



Implementation of Administrative Law Court Decisions by Administrative Agencies or Officials

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Abstract

The implementation of decisions issued by the State Administrative Court (PTUN) constitutes a critical element in ensuring the effectiveness of judicial review over governmental action and maintaining administrative accountability within a rule-of-law framework. This study examines the implementation of PTUN decisions by administrative bodies or state administrative officials through a non-empirical legal research design employing a normative juridical approach. The analysis is conducted using statutory, conceptual, and doctrinal approaches based on legislation, legal doctrines, judicial norms, and scholarly literature concerning administrative justice and execution mechanisms. The findings demonstrate that although PTUN decisions possess final and binding legal force, their implementation remains constrained by fragmented execution arrangements, limited coercive instruments, absence of detailed implementing regulations concerning administrative sanctions and forced payments, and continued dependence on voluntary compliance by administrative officials. These conditions weaken legal certainty, reduce the effectiveness of judicial protection, and hinder the realization of the General Principles of Good Governance (AUPB). The study argues that implementation should be reconstructed as an integrated legal process supported by stronger enforcement mechanisms, institutional coordination, and a compliance-oriented administrative culture to enhance the authority of administrative adjudication and strengthen accountable governance.

Keywords: State Administrative Court, Decision Implementation, Administrative Accountability, Good Governance, Judicial Enforcement.



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INTRODUCTION

The growing expansion of administrative governance across contemporary constitutional states has transformed administrative adjudication from a merely corrective institution into a central mechanism for preserving legality, accountability, and democratic legitimacy within public administration. Across multiple jurisdictions, recent developments in administrative justice demonstrate an increasing recognition that judicial review achieves substantive meaning only when judicial decisions are effectively implemented by administrative authorities rather than remaining symbolic declarations of legality. This shift reflects a broader movement from formal conceptions of the rule of law toward outcome-oriented governance in which compliance with judicial decisions becomes an indicator of institutional maturity and governmental accountability. Within this framework, administrative courts occupy a strategic position as instruments of horizontal accountability that restrain executive discretion while simultaneously protecting citizens against arbitrary state action. In the Indonesian context, the State Administrative Court (Pengadilan Tata Usaha Negara/PTUN) was established precisely to institutionalize judicial control over public administration and strengthen the realization of a rule-based governmental system (Astomo, 2014). The subsequent expansion of administrative governance through the enactment of the Government Administration Law further repositioned PTUN as not merely a dispute-resolution forum but also a constitutional actor in shaping lawful administrative conduct and promoting good governance standards (Harjiyatni & Suswoto, 2017). Contemporary debates therefore no longer focus exclusively on the legitimacy of administrative adjudication itself, but increasingly on whether court decisions are capable of generating actual administrative compliance and producing measurable institutional change.

Existing scholarship has substantially contributed to explaining the normative and institutional role of administrative courts in promoting accountable governance, yet the dominant tendency remains

centered on adjudicative authority rather than post-adjudicative implementation. Studies have consistently demonstrated that PTUN decisions function as legal instruments intended to correct unlawful administrative actions and strengthen administrative accountability mechanisms (Akbar, 2021). Similar arguments emphasize that judicial supervision exercised by PTUN contributes to constructing models of good governance through procedural control and review of administrative discretion (Putrijanti, Leonard, & Utama, 2017). Research examining coercive legal instruments further argues that administrative sanctions and forced compliance mechanisms possess significant potential to increase obedience of state officials toward administrative judgments by strengthening the effectiveness dimension of law (Azzahra, 2020; Lubna, 2015). More recent studies have also expanded the analytical scope by connecting implementation of administrative decisions with the operationalization of General Principles of Good Governance (AUPB), suggesting that judicial outcomes should be evaluated not only through formal legality but also through their capacity to internalize administrative ethics and accountability in governmental practice (Ritonga et al., 2025). Collectively, these studies establish an important foundation demonstrating that administrative adjudication constitutes a critical component of legal governance; however, they simultaneously reveal a growing concern regarding the persistent gap between judicial authority and bureaucratic obedience.

Despite these advances, the literature remains fragmented in explaining how and why legally binding PTUN decisions continue to encounter implementation failures after adjudication has concluded. A considerable portion of previous studies approaches implementation as a secondary procedural issue rather than as an independent object of legal inquiry, resulting in limited analytical engagement with the institutional architecture of compliance. Normative discussions surrounding administrative sanctions and coercive measures often assume that the existence of legal instruments automatically produces obedience, while insufficient attention has been directed toward examining the interaction between legal norms, bureaucratic incentives, and structural limitations of execution mechanisms (Azzahra, 2020; Lubna, 2015). Studies focusing on legal certainty frequently emphasize doctrinal validity of judgments but provide inadequate explanation regarding the persistence of non-compliance within administrative practice (Munte & Sagala, 2021). Recent empirical observations concerning refusal or delay by administrative officials to execute PTUN decisions indicate that bureaucratic resistance may involve institutional culture, discretionary interpretation, and competing political interests that exceed conventional doctrinal explanations (Jalili & Kenedi, 2025). This unresolved tension demonstrates the existence of both conceptual and empirical gaps within current scholarship, particularly regarding the relationship between judicial finality and administrative enforceability.

The unresolved implementation deficit surrounding PTUN decisions generates consequences that extend beyond procedural inefficiency and directly affect the credibility of administrative justice as a mechanism of constitutional control. When administrative bodies are able to delay, ignore, or selectively interpret judicial orders without meaningful consequences, the authority of judicial review becomes weakened and legal certainty for citizens is substantially undermined. Such conditions ultimately transform judicial protection into a formal entitlement lacking effective realization, reducing public trust in both adjudicative institutions and governmental accountability structures. The urgency of addressing this problem becomes increasingly significant considering that implementation failures simultaneously obstruct the substantive realization of AUPB and weaken the broader project of good governance envisioned within Indonesian administrative law. The issue therefore concerns not merely compliance with court orders but the preservation of judicial authority, the legitimacy of public administration, and the operational effectiveness of the constitutional commitment to lawful government.

Positioned within this scholarly landscape, the present study departs from prior works by conceptualizing implementation of PTUN decisions not as a derivative stage of adjudication but as an autonomous legal phenomenon situated at the intersection of administrative law, compliance theory, and governance studies. Rather than limiting analysis to doctrinal obligations of officials or evaluating isolated execution mechanisms, this research examines implementation as a multidimensional process shaped by normative design, institutional capacity, and the behavioral orientation of administrative actors. Such positioning allows the study to bridge fragmented discussions concerning judicial enforceability, administrative sanctions, and AUPB into an integrated analytical framework capable of explaining why legally binding decisions frequently fail to translate into administrative action. By

relocating the focus from judicial production of decisions to administrative realization of decisions, this study seeks to provide a more comprehensive understanding of effectiveness within administrative adjudication.

This study therefore aims to examine the implementation of State Administrative Court decisions by administrative bodies or officials, identify the structural and normative barriers affecting compliance, and evaluate the extent to which execution mechanisms support the realization of principles of good governance within administrative practice. The research contributes theoretically by advancing an integrated understanding of administrative adjudication effectiveness that links judicial authority with implementation outcomes, while methodologically offering a normative legal analysis that moves beyond textual interpretation toward a systematic examination of institutional enforceability and administrative responsiveness as interconnected dimensions of administrative justice.

RESEARCH METHODS

This study employs a non-empirical legal research design grounded in a normative juridical approach to examine the implementation of State Administrative Court (PTUN) decisions by administrative bodies or state administrative officials. The research focuses on legal norms governing the execution of administrative judgments and their institutional implications within Indonesia's administrative justice system. A statutory approach is applied through an examination of relevant legislative instruments, particularly Law Number 5 of 1986 concerning State Administrative Courts and its subsequent amendments, including Law Number 51 of 2009, as well as Law Number 30 of 2014 concerning Government Administration. To strengthen doctrinal understanding, the study also adopts a conceptual approach by engaging with theories of legal effectiveness, administrative accountability, judicial enforcement, and the General Principles of Good Governance (AUPB). The legal materials consist of primary legal sources in the form of legislation and judicial norms, secondary legal materials including scholarly books, peer-reviewed journal articles, and academic commentaries, and tertiary legal materials used to support conceptual clarification and legal systematization.

The analytical process is conducted through qualitative legal analysis using interpretative and doctrinal reasoning techniques aimed at identifying normative structures, conceptual coherence, and institutional limitations within the implementation framework of PTUN decisions. Legal interpretation is carried out through statutory interpretation, systematic interpretation, and conceptual interpretation to assess the relationship between binding judicial decisions and the obligations imposed upon administrative authorities. The study further utilizes prescriptive legal analysis to evaluate whether the existing execution mechanisms adequately support legal certainty, administrative accountability, and the realization of good governance principles. To ensure analytical rigor and validity, legal materials are examined through source triangulation and cross-referenced with prevailing legal doctrines and scholarly debates, enabling conclusions to be developed systematically, consistently, and in accordance with contemporary developments in administrative law scholarship.

RESULTS AND DISCUSSION

Normative Position and Binding Force of State Administrative Court Decisions in the Indonesian Administrative Justice System

The implementation of decisions rendered by the State Administrative Court (Pengadilan Tata Usaha Negara/PTUN) must be positioned within the constitutional architecture of Indonesia as a rule-of-law state in which judicial authority possesses binding legal consequences extending beyond adjudicative declaration and into the sphere of administrative compliance. Article 24 paragraph (1) of the 1945 Constitution establishes judicial power as an independent authority to uphold law and justice, and such constitutional recognition requires administrative organs to treat judicial decisions as enforceable legal commands rather than discretionary recommendations. Law Number 5 of 1986 concerning State Administrative Courts, as amended by Law Number 51 of 2009, reinforces this constitutional premise through provisions governing legal force and execution of judgments, particularly Article 116 which regulates the obligation of administrative bodies or officials to implement decisions that have obtained permanent legal force. From a doctrinal perspective, the authority of PTUN decisions reflects the transition from the classical conception of administrative legality toward an accountability-oriented model of public administration in which judicial review functions as an institutional mechanism limiting administrative arbitrariness (Astomo, 2014). The normative force of

judicial implementation therefore cannot be separated from broader constitutional commitments concerning legal certainty, equality before the law, and administrative accountability.

The legal obligation imposed upon administrative officials to comply with PTUN judgments originates not merely from procedural law but also from substantive principles governing public administration under Law Number 30 of 2014 concerning Government Administration. Article 7 paragraph (2) of Law Number 30 of 2014 explicitly imposes duties upon government officials to comply with legally valid decisions and administrative processes, creating a systematic relationship between administrative conduct and judicial enforcement. Interpretative analysis using a systematic method demonstrates that compliance obligations under administrative law and execution obligations under procedural law form an integrated normative framework rather than autonomous legal regimes. Harjiyatni and Suswoto (2017) argued that enactment of the Government Administration Law expanded the functional reach of PTUN by positioning judicial review as an instrument capable of restructuring administrative behavior through enforceable legal consequences. Legal effectiveness in this context depends not solely on adjudicative finality but on institutional acceptance that court decisions operate as a continuation of administrative legality rather than an interruption of executive authority.

The doctrinal meaning of final and binding force in PTUN decisions requires careful distinction from equivalent concepts in private law because administrative litigation produces legal consequences affecting public authority and public interests simultaneously. Article 97 of Law Number 5 of 1986 establishes categories of judicial orders including revocation of administrative decisions, issuance of new administrative decisions, rehabilitation, and compensation, each carrying different implications for execution and compliance. A grammatical interpretation of these provisions indicates that implementation constitutes a mandatory legal consequence attached to the judgment rather than an optional post-litigation process. Sukri and Erliyana (2022) explained that the doctrine of *presumptio iustae causa* creates an initial presumption of validity in administrative acts, yet such presumption ceases to operate once judicial review conclusively determines illegality. The transition from administrative validity to judicial invalidation therefore restructures the legal status of administrative decisions and imposes an immediate obligation of legal adjustment upon administrative officials.

Normative examination of the execution framework under Article 116 of Law Number 51 of 2009 reveals a dual structure composed of automatic execution and coercive execution mechanisms intended to secure legal compliance. Automatic execution applies in circumstances where administrative acts lose legal effect after expiration of statutory periods, while coercive mechanisms become relevant where active obligations remain unfulfilled by administrative authorities. This legislative structure reflects an attempt to reconcile administrative autonomy with judicial supremacy by avoiding direct physical enforcement characteristic of civil execution procedures. Rumadan (2012) observed that the execution design within PTUN historically evolved from reliance on voluntary obedience toward incorporation of indirect coercive instruments intended to strengthen implementation effectiveness. The doctrinal challenge emerges because statutory recognition of coercive authority has not been followed by equivalent institutional mechanisms capable of converting judicial declarations into practical administrative outcomes.

Interpretation of administrative compliance cannot be detached from the concept of good governance because execution of judicial decisions represents a concrete manifestation of accountable government conduct. The General Principles of Good Governance (AUPB), formally recognized under Article 10 of Law Number 30 of 2014, establish normative standards including legal certainty, public interest, proportionality, transparency, and accountability. Putrijanti, Leonard, and Utama (2017) conceptualized PTUN as a supervisory institution whose judicial function extends into governance correction by ensuring administrative decisions remain compatible with public law principles. Ritonga et al. (2025) further demonstrated that implementation of PTUN decisions operates as a mechanism through which AUPB acquires institutional reality rather than remaining an abstract administrative doctrine. Judicial implementation therefore functions simultaneously as procedural compliance and substantive realization of constitutional administrative ethics.

The relationship between statutory obligations and implementation mechanisms becomes clearer when normative provisions are systematically compared across relevant legal instruments. The following table maps selected provisions governing implementation obligations and their legal implications.

Table 1. Normative Mapping of Legal Provisions Governing the Implementation of State Administrative Court (PTUN) Decisions

Legal Instrument	Relevant Provision	Normative Content	Legal Implication
Law No. 5/1986 as amended by Law No. 51/2009	Article 97	Judicial orders in PTUN decisions	Creation of implementation obligations
Law No. 51/2009	Article 116	Execution mechanism and sanctions	Enforcement framework
Law No. 30/2014	Article 7(2)	Obligation of officials to obey law	Administrative accountability
Law No. 30/2014	Article 10	AUPB principles	Governance compliance

The normative comparison illustrates that execution obligations are distributed across procedural and substantive administrative legislation rather than concentrated in a single regulatory instrument. Systematic interpretation demonstrates that Article 116 cannot be applied independently because its operational meaning depends upon obligations formulated in Government Administration Law. This fragmented structure partially explains why implementation difficulties persist despite formal legal recognition of enforceability.

The absence of implementing regulations concerning coercive sanctions presents a significant doctrinal inconsistency within Indonesia's administrative execution regime. Article 116 paragraph (7) of Law Number 51 of 2009 contemplates administrative sanctions and forced payments, yet statutory authorization has not been accompanied by detailed Government Regulations, Presidential Regulations, or Ministerial Regulations specifying procedures, institutional responsibility, calculation standards, or enforcement authority. Heriyanto (2021) argued that the absence of implementing norms surrounding *dwangsom* has transformed coercive execution into a formally available but practically dormant legal instrument. Soleh (2018) similarly observed that execution provisions produce symbolic legality where rights are judicially recognized but remain difficult to materialize administratively. Teleological interpretation indicates that legislative intent sought to create deterrence against administrative non-compliance, although incomplete regulatory architecture substantially weakens normative effectiveness.

The doctrinal weakness of execution also raises questions regarding the relationship between judicial authority and institutional accountability mechanisms outside the court structure. Simanjuntak (2014) proposed strengthening implementation through involvement of the Ombudsman of the Republic of Indonesia as an auxiliary supervisory institution capable of increasing pressure upon non-compliant administrative officials. Such proposals gain relevance because Article 38 of Law Number 37 of 2008 concerning the Ombudsman authorizes recommendations concerning maladministration that may overlap with judicial implementation concerns. Somantri (2021) argued that execution difficulties undermine judicial authority because decisions incapable of implementation weaken institutional trust in administrative adjudication. Administrative compliance therefore emerges not merely as a technical issue of procedural execution but as a structural issue concerning the integrity of constitutional governance.

The interpretative problem becomes more complex when implementation interacts with legal innovations introduced through administrative reform, particularly the doctrines of positive fictitious decisions and judicial review of administrative silence. Article 53 of Law Number 30 of 2014 recognizes positive fictitious decisions where administrative silence may generate legal consequences under certain conditions. Utama (2015) and Wulandari (2020) demonstrated that recognition of positive fictitious decisions alters traditional assumptions regarding administrative authority because inaction itself may become legally reviewable and executable. Judicial implementation in such cases requires a broader understanding of execution extending beyond annulment toward affirmative administrative action. Normative coherence therefore depends on developing an execution model capable of accommodating changing forms of administrative decision-making.

Legal analysis of the normative position and binding force of PTUN decisions demonstrates that implementation constitutes an inseparable component of administrative legality rather than a secondary procedural consequence following adjudication. Interpretation of constitutional provisions, statutory norms, and doctrinal developments confirms that judicial authority acquires substantive legitimacy only when administrative institutions recognize execution as a mandatory continuation of lawful governance. Existing legal arrangements establish a formal obligation framework but remain institutionally incomplete due to fragmented execution design and insufficient implementing regulation. Contemporary administrative law scholarship increasingly supports the view that compliance mechanisms should be treated as constitutive elements of judicial protection rather than supplementary enforcement tools (Akbar, 2021; Samosir, 2015). The legal structure governing implementation therefore requires continued doctrinal refinement to ensure that binding judicial decisions generate concrete administrative transformation and reinforce the constitutional ideal of accountable government.

Normative Constraints and Institutional Deficits in the Implementation of PTUN Decisions by Administrative Bodies and Officials

Implementation of State Administrative Court decisions within the Indonesian administrative justice system reveals a persistent normative tension between the legal finality of judicial decisions and the institutional capacity of administrative organs to translate adjudicative outcomes into enforceable administrative conduct. Article 116 of Law Number 51 of 2009 was introduced to strengthen execution mechanisms by incorporating mandatory compliance periods, administrative sanctions, publication measures, and coercive instruments intended to pressure administrative authorities toward execution. A systematic interpretation of these provisions indicates that the legislature sought to transform implementation from a voluntary bureaucratic practice into a legally structured obligation carrying institutional consequences. Yet the absence of comprehensive implementing regulations under the delegated authority contemplated in Article 116 paragraph (7) has produced a regulatory gap that weakens the operational force of judicial execution. This doctrinal inconsistency demonstrates that legal enforceability depends not only upon normative recognition but equally upon the institutional architecture supporting implementation.

The legal construction of execution under PTUN differs fundamentally from execution mechanisms in civil procedure because administrative courts do not possess direct coercive authority over governmental institutions. Unlike civil judgments enforced through judicial execution officers and material seizure, implementation of PTUN decisions relies upon administrative obedience generated through legal obligation and indirect sanctioning mechanisms. A teleological reading of Law Number 5 of 1986 suggests that this design was intended to preserve administrative continuity while preventing judicial encroachment upon executive functions. Putra (2021) argued that the execution problem in PTUN originates from excessive dependence on voluntary compliance despite the existence of formal execution norms intended to create legal consequences for non-compliant officials. The legal structure therefore reflects an unresolved attempt to balance separation of powers with effective judicial protection.

The doctrinal limitations of execution become more visible when examining the legal implications of non-compliance by administrative officials after judgments obtain permanent legal force. Article 116 paragraphs (4) and (5) of Law Number 51 of 2009 recognize administrative sanctions and publication measures against officials who refuse implementation, yet no implementing Government Regulation establishes procedural requirements for sanction imposition. Grammatical interpretation confirms that the statutory language imposes mandatory consequences, although institutional absence transforms obligation into normative symbolism rather than enforceable accountability. Faturahman and Herlambang (2025) emphasized that execution failures frequently arise because procedural law recognizes rights without constructing corresponding institutional enforcement mechanisms. Administrative disobedience in this context emerges not as an exception but as a structural possibility generated by incomplete legal design.

The relationship between execution deficits and administrative accountability must also be interpreted through the conceptual framework of legal effectiveness developed in public law scholarship. Legal effectiveness requires interaction between normative validity, institutional implementation, and compliance behavior rather than formal enactment alone. Kurniawan and Hadi

(2020) demonstrated that compliance with PTUN decisions should be interpreted as a manifestation of AUPB obligations because execution reflects administrative commitment to legality and accountability. Azzahra (2020) similarly maintained that administrative sanctions operate not merely as punitive measures but as instruments of legal internalization intended to reshape bureaucratic behavior. The continued inability to operationalize coercive sanctions indicates that execution deficiencies concern institutional legitimacy rather than isolated procedural shortcomings.

Normative examination of execution barriers also requires attention to the doctrinal consequences of delayed implementation and temporary suspension of administrative decisions. Article 67 of Law Number 5 of 1986 regulates postponement of execution (*schorsing*) under particular conditions where immediate implementation risks causing serious harm or undermining public interests. The legal purpose of suspension mechanisms is preventive rather than obstructive, requiring restrictive interpretation to avoid misuse by administrative authorities seeking to postpone compliance.

Caniago (2019) demonstrated that suspension doctrines become particularly complex in environmental administrative disputes because competing public interests may justify temporary administrative continuity despite ongoing judicial review. Excessive expansion of postponement interpretation risks transforming exceptional procedural safeguards into mechanisms for weakening judicial authority. Normative fragmentation becomes clearer when relevant execution-related legal provisions are mapped systematically across different regulatory instruments.

Table 2. Normative Structure and Institutional Constraints in the Execution of PTUN Decisions

Legal Instrument	Relevant Article	Execution Function	Normative Issue
Law No. 51/2009	Article 116	Administrative execution	Absence of implementing regulation
Law No. 30/2014	Article 7(2)	Compliance obligation	Weak enforcement structure
Law No. 37/2008	Article 38	Ombudsman recommendation	Non-binding institutional effect
Supreme Court Circular and Administrative internal guidance	Administrative implementation	Limited coercive authority	

The table demonstrates that implementation obligations exist across multiple regulatory levels but lack procedural integration capable of producing coordinated enforcement. Systematic interpretation shows that administrative accountability mechanisms remain dispersed among judicial, executive, and supervisory institutions. This institutional dispersion contributes to execution delays and weakens legal certainty for successful litigants.

The doctrinal question concerning institutional responsibility for implementation has generated proposals advocating creation of specialized execution institutions outside the ordinary court structure. Ramadhan and Sastrawati (2022) argued that the absence of an independent execution authority creates a structural imbalance because courts possess adjudicative competence but lack operational capacity to compel administrative compliance. Comparative administrative law supports the proposition that execution systems become more effective where dedicated supervisory institutions bridge the gap between judicial declaration and executive implementation. A historical interpretation of Indonesian PTUN legislation indicates that lawmakers initially relied upon assumptions of administrative good faith that have become increasingly difficult to sustain in contemporary governance conditions. Institutional redesign therefore emerges as a legal necessity rather than merely a policy preference.

Normative constraints affecting implementation also intersect with judicial authority exercised by the Supreme Court and constitutional interpretation developed through judicial review jurisprudence. Article 24A of the Constitution grants the Supreme Court authority over judicial administration and legal interpretation, creating indirect influence over execution practice through internal guidance and jurisprudential consistency. Judicial decisions and administrative circulars issued within the judicial system have attempted to clarify procedural execution pathways, although these instruments remain subordinate to statutory reform. Munte and Sagala (2021) observed that legal certainty in administrative

adjudication cannot be achieved where judicial outcomes remain institutionally unenforceable despite formal legal recognition. The authority of courts therefore depends not only on adjudicative legitimacy but also on practical capacity to secure implementation.

Interpretation of execution deficits must also consider the evolving doctrinal position of administrative courts within democratic governance and constitutional accountability. Administrative adjudication increasingly performs functions extending beyond dispute resolution into systemic correction of governmental conduct and protection of public trust. Jalili and Kenedi (2025) illustrated that persistent non-compliance with PTUN decisions may generate broader legitimacy concerns because administrative disobedience signals institutional resistance to judicial control. Such resistance weakens the constitutional principle that public authority remains subject to law and judicial supervision. Execution consequently becomes an indicator of whether administrative justice operates as an effective constitutional institution or merely a symbolic legal mechanism.

Normative analysis of implementation constraints confirms that execution deficiencies originate from interconnected weaknesses involving legislative incompleteness, fragmented institutional responsibility, and insufficient coercive authority within the administrative justice system. Existing statutory arrangements establish legal obligations with adequate doctrinal clarity but fail to provide procedural instruments capable of transforming those obligations into effective administrative outcomes. Contemporary scholarship increasingly supports the position that implementation should be conceptualized as a constitutive element of judicial protection rather than a supplementary procedural stage (Lubna, 2015; Somantri, 2021). Interpretative examination also reveals that strengthening execution requires harmonization among statutory law, subordinate regulations, and institutional supervision mechanisms. The future effectiveness of PTUN decisions depends upon reconstructing implementation as an integrated legal process that links judicial finality, administrative accountability, and enforceable governance standards.

Evaluating the Effectiveness of PTUN Decision Implementation Through the Framework of Good Governance and Administrative Accountability

Assessment of the implementation of State Administrative Court decisions cannot be confined to procedural compliance because the normative objective of administrative adjudication extends toward producing accountable governance and restoring legality within public administration. The doctrinal orientation of Law Number 5 of 1986 and Law Number 30 of 2014 indicates that judicial review in administrative disputes was designed not merely to invalidate unlawful administrative acts but to induce corrective institutional behavior among public authorities. Article 10 of Law Number 30 of 2014 expressly incorporates the General Principles of Good Governance (AUPB) as substantive standards guiding administrative conduct and judicial evaluation. A teleological interpretation demonstrates that execution of PTUN decisions constitutes the final stage through which AUPB becomes institutionally meaningful rather than remaining an abstract normative benchmark. Evaluation of implementation effectiveness therefore requires integration between judicial enforceability, administrative accountability, and measurable realization of lawful governance.

The concept of effectiveness within administrative adjudication must be interpreted through legal effectiveness theory that distinguishes between formal validity of norms and actual realization of normative objectives. Formal legal force arises once judicial decisions obtain permanent legal status, whereas effective law requires observable compliance and transformation of administrative action. Samosir (2015) argued that administrative courts strengthen public law only where adjudicative authority produces practical consequences capable of restoring public rights and restraining governmental excess. Akbar (2021) similarly emphasized that the legitimacy of PTUN as an institution of good governance depends upon whether judicial review influences administrative behavior rather than merely generating declaratory outcomes. Legal effectiveness in this context becomes inseparable from the ability of execution mechanisms to translate legal obligation into institutional obedience.

Doctrinal analysis of AUPB demonstrates that implementation failures directly affect several core administrative principles recognized under Article 10 of Law Number 30 of 2014, particularly legal certainty, proportionality, accountability, and public interest. Administrative refusal or delay in implementing judicial decisions undermines legal certainty because parties who obtain judicial protection remain unable to enjoy recognized legal rights. Accountability also becomes weakened because officials face limited consequences despite statutory obligations to execute judicial outcomes.

Kurniawan and Hadi (2020) explained that compliance with PTUN decisions should be treated as an extension of administrative ethics rather than a purely procedural burden imposed after litigation. Ritonga et al. (2025) further showed that implementation quality determines whether AUPB functions as a practical governance standard or merely as a judicial interpretative tool.

The effectiveness problem must also be interpreted through the relationship between administrative discretion and judicial supervision in contemporary governance structures. Administrative law recognizes discretionary authority as necessary for responsive government, yet judicial review imposes normative boundaries preventing arbitrariness and abuse of power. Law Number 30 of 2014, particularly Articles 22 through 32 concerning discretion, permits governmental flexibility while maintaining legality requirements and reviewability standards. Harjiyatni and Suswoto (2017) observed that administrative reform strengthened PTUN's role by expanding review mechanisms against unlawful governmental conduct and reinforcing judicial influence over public administration.

Effective implementation of PTUN decisions therefore determines whether discretion remains accountable or evolves into institutional autonomy detached from legal control. Evaluation of implementation outcomes becomes more precise when legal indicators of effective administrative execution are mapped against governance principles and execution obligations.

Table 3. Indicators for Evaluating the Effectiveness of PTUN Decision Implementation within the Framework of Good Governance

Evaluation Dimension	Legal Basis	Indicator of Effectiveness	Governance Consequence
Legal certainty	Article 10 Law No. 30/2014	Timely implementation	Restoration of legal rights
Accountability	Article 7(2) Law No. 30/2014	Official compliance	Administrative legitimacy
Judicial authority	Article 116 Law No. 51/2009	Executed judgments	Institutional credibility
Public interest	AUPB doctrine	Corrective administrative action	Good governance

The table indicates that implementation effectiveness cannot be measured solely through quantitative execution rates because legal consequences extend into institutional legitimacy and governance quality. Systematic interpretation shows that administrative accountability and judicial authority operate as mutually reinforcing legal variables. Failure in one dimension produces cumulative deterioration across the broader administrative justice system.

The persistence of implementation deficits raises important doctrinal questions concerning the adequacy of indirect execution mechanisms adopted by Indonesian administrative procedure. Article 116 of Law Number 51 of 2009 recognizes publication sanctions and administrative pressure, yet these instruments rely heavily upon reputational consequences rather than direct enforcement authority. Heriyanto (2021) demonstrated that the underdevelopment of *dwangsom* implementation significantly limits deterrent capacity because sanctions remain difficult to operationalize. Rumadan (2012) previously identified execution as one of the most persistent institutional weaknesses within Indonesian administrative justice due to absence of procedural coercion comparable to civil execution. Critical evaluation suggests that effectiveness cannot be achieved without strengthening institutional incentives and consequences attached to administrative non-compliance.

The legal consequences of ineffective implementation also extend to constitutional principles governing separation of powers and judicial independence. Judicial review becomes vulnerable to symbolic reduction where administrative institutions selectively determine whether court decisions deserve implementation. Such conditions weaken Article 24 of the Constitution because judicial authority becomes dependent upon executive willingness rather than legal obligation. Putrijanti, Leonard, and Utama (2017) argued that administrative supervision performed through PTUN should

operate as an institutional mechanism ensuring governmental accountability rather than producing merely persuasive outcomes. Administrative implementation therefore represents not only procedural completion but also constitutional confirmation that executive action remains subordinate to law.

Comparative doctrinal reflection reveals that execution effectiveness in administrative adjudication increasingly depends upon integrated institutional models combining judicial determination, administrative supervision, and external accountability mechanisms. Simanjuntak (2014) proposed strengthening execution through coordination with the Ombudsman because maladministration oversight may increase pressure upon resistant administrative officials. Ramadhan and Sastrawati (2022) expanded this discussion by advocating the establishment of a specialized execution institution capable of operationalizing judicial outcomes without compromising separation of powers. Comparative reasoning supports these proposals because many contemporary administrative systems employ hybrid enforcement structures rather than relying exclusively upon voluntary bureaucratic compliance. Institutional innovation therefore appears compatible with constitutional governance provided that judicial independence and administrative legality remain protected.

Effectiveness analysis also requires reinterpreting implementation not as the final administrative response to litigation but as a continuous process of institutional learning and legal adaptation. Administrative compliance with PTUN decisions creates precedential influence that shapes future administrative behavior even within civil law jurisdictions lacking formal binding precedent doctrine. Faturahman and Herlambang (2025) noted that implementation of final PTUN judgments contributes to stabilization of administrative expectations and reduction of repetitive legal disputes. Sukri and Erliyana (2022) further suggested that post-judgment implementation affects public confidence in the presumption of legality attached to administrative decisions because corrective mechanisms remain demonstrably available. Judicial implementation therefore possesses both remedial and preventive functions within the development of administrative governance.

Normative evaluation of implementation effectiveness demonstrates that the legal significance of PTUN decisions extends beyond adjudicative closure into the broader constitutional objective of establishing accountable and lawful government. Existing statutory frameworks provide doctrinal foundations capable of supporting effective implementation, yet fragmented enforcement design and incomplete coercive mechanisms continue to limit practical realization of judicial authority. Interpretative analysis confirms that AUPB, judicial enforcement, and administrative accountability should be understood as integrated legal categories rather than separate regulatory domains. Future development of Indonesian administrative justice requires reconstruction of implementation mechanisms through harmonized legislation, stronger institutional coordination, and clearer execution procedures supported by subordinate regulations and jurisprudential guidance. Effective implementation of PTUN decisions ultimately functions as a legal indicator demonstrating whether administrative governance remains genuinely governed by law rather than governed by administrative discretion alone.

CONCLUSION

The implementation of State Administrative Court (PTUN) decisions by administrative bodies or state administrative officials demonstrates a persistent normative and institutional discrepancy between the binding force of judicial rulings and their practical realization within administrative governance. Examination of the constitutional position of PTUN decisions confirms that judicial decisions possessing permanent legal force create mandatory legal obligations that extend beyond declaratory adjudication and require concrete administrative execution as an integral component of legal protection. Analysis of the existing execution framework reveals that statutory recognition under Law Number 5 of 1986, Law Number 51 of 2009, and Law Number 30 of 2014 has not been accompanied by sufficiently integrated enforcement instruments, resulting in fragmented implementation, weak coercive capacity, and continued dependence on administrative willingness to comply. Evaluation through the framework of legal effectiveness and the General Principles of Good Governance (AUPB) indicates that ineffective implementation undermines legal certainty, weakens administrative accountability, reduces judicial authority, and limits the corrective function of administrative justice. Strengthening implementation therefore requires regulatory harmonization, operationalization of coercive execution mechanisms, institutional coordination, and reconstruction of administrative

compliance as a constitutional obligation inseparable from the realization of lawful and accountable governance.

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