VOLUME 1 ISSUE 2, DESEMBER 2023
ISSN (Online): 3030-895x

History of Article
Submitted: Februari 2023
Revised: Maret 2023
Accepted: April 2023

Implications of Changes in the Authority of the State Administrative Court for Fictive Positive Decisions Post the Employment Creation Act

Bunga Permatasari [1], Yokotani [2]
[1,2] Universitas Bangka Belitung,
✉ Corresponding author email: bungapermatasariflobee@gmail.com

ABSTRACT

Indonesia is a state of law, one of its characteristics is marked by the existence of a State Administrative Court. The existence of the State Administrative Court aims to seeprovide protection to people seeking justice who feel they have been disadvantaged as a result of a State Administrative decision. The passage of the Job Creation Law has had an impact on changing the paradigm of the authority to examine positive fictitious decisions by the Administrative Court. For this reason, the purpose of this article is to find out and analyze the implications of changing the authority of the state administrative court for positive fictitious decisions. The normative juridical law research method with a conceptual approach, and a statutory approach are used in writing this article.The consequence of the passing of the Job Creation Law is that the positive fiction is abolished.UU no. 11 of 2020 mandates further provisions regarding the form of making decisions and/or actions that are considered legally acceptable (fictional positive), however, up to the time

of this writing, these regulations have not been issued.In addition, it is necessary to review the existence of Supreme Court Regulation Number 8 of 2017 concerning Positive Fiction. The position of Perma Number 8 of 2017 implements the material stipulated in Article 53 of the AP Law.

Keywords: *implication, change, authority, Administrative Court, Positive Fictitious Decision*

INTRODUCTION

Indonesia is a country of law. One of the implications of this is that all the actions of the Government must be able to be tested by the judiciary (administration) as stated by Julius Stahl. Therefore, various attempts to embody the concept of a rule of law state in Indonesia through the establishment of judicial institutions (administration) were carried out, one of which was the establishment of the State Administrative Court (PTUN).[1]

Constitutionally the existence of PTUN is based on the provisions of Article 24 paragraph (2) of the 1945 Constitution. Then its existence was reaffirmed through the establishment of the Administrative Court Law and Article 18 of Law Number 48 of 2009 concerning Judicial Power as it states, "Judicial power is exercised by a Supreme Court and the 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.

Indonesia as a rule of law country, since 1991 has established Administrative Court based on Law Number 5 of 1986 (as several parts of the articles have been amended by Law Number 9 of 2004 and Law Number 51 of 2009), which began operating since dated January 14, 1991 based on Government Regulation Number 7 of 1991. The purpose of holding a State Administrative Court is in the context of providing protection to people seeking justice who feel they have been harmed as a result of a State Administrative decision.[2]

According to Ridwan HR, the presence of this PTUN has an orientation towards two things. First, as a means of protecting the people from the arbitrary

[1] Muhammad Adiguna Bimasakti,"Pembaruan Undang-Undang Peradilan Tata Usaha Negara Pasca-Reformasi Di Era Peradilan Elektronik," *Jurnal Hukum Peratun* 3, no. 2 (2020): 111–26.

[2] Priyatmanto Abdullah, *Revitalisasi Kewenangan PTUN* (Yogyakarta: Cahaya Atma Pustaka, 2018).

actions of those in power who are actively involved in people's lives. Second, the existence of PTUN in Indonesia as an administrative court is also intended for the government to provide encouragement to always be careful, prudent and pay attention to people's rights.[3]

According to Sjachran Basah, state administrative justice also aims to provide guarantees for legal protection, not only for the people alone but also for state administration so as to create a balance between public and individual interests.[4]Therefore, in practice, the absolute authority of the Administrative Court is directly related to the settlement of disputes between the government/state administration as the defendant dealing with the community as the plaintiff.

Structuring regulations in Law Number 11 of 2020 concerning Job Creation (UU CK) using the Omnibus Law method brings fundamental changes in the arrangement of laws and regulations in Indonesia, which does require a mechanism to simplify, cut and cut the number of existing laws and regulations. It has an impacton the settlement of state administrative disputes at PTUN.[5]

Before the CK Law was enacted, requests from citizens or civil legal entities for a decision that was not followed up by government agencies and/or officials with decisions and/or actions, were considered legally granted (positive fictitious). The State Administrative Court (PTUN) is the court authorized to decide on this application. Article 53 paragraph (3) and paragraph (4) of the Government Administration Law (UU AP) regulates this matter. Therefore this article will focus on discussing the implications of PTUN's authority in testing positive fictitious decisions after the Job Creation Law.

METHOD

The research method used is normative juridical research. Normative juridical research is research where law is conceptualized as legal principles. This method focuses on the legal research method of literature, where what is studied is library

[3] Ridwan, "Beberapa Catatan Tentang Peradilan Tata Usaha Negara Di Indonesia," *Jurnal Hukum* 9, no. 20 (2002): 68–80.

[4] Surya Mukti Pratama, Adrian E. Rompis, and R. Adi Nurzaman, "Kewenangan PTUN Dalam Memeriksa Surat Presiden Tentang RUU Cipta Kerja Dan Implikasi Putusannya," *Risalah Hukum* 17, no. 1 (2021): 11–25, https://e-journal.fh.unmul.ac.id/index.php/risalah/article/view/516.

[5] Bayu Dwi Anggono, "Peluang Adopsi dan Tantangannya Dalam Sistem Perundang-Undangan Indonesia," *RechtsVinding* 9, no. 1 (2020): 17–37.

material or secondary data only.[6] The approach used in this study is the statutory approach and the concept approach.

The conceptual approach is an approach that focuses on the views and doctrines that have developed in legal science[7], in this case the approach will provide an analysis of the concept of positive fictitious decisions and provide an analysis of the applicability of positive fictitious decisions currently associated with job creation regulations. A statutory approach is an approach that places an understanding of the hierarchy and principles in statutory regulations in problem-solving methods[8], in which case the approach will review several laws and regulations relating to the concept of positive fictitious decisions, including Law Number 11 of 2020 concerning Job Creation, Law Number 30 of 2014 concerning Government Administration

The method of data analysis uses a qualitative descriptive method, namely by describing the legal material obtained then identified with the problem under study, processed and analyzed qualitatively then conclusions are drawn to obtain legal arguments to answer and solve a legal problem.

RESULT & DISCUSSION

In a rule of law state, every action of the government in carrying out governance and development tasks or in the framework of realizing state goals must have a legal basis or basis of authority. In administrative law, this is known as the principle of legality. This means that every government activity must have a basis in the applicable laws and regulations. Without the basis of authority granted by an applicable law, government officials do not have the authority to influence or change the condition or legal position of their citizens.[9]

State Administrative Decisions are a form of government instrument in the form of juridical which is issued based on applications submitted by citizens in accordance with applicable procedures.[10]. However, situations are sometimes found when state administrative bodies or officials do not issue decisions, either accepting or rejecting applications submitted by individuals or civil legal entities.

---

6 Soerjono Soekanto and Sri Mahmudji, *Penelitian Hukum Normatif, Suatu Tinjauan Singkat* (Jakarta: Raja Grafindo Persada, 2023).

7 Peter Mahmud Marzuki, *Penelitian Hukum* (Jakarta: Kencana, 2005).

8 Marzuki.

9 Indroharto, *Usaha Memahami Undang-Undang Tentang Peradilan Tata Usaha Negara*, Buku I (Jakarta: Ghalia Indonesia, Sinar Harapan, 1993).

10 T.S. B. Johan, *Hukum Tata Negara Dan Hukum Administrasi Negara Dalam Tataran Reformasi Ketatanegaraan Indonesia* (Yogyakarta: Deepublish, 2018).

Prior to the issuance of the AP Law, the silence and neglect of state administrative officials was interpreted as rejection. This shows that Law Number 5 of 1986 concerning State Administrative Court (UU Peratun) adheres to a negative fictitious principle.

The paradigm shift in testing negative fictitious decisions into positive fictitious decisions by PTUN first occurred with the passing of the AP Law which marked a paradigm shift from what was previously adhered to in the Administrative Court Law, namely negative fictitious decisions.[11] The legalization of positive fictitious decisions aims to optimize state administration application services in order to realize good governance.[12] Because, positive fiction is a theory that was born from changes in the public service paradigm which requires officials to be more responsive to public requests.[13] The presence of positive fictitious decisions in Article 53, Article 77, and Article 78 of the AP Law as a change from the negative fictitious concept in Article 3 of the Administrative Court Law is the embryo and spirit of the embodiment of the presence of bureaucratic reform in preventing maladministration for government agencies and/or officials as holders of power when administering government function.[14]

A positive fictitious decision which is one of the State Administrative Decisions (KTUN) transforms the competence possessed by PTUN.[15]One of the forms of change referred to is in the form of legal remedies, where in positive fictitious decisions legal remedies which directly have legal force still reveal the strengthening of the first level of justice in law enforcement as the expectation of justice seekers while at the same time implementing the principles of fast, simple and low-cost justice.[16]as a way to guarantee legal certainty.

---

[11] Dian Agung, Hantoro, Bimo Fajar, Kurniawan, Dedy Wicaksono, "Quo adis Pengaturan Kewenangan Pengadilan Tata Usaha Negara Dalam Penerimaan Permohonan Fiktif Positif Pasca Penataan Regulasi Dalam Undang-Undang, "*Jurnal Rechtsvinding* 10, no. 2 (2021): 323–37.

[12] Kartika Widya Utama, Fakultas Hukum, and Universitas Diponegoro,"Penerapan Fiktif Positif Terhadap Peraturan Hibah Daerah," *Law Reform: Jurnal Pembaharuan Hukum* 15, no. 2 (2019): 195–205.

[13] Ridwan HR, Despan Heryansyah, SHI., MH., and Dian Kus Pratiwi, SH., MH., "Perluasan Kompetensi Absolut Pengadilan Tata Usaha Negara Dalam Undang-Undang Administrasi Pemerintahan," *Jurnal Hukum Ius Quia Iustum* 25, no. 2 (2018): 339–58, https://doi.org/10.20885/iustum.vol25.iss2.art7.

[14] Bagus Teguh Santoso, "Keputusan Fiktif Positif Sebagai Bentuk Reformasi Birokrasi Berdasarkan Prinsip Good Governace," *Jurnal Hukum Peratun* 1, no. 1 (2018): 119–44.

[15] Yogo Pamungkas, "Pergeseran Kompetensi Peradilan Tata Usaha Negara," *Acta Diurnal* 3 (2020): 339–59.

[16] Bambang Heriyanto, "Problematika Penyelesaian Perkara 'Fiktif Positif' Di Pengadilan Tata Usaha Negara," *Pakuan Law Review* 5, no. 1 (2019): 38–56, https://doi.org/10.33751/palar.v5i1.1185.

The implication of the enactment of the CK Law resulted in the loss of PTUN's authority over fictitious legal remedies previously regulated by Article 53 of the AP Law. Article 175 point 6 of the CK Law has amended Article 53 of the AP Law, whereby the authority of the Court incasu the State Administrative Court is eliminated. Therefore, the basis for the PTUN's authority to examine fictitious positive applications no longer exists and there is also no opportunity to return to the fictitious negative petition mechanism.

According to Surya Mukti Pratama, eliminating the PTUN's role in deciding positive fiction is wrong because the law makers removed the judicial body's control mechanism for government actions that ignore a request addressed to it, are unresponsive, process a request for a long time, and so on. which is identical to things that fall into the category of maladministration.[17] Clearly the differences in arrangements regarding the types of fictitious decisions in the Administrative Court Law, the AP Law, and the CP Law can be seen in the comparison table 1.

TABLE 1. Comparison of the Fictitious Decisions of the Administrative Court Law, the AP Law, and the CP Law

Administrative Law	AP Act	CP Act
Article 3 1. If a State Administrative Agency or Officer does not issue a decision, while it is their obligation, then this matter is equated with a State Administrative Decision. 2. If a State Administrative Agency or Official does not issue the decision requested, while the time period	Article 53 1. The deadline for the obligation to determine and/or carry out decisions and/or actions in accordance with the provisions of the laws and regulations. 2. If the provisions of laws and regulations do not specify a time limit for obligations as referred to in paragraph (1), then the Agency and/or Government Official	Article 176 Number 6 CP Article 53 UU AP: 1. The deadline for the obligation to determine and/or carry out decisions and/or actions is given in accordance with the provisions of the laws and regulations. 2. If the provisions of laws and regulations do not specify a time limit for obligations as referred to in paragraph (1), the Agency and/or

[17] Andika Risqi Irvansyah, "Kedudukan Hukum Keputusan Fiktif Positif Sejak Pengundangan Undang-Undang Cipta Kerja," *Jurnal APHTN-HAN* 1, no. 2 (2022), https://doi.org/10.25216/jhp.7.2.2018.213-236.

as determined by the said statutory data has passed, then the said State Administrative Agency or Official is deemed to have refused to issue the intended decision. 3. In the event that the relevant laws and regulations do not specify the time period referred to in paragraph (2), then after a period of four months has passed since the application has been received, the relevant State Administrative Agency or Official is deemed to have issued a decision to refuse	is obliged to determine and/or carry out a decision and/or action within 10 (ten) working days after the application is received. in full by Government Agencies and/or Officials. 3. If within the time limit referred to in paragraph (2), the Government Agency and/or Official does not stipulate and/or carry out a Decision and/or Action, then the application is considered legally granted. 4. The applicant submits an application to the Court to obtain a decision on the acceptance of the application as referred to in paragraph (3). 5. The court is obliged to decide on the application as referred to in paragraph (4) no later than 21 (twenty one) working days after the application is filed.	Government Officials are required to determine and/or carry out a decision and/or action within a maximum period of 5 (five) working days after the application is received legally. complete by Government Agencies and/or Officials. 3. In the event that the application is processed through the electronic system and all the requirements in the electronic system have been met, the electronic system determines the Decision and/or Action as a Decision or Action by an authorized Government Agency or Official. 4. If within the time limit referred to in paragraph (2), the Government Agency and/or Official does not stipulate and/or carry out a Decision and/or Action, the application is considered legally granted. 5. Further provisions regarding the form of

	6. Government agencies and/or officials are required to issue a decision to implement the court's decision as referred to in paragraph (5) no later than 5 (five) working days after the court's decision is stipulated	stipulation of Decisions and/or Actions deemed legally granted as referred to in paragraph (3) are regulated in a Presidential Regulation.

Source: processed by the author

Based on the fictitious and negative arrangements contained in Article 3 of the Administrative Court Law, paragraph 1 of Article 3 determines the basic principle that each TUN body or position is obliged to serve every request from a citizen that he receives if the thing being requested for him according to the basic regulations becomes his duty. his obligations.[18]whereas in Paragraph 2 it stipulates that a State Administrative Agency or official who does not issue a decision on the application within the stipulated time period, the State Administrative Agency or official is deemed to have refused to issue a decision.

Not taking any action on an application to issue a decision is often called the silence of a State Administrative Agency or Officer, and in Article 3 of Law Number 5 of 1986 this silence is considered a decision of the State Administration. However, if previously there has been a request to issue a decision, then the silence of the State Administrative Agency or Official shall be considered as a rejection of the application.

Article 3 of Law Number 5 Year 1986 further regulates the period of silence from a State Administrative Agency or Official who is deemed to have refused, namely after 4 (four) months have passed since the receipt of the application with a note that the laws and regulations do not regulate the period The State Administrative Agency or Officer responds to the request. So, if a person or civil legal entity wants to file a lawsuit, it is after 4 (four) months or as otherwise specified in the laws and regulations, and also follows the calculation of the deadline for filing a lawsuit as stipulated in Article 55 Law Number 5 Year 1986 .

[18] Indroharto, *Usaha Memahami Undang-Undang Tentang Peradilan Tata Usaha Negara*.

The negative fictitious decision changed with the passage of the AP Law. Furthermore, Article 53 UUAP, is often used by citizens to examine the attitudes or actions of state administrative officials/agencies, including responding to permit applications for a certain period of time. If the regulations do not specify a time limit, the stated time limit is 10 working days from the time the TUN official receives the application. If the official concerned is silent or does not respond to the request until the term. After a certain time expires, the application is deemed legally granted.

Furthermore, the applicant can submit a request to the court (PTUN) so that the agency/official takes a stance or takes a decision/action. The court must decide no later than 21 working days after the application is filed. Government agencies and/or officials are required to issue a decision to implement a court decision no later than 5 working days after the court decision is made.

Negative Fiction and Positive Fiction as stipulated in the PTUN Law and the AP Law, although they regulate the same fictitious application provisions, but with different scopes, so that various opinions emerge stating that the two fictitious application concepts can be applied simultaneously. The highest judicial institution, namely the Supreme Court, has emphasized that with the enactment of the Government Administration Law and Perma Number 8 of 2017, the Negative Fictitious petitions regulated in the Administrative Court Law are no longer valid.[19]

Birth of Law No. 11 of 2020 has a positive impact on the delivery of faster and more efficient public services. Government agencies and/or officials are encouraged to complete applications more quickly. Even so, there are still notes on the implementation of the new process in Law no. 11 of 2020 especially for third parties who are not directly bound by the decisions and/or actions of government agencies and/or officials who are applying for the positive fictitious decision.

Because there is no room in the process of submitting a positive fictitious decision for a third party, the way that can be done to get justice for a third party is to file a lawsuit. Agencies and/or government officials who are required to immediately complete requests for decisions and/or actions within 5 (five) working days also do not have the opportunity to defend or counter arguments before the Administrative Court judge. This is because the role of PTUN in settling positive fictitious cases has been removed. UU no. 11 of 2020 mandates further provisions

[19] Azza Azka Norra, "Pertentangan Norma Fiktif Negatif Dan Fiktif Positif Serta Kontekstualisasinya Menurut Undang-Undang Administrasi Pemerintahan," *Jurnal Hukum Peratun* 3, no. 2 (2021): 141–54, https://doi.org/10.25216/peratun.322020.141-154.

regarding the form of making decisions and/or actions that are considered legally acceptable (fictional positive), however, up to the time of this writing, these regulations have not been issued.

The abolition of the PTUN's role raises the question of whether another institution is needed as an intermediary between the applicant community and government agencies and/or officials. This is in line with the opinion of Mailinda Eka Yuniza and Melodia Puji Inggarwati who stated that challenges also arise regarding legal certainty regarding people's claims that their applications are automatically valid, because there is no longer a PTUN that can force the government to issue a decision to accept the application. In the end, another institution was needed to replace the PTUN's role.[20]

It can be said that this new institution is still needed, especially if government agencies and/or officials still do not follow up on requests by making decisions and/or actions that are considered to be legally granted. Even though legally the request is deemed to have been granted, this provision is not sufficient to provide a basis for government agencies and/or officials to make a determination, especially if the applicant's request concerns substantial strategic aspects in government administration.[21]

With the entry into force of the Job Creation Law, there have been changes in the Government Administration Law, especially Article 53 of the Government Administration Law. Previously, positive fictitious attempts were made through the PTUN mechanism. However, in Article 175 of the Job Creation Law, amending Article 53 of the Government Administration Law where positive fictitious efforts through the Administrative Court mechanism are deleted. Furthermore, the consequence of positive fictitious arrangements in the Job Creation Law is to review the existence of Supreme Court Regulation Number 8 of 2017 concerning Positive Fiction. The position of Perma Number 8 of 2017 implements the material stipulated in Article 53 of the AP Law. The problem is, the authority material in Article 53 AP has been revoked in the Job Creation Law, so that the Perma becomes a sleeping norm and will rise again if there is a positive fictitious request that regulates matters other than those listed in the Job Creation Law.

The Supreme Court provides regulations that further "extend" its authority in adjudicating cases of positive fictitious petitions, namely with the Supreme Court

---

[20] Melodia Puji Inggarwati Mailinda Eka Yuniza, "Peluang Dan Tantangan Penerapan Keputusan Fiktif Positif Setelah Diundangkannya Undang-Undang Cipta Kerja," *Jurnal de Jure* 9, no. 2 (2021): 114–29, https://doi.org/10.36277/jurnaldejure.v13i2.539.

[21] Norra, "Pertentangan Norma Fiktif Negatif Dan Fiktif Positif Serta Kontekstualisasinya Menurut Undang-Undang Administrasi Pemerintahan."

Circular Letter Number 5 of 2021 concerning the Implementation of the Formulation of the Results of the 2021 Supreme Court Chamber Plenary Meeting as Guidelines for the Implementation of Duties for the Court (hereinafter referred to as SEMA 5 of 2021) which states that positive fictitious institutions are not the authority of the State Administrative Court. This provision emphasizes the intent in the Job Creation Law which directs other forms within the government environment. This can take the form of administrative efforts as formal legality to guarantee the legality of issuing a positive fictitious decision request which is deemed to be granted. The role of the Institution in this case is also to act as a filter to legally test whether the submitted application documents are suitable to be legally granted, because this is important for the accuracy of the Agency and/or State Administrative Officials who are obliged to issue the requested Decision.[22]

For this reason, it is necessary to immediately establish implementing regulations for Law No. 11 of 2020 relates to the form of decisions and/or actions that are considered legally approved so that the new positive fictitious provisions can be implemented properly.

CONCLUSION

Negative Fiction and Positive Fiction as regulated in the PTUN Law and the AP Law, although they regulate the same fictitious application provisions, but with different scopes.With the entry into force of the Job Creation Law, there have been changes in the Government Administration Law, especially Article 53 of the Government Administration Law. Previously, positive fictitious attempts were made through the PTUN mechanism. However, in Article 175 of the Job Creation Law, amending Article 53 of the Government Administration Law where positive fictitious efforts through the Administrative Court mechanism are deleted. UU no. 11 of 2020 mandates further provisions regarding the form of making decisions and/or actions that are considered legally acceptable (fictional positive), however, up to the time of this writing, these regulations have not been issued. Furthermore, the consequence of the positive fictitious arrangement in the Job Creation Law is to review the existence of Supreme Court Regulation Number 8 of 2017 concerning Positive Fiction. For this reason, it is necessary to immediately establish implementing regulations for Law No. 11 of 2020 relates to the form of

[22] Irvansyah,"Kedudukan Hukum Keputusan Fiktif Positif Sejak Pengundangan Undang-Undang Cipta Kerja".

decisions and/or actions that are considered legally approved so that the new positive fictitious provisions can be implemented properly.

REFERENCES

Abdullah, Priyatmanto. *Revitalisasi Kewenangan PTUN*. Yogyakarta: Cahaya Atma Pustaka, 2018.

Anggono, Bayu Dwi. "Peluang Adopsi Dan Tantangannya Dalam Sistem Perundang-Undangan Indonesia." *RechtsVinding* 9, no. 1 (2020): 17–37.

Bimasakti, Muhammad Adiguna. "Pembaruan Undang-Undang Peradilan Tata Usaha Negara Pasca-Reformasi Di Era Peradilan Elektronik." *Jurnal Hukum Peratun* 3, no. 2 (2020): 111–26.

Heriyanto, Bambang. "Problematika Penyelesaian Perkara 'Fiktif Positif' Di Pengadilan Tata Usaha Negara." *Pakuan Law Review* 5, no. 1 (2019): 38–56. https://doi.org/10.33751/palar.v5i1.1185.

HR, Ridwan, Despan Heryansyah, SHI., MH., and Dian Kus Pratiwi, SH., MH. "Perluasan Kompetensi Absolut Pengadilan Tata Usaha Negara Dalam Undang-Undang Administrasi Pemerintahan." *Jurnal Hukum Ius Quia Iustum* 25, no. 2 (2018): 339–58. https://doi.org/10.20885/iustum.vol25.iss2.art7.

Indroharto. *Usaha Memahami Undang-Undang Tentang Peradilan Tata Usaha Negara*. Buku I. Jakarta: Ghalia Indonesia, Sinar Harapan, 1993.

Irvansyah, Andika Risqi. "Kedudukan Hukum Keputusan Fiktif Positif Sejak Pengundangan Undang-Undang Cipta Kerja." *Jurnal APHTN-HAN* 1, no. 2 (2022). https://doi.org/10.25216/jhp.7.2.2018.213-236.

Johan, T.S. B. *Hukum Tata Negara Dan Hukum Administrasi Negara Dalam Tataran Reformasi Ketatanegaraan Indonesia*. Yogyakarta: Deepublish, 2018.

Mailinda Eka Yuniza, Melodia Puji Inggarwati. "Peluang Dan Tantangan Penerapan Keputusan Fiktif Positif Setelah Diundangkannya Undang-Undang Cipta Kerja." *Jurnal de Jure* 9, no. 2 (2021): 114–29. https://doi.org/10.36277/jurnaldejure.v13i2.539.

Marzuki, Peter Mahmud. *Penelitian Hukum*. Jakarta: Kencana, 2005.

Norra, Azza Azka. "Pertentangan Norma Fiktif Negatif Dan Fiktif Positif Serta Kontekstualisasinya Menurut Undang-Undang Administrasi Pemerintahan." *Jurnal Hukum Peratun* 3, no. 2 (2021): 141–54. https://doi.org/10.25216/peratun.322020.141-154.

Pamungkas, Yogo. "Pergeseran Kompetensi Peradilan Tata Usaha Negara." *Acta Diurnal* 3 (2020): 339–59.

Pratama, Surya Mukti, Adrian E. Rompis, and R. Adi Nurzaman. "Kewenangan PTUN Dalam Memeriksa Surat Presiden Tentang RUU Cipta Kerja Dan Implikasi Putusannya." *Risalah Hukum* 17, no. 1 (2021): 11–25. https://e-journal.fh.unmul.ac.id/index.php/risalah/article/view/516.

Ridwan. "Beberapa Catatan Tentang Peradilan Tata Usaha Negara Di Indonesia." *Jurnal Hukum* 9, no. 20 (2002): 68–80.

Santoso, Bagus Teguh. "Keputusan Fiktif Positif Sebagai Bentuk Reformasi Birokrasi Berdasarkan Prinsip Good Governace." *Jurnal Hukum Peratun* 1, no. 1 (2018): 119–44.

Soekanto, Soerjono, and Sri Mahmudji. *Penelitian Hukum Normatif, Suatu Tinjauan Singkat*. Jakarta: Raja Grafindo Persada, 2023.

Utama, Kartika Widya, Fakultas Hukum, and Universitas Diponegoro. "Penerapan Fiktif Positif Terhadap Peraturan Hibah Daerah." *Law Reform: Jurnal Pembaharuan Hukum* 15, no. 2 (2019): 195–205.

Wicaksono, Dian Agung, Hantoro, Bimo Fajar, Kurniawan, Dedy. "Quo Vadis Pengaturan Kewenangan Pengadilan Tata Usaha Negara Dalam Penerimaan Permohonan Fiktif Positif Pasca Penataan Regulasi Dalam Undang-Undang." *Jurnal Rechtsvinding* 10, no. 2 (2021): 323–37.