



# The Contest of Judicial Rationality: An Examination of Judges' Considerations in PTUN Cases No. 21/G/2022/PTUN.GTO and 19/B/2023/PT.TUN.MDO

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## **Abstract:**

*This study examines the contestation of judicial rationality in the resolution of civil servant (ASN) disciplinary disputes at two levels of administrative court, namely the Gorontalo Administrative Court (PTUN Gorontalo) and the Manado Administrative Court (PT.TUN Manado), focusing on cases No. 21/G/2022/PTUN.GTO and No. 19/B/2023/PT.TUN.MDO. Using a juridical-normative approach and case analysis, the study highlights the fundamental differences in the reasoning of first-instance judges, who emphasize adherence to formal procedures and the protection of individual ASN rights, compared to the approach of appellate judges, who prioritize substantive justice, public utility, and proportionality of sanctions to maintain bureaucratic integrity. The findings indicate that judicial interpretation of administrative law is strongly influenced by the concrete context of the case, the judges' backgrounds, and their orientation towards justice, leading to disparities in decisions that result in legal uncertainty and inadequate protection for ASNs. The study concludes that standardizing judicial reasoning through technical guidelines that integrate procedural and substantive justice principles is necessary, alongside strengthening the training and mentoring of judges to ensure consistent, fair decisions that are focused on improving bureaucratic governance. Recommendations are made to promote the establishment of a national database of ASN disciplinary decisions, cross-agency collaboration, and regular regulatory evaluations to make the administrative justice system more accountable and responsive to individual rights and public interests.*

**Keywords:** *Judicial Rationality; Civil Service Discipline; Administrative Court*

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## Introduction

In the era of bureaucratic reform that demands increasingly accountable governance, the position of the State Civil Apparatus (ASN) in Indonesia holds a central role as the frontline implementers of public services and state administration. The push to produce ASNs who are not only professional but also disciplined and have integrity continues to be strengthened through national regulations, both through Law No. 5 of 2014 on ASN and Government Regulation No. 94 of 2021 on Civil Servant Discipline. In practice, the stability of the bureaucratic system heavily depends on the fair, transparent, and proportional implementation of employment sanctions. However, in reality, tensions often arise between the application of disciplinary rules and the protection of ASN rights, leading to legal disputes within the Administrative Court (PTUN) (Shodiqin 2023).

As a rule-of-law state, Indonesia requires the supremacy of law to be the highest standard in bureaucratic governance and public official decision-making. This demand has generated high expectations for the realization of core values such as justice, legal certainty, and utility in every court ruling, including in ASN disciplinary matters (M. I. Mustapa et al., n.d.). However, in the process of enforcing discipline, disparities between first-instance and appellate court rulings are often observed. These disparities not only cause unrest among ASNs, who often feel uncertain, but also raise concerns among legal practitioners and academics as they may create legal precedents that affect the broader national bureaucratic order (Ali 2025).

The study of Case No. 21/G/2022/PTUN.GTO at the Gorontalo PTUN and Case No. 19/B/2023/PT.TUN.MDO at the Manado PT.TUN demonstrates the complexity of the contestation of judicial rationality in ASN disciplinary cases. Identical objects of dispute and the same legal norms have resulted in fundamentally different decisions by two levels of courts. This fact highlights the importance of thoroughly discussing the objectivity and consistency of judicial reasoning in interpreting the principles of justice and legal certainty, particularly within the context of ASN and bureaucratic governance (I. Mustapa et al. 2022).

The legal regulations on ASN discipline in Indonesia include classifications of penalties based on categories (light, moderate, heavy) that must be imposed



proportionally according to the principle of 'due process of law' and the principle of proportionality (Fiqri 2023). However, in practice, ASNs often feel their rights are neglected, especially when sanctions are imposed without proper procedures, leading to lawsuits in PTUN. When the same dispute object is ruled differently at the first and appellate levels, it raises the question: to what extent has the judicial system effectively provided protection for ASNs while ensuring bureaucratic stability?

The origin of the case in this study began with the Gorontalo Mayor's Decision to impose disciplinary sanctions on Yusnitha Cicly Mopangga. The ASN then took administrative objection procedures before ultimately filing a lawsuit with the Gorontalo PTUN based on procedural defects and violations of administrative justice. When this case was brought to the appellate level at PT.TUN Manado, the results were contradictory: one annulled the sanction, while the other upheld it. This difference highlights a shift in judicial orientation: at the first-instance level, procedural aspects and individual protection were prioritized, while at the appellate level, substantive justice, proportionality of sanctions, and the need to maintain bureaucratic order were given more weight.

Such differences in reasoning cannot be simply defined as judicial negligence but should be understood as a reflection of the limitations of objectivity in translating the law into practical reality. Judges, regardless of their ideal objectivity, remain human beings shaped by their intellectual backgrounds, experiences, and social environments. In this case, the first-instance judge appeared more textual, demanding strong procedural evidence and prioritizing the individual ASN's right to fair treatment. On the other hand, the appellate judge emphasized substantive discretion, considering the impact on bureaucratic integrity, institutional resilience, and public interest.

This phenomenon underscores the challenge of achieving consistency in the principles of legal certainty and proportionality in the PTUN environment. Inconsistency in decisions, especially for the same objects and norms, leaves ASNs uncertain about their careers, while public officials are at risk of abusing power if the legal interpretation space is too broad. From a sociological perspective, this situation requires harmonization through technical guidelines and judicial standardization to minimize the disparity space.



The urgency of examining judicial rationality and the standards of judicial reasoning in PTUN is to provide robust legitimacy in enforcing state administrative law. Uniform and fair decision standards are not only important for the individual justice of ASNs but are also necessary to ensure a healthy and meritocratic national staffing system. The Yusnitha case emphasizes the need for revision and clarification of the parameters of proportionality, justice, and legality in ASN disciplinary decisions, which remain unclear in judicial practice (Armianti 2020).

The inconsistency of decisions at two levels of court results in systemic impacts: ASNs become anxious about sanctions that could be imposed without procedural certainty, while staffing officials are easily tempted to act subjectively due to unclear standards. In the long run, this could weaken legal protection for ASNs and reduce public trust in PTUN. Therefore, the active involvement of the Supreme Court and policymakers is needed to formulate technical guidelines that align with practice while strengthening the accountability and transparency of administrative court rulings.

Efforts to build humane and just judicial rationality also require an interdisciplinary approach and judges' courage to explore the socio-psychological aspects of ASNs in dispute. It is not enough to only understand the formal legal aspects; judges need to explore the social dimensions, organizational structure, and public perception. Thus, the resulting decisions not only meet the legality requirements but also truly reflect the values of substantive justice that are adaptive to bureaucratic reform changes (Azhar 2025).

The Yusnitha case provides important lessons for civil service law reform in Indonesia. There is a need for cross-institutional collaboration to harmonize the system for resolving ASN disciplinary disputes so that the judicial system does not fall into the trap of rigid procedural formalism or, conversely, neglecting the rights of individual ASNs. A critical conclusion must also be drawn: if substantive justice and legal certainty are to be genuinely realized, then every court decision must be based on a holistic analysis that considers field empirical experience, doctrinal developments, and the characteristics of ASNs as legal persons.

Thus, the study "The Contest of Judicial Rationality: Analyzing Judges' Considerations in PTUN Case No. 21/G/2022/PTUN.GTO and



19/B/2023/PT.TUN.MDO" can provide valuable contributions, not only to strengthening the ASN disciplinary system but also to reforming the Indonesian state administrative court system. This study is expected to not only serve as a normative reference but also drive the formation of a legal system more oriented toward substantive justice, legal certainty, utility, and, ultimately, strengthen public trust in the administration of a clean, accountable, and integrity-driven state.

## Method

The research method used in this study is a juridical-normative method with a case approach and a statutory approach (Atikah 2022). The juridical-normative approach is used to examine the applicable legal norms, including those in laws, government regulations, and technical regulations related to the discipline of the State Civil Apparatus (ASN), as stipulated in Law No. 5 of 2014 on ASN, Government Regulation No. 94 of 2021 on Civil Servant Discipline, and other implementing regulations. Through this approach, the study traces how these regulations are implemented and examines the presence of the principles of state administrative law used by judges in resolving ASN disciplinary disputes in the Administrative Court (PTUN).

Furthermore, the case approach is used by analyzing two specific cases in detail, namely Case No. 21/G/2022/PTUN.GTO and Case No. 19/B/2023/PT.TUN.MDO. This research examines official documents such as court decision copies, examination documents, and relevant regulations to identify the juridical basis of each judge's reasoning. The analysis is conducted qualitatively, focusing on the consistency, logic, and aspects of objectivity and subjectivity in the legal reasoning used at both levels of the court. Therefore, this study aims to provide a comprehensive overview of the dynamics of judicial reasoning in interpreting legal norms and substantive justice in resolving ASN disciplinary cases.

## The Rationality of Judges in the Gorontalo Administrative Court Decision (No. 21/G/2022/PTUN.GTO)

In the realm of administrative law in Indonesia, the decision of the Gorontalo Administrative Court (PTUN Gorontalo) in Case No. 21/G/2022/PTUN.GTO stands





as an important reflection of the dynamics of enforcing discipline within the State Civil Apparatus (ASN). At the first instance, the PTUN Gorontalo panel of judges presented a deep legal analysis, emphasizing strict adherence to the principles of state administration that have long been the foundation of modern bureaucracy. The judges in this case did not merely limit their examination to the normative aspects of regulations, but also scrutinized how far the disciplinary procedures carried out by the public administrative officer, in this case, the Mayor of Gorontalo, aligned with Law No. 5 of 2014 on ASN and Government Regulation No. 94 of 2021 on Civil Servant Discipline.

In its examination, the judges critically questioned the essence of the ideal due process of law. This principle is not merely a formal procedure but the core of the system that protects ASNs from subjectivity or potential arbitrary actions by superiors. The judges elaborated that the right to be heard, the requirement for objective and transparent investigations, and the guarantee of the opportunity for self-defense were the key pillars that could not be ignored. When fundamental weaknesses were found in practice, such as the lack of defense efforts, the absence of adequate examination records, and the low level of documentation as the basis for decision-making, the judges considered this a serious violation of the due process of law (Deseano 2025).

The decision of PTUN Gorontalo became an important precedent that the mechanism of imposing sanctions in ASN discipline does not only focus on the substance of the violation committed by an ASN but also places a high priority on the procedural aspects. The judges positioned the protection of ASN rights not only in the substantive realm but further highlighted the urgency of transparent, accountable governance, based on a fair examination process. In this case, the panel found that the Mayor of Gorontalo failed to meet these principles, making the administrative decision invalid due to procedural flaws (Dani 2018).

The judicial thinking reflected in the PTUN Gorontalo decision is heavily influenced by a legal formalism paradigm. For the judges, the protection of ASN rights can only be said to be complete if all stages of the examination, from summons to ruling, are carried out in accordance with the applicable legal norms and provide ample space for ASN to defend themselves. This formal legal protection is a concrete



manifestation of the rule of law (*rechtstaat*), which places the supremacy of law above all, thus safeguarding the individuality of ASNs from the possibility of administrative errors resulting from neglected procedures.

In addition to critiquing the procedures, the judges also emphasized the importance of documentation and evidence in the examination process of an ASN accused of a violation. Accountability for every stage, from fact-finding, witness examination, to officially recording the results of the investigation, is required to avoid any space for interpretation or doubt about the motives and implications of the decision to be made. The low level of examination documentation in this case, as found by the judges, further emphasized the administrative flaws in the sanction process. In other words, justice is not only about seeking material truth regarding ASN violations but also demands formal justice in carrying out every step mandated by the constitution and regulations (Fadillah Putra 2024).

The formalistic perspective employed by the judges was also driven by the spirit of achieving legal certainty amidst the often complex and dynamic practices of Indonesian bureaucracy. The judges were aware that procedural uncertainty in ASN disciplinary cases could open the door for abuse of power or even discriminatory treatment that would harm ASNs as legal subjects. Thus, canceling the sanctions imposed through a flawed process was not only an advocacy for the concerned ASN but also a systemic effort to improve bureaucratic governance and instill a healthy and just state administrative law culture (Fikri Alan 2023).

Moreover, the PTUN Gorontalo decision implicitly aimed to create a deterrent effect for public administrative officers, urging them not to be reckless in imposing sanctions. It was emphasized that every administrative action must be accountable both legally and morally. This means that in building ASN discipline, state officials must not neglect the normative provisions governing the processes that must be followed. Even the smallest procedural violation, if it impacts the loss of protection for ASN rights, must be rigorously corrected by the judiciary.

From a humanistic perspective, the PTUN Gorontalo judges placed ASNs as rational beings who also possess basic rights and dignity that must be upheld by the state. In this case, the panel showed empathy for the potential moral, social, and psychological harm that could befall an ASN due to sanctions imposed recklessly or



without a strong procedural basis. With this view, the law is no longer merely about fulfilling formal requirements but also a tool to protect the human rights of ASNs amidst the noise of bureaucratic reform.

The aspiration to achieve substantive justice through procedural fairness was clearly evident in the judges' considerations. The protection of ASN rights as individuals became the central point in building justice within the framework of administrative law, so that when procedural violations occur, the sanctions are automatically annulled. The judges' commitment to due process of law became the main force that not only safeguarded the integrity of the system but also protected ASNs from potential unjust treatment by bureaucratic officials (Hamzah 2024).

The PTUN Gorontalo decision can serve as a valuable lesson for personnel officials across Indonesia to pay more attention to operational standards and the principles of good governance in ASN disciplinary matters. The emphasis on the importance of examination documentation, objective investigations, transparency, and the opportunity for self-defense reflects the desire to strengthen the position of ASNs as legal subjects whose rights are protected and respected. Thus, this decision also represents an effort to strengthen the legal culture amidst Indonesia's ongoing bureaucratic reform journey.

From an academic standpoint, analyzing the judicial rationality in the PTUN Gorontalo decision becomes a source of reflection and a long discussion about the direction of state administrative law enforcement. Amidst the demand for professional, disciplined, and integrous bureaucracy, the presence of decisions that highlight the protection of ASN procedural and formal rights marks an important turning point in reorganizing the relationship between officials and ASNs, as well as in strengthening public trust in the state administrative judicial system. Thus, the PTUN Gorontalo decision not only annulled the administrative sanction but also encouraged the strengthening of justice, legal certainty, and respect for ASN human rights in modern Indonesian bureaucracy (Sutrisno 2022).

In conclusion, it can be asserted that the judicial rationality in the PTUN Gorontalo decision is not just a reflection of rigid legalistic thinking but a real depiction of how state administrative law seeks to find a balance between the demands of legal formalism and the protection of ASN's human rights. This decision





also reinforces that the judiciary is the last bastion in ensuring that state administration operates justly, ethically, and in accordance with true legal justice. Through an in-depth analysis of every procedure and fact, the PTUN Gorontalo judges demonstrated that justice lies not only in the final result but also in the process toward reaching that decision. This serves as an important lesson for all parties in the bureaucracy and justice enforcement system to become more sensitive to the importance of legally formalizing a humane and law-abiding system as the foundation for advancing administrative law systems and protecting ASN rights in Indonesia.

## The Rationality of Judges in the Decision of the Manado Administrative Court (No. 19/B/2023/PT.TUN.MDO)

In the realm of administrative law, particularly at the appellate level, the Manado Administrative High Court (PT.TUN Manado) in Case No. 19/B/2023/PT.TUN.MDO presents a different judicial mindset that reaffirms the legal rationality oriented towards the collective welfare and the sustainability of bureaucratic governance. While the same case was adjudicated at the first instance by PTUN Gorontalo with an emphasis on procedural aspects and the protection of individual ASN rights, the appellate level provides a broader space to consider substantive implications, namely the role and function of ASNs within the government structure and the broader impact of disciplinary violations on bureaucratic mechanisms and public services. This difference opens a critical discourse on how appellate judges interpret judicial rationality with a different, yet still relevant, balance within the framework of administrative law and ethics (Yahya 2022).

Essentially, the consideration of PT.TUN Manado judges begins with the premise that the national bureaucratic system should be built on a strong foundation of discipline because an effective and efficient bureaucracy is the key to successful governance. Therefore, ASN disciplinary decisions do not only concern the individual involved but also have implications for the stability and integrity of public institutions and public trust in the government. In this regard, the judges represent the judicial function as a balancing act between individual rights protection and broader public interests. This orientation aligns with the paradigm of substantive



justice and the principle of utility, which continues to evolve within modern administrative law doctrine (Jamaluddin 2018).

In their legal reasoning, the appellate judges systematically reviewed all the evidence presented and the procedures followed in the imposition of sanctions by the public administrative officer. The judges stated that while procedural aspects are important, they are not necessarily paramount over the need to uphold the normative foundations of discipline as regulated by law and government regulations. In other words, the decision made by the Mayor of Gorontalo to impose the sanction, when viewed as a whole, was based on relevant, complete, and legitimate evidence, supported by witness testimonies, official documents, and field facts that were accepted during the trial. Therefore, requesting the court to annul the sanctions without considering the broader context could potentially undermine the authority of the staffing officials and create chaos within the bureaucracy (Latupulhayat 2025).

The judges of PT.TUN Manado also emphasized the importance of enforcing discipline as a means of improving ASN performance while maintaining a conducive and productive working environment. In this context, the judges' role is not merely to examine procedural formalities but to serve as arbiters who consider moral and social values in making legal decisions. The appellate ruling assumes that proportional and firm discipline can prevent harmful behavior to the institution and society at large, while strengthening the implementation of good governance principles and the governance of a clean and deviation-free bureaucracy.

Further, the judges in this ruling did not disregard the principle of substantive justice, which is an essential pillar in the administrative law system. Substantive justice here is understood as a comprehensive evaluation of both the factual and normative conditions, giving attention to the balance between ASN rights as individuals and the collective needs of the organization. By considering the social context and public policy, the judges were able to integrate legal reasoning and the broader interests of society, ensuring that the ruling not only restores individual rights but also maintains the authority of the government through effective discipline (Maulina Roma Yanti Nainggolan 2024).

From a humanistic perspective, the PT.TUN Manado decision attempts to reflect the humanitarian dimension of law, illustrating how law can function as a tool



for developing justice that is adaptable to social realities. The judges recognized that, while the ASN subject to sanctions is a legal entity entitled to protection, such protection should not come at the cost of the bureaucratic order, which requires firmness in upholding discipline. It was emphasized that the imposition of disciplinary sanctions based on strong evidence and a sufficiently fair process is an urgent need to ensure that no injustice burdens the broader society due to bureaucratic negligence (Muhammad Rayhan 2023).

In addition to the aspects of justice and utility, the judges' reasoning was also influenced by caution regarding the potential weakening of authority among government officials. In practice, if every disciplinary decision could be annulled solely based on minor procedural flaws without recognition of the weight of the violation and material evidence, it could set a dangerous precedent that would hinder efforts to reform bureaucracy into a clean and effective system. This poses a threat to the principle of accountability, where public officials must be responsible for enforcing discipline. Thus, the appellate ruling at PT.TUN Manado builds a legal protection mechanism that balances ASN rights and their obligations as public servants while supporting a state administration policy focused on the common good (Okprianti 2024).

This phenomenon is also highly relevant in the context of Indonesia's current social and political dynamics, where the demand for transparency and accountability in bureaucracy is increasing. The administrative judiciary plays a strategic role in aligning the interests between individual ASN rights and the need for governance that is competitive and has integrity. The judges of PT.TUN Manado in this case emphasized that judicial decisions should be placed within the real social context, considering the impact of disciplinary sanctions not only on ASNs but also on public services that rely heavily on a disciplined and orderly bureaucracy.

Additionally, the judges' reasoning is grounded in the principle of proportionality, where the imposed sanctions must be commensurate with the level of wrongdoing and its impact on the institution. In this case, PT.TUN Manado assessed that the sanction imposed was in line with the severity of the violation committed by the ASN, so the decision carried the principle of balance between individual protection and organizational goals. The appellate level emphasizes the



need for the judiciary not to operate solely within a formalistic normative framework, but also pragmatically and contextually, in order to maintain healthy governance continuity (Payoh 2024).

The court's decision in this case also demonstrated optimal maturity in weighing all the facts, combining normative approaches with realistic sociological considerations, making the ruling a representation of inclusive judicial rationality, not merely legalistic. In this way, the judges succeeded in maintaining the balance between adherence to formal law and the social needs of dynamic state administration.

Through its ruling, PT.TUN Manado also sends a signal that the enforcement of ASN discipline should not be neglected solely for the protection of procedural rights, but rather should be seen as a strategic instrument for bureaucratic reform that strengthens a strong and accountable nation. Therefore, the rationality reflected in this ruling emphasizes that the protection of ASN rights must align with the context and objectives of the norms, ensuring that justice is not only seen from the individual rights perspective but also from the responsibility towards public service functions and state institutions (HUTAGAOL and DEBORA 2024).

The PT.TUN Manado decision provides a comprehensive view of how judicial rationality can accommodate various interests within the state administrative judiciary system. The judges took a balanced position between protection and control, upholding the principle of substantive justice, and responding to social utility demands in the enforcement of ASN discipline (Triono and Kasmawati 2025). Therefore, this decision is not only legally important but also serves as a normative and practical reference in creating a professional, responsible, and integrity-driven bureaucracy. This decision strengthens public trust in an administrative judicial system that can deliver justice not only for ASNs as individuals but also for the country's and society's interests.

## Conclusion

The conclusion of this study indicates that the contestation of judicial rationality in handling ASN disciplinary cases between PTUN Gorontalo and PT.TUN Manado reflects the complexity and dynamics of administrative law enforcement in Indonesia.



On one hand, PTUN Gorontalo emphasizes the importance of strict adherence to legal procedures to protect ASN's formal rights and prevent arbitrary practices by bureaucratic officials. On the other hand, PT.TUN Manado prioritizes the values of utility and substantive justice to maintain institutional authority and public trust in bureaucratic governance, relying on strong evidence of violations and the proportionality of sanctions. The fundamental differences in rationality and decision orientations demonstrate that the interpretation of administrative law is heavily influenced by the case context, the judges' backgrounds, and the prioritization of individual protection versus the interests of the bureaucratic system.

Therefore, there is no single absolute model of consideration; instead, a balance is needed between protecting the individual rights of ASNs and the need for effective discipline within the state staffing system. This study recommends the importance of establishing technical guidelines and judicial standardization that integrate the principles of procedural and substantive justice to create greater consistency in legal certainty and justice within PTUN and PT.TUN. Such harmonization is expected to close the gap in decision disparities and strengthen the accountability, integrity, and legitimacy of administrative court justice in Indonesia going forward.

## Recommendation

Based on the study of the contestation of judicial rationality in the decisions of PTUN Gorontalo and PT.TUN Manado regarding ASN disciplinary cases, several strategic measures are recommended to strengthen integrity, consistency, and justice within Indonesia's state administrative judicial system. First, the Supreme Court, in collaboration with relevant institutions, should immediately develop and implement technical guidelines and judicial consideration standards for ASN disciplinary cases. These guidelines must comprehensively integrate the principles of procedural and substantive justice, as well as a clear principle of proportionality, so that each judge has a solid reference in assessing both the formal and substantial aspects of ASN violations.

Second, ongoing training and intensive mentoring for PTUN and PT.TUN judges should be intensified, emphasizing a holistic understanding of balancing the protection of individual ASN rights and the need to maintain effective and harmonious bureaucratic governance. Furthermore, the establishment of a national



database for ASN disciplinary case rulings is crucial to prevent unnecessary disparities and to serve as a future reference for decision-making.

Additionally, active involvement from staffing agencies and the Ombudsman in overseeing and evaluating the implementation of disciplinary sanctions is necessary to ensure that each stage is transparent, accountable, and free from inappropriate external intervention or pressure. The government must also regularly review ASN disciplinary policies to address potential normative and procedural gaps that could lead to perceptions of injustice or uncertainty.

Lastly, cross-sector collaboration between policymakers, academics, and civil society is needed to build a legal culture in state administrative law that prioritizes substantive justice, legal certainty, and public utility. With these recommendations, it is hoped that the state administrative judicial system will provide fair protection for all ASNs while fortifying the foundation of modern and trustworthy bureaucratic governance in Indonesia.

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