



# The Role of the State Administrative Court in Jurisdictional Disputes: A Case Study of Fadel Muhammad's Lawsuit Against the DPD RI

Enos Paselle\*, Adji Puteri Mila Maharani, Annisa Norsabila

Universitas Mulawarman, Samarinda, Indonesia

✉ Koresponden: [epaselle@unmul.ac.id](mailto:epaselle@unmul.ac.id)

## ABSTRACT

*This study provides an in-depth understanding of the jurisdictional dispute involving Fadel Muhammad and the DPD RI regarding the decision of the State Administrative Court (PTUN) of Jakarta. The results show that PTUN plays a crucial role in ensuring government accountability and protecting individual rights, but the decision in this case also highlighted tensions between the executive, legislative, and judicial powers. While PTUN has the authority to adjudicate administrative disputes, decisions related to political matters, such as the dismissal of Fadel Muhammad, present complexities that need to be carefully managed to avoid destabilizing the constitutional order. One of the main challenges is the enforcement of PTUN's decisions, which remains susceptible to non-compliance by the government, potentially leading to legal uncertainty and undermining the effectiveness of the legal system in Indonesia. Therefore, further reforms are needed to strengthen the administrative law system and the judiciary to ensure that PTUN decisions are implemented effectively and fairly, thus maintaining the stability of democracy and the constitutional order in Indonesia.*

**Keywords:** *Administrative Law; Constitutional Order of Indonesia; Enforcement of Decisions; Political Decisions.*

## A. INTRODUCTION

The Administrative Court (*Pengadilan Tata Usaha Negara*, PTUN) plays a pivotal role within Indonesia's constitutional framework, particularly in upholding the principles of public interest and overseeing governmental actions. As an independent judicial institution, PTUN provides legal protection to individuals who believe their rights have been violated by government actions (Seipul et al., 2024; Khoiriyah, 2022). The enactment of Law No. 30 of 2014 on Government Administration has significantly expanded PTUN's jurisdiction, enabling it to address administrative disputes and review public decisions (Maridjo, 2022; Heriyanto, 2018). This expansion has enhanced PTUN's capacity to promote governmental accountability; however, jurisdictional limitations continue to pose challenges, particularly in cases involving decisions that fall outside PTUN's purview (Satria et al., 2022; Nashir, 2024). Overall, PTUN serves as a crucial mechanism for ensuring transparency and accountability in administrative decision-making processes (Khoiriyah, 2022; Nurhidayati & Wibowo, 2023).

PTUN's authority is grounded in several legislative instruments, most notably Law No. 5 of 1986 on the State Administrative Court, which serves as the foundational legal basis for adjudicating disputes concerning state administrative decisions (Satria et al., 2022; Khoiriyah, 2022). The court is empowered to examine, adjudicate, and resolve administrative cases involving actions by public officials that result in harm to individuals or legal entities (Seipul et al., 2024). Over time, Law No. 30 of 2014 has strengthened this authority, providing a legal basis for the judicial review of public officials' decisions that may not align with the principles of good governance (Safitri & Sa'adah, 2021). Further procedural guidance is outlined in the Supreme Court Regulation (PERMA) No. 6 of 2018, which governs the settlement of administrative disputes following the exhaustion of administrative



remedies (Amancik, 2023). These mechanisms aim to ensure fair and effective access to justice for the public (Satria et al., 2022).

Judicial review in Indonesia also serves as a critical check on governmental decisions, focusing on the protection of individual rights and the enforcement of the rule of law. PTUN plays a central role in this system of judicial oversight by reviewing administrative decisions issued by public officials and ensuring their compliance with applicable legal standards (Seipul et al., 2024; Nurhidayati & Wibowo, 2023). As an independent judicial body, PTUN offers a legal forum for citizens to challenge governmental decisions they deem unjust or rights-violating (Seipul et al., 2024). Additionally, the Constitutional Court (*Mahkamah Konstitusi*, MK) contributes to the system of judicial review by examining the constitutionality of regulations and government actions, particularly those involving human rights issues (Qalsum & Wibowo, 2023). Consequently, judicial review in Indonesia not only ensures legal compliance but also protects fundamental individual rights and enhances governmental accountability (Nurhidayati & Wibowo, 2023; Qalsum & Wibowo, 2023).

The relationship between administrative law and PTUN's authority in resolving constitutional disputes is deeply interconnected. Administrative law establishes the framework and principles governing the interaction between the government and citizens, while PTUN functions as the judicial body that adjudicates administrative disputes arising from government actions (Reyhan & Triadi, 2024). It outlines the procedural and substantive standards that government institutions must adhere to, with PTUN tasked with enforcing compliance. Law No. 30 of 2014 provides PTUN with the legal basis to assess the legitimacy of public officials' decisions and ensure their adherence to legal norms (Nurhidayati & Wibowo, 2023). Within this context, PTUN not only acts as a dispute resolution institution but also as a judicial watchdog that enforces administrative law principles and safeguards citizens from arbitrary government actions (Khoiriyah, 2022).

The novelty of this research lies in its in-depth analysis of a recent PTUN Jakarta ruling that upheld Fadel Muhammad's lawsuit concerning his dismissal from the People's Consultative Assembly (MPR RI) by the Regional Representative Council (DPD). This study aims to explore the extent to which PTUN's authority can be applied in resolving constitutional disputes involving political and administrative decisions, and to examine the potential implications of the court's ruling on Indonesia's constitutional structure in the future.

## B. METHOD

This study employs a qualitative research method using a case study approach. The objective is to gain an in-depth and detailed understanding of the authority dispute involving Fadel Muhammad and the former Chief Justice of the Constitutional Court (*Mahkamah Konstitusi*), in relation to the ruling issued by the Administrative Court (*Pengadilan Tata Usaha Negara*, PTUN). The case study approach is deemed appropriate as it enables the researcher to explore the multifaceted aspects of the case—including legal, social, political, and cultural dimensions—that may have influenced the PTUN's decision.

Data collection was conducted through a case study strategy, focusing on documents and contextual analysis related to the dispute initiated by Fadel Muhammad concerning his dismissal from the position of Deputy Speaker of the Regional Representative Council (MPR RI) by the Regional Representative Council (DPD). The data sources include the PTUN's official rulings and an analytical review of relevant legal literature pertinent to the case.

The legal analysis in this research utilizes the statutory approach, whereby the case is examined through the lens of applicable legal provisions—particularly those governing the jurisdiction of PTUN in resolving administrative disputes. The researcher critically analyzes laws such as Law No. 5 of 1986 on the State Administrative Court and Law No. 30 of 2014 on Government Administration, along with other relevant regulations.

In addition, a normative juridical approach is employed, focusing on the analysis of prevailing legal norms and their implementation in judicial practice. This approach provides a structured legal framework for assessing PTUN's authority in administrative dispute resolution and examining how legal norms are applied in real-world cases. Within this context, the study explores the regulatory framework surrounding PTUN's jurisdiction and evaluates its application in the specific case involving Fadel Muhammad.

### C. RESULTS AND DISCUSSION

This study reveals that Fadel Muhammad filed a lawsuit against the Decree (*Surat Keputusan*, SK) of the Regional Representative Council (DPD RI), which replaced him as Deputy Speaker of the People's Consultative Assembly (MPR RI) representing the DPD. On January 19, 2023, the Central Jakarta District Court (PN Jakpus) rejected the lawsuit. However, on May 10, 2023, the Jakarta Administrative Court (PTUN) ruled in favor of Fadel Muhammad and annulled the DPD RI's decree, citing the Government Administration Law as its legal basis. PTUN declared the dismissal of Fadel Muhammad from his post as Deputy Speaker of the MPR by the DPD as invalid and overturned the decision (Raharjo, 2023; Kamil, 2023).

PTUN holds jurisdiction over administrative disputes, including the examination of power abuse, adjudication of fictitious positive decisions, and authority to rule following the exhaustion of administrative remedies (Yanti & Masriyani, 2019). The PTUN ruling triggered intense debate due to the tension between the court's administrative authority and the immunity rights of legislative members. On the one hand, PTUN has the power to adjudicate administrative disputes; on the other, decisions made during DPD plenary sessions are protected under legislative immunity, making them difficult to challenge judicially.

Legislative immunity, as enshrined in Article 20A of the 1945 Constitution and Article 80 of Law No. 17 of 2014 concerning the MPR, DPR, DPD, and DPRD, provides legal protection for decisions made during plenary sessions. However, this immunity is not absolute, and not all legislative actions are exempt from legal scrutiny (Sakti, 2020; Massie, 2018). Supporters of the PTUN decision argue that the contested SK was a binding decree that should not be exempt from judicial review, warning that allowing constitutional decisions to be annulled in court could undermine governance certainty (Yulianto, 2023; Islam, 2023).

Conversely, critics contend that PTUN exceeded its jurisdiction and encroached upon the political domain of the legislature. They argue that plenary decisions are inherently political and should remain beyond judicial intervention (Sadewo, 2023). Legal experts such as Refly Harun and Margarito Kamis have cautioned that allowing PTUN to adjudicate plenary outcomes could open the floodgates for judicial interference in political decisions across legislative bodies, potentially destabilizing the state system (Sadewo, 2023; MPR-RI, 2023).

In response, MPR-RI Deputy Speaker Arsul Sani suggested it is premature to assert that the PTUN decision endangers Indonesia's constitutional framework. He emphasized that the ruling remains subject to appeal and cassation and urged for a more measured evaluation based on forthcoming legal developments (Putri, 2023).

Another pressing issue is the implementation of PTUN rulings. Despite having binding legal force, enforcement of such decisions often hinges on the good faith of the losing party—namely, the administrative agency or official concerned. The PTUN lacks coercive enforcement power, contributing to legal uncertainty and posing risks to constitutional stability.

The implications of PTUN decisions in jurisdictional disputes, such as the conflict between Fadel Muhammad and the DPD RI, are multifaceted and could influence Indonesia's constitutional order. PTUN serves a vital role as a judicial oversight body ensuring that public officials' decisions comply with legal norms and uphold individual rights (Seipul et al., 2024; Khoiriyyah, 2022). Its function as an independent legal watchdog is essential in promoting transparency and accountability within public administration. By offering legal remedies to individuals harmed by administrative acts, PTUN helps bolster public trust in both the legal system and state institutions (Seipul et al., 2024).

Nevertheless, despite PTUN's clear legal mandate, its decisions can generate legal uncertainty when government bodies fail to comply. Executive noncompliance can undermine judicial authority and erode public confidence in the rule of law (Khoiriyyah, 2022). The inability to enforce PTUN rulings effectively points to structural weaknesses in Indonesia's legal system, necessitating greater government commitment to uphold court decisions and to shield the judiciary from political interference.

Furthermore, the growing number of politically charged disputes brought before PTUN illustrates the increasing friction among the three branches of government—legislative, executive, and judiciary. This tension may threaten constitutional stability if judicial intervention in political affairs disrupts the balance of power (Khoiriyyah, 2022; Faiz & Winata, 2019). It is thus crucial to carefully delineate PTUN's authority in adjudicating political decisions, ensuring a balance between administrative oversight and political equilibrium (Kurnia, 2020; Nashir, 2024).

The PTUN's role in shaping administrative law in Indonesia is significant, particularly in fostering good governance. Its decisions provide legal certainty for individuals harmed by governmental actions, fulfilling its original mission to bridge the legal interests of citizens and the state (Seipul et al., 2024; Habibi & MS, 2023). Judgments favoring the public can compel state actors to act more transparently and responsibly, enhancing public administration accountability (Ibad, 2021). However, ongoing challenges such as noncompliance with court rulings must be urgently addressed to preserve legal certainty and reinforce the effectiveness of Indonesia's judiciary (Habibi & MS, 2023). Broader reforms are needed to fortify administrative law and prevent power abuse and human rights violations (Nurhidayati & Wibowo, 2023; Abhinaya & Jennifer, 2023).

The role of judges within Indonesia's constitutional framework also warrants close attention. As impartial arbiters, judges must uphold justice and maintain integrity amidst political pressures, particularly in high-stakes public interest cases (Rumadan, 2017; Tambunan et al., 2024). Judges bear the responsibility of ensuring that governmental actions align with constitutional principles, despite the political sensitivity involved (Holili et al., 2024). Legal interpretative skill and judicial ethics are essential for maintaining balance

between administrative power and political sensitivity—an indispensable component in preserving judicial integrity. The Judicial Commission also plays a pivotal role in maintaining judicial ethics and reinforcing public trust in the judiciary (Aziz et al., 2023; Hazmi & Arman, 2023).

In conclusion, while PTUN decisions serve as legal safeguards and enhance administrative transparency, they also highlight substantial challenges related to compliance and their broader implications for Indonesia's constitutional stability. This case underscores the urgent need for legal and institutional reforms to strengthen administrative justice and ensure the enforceability of judicial decisions—ultimately safeguarding the integrity and resilience of Indonesia's constitutional system.

#### D. CONCLUSION

This study provides a comprehensive understanding of the authority dispute involving Fadel Muhammad and the Regional Representative Council (DPD RI) in relation to the Jakarta Administrative Court's (PTUN) ruling. The findings reveal that PTUN plays a critical role in upholding governmental accountability and safeguarding individual rights. However, the court's decision in this case also highlights underlying tensions among the executive, legislative, and judicial branches. Although PTUN holds jurisdiction over administrative disputes, decisions with political implications—such as the dismissal of Fadel Muhammad—underscore the complex nature of such cases, which must be navigated carefully to avoid undermining constitutional stability. A key challenge remains the enforcement of PTUN rulings, which is often vulnerable to non-compliance by governmental bodies. This not only leads to legal uncertainty but also diminishes the overall effectiveness of Indonesia's legal system. Therefore, reforms are necessary to strengthen administrative law and judicial mechanisms to ensure that PTUN decisions are implemented effectively and fairly, thereby contributing to the preservation of democratic and constitutional order in Indonesia.

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