

The Authority of the Constitutional Court to Adjudicate State Administrative Cases

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Abstract: The Constitutional Court (MK) is an institution that has the primary authority to interpret the 1945 Constitution. However, in practice, the Constitutional Court often handles cases related to Administrative Law (TUN), even though its authority normatively falls within the Administrative Court (PTUN) realm. This research aims to analyze the extent of the Constitutional Court's authority in adjudicating Administrative Law cases and the legal implications for the judicial system in Indonesia. This study uses a normative legal method with an approach to legislation, a case approach, and a conceptual approach. Data is obtained from primary legal sources in the form of legislation and Constitutional Court rulings, as well as secondary legal sources such as legal literature and relevant literature. Research results indicate an overlap of authority between the Constitutional Court and the Administrative Court in several cases related to decisions of state organizers, disputes over election results, and legal norm testing that impacts state administration. This creates legal uncertainty and potentially undermines the principle of separation of powers within the Indonesian judicial system. Therefore, it is necessary to revise the Law on the Constitutional Court to clarify the boundaries of its authority so that it does not encroach on the realm of administrative law.

Keywords: Authority to Adjudicate; Constitutional Court; State Administration.

Introduction

The Constitutional Court (MK) is one of the judicial institutions in the Indonesian constitutional system that has the main authority to uphold the constitution and enforce the rule of law.¹ The authority of the Constitutional Court as regulated in Article 24C paragraph (1) of the 1945 Constitution of the Republic of Indonesia includes testing the constitutionality of laws, resolving disputes over authority between state institutions, deciding on the dissolution of political parties, and resolving disputes over the results of general elections.² However, in practice, the authority of the Constitutional Court often intersects with the realm of constitutional law, particularly in cases of State Administration (TUN). This raises legal debates about the extent of the Constitutional Court's authority in resolving disputes of an administrative nature.

¹Luh Putu Vera Astri Pujayanti, et al. "Indonesia's Constitutional Court: Bastion of law enforcement and protector of human rights in the reform era." *Jurnal Pamator: Jurnal Ilmiah Universitas Trunojoyo* 17.1 (2024): 35-49. Ousu Mendy, and Ebrima Sarr. "The Judiciary in Governance: Understanding the Juridical Nature and Function of the Constitutional Court of Indonesia." *Journal of Indonesian Constitutional Law* 2.1 (2025): 1-22. Zahirah Nadiatus Salsabila, Shalsabila Yuniar Iswara, and M. Zaini Abdul Ghoni. "Imparsialitas Hakim Mahkamah Konstitusi dalam Negara Demokrasi." *Sosio Yustisia: Jurnal Hukum dan Perubahan Sosial* 4.2 (2024): 254-272.

²Rona Dwi Arifa, Firmansyah Putra, and Muhammad Eriton. "Kewenangan Mahkamah Konstitusi dalam Melakukan Pengujian Terhadap Kebijakan Hukum Terbuka." *Limbago: Journal of Constitutional Law* 4.2 (2024): 260-272. Suci Wulandari, et al. "Peran Mahkamah Konstitusi sebagai pelaku sistem kekuasaan kehakiman di Indonesia." *Sosio Yustisia: Jurnal Hukum dan Perubahan Sosial* 3.2 (2023): 199-222.

Administrative law in Indonesia generally falls under the jurisdiction of the Administrative Court (PTUN), as regulated by Law Number 5 of 1986 concerning the Administrative Court which has been amended by Law Number 9 of 2004.³ and Law Number 51 of 2009. The Administrative Court is authorized to adjudicate decisions made by state administrative officials that are suspected of being contrary to the law or detrimental to the rights of citizens.⁴ However, in several cases, the constitutional court also plays a role in examining and ruling on matters related to administrative decisions, particularly in the context of electoral disputes, legal norm testing, and the protection of citizens' constitutional rights.

One aspect that is the subject of debate in the academic and legal practice realm is the expansion of the Constitutional Court's authority in handling state administrative disputes that should fall under the jurisdiction of the Administrative Court or the Supreme Court.⁵ Several decisions of the Constitutional Court demonstrate a broad interpretation of its authority, particularly regarding matters related to elections and the constitutional rights of citizens.⁶ For example, the Constitutional Court in several of its decisions has annulled administrative decisions related to regional head nominations,⁷ dispute over election results,⁸ as well as provisions that directly impact the rights of citizens in obtaining public services. This phenomenon raises fundamental questions regarding the jurisdiction of the Constitutional Court in adjudicating administrative law issues and the legal implications for the justice system in Indonesia.

So far, previous research discussing the duties, roles, and authorities of the Constitutional Court has been conducted. For example, research related to the role of the Constitutional Court in maintaining the balance of power in Indonesia, which was discussed by Dony Setyawan et al.⁹ Umar Kusnadi and Sofyan are more interested in analyzing the dynamics of the development of the authority of the Constitutional Court.¹⁰ Similarly, the research by Farah Syah Reza and Andi Tenri Sapada examines the independence and accountability of the Constitutional Court within the constitutional system.¹¹ Ahmad Hariri and Samsul Arifin began to develop their study on the analysis and challenges of the Constitutional Court's decisions that have not been implemented by

³Ismawati Septiningsih, et al. "Relevansi Pengaturan Dalam Penyelesaian Permasalahan Sengketa Di Indonesia Berdasarkan Ketentuan Undang-Undang Nomor 5 Tahun 1986 Juncto Undang-Undang Nomor 9 Tahun 2004 Tentang Peradilan Tata Usaha Negara (PTUN)." *Research Fair Unisri* 7.2 (2023): 127-139.

⁴Fauzi Syam, Sukanto Satoto, and Helmi Helmi. "Politik Hukum Pemberian Kompetensi Absolut Peradilan Tata Usaha Negara dalam Pengujian Penyalahgunaan Wewenang." *Undang: Jurnal Hukum* 6.1 (2023): 189-233.

⁵Adya Paramita Prabandari, "Dinamika Hubungan Antara Mahkamah Agung Dan Mahkamah Konstitusi: Perspektif Konflik Dan Kolaborasi." *Jurnal Usm Law Review* 7.2 (2024): 729-739.

⁶Bagus Hermanto, and Nyoman Mas Aryani. "Quo Vadis Pengadilan Khusus Di Indonesia Dalam Batasan Putusan Mahkamah Konstitusi." *Jurnal Penelitian Hukum De Jure Vol* 23.4 (2023): 403-418.

⁷Rommy Patra, "Peran Mahkamah Konstitusi Sebagai Pengawal Demokrasi Di Indonesia." *Jurnal Komunikasi Hukum (JKH)* 8.2 (2022): 381-393.

⁸Ofis Rikardo, Viranti Nur Ikhwan, and Fani Larasati. "Kewenangan Konstitusional Mahkamah Konstitusi Dalam Memutus Sengketa Hasil Pemilu Dan Pilkada Serentak." *Jurnal Hukum Sasana* 9.1 (2023).

⁹Dony Setyawan, Atma Suganda, and Supaphorn Akkapin. "The Role of The Constitutional Court in Maintaining the Balance of Power in Indonesia." *LAW&PASS: International Journal of Law, Public Administration and Social Studies* 1.4 (2024): 415-424.

¹⁰Kusnadi Umar, and Sofyan Sofyan. "Dinamika Perkembangan Kewenangan Mahkamah Konstitusi." *Jurnal Al Tasyri' iyyah* (2023): 1-13.

¹¹Farah Syah Rezah, and Andi Tenri Sapada. "The independence and accountability of the constitutional court in the constitutional system in indonesia." *SIGN Jurnal Hukum* 4.2 (2022): 247-260.

legislators.¹² Meanwhile, Merdona Siregar attempts to measure the relationship between the Supreme Court, the Constitutional Court, and the Judicial Commission in terms of judicial power.¹³ However, of the previous studies, there has been no research specifically discussing the authority of the Constitutional Court in adjudicating administrative law cases. In fact, the study of the authority of the Constitutional Court in adjudicating administrative law cases is important considering that the division of authority among the administrative courts must remain in line with the principles of due process of law and the supremacy of the constitution.

This research aims to understand and analyze the authority of the Constitutional Court in adjudicating State Administrative Law (TUN) cases based on statutory regulations, court decisions, and theories of administrative law and state administration. To achieve this goal, the research is divided into three discussions: (1) the legal basis of the authority of the Constitutional Court in state administrative matters based on applicable laws, (2) reviewing constitutional court cases that conflict with state administration, and (3) the implications of the Constitutional Court's decisions on the system of state administrative law and the balance of authority among state administrative judiciary institutions. The results of this research are expected to contribute to the development of state administrative law and clarify the limits of the authority of the Constitutional Court within the judicial system in Indonesia.

Method

The research method used in this article is a normative legal approach with an analysis of legislation, decisions of the Constitutional Court, and relevant literature studies. In addition, a case study of several decisions of the Constitutional Court related to administrative law is employed to understand the patterns and directions of the Constitutional Court's authority in adjudicating administrative law cases. The decisions analyzed include Constitutional Court Decision Number 41/PHPU.D-VI/2008, Constitutional Court Decision Number 137/PUU-XIII/2015, and Constitutional Court Decision Number 85/PUU-XI/2013.

This research method is systematically explained in the following table:

Table 1: Research Method Design

Aspect	Explanation
Approach Study	Legal normative (legal research) with studies, bibliography, and analysis decision court.
Data Types	Secondary data consists of material from primary, secondary, and tertiary sources.
Data source	1) Primary Legal Materials: 1945 Constitution, Laws, Court Constitution, PTUN Law, and decision Court, Relevant Constitution, and Supreme Court. 2) Secondary Legal Materials: Books, journals, law, research, and expert opinion. 3) Tertiary Legal Materials: Legal dictionaries, encyclopedias, laws, and references to others who support analysis.
Data collection technique	Library research, review of document law, and analysis decision court.

¹²Achmad Hariri, and Samsul Arifin. "Analysis And Challenges Of Unimplemented Constitutional Court Decisions By Legislators." *Indonesia Law Reform Journal* 5.1 (2025): 1-24.

¹³Mardona Siregar, "Kekuasaan Kehakiman: Hubungan Antara Mahkamah Agung, Mahkamah Konstitusi dan Komisi Yudisial." *Jurnal Fakta Hukum (JFH)* 2.2 (2023): 107-128.

Aspect	Explanation
Data Analysis Techniques	Analysis qualitative with method prescriptive and descriptive. 1) Analysis Descriptive: Describes the draft based on the authority of the Constitutional Court and the Administrative Court in system Indonesian legal system. 2) Analysis Prescriptive: Providing recommendations regarding the limits of the Constitutional Court's authority to judge state administrative matters.
Objects Study	The Authority Court Constitution judges state administration cases based on decisions and rules applicable law.
Framework Thinking	Use the theory of separation of powers, the theory of supremacy constitution, as well as the theory of state administration law to analyze the authority of the Constitutional Court in TUN matters.

This research method is used to ensure that the analysis is conducted systematically based on applicable legal norms and is relevant to the developments in constitutional law in Indonesia. This research can provide theoretical and practical contributions in understanding the limits of the authority of the Constitutional Court in matters or cases related to administrative law.

Results and Discussion

This section presents the main findings based on the research conducted on the authority of the Constitutional Court (MK) in adjudicating Administrative Court cases (TUN). These findings are obtained from the analysis of legislation, a review of Constitutional Court decisions, and a comparison with the administrative law system in Indonesia.

Constitutional Authority in the Indonesian Judicial System

The Constitutional Court (MK) is an institution that has authority in the field of constitutional law as stipulated in Article 24C of the 1945 Constitution.¹⁴ The main function of the Constitutional Court is to examine the Constitution against the 1945 Constitution, resolve disputes of authority between state institutions, disputes over election results, dissolve political parties, and submit requests for the impeachment of the President/Vice President.¹⁵ However, in the 1945 Constitution¹⁶ as well as in Law Number 24 of 2003 concerning the Constitutional Court,¹⁷ There is no provision that explicitly grants the Constitutional Court the authority to adjudicate State Administrative Law (TUN) cases.

The authority to resolve administrative disputes should fall within the jurisdiction of the Administrative Court (PTUN) as regulated by Law No. 5 of 1986 concerning PTUN, which has been amended by Law No. 9 of 2004 and Law No. 51 of 2009.¹⁸ However, in several cases, the Constitutional Court has dealt with matters that contain elements of state administration, particularly in disputes related to elections, the authority of state organizers, and the testing of laws that impact state administrative law.

It is interesting to delve deeper into the dynamics of the Constitutional Court's (MK) authority in the landscape of Indonesian constitutional law. Article 24C of the 1945 Constitution explicitly

¹⁴Fatkhul Muin, "Optimalisasi Peran Mahkamah Konstitusi Dalam Hukum Tatanegara Di Indonesia." *FATWA: Jurnal Hukum Transformatif* 1.1 (2023): 1-17.

¹⁵Khotob Tobi Almalibari, Abdul Aziz, and Adrian Febriansyah. "Kewenangan Mahkamah Konstitusi Dalam Sistem Pemilihan Umum." *Jurnal Rechten: Riset Hukum dan Hak Asasi Manusia* 3.1 (2021): 1-8.

¹⁶Republik Indonesia, Undang-Undang Dasar Negara Republik Indonesia Tahun 1945.

¹⁷Republik Indonesia, Undang-Undang Nomor 24 Tahun 2003 tentang Mahkamah Konstitusi.

¹⁸Republik Indonesia, Undang-Undang Nomor 5 Tahun 1986 tentang Peradilan Tata Usaha Negara, beserta perubahannya dalam Undang-Undang Nomor 9 Tahun 2004 dan Undang-Undang Nomor 51 Tahun 2009.

positions the Constitutional Court as the guardian of the constitution with a series of crucial powers. The authority to test laws against the 1945 Constitution becomes the main foundation of the MK in ensuring the harmony of the hierarchy of laws and regulations.¹⁹ In addition, its authority in resolving disputes between state institutions emphasizes its role as the final arbiter in maintaining the balance of power. Equally important, the authority to adjudicate electoral disputes, dissolve political parties, and process the impeachment of the President/Vice President demonstrates the central role of the Constitutional Court in upholding the integrity of democracy and constitutionalism.²⁰

However, as previously mentioned, the limits of the Constitutional Court's authority become interesting when intersecting with the realm of administrative law. Both the 1945 Constitution and Law Number 24 of 2003 on the Constitutional Court do not explicitly mandate the Constitutional Court to adjudicate Administrative Law disputes. The prevailing legal logic places the Administrative Court (PTUN), through Law Number 5 of 1986 and its amendments, as the appropriate forum to resolve disputes between citizens or private legal entities and administrative agencies or officials due to the issuance of Administrative Law decisions. The PTUN has specific mechanisms and expertise in assessing the validity and procedures of administrative law.²¹

Nevertheless, constitutional practice shows a somewhat different phenomenon. The Constitutional Court in several of its rulings appears to touch on areas that have dimensions of state administrative law. This is particularly evident in electoral disputes, where the decisions of the General Election Commission (KPU) as a state administrative body often become the object of disputes. Furthermore, the review of laws that indirectly regulate aspects of state administrative law also becomes an area where the Constitutional Court intersects with issues of administrative law. For example, the review of laws that regulate licensing, civil service, or spatial planning, although its main focus is the constitutionality of the norms, often has implications that extend into the practice of administrative law.

Similarly, the comparison between the authority of the Constitutional Court and the Administrative Court in handling issues of state administration shows that there is an intersectionality between the Constitutional Court and the Administrative Court in resolving disputes related to state administration. In theory, the Administrative Court is authorized to handle disputes over state administration, while the Constitutional Court addresses disputes regarding constitutional issues. However, in several cases, the Constitutional Court tends to handle administrative law cases more frequently because administrative decisions have an impact on constitutional rights, especially for citizens.

Therefore, it does not mean that the Constitutional Court (MK) takes over the authority of the State Administrative Court (PTUN) in adjudicating administrative disputes. Rather, the MK acts as a guardian of the constitution that can test the legal basis (law) of a policy or government action if it is deemed to contradict the 1945 Constitution and harm the constitutional rights of citizens. In this context, state administrative decisions that have an impact on constitutional rights often refer to the

¹⁹Yudha Agung Pratama, "Quo Vadis Mahkamah Konstitusi: Telaah Politik Hukum Revisi Ketiga Undang-Undang Mahkamah Konstitusi." *Journal Law and Government* 3.1 (2025): 23-34.

²⁰Shafira Muqsitha, and Arif Wibowo. "Keberadaan Mahkamah Konstitusi Dalam Sistem Ketatanegaraan Republik Indonesia: Kekuasaan, Kewenangan, Sistem Ketatanegaraan, Konstitusi." *Jurnal Penelitian Multidisiplin* 2.1 (2023): 1-9.

²¹Aju Putrijanti, "Jurisprudence of State Administrative Courts in The Development of State Administrative Law." *Jurnal Penelitian Hukum De Jure* 21.2 (2021): 161.

laws that serve as the basis for those decisions or actions, which then become the subject of judicial review in the MK.

Table 2. Comparison between the authority of the Constitutional Court and the State Administrative Court in handling state administrative issues

Aspect	Court Constitution (MK)	State Administrative Court (PTUN)
Legal Basis	Article 24C of the 1945 Constitution, Law No. 24 of 2003 concerning the Constitutional Court	Law Number 5 of 1986 concerning the Administrative Court (and its amendments: Law Number 9 of 2004, Law Number 51 of 2009)
Type of Case	Constitutional disputes, testing of laws, and election result disputes	Administrative disputes between citizens and state administrative officials
Disputed Object	In conflict with the legal norms of the 1945 Constitution, the decision of the election organizers.	Administrative decisions (beschikking) that harm the rights of citizens

The comparison in this table clearly illustrates the fundamental division of jurisdictional domains in the judicial system in Indonesia. The Constitutional Court (MK) is positioned as the guardian of the constitution, with a primary focus on the constitutionality of legal norms and the electoral democratic process. Its authority is of a constitutional nature, concerning fundamental issues related to the constitution and state administration. The objects of its disputes are also abstract (legal norms) or directly related to the political processes guaranteed by the constitution (election results).²²

Meanwhile, the Administrative Court focuses on the legality of state administrative actions.²³ Its existence aims to protect citizens from potential arbitrary actions or maladministration carried out by officials or state administrative bodies.²⁴ The object of the dispute is concrete in nature, namely an administrative decision (beschikking) that directly causes harm to the rights of individuals or legal entities.

Therefore, it is important to continue discussing and finding the right balance in understanding and practicing the authority of the Constitutional Court. Although there is no explicit prohibition for the Constitutional Court to address constitutional issues within the context of its constitutional authority, the principles of prudence and respect for the separation of powers become very important. A coordination mechanism and deeper mutual understanding between the Constitutional Court and the Administrative Court in handling cases that overlap between constitutional law and administrative law are essential to realizing an effective and fair judicial system.²⁵ The development of a clearer legal doctrine regarding the boundaries and criteria for the

²²Firdaus Arifin, "Position and Authority of the Constitutional Court as a Guardian of the Constitution." *Journal of Law, Politic and Humanities* 4.5 (2024): 1658-1665.

²³Weda Kupita, "Ordinary State Administrative Dispute and Positive-Fictitious decisions Dispute in Administrative Court (PTUN), In Relation to Administrative Appeal." *Jurnal Dinamika Hukum* 21.1 (2021): 92-104.

²⁴Moh Imam Gusthomi, Farrel Ardan Rinaldi, and Marlina Dewi Setiani. "The Role of PTUN Procedural Law in Protecting Citizens' Rights Against Decisions of State Administrative Officials." *Jurnal Penelitian Pendidikan* 41.2 (2024): 89-93.

²⁵Muhamad Habibullah AR, et al. "Kewenangan Dan Tanggung Jawab Pemerintah Dalam Hukum Tatanegara." *Hutanasyah: Jurnal Hukum Tata Negara* 3.2 (2025): 83-103.

involvement of the Constitutional Court in state administrative issues will also provide legal certainty and prevent potential overlapping authorities in the future.

Constitutional Court Cases that Conflict with State Administration

Based on the research findings, it was discovered that the Constitutional Court has handled several cases that should have been within the realm of administrative law. Some important cases to highlight are as follows.

1. Election Dispute and KPU Decision One case that shows the involvement of the Constitutional Court in administrative disputes is the Constitutional Court Decision Number 41/PHPU.D-VI/2008, which annulled the decision of the General Elections Commission (KPU) regarding the election results. In this case, the KPU, as a state institution, issued a decision that had broad administrative implications for the election participants.²⁶ In principle, the KPU's decision can be categorized as an administrative court decision that falls under the jurisdiction of the Administrative Court. However, because elections are part of the constitutional mechanism, the Constitutional Court takes over the authority to handle this matter.
2. The testing of laws that affect state administration in the Constitutional Court Decision Number 137/PUU-XIII/2015, the Constitutional Court annulled the authority of the Minister of Home Affairs to revoke regional regulations.²⁷ Previously, based on Article 251 of Law Number 23 of 2014 concerning Regional Government, the Minister of Home Affairs has the authority to revoke legislation that is contrary to higher legislation. The Constitutional Court assessed that this authority contradicts the principle of regional autonomy, thus issuing a ruling to revoke Article 155 paragraph (1) of Law No. 23 of 2014 concerning Regional Government.
3. The Decision of State Officials with Constitutional Impact in the Constitutional Court Decision Number 85/PUU-XI/2013, the Constitutional Court annulled the regulation regarding the age limit of regional head candidates.²⁸ Before this decision, there were provisions for age restrictions on potential regional heads, regulated by laws and regulations. The applicant in this case argued that the age restrictions violated the constitutional rights of citizens to be elected in elections. The Constitutional Court then annulled the provision, because the age restriction should be proportional and should not obstruct the constitutional rights of citizens.

The results of this study indicate a tendency of the Constitutional Court to handle cases that have constitutional elements when the issue is considered to have significant constitutional dimensions. This particularly occurs in the context of electoral disputes that concern the legitimacy of the democratic process, the testing of laws that impact constitutional principles, and the constitutional rights of citizens.

Although formally the authority to adjudicate state administrative disputes lies under the jurisdiction of the Administrative Court, the Constitutional Court shows flexibility in interpreting its authority, especially when the issues at hand touch on constitutional fundamentals. This raises important questions about the clear boundaries between the authority of the Constitutional Court and the Administrative Court, as well as its implications for the effectiveness and legal certainty of

²⁶Mahkamah Konstitusi Republik Indonesia. Putusan Mahkamah Konstitusi Nomor 41/PHPU.D-VI/2008.

²⁷Mahkamah Konstitusi Republik Indonesia. Putusan Mahkamah Konstitusi Nomor 137/PUU-XIII/2015.

²⁸Mahkamah Konstitusi Republik Indonesia. Putusan Mahkamah Konstitusi Nomor 85/PUU-XI/2013.

the judicial system in Indonesia.²⁹ This study highlights the need for further research on the handling of cases in the Constitutional Court that intersect with constitutional law, as well as its potential implications for the separation of powers and the judicial system as a whole.

Overall, the results of this study indicate that the jurisdiction of the Constitutional Court is not always limited to disputes between state institutions or purely judicial review of laws. The Constitutional Court can also be involved in cases that have an administrative law dimension when the issue of constitutionality is very strong and fundamental. This raises an intriguing question about the clear boundaries between the jurisdiction of the Constitutional Court and the Administrative Court, particularly when an action or decision of the state administration is considered to violate the constitutional rights of citizens or the basic principles of the constitution.

Furthermore, this phenomenon highlights the complex and dynamic relationship between constitutional law and administrative law. Administrative actions or decisions often implement the norms of constitutional law. When these actions or decisions are deemed to violate constitutional rights or fundamental principles of the constitution, then administrative law issues possess significant constitutional dimensions. In this context, the Constitutional Court may feel a constitutional responsibility to make corrections in order to uphold constitutional supremacy. However, it is important to note that the Administrative Court also has mechanisms and expertise to test the validity of administrative actions based on legislation and the principles of good governance (AUPB), which also aim to protect citizens from arbitrary government actions.

The findings of this research open up a crucial discourse regarding the doctrine and practice of the separation of powers in Indonesia. Although the authority of the Constitutional Court (MK) and the Administrative Court (PTUN) is normatively separate, the reality of case handling shows a gray area where these two legal domains intersect. The involvement of the MK in administrative cases laden with constitutional issues indicates that the protection of citizens' constitutional rights can trigger interventions by the MK, even against actions or decisions of state administration that are formally the subject of disputes in the PTUN.

This phenomenon raises fundamental questions about how the Indonesian legal system balances the principle of legal certainty in state administration (which falls under the jurisdiction of the Administrative Court) with the guarantee of protecting the constitutional rights of citizens (which is the main focus of the Constitutional Court).³⁰ The implications for the effectiveness and efficiency of the judicial system should also be considered, given the potential for forum shopping or the lack of clarity for those seeking justice in determining the appropriate dispute resolution path.³¹ Therefore, a more in-depth analysis is needed to comprehensively map the criteria and limitations underlying the MK intervention in the administrative law realm, in order to create a more integrated judicial system and provide better legal certainty.

Therefore, a more in-depth and comprehensive study is needed regarding the precise boundaries between the authority of the Constitutional Court and the Administrative Court in cases that overlap between constitutional law and administrative law. This study must consider the

²⁹Muhammad Fikri Alan, and Fenolia Intan Saputri. "Mendesain Putusan Hakim Pengadilan Tata Usaha Negara Tentang Opened Legal Policy: Suatu Upaya Mewujudkan Integritas Peradilan." *Judex Laquens* 1.1 (2023): 57-80.

³⁰Ahmad Rusly Purba, "Fungsi Mahkamah Konstitusi Dalam Penegakan Hukum Tata Negara." *Jurnal Darma Agung* 32.6 (2024): 348-354.

³¹Jeis Igrisa, Nurvia Usman, and Roy Marthen Moonti. "Pengaruh Mahkamah Konstitusi terhadap Stabilitas Sistem Ketatanegaraan Indonesia." *Jurnal Hukum, Administrasi Publik dan Negara* 2.1 (2025): 150-160.

principles of separation of powers, legal certainty, the effectiveness of the judicial system, and the guarantees for the protection of citizens' constitutional rights. The results of this study are expected to provide clearer guidance for judges, legal practitioners, and the general public regarding the appropriate forum for dispute resolution, thus creating a more integrated, efficient, and substantively just judicial system.

Legal Implications of the Constitutional Court's Authority in State Administrative Issues

The main finding of this study is the revelation of the involvement of the Constitutional Court in administrative law cases, which brings several significant legal consequences and has a major impact:

1. Overlapping Authority between the Constitutional Court and the Administrative Court

The Constitutional Court often adjudicates cases that fall within the jurisdiction of the Administrative Court, particularly in cases involving decisions by state officials that have constitutional implications. In several cases, the Constitutional Court has shifted authorities that should belong to the Administrative Court. This creates a dualism in the judiciary, where a matter concerning aspects of state administration can be adjudicated in two different institutions, namely the Constitutional Court and the Administrative Court.

2. Legal Uncertainty in the Indonesian Judicial System

Legal uncertainty due to the lack of clear boundaries regarding the authority of the Constitutional Court in administrative law cases creates legal uncertainty for the public and state institutions. Parties are often confused about whether a dispute should be submitted to the Administrative Court or directly to the Constitutional Court. Additionally, the rulings of the Constitutional Court in several cases related to administrative law also create inconsistent legal precedents.

3. Threats to the Principle of Separation of Powers

In theory of the separation of powers, each judicial institution has its scope of authority according to the regulations. However, when the Constitutional Court begins to delve into the realm of administrative law, this can be seen as a deviation from the principle of separation of powers, because the Constitutional Court should only focus on constitutional issues.

4. The Need for Clearer Regulations

Based on the research findings, it was found that no clear regulations limit the authority of the Constitutional Court in adjudicating administrative court cases. Therefore, a revision of the Constitutional Court Law is needed to prevent overlapping authorities with the Administrative Court.

This research comprehensively identifies the significant legal consequences arising from the involvement of the Constitutional Court (MK) in the realm of Administrative Law (TUN) cases. The findings not only depict the existence of practices that deviate from the ideal distribution of judicial authority but also highlight the potential negative impacts on the overall legal system. This study successfully identified crucial issues regarding the limitations and implementation of MK's authority in the context of TUN cases. These findings are not only descriptive but also contain strong normative implications regarding the need for regulatory reforms and judicial practices in Indonesia.

This discussion explicitly interprets the research results as a comprehensive identification of significant legal consequences arising from the Constitutional Court (MK) in handling

Administrative Law cases (TUN). This research not only describes the existence of practices deviating from the ideal division of judicial power but also highlights their potential negative impacts on the Indonesian legal system as a whole. The success of this research lies in its ability to identify crucial issues related to the limits and implementation of the Constitutional Court's authority in the context of Administrative Law cases. Furthermore, the findings of this research are not only descriptive in explaining the phenomena that occur, but also contain strong normative implications, indicating an urgent need to improve regulations and judicial practices in Indonesia to align with the principles of the separation of powers and legal certainty.

This study comprehensively identifies significant legal consequences arising from the involvement of the Constitutional Court in administrative court cases that deviate from the ideal division of judicial authority and pose potential negative impacts on the legal system. Crucial findings regarding the limits of the Constitutional Court's authority in administrative cases are not only descriptive but also contain strong normative implications that encourage regulatory improvement through amendments to the Constitutional Court Law and regulatory harmonization, as well as enhancements in judicial practices through increased awareness among judges, strengthening inter-institutional coordination, developing consistent legal doctrines, and continuous education, all aimed at reinforcing the principle of separation of powers, enhancing legal certainty, and boosting public trust in the Indonesian legal system.

This research opens an important discussion space regarding the ideal conception of the division of judicial power and the guarantee of legal certainty for citizens and state institutions in dealing with administrative disputes. Furthermore, the normative implications of this research finding urge a comprehensive evaluation of the architecture of judicial power in Indonesia. Improving regulations should not be limited to revising laws, but should also include drafting more operational guidelines regarding the limits of authority of the Constitutional Court and the Administrative Court.³² This guideline ideally contains measurable and clear criteria for identifying when an administrative case has constitutional dimensions that are significant enough to be brought to the Constitutional Court.

The discussion space opened by this research also highlights the inherent tension between the protection of citizens' constitutional rights and the principle of legal certainty in state administration. While the Constitutional Court has the mandate to ensure that no laws or state actions violate the constitution,³³ Administrative Court has a central role in overseeing the legality of state administrative actions to achieve certainty and order in the administration of government.³⁴ This discussion needs to involve various stakeholders, including academics, legal practitioners, judges from various levels, and policymakers, to formulate an ideal conception of the division of judicial power that can guarantee both the supremacy of the constitution and legal certainty in state administration.

Ultimately, the goal of improving regulations and judicial practices related to the authority of the Constitutional Court (MK) in State Administrative Law (TUN) cases is to create a judicial

³²Maruarar Siahaan, *Hukum Acara Mahkamah Konstitusi Republik Indonesia (edisi kedua)*. (Sinar Grafika, 2022).

³³Muhammad Ilham, "Mahkamah Konstitusi Dalam Menegakkan Keadilan Konstitusional Di Era Modern." *Legal Standing: Jurnal Ilmu Hukum* 8.2 (2024): 467-479.

³⁴Bertha Maulidina, Silvia Ratna Anzani, and Vianna Novita Kristya. "Peran Peradilan Tata Usaha Negara Dalam Penegakan Hukum Administrasi Negara Berbasis Prinsip Good Governance." *Yustisi* 10.1 (2023): 196-209.

system that is substantially more effective in resolving disputes in a timely manner, more efficient in the use of resources and procedures, and provides better legal certainty for all parties involved. This goal underscores the importance of clarity for citizens and state institutions regarding the appropriate dispute resolution pathways based on the type of case, ensuring that constitutional rights and rights in the realm of state administration can be optimally guaranteed, and that legal obligations can be fulfilled in accordance with applicable legal corridors without any doubt or confusion regarding the competent forum.³⁵ Citizens and state institutions must have clarity regarding the appropriate dispute resolution pathways, so that their rights can be guaranteed and their obligations can be fulfilled according to the applicable legal corridors.

This study, by identifying the root problems and potential impacts, serves as an important and argumentative foundation to promote constructive change towards a justice system that is not only fair in its decisions but also trustworthy in its process, where legal certainty becomes a key pillar in upholding the rule of law in Indonesia. Thus, the improvement of regulations and practices related to the authority of the Constitutional Court in administrative law cases is not only aimed at regulating the distribution of power among judicial institutions but also represents an important investment to realize a justice system that truly serves the community's needs for justice, certainty, and efficiency. The ideal justice system can resolve any disputes accurately, swiftly, and fairly by competent institutions, based on clear and consistently enforced laws.

The refinement of regulations and judicial practices related to the authority of the Constitutional Court in administrative law cases aims to create a more effective judicial system in resolving targeted disputes and restoring rights, more efficient in resource use and simpler procedures, as well as providing better legal certainty through jurisdictional clarity, decision predictability, and legal stability. Therefore, this effort is essential to realize a fair and trustworthy judicial system that can guarantee the rights and fulfill the obligations of all parties by applicable legal provisions.

Conclusion

This research highlights the significant differences between the normative framework of the Constitutional Court's (MK) authority and the developing practices in handling cases. Although Article 24C of the 1945 Constitution and Law No. 24 of 2003 on the Constitutional Court explicitly limit the Court's authority only to specific constitutional law cases, namely the testing of laws against the 1945 Constitution, disputes over authority between state institutions, disputes regarding the results of general elections, dissolution of political parties, and impeachment of the President/Vice President. The reality of trials at the MK shows an expansion of the scope of case handling that touches on the essence of administrative law. Theoretically and based on applicable laws and regulations, the Administrative Court (PTUN) is the competent forum to resolve disputes between individuals or legal entities and state administrative bodies or officials, as regulated in Law Number 5 of 1986 and its amendments. PTUN is established with a specific mechanism and expertise to assess the legality of state administrative actions based on the principle of legality, the general principles of good governance (AUPB), and regulations in the field of administration.

³⁵Mirza Elmy Safira, "Model Sistem Peradilan dalam Mewujudkan Kepastian Hukum dan Keadilan di Indonesia." *Journal of Indonesian Comparative of Syari'ah Law* 6.1 (2023): 1-17.

The involvement of the Constitutional Court (MK) in Administrative Court (TUN) cases raises fundamental issues such as overlapping authority with the Administrative Court (PTUN), legal uncertainty, and potential threats to the principle of separation of powers, considering that the explicit authority of the MK is limited to issues of administrative law regulated by law, while TUN disputes theoretically fall within the jurisdiction of the PTUN. To prevent abuse of authority and maintain the balance of the constitutional system, clearer regulations are needed through a revision of the MK law so that the MK can focus on disputes purely related to the constitution and not encroach upon the realm of administrative law, thereby creating a more orderly, certain judicial system that aligns with the principle of separation of powers. Additionally, further research regarding the authority of the MK in the realm of administrative law is still very much needed to address the limitations and shortcomings of this research.

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