



THE ROLE OF PUBLIC POLICY IN STRENGTHENING THE ENFORCEMENT OF ADMINISTRATIVE LAW IN INDONESIA

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Abstract: Administrative law is a fundamental instrument in realizing a transparent, accountable, and equitable government. However, its implementation in Indonesia still faces various challenges, including jurisdictional conflicts between judicial bodies, the lack of public legal awareness, limited human resources, and suboptimal technological infrastructure. This study aims to analyze the role of public policy in strengthening the enforcement of administrative law through regulatory reform, the digitalization of the judicial system, and the enhancement of public participation. The research method used is a normative legal approach, analyzing legislation, legal doctrines, and national and international scholarly literature. The findings show that public policy plays a central role in supporting the transformation of the administrative legal system. Judicial digitalization through the e-Court system has proven to expedite case handling processes and enhance public access to justice, particularly in remote areas. Strengthened public participation through Law No. 25 of 2009 and Law No. 14 of 2008 also contributes to reinforcing oversight over state administrative practices. However, the effectiveness of these policies is still limited by implementation challenges, which require further policy strategies such as regulatory harmonization, public legal education, and investment in infrastructure and human resources.

Keywords: *Administrative Law; Digitalization; Public Policy; Public Participation*

I. INTRODUCTION

Administrative law serves as a fundamental pillar in ensuring accountable and equitable governance in Indonesia. It regulates the relationship between the government and its citizens, ensuring that administrative actions such as the issuance of licenses, decisions, or public policies comply with legal principles and

justice.¹ The State Administrative Court plays a central role in resolving administrative disputes, providing legal protection for citizens against unlawful actions by the government.² However, the enforcement of administrative law in Indonesia still faces numerous challenges, including corruption, abuse of power, and limited institutional capacity, all of which hinder the effectiveness of the legal system.

Recent studies show that public policy plays a crucial role in reinforcing administrative law enforcement. The implementation of Law No. 30 of 2014 on Government Administration has expanded PTUN's jurisdiction, enabling judicial oversight over factual acts of government, such as the misuse of discretion.³ This legislation highlights the potential of progressive public policies to enhance government accountability, although obstacles such as the lack of regulatory harmonization remain. Syaprihah found that sectoral policies such as Law No. 32 of 2009 on Environmental Protection and Management have strengthened PTUN's authority in environmental issues, although limitations in human resources and technological infrastructure pose significant constraints. Lumbanraja further developed the concept of E-Floating Execution, an innovation in electronic execution within administrative courts aimed at automating and expediting the implementation of court decisions. This concept involves the use of digital technology to streamline execution procedures, thereby accelerating decision enforcement and reducing obstacles that delay justice. However, the success of digitalization depends heavily on technological infrastructure readiness, human resource training, and adaptive regulatory support.⁴

Effective implementation of public policy requires synergy among government institutions and active public participation. Public involvement not only strengthens the legitimacy of government actions but also ensures that adopted policies align with the needs and aspirations of society. This participation may take various forms, such as public consultations, participatory lawmaking, and complaint or suggestion

¹ Bebi Annisa, et al., 2025. *Kajian Kritis Atas Peran Hukum Administrasi Negara dalam Penegakan Keputusan Administratif*. IJOLARES: Indonesian Journal of Law Research 3, no. 1, p. 18.

² Bertha Maulidina, Silvia Ratna Anzani, and Vianna Novita Kristya, 2023. *Peran Peradilan Tata Usaha Negara dalam Penegakan Hukum Administrasi Negara Berbasis Prinsip Good Governance*. YUSTISI 10, no.1, p. 196.

³ Tedi Sudrajat and Endra Wijaya, 2021. *Perlindungan Hukum Terhadap Tindakan Pemerintahan*. Jakarta: Bumi Aksara.

⁴ Brata Yoga Lumbanraja, 2024. *E-Floating Execution: Inovasi Eksekusi Elektronik Pengadilan Tata Usaha Negara dalam Pembangunan Hukum Progresif*. Jurnal Hukum Progresif 12, no. 2, p. 109.

mechanisms. Arnstein noted that effective public participation can enhance the implementation of information technology in public administration such as e-government which improves transparency and service efficiency. According to Nugroho, e-government reduces bureaucratic complexity and accelerates service delivery, thus improving public satisfaction with government services.⁵ Nevertheless, challenges in implementing administrative law persist. These include the lack of technological infrastructure in certain regions, low digital literacy among the public and judicial officers, and the need for regulatory harmonization to support an electronic judicial system. Consequently, comprehensive and inclusive public policy is essential to ensure the effectiveness and sustainability of digital transformation in administrative law enforcement.

Accordingly, the role of public policy in strengthening administrative law enforcement in Indonesia is vital. Through regulatory reform, the digitalization of judicial processes, and citizen involvement in oversight, public policy can promote a more transparent, accountable, and participatory administrative system. The existence of Law No. 30 of 2014, the e-Court system, and participatory regulations has provided a strong legal foundation for supervising administrative actions that deviate from principles of justice and legal certainty. However, effective implementation continues to face significant challenges, including human resource shortages in PTUN, inadequate technological infrastructure, and low levels of legal and digital literacy among the public. Therefore, strategic measures are necessary such as harmonizing regulations, enhancing training for judicial personnel and citizens, and strengthening institutions like the Ombudsman and PTUN, which serve as the front line of public administrative oversight. By reinforcing the synergy between the government, judiciary, and society through comprehensive and inclusive public policy, Indonesia's administrative law system can evolve to be more responsive to social and technological dynamics and guarantee citizens' rights in their interactions with governmental authorities. Robust enforcement of administrative law is a prerequisite for the establishment of democratic and equitable governance.

Based on these findings, public policy holds great potential to address challenges in the enforcement of administrative law through regulatory reform, institutional capacity-building, and digital transformation. However, the effectiveness of these

⁵ Asma Latifa, Aldri Frinaldi, and Roberia, 2024. *Penerapan Hukum Administrasi Negara dalam Membangun Pemerintahan yang Baik*. Polyscopia 1, no. 3, p. 122.

policies depends on consistent implementation and strong inter-agency coordination. This study aims to analyze the role of public policy in strengthening administrative law enforcement in Indonesia, with a focus on the contributions of PTUN and supporting policies over the past five years. In doing so, it seeks to provide strategic recommendations for enhancing transparent, accountable, and equitable governance.

II. RESEARCH METHODS

This research is classified as normative or doctrinal legal research, which aims to analyze existing legal norms, principles, and doctrines to address specific legal issues. The research employs a statute approach and a conceptual approach. The statute approach involves examining relevant legislation, such as Law No. 30 of 2014 on Government Administration and Law No. 5 of 1986 on the State Administrative Court. The conceptual approach is employed to explore legal concepts related to public policy and the enforcement of administrative law. The legal materials reviewed consist of statutory regulations, legal literature, and scholarly journal articles.

Data collection was conducted through library research, which involved reviewing legal documents, academic literature, and other sources relevant to the research topic. The legal materials were analyzed qualitatively using deductive reasoning, drawing conclusions from general legal principles to specific cases. The analysis focused on examining the consistency and harmonization of existing laws and regulations, as well as interpreting legal concepts that are essential for addressing the legal issues raised in this study.

III. ANALYSIS AND DISCUSSION

a. The Role of Public Policy in Strengthening Administrative Law in Indonesia

Public policy in the form of regulations has become a fundamental pillar in strengthening the enforcement of administrative law in Indonesia. One of the key legal instruments is Law No. 30 of 2014 on Government Administration, which expands the jurisdiction of the State Administrative Court. This law not only regulates written administrative decisions but also includes factual actions by government officials, such as abuse of discretion and the revocation of licenses

without due legal process. In particular, Article 87 of the law serves as a crucial legal basis for protecting citizens from arbitrary government actions.⁶

Sectoral policies have also contributed to expanding the scope of cases that can be adjudicated by PTUN. For instance, Law No. 32 of 2009 on Environmental Protection and Management and Law No. 2 of 2012 on Land Acquisition authorize PTUN to handle disputes that were previously beyond its jurisdiction. Sihombing notes that Law No. 32 of 2009 enables PTUN to adjudicate environmental permit disputes, such as cases involving industrial river pollution.⁷ This represents a significant advancement in safeguarding community rights against the adverse effects of governmental actions and policies. Empirical evidence from a 2022 PTUN Jakarta ruling confirms that such regulations have strengthened the legal standing of communities in facing harmful administrative actions. However, the implementation of these policies continues to encounter challenges. The Supreme Court's 2023 report revealed that many PTUN branches across Indonesia still lack judges with specialized expertise in environmental law. This shortfall highlights the need for supporting policies, such as targeted judicial training and institutional capacity building.

Public policy not only broadens jurisdiction and enhances legal protection but also establishes a framework for transparent and accountable public administration.⁸ For example, Law No. 30 of 2014 provides clear guidelines for administrative officials to carry out their duties in accordance with legal and administrative principles. With the presence of standard operational procedures, the law promotes the principles of good governance, including transparency and accountability in governmental operations. On another front, digitalization policies, such as those stipulated in Supreme Court Regulation No. 1 of 2019 on Electronic Procedures, play a vital role in modernizing the administrative legal system. Systems such as e-Court have proven to expedite case registration and improve public access to justice, particularly in remote areas. Reports from the National Law Development Agency

⁶ Bambang Arwanto, 2016. *Perlindungan Hukum Bagi Rakyat Akibat Tindakan Faktual Pemerintah*. Yuridika 31, no. 3, p. 358.

⁷ Agung Kurniawan Sihombing, 2020. *Penegakan Hukum Terhadap Pencemaran Lingkungan di Sungai Cikijing, Jawa Barat Akibat Aktivitas Industri Tekstil PT. Kahatex*. Jurnal Hukum Lingkungan Indonesia 7, no. 1, p. 98.

⁸ Ridwan Syaidi Tarigan, 2024. *Reformasi Hukum Tata Negara: Menuju Keadilan dan Keseimbangan*. Jakarta: Bumi Aksara.

(2023), indicate that challenges remain, including low levels of digital literacy among citizens and limited technological infrastructure in PTUN institutions.

Public policy also facilitates administrative oversight through the establishment of institutions such as the Indonesian Ombudsman, which provides a platform for the public to report instances of maladministration.⁹ Furthermore, public participation in the formulation and evaluation of policies plays a vital role in enhancing the legitimacy and effectiveness of administrative law.¹⁰ Therefore, public policy holds a strategic role in developing a stronger, fairer, more transparent, and responsive system of administrative law that addresses the needs of society.

b. Public Participation and the Strengthening of Oversight Mechanisms in Administrative Law

An inclusive public policy does not merely aim to create responsive regulations but also plays a crucial role in promoting public participation and enhancing oversight mechanisms over governmental administrative actions. Public participation in state administrative processes is a key element of good governance principles, as it ensures that policies reflect the needs, aspirations, and values of society.

Law No. 25 of 2009 on Public Services and the establishment of the Indonesian Ombudsman are concrete examples of public policies that create participatory space for society in monitoring the performance of state apparatus. Citizens are granted the right to file complaints regarding acts of maladministration, such as abuse of power, discrimination, or non-transparent services.¹¹ These policies strengthen the role of the public as active watchdogs in the implementation of administrative law. Additionally, Law No. 14 of 2008 on Public Information Disclosure (KIP) provides a legal foundation for the public to access administrative information managed by the government. The availability of such information is a fundamental prerequisite for effective public oversight, as it enables citizens to assess whether a policy or

⁹ Irfan Setiawan and Ayu Widowati Johannes, 2024. *Pengawasan Pemerintahan dalam Ulasan Teori dan Praktek*. Bandung: CV. Rtujuh Media Printing

¹⁰ Nedia Martha Resmadiktia, Yusuf Utomo, and Laode Aiman, 2023. *Pertanggungjawaban Pemerintah dalam Mewujudkan Good Governance Sesuai Hukum Administrasi Negara*. Jurnal Ilmiah Wahana Pendidikan 9, no. 11, p. 985.

¹¹ Reza Tri Wahyuni, Shinta Amelia, and Tukiman, 2020. *Peran Ombudsman RI dalam Pencegahan Maladministrasi Pelayanan Publik di Indonesia*. Jurnal Sosial Ekonomi dan Politik 1, no. 1, p. 17.

administrative action has been implemented in accordance with the principles of accountability and transparency.

According to Chairunnisa, public information disclosure enhances legal awareness among citizens and encourages active participation in public policy oversight.¹² This contributes to the increased legitimacy and effectiveness of administrative law. The public is no longer a mere object of policy but becomes a subject that exercises social control over government administrative processes. However, the implementation of participatory policies still faces various challenges. In certain regions, public access to information remains limited due to infrastructural constraints, bureaucratic opacity, and low levels of legal literacy among citizens.¹³ Furthermore, complaint mechanisms such as the Ombudsman have not been fully optimized by the public due to a lack of understanding of complaint procedures and limited dissemination of relevant policies.

Therefore, to ensure that public policies truly strengthen administrative law through participation and oversight, the government must empower citizens through legal education, improved access to information, and simplified complaint mechanisms. In addition, the institutional capacity of oversight bodies such as the Ombudsman must also be strengthened, both in terms of human resources and budget, to effectively respond to public reports. With robust public participation and effective administrative oversight mechanisms, administrative law will become more responsive, just, and oriented toward the public interest. This serves as a crucial prerequisite for building a democratic, transparent, and equitable system of governance.

c. Judicial Digitalization as a Public Policy Strategy in Strengthening Administrative Law

Adaptive public policy plays a crucial role in ensuring that administrative law remains responsive to technological developments and global challenges. One manifestation of such adaptive policy is the implementation of e-Government, which directly promotes the digitalization of public services, including within the

¹² Lathifah Chairunnisa, Fikri Habibi, and Rethorika Berthanila, 2023. *Analisis Penerapan Kebijakan Keterbukaan Informasi Publik oleh Pejabat Pengelola Informasi dan Dokumentasi di Kota Serang*. Jurnal Ilmu Administrasi Negara (AsIAN) 11, no. 2, p. 31.

¹³ E Fahroji, 2024. *Transparansi dan Akuntabel dalam Mengelola Sumber Daya Publik Tantangan dan Upaya dalam Mengelola Sumber Daya Publik untuk Menuju Pemerintahan yang Transparan dan Akuntabel*. Actual 14, no. 1, p. 21.

administrative judicial system.¹⁴ This digital transformation necessitates adjustments in administrative law to regulate emerging aspects such as data security, service accessibility, and accountability mechanisms.¹⁵ In the context of the state administrative court, digitalization has been realized through Supreme Court Regulation No. 1 of 2019 on Electronic Procedures, which serves as the legal basis for the implementation of the e-Court system. This policy innovation enables the filing of lawsuits, payment of court fees, and trial summons to be conducted online, thereby significantly reducing time-consuming administrative procedures.¹⁶

Research by Nullah & Hidayat indicates that the e-Court system has positively impacted case resolution efficiency. For instance, the Mataram Administrative Court recorded a decrease in the average time for lawsuit registration shorter and more efficient.¹⁷ This aligns with the 2023 Annual Report of the Supreme Court, which noted a 25% increase in the number of electronically filed lawsuits during the 2020–2023 period. These findings affirm that digitalization not only accelerates legal proceedings but also expands access to justice, especially for communities in remote areas previously constrained by geographical barriers.

Nonetheless, the implementation of digitalization policies continues to face several critical challenges. Jumadi & Sarah highlight that low digital literacy among the public and judicial officials remains a primary obstacle.¹⁸ This condition underscores the need for additional support in the form of infrastructure investment, training for judges and court officials, and digital literacy campaigns targeting the public. Without these supporting measures, the digital transformation of the administrative legal system risks becoming uneven and unsustainable. Therefore, judicial digitalization constitutes a strategic public policy approach to strengthening the enforcement of administrative law. However, to achieve its full

¹⁴ Rila Kusumaningsih, 2025. *Penguatan Kapasitas PTUN dalam Menjalankan Fungsi Pemerintahan Melalui Electronic Government (E-Government) Sebagai Perwujudan Asas-Asas Umum Pemerintahan yang Baik*. Jurnal Ilmu Sosial dan Humaniora 3, no. 3, p. 385.

¹⁵ Humairah Almahdali, et al., 2024. *Reformasi Birokrasi dalam Administrasi Publik: Tantangan dan Peluang di Era Digital*. Sumatera Barat: Yayasan Tri Edukasi Ilmiah.

¹⁶ Jeklin Patresia Ansek, et al., 2024. *Implementasi E-Court Sebagai Wujud Pelayanan Pengadilan yang Sederhana, Cepat dan Biaya Ringan*. Animha Law Journal 1, no. 1, p. 1.

¹⁷ Ihwa Nullah and Rahmat Hidayat, 2023. *Efektivitas Pelayanan Pendaftaran Perkara Melalui E-Court di Pengadilan Tata Usaha Negara Mataram*. Jurnal Ilmiah Ilmu Administrasi 13, no. 2, p. 94.

¹⁸ Jumadi & Sarah, 2025. *Transformasi Digital Sistem E-Court dalam Modernisasi Persidangan Kasus Hukum Pidana, Perdata, dan Hukum Islam di Indonesia*. Jurnal Ilmu Hukum, Humaniora dan Politik 5, no. 3, p. 1986-2003.

impact, a comprehensive and inclusive approach is required to ensure that digitalization is not merely a symbol of technological advancement, but a truly effective tool for guaranteeing equitable and high-quality access to justice.

IV. CONCLUSION

Public policy plays a strategic role in strengthening the enforcement of administrative law in Indonesia. Through regulatory reforms, the digitalization of judicial processes, and public involvement in oversight, public policy is able to create a more transparent, accountable, and participatory state administration system. The existence of Law No. 30 of 2014, the e-Court system, and participatory regulations have provided a strong legal foundation for efforts to oversee administrative actions that deviate from the principles of justice and legal certainty. However, the effectiveness of the implementation of these policies still faces significant challenges, such as limited human resources within the Administrative Court, insufficient technological infrastructure, and low levels of legal and digital literacy among the public. Therefore, strategic steps are needed, including the harmonization of regulations, enhanced training for judicial officials and the public, and the strengthening of institutions such as the Ombudsman and PTUN as the front line in public administration oversight.

By reinforcing the synergy between the government, judicial institutions, and the public through comprehensive and inclusive public policies, it is hoped that the administrative legal system can evolve to become more responsive to social and technological dynamics, while ensuring citizens' rights in their interactions with government actions. Strong enforcement of administrative law is a fundamental prerequisite for the establishment of democratic and equitable governance.

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