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A State Administrative Judicial System That Is in Accordance with the Will of the State Stated in the Preamble of the 1945 Constitutional Law of the Republic of Indonesia in Order to Create a Prosperous State

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Abstract. *PTUN or currently better known as Administrative Justice is an access to justice that serves humans, of course it is not just a legal machine formed by normative legal provisions alone. The access to justice offered by a judiciary is expected to be cheap or light in financing, the process is fast and the procedures are not complicated. That access to justice in the PTUN is not enough with a light, fast and simple construction, but one more thing is needed, namely the authority of the judicial product itself. The authority in question is obeying decisions and being able to respond to a sense of justice. A judiciary whose decision products do not have authority will only present wooden swords that are no longer feared. In conclusion, there are still many shortcomings in the practice of the State Administrative Court (TUN court), where it still appears on the surface that the TUN court is supposed to act as judicial control for the administration of State administration. The use of the principle where judges are given the authority to determine the main points and details of the content of this decision, aims to reduce the gap between the intent of the content of the decision and the implementation of the decision itself.*

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1. Introduction

The failure of the "legal state" state paradigm which has the principle of "staatsonthouding" or limiting the role of the state and government in the political field, has led to a shift in the state paradigm, from the "night watchman" state paradigm (nachtwakerstaat) to the welfare state paradigm (Welfare State). The welfare state paradigm places citizens or individuals as legal subjects, who must be protected and prosperous in all aspects of their lives. The state in the welfare state paradigm places citizens as subjects, and no longer places citizens as objects. The state has an obligation to enter the area of life of its citizens, in order to carry out its functions, serve and strive for welfare (bestuurszorg).

Having an obligation to serve its citizens, the modern legal state seeks to use the institution of State Administrative Law as an instrument of state administrative control. The use of Administrative Law, not only as a regulatory and coercive tool, but also as a means of limiting the power of the state itself. This limitation of state power is deemed necessary, because if the state is given too much power (even if based on law), it will give rise to absolute power. Absolute power, in turn, will only give rise to corrupt leadership.

Conflict arises, namely that on the one hand there is a need for the state's function to regulate and serve society (and in fact it requires quite broad powers), and on the other hand there is concern about the emergence of absolute power in the state. As a result of the granting of great power to the state to manage the country, citizens need a guarantee of adequate protection from the great power of the state.

The consequences of being a rule of law state, mutatis mutandis, give rise to an obligation for the state to implement the principles of a just state. The principle of justice in a legal state seeks to find a middle point between two interests. On the one hand, the interest is to give the state the opportunity to run the government with its power, but on the other hand, the public must receive protection for their rights through the principles of legal justice. This legal justice is guaranteed in the legislation of every civilized country today. and to realize these human rights, a media or institution of justice is needed, which can be used as access for the community, to obtain a sense of justice. Then according to Article 1457 of the Civil Code, it is stated that the sale and purchase of land is an agreement by which the seller binds himself (meaning promises) to transfer the rights to the land in question to the buyer who binds himself to pay the seller the agreed price. The provisions regulated in all of Book II of the Civil Code have been revoked and are no longer valid.

Based on this, interest arose in writing about the review of discretionary decisions by the State Administrative Court and the performance of the State Administrative Court in accordance with the needs of society in order to form a good and authoritative government. Based on the background description above, a problem formulation can be proposed, namely how is the State Administrative Court system in accordance with the wishes of the State as stated in the Preamble to the 1945 Basic Law of the Republic of Indonesia in order to create a prosperous state?

2. Research Methods

Legal research is a form of scientific activity, which is based on certain methods, systematics, and thinking, which aims to study one or several specific legal symptoms, with symptoms analyzing it. In studying legal symptoms, an in-depth analysis of the problems faced is needed. The research method used is normative legal research method and the approach used is a statutory approach (normative approach) and conceptual approach (conceptual approach).

Legal research sources can be divided into research sources in the form of primary legal materials and secondary legal materials. This research uses the primary legal source Law Number 51 of 2009 concerning the Second Amendment to Law Number 5 of 1986 concerning State Administrative Courts. The technique for collecting legal materials uses literature study with syllogism analysis through deductive reasoning.

3. Results and Discussion

PTUN or currently better known as Administrative Justice is an access to justice that serves humans, of course it is not just a legal machine formed by normative legal provisions alone. The judiciary is an institution, which appears as an organization, which has the nature of interdependence with many factors of legal and social life. The judiciary is a unity of concepts and elements, including legal culture, norms, as well as the implementation movements of the judicial institution itself, as well as other social factors.

PTUN as an institution that was born during the development of the modern legal system, has been developed based on the needs of a modern legal system, which consists of formal processes. These formal processes (together with informal processes), including bureaucracy, administration, transformation, and sub-systems, form the fabric of procedures which is the heart of law. The existence of subsystems in this PTUN includes many things, including:

1. Case reception sub-system

2. Sub-system for case handling and trial procedures

3. Evidence and decision making sub-system

4. Decision Implementation Sub System

These sub-systems synergistically form a single fabric of the PTUN system, therefore between these subsystems must be integrative, and must not be contradictory to one another. This integrative nature is supported by the need to achieve the ultimate goal of the system itself, namely successfully processing incoming cases and producing decisions in accordance with the norms adopted by the system. [1]Like any other judicial system, the core of the PTUN system is the interrelationship between parts. The existing system building, along with the basic legal principles (which form the basis) of the PTUN, should be structured in such a way that everything supports each other to achieve the ultimate goal of the operation

of the system, namely the success of providing services and enforcing the law.

The judiciary in its position as an independent system, lives in system egoism, meaning that it is more concerned with the success of system objectives, rather than its service function as an access to justice. As a result, the system developed, in its sub-systems (including its supporting instruments, the legal culture of the actors, even to the paradigm stage), is more egocentric, namely to meet the needs of the judicial system itself.

To support and fulfill the needs of the PTUN system itself, it is necessary to have instruments and procedures, to ensure the continuity of the justice system itself. To this end, the judicial system carries out screening processes, restrictions, sanctions and case handling processes, which in essence seek to secure the mechanisms of the existing system. The judiciary is not structured to respond to or handle cases, which are not accommodated by the judicial system itself.

In a bureaucratic judicial system, justice seekers are always asked to adjust to the legal machinery of the judiciary. As a result, the paradigm of the judiciary, which is supposed to be a

[1] Amirin,Tatang ,Pokok-Pokok Teori Sistem, (Jakarta ,Rajawali Pers, 1996) p. 23-24

"Servant or servant of the Legal Community", to obtain legal justice, is instead positioned as a "Master or employer of the Legal Community", justice seekers must submit and follow the existing judicial system.

In fact, what ever the legal system does, it should not ignore the position of humans, who are at the center of the system. The main principle of justice should be based on the principle of law, which serves humans, so that it should be "law for humans and not the other way around".[2]

Although the PTUN system is integrative in nature, this does not mean that it is unaffected by the socio-political environment on which it operates. A good judicial system is required to be able to synergize between the system in place and the socio- political environment that surrounds it. Conversely, a judicial system that contradicts or is not in harmony with socio-political life will certainly encourage the system to malfunction.

In relation to the PTUN, the socio-political environment is very important. This is because the parties faced by the Administrative Court are officials or state administrative bodies, which are in fact the authorities. The court in dealing with the ruler, of course, requires a special system device, which is able to overcome the element of power itself. If the court is not able to overcome this power, it is very likely that the court will fail to carry out its function.

From the side of the justice seeker, the State Administrative Court is a place or medium that is expected to be able to resolve the problem. From a formal point of view, justice seekers certainly want to solve problems, at low cost, the process is not too complicated, and fast. From a material point of view, justice seekers certainly expect the PTUN to be able to create decision products that really solve problems. Justice seekers want to get a sense of fairness, from the decision products that will be produced.

Justice seekers certainly do not want the process undertaken at the PTUN to produce no real results, or victory only on paper. To answer these expectations, the resulting decision products should actually be realized, in a short, cheap and uncomplicated tempo. The logic of justice seekers, as described above, is not excessive, if it is related to the views of the public towards

[2] Rahardjo, Satjipto, Manusia dalam Hukum Indonesia ,(dalam Sisi-sisi lain Hukum Indonesia),(Jakarta, Kompas, 2004),p. 34

the judiciary. Seekers of justice still see the judiciary as the "last bastion of justice", so that the focus of dispute resolution is expected to emerge from judicial processes.

People feel that the losses they have suffered due to government actions must be resolved with reasonable compensation, so that they can enjoy a sense of justice again. Courts that are unable to provide or restore a sense of balance of justice are clearly far from the public's expectations of the courts.

Access to justice offered by a judiciary is expected to be cheap or low cost, fast in process and uncomplicated in procedure, but is it enough for the judicial system to meet these criteria? No matter how cheap, fast, and simple procedures are offered by the justice system, at the end of the day, it is how the decision is executed.

One of the main problems in the State Administrative Court in practice is the emergence of public distrust in the system or mechanism for implementing decisions. This lack of trust arises because of complaints related to the non-respect of the contents of the PTUN Decision itself by government officials, so that the PTUN becomes a judicial institution that lacks or is not authoritative.

The causes of these problems must be sought and efforts made to resolve them. There will be no meaning to a good judicial mechanism (light, fast and simple) and produce a good decision, but it fails in its implementation. The implementation of the decision as the final end of the hallway of justice cannot but be the most important part of the mechanism or process that occurs in the PTUN. The success of the implementation of the decision is the stake of public confidence in the judicial institution itself, because a judicial system that can only produce decisions without having the ability to implement the contents of the decision, then it becomes not authoritative and will gradually lead to public distrust.

Before discussing further about the execution of PTUN decisions, it is necessary to first understand that PTUN decisions have special characteristics. PTUN decisions are unique compared to decisions in other courts, because PTUN decisions do not provide wide space with all the disparities of justice.

The PTUN system limits judges to choose between declaring the nullity of the object of dispute (state administrative decision) being sued, or declaring the validity of the object of dispute. This

is clearly different from criminal and civil court decisions, which provide a large space for the panel of judges to decide a case with a large degree of disparity.

On the same side of the function as other judicial systems, the PTUN system in its system product, namely decisions, seeks to resolve disputes. In the PTUN decision, the judge can add several obligations that must be carried out by the defendant. These obligations include

1. Order the Respondent to issue a new state administrative decision

2. revoke the disputed administrative decision

3. order the Respondent to pay compensation and rehabilitation.

It is necessary to understand the PTUN execution system that is currently in effect and complained about by the justice-seeking community, this is very important to provide an understanding of why there is a problem of lack of authority in the PTUN institution. In the system offered by the PTUN, the pattern of execution of decisions at the PTUN, according to the author, emphasizes "moral compliance" rather than "juridical compliance". This statement is based on the fact that the implementation of PTUN decisions is not placed in a system that ends or is supported by a penetration as in civil or criminal justice. The enforcement of PTUN decisions is placed on the law awareness of state administrative officials. There is no instrument that can force the Defendant/Official to comply with and implement the Decision..

If the State Administrative Officer does not implement the decision, then based on the provisions of Article 116 paragraphs 4 and 5 of Law No. 51 of 2009, he will be reported to his superiors up to the level of the President as the head of the highest government. After the amendment of Law No. 5 of 1986 with the issuance of Law No. 51 of 2009, the mechanism for implementing the decision as previously stipulated in Article 116 of Law No. 5 of 1986 has been changed. The amendment includes elements of administrative coercion such as dwangsom, administrative sanctions, and announcement in the mass media, which can be imposed when the defendant/respondent does not carry out the contents of the Decision. The amendment of Law No. 5 of 1986 by Law No. 51 of 2009 also eliminated the reporting mechanism (through the administrative bureaucracy) to the president as the highest head of government.

In 2009, based on Law No. 51 of 2009 concerning the second amendment to Law No. 5 of 1986 concerning Peratun, the provisions of Article 116 were again revised by re-including the provisions of the reporting mechanism (through the administrative

bureaucratic level) up to the president as the highest head of government, in the event that the defendant does not implement the contents of the decision.

The existence of the State Administrative Court was established in order to provide protection to the people who seek justice, who feel they have been harmed by a State Administrative Decision.28 Such is the great expectation placed on the State Administrative Court, but it is a consequence of the State Administrative Court as an access to justice.

The problem is that access to justice as a system is not only required to produce legal products, namely decisions. PTUN is also required to ensure that the decisions it produces can be implemented, so that justice seekers can get "satisfaction in the field of law" (which is proven by the implementation of the PTUN Decision)..

Execution or execution of a verdict according to Supomo (in Civil Procedure Law) is defined as a rule about the methods and conditions used by state instruments, in order to assist interested parties to carry out a judge's decision if the losing party is not willing to comply with the substance of the decision within the specified time. Supomo's opinion above shows the assistance function of the state apparatus, to carry out the contents of the verdict in the event of insubordination of the convicted party to the contents of the verdict.

This condition shows that the success of the implementation of the decision must get support from the apparatus as a determinant factor so that the emphasis is more on legal responsibility. This implies that the law, with all its coercive instruments, will force someone to carry out the contents of the decision. In the case of the PTUN, the forcing instrument is the morals of the officials themselves, something that in Indonesia is a big problem, this is what then raises the pessimism of justice seekers at the PTUN. Pessimism towards the implementation of PTUN decisions was even conveyed by Indroharto who expressed the opinion that real execution was not needed in the implementation of administrative judicial decisions, because such execution against the government was impossible to carry out. This pessimism is also supported by the existence of principles in State Administration law, which systematically hinder the implementation of the contents of the PTUN decision and provide "protection" for officials who refuse to implement PTUN decisions,

There is a need to discuss these principles one by one, whether these principles are still relevant to be maintained in the study of the State Administrative Court system as a judicial institution whose authority is expected. It takes courage to dismantle all the principles and principles of State Administrative Law to create the State Administrative Court as an authoritative court, because however it must be understood, that there is no paradigm or legal principle that is absolute and eternal, as long as it relates to human relations with the law. The law was created to serve humans, and not humans created to serve the law.[3]

In the first principle, which states that against public objects can not be done / put bail. This can be accepted, if it concerns buildings, vehicles, public infrastructure facilities, which cannot be confiscated because it concerns the interests of many people. The question becomes, what about foreign exchange reserves or the accounts of a government agency whether it does not need to be reviewed regarding the applicability of this principle.

In major cases involving state interests, and filed abroad especially in the United States, there is often a freezing of assets belonging to a state due to lawsuits from citizens who feel their rights have been oppressed by the state or government. This reference is important, to remind us that such a principle needs to be reviewed because the practice in some countries has allowed for the freezing of public assets, to ensure the payment of a lawsuit filed by a citizen or legal entity.

The principle of rechtmatigheid van bestuur (hereinafter abbreviated as RvB), mandates that superiors do not provide opportunities and rights to issue decisions that are the authority of their subordinates. The use of this principle is indeed motivated by a principle, that a state administrative decision can only be made by an authorized official or body, so that even if the superior of the official does not have the authority, he cannot issue a state administrative decision which is the authority of his subordinates.

Particularly in the issue of orders for the issuance of new state administrative decisions (Article 97 paragraphs 8 and 9 of Law No. 5 of 1986) or those requested, it turns out that in practice it is not as simple as imagined (with the assumption that after the orders of the judge, then the existing disputes are all over). The PTUN system cannot be separated from the principles of state administrative law, namely: "dat de rechter niet op de stoel van het bestuur mag gaan zitten" (judges may not sit in the seat of government). As a result of the acceptance of this principle in

[3] Satjipto, Rahardjo, Diskusi Hukum Progresif, Pertemuan Dekan PTS se DKI di Fakultas Hukum UNDIP, 14 Januari 2009 dalam Pidato Pengukuhan Guru Besar Prof.Dr.Yos Johan Utama,

administrative law, the judge does not have the authority to dictate the content of the decision that must be issued by the defendant/respondent.

This condition certainly causes the problem of state administrative disputes to be unresolved. Because the judge does not determine the content of the decision that must be made, the defendant feels free to make the content of the decision that he will make as a follow-up to the judicial decision. As a result, even new decisions can also appear as new problems. The following are examples of PTUN decisions that are not sharp enough, causing problems:[4]

1. Decision of the Semarang State Administrative Court No.08/G/TUN/2003 /PTUN SMG: August 6, 2003, which rejected the lawsuit to cancel the dismissal of the Head of Dusun LP-Village LP Kec.B Grobogan Regency. The decision did not provide clear confirmation of the status of the dismissed official and the position left vacant, which resulted in the position becoming vacant for a long time.

2. Decision of the Semarang State Administrative Court No. 9/G/TUN//2001/PTUN.Smg dated: August 20, 2001, in which the verdict granted the plaintiff's claim for his dismissal as Head of Village T, Sub-district T, Blora Regency, created confusion because the verdict did not accommodate changes to the new Village Government Law, as a result the plaintiff who won, was left in limbo.

3. Decision of the Jakarta Administrative Court No. 03/G/91/PT.TUN Jakarta, which granted a postponement of the dismissal of a civil servant, the decision did not provide confirmation of the plaintiff's status to continue working and receive a salary, as a result the defendant (administrator) did not comply with the postponement with the result that the plaintiff was left hanging.

4. Decision of the Supreme Court of the Republic of Indonesia No. 276 K/TUN/2002 yo Decision of the Surabaya State Administrative Court No. 118/B/TUN/2001/ PT.TUN Sby yo Decision of the Semarang State Administrative Court No. 10/G/ TUN/ 2001/ PTUN Smg, whose decision only invalidates the object of the dispute (land certificate), without ordering the issuance of a replacement certificate in accordance with the existing drawings, has caused problems, as the

[4] Johan,Yos Utama.2010.Membangun Peradilan Tata Usaha Negara yang Berwibawa.disampaikan dalam Pidato Pengukuhan sebagai Guru Besar Universitas Diponegoro.

land rights of the intervening defendant, after deducting the plaintiff's land area, have been neglected.

The PTUN's verdict, which is not detailed, is certainly a hole that causes bias in differences in perception between the defendant and the contents of the decision to be very likely to occur, and is very likely to cause the goal of the struggle of justice seekers not to be achieved. This opinion is also confirmed by BJ Schueler as quoted by Irfan, stating that the limited authority of judges tends to make administrative disputes unresolved. One of the efforts so that the dispute is truly resolved, some of the authority to make policies can be carried out by administrative court judges.

The use of the principles of state administrative law that have existed so far, using the principle of moral responsibility above, can certainly be done if the administrative processes have been carried out with full responsibility by the actors (administrators). In the sense that when an administrator gets a judge's order (to issue a state administrative decision on something), then with full responsibility and immediately carry out the issuance of the decision in accordance with the contents of the decision. For developing countries such as Indonesia, where the arrogance of administrative power is still so strong (especially during the period of regional autonomy), it is necessary to develop new thinking where judges are given sufficient freedom to be allowed to determine the points and details of the decision. The use of the principle where judges are given the authority to determine the main points and details of the decision is aimed at reducing the gap between the intent of the decision and the implementation of the decision itself.

The PTUN decision is of course expected to be the main and final instrument, of the entire PTUN system process, of course it is also expected to be an instrument for dispute resolution and a message of justice. For this reason, the content or ruling of the decision must be clear, detailed and constructive in resolving the case, as well as avoiding misuse of the content of the decision by the defendant, which ultimately results in failure to achieve the objectives of the PTUN system itself.

The lack of clarity in judicial decisions is largely contributed by the application of conventional administrative law principles, which state that "judges may not occupy or act as government officials", which means judges may not take on the roles of administrators. This principle has created obstacles for judges to make detailed, clear and constructive decisions, and of course needs to be reviewed. This review was carried out, considering that the acceptance of this

principle/paradigm has become an obstacle to the successful implementation of PTUN decisions. On the other hand, it should also be remembered that there is the principle of judge made law, where judges should also have the space or territory to create laws to solve problems in society.

For followers of the conventional view above, what the judge did by dictating the material for the decision is considered to have violated this basic principle. According to this view, the judge is only permitted to order the defendant/convict to issue a decision or cancel it, but the judge is not permitted to dictate the material content of the decision. One thought was put forward, where judges need to be given freedom in determining the content of the decision, especially in relation to orders to the defendant/convict to carry out the issuance of a decision. Judges should not be said to have violated this basic principle, when it is examined that the contents of the decision are actually a follow-up to demands submitted by justice seekers.

The judge in his decision actually only confirmed that if a petitum (which also contains the material of the TUN decision and the details required to be issued by the defendant/convict) had been granted, then this certainly could not be considered a violation of this basic principle.

From the series of discussions above, it is clear that PTUN access to justice is not enough with a light, fast and simple construction, but another thing is needed, namely the authority of the judicial product itself. The authority in question is obeying decisions and being able to respond to a sense of justice. A judiciary whose decision products lack authority will only present wooden swords that are no longer feared. Efforts to improve the TUN justice system are still very open both at the theoretical and practical levels, but must also be supported by the courage of judges and stakeholders to think outside of existing conventions.

4. Conclusion

There are still many shortcomings in the practice of the State Administrative Court (TUN court), where it still appears on the surface that the TUN court, which is supposed to act as judicial control for the implementation of State administration, often still does not defend the community in a broad and comprehensive manner in order to protect and uphold the rights of the general public which have been violated by state administration officials. The main principle of justice, especially TUN justice, must be based on legal principles, whose role is to serve humans, so that "the law should be for humans and not vice versa." So that a TUN court can be found that can realize the goals of the Indonesian State stated in Paragraph IV of the 1945

Constitution of the Republic of Indonesia as an illustration of moving towards a welfare state for the Indonesian For conditions in developing countries like Indonesia, where the arrogance of administrative power is still very strong (especially during the regional autonomy period), it is necessary to develop new thinking where judges are given sufficient freedom to be allowed to determine the points and details of decisions. The use of the principle where judges are given the authority to determine the main points and details of the content of this decision, aims to reduce the gap between the intent of the content of the decision and the implementation of the decision itself.

5. References

Books:

Amirin,Tatang.1996.Pokok-Pokok Teori Sistem.Jakarta:Rajawali Pers

Anonim.Rencana Pembangunan Jangka Menengah Nasional.Jakarta:Sinar Grafika

Lev,Daniel. 1988.Lembaga Peradilan dan Budaya Hukum di Indonesia (dalam Hukum dan Perkembangan Sosial).Jakarta:Sinar Harapan

Nonet, Philipe dan Selznick,Philip.2003.Hukum Responsif Pilihan di Masa Transisi. Jakarta:HuMa

Rahardjo,Satjipto. 2004.Manusia dalam Hukum Indonesia dalam Sisi-sisi lain Hukum Indonesia. Jakarta:Kompas

.2010.Diskusi Hukum Progresif.Pertemuan Dekan PTS se DKI di Fakultas Hukum UNDIP,dalam Pidato Pengukuhan Guru Besar Prof.Dr.Yos JohanUtama, SH MHum

Rasjidi, Lili. 1990.Dasar-Dasar Filsafat Hukum.Bandung :Citra Aditya Bhakti

Sekretariat Negara RI. 1998.Ketetapan-Ketetapan Majelis Permusyawaratan Republik Indonesia Hasil Sidang Istimewa Tahun 1998.Jakarta:SekNeg

Supomo.1984.Hukum Acara Perdata Pengadilan Negeri.Jakarta:Pradnjaparamita Undang Undang Dasar Replubik Indonesia Tahun 1945

Regulation:

Attachment to Presidential Regulation Number 7 of 2005 concerning the 2004-2009 National Medium-Term Development Plan, specifically Chapter II concerning Respect,

Recognition, and Enforcement of Law and Human Rights, subchapter D concerning Development Programs, Law Enforcement Programs, and Human Rights, point 10

Law of the Republic of Indonesia Number 51 of 2000 concerning the Second Amendment to Law Number 5 of 1986 concerning State Administrative Courts