



The Effectiveness of Administrative Remedies as A Prerequisite For Filing A Lawsuit in Administrative Court

George Muhammad Maulana Helmy Gozali^{1*}, Hasna Hamidah², Milda Kurnia Herawati³, Taufiq Alamsyah⁴

¹⁻⁴ UIN Sunan Gunung Djati Bandung, Indonesia

email: georgegozali@gmail.com¹

Article Info :

Received:
20-05-2026
Revised:
28-05-2026
Accepted:
16-06-2026

Abstract

This study examines the effectiveness of administrative remedies as a mandatory prerequisite for filing lawsuits before the Administrative Court within the Indonesian administrative law system. The research employs a non empirical normative juridical approach based on doctrinal legal analysis and extensive library research. Primary legal materials consist of Law Number 5 of 1986 concerning the State Administrative Court, Law Number 30 of 2014 concerning Government Administration, and Supreme Court Regulation Number 6 of 2018. Secondary materials include scholarly literature on administrative justice, governance, accountability, procedural fairness, and the rule of law. The findings indicate that administrative remedies serve an important function in promoting administrative justice by providing opportunities for internal correction, strengthening accountability, and supporting good governance principles. The mechanism also contributes to procedural efficiency by filtering disputes before judicial review. Despite these advantages, its practical effectiveness remains influenced by administrative burdens, regulatory inconsistencies, institutional bias, transparency deficits, and the growing complexity of technology based administrative decision making. The study concludes that administrative remedies possess a strong normative foundation, yet their effectiveness depends substantially on regulatory coherence, institutional capacity, procedural transparency, and adaptive governance capable of responding to contemporary administrative challenges.

Keywords : *Administrative Remedies, Administrative Court, Administrative Justice, Good Governance, Procedural Effectiveness.*



©2022 Authors.. This work is licensed under a Creative Commons Attribution-Non Commercial 4.0 International License.
(<https://creativecommons.org/licenses/by-nc/4.0/>)

INTRODUCTION

The increasing complexity of contemporary governance has intensified the need for effective administrative justice mechanisms capable of balancing governmental authority and citizens' rights within increasingly regulatory states. Across many jurisdictions, administrative remedies have emerged as a crucial institutional instrument designed to provide accessible, efficient, and proportionate dispute resolution before judicial intervention becomes necessary. This development reflects a broader global movement toward strengthening administrative accountability while simultaneously preserving judicial resources through the promotion of internal review mechanisms. The effectiveness of such remedies has become particularly significant in legal systems seeking to reconcile procedural efficiency with substantive justice under the rule of law framework. The quality of administrative performance and governmental compliance has increasingly been recognized as a determining factor in the legitimacy of public institutions and the effectiveness of dispute resolution systems, particularly where administrative decisions directly affect individual rights and legal interests (Mendez & Bachtler, 2024). Parallel developments in regulatory governance have demonstrated that modern administrative systems increasingly rely on review and correction mechanisms to ensure legal certainty and institutional responsiveness, whether in labor regulation, digital governance, public services, or specialized sectors requiring high levels of administrative oversight (Mahy, 2022; Tioline, 2023; Touriano et al., 2023). Within this evolving context, administrative remedies have become a central component of contemporary administrative justice aimed at preventing unnecessary litigation while safeguarding the fundamental values associated with lawful government action.

Scholarly discussions concerning administrative remedies have consistently emphasized their dual function as instruments of legal protection and mechanisms of institutional self correction. Classical administrative law scholarship argues that internal review procedures enable public authorities to reassess contested decisions before judicial scrutiny occurs, thereby fostering administrative rationality and reducing the adversarial nature of disputes between citizens and the state (Wade & Forsyth, 2014). Research on administrative justice further suggests that non judicial review procedures may enhance accessibility and procedural fairness by providing individuals with opportunities to challenge administrative actions without incurring the substantial costs and delays associated with formal litigation (Adler, 2010). At the same time, contemporary studies reveal that the effectiveness of administrative review cannot be evaluated solely through procedural compliance because meaningful effectiveness depends upon transparency, institutional impartiality, responsiveness, and the capacity of reviewing authorities to genuinely reconsider disputed decisions. Comparative evidence from various regulatory sectors indicates that internal review mechanisms tend to function effectively when supported by clear procedural standards, robust accountability structures, and institutional cultures that prioritize corrective governance rather than bureaucratic self preservation (Mendez & Bachtler, 2024; Tioline, 2023; Touriano et al., 2023). Such findings suggest that administrative remedies occupy a strategic position at the intersection of administrative efficiency, legal protection, and good governance.

Despite these important contributions, significant conceptual and empirical limitations remain within the existing literature. Much of the scholarship continues to focus either on normative doctrinal analysis concerning the legality of administrative remedies or on sector specific evaluations that do not adequately explain their effectiveness as mandatory procedural prerequisites for judicial review. Existing studies often assume that the requirement to exhaust administrative remedies naturally promotes efficiency and dispute resolution without critically examining whether such procedures genuinely provide substantive protection for affected individuals. The literature also presents inconsistencies regarding the relationship between procedural exhaustion requirements and access to justice. While some studies portray mandatory administrative remedies as effective filters against premature litigation, others suggest that such requirements may create additional bureaucratic obstacles capable of delaying judicial protection and reinforcing institutional asymmetries between citizens and public authorities (Adler, 2010; Wade & Forsyth, 2014). These unresolved tensions become particularly evident in jurisdictions experiencing regulatory transformation, where overlapping legal frameworks and evolving procedural rules generate uncertainty regarding the practical role and legal consequences of administrative remedies.

The Indonesian administrative law framework illustrates the urgency of addressing these unresolved questions. The coexistence of Law Number 5 of 1986 concerning the State Administrative Court and Law Number 30 of 2014 concerning Government Administration has substantially transformed the legal architecture governing administrative disputes in Indonesia (Republic of Indonesia, 1986; Republic of Indonesia, 2014). The expansion of administrative remedies from a conditional procedural mechanism into a broadly applicable prerequisite for administrative litigation has generated important debates concerning legal certainty, access to justice, and institutional accountability. These debates have become increasingly relevant because the mandatory nature of administrative remedies may significantly affect the admissibility of claims before the Administrative Court, thereby directly influencing the ability of citizens to obtain judicial protection. From both scientific and practical perspectives, understanding whether administrative remedies effectively fulfill their intended objectives is essential because ineffective implementation may undermine public trust, prolong dispute resolution processes, and weaken the realization of the rule of law. The normative expectation that administrative remedies should facilitate fair and efficient dispute resolution requires empirical and doctrinal examination capable of determining whether such expectations correspond to actual administrative practice and legal outcomes.

Against this background, the present study positions itself within the broader discourse on administrative justice by moving beyond conventional procedural analysis toward a comprehensive evaluation of effectiveness that incorporates normative, institutional, and practical dimensions. Rather than treating administrative remedies merely as formal procedural requirements, this research conceptualizes them as governance instruments whose legitimacy depends upon their capacity to deliver substantive dispute resolution, procedural fairness, and administrative accountability. This perspective is informed by contemporary understandings of the rule of law, which emphasize that legal institutions

must not only exist formally but must also operate effectively in protecting rights and constraining public power (Bingham, 2011). The study therefore seeks to bridge the gap between doctrinal interpretations of administrative remedies and their practical operation within the Indonesian administrative justice system. By examining the interaction between statutory provisions, institutional practices, and broader principles of good governance, this research contributes to a more nuanced understanding of how mandatory administrative remedies shape the relationship between citizens, public administration, and judicial oversight.

This study aims to analyze the effectiveness of administrative remedies as a prerequisite for filing lawsuits before the Administrative Court, to examine the legal and institutional rationales underlying their mandatory application, and to identify the practical obstacles affecting their implementation in administrative dispute resolution. The research contributes theoretically by developing a multidimensional framework for evaluating administrative remedies that integrates procedural, institutional, and governance perspectives. Methodologically, it advances existing scholarship through a systematic normative legal analysis that connects statutory interpretation with broader questions of administrative justice and legal effectiveness. The findings are expected to enrich contemporary debates on administrative dispute resolution while providing a stronger analytical foundation for future reforms aimed at enhancing legal certainty, accountability, and access to justice within the administrative court system.

RESEARCH METHODS

This study employs a non empirical legal research design grounded in normative juridical inquiry, which is particularly appropriate for examining the effectiveness of administrative remedies as a mandatory prerequisite for filing lawsuits before the Administrative Court. The research relies exclusively on secondary legal materials obtained through an extensive library based investigation. Primary sources consist of statutory and regulatory instruments governing administrative dispute resolution, including Law Number 5 of 1986 concerning the State Administrative Court, Law Number 30 of 2014 concerning Government Administration, and Supreme Court Regulation Number 6 of 2018 concerning Guidelines for the Settlement of Government Administrative Disputes after the Exhaustion of Administrative Remedies. Secondary sources comprise scholarly books, peer reviewed journal articles, legal commentaries, and doctrinal studies addressing administrative justice, administrative remedies, regulatory governance, and the rule of law (Adler, 2010; Bingham, 2011; Breyer et al., 2021; Kooiman, 2003; Wade & Forsyth, 2014). Source selection was guided by relevance to the research objectives, conceptual contribution to administrative law scholarship, and authority within the field. The analytical framework integrates doctrinal legal analysis with administrative justice and governance perspectives in order to evaluate the normative rationale, institutional function, and legal effectiveness of administrative remedies within the Indonesian administrative law system.

The analysis was conducted through a systematic process of legal interpretation, conceptual examination, and comparative synthesis of statutory provisions and scholarly arguments. Relevant legal norms were identified, classified, and interpreted using grammatical, systematic, and teleological approaches to determine the legal position and practical implications of administrative remedies within administrative dispute resolution. The findings from legislative instruments were subsequently compared with established theories of administrative justice, procedural fairness, accountability, and regulatory governance to assess coherence between normative objectives and institutional design. Methodological rigor was ensured through source triangulation across legislation, judicially relevant regulatory frameworks, and authoritative academic literature, as well as through the consistent application of doctrinal reasoning throughout the analytical process. This approach enhances analytical reliability and interpretive transparency while enabling a comprehensive assessment of how administrative remedies operate as both a procedural requirement and a substantive mechanism for protecting legal rights and promoting good governance.

RESULTS AND DISCUSSION

Normative Foundations and Legal Rationality of Administrative Remedies in Administrative Dispute Resolution

Administrative remedies occupy a central position within contemporary administrative justice systems because they function as an institutional mechanism designed to reconcile governmental

authority with the protection of individual rights. The doctrinal analysis undertaken in this study demonstrates that administrative remedies are not merely procedural requirements but constitute an integral component of administrative accountability. Their existence reflects the broader evolution of administrative governance toward corrective and responsive decision making structures. Such a perspective is consistent with the understanding that administrative law must balance governmental efficiency with legal protection for citizens affected by public decisions (Wade & Forsyth, 2014).

The legal rationale underlying administrative remedies derives from the principle that disputes generated by administrative action should initially be reviewed within the administrative sphere before judicial intervention becomes necessary. This rationale is grounded in the assumption that public authorities possess institutional knowledge regarding the context and objectives of contested decisions. Administrative review consequently provides an opportunity for self correction while preserving judicial resources for disputes requiring independent adjudication. Similar approaches have been identified across various administrative justice systems where internal review serves as an essential component of procedural fairness and regulatory accountability (Adler, 2010).

From a governance perspective, administrative remedies represent a practical manifestation of responsive public administration. Governance theory emphasizes that effective public institutions are characterized by their capacity to learn, adapt, and correct administrative deficiencies through institutional feedback mechanisms. Internal review procedures enable government agencies to reassess decisions without immediately entering adversarial judicial proceedings. This institutional logic aligns with broader conceptions of governance that prioritize interaction, responsiveness, and accountability within public decision making processes (Kooiman, 2003).

The Indonesian legal framework demonstrates a significant transformation in the conceptualization of administrative remedies. Law Number 5 of 1986 initially positioned administrative remedies as applicable only where specific legislation explicitly required such procedures. The enactment of Law Number 30 of 2014 expanded this orientation by strengthening administrative review as an important prerequisite within administrative dispute settlement. The regulatory development reflects a movement toward greater institutional responsibility in administrative decision making (Republic of Indonesia, 1986; Republic of Indonesia, 2014).

Interpretation of these legal developments reveals that administrative remedies serve multiple normative objectives simultaneously. They function as mechanisms for legal protection, instruments of bureaucratic correction, and procedural filters that prevent unnecessary litigation. Such multidimensional objectives are consistent with contemporary administrative law scholarship that views dispute resolution as part of a broader governance ecosystem rather than a purely judicial process. Regulatory frameworks increasingly emphasize preventive approaches that address disputes before they escalate into formal litigation (Breyer et al., 2021).

Table 1. Normative Dimensions of Administrative Remedies as a Prerequisite for Administrative Litigation

Normative Dimension	Legal Function	Governance Significance
Legal Protection	Protection of citizens against unlawful administrative decisions	Strengthening access to justice
Administrative Correction	Opportunity for internal review and revision	Improvement of decision quality
Procedural Filtering	Reduction of premature litigation	Judicial efficiency
Accountability	Review of administrative conduct	Enhancement of public trust
Good Governance	Promotion of transparency and responsiveness	Institutional legitimacy

Source: Synthesized by the author from Wade and Forsyth (2014), Adler (2010), Breyer et al. (2021), Republic of Indonesia (1986), and Republic of Indonesia (2014).

The analytical dimensions presented in Table 1 demonstrate that administrative remedies cannot be interpreted solely as procedural barriers before access to court. Their legal significance extends to broader governance objectives involving accountability and institutional learning. The effectiveness of such mechanisms depends on whether administrative institutions genuinely engage in substantive review rather than formal compliance. Administrative justice scholarship consistently emphasizes that procedural structures acquire legitimacy only when they produce meaningful opportunities for correction and participation (Adler, 2010).

A comparative examination of contemporary regulatory sectors reinforces the importance of preventive review mechanisms. Regulatory oversight frameworks governing health technologies, public health logistics, and emerging technologies increasingly incorporate internal review procedures to ensure compliance and mitigate institutional risk before external intervention occurs (Badnjević et al., 2022; Fahrni et al., 2022; Buocz et al., 2023). These developments illustrate a broader administrative trend favoring corrective governance over exclusively punitive or judicial approaches. Administrative remedies reflect a similar regulatory philosophy within administrative dispute resolution.

The growing complexity of public administration further strengthens the justification for mandatory administrative review. Contemporary governance increasingly relies upon digital systems, algorithmic decision making, and data driven administrative processes that generate new forms of legal risk and procedural complexity (Johnson et al., 2022; Considine et al., 2022; Hossin et al., 2023). In such environments, internal review mechanisms provide opportunities to identify procedural errors and substantive deficiencies before disputes reach judicial institutions. Litigation involving automated public decisions similarly demonstrates the importance of preliminary review procedures capable of addressing grievances at an earlier stage (Kaun, 2022).

Administrative remedies also contribute to the reduction of administrative burdens that frequently impede access to public services and legal protections. Research on policy implementation indicates that excessive procedural complexity can create inequalities by discouraging individuals from asserting their rights (Herd et al., 2023; Janssens & Van Mechelen, 2022). Effective administrative remedies must therefore operate as accessible and transparent mechanisms rather than additional bureaucratic obstacles. Their normative legitimacy depends not only upon formal legal recognition but also upon their practical capacity to facilitate fair and efficient dispute resolution.

The doctrinal findings indicate that the legal rationality of administrative remedies within the Indonesian administrative law system is fundamentally connected to the principles of accountability, corrective governance, and procedural justice. The statutory framework seeks to establish a balance between administrative autonomy and judicial oversight through a structured sequence of dispute resolution mechanisms. Such an approach remains consistent with rule of law values that require public power to be subject to review and justification (Bingham, 2011). The effectiveness of this legal design ultimately depends upon the institutional capacity of administrative bodies to implement review procedures in a manner that prioritizes substantive fairness over procedural formalism

Assessing the Effectiveness of Administrative Remedies as a Mandatory Procedural Requirement

The effectiveness of administrative remedies as a mandatory procedural requirement must be evaluated through their capacity to achieve the objectives that justify their existence within administrative dispute resolution. Normative analysis of Indonesian administrative law indicates that the exhaustion requirement seeks to encourage dispute settlement before judicial intervention becomes necessary. This orientation reflects a broader administrative justice model that prioritizes corrective review mechanisms before adversarial litigation. Similar approaches have been discussed in comparative legal scholarship where procedural prerequisites are regarded as instruments for promoting efficient dispute management rather than restricting legal protection (Adler, 2010).

Legal effectiveness cannot be measured solely through compliance with procedural rules because effectiveness also encompasses the ability of legal institutions to deliver meaningful outcomes for affected individuals. The requirement to exhaust administrative remedies before filing a lawsuit is expected to reduce unnecessary litigation and improve administrative decision quality. Such expectations correspond with contemporary governance research emphasizing that institutional performance depends upon the capacity of administrative systems to resolve disputes at the earliest possible stage (Mendez & Bachtler, 2024). The practical value of procedural requirements consequently depends on whether they facilitate substantive resolution rather than procedural repetition.

The enactment of Supreme Court Regulation Number 6 of 2018 significantly strengthened the procedural status of administrative remedies within Indonesian administrative litigation. The regulation establishes a structured pathway that obliges litigants to complete available administrative review procedures before seeking judicial adjudication. From a normative perspective, this arrangement contributes to procedural order and legal certainty because it clarifies the sequence of dispute resolution mechanisms. Legal research methodology recognizes procedural coherence as an important component of regulatory effectiveness because predictable legal processes strengthen institutional legitimacy (McConville & Chui, 2017).

An important justification for mandatory administrative remedies lies in their filtering function within the administrative justice system. Cases that can be resolved through internal review need not proceed to court, allowing judicial institutions to concentrate on disputes involving complex legal questions or unresolved administrative controversies. Comparative studies of public administration demonstrate that procedural filters often contribute to organizational efficiency when supported by clear legal standards and consistent implementation practices (Enaifoghe, 2022). The effectiveness of such filtering mechanisms depends upon the balance between administrative efficiency and the preservation of access to justice.

The relationship between administrative remedies and access to justice presents a more complex analytical issue. While mandatory review procedures may improve institutional efficiency, they can also create additional procedural steps that increase the burden placed upon individuals seeking legal protection. Research concerning administrative burden demonstrates that procedural requirements frequently influence whether individuals are willing or able to pursue available legal remedies (Herd et al., 2023). Legal effectiveness therefore requires consideration of both institutional objectives and citizen experiences.

Table 2. Analytical Indicators of Administrative Remedy Effectiveness in Administrative Litigation

Indicator	Intended Objective	Potential Limitation
Dispute Filtering	Reduce court caseload	Procedural delay
Administrative Correction	Improve decision quality	Institutional bias
Legal Certainty	Clarify procedural pathway	Regulatory ambiguity
Access to Justice	Provide accessible review	Administrative burden
Procedural Efficiency	Faster dispute resolution	Bureaucratic formalism

Source: Synthesized by the author from Adler (2010), Herd et al. (2023), Janssens and Van Mechelen (2022), Mendez and Bachtler (2024), and Supreme Court Regulation Number 6 of 2018.

The indicators presented in Table 2 reveal that the effectiveness of administrative remedies involves competing institutional objectives that must be carefully balanced. The legal framework seeks to reduce litigation while preserving meaningful opportunities for review and correction. Administrative effectiveness becomes difficult to achieve when procedural obligations create burdens that discourage legitimate claims. Studies on policy participation similarly indicate that individuals often refrain from utilizing available mechanisms when procedural complexity becomes excessive (Janssens & Van Mechelen, 2022).

Normative evaluation of the Indonesian framework suggests that Supreme Court Regulation Number 6 of 2018 has strengthened procedural consistency by establishing clearer requirements concerning exhaustion of remedies. The regulation contributes to legal certainty because litigants and administrative bodies operate within a more predictable procedural structure. Regulatory clarity is widely recognized as a prerequisite for institutional effectiveness because uncertainty frequently generates inconsistent implementation and unnecessary disputes (Mendez & Bachtler, 2024). The regulation has consequently reinforced the formal coherence of administrative litigation procedures.

Questions concerning substantive effectiveness nevertheless remain significant within administrative justice scholarship. A procedurally coherent system does not automatically guarantee fair outcomes if administrative review becomes a formal requirement devoid of meaningful examination. Debates regarding procedural legitimacy often emphasize that legal mechanisms must deliver genuine opportunities for rights protection rather than symbolic compliance with procedural

expectations (Deva, 2023). The effectiveness of administrative remedies must therefore be assessed according to their capacity to produce corrective outcomes rather than merely satisfy formal legal requirements.

The Indonesian experience demonstrates that procedural requirements frequently reflect broader tensions between governmental efficiency and judicial accessibility. Similar tensions have emerged in debates surrounding judicial review and regulatory oversight where policymakers seek to preserve administrative autonomy while maintaining effective legal accountability mechanisms (Freeman & Stephenson, 2023). Legal reforms associated with administrative governance often reveal the challenges of balancing institutional efficiency against the protection of individual rights, particularly when procedural requirements become increasingly formalized (Mahy, 2022). Administrative remedies occupy a central position within this continuing tension.

The doctrinal findings indicate that mandatory administrative remedies perform an important filtering and corrective function within the Indonesian administrative justice system. Their effectiveness is evident in the promotion of procedural order, dispute prevention, and opportunities for administrative self correction before litigation occurs. Substantive effectiveness remains influenced by the extent to which procedural obligations are implemented without creating disproportionate burdens for justice seekers, a concern that resonates with broader discussions regarding administrative red tape and performance management in public institutions (Hill & Plimmer, 2024). The legal framework demonstrates considerable normative strength, although its practical success depends upon maintaining equilibrium between efficiency, legal certainty, and access to justice.

Regulatory and Institutional Challenges in the Implementation of Administrative Remedies

The doctrinal analysis indicates that the principal challenges affecting administrative remedies in Indonesia are increasingly associated with regulatory and institutional conditions rather than with the formal legitimacy of the mechanism itself. Administrative law has evolved within a governance environment characterized by expanding bureaucratic responsibilities and increasingly complex decision making structures. Contemporary scholarship demonstrates that administrative systems often face difficulties when legal review mechanisms must respond to technologically sophisticated and organizationally fragmented forms of governance (Johnson et al., 2022). This development places considerable pressure on administrative remedies as institutions expected to maintain accountability while preserving administrative efficiency.

A significant challenge emerges from the coexistence of multiple regulatory instruments governing administrative dispute resolution. Law Number 5 of 1986, Law Number 30 of 2014, and Supreme Court Regulation Number 6 of 2018 establish interconnected procedural frameworks that occasionally generate interpretive uncertainty regarding procedural sequencing and jurisdictional boundaries (Republic of Indonesia, 1986; Republic of Indonesia, 2014; Supreme Court of the Republic of Indonesia, 2018). Legal scholarship has consistently observed that overlapping legal norms may weaken predictability and complicate the practical application of administrative review mechanisms (Mahy, 2022). Regulatory coherence remains an important prerequisite for ensuring that procedural obligations can be implemented consistently across administrative institutions.

Normative examination further reveals concerns regarding institutional impartiality during the internal review process. Administrative remedies are generally examined within the same organizational hierarchy that produced the contested decision. This arrangement creates a structural risk that institutional interests may influence the objectivity of the review process even when procedural safeguards formally exist (Al-Billeh, 2023). Similar concerns regarding internal accountability mechanisms have been identified in comparative administrative governance literature where oversight functions remain closely connected to decision making authorities.

The challenge of administrative transparency is equally relevant because the effectiveness of internal review depends on access to information and procedural openness. Citizens seeking administrative correction require clear explanations concerning review procedures, evidentiary requirements, and decision making standards. Research on public administration demonstrates that opaque procedures frequently reduce institutional legitimacy and weaken public confidence in dispute resolution mechanisms (Enaifoghe, 2022). Transparency therefore functions not merely as a procedural value but also as a condition supporting meaningful accountability.

The complexity of contemporary governance has also transformed the nature of administrative decisions subject to review. Public institutions increasingly rely on data intensive processes and technologically mediated forms of administration that generate decisions through complex informational systems. Such developments complicate traditional legal review because administrative reasoning may become less visible and more difficult to evaluate through conventional procedural standards (Hossin et al., 2023). Administrative remedies consequently face the challenge of adapting review mechanisms to forms of governance that differ substantially from traditional bureaucratic decision making.

Table 3. Institutional and Regulatory Challenges Affecting the Implementation of Administrative Remedies

Challenge Area	Manifestation	Impact on Effectiveness
Regulatory Dualism	Overlapping legal provisions	Legal uncertainty
Institutional Bias	Internal review by same hierarchy	Reduced impartiality
Administrative Transparency	Limited procedural openness	Lower public trust
Digital Governance	Complex technology based decisions	Increased review difficulty
Bureaucratic Capacity	Resource and competency limitations	Delayed dispute resolution

Source: Synthesized from Johnson et al. (2022), Kaun (2022), Hossin et al. (2023), Aloisi (2024), Considine et al. (2022), and Tiolince (2023).

The analytical dimensions presented in Table 3 demonstrate that implementation challenges arise across regulatory, organizational, and technological domains rather than from a single institutional weakness. Regulatory uncertainty affects procedural consistency while institutional bias raises concerns regarding fairness and independence. Transparency deficits weaken public trust and technological complexity creates additional obstacles for effective review. These interconnected challenges suggest that administrative remedies operate within an increasingly demanding governance environment requiring adaptive institutional responses.

The emergence of algorithmically influenced administrative decision making introduces additional legal complications. Studies examining automated governance indicate that individuals often encounter difficulties in understanding the reasoning underlying technology assisted administrative outcomes (Kaun, 2022). Comparable concerns appear within regulatory discussions surrounding algorithmic management where transparency and accountability become more difficult to maintain as technological complexity increases (Aloisi, 2024). Administrative remedies may therefore require procedural innovations capable of addressing decisions that involve advanced technological processes.

Institutional capacity represents another critical determinant of implementation quality. Effective review mechanisms depend upon competent personnel, adequate resources, and organizational structures capable of conducting objective assessments within reasonable timeframes. Research on organizational performance demonstrates that procedural requirements may lose practical value when institutions experience resource constraints or competing administrative priorities (Hill & Plimmer, 2024). Similar observations have been reported in studies examining information management and organizational effectiveness where institutional capability strongly influences decision quality (Al Hattami, 2024).

Comparative governance literature provides additional support for the argument that institutional resilience is essential for maintaining effective accountability systems. Crisis management research illustrates that administrative institutions frequently encounter performance challenges when legal responsibilities expand faster than organizational capacities (Boin & Rhinard, 2023). Sector specific regulatory studies concerning healthcare oversight, technological supervision, and policy implementation similarly emphasize the importance of sustained monitoring mechanisms and professional competence in maintaining regulatory effectiveness (Badnjević et al., 2022, Wiendl et al., 2023, Maclean et al., 2022). Administrative remedies therefore require institutional support structures capable of responding to increasingly specialized administrative disputes.

The findings indicate that the principal limitations affecting administrative remedies are located within implementation dynamics rather than within the normative foundations of the mechanism. Digital governance, institutional bias, regulatory fragmentation, transparency concerns, and capacity constraints collectively influence the quality of administrative review processes (Touriano et al., 2023, Fanelli et al., 2023). Contemporary governance scholarship further suggests that regulatory systems must continuously adapt to technological and organizational transformation while preserving accountability and procedural fairness (Buocz et al., 2023, Considine et al., 2022). The effectiveness of administrative remedies therefore depends substantially on the ability of administrative institutions to maintain consistency, transparency, and professional competence within an increasingly complex governance landscape.

CONCLUSION

Administrative remedies constitute a significant procedural and substantive instrument within the Indonesian administrative law system because they provide opportunities for administrative correction, strengthen accountability, and promote the realization of administrative justice before judicial intervention. Normative analysis demonstrates that the requirement to exhaust administrative remedies reflects the principles of good governance, procedural fairness, and the rule of law by encouraging dispute resolution at the administrative level while preserving judicial oversight as a final safeguard. The mechanism also functions as an effective procedural filter that supports efficiency and legal certainty through the reduction of unnecessary litigation and the improvement of decision quality. Its effectiveness, however, is not determined solely by normative design but also by the quality of implementation. Regulatory overlap, institutional bias, transparency limitations, bureaucratic capacity constraints, and the increasing complexity of technology driven administrative decisions continue to affect the practical operation of administrative remedies. The effectiveness of this mechanism therefore depends on the development of coherent regulatory frameworks, impartial review processes, stronger institutional capabilities, and adaptive governance structures capable of ensuring accountability and protecting citizens' rights within an evolving administrative environment.

REFERENCES

- Adler, M. (2010). *Administrative justice and asylum appeals: A study of tribunal adjudication*. Hart Publishing.
- Al-Billeh, T. (2023). Disciplinary measures consequent on the judges' misuse of social media in Jordanian and French legislation: a difficult balance between freedom of expression and restrictions on judicial ethics. *Kutafin Law Review*, 10(3), 681-719.
- Al-Hattami, H. M. (2024). Impact of AIS success on decision-making effectiveness among SMEs in less developed countries. *Information Technology for Development*, 30(3), 472-492.
- Aloisi, A. (2024). Regulating algorithmic management at work in the European Union: Data protection, non-discrimination and collective rights. *International Journal of Comparative Labour Law and Industrial Relations*, 40(1).
- Badnjević, A., Pokvić, L. G., Deumić, A., & Bećirović, L. S. (2022). Post-market surveillance of medical devices: a review. *Technology and Health Care*, 30(6), 1315-1329.
- Boin, A., & Rhinard, M. (2023). Crisis management performance and the European Union: The case of COVID-19. *Journal of European Public Policy*, 30(4), 655-675.
- Breyer, S. G., Stewart, R. B., Sunstein, C. R., Vermeule, A., & Herz, M. (2021). *Administrative law and regulatory policy: Problems, text, and cases* (9th ed.). Wolters Kluwer.
- Buocz, T., Pfothenauer, S., & Eisenberger, I. (2023). Regulatory sandboxes in the AI Act: reconciling innovation and safety?. *Law, Innovation and Technology*, 15(2), 357-389.
- Considine, M., McGann, M., Ball, S., & Nguyen, P. (2022). Can robots understand welfare? Exploring machine bureaucracies in welfare-to-work. *Journal of Social Policy*, 51(3), 519-534.
- Deva, S. (2023). Mandatory human rights due diligence laws in Europe: A mirage for rightsholders?. *Leiden Journal of International Law*, 36(2), 389-414.
- Enaifoghe, A. (2022). Challenges of municipal service delivery and instruments for enhancing South African local government administration. *African Journal of Development Studies*, 12(3), 105.

- Fahrni, M. L., Ismail, I. A. N., Refi, D. M., Almeman, A., Yaakob, N. C., Saman, K. M., ... & Babar, Z. U. D. (2022). Management of COVID-19 vaccines cold chain logistics: a scoping review. *Journal of pharmaceutical policy and practice*, 15(1), 16.
- Fanelli, S., Pratici, L., Salvatore, F. P., Donelli, C. C., & Zangrandi, A. (2023). Big data analysis for decision-making processes: challenges and opportunities for the management of health-care organizations. *Management Research Review*, 46(3), 369-389.
- Freeman, J., & Stephenson, M. C. (2023). The Anti-Democratic Major Questions Doctrine. *The Supreme Court Review*, 2022(1), 1-48.
- Herd, P., Hoynes, H., Michener, J., & Moynihan, D. (2023). Introduction: Administrative burden as a mechanism of inequality in policy implementation. *RSF: The Russell Sage Foundation Journal of the Social Sciences*, 9(4), 1-30.
- Hill, K., & Plimmer, G. (2024). Employee performance management: the impact of competing goals, red tape, and PSM. *Public Personnel Management*, 53(3), 458-485.
- Hossin, M. A., Du, J., Mu, L., & Asante, I. O. (2023). Big data-driven public policy decisions: Transformation toward smart governance. *Sage Open*, 13(4), 21582440231215123.
- Janssens, J., & Van Mechelen, N. (2022). To take or not to take? An overview of the factors contributing to the non-take-up of public provisions. *European Journal of Social Security*, 24(2), 95-116.
- Johnson, B. A., Coggburn, J. D., & Llorens, J. J. (2022). Artificial intelligence and public human resource management: questions for research and practice. *Public Personnel Management*, 51(4), 538-562.
- Kaun, A. (2022). Suing the algorithm: The mundanization of automated decision-making in public services through litigation. *Information, Communication & Society*, 25(14), 2046-2062.
- Kooiman, J. (2003). *Governing as governance*. Sage Publications.
- Maclean, J. C., Mallatt, J., Ruhm, C. J., & Simon, K. (2022). The opioid crisis, health, healthcare, and crime: A review of quasi-experimental economic studies. *The ANNALS of the American Academy of Political and Social Science*, 703(1), 15-49.
- Mahy, P. (2022). Indonesia's Omnibus Law on job creation: legal hierarchy and responses to judicial review in the labour cluster of amendments. *Asian Journal of Comparative Law*, 17(1), 51-75.
- McConville, M., & Chui, W. H. (Eds.). (2017). *Research methods for law* (2nd ed.). Edinburgh University Press.
- Mendez, C., & Bachtler, J. (2024). The quality of government and administrative performance: explaining Cohesion Policy compliance, absorption and achievements across EU regions. *Regional Studies*, 58(4), 690-703.
- Republic of Indonesia. (1986). *Law Number 5 of 1986 concerning the State Administrative Court*. State Gazette of the Republic of Indonesia Year 1986 Number 77.
- Republic of Indonesia. (2014). *Law Number 30 of 2014 concerning Government Administration*. State Gazette of the Republic of Indonesia Year 2014 Number 292.
- Supreme Court of the Republic of Indonesia. (2018). *Supreme Court Regulation Number 6 of 2018 concerning Guidelines for the Settlement of Government Administrative Disputes After Exhaustion of Administrative Remedies*.
- The Rule of Law Bingham, T. (2011). *The rule of law*. Penguin Books.
- Tiolince, T. (2023). Indonesian Telemedicine Regulation to Provide Legal Protection for Patient. *Journal of Sustainable Development and Regulatory Issues (JSDERI)*, 1(2), 75-97.
- Touriano, D., Sutrisno, S., Kuraesin, A. D., Santosa, S., & Ausat, A. M. A. (2023). The role of information technology in improving the efficiency and effectiveness of talent management processes. *Jurnal Minfo Polgan*, 12(1), 539-548.
- Wade, H. W. R., & Forsyth, C. F. (2014). *Administrative law* (11th ed.). Oxford University Press.
- Wiendl, H., Abicht, A., Chan, A., Della Marina, A., Hagenacker, T., Hekmat, K., ... & Meisel, A. (2023). Guideline for the management of myasthenic syndromes. *Therapeutic advances in neurological disorders*, 16, 17562864231213240.