



Creating Substantive Justice in State Administrative Courts In Indonesia: A Theoretical, Philosophical, and Human Rights Review

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Abstract

Substantive justice in Administrative Court (PTUN) can be achieved through theoretical, philosophical, and human rights (HAM) approaches that ensure access to fair and equal justice, so that decisions made are not only procedurally valid but also reflect genuine justice for society. The objective of this research is to analyze how substantive justice can be realized in the practice of Administrative Court (PTUN) through theoretical, philosophical, and human rights approaches, as well as to explore the role of human rights in ensuring the achievement of substantive justice in administrative court proceedings. This research employs normative legal methods with legislative, philosophical, and human rights approaches, using literature study techniques and descriptive analysis of legislation, court decisions, and legal literature. The findings reveal that substantive justice in Administrative Court (PTUN) can be realized through the integration of theoretical, philosophical, and human rights (HAM) approaches to ensure justice transcends formal procedures and reflects true justice values. The theoretical approach encompasses natural law principles and distributive justice theory to balance individual rights and governmental authority, while the philosophical perspective adopts John Rawls' "justice as fairness" concept and Pancasila values emphasizing the balance of rights and obligations. The human rights approach ensures protection against arbitrary administrative actions, equal access to justice, and the right to a fair trial. However, the implementation of substantive justice in PTUN still faces challenges, such as the dominance of formalistic legal positivism, the limited understanding of judges regarding substantive justice principles, and unequal access to legal assistance for the underprivileged.

Keywords: Administrative Court, Human Rights, Substantive Justice.

A. INTRODUCTION

Substantive justice is an important element in the modern legal system that aims not only to enforce rules procedurally but also to ensure that the substance of justice is felt by those seeking justice. In the context of the state administrative court (PTUN) in Indonesia, the issue of substantive justice becomes increasingly relevant because PTUN plays a strategic role as a judge in administrative disputes between individuals or community groups and government officials (Prasetianingsih, 2020). This function requires the judiciary to not only adhere to the formal aspects of the procedure, but also to consider whether the final result reflects a true sense of justice for all parties involved. Basically, the PTUN in Indonesia was born as part of an effort to realize a clean, transparent, and responsible government. As a court that specializes in administrative disputes, the PTUN is tasked with ensuring that every action or decision by government officials is carried out in accordance with applicable laws and regulations. However, in practice, the focus on formal legality often ignores the substantial aspects of justice (Effendi, 2018). A decision that is procedurally correct does not always mean that it is fair to the injured party, especially if the interests of the public or certain individuals are not adequately considered.

This issue becomes more complex when we consider the dynamics of modern society that is increasingly critical of government actions. In recent decades, Indonesian society has shown increasing legal awareness and courage to demand their rights through legal channels, including at the PTUN. However, public expectations for justice are often not met when court decisions focus more on the formal legal

aspects than the essence of justice itself (Arifin, 2020). This creates disappointment that can damage public trust in the judicial institution and the legal system as a whole.

From a theoretical perspective, substantive justice has strong roots in various traditions of legal thought. One of them is natural law theory, which emphasizes the importance of universal principles such as truth, justice, and morality in every legal action. This theory is in contrast to the legal positivism approach which tends to separate law from morality, with the main focus on compliance with established rules (De Micco & Scendon, 2024). In the context of the PTUN, the dominance of legal positivism often results in decisions that only examine compliance with administrative procedures without delving deeper into whether the results are fair to the disputing parties. On the other hand, the substantive justice approach can also be associated with the theory of distributive justice, which emphasizes the importance of fair distribution of resources, rights, and responsibilities in society. In administrative disputes, for example, there is often an imbalance between the community party that sues and the government party as the defendant. This imbalance can include differences in access to legal resources, technical knowledge, or even bargaining power in court (Mentovich et al., 2023). In such situations, the court not only acts as a neutral arbiter but also as a balancer that ensures that the weaker party is not disproportionately disadvantaged.

In addition to the theoretical dimension, substantive justice also has a strong philosophical basis. In the philosophy of law, justice is often seen as the ultimate goal of the law itself. Philosophers such as John Rawls, for example, put forward the concept of "justice as fairness" which emphasizes the importance of ensuring justice for all individuals, especially those in disadvantaged positions (Coughlin, 2008). In the context of the PTUN, this principle can be interpreted as an effort to ensure that every

decision is not only legally valid but also morally and socially just. The philosophy of justice is also closely related to the principles of human rights (HAM). Indonesia, as a country that has ratified various international human rights instruments, has an obligation to ensure that human rights principles are applied in all aspects of life, including in the justice system. In the context of the PTUN, this means that every individual or group filing a lawsuit must have fair and equal access to the judicial process. The right to a fair trial must be guaranteed, including the right to be heard fairly, the right to obtain legal assistance, and the right to receive a decision that reflects substantive justice (Ramadani et al., 2023).

However, the reality on the ground shows that the implementation of human rights principles in the PTUN still faces various challenges. One of them is the lack of understanding of judges regarding the principles of substantive justice and human rights. In many cases, judges tend to focus more on technical and procedural aspects than on the substance of justice. In addition, the justice system in Indonesia still faces various structural obstacles, such as the lack of public access to legal aid and pressure from certain parties that can affect the independence of the courts (Junaedi, 2014). Another challenge that is no less important is the complexity of cases submitted to the PTUN. Administrative disputes often involve highly technical and specific issues, such as licensing, natural resource management, or certain public policies. In this context, judges are faced with the difficult task of evaluating the substance of justice in cases that may involve complex economic, social, or environmental considerations (Al'anam et al., 2024).

This requires a deeper understanding of the various dimensions of substantive justice, including how these principles can be applied in diverse contexts. In facing these challenges, a holistic and multidimensional approach is needed to create substantive justice in the PTUN. A theoretical approach can provide a strong conceptual foundation for understanding the principles of substantive justice and how these principles can be integrated into the existing legal system. A philosophical approach, on the other hand, can help explore the values underlying substantive justice, such as social justice, the balance of rights and obligations, and respect for human dignity (Simanjuntak, 2022).

A human rights-based approach can provide a practical framework to ensure that every individual involved in the judicial process receives fair and equal treatment (Dahris Siregar et al., 2023). By integrating these three approaches, it is hoped that a judicial model can be found that is more responsive to the needs of society and better able to reflect the principles of substantive justice. Studies on substantive justice in the State Administrative Court (PTUN) have been conducted by various researchers, both in Indonesia and abroad. One relevant study is a study that highlights the role of judges in seeking substantive justice with a progressive legal approach. In this study, it is emphasized that judges are not only tasked with enforcing formal rules, but must also consider moral and social aspects to create true substantive justice (Hermawan, 2012).

In addition, research on the effectiveness of the PTUN in resolving state administrative disputes also provides important insights. This study reveals various obstacles faced by the PTUN, including limited competence of judges and the low volume of cases received. These obstacles are considered to hamper efforts to achieve substantive justice in the administrative justice system in Indonesia (Rayhan & Wijaya,

2023). Meanwhile, the study of the problematic state administrative decisions that are excluded from the PTUN dispute object also shows the limitations of this court's jurisdiction. This study highlights how jurisdictional limitations can hinder public access to justice, especially in cases involving public interest (Satria et al., 2022).

Another relevant study is a study that highlights the role of the PTUN as a medium of legal protection for the people against unfair government actions. This study emphasizes the importance of the PTUN in maintaining a balance between government power and the rights of the people. However, this study also notes the challenges in ensuring that PTUN decisions reflect substantive justice, not just formal justice (Seipul et al., 2024).

From an administrative law perspective, research on the legal politics of granting absolute competence to the PTUN in testing abuse of authority provides insight into the importance of a more philosophical approach. This article highlights the importance of the principle of justice in testing administrative decisions, especially when there are indications of abuse of authority by government officials (Syam et al., 2023). In addition, the study of the *dominus litis* paradigm in PTUN highlights the importance of the active role of judges in ensuring substantive justice. This approach allows judges to not only examine the procedural aspects of a dispute but also consider the substantive impact of their decisions on the parties involved (Ahlul Fiqri, 2023).

Other studies examine the application of the active judge principle in the PTUN. This principle gives judges more freedom to explore facts and ensure that each decision not only meets formal legal criteria but also provides a sense of justice for the parties. This research is relevant in the Indonesian context, where public access to justice still faces many structural obstacles (Weda et al., 2021). Overall, previous

studies provide a strong theoretical and empirical basis for understanding the dynamics of substantive justice in the PTUN. However, there are still gaps that need to be filled, such as the lack of integration between theoretical, philosophical, and human rights approaches, as well as the lack of practical solutions to overcome challenges in the field. This study aims to fill these gaps by offering a more holistic and contextual analysis. Based on a review of previous studies, there are several areas that still require more attention to integrate the principles of substantive justice in the PTUN. Although there is a strong theoretical understanding of substantive justice, its application in the practice of the PTUN in Indonesia is still very limited. Previous studies show that the PTUN tends to focus more on formal procedures and the legality of administrative decisions rather than on deeper justice that considers the social and moral context of the dispute. This creates an imbalance between the public's expectations for more substantive justice and the legal reality that prioritizes legal certainty and procedural formality. This gap shows the need to strengthen the role of judges in ensuring that decisions taken are not only based on formal rules, but also consider the values of social justice.

Then, although there are many studies that link substantive justice with human rights, the implementation of human rights protection in the PTUN in Indonesia is still limited. Previous studies have noted that structural barriers, such as high court costs and limited accessibility for the poor and marginalized, are still major problems. This creates injustice in access to justice and hinders the realization of substantive justice for all levels of society. This gap requires reform in the justice system to provide broader and more equitable access for the less fortunate, and to ensure that individual human rights are optimally protected.

Furthermore, although there are many studies that discuss the philosophical aspects of substantive justice, there are still shortcomings in terms of applying these philosophical values in the unique context of Indonesian law. Existing studies have not sufficiently integrated local values, such as Pancasila, in developing the concept of substantive justice. Pancasila as the foundation of the state provides a more holistic and in-depth view of the justice that must be carried out in the Indonesian justice system. This gap shows the need for further studies that can explore and integrate the principles of Pancasila in an effort to achieve substantive justice in the PTUN.

Finally, although research on the role of active judges in the judicial process has been conducted, there are still shortcomings in terms of the development and implementation of a legal system that allows judges to be more involved in ensuring substantive justice. Judges in the PTUN are often limited to administrative tasks and follow applicable procedures without paying sufficient attention to fair and just outcomes. This gap creates a need to develop the capacity of judges to be better able to assess administrative decisions by considering their impact on individuals and society as a whole. By identifying these gaps, this study aims to contribute to developing a PTUN system that not only prioritizes legal certainty, but also creates substantive justice that is more in favor of the community. Based on the explanation above, the author is interested in conducting a study entitled "Creating Substantive Justice in State Administrative Courts: Theoretical, Philosophical, and Human Rights Studies". The formulation of the problem in this study is (i) how can substantive justice be realized in the practice of State Administrative Courts (PTUN) based on theoretical, philosophical, and human rights approaches?, and (ii) What is the role of human rights in ensuring the creation of substantive justice in state administrative courts?.

This research uses a normative legal research method, namely an approach that focuses on studying the legal norms that apply in the existing legal regulatory system, as well as examining their application in judicial practice (Marzuki, 2017). Normative legal research aims to analyze legal rules, both written in laws and in court decisions, as well as legal theories relevant to the topic of this research. This method will be used to explore the legal basis governing substantive justice in the State Administrative Court (PTUN) and how these principles are applied in various cases in Indonesia. In this study, several approaches are used to enrich the analysis, namely the legislative approach, the philosophical approach, and the human rights (HAM) approach. The legislative approach will be used to analyze the laws and regulations governing the PTUN and substantive justice, such as Law Number 5 of 1986 concerning the State Administrative Court, as well as other implementing regulations. The philosophical approach will be used to explore the principles of substantive justice contained in legal theories, such as the theory of distributive justice by John Rawls and the theory of justice from a progressive legal perspective. Meanwhile, the human rights approach will be used to see how the PTUN system in Indonesia guarantees the protection of individual rights in the face of unfair administrative decisions. The sources of legal materials used in this study consist of two main categories, namely primary and secondary legal materials. Primary legal materials include relevant laws and regulations, such as Law Number 5 of 1986 concerning the State Administrative Court, as well as other regulations related to the procedures and principles of justice in the PTUN. In addition, court decisions related to state administrative disputes also serve as primary legal materials for analyzing the application of substantive justice in judicial practice. Secondary legal materials include books, scientific articles, and legal

journals that discuss substantive justice, theories of justice, and human rights in the context of state administrative courts. The data collection technique in this study was carried out through library research which includes searching, identifying, and analyzing various sources of legal materials, both primary and secondary (Sugiyono, 2019).

Primary data is obtained by collecting texts of laws and court decisions that are relevant to the research topic. Meanwhile, secondary data is obtained by studying legal literature, books, journal articles, and previous research results related to the topic of substantive justice and PTUN. In addition, document studies will also be conducted to collect various reports and studies published by related institutions, such as National Commission on Human Rights Indonesia (Komnas HAM), the Supreme Court, and other institutions that provide views and recommendations in terms of substantive justice. Data analysis in this study was carried out qualitatively using descriptive analysis techniques (J. Moleong, 2017). This technique aims to describe and explain the application of substantive justice in the practice of PTUN based on a study of existing legal norms and their application in court decisions. The data obtained will be analyzed by examining the relevance and consistency of laws and regulations and legal principles with the needs of the community to obtain substantive justice. Furthermore, this study will compare the principles of substantive justice with the implementation of state administrative justice, and identify obstacles and solutions that can be proposed to improve the state administrative justice system in realizing substantive justice.

B. RESULT AND DISCUSSION

1. The Substantive Justice in the Practice of State Administrative Courts (PTUN)

Substantive justice is a concept that focuses on the creation of true justice, not just justice that is visible on the surface through compliance with formal procedures. In the modern legal system, substantive justice aims to ensure that the final outcome of a legal process reflects the values of justice that can be felt by all parties involved. In the context of the State Administrative Court (PTUN), the role of substantive justice becomes very important because the PTUN is responsible for resolving administrative disputes between individuals or groups of people with government officials (Lovis-McMahon & Schweitzer, 2011). Therefore, the application of theoretical, philosophical, and human rights (HAM) approaches is key to ensuring that substantive justice is realized in the practice of PTUN. Theoretical approaches to understanding substantive justice can be traced from various schools of legal thought. One important approach is the theory of natural law, which emphasizes that the law must reflect moral and universal principles such as justice, truth, and equality. In the context of PTUN, the theory of natural law teaches that every decision taken must go beyond mere compliance with formal rules and consider its impact on the parties to the dispute (Shomad & Thalib, 2020). For example, an administrative decision that is procedurally legitimate may be unjust if it ignores the interests of the wider community or weaker parties.

In addition, the theory of distributive justice is also relevant in analyzing the role of the PTUN. This theory emphasizes the importance of fair distribution of rights, responsibilities, and resources in society. In administrative disputes, there is often an imbalance between the plaintiff, who is usually an individual or community group, and

the defendant who is an official or government institution. This imbalance can be in the form of access to legal resources, technical knowledge, or bargaining position in court (Firdaus et al., 2024). Therefore, the PTUN must act as a balancer to ensure that the weaker party is not disproportionately disadvantaged.

On the other hand, the theory of legal positivism is often the dominant approach in PTUN practice. Legal positivism tends to separate law from morality, with the main focus on compliance with established rules. As a result, PTUN more often decides cases based on formal legal aspects without considering whether the results reflect substantive justice (Donny Widiyanto & Zainal Arifin Hoesein, 2024). This approach can cause dissatisfaction among people who expect courts to not only enforce the rules but also provide true justice. Philosophically, substantive justice has a strong foundation in the thinking of legal philosophers. John Rawls, for example, developed the concept of "justice as fairness," which emphasizes the importance of creating a system that is fair to all individuals, especially those in disadvantaged positions (Fanton, 2020). In the context of the PTUN, this principle implies that every decision must consider its impact on society, especially vulnerable groups who may not have adequate access to justice.

The philosophy of justice also highlights the close relationship between law and moral values. Law cannot be separated from its primary purpose, which is to create justice for all. In the context of the PTUN, this means that judges must have the freedom to interpret the law in a way that reflects substantive justice, not just formal justice (Latifiani & Ilyasa, 2021). For example, in disputes over public policy, judges must consider the social, economic, and environmental impacts of decisions taken to ensure that justice is truly achieved.

The values of justice contained in Pancasila also provide an important philosophical framework for the application of substantive justice in the PTUN. As the foundation of the Indonesian state, Pancasila offers a holistic view of justice, which includes social justice, balance of rights and obligations, and respect for human dignity. In this context, the PTUN must act as an institution that not only enforces the law but also promotes the values of Pancasila in every decision it makes (Sari et al., 2024).

Human rights (HAM) provide an important practical dimension in efforts to realize substantive justice in the PTUN. As a country that has ratified various international human rights instruments, Indonesia has an obligation to ensure that human rights principles are applied in all aspects of life, including in the justice system. In the context of the PTUN, this means that every individual or group of people must have equal access to the judicial process. The right to a fair trial must be guaranteed, including the right to be heard fairly, the right to legal assistance, and the right to obtain a decision that reflects substantive justice (Ni Made Diana Kencana Putri, 2023).

However, the application of human rights principles in PTUN practice often faces various obstacles. One of them is the lack of understanding of judges regarding human rights values and substantive justice. Many judges focus more on technical and procedural aspects than on the substance of justice. In addition, structural obstacles such as high court costs and limited access for the poor to legal aid are still significant problems (Aryesam, 2023). This creates injustice in access to justice, which ultimately hinders efforts to realize substantive justice.

One solution to overcome this challenge is to improve the capacity and understanding of judges on human rights values and substantive justice (Muh. Ali

Masnun, Dicky Eko Prasetyo, Mohd Badrol Awang, 2024). Human rights-oriented legal training and education should be part of the professional development program for PTUN judges. In addition, reform of the judicial system aimed at improving public access to legal aid is also very important (Zico Junius, 2024). In this way, PTUN can become an institution that is more inclusive and responsive to the needs of the community.

Although various approaches have been identified to create substantive justice in the PTUN, its practice in the field still faces many challenges. One of the main challenges is the complexity of cases submitted to the PTUN. Administrative disputes often involve highly technical and specific issues, such as licensing, natural resource management, or certain public policies (Putrijanti, 2020). In this context, judges are faced with the difficult task of evaluating the substance of justice in cases involving complex economic, social, and environmental considerations. Another challenge is the lack of judicial independence. In some cases, judges may face pressure from certain parties who have political or economic interests in court decisions. This can hinder the judge's ability to make decisions that reflect substantive justice. In addition, the judicial system in Indonesia also faces problems of transparency and accountability, which can damage public trust in the PTUN as an institution that enforces justice (Rishan, 2024).

Inequality in access to justice is also a significant issue. Many poor and marginalized communities do not have adequate access to legal aid or cannot afford the costs of court proceedings. This creates structural injustice that prevents them from obtaining substantive justice through PTUN (Huarcaya & Quispe, 2024). Therefore, reform of the justice system aimed at reducing these obstacles is very necessary. To overcome these challenges, a holistic and multidimensional approach is needed in

developing PTUN based on substantive justice. A theoretical approach can provide a strong conceptual foundation for understanding the principles of substantive justice and how these principles can be integrated into the existing legal system. A philosophical approach can help explore the values underlying substantive justice, such as social justice, balance of rights and obligations, and respect for human dignity. Meanwhile, a human rights-based approach can provide a practical framework to ensure that every individual involved in the judicial process receives fair and equal treatment.

In addition, the active role of judges in ensuring substantive justice must also be strengthened. Judges must be empowered to not only examine the procedural aspects of a dispute but also consider the substantive impact of their decisions on the parties involved. This requires developing the capacity of judges to understand and apply the values of substantive justice in the unique context of Indonesian law. Ultimately, the success of efforts to create substantive justice in PTUN will depend greatly on the commitment of all parties involved, including the government, the judicial system, and civil society. By integrating theoretical, philosophical, and human rights approaches, and by overcoming existing obstacles, the PTUN can become an institution that truly reflects the principles of substantive justice, provides true justice for all parties, and strengthens public trust in the legal system in Indonesia.

2. The Role of Human Rights in Ensuring the Creation of Substantive Justice in State Administrative Courts

Human rights (HAM) are a fundamental concept that guarantees the basic rights of every individual in various aspects of life, including in the justice system. In the context of state administrative courts (PTUN), HAM has a strategic role in ensuring

that the legal process not only runs according to formal procedures but also produces true justice or substantive justice. PTUN, which functions as a court for disputes between citizens and the government, must ensure that its decisions reflect the protection of human rights, including the right to a fair trial, access to justice, and protection from arbitrary administrative actions (Dahris Siregar et al., 2023).

The importance of human rights in the PTUN can be seen from various aspects, starting from the principle of non-discrimination, the right to a fair trial, to the protection of the social, economic, and cultural rights of citizens affected by administrative decisions. In practice, the application of human rights in the PTUN is not only limited to guaranteeing the rights of plaintiffs in the judicial process, but also includes efforts to ensure that decisions taken by judges have a positive impact on society at large (Komisi Yudisial RI, 2022). Therefore, it is important to understand how human rights can play a role in ensuring the creation of substantive justice in the PTUN through various approaches, including normative and jurisprudential approaches, as well as the challenges faced in its implementation.

Substantive justice in the PTUN refers to the final result of a decision that not only complies with legal procedures but also ensures that the decision provides real justice for the parties involved. This is different from formal justice, which only focuses on the procedural legality of a decision without considering its impact on the individuals or groups affected. In the context of human rights, substantive justice requires judges to consider individual rights in each of their decisions and ensure that the state is accountable for any policies or administrative decisions that harm the rights of the community (Santoso et al., 2024).

One of the main principles of human rights relevant to the PTUN is the principle of non-discrimination and equality before the law. This principle guarantees that every individual, regardless of social, economic, religious or other status, has the same right to access justice. However, in practice, many groups in society still experience structural obstacles in obtaining justice through the PTUN. For example, poor people and vulnerable groups often face difficulties in accessing adequate legal aid to challenge administrative decisions that are considered detrimental to them (Itasari, 2020). In cases like this, the role of human rights is very important to ensure that these vulnerable groups continue to have equal access to justice.

In addition, the right to a fair trial is a key element of human rights that must be guaranteed in the PTUN. This right includes several aspects, such as the right to be heard fairly, the right to obtain legal assistance, and the right to receive a decision that is not only legally valid but also fair for all parties. In many PTUN cases, there is often an imbalance between the plaintiff (citizen) and the defendant (government or administrative official). Without the application of the principle of substantive justice, the party with greater power tends to be more advantaged, while the citizen who sues is often in a weaker position. Therefore, the court must play an active role in ensuring that the judicial process is carried out fairly and impartially.

Human rights also play a role in shaping more progressive jurisprudence in the PTUN. Several progressive PTUN decisions have shown how human rights principles can be integrated into administrative justice practices (Gusthomi et al., 2024). For example, in cases related to the revocation of business licenses, forced evictions, or environmental policies, the PTUN has an obligation to consider the social and human rights impacts of the administrative decisions being challenged. The application of

human rights in PTUN decisions does not always go well. In some cases, judges still tend to side with procedural aspects rather than the substance of justice. For example, in cases of forced evictions, judges often only assess whether the government's decision has followed the correct administrative procedures, without considering the social impact on the affected residents. In fact, according to human rights principles, every decision that impacts the social and economic rights of citizens must consider its impact on their lives, including the right to adequate housing (Pertiwi et al., 2023).

To improve the implementation of human rights in the PTUN, a paradigm shift is needed among judges and judicial officials. Judges must be given training on how to apply human rights principles in the judicial process and how to interpret the law with a more inclusive and just approach. In addition, the courts must also be more active in listening to the aspirations of the community and ensuring that the decisions taken truly reflect substantive justice. Although human rights have a very important role in ensuring substantive justice in the PTUN, there are still various challenges that hinder its maximum implementation. One of the main challenges is the lack of understanding of human rights principles among judges and judicial officials. Many PTUN judges still tend to be oriented towards formal legality without considering the social impact of the decisions they make (Wajdi et al., 2024) As a result, the resulting decisions often prioritize legal certainty over substantive justice.

Another challenge is the existence of political and economic pressure in PTUN decision-making. In some cases, PTUN is faced with disputes involving large political or economic interests, such as cases related to development policies or foreign investment (Tampubolon et al., 2023). In such a situation, it is possible that judges face pressure from certain parties with an interest in the dispute, which could

ultimately affect the independence of the court. In addition, public access to justice remains a significant problem. Many citizens, especially those from poor and marginalized groups, face various obstacles in filing lawsuits with the PTUN. These obstacles can include high court costs, lack of information about legal procedures, and limited access to legal aid (Pranata et al., 2024). Without adequate access, many people who are harmed by the government's administrative decisions are ultimately unable to fight for their rights through legal channels. To overcome these challenges, a more inclusive and human rights-based justice system reform is needed. The government needs to strengthen people's access to legal aid by providing free legal aid services for the poor. In addition, the judiciary must ensure that every individual who is involved in a case at the PTUN receives equal treatment and has a fair opportunity to defend their rights.

Human rights play a very important role in ensuring the creation of substantive justice in the State Administrative Court. By emphasizing principles such as non-discrimination, the right to a fair trial, and the protection of individual rights from arbitrary administrative actions, human rights can help create a more just PTUN system. Although there are still various challenges in its implementation, efforts to integrate human rights in the PTUN must continue to be strengthened through justice system reform, training for judges, and increasing public access to justice. Thus, the PTUN can truly become an effective instrument in upholding substantive justice and protecting citizens' rights from unfair government actions.

C. CONCLUSION

Substantive justice in the practice of State Administrative Courts (PTUN) can be realized through the integration of theoretical, philosophical, and human rights

(HAM) approaches that ensure that justice is not only limited to procedural compliance, but also reflects the values of true justice. Theoretically, PTUN must consider the principles of natural law that emphasize morality and justice, as well as the theory of distributive justice that emphasizes the balance between individual rights and government power in resolving administrative disputes. From a philosophical perspective, substantive justice can be formulated through the concept of "justice as fairness" from John Rawls which emphasizes protection for vulnerable groups, as well as the values of Pancasila which emphasize the balance between rights and obligations in the Indonesian legal system. Meanwhile, the human rights approach emphasizes that the right to a fair trial, access to justice, and protection from arbitrary administrative actions must be guaranteed in every PTUN judicial process. However, the implementation of substantive justice in the State Administrative Court still faces challenges, such as the dominance of a legal positivist approach that tends to be formalistic, judges' lack of understanding of the principles of substantive justice and human rights, and inequality of access to justice for the poor.

Human rights (HAM) play an important role in ensuring substantive justice in the State Administrative Court (PTUN) by ensuring that the judicial process not only follows formal procedures but also reflects the protection of individual rights from arbitrary administrative actions. Human rights principles, such as non-discrimination, equal access to justice, and the right to a fair trial, are key elements in overcoming the inequality between citizens as plaintiffs and the government as defendants in administrative disputes. The PTUN must ensure that every decision taken is not only legally valid but also considers the social, economic, and basic rights impacts of the affected parties. In practice, the implementation of human rights in the PTUN faces

various challenges, including limited public access to legal aid, the dominance of a legal positivist approach that focuses more on procedural aspects, and the potential for political intervention in the judicial process.

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