

IMPLEMENTATION OF LEGAL RESPONSIBILITY OBJECTIONS TO SIMPLE LAWSUITS TO ACHIEVE JUSTICE

Dian Novita^{1*}, Yenny Eta Widyanti², I Made Sukadana²

Universitas Brawijaya / Magister Ilmu Hukum, Malang

Universitas Brawijaya / Magister Ilmu Hukum, Malang

Universitas Brawijaya / Magister Ilmu Hukum, Malang

E-mail: diannovita6771@student.ub.ac.id¹*, Yenni.eta@ub.ac.id², ryskdn@gmail.com³

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Abstract

This study examines the implementation of legal remedies for objections in small claims lawsuits at the Manado District Court based on PERMA No. 2 of 2015 in conjunction with PERMA No. 4 of 2019. The problem formulations include: (1) how to apply objections in small claims lawsuits; and (2) what efforts are made to realize justice in this mechanism. The study uses a socio-legal/juridical sociological approach by combining analysis of written legal norms and empirical data through literature studies, decision analysis, and interviews with judges and judicial officials. The results of the study indicate that procedurally and structurally, the objection mechanism at the Manado District Court is basically in accordance with the provisions of PERMA, both regarding procedures and deadlines, so that the principles of simplicity, speed, and low cost are relatively achieved. However, the justice realized is more prominent in the procedural aspect than in the substantive, especially for parties who are not accompanied by legal counsel and have difficulty compiling a legal objection memorandum. The study concludes that the main challenge lies in the legal culture and capacity of the actors, so that it is necessary to increase socialization, legal literacy, legal assistance, and technical guidelines so that objections in small claims are more effective and just.

Keywords: *simple lawsuit, objection, justice, Manado District Court.*

INTRODUCTION

Humans are essentially social beings born free, a gift from God Almighty. As social beings, every human being naturally interacts with one another. The process of social interaction between people to achieve their respective freedoms is not free from conflict, and can even lead to it. This is triggered by a variety of increasingly diverse problems where each individual wants the other party to comply with their wishes, while the other party does not. This kind of problem is often encountered in communities where an agreement is entered into, but one party fails to fulfill its obligations, making this prone to giving rise to disputes. In the Indonesian legal system, disputes arising from an agreement are referred to as civil disputes. (Muhammad, 2020) This is because contracts or agreements are a form of interpersonal relationship that falls within the realm of civil law. Civil disputes in the realm of agreements arise when one party fails to comply with the provisions of the agreement, ultimately resulting in a loss for that party. These civil disputes don't always arise from an agreement that isn't implemented; they can also arise because someone feels aggrieved by another party's unlawful conduct.

If a legal dispute arises, it can be resolved by the disputing parties themselves through deliberation and consensus. However, if the parties are unable to resolve the dispute on their own, they can seek assistance from the court. In this case, the aggrieved party will file a lawsuit with the court against the party they feel has caused them harm. If the dispute is resolved by a judicial body, the settlement process is in accordance with and subject to procedural law, whether the parties act against each other and the court, or the court acts against the disputing parties. (Prodjodikoro, 2018). The large number of people who choose litigation (through the courts) to resolve disputes, both minor and serious, has resulted in a large backlog of cases in the courts, both at the first instance, the appellate instance, and the cassation instance. The application of the trilogy principle of simple, expeditious, and low-cost justice in civil case resolution is expected to ensure that the case resolution process is not delayed and can be completed within a short period of time, thus reducing the costs incurred by the parties. However, in practice, this contradicts the principles adopted by civil procedural law itself. This is because resolving cases in court requires a

considerable amount of time and a complicated process, resulting in continuously increasing costs due to the use of attorneys as legal representation and the costs of resolving the case. However, business disputes or breach of contract require a rapid case resolution process to minimize business freezes between the parties. Furthermore, it also prevents malicious intent from other parties, such as delaying the payment of compensation or delaying the enjoyment or possession of an object to which they are not entitled. (Ruslya et al., 2021). A fast case resolution system is needed in the business world, which is one of the principles of justice in Indonesia, as regulated in Article 2 paragraph (4) of Law Number 48 of 2009 concerning Judicial Power, which regulates simple, fast, and low-cost dispute resolution. Following up on Article 2 paragraph (4) of Law Number 48 of 2009 concerning Judicial Power, the Supreme Court issued a strategic policy to anticipate this problem, namely by implementing a simple lawsuit adopted from the application of the Small Claim Court in several countries, one of which is in London, England. This policy is applied to general courts and religious courts. Therefore, a fast case resolution process in accordance with the needs of the community, especially business actors, has been issued a regulation, namely Supreme Court Regulation Number 4 of 2019 concerning Amendments to Supreme Court Regulation Number 2 of 2015 concerning Procedures for Settling Simple Lawsuits issued by the Supreme Court (Harahap, 2006).

Theoretically, small claims court is the right step to fix the problem of case backlog in court, namely a type of dispute resolution through litigation specifically for resolving minor cases. The simple definition in small claims as regulated in the Supreme Court Regulation of small claims, that the process or method of handling cases is carried out as simply and quickly as possible. The court as a place to resolve disputes in the field of civil law is expected to provide justice for everyone. As the theory put forward by Gustav Radbruch, where there are three main identities in law that must be considered in the decision, namely the principle of legal justice (*gerechtigheit*), the principle of legal benefit (*zwechmatigheid*), the principle of legal certainty (*rechmatigheid*). However, Article 30 of Supreme Court Regulation 2 of 2015 states that an objection decision is a final decision, with no legal remedies available for appeal, cassation, or judicial review. Furthermore, Article 26 states that no additional examination is conducted during the examination of objections. Furthermore, Article 25 also states that, in essence, objections are examined by the Panel of Judges at the first instance court. This means that legal remedies for dissatisfaction with the judge's decision only reach the objection stage. However, considering the principle of justice, every individual should have fair access to seek the truth and legal protection, including through higher legal mechanisms such as cassation or judicial review. This limitation has the potential to give rise to dissatisfaction if the decision at the objection stage is deemed inadequate or does not fully reflect substantive justice. Therefore, the formulation of these provisions needs to be reconsidered to not only ensure the efficiency of the legal process but also fulfill the principle of justice that is the foundation of the Indonesian legal system. (Zuhriah & Azmi, 2019).

Law Number 48 of 2009, Law Number 14 of 1985, and the HIR/RBg also apply the principle of *audi et alteram partem*, whereby all parties are given equal legal standing, including the opportunity to file legal remedies examined by a higher court. Appeals are examined by a judge at the High Court, while cassation and judicial review are examined by the Supreme Court. However, no additional examination is conducted in objections. The lack of opportunity to process objections further creates a lack of clarity in the implementation of the Supreme Court Regulation on simple lawsuits, particularly in relation to objection remedies. This raises the potential for inconsistencies with the principles of justice and legal expediency, as dissatisfaction with the outcome of an objection decision cannot be pursued to a higher legal mechanism. This provision requires re-evaluation to remain in line with the fundamental principles of Indonesian law, including providing fair access for justice seekers and ensuring that the final decision truly reflects substantive justice. Therefore, the author wishes to compile a thesis entitled "ANALYSIS OF LEGAL REMEDIES FOR OBJECTIONS IN SIMPLE LAWSUITS."

LITERATURE REVIEW

This study analyzes the implications of simple lawsuits in Islamic economic cases in realizing the principles of justice, benefit, and legal certainty by using relevant theories, namely.

1. Civil Lawsuit

In Civil Procedure Law, cases are divided into two, namely *contentiosa* and *voluntair*. A *contentiosa* case is a case involving a dispute between at least two parties with opposing interests, where one party acts as the plaintiff and the other party as the defendant. A lawsuit is filed because one party feels that its rights have been violated and the opposing party is unwilling to fulfill the demands voluntarily, so that a judge's decision is required to determine the right or entitled party. According to Sudikno Mertokusumo, a lawsuit is a legal means to protect a person's rights through the courts and prevent vigilante actions (*eigenrichting*). (Heniyatun, 2018).

On the other hand, a voluntary case is a request submitted by one party alone without any dispute with another party (*ex parte*), so it only concerns the interests of the applicant and does not interfere with the rights of other parties. For example, a request for the determination of inheritance or certain permission from the court which results in a declaratory decision or determines legal status, not a sentence. Civil lawsuits are generally submitted in writing to the head of the district court in the defendant's domicile as regulated in Article 118 paragraph (1) HIR, however Article 120 HIR permits the submission of lawsuits orally for parties who are unable to write, which will then be recorded by the head of the court, so that access to justice remains open to all. (Sugeng & Sujayadi, 2012).

2. Simple Lawsuit

Since 1960, the idea of a Small Claims Court emerged, which originated from the role of a Justice of Peace as a judge with limited authority to resolve small civil cases simply, quickly, without large costs, and without the involvement of lawyers. (Mansyur & Witanto, 2017) This concept emphasizes informal, technical, and easy-to-understand procedures, prioritizing peaceful resolution, allowing the public to access justice more practically and directly. This idea was later adopted in Indonesia through the Supreme Court Regulation (PERMA) on Simple Claims, an effort to simplify the stages of civil procedural law. (Setiyawan *et al.*, 2019). Small Claim Court is a mechanism for resolving civil disputes of a certain value through a fast, simple, and low-cost procedure. Supreme Court Regulation No. 2 of 2015, which was later updated with Supreme Court Regulation No. 4 of 2019, stipulates that the maximum limit for material losses in a small claim is IDR 500,000,000, with a maximum examination period of 25 working days and only in the first-instance court. (Zuhriah & Azmi, 2019) The latest regulations also include default, default, e-court, collateral seizure, and execution mechanisms. However, not all cases can be filed as simple lawsuits, as disputes over land, inheritance, property, asset recovery, claims against the government, professional malpractice, and the like are excluded; this mechanism only applies to cases of breach of contract and unlawful acts. The stages of a simple lawsuit include: case registration (manually or electronically), checking the completeness of the files and paying the down payment or requesting a *prodeo* (prohibited payment) request; the appointment of a single judge and the court clerk no later than two days after registration; a preliminary examination (dismissal) by the judge to assess the suitability for a simple lawsuit; setting the trial date and summoning the parties with the possibility of a default decision if the defendant fails to appear. During the trial, the judge is obliged to seek amicable settlement, may use electronic trials (*e-litigation*), then continue with the question-and-answer process, simplified evidence presentation, placement of a security deposit if requested, and the pronouncement of the verdict. Against the verdict, only objections are available with strict deadlines and procedures, and the objection decision is final and cannot be appealed, cassated, or reviewed. (Suadi, 2023).

3. Theory of Justice

Justice is one of the fundamental goals of law and has been a major topic of discussion in legal philosophy throughout history. In addition to the aspect of justice, law also functions to guarantee certainty and provide benefits to society. Therefore, law should ideally be able to accommodate these three elements in a balanced manner. In practice, judges strive to produce decisions that reflect a balance between these three goals. However, there are views that state that justice has a more important position than legal certainty and benefits, and some even consider justice to be the sole purpose of law. Conceptually, justice can be defined as a balance between the rights and obligations that should be received by each individual, both in the form of benefits and responsibilities. In practical application, justice is interpreted as granting rights in accordance with a person's capacity, applying the principle of proportionality to each individual, and a balanced distribution in various aspects of legal life. Without justice, law loses its meaning. This thinking is in line with Gustav Radbruch's idea that law is a tool for achieving justice. According to him, "Law is the will to justice. Justice means: To judge without regard to the person, to measure everyone by the same standard," which means the law should be applied fairly and consistently without regard to personal factors and assess every individual by the same standard. (Paulson & Paulson, 2006). Legal justice in Indonesia is based on a balance between legal certainty, utility, and the principle of justice, in accordance with the principle of justice, which is the primary foundation of the legal system. This principle requires the application of the law to be proportional and impartial, providing equal treatment to every individual regardless of social status, economic condition, or other background. Within this framework, the theory of legal justice in Indonesia aims to make the law an instrument for protecting individual rights while maintaining social balance. Therefore, it is not only important to have written regulations but also to ensure their consistent application and oversight of the implementation of the law to ensure fairness. (Paulson & Paulson, 2006) When discussing law, the focus is often solely on statutory regulations, even though these regulations are not always perfect or in line with the dynamics of

community life. In line with this principle, Prof. Satjipto Rahardjo stated that justice is indeed one of the main values in law, but it must still be considered together with other values, such as utility (doelmatigheid). Therefore, in law enforcement, there needs to be a proportional balance between the benefits obtained and the sacrifices that must be made. According to Gustav, "Legal certainty (which is the characteristic of every positive-law statute simply in virtue of the statute's having been enacted) takes a curious middle place between the other two values, purposiveness and justice, because it is required not only for the public benefit but also for justice" (Paulson & Paulson, 2006). Legal certainty is a hope for justice seekers in the face of potential arbitrary actions by law enforcement officers, who sometimes display an arrogant attitude in carrying out their duties. With legal certainty, the public obtains clarity regarding their rights and obligations in accordance with applicable regulations. Without legal certainty, individuals will have difficulty determining what actions to take and will be unaware of whether their actions are right or wrong, permitted or prohibited by law. Legal certainty can be achieved through clear and structured regulations within a law, as well as its consistent application. In this case, legal certainty encompasses the accuracy of the rules, the subjects involved, the objects of the law, and the threat of punishment for violations. However, if it focuses solely on legal certainty without considering flexibility in its application, law enforcement can become overly rigid and potentially lead to injustice for the community. (Palsari, 2022).

4. Legal System Theory

In Lawrence M Friedman's legal system theory, he views that there are three components of the legal system that drive law as a social system that has character, namely legal substance, legal structure and legal culture. (Supriyatna, 2019). The three components are as follows.

- a. Legal substance encompasses various regulations and legal products issued by the applicable legal structure. These legal products can be written regulations in statutes or unwritten legal norms that remain effective in law enforcement.
- b. The legal structure encompasses various institutions, consisting of officials responsible for the formulation, implementation, and enforcement of laws. Their roles include drafting regulations, disseminating legal information, implementing rules, and administering laws that support their effectiveness. Although regulations have been drafted by authorized institutions, without optimal implementation by legal institutions, these regulations will remain merely concepts that are not implemented. Therefore, the legal structure serves as a key element in the design, dissemination, enforcement, and administration of laws related to legal subjects.
- c. Legal culture encompasses individual attitudes, behaviors, and habits that contribute to compliance with or violation of the law in society. One key element of the legal system is legal awareness, which plays a role in shaping a society that adheres to applicable regulations. The level of public legal awareness and compliance influences the effectiveness of law enforcement. Conversely, low legal awareness can raise questions about why the law is not being enforced properly, including factors such as public trust in dispute resolution mechanisms in the courts.

This theory can be applied as an indicator of success in small claims litigation, in accordance with the legal system concept proposed by Lawrence M. Friedman. According to Friedman, the judicial process using the Small Claims Court mechanism remains oriented towards the legal system in civil justice. In legal system theory, there are three main elements. First, the legal structure, namely the parts that operate within a mechanism or facility that has been prepared within the system, such as courts and prosecutors. Second, the legal substance, which includes the concrete results produced by the legal system, such as judges' decisions and laws. Third, legal culture, namely the attitudes, values, moral commitments, and public awareness that drive the operation of the legal system, as well as the factors that determine how the law takes place within the cultural framework of a society. By considering these three aspects, the success of the Small Claims Court system can be measured by its effectiveness in creating legal certainty, justice, and benefits for society. (Bakri et al., 2023)

METHOD

This research uses a socio-legal or sociological juridical approach, which combines the analysis of written legal norms (law in the books) with the study of social reality in practice (law in action). Law is understood not only as a normative text, but also as a social practice influenced by values, culture, the behavior of legal actors, and public perception. The focus of the research is directed at the implementation of small claims and the objection mechanism at the Manado District Court, by examining the tension between *das Sollen* in Perma No. 2 of 2015 jo. Perma No. 4 of 2019 and *das Sein* in judicial practice. The location of the Manado District Court was chosen purposively because

it has a significant number of small claims cases and variations in objection resolution, making it empirically and scientifically relevant. The data used consists of primary data in the form of laws and regulations (Judicial Power Law, Supreme Court Law, Law on the Formation of Legislation, HIR/RBg, PERMA Small Claims) and court decisions, as well as secondary data in the form of books, journals, theses, and related scientific works. Data collection was conducted through literature review, in-depth interviews with judges, litigants, and court staff, as well as documentation in the form of decisions, objection forms, and case statistics. The study population included all legal actors and justice seekers involved in small claims cases at the Manado District Court, while the sample was determined purposively, primarily three judges experienced in handling small claims and objections, as well as court clerks and relevant litigants. Data analysis was conducted descriptively and qualitatively through the stages of data reduction, thematic narrative presentation, and inductive conclusion drawing by identifying patterns, themes, and relationships between objection procedures, administrative obstacles, perceptions of justice, and judges' responses. The study also used operational definitions of key concepts such as small claims, legal objections, procedural and substantive justice, the effectiveness of PERMA, and perceptions of justice seekers to make the analysis more measurable and scientifically accountable.

RESULTS AND DISCUSSION

Implementation of Legal Remedies for Objections to Simple Claims at the Manado District Court

Based on interviews with two civil judges at the Manado District Court, each of whom has served for approximately 19–22 years and has experience handling several small claims cases annually, both stated that the provisions of Articles 25, 26, and 30 of the Supreme Court Regulation (PERMA) regarding objections are understood as clear and applicable in court practice. Respondents considered the formulation of objection norms easy to apply because it clearly stipulates who will examine the case, the time limit, and the nature of the decision. In practice, the objection process at the Manado District Court basically follows the flow outlined by PERMA: objections are registered through the clerk's office, including through the electronic system (e-Court/e-filing), then the panel of judges who will examine the case is determined, and the objection hearing is carried out while still observing the completion time limit. One judge emphasized that the objection examination "is carried out in accordance with the applicable PERMA," while another judge explicitly stated that the process "follows PERMA No. 2 of 2015 in conjunction with PERMA No. 4 of 2019." One judge mentioned that they were still encountering obstacles in the form of parties' absences or unclear addresses, which impacted summonses and trial schedules. However, another judge stated that they had not encountered significant obstacles because objection cases were generally registered and managed through the court's electronic system, which was already operating relatively well. Nevertheless, respondents agreed that the time limits set by PERMA—both for the examination of simple claims (25 days) and the decision on objections (7 days)—could in principle be met and were deemed effective and "in accordance with procedure." Respondents did not see an urgent need to extend the deadlines, as long as the parties were cooperative in attending and completing the files.

Normatively ("law on the books"), PERMA No. 2 of 2015 in conjunction with PERMA No. 4 of 2019 has formulated the objection mechanism in quite detail: starting from the subjects authorized to examine, the submission procedure, the deadline for completion, to the final nature of the objection decision. (Harun, 2017). The main objective is to support the principle of simple, fast, and low-cost justice as stated in Article 2 paragraph (4) of Law No. 48 of 2009 concerning Judicial Power. Empirical findings at the Manado District Court indicate that the legal structure (from Lawrence M. Friedman's perspective) works relatively in harmony with the substance of the law. Judges and court officials understand and apply the provisions of PERMA as the main reference; the registration process, determination of the panel, and examination of objections follow the normative flow, including the use of the e-Court system for registration and case administration.

This shows that from the perspective of legal substance and structure, the objection mechanism at the Manado District Court has been running relatively according to the regulatory design. The 7-day deadline for objection decisions and 25 days for the settlement of simple lawsuits is considered quite realistic and effective by the judge, so that the goals of efficiency and legal certainty (*rechtssicherheit*) as stated by Gustav Radbruch can be said to have been achieved. However, when viewed through a socio-legal lens (law in action), there are still gaps in the legal culture: the understanding and ability of the parties—especially those not represented by legal counsel—to optimally utilize the objection mechanism is still limited. (Muhammad, 2020). The judges acknowledged that the applicants of objections are often unable to compile a systematic and evidence-based objection memorandum, so that even though procedurally the right to object has been granted, substantively the results do not necessarily reflect maximum protection for the weaker party. Thus, overall the implementation of objections at the Manado District

Court can be said to comply with norms and be relatively effective in terms of procedure and time, but still leaves challenges in the dimension of legal culture—namely the readiness and capacity of the parties to participate meaningfully in the objection process.

Efforts to Realize the Aspect of Justice in Small Claims Objections

Normatively, the PERMA's design on small claims lawsuits is indeed aimed at achieving simple, expeditious, and low-cost justice while still ensuring justice for the parties. From a procedural justice perspective, the two judges stated that the applicable objection mechanism was "in accordance with the principles of justice" because:

1. The parties are given the opportunity to submit additional arguments and evidence through an objection memo;
2. The examination of objections is carried out by a panel of judges (not a single judge) so that there is an internal check and balance mechanism;
3. The objection decision is prepared by reconsidering the facts and application of the law from the simple claims decision.

However, interviews revealed that the quality of the parties' arguments, particularly those without legal counsel, often became a differentiating factor. Judges observed that justice seekers who filed objections without legal counsel generally lacked a thorough understanding of procedures, time limits, and evidentiary standards. Respondents tended to simply express dissatisfaction with the decision without adequately outlining the legal basis and additional evidence. Judges acknowledged this as a challenge to substantive justice, although they were reluctant to conclude that parties without legal counsel were always disadvantaged. Regarding the relationship between efficiency and substantive justice, one judge provided an example of a case in which an objection was rejected despite the defendant's perceived strong arguments, because those arguments were not supported by sufficient evidence. Here, the judge emphasized the importance of adhering to the evidentiary standard, while attempting to explain to the objector why their argument could not be accepted.

In terms of evaluation and recommendations, one judge assessed that the objection mechanism is normatively quite simple and clear, so it does not require major changes. However, all respondents agreed that further training and outreach—for both judges and the public—is needed to improve the quality of objection examinations and improve litigants' understanding of their rights and procedures. Suggestions raised included: technical training for judges on small claims cases, increased outreach to the public on the procedures for filing objections, and the development of more detailed internal guidelines to ensure more uniform legal considerations in objection decisions. From the perspective of Radbruch's theory of justice, good law must strive for a balance between justice, certainty and utility. (Ratnasari et al., 2023) The objection mechanism in small claims courts clearly emphasizes certainty (a final decision) and expediency (a fast and affordable process). The question is whether this mechanism also provides justice for the parties. Research shows that, in terms of procedural fairness, judges have strived to ensure that the parties are given an equal opportunity to present their arguments and evidence. The examination of objections by a panel of judges, rather than a single judge, is one way to strengthen fair trials and the principle of *audi et alteram partem*, as adopted in the Indonesian civil procedure system. (Suadi, 2023) However, substantive justice depends heavily on the quality of the arguments and evidence presented in the objection. This is where the imbalance arises: parties without legal representation are often unable to articulate their objections legally, so the potential for substantive justice intended by the objection mechanism is suboptimal. Nevertheless, judges are obliged to assess each objection objectively based on the files and testimony presented in court, so that not all objections can be simplified as "systemic harm" to the party without legal representation.

Efforts that have been made by judges to bridge this gap include:

1. Actively explore facts and arguments in court, especially if the parties appear to have difficulty formulating legal sentences;
2. Explain in simple terms the reasons why the objection was granted or rejected, so that the parties understand the basis for the considerations;
3. Utilizing electronic systems to speed up administrative processes, so that the focus of the trial can be directed to the substance of the case, not just administrative technicalities.

However, the research also shows that these efforts are still individualized (depending on the judge's sensitivity and initiative), and have not been institutionalized in the form of detailed technical guidelines on how to maximize justice for parties without legal representation. At this point, the judges' own recommendations are important: the need for ongoing training and workshops on simple claims and objections, as well as increased public awareness of the rights and procedures for filing objections. Thus, the effectiveness of PERMA, as measured by the

conformity between norms and practices, and justice, as measured by the procedural and substantive dimensions, at the Manado District Court revealed the following findings.

1. In terms of effectiveness, the objection mechanism has been running according to norms: procedures are followed, time limits are relatively met, and the judicial structure carries out its duties as regulated by PERMA.
2. In terms of procedural fairness, the right to object is available, the process is transparent and measurable, and it is reviewed by a panel of judges; this provides sufficient grounds to call the mechanism procedural-just.
3. From a substantive justice perspective, there is still room for improvement, particularly regarding the ability of parties without legal representation to exercise their right to object and obtain decisions that truly reflect their interests. This requires strengthening legal culture through outreach, legal aid, and capacity building for judges.

The application of legal remedies for objections to simple lawsuits at the Manado District Court is generally in accordance with the PERMA normative framework and supports the principles of simple, expeditious, and low-cost justice. Efforts to realize this aspect of justice are carried out through the implementation of fair procedures, examinations by the panel, the use of electronic systems, and the judge's initiative in investigating facts and providing explanations to the parties. However, strengthening through training, outreach, and technical guidelines is still needed to ensure substantive justice, especially for parties who are not represented by legal counsel.

CONCLUSION

The implementation of legal remedies for objections in small claims lawsuits at the Manado District Court has basically been carried out in accordance with the normative framework of PERMA No. 2 of 2015 in conjunction with PERMA No. 4 of 2019. The process of registration, determination of the panel, examination and the issuance of objection decisions is carried out in accordance with applicable provisions, including the use of electronic systems (e-court). The time limit for case resolution—both 25 working days for small claims lawsuits and 7 days for objection decisions—can generally be met, so that the principles of simple, fast, and low-cost justice are relatively achieved. Thus, in terms of legal structure and substance, the implementation of the objection mechanism at the Manado District Court can be considered effective and in line with the objectives of the formation of PERMA on small claims lawsuits.

Efforts to achieve justice through the objection mechanism are more strongly reflected in the dimension of procedural justice than in substantive justice. Procedurally, all parties have an equal opportunity to file objections, be heard by a panel of judges, and obtain a final decision within a defined timeframe. However, in terms of substantive justice, gaps remain, particularly for justice seekers who are not represented by legal counsel. Limited legal knowledge and the ability to compile objection memos mean that the right to object is not always optimally utilized, thus the potential legal protection intended by the Supreme Court Regulation (PERMA) has not been fully realized for vulnerable parties. Overall, this study concludes that the primary problem lies not in the weaknesses of the PERMA norms, but rather in the legal culture and capacity of the actors involved. The legal norms regarding objections in small claims courts are quite clear and operational, but their effectiveness and fairness depend heavily on the understanding and ability of judicial officials and the parties to implement them consistently and meaningfully. This suggests that future efforts to improve fairness in the objection mechanism require greater outreach, legal education for the public, and the development of judicial practices that are more sensitive to the needs of justice seekers who are not represented by legal counsel.

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