



## Between Administrative and Constitutional Jurisdiction: Investigating Dual Pathways to Justice in Indonesia

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**Abstract:** This study explores the intersection of administrative and constitutional adjudication in Indonesia, focusing on the overlapping jurisdictions of the State Administrative Court (PTUN) and the Constitutional Court (MK). Although these institutions were established to complement one another within a system of checks and balances, their concurrent mandates often generate legal uncertainty and procedural inefficiencies. Employing normative legal research and a conceptual framework, the analysis examines primary sources (the 1945 Constitution, PTUN Act, Constitutional Court Act, Government Administration Act), secondary literature, and illustrative case law. Through statutory, conceptual, and case-based approaches, the study identifies points of convergence and divergence in the courts' competencies, as well as the practical implications for citizens seeking redress. The findings reveal that PTUN's focus on concrete administrative acts and the MK's review of abstract legal norms can lead to contradictory outcomes: a PTUN judgment may vindicate a claimant without invalidating the underlying statute, while an MK annulment of a norm does not automatically reverse prior administrative decisions. This dual-track system imposes duplicative litigation burdens, prolongs resolution timelines, increases costs, and ultimately erodes public confidence in the rule of law. To resolve the overlapping jurisdictions between PTUN and MK, this study recommends clearer statutory delineation of competencies, coordinated case-management protocols, and the possible establishment of a unified forum for disputes with both administrative and constitutional dimensions. Strengthening institutional synergy through capacity building and enhancing transparency in jurisdictional guidance are also essential to ensure consistency, reduce litigation burdens, and restore public trust in the rule of law.

**Keywords:** State Administrative Court Constitutional Court; jurisdictional overlap; legal uncertainty; administrative adjudication; constitutional review.

### 1. Introduction

In a democratic rule-of-law state, the principle of checks and balances serves as a fundamental pillar for preserving the integrity of the governmental system and preventing the abuse of power. This concept arises from the need for reciprocal oversight mechanisms among state institutions that occupy equal standing yet perform distinct functions. Within this framework, the judiciary occupies a central position as a regulator of public authority not only in its repressive capacity to address legal violations, but also as the guardian of the constitution and of a clean, equitable public administration (Oko, 2009)

In Indonesia, two judicial bodies bear the principal mandate of supervising public officials' actions: the State Administrative Court (Pengadilan Tata Usaha Negara, PTUN) and the Constitutional Court (Mahkamah Konstitusi, MK). The PTUN is vested with jurisdiction to adjudicate disputes arising from state administrative decisions, particularly those that are concrete, individual in scope, and final in effect (Asshiddiqie, 2020). Meanwhile, the Constitutional Court is empowered to review statutes against the 1945 Constitution and to resolve a range of constitutional disputes. Although, in theory, their jurisdictions are distinct, in practice an inevitable overlap arises—particularly when a public administrative decision directly implicates

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citizens' constitutional rights. For instance, a public official's decision to prohibit a group's religious activities may be contested before the State Administrative Court or have its underlying legal norms examined by the Constitutional Court.

This phenomenon exposes a jurisdictional overlap between administrative law and constitutional law two branches that ought to run in parallel yet often become entangled. In contemporary Indonesian statecraft, the meaning and scope of authority vested in each have shifted. On one hand, administrative law has developed into a tool for supervising executive action; on the other, constitutional law has broadened its reach, functioning not only as a foundational norm but also as the ultimate justification for comprehensive oversight of public power. Theoretically, this exemplifies what Stone Sweet describes as the fusion of constitutional and administrative adjudication (2000). This phenomenon can be described as the "judicialization of politics," denoting the tendency for courts to assume an ever-expanding role within the political and governmental arenas, including the oversight of state officials.

This situation creates complexities in accessing justice. Citizens, as seekers of redress, are often faced with a perplexing strategic dilemma: whether to challenge an official's decision through the administrative judiciary or to petition the Constitutional Court to review the underlying legal norm (Abdullah, 2021; Bhakti & SH, 2022; Rahmawati & Hasani, 2013). These two avenues entail distinct procedures, legal foundations, and decision-making implications. Under certain circumstances, they may mutually reinforce one another; in others, however, they risk engendering legal inconsistencies and overlapping jurisdictions.

This complexity warrants close examination, as Indonesia's legal system embraces legal pluralism through the coexistence of multiple judicial forums. Accordingly, clear delineation of jurisdiction and effective coordination among these courts are essential prerequisites for upholding due process and protecting human rights (Philipus M. Hadjon, 2001). If not clearly regulated and properly understood, these dual avenues of justice may undermine the very oversight of public authority that the establishment of these two institutions was designed to secure.

At the academic level, a number of studies have endeavored to elucidate the evolving roles of the State Administrative Court (Pengadilan Tata Usaha Negara, PTUN) and the Constitutional Court (Mahkamah Konstitusi, MK) within Indonesia's constitutional order. Several analyses have focused on the expansion of PTUN's jurisdiction, particularly following the enactment of Law No. 30 of 2014 on Government Administration, which afforded citizens broader opportunities to challenge governmental acts deemed injurious. That legislation fundamentally transformed the landscape of administrative adjudication, extending the PTUN's remit beyond the review of final administrative decisions to encompass the factual conduct of public officials (Rumadan, 2012).

On the other hand, the Constitutional Court serves as the ultimate guardian of constitutional supremacy, notably through its power of judicial review over statutes deemed inconsistent with the 1945 Constitution. Numerous studies have underscored the MK's role in enforcing citizens' constitutional rights such as the right to education, freedom of religion, and the right to legal protection (Russo, 2015). However, these analyses are often partial, and few have explored how the functions of both courts might be understood as complementary elements within a single, integrated system of public-power oversight.

Meanwhile, in procedural practice, a single legal event often finds itself adjudicated in two separate forums the State Administrative Court (PTUN) and the Constitutional Court (MK).

This phenomenon is particularly striking because, besides revealing overlapping jurisdictions, it also creates the potential for divergent legal interpretations that undermine legal certainty. Therefore, the research question in this study is “what are the points of convergence and divergence in the jurisdiction of the State Administrative Court (PTUN) and the Constitutional Court (MK) in supervising state officials’ actions, and how do these overlapping mandates affect legal certainty and the protection of citizens’ constitutional rights?”. Based on the research question, this study therefore aims to analyze the points of convergence and divergence in jurisdiction between the PTUN and the Constitutional Court in supervising state officials’ actions, as well as to assess the implications of this dual pathway for legal certainty and the protection of citizens’ constitutional rights.

## 2. Materials and Methods

The research method employed in this article is normative legal research, complemented by a conceptual approach. Normative legal research seeks to examine the legal norms governing Indonesia’s constitutional system specifically those that define the jurisdiction of the State Administrative Court (PTUN) and the Constitutional Court (MK). The conceptual approach, in turn, is used to develop a theoretical understanding of the relationship between administrative law and constitutional law, and to explore how these two branches interact within the framework of oversight over public power (Z. Ali, 2021; Johnny Ibrahim, 2005). This study does not pursue an empirical orientation; rather, it undertakes a critical analysis of legislation, legal doctrine, and judicial practice. It employs three principal approaches. First, the statutory approach, which examines the legal norms set forth in the 1945 Constitution, the PTUN Act, the Constitutional Court Act, and the Government Administration Act. Second, the conceptual approach, used to analyze foundational ideas such as checks and balances, due process of law, and the judicialization of politics. Third, the case approach, applied selectively to illustrate overlaps in jurisdiction between the PTUN and the Constitutional Court through the analysis of relevant judicial decisions. This study applies normative legal research by interpreting statutes (1945 Constitution, PTUN Act, MK Act, Government Administration Act) through grammatical, systematic, and teleological interpretation to clarify jurisdictional boundaries. The conceptual approach frames these findings within principles like checks and balances and due process, while the case approach illustrates overlaps through judicial decisions. Together, these methods concretely reveal points of convergence and divergence between PTUN and MK and their implications for legal certainty and citizens’ rights. The legal materials consulted are classified into three categories: (1) primary sources, comprising statutes and court rulings under study; (2) secondary sources, including books, journal articles, and other scholarly works by pertinent legal experts; and (3) tertiary sources, such as legal dictionaries and encyclopedias, which support precise understanding of key terms. All materials are subjected to qualitative analysis via grammatical, systematic, and teleological interpretation to achieve a thorough and holistic comprehension. The primary objective of this methodology is to identify, delineate, and analyze the points of convergence and divergence in jurisdiction between the PTUN and the Constitutional Court, as well as to assess their implications for legal certainty and the protection of citizens’ constitutional rights. In doing so, this study aims to offer a conceptual contribution to the development of a more synergistic and responsive judicial system attuned to the evolving dynamics of Indonesia’s constitutional order.

## 3. Finding and Discussions

### 3.1. *Overlapping and Distinct Jurisdictions of the State Administrative Court and the Constitutional Court in Overseeing the Actions of Public Officials*

#### a. Background of Jurisdiction and Constitutional Mandate

The State Administrative Court (Pengadilan Tata Usaha Negara, PTUN) and the Constitutional Court (Mahkamah Konstitusi, MK) are two judicial institutions in Indonesia that play a vital role in overseeing the exercise of executive power, particularly in ensuring that the actions of public officials remain within the bounds of law and the

constitution. Although these institutions emerged from distinct historical and legal foundations, in modern constitutional practice they frequently operate within overlapping domains especially in safeguarding citizens against the abuse of authority by state officials (Asmuni, 2020, 2024).

The Administrative Court was established thru Law Number 5 of 1986 concerning State Administrative Courts, which was subsequently amended by Law Number 9 of 2004 and updated again by Law Number 51 of 2009. This institution exists as a concrete manifestation of the principle of checks and balances in the context of the relationship between citizens and the state administration. The core function of the Administrative Court is to provide a means for individuals or legal entities to file objections and requests for annulment against administrative decisions that are considered to be detrimental to their legal interests (Simanjuntak, 2020).

The main authority of the State Administrative Court is to examine, adjudicate, and decide disputes arising from what are called State Administrative Decisions (KTUN). KTUN is defined as a written decision issued by a state administrative body or official in the field of government that is concrete, individual, and final, and has legal consequences for a person or civil legal entity. Concrete requirements mean that the decision must concern a real and factual matter; individual indicates that the decision is directed toward a specific person or legal entity, not generally; and final means that the decision is complete and not temporary (Dani, 2019).

For instance, a Bupati's resolution to annul a company's business license, the Minister of Education's determination to terminate a state university rector, or a Mayor's refusal to approve a building permit application for a place of worship are administrative decisions subject to challenge in the Administrative Court. Through this legal mechanism, the court may nullify the judgment if it is demonstrated to contravene the fundamental principles of good governance, breach legal protocols, or lack a legitimate legal foundation.

On the other hand, the Constitutional Court emerged as part of Indonesia's constitutional transformation following the 1998 reforms. The establishment of the Constitutional Court is part of the effort to strengthen the pillars of democracy and uphold the principles of a rule of law (*rechtsstaat*), as affirmed in the third amendment to the 1945 Constitution of the Republic of Indonesia. The Constitutional Court was officially established based on the provisions of Article 24C of the 1945 Constitution, which was then further regulated thru Law Number 24 of 2003 concerning the Constitutional Court, and its amendments.

The Constitutional Court is granted four main constitutional powers. First, the Constitutional Court has the authority to test laws against the 1945 Constitution (judicial review), an important mechanism in the constitutional system to ensure that every legislative product does not contradict constitutional principles. Second, the Constitutional Court has the authority to decide disputes over authority between state institutions whose authority is granted by the Constitution. Third, the Constitutional Court can decide on the dissolution of political parties, a strategic authority in maintaining the democratic order. Fourth, the Constitutional Court has the authority to decide on disputes over election results, whether legislative, presidential, or regional

elections, in accordance with regulatory developments (Isra & Faiz, 2024; Wicaksono & Rahman, 2022).

In fulfilling its role as the guardian of the constitution, the Constitutional Court plays a very important role in safeguarding the fundamental values of the state. Through its function of testing laws, the Constitutional Court acts as the last bastion for citizens to obtain protection for their constitutional rights. For example, if an article in a law is considered to contradict the right to freedom of religion, the right to education, or the right to legal protection, citizens can file a petition for testing with the Constitutional Court (Faiz, 2016).

Unlike the Administrative Court (PTUN), which handles concrete decisions of public officials, the Constitutional Court (MK) does not deal with individual cases or specific administrative actions. The focus of the Constitutional Court is on legal norms in an abstract and general sense. However, in reality, norms and actions are often inseparable. An administrative action by a public official can be based on a norm in a law that is then challenged in the Constitutional Court. In such situations, although the official's action can be tested in the Administrative Court, its normative legal basis can also be tested in the Constitutional Court. This is what creates an overlap in jurisdiction between the two institutions.

The strategic role of the Constitutional Court is also evident in its defense of the principles of the rule of law and constitutional democracy. In many of its decisions, the Constitutional Court not only acts as a formal tester of norms but also provides a substantive interpretation that emphasizes the importance of protecting human rights, social justice, and the principles of procedural fairness (Fahmi et al., 2013; Syafridah, 2020). Therefore, the role of the Constitutional Court cannot be separated from efforts to create a just, balanced, and participatory constitutional system.

From the above explanation, it is clear that the Administrative Court (PTUN) and the Constitutional Court (MK) are two institutions that complement each other in the system of supervision over the exercise of public power. The Administrative Court plays an important role in ensuring that administrative actions are carried out legally and fairly, while the Constitutional Court ensures that all applicable legal norms are within the framework of the constitution. Despite differences in the subject matter, scope of jurisdiction, and trial mechanisms, both play a crucial role in ensuring that public officials do not exceed their authority and that citizens' rights remain protected at every stage of decision-making.

#### b. Overlapping Jurisdiction: When Administrative Law Meets Constitutional Law

The complexity of legal practice in Indonesia is exemplified by the phenomenon of overlapping authority between the Administrative Court (PTUN) and the Constitutional Court (MK). In numerous instances, it is not always straightforward to determine whether an action taken by a state official is classified as a regular administrative action or a manifestation of constitutional orders (Gersen, 2006; Metzger, 2010). This distinction is of the utmost importance, as it will dictate the method by which citizens should submit their lawsuits: through the administrative court system or through constitutional review. This dilemma is rendered even more acute when the administrative action directly

impacts the constitutional rights of citizens, including the right to legal protection, the right to justice, and freedom of religion.

In such circumstances, the Administrative Court (PTUN) and the Constitutional Court (MK) can function as two legally valid but conceptually and procedurally distinct avenues of resolution. The Administrative Court (PTUN) will evaluate the legality and procedure of the administrative action, while the Constitutional Court (MK) will determine whether the legal norms that underlie the action are inconsistent with the constitution. This dualism is known as the "dual track of justice," in which two legal forums can be accessed to pursue justice; however, each has distinct starting points, procedures, and legal consequences. This results in a distinctive legal complexity for those who are pursuing justice. This dual-track concept simultaneously underscores the fact that administrative law and constitutional law do not operate in entirely distinct domains. Conversely, they are interdependent and even mutually reinforcing. Administrative law serves as a technical instrument for the operation of daily governance; however, it is inextricably linked to the fundamental principles established by constitutional law in its execution. Conversely, constitutional law functions as a source of legitimacy and a regulator of the implementation of administrative authority to prevent it from deviating from the principles of constitutional supremacy and human rights.

The structure of their decisions is also indicative of the distinction between these two institutions in practice. PTUN decisions are typically casuistic and only apply to the parties in dispute, whereas MK decisions are *erga omnes*, applicable to all, and have the power to invalidate legal norms. MK decisions are typically more normative in nature, whereas PTUN decisions necessitate concrete administrative actions from the accused officials in terms of execution. As a result, the ultimate outcomes of these two institutions can be significantly different in terms of their legal reach and strength, despite the fact that they are capable of addressing issues that originate from the same root problem.

Consequently, it is imperative to possess a high level of cognizance and precision in order to comprehend the map of authority and the interplay between administrative law and constitutional law. Inadequate comprehension can result in citizens becoming entangled in legal procedures that are either ineffective or convoluted. Encourage the reformulation of a more integrated dispute resolution system that is responsive to the preservation of citizens' constitutional rights in various forms of state actions by utilizing the concept of dual justice pathways as a foundation.

### c. Case Study and Practical Implications

One tangible example of overlapping jurisdiction between the Administrative Court (PTUN) and the Constitutional Court (MK) can be seen in the bans imposed on Ahmadiyya and Shia communities in various regions. These prohibitions are often enacted through decrees, circulars, or instructions issued by local executives in an administrative capacity. Citizens who feel that their constitutional rights such as freedom of religion and association—have been infringed frequently seek legal redress by challenging the decrees before the Administrative Court. This route is considered logical because the object of the suit is a concrete administrative act.

Nevertheless, experience shows that PTUN rulings in such cases seldom resolve the substantive problem. The court's review is confined to formal legality and procedural validity namely, whether the act was undertaken in accordance with the requisite procedures, authority, and form prescribed by administrative law. PTUN lacks competence to assess the validity or constitutionality of the underlying norms themselves, such as regional regulations or joint ministerial decrees. Consequently, even when a claim is granted, the systemic prohibition of the religious group remains unaddressed.

In contrast, the Constitutional Court is empowered to test the constitutionality of statutes or legal norms underpinning such bans. The judicial-review process in the MK, however, entails its own timelines and mechanisms and is not directed at individual acts. Thus, even if a norm is annulled for being unconstitutional, that decision does not automatically invalidate administrative measures already taken against specific citizens. This divergence creates an imbalance between normative protection and concrete protection for individuals directly affected.

A similar pattern emerges in disputes over the appointment or dismissal of public officials such as school principals, deans, or rectors by ministerial or local authorities. Many of these decisions are challenged before PTUN on grounds of procedural impropriety or arbitrariness; yet in some instances the decision rests on legal norms within statutes or regulations that are themselves discriminatory or unconstitutional. Accordingly, beyond an administrative lawsuit, a normative review by the Constitutional Court is also necessary to provide comprehensive legal protection.

Regrettably, the lack of integration between these two judicial avenues produces a significant dilemma. A PTUN suit may fail because the legal basis used by the official remains valid, whereas a successful review in the MK, though capable of annulling the norm, does not necessarily afford immediate relief to individuals harmed by the act. Without coordination and coherence between the administrative and constitutional pathways, the legal protections promised by the Constitution remain difficult to realise effectively in practice.

### ***3.2. The Implications of the Dual Justice Track on Legal Certainty and the Protection of Constitutional Rights***

#### **a. Access to Justice and Procedural Challenges**

The existence of two avenues of justice the Administrative Court (Pengadilan Tata Usaha Negara, PTUN) and the Constitutional Court (Mahkamah Konstitusi, MK) is, in principle, intended to offer citizens alternative legal remedies when they are harmed by state actions or norms. Both institutions are designed to ensure that no governmental act or legal norm may infringe citizens' rights without the possibility of judicial correction. Ideally, PTUN and the MK should complement one another in realising a rule-of-law system that guarantees both substantive and procedural justice. In practice, however, this dual-track system often creates its own complexities for those seeking redress.

A primary difficulty lies in the rigid jurisdictional boundaries between the two courts. PTUN may only adjudicate administrative disputes concerning specific, concrete acts of government officials or agencies, whereas the MK is empowered solely to review statutes for conformity with the 1945 Constitution. Yet many legal events in reality have

both administrative and constitutional dimensions. When an official act is grounded in a regulation that is constitutionally suspect, an action filed only in PTUN will not reach the root of the problem and vice versa (S. Ali, 2025a; Ardiansyah et al., 2025a; Dinanti, n.d.).

The situation is compounded by the fact that laypersons often do not know which path to pursue first. In cases such as bans on socio-religious activities or unilateral dismissals from public office, citizens may perceive PTUN as the primary forum, even though the act is based on a problematic legal norm. Consequently, an administrative claim may be dismissed because the underlying norm remains valid. Conversely, even if a judicial review in the MK succeeds, it does not guarantee concrete relief for individuals already harmed by the administrative act.

Additional challenges arise from procedural differences between the two forums. In PTUN, the claimant must prove a concrete loss resulting from the official's act. In the MK, however, an applicant must establish legal standing as a citizen or group whose constitutional rights have been violated. These differences affect not only the types of evidence required but also the legal strategies and arguments that must be crafted. For ordinary citizens without professional legal counsel, such complexity can pose a serious obstacle to justice.

Moreover, proceedings in both forums demand significant time, effort, and cost. When a claimant must litigate in PTUN while simultaneously pursuing a judicial review in the MK, they are forced to navigate two separate judicial processes whose outcomes may not align. This burdens not only citizens but also reflects a potential inefficiency in the national legal system's ability to deliver comprehensive and timely justice. Over time, such inefficiency may erode public confidence in the state's dispute-resolution mechanisms. Therefore, although the dual-track system theoretically affords citizens greater flexibility, there is an urgent need to design a mechanism that harmonises the jurisdictions of PTUN and the MK. Such harmonisation could take the form of coordinated jurisdiction, a clear mapping of case types requiring dual review, or even national legal policy that establishes a unified forum for resolving disputes with both administrative and constitutional elements. Without such innovations, the current dual-track system risks becoming more of a burden than a safeguard.

#### b. Fragmented Legal Certainty

The principle of legal certainty is a cornerstone of the rule-of-law (*rechtsstaat*) ideal: every governmental act and judicial decision must be clear, consistent, and predictable to citizens. In Indonesia, however, this principle faces serious challenges because the legal system recognises two separate avenues of justice the Administrative Court (Pengadilan Tata Usaha Negara, PTUN) and the Constitutional Court (Mahkamah Konstitusi, MK). When these bodies possess overlapping yet unintegrated jurisdictions, legal uncertainty becomes unavoidable. Citizens who should be protected by the law may instead find themselves victims of a fragmented and unsynchronised system (Berman, 2012; Teitel & Howse, 2008).

A concrete illustration arises when PTUN annuls an administrative decision on the ground that it violates legal principles or procedures. If the legal norm underlying that decision has not been struck down by the MK, the same official or another may issue an

identical decision in the future. Thus, although the citizen wins the administrative case, the victory lacks lasting effect because the problematic norm remains in force. The reverse scenario is equally troublesome: the MK may invalidate a legal norm as unconstitutional, yet earlier administrative acts based on that norm are not automatically annulled, obliging citizens to undertake additional, lengthy proceedings to remove the administrative consequences.

The situation grows even more complex when the two courts render contradictory judgments. For example, PTUN might rule that a particular official act is unlawful and uphold a citizen's claim, while the MK declares the underlying norm compatible with the 1945 Constitution. Conversely, the MK may strike down a norm as unconstitutional, yet PTUN rejects a suit against the administrative act issued under that norm. Such contradictions create not only doctrinal confusion but also practical difficulties in enforcement. Administrative officials may hesitate to comply with a judgment because a normative basis still exists, or because they are uncertain which ruling prevails.

These inconsistencies have a direct impact on citizens' lives. When court decisions cannot be executed clearly or worse, conflict with each other citizens lose a dependable legal basis for asserting their rights. Over time, this weakens public confidence in the judiciary and opens the door to abuses of power or non-compliance with court rulings. Yet a key attribute of a rule-of-law state is the effective and consistent enforcement of judicial decisions.

For this reason, the lack of integration between the administrative-justice system (PTUN) and the constitutional-justice system (MK) warrants serious attention from policymakers and legal scholars. A systemic design is needed to coordinate PTUN and MK judgments through both normative regulation and technical mechanisms that ensure the harmonisation of rulings. One possible approach is to integrate administrative and constitutional procedures for cases with dual dimensions, or at minimum to mandate synchronisation of related judgments. In this way, the principle of legal certainty can be truly upheld, offering citizens effective protection in practice rather than merely in the constitutional text.

### c. Toward a Coherent and Responsive Justice System

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#### **4. Conclusions**

This analysis demonstrates that while the State Administrative Court (PTUN) and the Constitutional Court (MK) are intended to complement each other under Indonesia's constitutional framework, their overlapping responsibilities result in both convergence and divergence in jurisdiction. The convergence resides in their mutual role of regulating the use of public authority and guaranteeing the accountability of state leaders. Nonetheless, the disparity is apparent in their scope and remedies: PTUN emphasizes the legality and procedural validity of specific administrative measures, whereas MK examines abstract legal standards with enforceable, *erga omnes* effects. Although these jurisdictional limits are nominally separate, they frequently overlap in practice, resulting in legal ambiguity. A PTUN decision may affirm a citizen's claim against an administrative conduct while preserving the underlying legislative norm, whereas an MK annulment of the same standard does not inherently nullify prior administrative determinations. Such discrepancies engender a disjointed system wherein citizens must traverse duplicative processes across two courts. The outcome is extended resolution timeframes, elevated litigation expenses, and variable results that undermine public trust in the judicial system. The ramifications for legal certainty and the safeguarding of constitutional rights are substantial. The dual-track approach, rather than offering effective redress, places extra obligations on litigants, obscures the appropriate forum for conflict settlement, and jeopardizes the fundamental values of due process and access to justice. This exposes a fundamental flaw in Indonesia's judicial framework, where the lack of clear jurisdictional

boundaries diminishes the coherence and responsiveness of constitutional adjudication. Consequently, although PTUN and MK are essential for maintaining the rule of law, their existing institutional relationship obstructs the effective actualization of constitutional rights. To alleviate this tension, the legal framework must progress towards harmonization either through statutory reform that clarifies competencies, by implementing coordinated case-management procedures, or by creating a specialized forum equipped to address disputes that intersect both administrative and constitutional realms. Indonesia can achieve a logical, efficient, and really protective justice system for citizens' constitutional rights solely through such reforms.

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