The Dynamics of Judicial Administration in the Rule of Law Management System

Yapiter Marpi*
Universitas Jakarta, Indonesia

Abstract: Indonesian state system has been systematized into Triaspolitika management administratively into a state of law in accordance with the provisions of Article 24 paragraph (2) of the 1945 Constitution of the Indonesia of republic which states that judicial power is exercised by a Supreme Court Body and judicial bodies under it within the general court environment environment of religious court, environment of military court, environment of state administrative court, and by a Constitutional Court. The dynamic tendency of the judicial administration system to have administrative management duties respectively. The aim of the author is to focus more on the judicial administration system which has not yet optimized functional performance. This research uses normative juridical supported by socio-legal legal materials in a literary manner and supported by descriptive analytical. The conclusion of this research is that the results of the analysis of the Administrative Court are deemed necessary for reform, monitoring and evaluation, because it is seen as a court place for cases that are specific itself. With the existence of a court that specifically confidence and confidence in the decisions given in an administrative case and there will be no doubts because, accountable, simple and fulfill the management administration system

Key Words: Dynamics; Administration; Management Systems; Justice


Kata Kunci: Dinamika; Administrasi; Sistem Manajemen; Peradilan
INTRODUCTION

Indonesia’s position as a state of law in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia mandates that all policies and actions taken in any case (including the handling of covid-19) must be based on law as legality in acting. The principle of the rule of law, namely standing on legal provisions as an instrument in legal action, Aristotle mentions a state that stands on law that guarantees justice to its citizens. According to him, justice is a condition for achieving a happy life for citizens of a country. For Aristotle, the ruler in the state is not a real human being, but a just mind, while the real ruler is only the holder of law and balance. (Maphalala & Adigun, 2021)

As the administrative management system in the judiciary at each judicial institution, the Integrated One Stop Service (PTSP) can have an internal dimension or an external dimension. Administrative Courts are seen as special courts, in the sense that courts are only given the authority to resolve disputes that arise in the field of administration and staffing or disputes that occur between administrative officials and a person or civil legal entity as a result of issuing or not issuing decisions. There are many types of courts according to the needs of dispute resolution. Judging from the provisions of Article 24 paragraph (2) of the 1945 Constitution, it states that judicial power is exercised by a Supreme Court and judicial bodies under it in the general court environment, religious court environment, military court environment, state administrative court environment, and by a court of law Constitutional.

Internal dimension if the attention is directed to the integration of the judicial subsystem, such as the police, prosecutors, courts, and correctional institutions. Broadly speaking, the term and meaning of administration in Indonesia originally came from Western Europe or Continental Europe through Dutch colonialism. (Sabel, 2021)

The State of Indonesia has a legal system which is reflected in a form of administering judicial power which is carried out by judicial institutions and is independent. These judicial institutions of course carry out their duties and authorities in accordance with the applicable laws and regulations.

The word administration comes from the Dutch language, namely administratie which means management of resources, such as financial, personnel, warehouse (stelselmatige verkrinjging en verwerking gegeven). Then the external dimension is more because of its almost inseparable relationship with the wider social system. Recent dynamics will greatly affect the success of the judicial system in achieving its objectives, including here the legal culture of power and society, political, economic, social, science and technology developments, education and so on.

Judicial power is one of the important elements in the constitutional structure of a country. In the concept of the rule of law, both the concept of rechtsstaat, the rule of law, and Islamic nomocracy, judicial power is an important pillar of how the rule of law works. The assumption is, if the performance of the judiciary is poor, it will have implications.

Literally, as an Administrative Court, it has always been a question mark among those who study it. Administrative Court or "administratieve rechtspraak" or "judicial control of Administrative action" is a definition which in the past has caused a lot of polemics among scholars. The Administrative Court that emerged during the French revolution since then has experienced a very rapid development. Although it allows everyone to know that the dispute they are facing is a special dispute which of course must be resolved in court. (Yapiter Marpi, Erlangga, 2021)

Considering the wide scope of tasks and the heavy burden that must be carried out by the judiciary, it is necessary to pay great attention to the procedures and management of the administration of judicial cases, this is very important because it not only concerns aspects of order in carrying out administration, both in the field of cases and in the field of justice. staffing
and others. Therefore, there is a need for supervision in the management of case administration to the court, because there may be fraudulent acts in the management of the case administration, which can make the parties feel insecure and comfortable in the service and management of case administration in court.

The thick elements of the person are made in such a way that any effort for good will continue to be blunt. There are several cases that show how the loophole in the management of the case administration has been exploited by irresponsible persons.

**METHOD**

The research method for writing this article uses a socio-legal approach that is supported in finding appropriate and materially correct information to support a writing he does. In this writing journal uses a normative juridical research method, was chosen because the author conducted this research by examining the legislation and linking it sociologically in paying attention to conditions and situations occurring in the field.

Normative legal research is library research or study of legal materials conducted on secondary data in the library in the form of primary legal materials, secondary legal materials, and tertiary legal materials. The analysis of this article uses analytical descriptive which results in broad understanding and explanation in order to provide intellectual benefits for other writers. (Herowati Poesoko, 2020)

With this concept, applicants only need to come to one place and meet with the front office staff. In line with Law Number 25 concerning Public Services, it is defined that "public service is an activity or series of activities in the context of fulfilling basic needs in accordance with the civil rights of every citizen and resident of an item, service, and or administrative service provided by the service provider. public Public basically comes from the English "public" which means the general public, the general public, the people and the people. It seems that the word "public" is translated by several different groups according to their interests. (Sudrajat, 2012)

The following are some definitions according to experts, Syafie et al., said that the public is a number of humans who have together thoughts, feelings, hopes, attitudes and actions that are right and good based on the norms they have. George Fredrickson, explains the concept of "public" in five perspectives, namely: 1). Public as an interest group, namely the public is seen as a manifestation of group interactions that give birth to community interests. 2). public as rational voters, namely society consists of individuals who try to meet their own needs and interests, 3). the public as representatives of the public interest, namely the public interest is represented through the vote, 4). public as consumers, namely consumers actually do not consist of individuals who are not related to each other, but in large enough numbers they cause
demands for bureaucratic services. (Miles, B. Mathew., Huberman, A. Michael dan Saldana, 2014)

Therefore, its position is also considered as public, and 5). The public as citizens in the whole process of governance is seen as the most important thing. Public service according to Sinambela is every activity carried out by the government for a number of people who have every profitable activity in a group or unit, and offer satisfaction even though the results are not tied to a physical product. The thick bureaucracy of the case is exploited by law enforcement elements themselves who seek personal and group benefits so that the homework for bureaucratic reform that has been declared and determined has never been successful and has never been completed. (Anggraeni et al., 2020)

Instead of wanting to carry out bureaucratic reform, it was delayed. Public service is the provision of services (serving) the needs of other people or communities who have an interest in the organization in accordance with the basic rules and procedures that have been set. So, public services can be interpreted as providing services (serving) the needs of people or communities who have an interest in the organization in accordance with the basic rules and procedures that have been set. Service is an activity or sequence of activities that occur in the interaction between a person and another person or physical machine and provide customer satisfaction. (Wahyunadi, 2016)

**Data Analysis**

Basically, public services are carried out in a series of integrated activities that are simple, open, smooth, precise, complete, reasonable, and affordable. Therefore, at least it contains the following principles:

a. The rights and obligations, both for providers and recipients of these public services, must be clear and well known by each party, so that there is no doubt in their implementation.

b. The regulation of each form of public service must be adjusted to the conditions of the community's needs and ability to pay, based on the provisions of the applicable legislation, while adhering to its efficiency and effectiveness.

c. The quality of the output process and the results of these public services must be strived for in order to provide security, comfort, smoothness and legal certainty that can be accounted for.

d. If public services provided by Government or Government Agencies or Institutions are “forced to be expensive”, then the relevant Government or Government Agencies or Institutions are obliged to “provide opportunities” for the community to participate in organizing them, in accordance with the prevailing laws and regulations. (Massiri et al., 2019)

Public Service Standards is that every public service delivery must have service standards and be published as a guarantee of certainty for service recipients. Service standard is a standardized measure in the implementation of public services that must be obeyed by the provider and recipient of the service. Public service standards at least include: Service Procedures, Completion Time, Service Fees, Service Products, Facilities and Infrastructure, Competence of service providers. (Aju Putrijanti, 2017).

The pattern of public service providers

The State of Indonesia is a state of the rule of law as stipulated in the Article 1 paragraph (3) of the 1945 Constitution which states that the State of Indonesia is a state of law. As a state of law, its embodiment is the existence of judicial power which is exercised by every judicial
institution. As emphasized in Article 24 of the 1945 Constitution which reads as follows: (Suhartoyo, 2019)

(1). Judicial power is an independent power to administer justice in order to enforce law and justice.

(2). Judicial power is exercised by a Supreme Court and judicial bodies under it in the general court environment, the religious court environment, the military court environment, the state administrative court environment, and by a Constitutional Court.

(3). Other bodies whose functions are related to judicial power are regulated by law.

According to the Decree of the Minister of State for the Empowerment of State Apparatus Number 63 of 2003 concerning General Guidelines for the Implementation of Public Services, there are four service patterns, namely:

a. Functional Service Patterns, namely the pattern of public services provided by service providers in accordance with their duties, functions and authorities. For example, tax services will be handled by an organizational unit that functions to collect taxes, for example the Regional Tax Service Office (KPPD).

b. Centralized Service Pattern, namely the pattern of services provided singly by other relevant service providers concerned. For example, the administration of passport services by the immigration office and the service of making birth certificates by the Civil Registry Office.

c. The Integrated Service Pattern is divided into two parts of the service pattern, namely:
   - One-Stop Integrated Service Pattern (PTSA)
     The One-Stop Integrated Service Pattern is held in one place which includes various types of services that do not have a process linkage and are served through several doors. The types of services that are close to the community do not need to be under one roof.
   - One-Stop Integrated Service Pattern (PTSP)
     The One-Stop Integrated Service Pattern is held in one place that has a process linkage and is served through one door. For example, the service of making proof of motorized vehicle owner (BPKB) and vehicle registration certificate. (Permana, 2010)

- The Administrative Court contained in the Indonesian legal state system is called the State Administrative Court (PTUN). The establishment of the PTUN has a legal basis, including: the 1945 Constitution;
- UU no. 5 of 1986 concerning the State Administrative Court;
- UU no. 9 of 2004 concerning Amendments to Law no. 5 of 1986 concerning the State Administrative Court;
- UU no. 51 of 2009 concerning the Second Amendment to Law no. 5 of 1986 concerning the State Administrative Court.

According to the author, the existence of an administrative system in every institution or agency in the State of Indonesia as a form of administrative justice which specifically aims to resolve disputes or disputes between citizens and TUN officials. In Article 1 Number (8) of Law no. 51 of 2009 concerning the Second Amendment to Law no. 5 of 1986 concerning the State Administrative Court reads that the State Administration Agency or Official is an agency or official who carries out government affairs based on the applicable laws and regulations.

Number (9) reads that a State Administrative Decree is a written determination issued by a state administrative agency or official containing legal actions for state administration based on the prevailing laws and regulations, which are concrete, individual and final, which cause legal consequences for a person or civil legal entity. Then number (10) which reads that a State Administrative Dispute is a dispute that arises in the field of state administration between a
person or civil legal entity and a state administrative body or official, both at the center and in the regions, as a result of the issuance of a state administrative decision, including employment disputes based on applicable laws and regulations in order to improve the Indonesian legal management system.

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The hope is that in a bureaucracy and administration, administration can be carried out in an orderly manner without selective slashing. Indonesian Court system, which takes a lot of time, so it has to wait for the readiness of the administrative officers. There is an appeal for educational institutions, especially universities, to always be administratively orderly in dealing with academic matters such as the rank of lecturers who have taken care of administrative order. Support is needed so that it becomes a complete continuity in an orderly administration. Thus, this article that I wrote will in the future provide benefits to the theoretical and practical world for a strong and advanced Indonesia.

REFERENCES


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