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Legal Study on Mediation as an Alternative for Dispute Resolution in the State Administrative Court

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Abstract: The concept of a state based on the rule of law consistently places judicial instruments as the primary pillar in upholding justice and limiting government power to prevent it from falling into the abyss of arbitrariness. The State Administrative Court was established with a constitutional mandate to provide equitable legal protection for citizens against detrimental state administrative actions. However, the evolution of administrative justice practices in Indonesia shows a tendency towards highly formalistic, rigid, and time-consuming adjudication processes, resulting in a backlog of cases across various judicial units. Amid this procedural impasse, discourse on integrating mediation as an alternative dispute resolution method has begun to emerge, particularly following the enactment of Supreme Court Regulation Number 1 of 2016 on Mediation Procedures in Court. This journal comprehensively examines the paradigm, legal probability, and empirical reality of the application of mediation in the state administrative court environment. Through a juridical-normative and sociological-empirical approach, this study seeks to dissect the legal position of mediation in the landscape of administrative disputes and examine the determinants that hinder its operationalization in the field. The analysis indicates that, philosophically and normatively, mediation in the state administrative realm has a very promising foundation, rooted in the expansion of judicial authority and in legal loopholes in Supreme Court regulations. However, at the level of empirical implementation, efforts to realize restorative justice are hampered by a lack of technical procedural law, a law-enforcement culture that still adheres to the dogma of public-law rigidity, inefficient use of infrastructure, and minimal legal literacy among justice seekers. Therefore, a holistic judicial paradigm shift is needed, accompanied by the issuance of sectoral technical regulations to institutionalize the mediation process within the administrative justice system formally.

Keyword: Mediation, Alternative for Dispute Resolution, State Administrative Court

INTRODUCTION

The existence of the Unitary State of the Republic of Indonesia as a state of law (rechtsstaat) has been firmly and permanently established in the constitution, namely the 1945

Constitution of the Republic of Indonesia. The embodiment of this doctrine of the rule of law entails fundamental logical consequences: all manifestations of power, government actions, and policymaking carried out by the state apparatus must always be subject to, and must not conflict with, the supremacy of the constitution and applicable laws and regulations. To guarantee the implementation of the principle of legality, and to prevent the abuse of authority (détournement de pouvoir) by the executive who holds the monopoly of state power, an independent and independent judicial institution was formed, this is in accordance with the principle of the division of powers of the trias politica which is applied as a fundamental principle in the administration of the state to prevent the centralization of power in the state which has the potential to give rise to tyranny. (Sulistyowati, 2025c) In the context of protecting citizens' rights against potential administrative repression by the government, the judicial instrument specifically empowered to enforce the rule of law and justice in the public sphere is the State Administrative Court. Since its inception, the State Administrative Court has been designed as a means of judicial control to test the validity of administrative law products, particularly those in the form of State Administrative Decrees, deemed to violate the rights or harm the interests of individuals or civil legal entities. In the context of state administration, abuse of authority can occur across all aspects of social life and government administration. Therefore, several fundamental points must be established immediately to limit any institution's authority over public matters. (Sulistyowati, 2023)

When examined textually, state administrative law is divided into two parts. First, as a body of law that grants authority, state administrative law enables the government to carry out public administration functions, such as issuing permits, providing subsidies, or collecting taxes. Therefore, if the government takes legal action without a basis in state administrative law, its actions lack a legitimate basis for validity. Second, HAN serves as a "barrier" that prevents the government from acting arbitrarily because it is a law that limits government authority. The principle of legality, general principles of good governance, and the judicial oversight mechanism of the State Administrative Court (PTUN) realize this second objective. (Sulistyowati, 2025b) With the dynamics of modern developments and the increasingly complex spectrum of interactions between the government and its citizens, state administrative justice institutions face significant operational and structural challenges. The purely litigation-based dispute resolution procedures currently adopted often exhibit several fundamental weaknesses. One classic recurring problem is the overly complicated, highly formalistic, and time-consuming legal procedures, from filing a lawsuit through the dismissal process, preparatory examinations, question-and-answer stages, complex evidence gathering, to the pronouncement of the final verdict. This empirical reality has essentially begun to shift the achievement of the noble goal of the principle of justice, which should be carried out quickly and at low cost. Dispute resolution that relies solely on the judge's gavel through an adversarial system often leaves only a polarized relationship, positioning the government and citizens as absolute winners and absolute losers. This method is often considered inadequate to reflect the principle of restoring balance and harmonious relations that should be fostered between state administrators and the communities they serve.

These procedural weaknesses have accumulated, resulting in a very real excess in the form of a backlog of cases at various levels of the courts. Citing the view of constitutional law expert Mahfud MD, the law is essentially a highly dynamic political product. Therefore, the inability of procedural legal instruments to accommodate the high volume of justice seekers results in a bottleneck or backlog of cases that severely strains judicial resources. This phenomenon is not merely a theoretical assumption, but rather a statistical fact documented in various work units. There are at least three components that make up the structure of the legal system: the number and size of courts, the scope of their jurisdiction, and the appeals procedures from one court to another. The structure also encompasses how the legislature is

organized, presidential regulations governing permissible and prohibited actions, police procedures, and so on. Therefore, the legal structure comprises the institutions that implement existing legal instruments. Structure is a pattern that shows how the law is applied according to its formal provisions. This structure shows how courts, lawmakers, legal bodies, and legal processes operate. (Mulyani, 2022)

The public plays a crucial role in implementing public policy, and that role can influence the policy's quality. Governments often create policies without actively and meaningfully involving the public, leaving many people dissatisfied with the outcomes. This has a domino effect on the number of disputes filed with the State Administrative Court. Therefore, the government must increase public involvement in policymaking. (Sulistyowati, 2024a) As a comprehensive illustration of the level of case density that burdens administrative justice instruments, we can look at statistical records from the Semarang State Administrative Court for the period 2015 to 2020. This data shows that the difference between the volume of incoming cases and the number of cases successfully decided continues to create a residual caseload at the end of each fiscal year.

Year	Number of Registered Cases	Entered Cases Successfully Dissolved	Remaining Annual Case Remaining
2015	92	61	16
2016	101	72	16
2017	107	56	16
2018	199	157	50
2019	148	109	21
2020	130	83	21
Cumulative Total	**777**	**538**	**140 (Accumulated Carryover)**

Based on the statistical data presented above, it is clear that the current purely litigation-based justice mechanism is insufficiently effective to address the rapid growth of administrative disputes. The mounting backlog of cases year after year represents a cumulative workload for judges and court clerks, ultimately reducing the quality of legal services and prolonging the time it takes for citizens to obtain legal certainty. This structural condition urges legal thinkers and policymakers within the Supreme Court to begin formulating and integrating Alternative Dispute Resolution models into the formal justice system to resolve this systemic impasse.

As an institutional response to the crucial need for more humane and efficient dispute resolution, the Supreme Court of the Republic of Indonesia has issued a progressive regulation, Supreme Court Regulation Number 1 of 2016, concerning Mediation Procedures in Court. This policy was explicitly enacted to improve the quality and efficiency of dispute resolution by requiring the parties to undergo a peace negotiation or mediation process before the panel of judges proceeds to the main case examination stage in court. Therefore, to file a lawsuit in court, citizens must first undertake administrative measures, which are considered essential prerequisites for bringing a case before the State Administrative Court. If they fail to do so, their lawsuit will be declared inadmissible. (Bayu Rahmaddoni, 2023)

However, in its practical context, mediation has been more narrowly identified and rigidly associated solely with resolving private conflicts based on freedom of contract and

autonomy of will, such as civil disputes in District Courts or marital and inheritance disputes in Religious Courts. The integration of mediation into the domain of state administrative procedural law, which is strongly influenced by public authority, public interest, and the dominant principle of government legality, remains a highly contested area of doctrinal debate and has not been properly institutionalized. Yet there is legitimate legal smuggling within the Supreme Court regulation, which actually provides administrative courts with legal legitimacy to adopt it.

Given the complex issues surrounding the pressing need for judicial efficiency, the lack of definitive provisions in the state administrative court law, and the sociological phenomena emerging within the justice-seeking community, a comprehensive, in-depth scientific discourse is necessary. This legal study report is designed to untangle these tangled threads of problems by establishing two problem formulations that define the analysis's boundaries and focus, respectively. First, what is the legal status and the opportunities for implementing mediation as an alternative dispute resolution mechanism in the State Administrative Court, based on the legal framework and philosophical values in Indonesia? Second, what are the dominant factors that empirically inhibit the effectiveness of mediation implementation in the State Administrative Court, and what ideas for improvements can be recommended for the future? These two problem formulations will be elaborated in the following sub-chapters in a structured manner, combining legal analysis with a review of the sociological realities across various state administrative courts in Indonesia.

METHOD

The research method used in this study is a juridical-normative method with a sociological-empirical approach. The juridical-normative approach is carried out through a review of laws and regulations, doctrines, legal principles, and court decisions related to mediation within the State Administrative Court environment, especially those sourced from the State Administrative Court Law and Supreme Court Regulation Number 1 of 2016 concerning Mediation Procedures in Court. Meanwhile, a sociological-empirical approach is used to analyze the reality of the application of mediation in administrative justice practices, including the obstacles that arise in its implementation. The types of data used include primary, secondary, and tertiary legal materials obtained through literature studies. Data analysis is conducted qualitatively using descriptive-analytical methods to obtain a comprehensive understanding of the position and prospects of mediation within the State Administrative Court system in Indonesia.

RESULTS AND DISCUSSION

Legal Status and Opportunities for Applying Mediation in State Administrative Disputes

To fundamentally examine the legal status of mediation within the scope of public jurisdiction, we must first delve into the hierarchical structure of the legislation underpinning the Indonesian judicial system and examine the evolution of state administrative disputes themselves. The universal exercise of judicial power rests on Law Number 48 of 2009 concerning Judicial Power, which fundamentally never closed the door to peaceful dispute resolution outside the formal adjudication process. At the technical-operational level, the Supreme Court is granted regulatory authority to fill gaps in procedural law, ensuring the smooth administration of justice. Pursuant to Article 7 of Law of the Republic of Indonesia Number 12 of 2011 concerning the Formation of Legislation, Supreme Court Regulations are valid, binding, and hierarchically recognized legal instruments, provided their formation is mandated by higher-level regulations or is established pursuant to inherent institutional authority. Based on this attributive legitimacy, the Supreme Court has issued various improvements to the rules regarding mediation, culminating in the issuance of Supreme Court

Regulation Number 1 of 2016 concerning Mediation Procedures in Court. If examined textually, Article 2, paragraph (1) of the regulation emphasizes that the mediation procedure is an obligation to be followed in the litigation process. Still, its scope is limited to the general court and religious court environments. Although it has been regulated in Article 77 paragraph (1) and Article 78 paragraph (1) of Law Number 30 of 2014 concerning Government Administration which contains the phrase "can" in relation to submitting administrative efforts, however, the phrase "can" has changed its meaning to become an obligation based on the provisions in Article 2 paragraph (1) of Supreme Court Regulation Number 6 of 2018 concerning guidelines for resolving administrative government disputes after taking administrative efforts. If members of the public take administrative efforts, it will determine whether the state administrative court has the authority to receive, examine, decide, and resolve administrative government disputes. (Hudoprakoso, 2022)

The formulation of this sentence at first glance gives the exclusive impression that disputes containing elements of state administration and military are prohibited from being resolved through a compromise mechanism. However, a comprehensive reading of the legal instrument should not stop at just one paragraph. There is a very visionary and strategic exception stated in Article 2 paragraph (2) of Supreme Court Regulation Number 1 of 2016, which states that: "The provisions regarding Mediation Procedures in this Supreme Court Regulation can be applied to courts outside the general court environment or religious courts as long as statutory provisions permit it."

The saving clause, embodied in the phrase "applicable," is essentially a legal gateway deliberately left open by the Supreme Court. This phrase provides both legitimacy and discretionary authority for the State Administrative Court to adopt, facilitate, and institutionalize mediation procedures, provided that no state administrative law explicitly and absolutely prohibits reconciliation between disputing parties. This opportunity finds its philosophical foundation in the nation's ideology. The concept of dispute resolution oriented toward finding a middle ground, facilitated by a neutral third party, is highly congruent with the spirit and values of justice embodied in Pancasila. Western procedural law practices, which tend toward confrontation and mutual undermining, can be mitigated through a mediation approach that instills a sociological awareness that, in dispute resolution, the winning party should ideally not be overcome by feelings of superiority or arrogance, while the party forced to concede should not feel degraded. This win-win solution philosophy is a true embodiment of the Fourth Principle of Pancasila, which prioritizes wisdom in deliberation, which should serve as a guideline for resolving conflicts between citizens and state representative organs. Legal expert Bagir Manan, in his discourse, also emphasized that mediation, as an alternative dispute resolution tool, is highly relevant to be developed within the national legal climate. However, within the Indonesian legal hierarchy, Supreme Court Regulations do not occupy the same position as statutes. Supreme Court Regulations, as regulations intended to fill a legal vacuum, cannot serve as a universal legal basis for all types of mediation, both in and out of court, despite their success within the internal courts. Mediation law becomes a less robust system due to this normative gap. The absence of a specific law on mediation leads to legal fragmentation, resulting in overlapping and inconsistent implementation. The absence of regulations with the same legal force and procedural standards across many legal sectors, such as employment (Law Number 2 of 2004), the environment (Law Number 32 of 2009), and consumer protection (Law Number 8 of 1999), is also a separate problem in this regard. (Yahya, 2025)

Furthermore, the position of mediation becomes increasingly rational if we examine the metamorphosis of disputed objects in the administrative realm following the enactment of state administrative law reforms. Previously, the absolute authority of the State Administrative Court under Law Number 5 of 1986 was very narrow, namely merely to test the validity or

invalidity of a written State Administrative Decision that must fulfill cumulative elements: issued by a state administrative body or official, containing a concrete, individual, and final legal action, and causing legal harm. Disputes over such a rigid object were often considered to leave no room for negotiation, because a state official's decision only has two ontological statuses: legally valid or legally flawed and must be annulled, with no compromise. However, this system has been radically overhauled with the enactment of Law Number 30 of 2014 concerning State Administration and the issuance of Supreme Court Regulation Number 2 of 2019. Through these regulations, the State Administrative Court's jurisdiction has expanded exponentially. Judges are now authorized to examine and adjudicate disputes over Government Actions (factual actions) and lawsuits against Unlawful Acts by Government Agencies or Officials (Onrechtmatige Overheidsdaad or OOD). The expansion of the object of the dispute towards Onrechtmatige Overheidsdaad is very crucial because the demands submitted by the community are no longer merely requesting the cancellation of a decree, but can be in the form of requests for material compensation, compensation for land acquisition, negotiations on the layout of commercial spaces, or the cessation of factual evictions that are detrimental to residents. Because the character of this expanded dispute is closely related to the calculation of compensation and damages, and the allocation of civil servant rights that can be measured in civil law, the substance of the case has shifted into a highly negotiable or compromise-able (mediable/disposable) matter.

In discussions of administrative law, we must not forget the existence of an internal institution known as Administrative Efforts. Regulations require that, before a citizen files a lawsuit in court, he or she must first undergo a dispute resolution process within the government agency that issued the adverse decision or action, either through an objection mechanism or an administrative appeal. This is in accordance with the principle of ultimum remedium, which holds that every state administrative dispute must first be resolved through administrative means. This is also in accordance with the principle of public service that every problem must be resolved internally before bringing the matter to court. (K, 2025) If we look at administrative dispute resolution in the United States, it is regulated by the Administrative Dispute Resolution Act of 1990 (ADRA), which provides additional explanations. ADRA emphasizes that federal agencies use alternative dispute resolution methods before going to court to increase the likelihood of reaching a speedy administrative agreement. ADRA also states that administrative dispute resolution must be conducted non-litigiously in the relevant agency. The methods offered by ADRA are Arbitration, Minitrial, Mediation, Facilitation, Convening or conflict assessment, Negotiated rulemaking, Summary Jury Trial, Neutral Evaluation/Fact-Finding, and Settlement judge. (Hafidz, 2024) While functionally, Administrative Efforts and Mediation share the same intention of reducing the burden on formal justice, they are legal entities built on very different foundations. Structurally, a detailed analysis of the fundamental differences between court-based mediation and administrative efforts within executive institutions can be mapped out in the comparison table below.

Dimension of Analysis	**Characteristics of Mediation in Judicial Institutions**	**Characteristics of Administrative Remedies Procedures**
Institutional Foundation	Operates under the umbrella of judicial power and is facilitated through court structures.	Conducted entirely within the internal hierarchical structure of the executive bureaucracy.
Third Party & Principle of Impartiality	Involves the intervention of a third party, namely a Judge Mediator or certified mediator, who acts neutrally, independently, and without authority to impose a decision, serving solely to facilitate dialogue.	Does not involve an independent neutral third party. Decisions are made entirely by the original decision-making official (objection stage) or by their direct superior (administrative appeal stage).

Final Outcome & Binding Nature	Produces a Peace Agreement (*Acta van Dading*) based on mutual consensus between the parties (*win-win solution*) and possessing executive force equivalent to a final court judgment.	Results in the issuance of a new State Administrative Decision, such as rejecting or conditionally accepting an objection, which remains unilateral in nature.
Regulatory Hierarchy	Governed by internal judicial regulations, primarily Supreme Court Regulation Number 1 of 2016 concerning Mediation Procedures in Courts.	Strictly regulated by the Government Administration Law and various sectoral ministerial technical regulations.

Through this comparative elaboration, an inherent weakness in the Administrative Effort mechanism is clearly apparent: citizens are still positioned in a more inferior (subordinate) bargaining position relative to the authorities, making the ideal of equality before the law difficult to achieve. Government officials act as both the defendant and the referee who decides the case. This is the rationale for why the mediation process—held in a neutral courtroom and moderated by an objective mediator-judge—is a legal necessity. Mediation eliminates the arrogance of the power hierarchy, places public officials and civilians on equal footing, and provides the freedom to explore rational peace options without the shadow of intervention from superiors, which is very possible considering the flexibility that has been opened up by the saving phrase in Article 2 paragraph (2) of Supreme Court Regulation Number 1 of 2016. Moreover, the State Administrative Court has not been successful in the dispute resolution process for several reasons, some of which are the absence of stricter regulations regarding how State Administrative Court decisions are implemented and what the consequences are if the decision is not implemented, the PTUN also does not have a special execution agency to ensure the implementation of the decision, and a poor legal culture regarding government officials' compliance with the decision. (Rayhan, 2023).

Analysis of Inhibiting Factors and the Effectiveness of Empirical Practice in State Administrative Courts

The State Administrative Court is established to provide legal protection to all Indonesian citizens. The function and authority of this court is to assist those seeking justice in the field of state administration, particularly in resolving disputes concerning government decisions that violate the law and harm the public. (Nuna, 2020) Although the theoretical, philosophical, and probabilistic foundations of mediation in the State Administrative Court have been convincingly established through a progressive interpretation of Supreme Court Regulation Number 1 of 2016, the actual situation on the ground remains contradictory. A series of studies relying on empirical legal observations in several first-instance courts—such as those conducted at the Bandar Lampung State Administrative Court and the Surabaya State Administrative Court—revealed a systemic phenomenon in which the formal mediation process has not been successfully integrated, facilitated, and seemingly silently rejected within the court's procedural structure. This lack of a peaceful dispute-resolution instrument ultimately contributes significantly to the slow rate of case resolution, which directly contributes to institutional inefficiency. In an empirical case study at the Surabaya State Administrative Court, for example, the lengthy time required to provide evidence for administrative documents, the parties' reluctance to comply with court summonses in a disciplined manner, and the intervention of third parties have burdened the court, which in fact only has a total of 66 human resources.

To dissect the structural paralysis and find a way out of this unfavorable condition, this study uses the framework of legal sociology analysis conceptualized by the leading legal

expert, Soerjono Soekanto. This theory emphasizes that the effectiveness of the operation of a law in society is highly dependent on the interaction of five determining factors: the structure of the legal rules themselves, the culture of law enforcement officers, the readiness of means and facilities, public legal awareness, and cultural habits that exist in that environment. The application of Soerjono Soekanto's theory, in detail and comprehensively, to evaluate the deadlock in mediation in the realm of state administration will be explained in the following analytical paragraphs. The first determining factor with the most significant impact is the legal factor, or the substance of the regulation itself. The fundamental obstacle lies in the emergence of a vacuum in the specific normative regime at the level of organic law. In contrast to the purely civil realm, the entire architecture of administrative procedural law, governed by Law Number 5 of 1986, which has been amended several times, most recently by Law Number 51 of 2009, does not definitively establish a mediation institution as an adjudicatory stage. Meanwhile, the legal instrument expected to be a solution, namely Supreme Court Regulation Number 1 of 2016, is still drafted with an anatomy overly focused on handling civil cases and religious courts, as evidenced by the use of absolute obligations intended only for these two courts. Although Article 2 paragraph (2) provides a possible loophole for implementation, the Supreme Court of the Republic of Indonesia has not yet issued a single technical derivative regulation, either in the form of a Supreme Court Circular Letter or Implementation Instructions, which expressly formulates the formulation of operational operating standards to translate mediation procedures into the rhythm of proceedings in state administrative courts. This lack of technical guidance bridging the gap between general mediation rules and the specifics of state disputes has led to significant procedural confusion.

The second determining factor lies in the mentality and culture of law enforcement officials, particularly state administrative judges. Judges are the vanguard and driving force of the judiciary. Still, field observations at the Bandar Lampung State Administrative Court revealed a dogmatic tendency among the panel of judges to adhere to the principle of extreme caution. State administrative judges are generally constrained by the mindset that state administrative procedural law is extremely rigid, as it entails the consequences of revoking state gazettes and limits the authority of the authorities. This belief gives rise to the assumption that disputes involving public order and state interests are ineluctable or completely non-negotiable, even when the object is merely compensation for land acquisition, which is actually amenable to compromise. As a result, judges feel they lack the courage and room for improvisation to force the authorities to mediate without detailed legal-formal instructions from the Supreme Court. This deadlock in the law enforcement paradigm should be broken by drawing on the progressive views of judicial figures, such as Prof. Yulius, Head of the State Administrative Chamber (TUAKA TUN) of the Supreme Court. In a scholarly discussion held by the state administrative court in Bandung, he emphatically articulated the doctrine that "Peace is goodness" and advanced compelling reasons why the mediation process truly deserves to be fully adopted as a standard procedure in administrative court proceedings. This shift in the apparatus's perspective needs to be mainstreamed.

The third determining factor concerns the availability of physical court facilities and utilities. The failure of mediation operations in the state administrative court environment is not always due to poor infrastructure. An empirical anomaly, as noted by the Bandar Lampung State Administrative Court, exists when the institution is equipped with adequate physical support facilities. The courthouse has a dedicated preparatory examination room, an open reception room, and a media center adequate for interaction. However, ironically, these facilities are not optimized, utilized, or repurposed specifically to accommodate the needs of mediation negotiations. Ideally, a mediation room should be designed with adequate acoustics and an egalitarian layout, without a hierarchical judge's table, to ease tensions between the disputing parties psychologically. This contrasts sharply with practices in District Courts—

such as Denpasar—which have successfully implemented mandatory civil mediation due to robust standard operating procedures, integrated space availability, responsive mediator judges, and complete documentation from the outset. The absence of a mediation-room function in state administrative courts further underscores that these institutions are not yet ready to facilitate the reconciliation mandated by the expedited-justice ideology.

The fourth determining factor is closely correlated with the legal awareness dimension of justice-seeking communities and government agencies acting as defendants. Low levels of public literacy about the dynamics of legal innovation have led stakeholders to be reluctant to participate actively. Most elements of society have never realized that the law has actually opened up opportunities—albeit conditional—for judicial institutions outside the civil sphere to organize alternative mediation to avoid destructive and costly conflicts. Consequently, practically no plaintiff has taken the initiative to proactively submit a request to activate the mediation procedure to the panel of judges during the preliminary preparatory hearing. This situation is exacerbated by the character of administrative officials, who often display skepticism, ignore summonses, and even choose to be absent when responding to them, which has a fatal impact on time efficiency due to protracted delays in the process.

The fifth determining factor is an in-depth empirical study of the legal culture that exists and develops within the sociological reality of dispute resolution. There is a very interesting paradox to note. Although formally, the legal stages of mediation are not included in the flowchart structure of state administrative court proceedings, the family culture of Indonesian society has proven capable of finding its own channels outside the court mechanism. When the disputing parties begin to realize that the pure litigation process will greatly drain resources, energy, and emotions, and if they show signs of good faith in seeking a compromise peaceful resolution, state administrative judges will usually allow the parties involved to hold these deliberations independently (off the record) outside the jurisdiction of formal court proceedings. The empirical reality documented at the Surabaya State Administrative Court provides clear evidence that efforts to reconcile public disputes are neither impossible nor merely an academic utopia.

This observational research achieved resounding success in case number 162/G/2020/PTUN. Sby, where a complex dispute pitted six community members directly against the regional executive branch—in this case, the Mayor of Surabaya. At crucial moments in the judicial process, precisely before the agenda shifted to the examination and testimony phase, which could have widened the conflict's polarization, a space for compromise was successfully created. Constructive negotiations between the civil parties and government officials (including the Intervening Defendant II) resulted in a peaceful consensus agreement that benefited all parties. This agreed harmony was then procedurally addressed by withdrawing the lawsuit, which automatically halted the trial without leaving the government with the stigma of defeat. Similar success in achieving comprehensive peace was also replicated in another state administrative case registered under number 146/G/2021/PTUN.Sby within the same work unit. It is hoped that this will create a system in which the general principles of good governance can be applied proportionally and appropriately. This principle will thus bridge the gap between those who view matters as normative demands and those who view them through the lens of morality and ethics in the use of power. This principle will thus protect citizens from government abuse. (Sulistyowati, 2024b)

These concrete, on-the-ground precedents delegitimize the traditional view that public law cannot be mediated. This phenomenon demonstrates that the percentage of disputes that can be resolved peacefully in government institutions is very real. If this empirical reality, which operates naturally outside the courthouse, can be embraced, formalized, standardized, and legitimized as a formal judicial mediation instrument, the state will not only succeed in providing a reassuring model of justice, but also significantly reduce the remaining

accumulated annual court burden and save trillions of rupiah in state spending that has been wasted on financing the long chain of trials leading up to the cassation appeal to the capital. This will ultimately have positive, ongoing effects such as improving the quality of public services, meeting community needs, and preventing abuse of power by the government or other authorized officials. (Sulistyowati, 2025a)

CONCLUSION

Based on research findings, mediation essentially offers significant potential for application within the State Administrative Court. Normatively, the existence of Supreme Court Regulation Number 1 of 2016 and developments in administrative law demonstrate that dispute resolution need not always end in a clear-cut decision. The development of modern administrative disputes, which also involve interests, losses, and the relationship between the government and the public, makes the approach of dialogue and deliberation increasingly relevant. In this context, mediation can be a simpler, faster solution and can provide a more humane sense of justice for the parties. However, the implementation of mediation in the State Administrative Court still faces various obstacles. The lack of clear technical regulations, the still-formalistic mindset of legal officials, limited supporting facilities, and low public understanding of mediation are key factors hindering its implementation. Nevertheless, the fact that many administrative disputes are ultimately resolved amicably outside court decisions demonstrates that the public needs a more communicative, less confrontational resolution environment. The Supreme Court needs to take progressive steps by preparing technical regulations, increasing judges' capacity, and strengthening legal education for the public, so that mediation can run effectively and the State Administrative Court becomes not only a place to seek decisions but also a space to build just and harmonious solutions.

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