



Implementation of the Principle of Legal Certainty in Implementation of the State Administrative Court Decision

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Abstract

The implementation of the State Administrative Court's decision is a crucial element in upholding the rule of law in the field of state administration. However, the practice often faces obstacles such as non-compliance of State Administrative officials and limitations of execution mechanisms. This study analyzes juridically the procedure for implementing the decision of the State Administrative Court based on Law Number 51 of 2009 concerning the State Administrative Court, focusing on obstacles and potential solutions. This study uses a normative approach with doctrinal analysis and case studies, the results of the study show that automatic execution and strengthening of administrative sanctions are necessary to ensure legal certainty. This study examines the implementation of the principle of legal certainty in the implementation of the decisions of the State Administrative Court in Indonesia. Although the State Administrative Court's decision has binding legal force, challenges in its implementation often erode legal certainty for justice seekers. This article analyzes the legal framework that governs the implementation of the State Administrative Court's rulings, identifies the factors that hinder the certainty of implementation, and offers juridical and institutional solutions to strengthen the implementation of the principle of legal certainty. Using normative legal research methods supported by empirical data from decisions and execution practices, this study argues that regulatory reformulation and strengthening external supervision are crucial to ensure legal certainty and effectiveness of the State Administrative Court.

Keywords: *Implementation of Decisions; State Administrative Court; Legal Certainty.*

INTRODUCTION

The State Administrative Court in Indonesia was born in response to the need for legal protection for citizens against the actions or decisions of state administrative officials that are considered unlawful. Since Law Number 5 of 1986 concerning the State Administrative Court, the State Administrative Court has developed into an important pillar in the Indonesian judicial system, under the auspices of the Supreme Court. However, the success of the State Administrative Court does not only lie in the formation of decisions, but also in its implementation. Article 116 of Law Number 51 of 2009 concerning the State Administrative Court states that the decision of the State Administrative Court which has legal force remains binding and must be implemented by the State Administrative Agency or official who is the defendant.

The State Administrative Court was established as a constitutional fortress for citizens in dealing with state administrative actions or decisions that are considered detrimental or unlawful. The presence of the State Administrative Court, as stipulated in Law Number 5 of 1986 which was later amended by Law Number 9 of 2004 and finally Law Number 51 of 2009 concerning the Second Amendment to Law Number 5 of 1986 concerning the State Administrative Court, affirms the principle of Indonesia as a state of law that upholds the

rule of law and human rights. The function of the State Administrative Court is not only limited to testing the legality of the decisions of state administrative officials, but also plays an important role in ensuring accountability and transparency in the administration of government. Through the judicial process, the State Administrative Court seeks to correct abuses of authority, arbitrariness, or unlawful actions by the state administration, so that a clean and authoritative government is realized.

The principle of legal certainty is one of the main pillars in the concept of the modern legal state. This principle requires clarity, consistency, and predictability in every legal norm and its application. For citizens, legal certainty means they can expect equal treatment before the law, know their rights and obligations, and have confidence that court decisions will be enforced. In the context of the State Administrative Court, the principle of legal certainty becomes very relevant at the stage of implementing the decision. A decision of the State Administrative Court that has permanent legal force (*inkracht van gewijsde*) should be the end of a dispute, providing certainty about the legal rights and obligations of the parties. However, the reality on the ground often shows that there is a gap between fair court decisions and their implementation that is delayed or even not implemented at all. This condition directly erodes the principle of legal certainty, causing a verdict that should be final and binding to be nothing more than a "paper tiger" without fangs.

The implementation of the decision of the State Administrative Court is based on the executory principle, namely the binding power of the decision which must be implemented forcefully if necessary. In the theory of administrative law, the execution of the decision of the State Administrative Court aims to realize the principles of legality and restorative justice, where the state as a State Administrative Actor is obliged to comply with court decisions to maintain the balance of power.¹ The doctrine of self-execution dominates, where State Administrative officials are directly responsible for the implementation of decisions without the intervention of a third party, as stipulated in Article 119 of the State Administrative Justice Law.

Comparatively, in common law countries such as the United Kingdom, the execution of judicial review decisions against the administration often involves judicial enforcement through contempt of court, while in Indonesia, the mechanism relies more on internal government supervision. Hans Kelsen's theory of legal certainty (*rechtszekerheid*) emphasizes that court decisions must be executed to avoid legal vacuums, which is relevant to the Indonesian context where regional autonomy often gives rise to execution conflicts.²

The procedure for implementing the decision of the State Administrative Court begins when the decision obtains permanent legal force (*inkracht*). Article 116 paragraph (1) of the State Administrative Court Law states that the State Administrative Agency or official is obliged to implement the decision within 14 working days from receipt of the copy. The main mechanism is voluntary execution, in which the defendant proactively complies with the

¹ Philipus M. Hadjon, "Perlindungan Hukum Bagi Rakyat Di Indonesia Sebuah Studi Tentang Prinsip-Prinsipnya, Penanganannya Oleh Pengadilan Dalam Lingkungan Peradilan Umum Dan Pembentukan Peradilan Administrasi Negara" (Bina Ilmu, 1987), <https://lib.ui.ac.id>. p. 72

² Ismail A Rumadan, "Problematisasi Eksekusi Putusan Pengadilan Tata Usaha Negara," *Jurnal Hukum Dan Peradilan* 1, no. 3 (2012): 435-62, <https://doi.org/10.25216/JHP.1.3.2012.435-462>.

verdict, such as annulling a State Administrative decision that is declared invalid or awarding damages.³

If it is not implemented, the plaintiff can apply for the execution of forced efforts to the Chief Justice of the State Administrative Court who decides the case. Article 120 of the State Administrative Court Law stipulates that the Chief Justice of the State Administrative Court can order forced execution, including through police assistance if necessary. For decisions that only cancel the State Administrative decision, automatic execution has been applied since Supreme Court Regulation Number 3 of 2019, where the decision is directly sent to the superiors of State Administration officials for implementation supervision.

Non-compliance with the decision of the State Administrative Court has a multidimensional impact. For citizens or legal entities as plaintiffs, the delay or rejection of the implementation of the judgment means a prolonged legal uncertainty, continuous material and immaterial losses, and the erosion of trust in the judicial system and the government. On the other hand, for State Administrative officials who do not comply with the ruling, this can damage the image of the institution they represent, create a bad precedent, and potentially trigger sanctions. Furthermore, systemically, this non-compliance can weaken the authority of the judiciary, disrupt the balance of power between the judiciary and the executive, and hinder efforts to realize a rule based on the law.

Statistical data from the Supreme Court or research reports sometimes show that the percentage of State Administrative Court decisions that are executed voluntarily by the defendant does not reach 100%. Although coercive efforts can be made, the procedure is often convoluted, time-consuming, and not always effective.⁴ This phenomenon indicates a fundamental problem in the mechanism for the execution of decisions of the State Administrative Court, which in turn questions the extent to which the principle of legal certainty is really implemented in the practice of administrative justice in Indonesia. Therefore, this research is relevant and urgent to analyze in depth how the principle of legal certainty is implemented in the implementation of the State Administrative Court's decisions, identify the root of the problems that hinder it, and formulate constructive solutions.

The implementation of the State Administrative Court's decision is often a weak point. There are many cases where State Administrative officials ignore the ruling, causing harm to the plaintiff and undermining public trust in the judiciary. According to Supreme Court data, of the thousands of State Administrative Court rulings issued each year, only about 60-70% are executed voluntarily, while the rest require complicated coercive efforts. This research aims to analyze the mechanism of implementing the State Administrative Court's decision, identify juridical and non-juridical obstacles, and formulate reformulation solutions to improve the effectiveness of execution.

METHODS OF THE RESEARCH

This research is doctrinally normative, which focuses on the analysis of legal materials and applicable norms using an analysis approach of laws and regulations, legal doctrines,

³ Dezonda Rosiana Pattipawae, "Pelaksanaan Eksekusi Putusan Pengadilan Tata Usaha Negara Di Era Otonomi," *SASI* 25, no. 1 (2019): 92, <https://doi.org/10.47268/SASI.V25I1.151>.

⁴ Mahkamah Agung RI, *Laporan Tahunan Peradilan Tata Usaha Negara* (Jakarta: Sekretariat MA, 2023), p. 45

and decisions of the State Administrative Court. Research sources include: 1) Primary sources: Law No. 5 of 1986 concerning the State Administrative Court, Law Number 30 of 2014 concerning Government Administration, and related PTUN decisions; 2) Secondary sources: Law textbooks, legal journals, scientific articles, and legal expert opinions; 3) Tertiary sources: Legal encyclopedias, legal dictionaries, and official legal publications. The analysis was carried out qualitatively by emphasizing legal interpretation and juridical analysis on the implementation of the principle of legal certainty in the decision of the State Administrative Court. The collection of legal materials is carried out through library research,⁵ which is by examining various legal documents, books, journals, and other written sources that are relevant to the research problem. The legal materials that have been collected will be analyzed qualitatively. The analysis technique used is Descriptive-Analytical, which is to systematically describe laws and regulations, legal theories, and relevant cases, then analyze their meaning and implications for the principle of legal certainty in the implementation of the State Administrative Court's decision. As well as Interpretive which interprets legal norms to find the meaning contained in them and their relevance to the problem being studied.

RESULTS AND DISCUSSION

The principle of legal certainty is one of the main principles in state administrative law. According to Satjipto Rahardjo, this principle requires order, consistency, and predictability in the application of the law.⁶ In the context of the implementation of the State Administrative Court's decision, the principle of legal certainty requires that court decisions are not only declaratory but can also be applied in real terms by the relevant parties. The principle of *legal certainty* requires that every court decision, especially the decision of the State Administrative Court, must be clear, predictable, and can be applied consistently. This is in accordance with Satjipto Rahardjo's opinion that legal certainty is the main pillar in the modern legal system, so that citizens and administrative officials know their rights and obligations firmly. In the context of the State Administrative Court, the implementation of the principle of legal certainty is reflected in: 1) Consistency of the decision: The decision of the State Administrative Court must be consistent with the applicable legal norms, including Law Number 5 of 1986 concerning the State Administrative Court and its implementing regulations; 2) Speed of implementation: Judgments that already have permanent legal force (*inkracht van gewijsde*) must be executed immediately to prevent losses to the litigants; 3) Openness and accessibility: Judgments should be accessible to relevant parties, the public, and legal oversight agencies to ensure transparency.

The principle of legal certainty is one of the main principles in state administrative law. According to Satjipto Rahardjo, this principle requires order, consistency, and predictability in the application of the law.⁷ In the context of the implementation of the State Administrative Court's decision, the principle of legal certainty requires that court decisions are not only declaratory but can also be applied in real terms by the relevant parties. Furthermore, Jeane Neltje & Indrawieny Panjiyoga mention that "the principle of legal certainty contains very important values ... that is, that the law must be clear,

⁵ Sudikno Mertokusumo, "Penemuan Hukum : Sebuah Pengantar," (Yogyakarta: Liberty, 2009), p. 45.

⁶ Satjipto Rahardjo, *Ilmu Hukum*, (Bandung: Citra Aditya Bakti, 2017), p. 112

⁷ *Ibid.*

understandable, and accessible to all citizens."⁸ In the context of state administrative law in Indonesia, the principle of legal certainty is also regulated in various laws, for example in Article 20 paragraph (1) of Law Number 32 of 2004 concerning Regional Government which states that the administration of government is guided by the general principles of state administration which consist of, among others, the "principle of legal certainty".

The principle of legal certainty (*rechtszekerheid*) is one of the fundamental pillars in the concept of the modern state of law (*rechtsstaat* or *rule of law*). Legal certainty is a principle that states that the law must be clear to its subjects so that they can adapt their actions to existing rules and so that the state is not arbitrary in exercising power.⁹ In the philosophy of law, this principle generally refers to the expectation that the law must be clear, unambiguous, accessible, predictive, and applied consistently. Gustav Radbruch, a prominent legal philosopher, placed legal certainty as one of the three fundamental values of law, alongside justice and utility. For him, legal certainty is an absolute requirement for the existence of the law itself, because without certainty, the law will lose its authority as a guideline for behavior.

In the context of Indonesian constitution, the principle of legal certainty is guaranteed by Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia which states that Indonesia is a state of law. The implication of this principle is that any state action, including administrative action, must be based on the law and provide certainty for citizens. This principle requires that laws not only exist in writing, but also be understandable, not change abruptly, and enforced expressly and consequentially. In more detail, legal certainty encompasses several dimensions: 1) Normative Certainty: Laws must be clearly formulated, not contradictory, and not give rise to multi-interpretation. Legal norms must be predictable so that citizens know what is prohibited, allowed, and ordered; 2) Procedural Certainty: The law enforcement process must be transparent, fair, and in accordance with established procedures. This includes the right to be heard, the right to a fair verdict, and the right to have a court decision executed; 3) Functional Certainty: The law must function as a tool to create order and justice in society. This means that the law must be effective in achieving its goals and providing concrete solutions to existing legal problems.

According to Jan M. Otto, the conditions in legal certainty show that legal certainty can be achieved, if the substance of the law is in accordance with the needs of the community.¹⁰ The relationship between the principle of legal certainty and the principle of justice and utility is often an interesting discourse. Ideally, these three principles go hand in hand. Definite laws must also be just and beneficial. However, in practice, there is often a dilemma where one principle must be sacrificed for the sake of another. In the context of the implementation of court decisions, legal certainty is often seen as a top priority. A court decision, even if its justice aspect may be disputed by one of the parties, must still be implemented to maintain the authority of the law and the court, which will ultimately provide certainty for all parties. If the final decision cannot be implemented, then the main purpose of the establishment of the court to provide legal certainty will fail to be achieved.

⁸ Jeane Neltje & Indrawieny Panjiyoga, *Asas-Asas Hukum Administrasi*, (Jakarta: Rajawali Press, 2020), p. 78.

⁹ Mark Fenwick dan Stefan Wrba, (ed.), *The Shifting Meaning of Legal Certainty* (Singapore: Springer, 2016), p. 6.

¹⁰ Jan Michiel Otto, "Rule of Law Promotion, Land Tenure and Poverty Alleviation: Questioning the Assumptions of Hernando de Soto," *Hague Journal of Rule of Law* 1, no. 1 (2009): 173–95.

The urgency of the existence of administrative justice in realizing the state of law has encouraged the government to establish a legal system in the field of administrative justice, namely through the establishment of Law Number 5 of 1986 concerning the State Administrative Court, which became the basis for the establishment of the State Administrative Court in Indonesia.¹¹ The state administrative court system in Indonesia is regulated by Law Number 5 of 1986 concerning the State Administrative Court and its amendments through Law Number 51 of 2009. According to the law, a state administrative decision is a written determination by a state administrative body or official that is concrete, individual and final, which causes legal consequences for a person or civil legal entity. The function of the State Administrative Court is to test the legality of state administrative decisions when a person or legal entity feels aggrieved by the decision, as well as providing legal protection through cancellation or recognition of rights. Furthermore, in practice, the prospect of the decision of the State Administrative Court does not only stop at the verdict but must be implemented by the party concerned so that the decision has a real effect on the legal life and administration of the state.

The State Administrative Court is one of the judicial environments under the Supreme Court, equivalent to the general court, religious court, and military court. Its presence is a manifestation of the principle of the rule of law which requires a judicial supervision mechanism for government administrative actions. The history of the State Administrative Court in Indonesia began with the promulgation of Law Number 5 of 1986, which was later refined through amendments in 2004 and 2009. The establishment of the State Administrative Court was motivated by the need to provide legal protection to the people from arbitrary or unlawful actions carried out by state administrative officials. Prior to the existence of the State Administrative Court, disputes between citizens and the government were often resolved through less specific general judicial channels or through non-judicial channels that did not always provide legal certainty.

The main function of the State Administrative Court in the state of law is as a guardian of the principle of legality and a protector of the rights of citizens. The principle of legality requires that every state administrative action must be based on the applicable laws and regulations. The function of the State Administrative Court is to test whether a State Administrative Decision is in accordance with the procedures and substance of the law. If the State Administrative Decree is considered to be legally defective, then the State Administrative Court is authorized to cancel or declare it invalid. Thus, the State Administrative Court acts as a filter or "brake" on executive power so that it does not exceed the limits of the law. In addition, the State Administrative Court also functions to protect the fundamental rights of citizens who may be violated due to the State Administrative Decree. Citizens have the right to file a lawsuit if they feel aggrieved by the State Administrative Decree. This includes the right to fair treatment, the right to good public services, and the right to a non-discriminatory decision. Through the process of the State Administrative Court, citizens are given the opportunity to seek justice and restore their deprived rights. The implementation of court decisions, or often called execution, is a crucial stage in a series of judicial processes that aim to realize justice and legal certainty. Without execution, the court's decision, however perfect, will be meaningless and useless. The Indonesian legal

¹¹ 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>.

system recognizes various execution mechanisms that are tailored to the judicial environment and the type of judgment.

The implementation of the decision of the State Administrative Court is the stage where the decision that has permanent legal force (*inkracht van gewijsde*) must be implemented by the state administrative agency or official who is the defendant. According to the official website of the Bandung State Administrative Court, in the examination of the case, it was stated that for the decision granting the lawsuit, the obligation that must be carried out by the State Administrative Agency/official that issued the state administrative decision can be determined in the decision.

Delayed or not implemented at all will create legal uncertainty for the litigant and reduce the legitimacy of the decision as a tool of law enforcement. This condition makes it difficult to fulfill the principle of legal certainty in practice. Arrangements regarding the implementation of the decision of the State Administrative Court. The State Administrative Court is specifically contained in Articles 115 to 122 of Law Number 51 of 2009 concerning the Second Amendment to Law Number 5 of 1986 concerning the State Administrative Court. These provisions form the basic legal framework for the implementation of the decisions of the State Administrative Court which have acquired permanent legal force (*inkracht van gewijsde*).

Article 116 of the State Administrative Justice Law is a key article that underlines the obligation of the State Administrative Agency or Officer who is the defendant to implement the decision. Paragraph (1) emphasizes that the Court's decision that has acquired legal force must be implemented by the relevant State Administrative Agency or Officer within a maximum of 14 (fourteen) working days after the receipt of the court decision. This "mandatory enforcement" provision shows the imperative nature of the court decision and reflects the principle of legal certainty. The phrase "no later than 14 business days" also provides a clear time limit, aiming to prevent unnecessary delays.¹²

Furthermore, Article 116 paragraph (3) introduces potential sanctions if the State Administrative Agency or Official does not implement the decision. The sanctions can be in the form of forced payment and/or administrative sanctions, the amount of which is determined by the Court. The regulation of these sanctions is a legal remedy to give coercive force to the verdict, although in practice, the effectiveness of these sanctions is still a matter of debate due to its infrequent and sometimes less firm implementation. Article 119 of the State Administrative Justice Law regulates the mechanism for applying for execution by the winning party (plaintiff) if the defendant does not carry out the judgment voluntarily. Paragraph (1) states that in the event that the defendant is not willing to implement the Court's decision that has obtained permanent legal force, the plaintiff may apply to the Chief Justice for the Court to order the defendant to implement the decision. Paragraph (2) provides a basis for the Chief Justice to summon the defendant to provide an explanation of the reason for the non-implementation of the judgment. This summoning process aims to find a persuasive solution before further forced efforts are taken.

Article 120 of the State Administrative Court Law explains more about the coercive efforts that can be carried out by the Chief Justice. Paragraph (1) emphasizes that if after being

¹² Fiqral Jamaludin Hafizh, "Analisis Pasal 116 Undang-Undang Nomor 51 Tahun 2009 Tentang Perubahan Kedua Atas Undang-Undang Nomor 5 Tahun 1986 Tentang Peradilan Tata Usaha Negara Dalam Perspektif Siyasaq Qadhaiyyah," March 21, 2022.

summoned and given a warning, the defendant still does not carry out the Court's decision, the Chief Justice may order the defendant's superior to order the defendant to take the action required by the court's decision. If the defendant's superiors are also unwilling, the Chief Justice can order the leaders of other institutions, such as public justice institutions, to implement the decision. Paragraph (2) even opens up the possibility of asking for police assistance to implement the decision. This provision shows a hierarchy of coercive efforts, starting from persuasive reprimands to the involvement of external institutions that have coercive power. Article 121 of the State Administrative Justice Law explicitly regulates criminal sanctions against TUN officials who deliberately do not implement court decisions. Paragraph (1) states that officials who do not implement the court decision can be subject to imprisonment for a maximum of 6 (six) months or a maximum fine of Rp 1,000,000.00 (one million rupiah). These criminal sanctions, although relatively light, indicate serious legal consequences for non-compliance. However, like administrative sanctions, the application of criminal sanctions is also rare in the field.

An analysis of these articles shows that the State Administrative Justice Law has sought to ensure legal certainty through the obligation to implement decisions, clear deadlines, and mechanisms of coercive and sanction measures. However, some phrases such as "may be imposed" in Article 116 paragraph (3) and Article 121, indicate the facultative nature of the imposition of sanctions, which can be a loophole for indecisiveness in law enforcement. This requires further study to identify the extent to which these provisions can effectively encourage compliance. The Supreme Court as the peak of judicial power in Indonesia has a central role in ensuring uniformity in the application of the law and the effectiveness of the judiciary, including in the implementation of the decisions of the State Administrative Court. This role is not only realized through cassation or review decisions, but also through the issuance of regulations and guidelines that regulate the procedures for implementing decisions of the State Administrative Court.

One of the important regulations issued by the Supreme Court is the Supreme Court Regulation on the procedures for implementing the decisions of the State Administrative Court. Although there is no single Supreme Court Rule that exclusively governs the comprehensively execution of State Administrative Courts, several Supreme Court Regulations and Supreme Court Circulars have significant implications for this mechanism. For example, Supreme Court Regulation Number 3 of 2019 concerning Electronic Administration of Cases and Trials in Court introduces the concept of "automatic execution" for certain State Administrative Court decisions. Article 20 of the Supreme Court Regulation states that the decision of the state administrative court which expressly states "cancel" or "obliges to revoke" a certain state administrative decision that has permanent legal force, is automatically implemented by the defendant or the defendant's superior after the decision is notified to him. This concept of automatic execution is a step forward to speed up the implementation of judgments and reduce dependence on execution applications by plaintiffs, while strengthening the principle of legal certainty. Thus, the judgment can be executed immediately without waiting for an application or request from the plaintiff, thus minimizing the potential for delay. In addition, the Supreme Court also often issues Supreme Court Circular Letters which function as internal guidelines for judges and judicial ranks in dealing with various procedural issues, including in handling applications for the execution of State Administrative Court decisions. This Supreme Court Circular Letter can provide direction on the interpretation of the provisions of the law, the steps that must be taken by

the Chief Justice, and the coordination mechanism between institutions. Although the Supreme Court Circular Letter does not have the legal force of a law or Supreme Court Regulation, its existence is very important in maintaining the consistency of judicial practice throughout Indonesia.

A comparison of the principles of execution of the State Administrative Court with other courts shows several significant differences. In civil, executions are often coercive and involve confiscation or vanishment by the bailiff on a court order. In criminal cases, the execution is carried out directly by the prosecutor. However, in the State Administrative Court, the initial mechanism emphasizes more on "voluntary execution" or *self-execution* by the defendant's State Administrative officials. This is due to the nature of the object of the dispute related to administrative discretion and authority. The Court cannot directly issue a State Administrative Decree or annul a State Administrative Decree, but rather order the authorized official to do so. This shows that there are fundamental differences in the execution approach that reflect the unique characteristics of administrative law. However, if voluntary executions do not occur, the State Administrative Court has a mechanism of "coercive efforts" to ensure that the verdict is still implemented.

The relationship between the principle of legal certainty and the implementation of the decision of the State Administrative Court is a very close and causal relationship.¹³ The effective implementation of the State Administrative Court's decision is a concrete manifestation of the principle of legal certainty, while failure in its implementation directly erodes the principle. When associated with the implementation of the State Administrative Court's decision, the principle of legal certainty requires that decisions that already have legal force remain accessible and known by related parties and the wider community. The agency or official who is the defendant carries out the verdict in a timely manner and in accordance with applicable legal norms. There is no change in conditions that substantially impair the effectiveness of the judgment once it has permanent legal force. Thus, if the implementation of the decision of the State Administrative Court goes well in accordance with the principle of legal certainty, effective legal protection will be created for citizens, minimizing the risk of arbitrary administrative actions, and increasing public trust in the state administrative justice system.

CONCLUSION

The implementation of the principle of legal certainty in the implementation of the decisions of the State Administrative Court in Indonesia is an essential prerequisite for the realization of a just state of law. The principle of legal certainty requires that court decisions that have legal force must still be implemented consistently, clearly, and predictably. An analysis of the existing legal framework, especially Law Number 51 of 2009 concerning the State Administrative Court, shows that efforts to ensure certainty of implementation have existed through *self-execution* mechanisms, coercive efforts, and sanctions. The implementation of the principle of legal certainty in the implementation of the State Administrative Court's decision is an absolute requirement for court decisions to have a real effect and provide effective legal protection. Although it has been regulated normatively,

¹³ Samudra Putra Indratanto, Nurainun Nurainun, and Kristoforus Laga Kleden, "Asas Kepastian Hukum Dalam Implementasi Putusan Mahkamah Konstitusi Berbentuk Peraturan Lembaga Negara Dan Peraturan Pemerintah Pengganti Undang-Undang," *DiH: Jurnal Ilmu Hukum* 16, no. 1 (2020): 88–100, <https://doi.org/10.30996/DIH.V16I1.2729>.

practice in the field shows administrative and compliance constraints. Therefore, it is necessary to reform procedures and strengthen supervision so that the principle of legal certainty can be carried out optimally. However, this arrangement still has loopholes that cause its effectiveness to be not optimal.

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