support the oversight and law enforcement procedures set forth in Article 116 and the applicable Supreme Court rules and guidelines. Therefore, the system should operate in accordance with the principles of digital monitoring, legal verification, institutional coordination, and law enforcement.

For the archipelagic region, the proposed mechanism should be adapted to geographical conditions. Electronic transmission of post-judgment documents, standardized digital compliance reports, remote institutional coordination, centralized monitoring of implementation status, and electronically trackable communication between courts and government institutions can reduce reliance on physical distance and facilitate cross-island surveillance. However, digitalization should not eliminate alternative procedures where connectivity is inadequate. A hybrid mechanism that combines electronic monitoring with conventional administrative procedures is needed to ensure equitable access and effective implementation in areas with limited digital infrastructure.

The study found that the absence of positive legal norms governing the mechanism for the electronic implementation of decisions of the State Administrative Court is the root of the ineffectiveness of the implementation of decisions in the digital era. Although the Supreme Court has launched the e-Court system, there are no specific implementing regulations on e-Execution that include procedures, electronic evidence, and legal consequences for officials who neglect to implement judgments. Thus, to ensure the effectiveness of the law and legal certainty in the archipelago, it

is necessary to reform the procedural law of the State Administrative Court in accordance with the paradigm of judicial digitalization.

## Refrences

Ayuk Hardani, (2019). The Execution of the Administrative Court's Decision; Looking for Its Justice and Legal Certainty. *Jurnal Hukum Novelty*, *10*(1), 34–42. https://doi.org/10.26555/novelty.v10i1.a12704

Bambang Sunggono,(2018), *Metodologi Penelitian Hukum*, RajaGrafindo Persada, Jakarta.

Dezonda Rosiana Pattiipawae, (2019), *Pelaksanaan Eksekusi Putusan Pengadilan Tata Usaha Negara Di Era Otonomi*, Jurnal Sasi Vol. 25 No. 1, Fakultas Hukum Universitas Pattimura, hal. 93. DOI: https://doi.org/10.47268/sasi.v25i1.151

Eugen Ehrlich,( 1936), *Fundamental Principles of the Sociology of Law, trans.* Walter L. Moll (Cambridge, MA: Harvard University Press,).

Gustav Radbruch, (1973), *Rechtsphilosophie*, 8th ed., ed. Erik Wolf and Hans-Peter Schneider (Stuttgart: K. F. Koehler).

Gracia, Majolica Fae Ocarina, dan Ronaldo Sanjaya, (2021), *Eksistensi E-Court Untuk Mewujudkan Efisiensi dan Efektivitas Pada Sistem Peradilan Indonesia di Tengah Covid-19*, Syntax Transformation Vol. 2 No. 4, hal. 500. DOI: https://doi.org/10.46799/jst.v2i4.253

H. Ridwan, (2018), " Hukum Administrasi Negara Edisi Revisi," *Jakarta: Raja Grafindo Persada*.

Hans Kelsen, (1949) *General Theory of Law and State*, Harvard University Press, Cambridge.

Indroharto, (1993) *Usaha Memahami Undang-Undang tentang Peradilan Tata Usaha Negara, Buku II*, Jakarta: Pustaka Sinar Harapan.

Ismail A Rumadan, (2012) "PROBLEMATIKA EKSEKUSI PUTUSAN PENGADILAN TATA USAHA NEGARA," *Jurnal Hukum Dan Peradilan* 1, no. 3 (November 30, 2012): 435–62, https://doi.org/10.25216/JHP.1.3.2012.435-462.

Jimly Asshiddiqie, (2018), *Peradilan Etik dan Etika Konstitusi*, Sinar Grafika, Jakarta.

----------, (2019), *Konstitusi dan Konstitusionalisme Indonesia* Jakarta: Sinar Grafika.

Lawrence M. Friedman, (1975), *The Legal Systems: A Social Science Perspective*, Russell Sage Foundation, New York.

Lexy J. Moleong, ( 2017), *Metodologi Penelitian Kualitatif*, PT Remaja Rosdakarya, Bandung.

Miles, M. B. & Huberman, A. M., (1994), *Qualitative Data Analysis: An Expanded Sourcebook*, Sage Publications, California.

Noor, A., (2023), Socio-Legal Research: Integration of Normative and Empirical Juridical Research in Legal Research. *Jurnal Ilmiah Dunia Hukum*, *7*(2), 94–112. https://doi.org/10.56444/JIDH.V7I2.3154

Peter Mahmud Marzuki, (2021), *Penelitian Hukum*, Kencana Prenada Media Group, Jakarta.

Philipus M. Hadjon, (2007), *Perlindungan Hukum bagi Rakyat di Indonesia*, Bina Ilmu, Surabaya,

----------, (2019) *Pengantar Hukum Administrasi Indonesia (Yogyakarta: Gadjah Mada University Press*.

Pratiwi, S. J., Steven, S., & Permatasari, A. D. P. (2020). The Application of e-Court as an Effort to Modernize the Justice Administration in Indonesia: Challenges & Problems. *Indonesian Journal of Advocacy and Legal Services*, *2*(1), 39–56. https://doi.org/10.15294/IJALS.V2I1.37718.

Roscoe Pound, (1922), *An Introduction to the Philosophy of Law*, Yale University Press, New Haven,

S.F. Marbun, (2015), *Peradilan Administrasi Negara dan Upaya Administratif di Indonesia*, Yogyakarta: FH UII Press.

Satjipto Rahardjo, (2009), *Hukum dan Masyarakat*, Bandung: Angkasa.

Soeleman Djaiz Baranyanan, Nilam Firmandayu, and Ravi Danendra, (2024), "Journal of Sustainable Development and Regulatory Issues (JSDERI) The Compliance of Regional Autonomy with State Administrative Court Decisions," *Journal of Sustainable Development and Regulatory Issues* 2, No. 1 (2024): 35–52, https://doi.org/10.53955/jsderi.v2i1.25.

Suksi, M., (2020). Administrative due process when using automated decision-making in public administration: some notes from a Finnish perspective. *Artificial Intelligence and Law 2020 29:1*, *29*(1), 87–110. https://doi.org/10.1007/S10506-020-09269-X

Sudikno Mertokusumo, (2017), *Penemuan Hukum: Sebuah Pengantar*, Liberty, Yogyakarta.

**Interview Data Source**

Agus Efendi, Hasil Wakil Ketua Pengadilan Tata Usaha Negara Manado.

Fitrayanti Arsyad Putri, S.H Hakim Pengadilan Tata Usaha Negara Manado,

Pieter P. Resimanuk, Panitera Pengadilan Tata Usaha Negara Ambon.

**Laws and Regulations**

Undang-Undang Dasar Negara Republik Indonesia Tahun 1945.

Undang-Undang Nomor 5 Tahun 1986 tentang Peradilan Tata Usaha Negara.

Undang-Undang Nomor 9 Tahun 2004 tentang Perubahan atas Undang-Undang Nomor 5 Tahun 1986 tentang Peradilan Tata Usaha Negara.

Undang-Undang Nomor 51 Tahun 2009 tentang Perubahan Kedua atas Undang-Undang Nomor 5 Tahun 1986 tentang Peradilan Tata Usaha Negara.

Undang-Undang Nomor 48 Tahun 2009 tentang Kekuasaan Kehakiman.

Undang-Undang Nomor 30 Tahun 2014 tentang Administrasi Pemerintahan.

Undang-Undang Nomor 6 Tahun 2023 tentang Penetapan Peraturan Pemerintah Pengganti Undang-Undang Nomor 2 Tahun 2022 tentang Cipta Kerja menjadi Undang-Undang.

Peraturan Mahkamah Agung Nomor 1 Tahun 2019 tentang Administrasi Perkara dan Persidangan di Pengadilan secara Elektronik.

Peraturan Mahkamah Agung Nomor 6 Tahun 2018 tentang Pedoman Penyelesaian Sengketa Administrasi Pemerintahan setelah Menempuh Upaya Administratif.

Peraturan Mahkamah Agung Nomor 7 Tahun 2022 tentang Perubahan atas Peraturan Mahkamah Agung Nomor 1 Tahun 2019 tentang Administrasi Perkara dan Persidangan di Pengadilan secara Elektronik.