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RECONSTRUCTION OF THE PRINCIPLE OF MATERIAL TRUTH IN THE ELECTRONIC COURT SYSTEM (E-COURT)

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ABSTRACT

This study aims to reconstruct the principle of material truth in the electronic justice system e court to ensure the achievement of substantive justice amidst the digitalization of the judicial process the method used is normative legal research with a statutory and conceptual approach and supported by an analysis of the practice of e court implementation in Indonesia data obtained through literature studies that include laws and regulations legal literature and relevant court decisions the results of the study indicate that the implementation of e court has increased the efficiency of transparency and accessibility of justice but also poses challenges in achieving material truth especially related to the limitations of direct interaction between judges and parties obstacles in electronic evidence and the potential for reduced accuracy of judges in assessing trial facts reconstruction of the principle of material truth is needed through strengthening the active role of judges optimization of an accountable electronic evidence system and the use of technology that is able to support the disclosure of facts in a comprehensive manner the implications of this study emphasize that the development of e court is not only oriented towards procedural efficiency but must also ensure the realization of substantive justice through adjustments to the principles of procedural law so that the balance between technological progress and the value of justice is maintained in the modern judicial system

KEYWORDS

Material Truth; E-Court; Electronic Justice, Procedural Law; Electronic Evidence

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INTRODUCTION

Digital transformation in the judicial system is an unavoidable necessity in the modern era, along with the development of information technology that encourages judicial institutions to adapt to improve efficiency, transparency, and accessibility of legal services. One concrete form of this transformation is the implementation of the electronic court system or e-court as regulated in the Regulation of the Supreme Court of the Republic of Indonesia, which allows the process of case administration through to trials to be conducted electronically (Supreme Court of the Republic of Indonesia 2018). However, behind the various conveniences offered, a fundamental question arises regarding how the principle of material truth can still be upheld in such a completely digital system.

The principle of material truth is one of the main pillars of procedural law, which aims to discover the true truth of a legal event. In procedural law doctrine, material truth is understood as truth based not only on formal evidence but also on the judge's conviction obtained through a comprehensive evidentiary process (Harahap 2017). In the context of conventional justice, the search for material truth is carried out through direct interaction between the judge, the parties, and the evidence, which allows the judge to explore the facts in depth.

The implementation of e-courts in Indonesia is not only motivated by the need for efficiency, but also as a response to public demands for fast, simple, and low-cost judicial services, as mandated by the Law on Judicial Power (Law No. 48 of 2009). This system has become increasingly relevant, especially in certain situations such as the pandemic, where physical distancing is a primary requirement. However, the shift from conventional to electronic systems raises questions about the sustainability of fundamental values in procedural law.

One of the main challenges in the e-court system is the limited direct interaction between the judge and the parties. In conventional trials, judges can directly assess the expressions, gestures, and credibility of witnesses as part of the evidentiary process. According to evidentiary theory, these non-verbal aspects play a crucial role in helping judges form convictions (Subekti 2008). However, in an electronic system, this dimension is limited because communication is conducted through digital media, which can potentially distort the assessment of facts.

Furthermore, the aspect of electronic evidence is also a crucial issue in the implementation of e-courts. Digital evidence requires clear standards of validity and

legitimacy, as stipulated in the Electronic Information and Transactions Law (Law No. 11 of 2008). Electronic evidence must meet the principles of authenticity, integrity, and accountability to be considered valid evidence. However, not all law enforcement officials have the technical capacity to assess these aspects, creating the risk of errors in the assessment of evidence.

The significance of this research lies in its efforts to bridge the gap between technological advances and the basic principles of procedural law. Reconstructing the principle of material truth is crucial to ensure that the e-court system is not only oriented toward procedural efficiency but also ensures substantive justice. This aligns with the view that the primary goal of the judiciary is to achieve justice, not simply to carry out formal legal procedures (Radbruch 2006).

From a theoretical perspective, this research also contributes to the development of legal science, particularly in the field of procedural law. The digitalization of justice demands a reinterpretation of the classical concepts that have long been the foundation of the justice system. The principle of material truth, traditionally understood in the context of face-to-face trials, needs to be adapted to new, technology-based realities (Susskind 2019). This demonstrates that law must be dynamic and adaptable to social and technological changes.

Another issue raised in this research is the role of judges in the e-court system. In a digital environment, judges are required to be more proactive in exploring facts and assessing evidence. The active role of judges is becoming increasingly important to offset the limitations inherent in electronic systems. This aligns with the principle of active judges in civil procedural law, which empowers judges to optimally seek the truth (Mertokusumo 2010).

Furthermore, this study highlights the importance of integrating technology to support the process of proving and assessing facts. Technology should not be viewed as a barrier, but rather as a tool that can enhance the search for truth if utilized appropriately. The use of digital systems capable of verifying documents, accurately recording trials, and providing transparent data access can improve the quality of judicial decisions (Susskind 2019).

The urgency of this research is further heightened given the continued expansion of e-courts in Indonesian judicial practice. Without a strong conceptual foundation, e-court implementation has the potential to create various legal issues in the future.

Therefore, an in-depth study is needed that is not only descriptive but also offers constructive solutions in the form of a reconstruction of legal principles relevant to current needs.

Thus, this research aims not only to identify problems in the implementation of e-courts but also to propose a conceptual reconstruction of the principle of material truth that can address the challenges of digitalizing the judiciary. It is hoped that the results of this research will make a tangible contribution to the development of a fairer, more effective, and more adaptive justice system, thus achieving a harmonious balance between efficiency and substantive justice.

RESEARCH METHODS

The research method in this study uses a normative legal approach that focuses on the analysis of legal norms, principles, and principles related to material truth in the e-court electronic justice system. This approach was chosen because the research aims to reconstruct legal concepts, not test empirical hypotheses. Normative legal research positions law as a system of norms analyzed through primary, secondary, and tertiary legal materials to find appropriate legal arguments (Soekanto and Mamudji 2001). Thus, this method is relevant to examining the alignment between the principle of material truth and e-court practices in Indonesia.

The approaches used in this research include a legislative approach and a conceptual approach. The legislative approach is carried out by examining various regulations related to the electronic justice system and procedural laws governing evidence and the role of judges, such as the Law on Judicial Power and regulations regarding electronic case administration. Meanwhile, the conceptual approach is used to examine developing legal doctrines related to material truth and the role of judges in finding the truth (Marzuki 2016). The combination of these two approaches allows for a comprehensive analysis of positive norms and theoretical concepts.

The legal materials used in this study consist of primary, secondary, and tertiary legal materials. Primary legal materials include laws and court decisions relevant to the implementation of e-courts and electronic evidence. Secondary legal materials include legal literature such as books, scientific journals, and previous research findings discussing procedural law, judicial technology, and the principle of material truth. Tertiary legal materials, in the form of legal dictionaries and encyclopedias, were used to clarify the concepts and terms used in the study (Soekanto and Mamudji 2001).

The legal material collection technique was conducted through a systematic literature review of various relevant sources. Researchers identified, classified, and reviewed legal materials relevant to the research issue, particularly those related to the digitalization of justice and electronic evidence. This literature review was crucial because the research did not involve field data but instead focused on the analysis of legal documents and academic literature as the primary data sources (Marzuki 2016).

The legal material analysis technique was conducted qualitatively using descriptive analytical methods. This study first describes the conditions under which e-courts are implemented and the issues that arise in relation to the principle of material truth. Next, an analysis is conducted of the gaps between existing legal norms and current practices to identify problem areas requiring reconstruction. This analysis also involves legal interpretation to understand the meaning and purpose of each norm studied (Ibrahim 2006).

To produce an accurate conceptual reconstruction, this study employed the legal argumentation method. This method aims to develop logical and systematic legal arguments to support the idea of reconstructing the principle of material truth in the e-court system. Legal arguments are built on the consistency of legal principles, legal theory, and applicable positive norms, ensuring that the research findings have a strong academic and practical basis (Alexy 2002).

Ultimately, this research method aims to produce conceptual formulations that are not only theoretical but also applicable to judicial practice. By integrating normative analysis, conceptual approaches, and legal argumentation, this research is expected to contribute to the development of an electronic justice system that upholds the principle of material truth. This approach also reflects the need for legal reform that adapts to technological developments without neglecting the values of substantive justice as the primary goal of the judiciary.

RESULTS AND DISCUSSION

RESULTS

The research results show that the implementation of the e-court electronic justice system in Indonesia has significantly contributed to increasing the efficiency and accessibility of the judicial process. Case administration, which previously required physical attendance, can now be conducted online, thereby reducing costs and time for the parties. This aligns with the goal of simple, fast, and low-cost justice as

mandated by the national justice system (Law No. 48 of 2009). Thus, e-court has become a crucial instrument in the modernization of judicial institutions in the digital era.

However, this study found that the implementation of e-courts also presents challenges to efforts to achieve material truth. One key finding is the reduced intensity of direct interaction between judges and parties, which impacts judges' limited ability to assess non-verbal aspects such as witness expressions and gestures. These aspects, however, play a crucial role in shaping judges' beliefs about the truth of a legal event (Subekti 2008). This situation indicates a potential decline in the quality of factual assessment in electronic trials.

Furthermore, this study also found that electronic evidence is one of the most complex aspects of the e-court system. Digital evidence requires strict verification standards to ensure its authenticity and integrity. Although recognized within the legal framework, technical implementation in the field still faces various obstacles, such as limited technical capabilities of law enforcement officers and a suboptimal technological support system (Law Number 11 of 2008). This has implications for the potential for errors in the assessment of evidence.

Research also shows that the role of judges in the e-court system has undergone a significant shift. Judges no longer function as passive observers assessing the evidence presented, but are required to be more active in digitally exploring the facts. This change requires increased competency in understanding information technology and electronic evidence methods. Without this increased capacity, judges' effectiveness in finding material truth will be hampered (Mertokusumo 2010).

Furthermore, this study found that regulations governing e-courts still do not fully accommodate the need to ensure material truth. Existing regulations tend to emphasize administrative and procedural aspects, while substantive aspects related to proof and factual assessment have not been comprehensively addressed. This indicates a gap between existing legal norms and the needs of practice in the field (Supreme Court of the Republic of Indonesia 2018).

Another finding is that technology actually has great potential to support the search for material truth if utilized optimally. Digital systems can be used to accurately record trials, systematically store data, and verify the authenticity of documents through specific technologies. However, this potential has not been fully utilized in e-court

practices in Indonesia (Susskind 2019). Therefore, a technology development strategy that is more integrated with the needs of the judiciary is needed.

Overall, the results of this study indicate that while e-courts offer numerous benefits in terms of efficiency and access, several challenges remain to ensure the principle of material truth is maintained. The gap between procedural and substantive aspects is a key issue requiring serious attention. Therefore, efforts are needed to reconstruct the principle of material truth that can adapt to the characteristics of the e-court system without sacrificing the value of substantive justice, the primary goal of the judiciary.

DISCUSSION

1. Reconstruction of the Principle of Material Truth in E Court

The principle of material truth in the judicial system essentially requires judges to discover the true truth of a legal event, not merely the formal truth limited by the evidence presented by the parties. In the context of e-court, this principle faces challenges because the evidentiary process no longer occurs conventionally. Therefore, a reconstruction of the principle of material truth needs to be carried out by adapting truth-seeking methods through a digital approach without losing its essence. Judges must still have the space to actively explore the facts, even if done through electronic media (Harahap 2017).

This reconstruction demands a paradigm shift in procedural law, where technology is positioned not merely as an administrative tool but also as a substantive instrument of evidence. Thus, the principle of material truth is no longer understood narrowly within the context of physical interaction, but rather expanded through the use of technology capable of accurately representing facts. This approach aligns with modern legal developments that demand adaptation to social and technological changes (Susskind 2019).

2. The Active Role of Judges in the Electronic Justice System

In the e-court system, the judge's role becomes increasingly central in ensuring the attainment of material truth. Judges cannot rely solely on digitally presented evidence but must actively verify and clarify the facts emerging during the trial. This emphasizes the importance of the principle of active judgeship in procedural law, where judges have the authority to direct the course of the trial to discover the substantive truth (Mertokusumo 2010).

This increased role of judges must also be balanced with increased capacity and competence in information technology. Judges need to understand how digital systems work, including the potential for data manipulation and methods for verifying electronic evidence. Without such understanding, judges risk having difficulty assessing the validity of evidence, which could ultimately impact the quality of their decisions (Ibrahim 2006).

3. **Electronic Evidence as a Challenge and Opportunity**

Electronic evidence is one of the most crucial aspects of e-court proceedings. While electronic evidence facilitates data collection and storage, it also raises issues related to the authenticity, integrity, and validity of such evidence. Therefore, clear and measurable evidentiary standards are needed to ensure that electronic evidence has the same legal force as conventional evidence (Law No. 11 of 2008).

However, if managed properly, electronic evidence can be a more effective means of uncovering material truth. Technologies such as digital forensics and document verification systems can help ensure that submitted evidence is authentic and unadulterated. Thus, the challenges of electronic evidence can be transformed into opportunities to improve the quality of the judicial process (Susskind 2019).

4. **Regulatory Gaps and the Need for Legal Reconstruction**

One of the key issues identified in this research is the gap between existing regulations and the needs of e-court practice. Current regulations focus more on administrative aspects and do not fully address the detailed mechanisms of electronic evidence. This creates legal uncertainty in the application of the principle of material truth in e-courts (Supreme Court of the Republic of Indonesia 2018).

Therefore, legal reconstruction is necessary to strengthen the normative foundation of the e-court system. Regulatory updates must encompass both technical and substantive aspects, including electronic evidence standards, evidence verification procedures, and guidelines for judges in assessing facts digitally. With more comprehensive regulations, it is hoped that the e-court system can operate more effectively without sacrificing substantive justice.

5. **Integration of Technology in the Search for Truth**

The integration of technology into the judicial system is inevitable, but it must be done carefully to avoid compromising the quality of the search for truth. Technology should be viewed as a tool that enhances judges' ability to assess facts, not as a substitute for human intervention in the judicial process. Therefore, a technological

system specifically designed to support the needs of evidence and legal analysis is needed (Susskind 2019).

The use of technologies such as digital court recordings, electronic document management systems, and artificial intelligence can help improve the accuracy and transparency of judicial processes. However, the use of these technologies must remain within a clear legal framework to prevent abuse or violations of the parties' human rights. Therefore, technology integration must be balanced with strict oversight.

6. **Implications for Substantive Justice**

Reconstructing the principle of material truth in e-courts has significant implications for achieving substantive justice. Justice is measured not only by adherence to procedures, but also by the judicial system's ability to produce decisions that reflect the true truth. Therefore, any innovation in the judicial system must remain oriented toward this primary goal (Radbruch 2006).

If the principle of material truth is not properly upheld in the e-court system, there is a risk that the judiciary will become too formalistic and lose the substance of justice. Conversely, if properly reconstructed, e-court can be a more effective means of achieving swift, transparent, and high-quality justice.

7. **Direction of Electronic Justice System Update**

Based on the overall discussion, it can be concluded that the direction of e-judicial system reform must prioritize a balance between efficiency and substantive justice. Reconstructing the principle of material truth is a strategic step in ensuring that digitalization of the judiciary does not diminish the quality of legal decisions. This reform must encompass various aspects, from regulations and capacity building of law enforcement officials to the development of technology that supports the evidentiary process.

Thus, e-courts are not only a symbol of judicial modernization but also an instrument capable of strengthening the legal system as a whole. Through proper reconstruction, the principle of material truth can be maintained and even strengthened in the digital age, enabling the judicial system to meet the challenges of the times without losing the values of justice that are its foundation.

CONCLUSION

The conclusion of this study confirms that digital transformation through the implementation of the e-court electronic justice system is a strategic step in

modernizing judicial institutions in Indonesia. This system has proven to increase efficiency, transparency, and accessibility for justice seekers. However, this progress is not without fundamental challenges, particularly in maintaining the principle of material truth as the core of a judicial process oriented towards substantive justice.

This study found that the shift from a conventional to an electronic court system has implications for how judges assess facts and evidence. Limited direct interaction between judges and parties has the potential to reduce the depth of assessment of non-verbal aspects, which have long been a crucial part of evidence. This situation suggests that the e-court system requires adjustments to avoid compromising the quality of the search for material truth.

Furthermore, electronic evidence is a crucial aspect that requires special attention. Although it has been normatively recognized in the legal system, its implementation still faces various technical and human resource capacity constraints. This raises the risk of errors in assessing the validity of evidence, which can ultimately affect the quality of judicial decisions. Therefore, strengthening the electronic evidence system is a necessity that cannot be ignored.

This research also emphasizes the importance of an active role for judges in the electronic justice system. Judges can no longer remain passive but must be proactive in exploring and assessing facts presented digitally. This change requires increased judicial competence, particularly in understanding information technology and electronic evidence methods. This ensures the quality of decisions can be maintained even when the judicial process is conducted online.

Furthermore, this research identified a gap between existing regulations and the needs of e-court practice. Current regulations still focus on administrative aspects and do not fully address comprehensive mechanisms for proving and assessing facts. Therefore, legal reconstruction is needed that can accommodate technological developments while upholding the principle of material truth as the primary foundation of justice.

Reconstructing the principle of material truth is at the heart of the solution proposed in this research. This principle needs to be adapted to the characteristics of digital systems without losing its essence. Integrating appropriate technology, strengthening regulations, and increasing the capacity of law enforcement officers are crucial steps to ensure that the e-court system continues to produce fair and quality decisions.

Ultimately, this study concludes that the success of an e-judicial system is measured not only by procedural efficiency but also by its ability to achieve substantive justice. The balance between technological advancement and legal values is key to the development of a modern judicial system. With proper reconstruction, the principle of material truth can be maintained and even strengthened in the digital era, ensuring that the judiciary remains the primary means of upholding justice amidst changing times.

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