

# Normative Anomaly in Governmental Authority: A Doctrinal Analysis of Forest Area Enforcement in Indonesia

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## Abstract

Indonesia's Job Creation Law (Law No. 6 of 2023) introduced a widespread legislative practice of designating the generic term "Central Government" as the legal subject for delegated authority in sectoral statutes. This practice generates substantive ambiguity in identifying the specific officeholder (*ambtsdrager*) responsible for administrative action, thereby undermining administrative accountability across regulatory sectors. This study examines how this authority anomaly persists in non-labor regulatory contexts, taking Presidential Regulation No. 5 of 2025 on Forest Area Enforcement as the principal case study. Using a normative-doctrinal methodology with statutory, conceptual, and case-based approaches, this research assesses the legal validity of the Forest Area Enforcement Task Force through the attribution-delegation-mandate doctrine, Kelsen's hierarchy of norms, and administrative legal protection principles. The analysis reveals three critical problems: the absence of a clear statutory basis for the Task Force's authority; substantive inconsistency with Government Regulation No. 24 of 2021 as the sectoral implementing regulation; and structural misalignment with constitutional court jurisprudence on authority specificity. The study proposes a three-layered normative reconstruction encompassing judicial review, legislative revision, and executive reorganization of the implementing structure. These findings contribute to Indonesian administrative law reform discourse and demonstrate that institutional clarity in governmental authority structures is a necessary precondition for preserving the rule of law.

**Keywords:** Administrative Accountability, Constitutional Jurisprudence, Delegation of Authority, Forest Governance, Rule of Law.

## 1. Introduction

Since the enactment of Law Number 6 of 2023 on Job Creation (hereinafter "JCLA"), Indonesia's governmental authority architecture has undergone a transformation that is not merely substantive but also structural. One of the most consequential yet under-analyzed structural shifts is the pervasive use of the generic term "Central Government" as the legal subject receiving various delegated powers from sectoral statutes. Under Indonesian administrative law doctrine, this terminology is problematic because "Central Government" does not constitute an office (*ambt* or *jabatan*) capable of bearing personal legal accountability. It is instead an abstract collective entity encompassing the President, Vice President, ministers, and heads of agencies, each of whom bears specific constitutional responsibility (Hadjon, 2011).

This structural anomaly unfolds against the backdrop of the constitutional rule-of-law principle enshrined in Article 1(3) of the 1945 Constitution, which requires that every governmental act be anchored to a valid and traceable source of authority. Scholarship situates this pattern within autocratic legalism, which refers to the deployment of formal legal



instruments that appear procedurally valid while substantively reinforcing executive centralization and obscuring accountability chains (Mochtar & Rishan, 2022; Scheppele, 2018). Khaitan (2020) further theorizes this as executive aggrandizement: the incremental expansion of executive authority through non-legislative instruments that, cumulatively, erodes the separation of powers.

The most concrete manifestation of this authority ambiguity is found in Presidential Regulation Number 5 of 2025 on Forest Area Enforcement (hereinafter “PR 5/2025”), which established the Forest Area Enforcement Task Force (*Satgas PKH*). This regulation placed the Minister of Defense as Steering Committee Chair, with the Attorney General, Commander of the Armed Forces, and National Police Chief as Deputy Chairs. The Task Force was assigned executive functions, namely collection of administrative fines, repossession of forest areas, and asset recovery, that bear the character of concrete individual administrative decisions (*beschikking*) with direct legal consequences for natural and legal persons. Wahana Lingkungan Hidup Indonesia (WALHI) raised concerns about the militarization of forest governance, while the Indonesian Centre for Environmental Law (ICEL) concluded that PR 5/2025 conflicts with its sectoral implementing regulation, Government Regulation No. 24 of 2021.

These convergent concerns constitute what this study terms an “anomaly in authority structure”: a condition in which the normative chain of legitimacy from the Constitution through statutes to implementing regulations suffers a substantive discontinuity, rendering the identity of the authority-holder unclear and administrative accountability difficult to trace. Previous scholarship has addressed individual dimensions of this problem, including the classical doctrine of attribution-delegation-mandate in the post-JCLA context (Aditya et al., 2023), constitutional court correction in the labor cluster, and the political economy of regulatory centralization (Butt & Lindsey, 2020). However, no study has yet systematically integrated these three horizons while analyzing PR 5/2025 as the first concrete authority anomaly in the forestry sector. This study bridges this gap.

To comprehensively dissect this structural anomaly, this study rests upon three pivotal research questions that are deliberately sequenced to reflect a rigorous, progressive legal inquiry. The analytical trajectory of this manuscript is designed to transition logically from the formal sphere of executive validity to the practical arena of administrative accountability, ultimately culminating in a prescriptive normative framework.

First, the analysis scrutinizes the validity of the authority architecture undergirding the establishment of the *Satgas PKH* via PR 5/2025 under the classical triadic framework of government administration. Once the validity status is diagnosed, the inquiry systematically shifts to the dimension of accountability to trace the judicial consequences of the “Central Government” terminology and its subsequent impact on legal protection. Finally, as the programmatic resolution to the identified structural gridlock, the analysis moves to the stage of normative reconstruction, offering a layered model to restore a coherent chain of administrative responsibility within forest governance.

Guided by this sequential doctrinal logic, the research questions are articulated as follows: First, what is the legal validity of establishing the Forest Area Enforcement Task Force through PR 5/2025, assessed against the attribution-delegation-mandate doctrine in Articles 11 to 14 of Law Number 30 of 2014 on Government Administration (GAA)? Second, what are the implications of the “Central Government” terminology in the JCLA for the Task Force’s status as an Administrative Body and its accountability before the Administrative Court, particularly following Constitutional Court Decision No. 168/PUU-XXI/2023? Third, what

normative reconstruction model can restore clarity in the chain of administrative responsibility within forest area governance?

To orient the reader, the analysis proceeds in stages: it first establishes the doctrinal and theoretical framework in the literature review and sets out the normative-doctrinal method, after which the Results and Discussion section develops three interconnected findings, namely the terminological anomaly in the JCLA, the doctrinal invalidity of PR 5/2025 across the authority scenarios, and the consequences for legal protection and administrative accountability, before arriving at the three-layered reconstruction proposal

## 2. Literature Review

### 2.1. The Classical Doctrine of Administrative Authority

The foundational framework for evaluating governmental authority in Indonesian administrative law rests on the classical attribution-delegation-mandate doctrine, developed by Van Wijk and Konijnenbelt in the Dutch tradition and explicitly codified in Articles 11 to 14 of the GAA (Wijk, 1999). Attribution constitutes the original grant of new authority by the Constitution or a statute; delegation constitutes the transfer of authority from one body or official to another with full transfer of responsibility and accountability; and mandate constitutes an assignment within a hierarchical relationship where accountability remains with the mandating party (Aditya et al., 2023). Two critical constraints apply: attributed authority may not be delegated unless expressly permitted by the Constitution or statute under Article 12(3) of the GAA; and delegated authority may not be re-delegated unless explicitly authorized, which is the principle of *delegata potestas non potest delegari* under Article 13(6) of the GAA (Hadjon, 2011). In the post-JCLA context, Aditya et al. (2023) emphasize that these doctrinal categories must be applied with renewed rigor, given the widespread substitution of specific officeholders with the generic “Central Government” designation.

The principle of legality, expressed as *geen bevoegdheid zonder wettelijke grondslag* (no authority without statutory basis), forms the bedrock of administrative law doctrine (Stroink & Steenbeek, 1989). It is complemented by Kelsen’s (2006) *Stufentheorie*, positing that every norm derives validity from a superior norm, ultimately grounded in the *Grundnorm*. This hierarchy is codified in Article 7 of Law No. 12 of 2011. A critical distinction operates between void acts (*nietig*) and voidable acts (*vernietigbaar*): the former are deemed never to have existed, while the latter remain operative until judicially annulled (Indroharto, 2000). Indonesia’s hybrid “Negara Hukum Pancasila” model integrates formal rule-of-law structures with Pancasila values, affirming that governmental acts must satisfy both formal legality requirements and the General Principles of Good Governance (*AAUPB*) codified in Article 10(1) of the GAA (Asshiddiqie, 2011; Craig, 2018).

### 2.2. Autocratic Legalism and Regulatory Centralization

The broader political-legal context of the JCLA’s authority implications is illuminated by the theories of autocratic legalism (Scheppelle, 2018) and executive aggrandizement (Khaitan, 2020). Autocratic legalism describes the instrumentalization of formal law to weaken democratic oversight, producing outcomes that are procedurally compliant yet substantively antidemocratic. Applied to Indonesia by Mochtar and Rishan (2022), this framework demonstrates how omnibus legislative reform can obscure accountability by centralizing power under abstract executive designations. Butt and Lindsey (2020) document the structural shift from decentralized to centralized regulatory authority under the JCLA,

while Mietzner (2020) situates these developments within comparative patterns of authoritarian innovation and democratic backsliding.

Puspitaningtyas and Hartini (2023) empirically demonstrate that the JCLA progressively recentralized environmental authority without constructing commensurate vertical accountability mechanisms. Bednar (2022) adds the administrative law dimension, noting that the 2014 Government Administration Act, while designed to constrain executive discretion, has been subject to interpretive strategies that dilute its accountability functions. Arts and Babili (2012) identify institutional clarity and defined authority chains as structural prerequisites for effective forest governance, while Tacconi (2011) links regulatory fragmentation to governance deficits in tropical forest management. The insights advanced by Arts and Babili (2012) as well as Tacconi (2011) regarding the absolute necessity of institutional clarity and well-defined chains of command in forest governance find an absolute doctrinal convergence with the classical *ambt* (office) theory in administrative law.

What these forest governance scholars identify empirically as ‘institutional fragmentation’ or ‘governance deficits’ manifests in normative legal doctrine as the substantive obscuring of the objective boundaries of an office (*ambt*). The interdisciplinary bridge between these two horizons is anchored in the efficacy of public accountability: when a regulatory instrument fails to designate a specific, individual officeholder (*ambtsdrager*) to execute enforcement mandates, forest governance inevitably suffers an acute accountability deficit. Institutional clarity is therefore not merely a managerial prerequisite for executive efficiency in the field; it is a non-negotiable constitutional precondition (*conditio sine qua non*) for the *ambt* doctrine to function as an effective instrument of judicial protection for citizens aggrieved by forestry enforcement actions.

### 2.3. Previous Research and Novelty of This Study

Scholarship on the JCLA’s implications for authority structures has grown considerably. The 2024 KNAPHTN conference identified internal inconsistencies in Article 13 of the GAA that generate ambiguity in delegation structures (Bimasakti, 2024). Constitutional Court Decision No. 168/PUU-XXI/2023 partially corrected the “Central Government” anomaly but formally limited its corrective mandate to the labor cluster. Aspinall et al. (2025) and Warburton (2020) have framed Indonesia’s legislative trajectory within the broader comparative literature on democratic backsliding, providing a macro-level analytical context.

Crucially, the original contribution of this study does not reside in a mechanical, one-to-one transposition of Constitutional Court Decision No. 168/PUU-XXI/2023 from the labor cluster to the forestry sector, an inference that classical doctrine on its own would already sustain. While prior scholarship has evaluated the generic “Central Government” anomaly in the abstract, the unique novelty of this manuscript lies in its systematic unpacking of the interaction between that generic anomaly and three sector-specific doctrinal features unique to forest area enforcement.

The first concerns the Cross-Institutional Military-Civilian Enforcement Composition, whereby unlike the labor cluster, which operates within a single civil ministry, PR 5/2025 embeds military principals, the Minister of Defense and the Commander of the Armed Forces, alongside civilian law enforcement into the core administrative apparatus, triggering complex constitutional questions regarding military deployment in non-war operations under the TNI Law. The second concerns the Problem of Parallel and Unharmonized Regulatory Mechanisms, whereby the establishment of *Satgas PKH* introduces an overlapping enforcement mechanism that runs parallel to, and directly conflicts with, the pre-existing sectoral delegation explicitly granted to the Minister of Forestry under Government Regulation No. 24 of 2021. The third concerns the Intersection with Intertemporal Legal

Protection and Retroactivity, whereby the Task Force's mandate operates at the very intersection of the retroactive application of administrative sanctions under Articles 110A and 110B of the P3H Law, a highly contested dimension of intertemporal rights currently under judicial challenge in Case No. 147/PUU-XXII/2024, which the labor jurisprudence never encountered. Consequently, this study isolates and scrutinizes how a generic drafting anomaly compounds exponentially when mapped onto a highly centralized and historically fragmented environmental landscape.

### 3. Method

This research employs a normative-doctrinal legal methodology, which is appropriate for evaluating the internal consistency of a legal system's normative structure and assessing the validity of legal instruments against higher-ranking norms (Fajar & Achmad, 2010; Marzuki, 2005). Three complementary approaches are applied in sequence. First, the statutory approach examines hierarchical coherence among relevant legislation, focusing on vertical alignment between PR 5/2025 and higher-ranking statutes, including the JCLA (Law No. 6/2023), the GAA (Law No. 30/2014), and Law No. 12/2011, proceeding from the constitutional ground norm downward to implementing regulations. Second, the conceptual approach draws on established administrative law theories, particularly the attribution-delegation-mandate doctrine codified in Articles 11 to 14 of the GAA, to evaluate the legal character and institutional validity of the Forest Area Enforcement Task Force (Wijk, 1999; Erliyana, 2023). Third, the case approach analyzes the *ratio decidendi* of Constitutional Court Decision No. 168/PUU-XXI/2023 and related decisions as normative benchmarks for authority structures in non-labor regulatory clusters (Marzuki, 2005).

Primary legal materials include the 1945 Constitution, the JCLA (Law No. 6/2023), the GAA (Law No. 30/2014), the P3H Law (Law No. 18/2013), Law No. 12/2011, Law No. 34/2004, and PR 5/2025. Secondary legal materials comprise academic monographs, Scopus-indexed journal articles, and conference proceedings published between 2018 and 2025, identified through systematic searches of Scopus and HeinOnline using the terms "authority delegation Indonesia," "forest governance Indonesia," and "omnibus law administrative law." However, this recency filter is deliberately and systematically lifted for foundational doctrinal treatises. Classical works such as those by Van Wijk and Konijnenbelt (1999), Indroharto (2000), Stroink and Steenbeek (1989), and Utrecht and Djindang (1962) are maintained as primary theoretical pillars.

This methodological exemption is academically warranted because the core analytical tools of this study specifically the attribution-delegation-mandate triad, the principle of legality (*geen bevoegdheid zonder wettelijke grondslag*), and the administrative *ambt* theory constitute settled conceptual foundations of civil law administrative jurisprudence. The academic authority of these treatises is derived from their status as jurisprudential cornerstones rather than their contemporary publication currency, rendering them irreplaceable standard references for evaluating structural distortions in modern executive governance. The analysis employs prescriptive legal interpretation, identifying normative inconsistencies and formulating reconstruction recommendations consistent with established administrative law principles.

## 4. Results and Discussion

The normative-doctrinal analysis proceeds through three interconnected findings: the terminological anomaly in the JCLA and its structural implications; the doctrinal validity of PR 5/2025 assessed against the authority doctrine and normative hierarchy; and the implications for legal protection and administrative accountability.

The JCLA’s intensive substitution of specific ministerial references with the generic “Central Government” represents a structural departure from established administrative law doctrine. Puspitaningtyas and Hartini (2023) demonstrate that this substitution parallels a vertical asymmetry: authority over environmental and forestry affairs previously vested in regional governments was progressively recentralized without constructing commensurate accountability mechanisms. From the standpoint of the administrative *ambt* doctrine, “Central Government” cannot bear individual accountability because it is a composite entity rather than a singular officeholder. Mochtar and Rishan (2022) characterize this pattern as constitutive of autocratic legalism, in which formalistic legal propriety masks substantive governance centralization. Constitutional Court Decision No. 168/PUU-XXI/2023 confirmed this diagnosis in the labor sector, declaring “Central Government” in Article 42(1) of the JCLA unconstitutional unless construed as referring to the Minister of Manpower. While this correction applies to 21 norms in the labor cluster, the Court’s *ratio decidendi*, which requires that generic executive designations satisfy the constitutional requirement of authority specificity, provides an analogically applicable normative standard for evaluating PR 5/2025.

The concrete manifestation of this anomaly in the forestry sector is found in Articles 110A and 110B of the P3H Law as amended by the JCLA. Article 110A(1) requires entities operating within forest areas prior to the JCLA to complete licensing requirements by 2 November 2023. Article 110B(1) addresses unlicensed operators, requiring payment of administrative fines and land surrender in protected and conservation forest areas. Implementation was previously governed by Government Regulation No. 24 of 2021, which located enforcement authority in the Minister of Environment and Forestry, now the Minister of Forestry. PR 5/2025 displaced this arrangement by assigning these functions to the cross-institutional Task Force, creating two parallel and non-harmonized enforcement mechanisms in direct contradiction of ICEL’s findings. A further constitutional dimension is provided by Constitutional Court Case No. 147/PUU-XXII/2024, decided on 18 October 2025 with the petition rejected, wherein expert testimony highlighted concerns about the retroactive character of Articles 110A to 110B and their disregard for pre-existing lawful land rights.

The legal validity of the Task Force’s authority construction is assessed through three doctrinal scenarios, which are summarized in Table 1 below.

**Table 1. Comparative Analysis of Authority Characterization Scenarios for the Forest Area Enforcement Task Force**

Scenario	Legal Framework	Accountability Allocation	Primary Doctrinal Problem
Delegation (Art. 13 GAA)	Full authority transfer from President to Task Force	Transfers entirely to Task Force	No explicit statutory mandate in JCLA; uncertain <i>persona standi in judicio</i> after dissolution
Mandate (Art. 14 GAA)	Intra-hierarchical assignment from President	Remains with the President	Quasi-institutional structure inconsistent with the routine, subordinate character of a mandate

Scenario	Legal Framework	Accountability Allocation	Primary Doctrinal Problem
Ex Nihilo Authority (No traceable basis)	None traceable in superior norms	Unclear; act may be void ab initio	Violates normative hierarchy; constitutes prohibited sub-delegation under <i>delegata potestas non potest delegari</i>
Direct Presidential Authority (Art. 4(1) of the 1945 Constitution)	Inherent executive power of the President invoked as the basis for an ad hoc body outside the GAA delegation–mandate scheme	Notionally with the President, but diffused across the cross-institutional Steering Committee	A general governing power, not a specific basis for issuing <i>beschikking</i> with direct legal consequences; reliance on it bypasses the principle of legality and the <i>lex specialis</i> of the P3H Law and PR 24/2021

Source: Authors’ analysis based on Articles 11 to 14 of the Government Administration Law (Law No. 30 of 2014)

Under the delegation scenario (Table 1, row 1), the Task Force would bear full accountability for its actions. However, this raises the critical question of whether an *ad hoc* body possesses the legal standing (*persona standi in iudicio*) and institutional capacity to execute judicial judgments after its eventual dissolution (Barber, 2024). This concern is not merely theoretical. Indonesian administrative practice already reveals the difficulty of enforcing an annulment judgment against a body whose legal personality has lapsed: once an *ad hoc* committee is dissolved or restructured, no clear successor entity (*rechtsopvolger*) remains to satisfy the judgment, and affected parties are in practice compelled to re-litigate against the parent ministry. Should the Task Force be wound up after collecting administrative fines or repossessing land, a party who subsequently secures annulment before the Administrative Court would confront precisely this enforcement vacuum, with no institution clearly obligated to restore the *status quo ante*.

Under the mandate scenario (row 2), accountability would remain with the President; yet the Task Force’s quasi-institutional structure, with a Steering Committee chaired by the Minister of Defense, is structurally inconsistent with the routine, intra-hierarchical character of a mandate relationship (Aditya et al., 2023). Under the *ex nihilo* scenario (row 3), PR 5/2025 constitutes a prohibited creation of authority without statutory grounding, violating the principle of *delegata potestas non potest delegari* and Kelsen’s normative hierarchy (Kelsen, 2017; Utrecht & Djindang, 1962). A specific sub-delegation problem further compounds all three scenarios: Government Regulation No. 24 of 2021 already delegated enforcement authority specifically to the Minister of Forestry. PR 5/2025’s transfer of that authority to the Task Force constitutes a second-order delegation without explicit statutory authorization, prohibited under Article 13(6) of the GAA. All three scenarios converge on the same doctrinal conclusion: the authority construction of PR 5/2025 cannot be sustained under any established legal framework.

To ensure analytical exhaustiveness, explicit treatment must be granted to an alternative constitutional justification frequently invoked in Indonesian executive practice. It may be argued that the three-scenario typology derived from the GAA framework is not exhaustive, as the President retains an inherent constitutional power under Article 4(1) of the 1945 Constitution to organize *ad hoc* executive enforcement bodies outside the statutory delegation-mandate hierarchy (Table 1, row 4).

This constitutional defense is, however, doctrinally untenable and fails to salvage the validity of PR 5/2025. Article 4(1) vests the President with a general power to govern (*pouvoir exécutif*), but it does not serve as a self-executing, standalone competence to issue concrete individual administrative decisions (*beschikking*) such as imposing heavy administrative fines or forcibly repossessing land that severely alter the legal and property status of natural and legal persons. Under the absolute strictures of the principle of legality (*geen bevoegdheid zonder wettelijke grondslag*), any enforcement action that burdens or curtails civil liberties requires an explicit, specific statutory attribution. Because the *lex specialis* of the P3H Law and GR 24/2021 has already explicitly anchored this exact enforcement competence to the Minister of Forestry, invoking Article 4(1) to bypass this statutory architecture constitutes a prohibited inversion of the hierarchy of norms. It elevates a general executive power to override a specific statutory mandate, signaling a form of executive aggrandizement that undermines the rule of law.

A further structural concern arises from the composition of the Steering Committee. The inclusion of the Commander of the Armed Forces as Deputy Chair raises compliance questions under Article 7 of the TNI Law, which requires armed forces deployment in non-war military operations to be based on a state political decision, with certain operations requiring parliamentary authorization. Whether the Task Force's enforcement activities under Presidential Regulation No. 5 of 2025 can be regarded as constituting military involvement in civilian administrative governance remains an open legal question. While the Regulation does not expressly confer military authority in the exercise of administrative sanctions, concerns have emerged regarding the increasing participation of security institutions in the enforcement process. Such concerns have been articulated primarily by civil society organizations, including WALHI in 2025 rather than through authoritative judicial or doctrinal sources.

Accordingly, the reference to WALHI is not relied upon as legal authority but merely as evidence of contemporary public contestation surrounding the Regulation and its implications for civil-military boundaries within Indonesia's administrative state. Forest governance scholarship further underscores that institutional clarity and defined authority chains are structural prerequisites for effective and accountable forest management (Tacconi, 2011; Arts & Babili, 2012; Adiwinata et al., 2022). The proportionality principle, comprising suitability, necessity, and strict proportionality as cumulative elements of the AAUPB, calls into question whether mobilizing the Minister of Defense, Attorney General, Commander of the Armed Forces, and National Police Chief is a necessary and proportionate means to achieve administrative forest enforcement objectives that are achievable through the existing sectoral authority of the Ministry of Forestry (Ridwan, 2006).

The authority anomaly has direct and serious implications for citizens' legal protection. Hadjon (2011) formulates that *rechtsbescherming van de burger* (legal protection for citizens) functions effectively only when there is clarity as to which legal subject may be held accountable. The functional approach adopted by Indonesian Administrative Courts, which treats anybody exercising governmental functions and producing legally consequential acts as an Administrative Body, does not resolve the enforcement problem when an *ad hoc* Task Force is dissolved following a judicial judgment (Indroharto, 2000). The cross-institutional steering structure creates a problem of dual capacity: when the Minister of Defense acts as Steering Committee Chair, it remains unclear whether he acts in his ministerial capacity, making the ministry the accountable body, or as the Task Force's institutional head, making the Task Force itself the accountable body. This question has direct bearing on which institution bears

enforcement obligations (Barber, 2020; Aditya et al., 2023) and has not received consistent jurisprudence in Indonesian administrative courts, as noted by Butt (2022).

Applying Radbruch's tripartite framework of legal certainty (*Rechtssicherheit*), justice (*Gerechtigkeit*), and utility (*Zweckmassigkeit*) to the post-JCLA context reveals a conspicuous tension: authority ambiguity compromises legal certainty; the opacity of the proper defendant impairs procedural justice; and bureaucratic efficiency becomes the overriding priority (Radbruch, 1950). Rawls's (2017) theory of justice as fairness reminds us that even constitutionally defensible objectives, such as the recovery of unlawfully occupied forest areas under Article 33(3) of the 1945 Constitution, must be pursued through procedurally equitable means. Indroharto (2000) notes that a primary objective of PR 5/2025 is the optimization of state revenue, an orientation that risks shifting forest management logic from ecological protection to the monetization of violations, signaling a dominance of utility over legal certainty and justice (Tamanaha, 2004).

These findings support a three-layered normative reconstruction. At the legislative layer, revision of JCLA provisions in non-labor clusters is necessary to replace generic "Central Government" designations with references to specific sectoral ministers, consistent with the Constitutional Court's interpretive mandate in the labor cluster. At the judicial layer, the *ratio decidendi* of Decision 168/2024 provides grounds for constitutional review of non-labor JCLA provisions before the Constitutional Court and administrative judicial review of PR 5/2025 before the Supreme Court. At the executive layer, *ad hoc* task forces implementing sectoral statutes should employ stronger hierarchical instruments, ideally Government Regulation or explicit statutory authorization, with steering compositions aligned with the relevant technical subject matter, consistent with the principle of sectoral specialization. This layered approach is consistent with the principle that administrative law serves as an instrument for limiting power rather than for serving power (Hadjon, 2011; Ridwan, 2006; Tamanaha, 2004; Dyzenhaus, 2004).

## 5. Conclusion

This study demonstrates that the JCLA's pervasive use of the generic term "Central Government" constitutes a structural authority anomaly that extends beyond the labor cluster addressed by Constitutional Court Decision 168/2024 into non-labor regulatory sectors, with forest area enforcement as the primary case. Three principal findings emerge.

First, the legal construction of PR 5/2025 is doctrinally unsustainable across all three authority characterization scenarios in Table 1. Characterized as delegation, the regulation lacks an explicit statutory mandate in the JCLA. Characterized as mandate, its quasi-institutional structure is inconsistent with the routine and intra-hierarchical character of a mandate relationship. Characterized as creating new authority *ex nihilo*, it violates the hierarchy of norms and the prohibition against unauthorized sub-delegation. Second, the "Central Government" terminology anomaly fundamentally undermines administrative accountability by obscuring the proper defendant in administrative litigation, impeding enforcement of judicial judgments, and creating parallel unharmonized enforcement mechanisms that violate legal certainty. Third, the *ratio decidendi* of Constitutional Court Decision 168/2024, while formally limited to the labor cluster, provides an analogically applicable normative benchmark confirming the doctrinal inadequacy of PR 5/2025's authority construction.

The contribution of this study to Indonesian administrative law reform discourse is threefold: it integrates classical authority doctrine with post-JCLA legislative realities; it

demonstrates the cross-sectoral relevance of constitutional court precedent on authority specificity; and it proposes a concrete, layered normative reconstruction strategy. The practical implication is that Indonesian legislative and executive actors must treat authority specificity, meaning the precise identification of the officeholder responsible for each governmental function, as a non-negotiable architectural principle of administrative governance rather than a discretionary drafting choice.

This study is limited to a normative-doctrinal approach and does not examine empirical dimensions of enforcement practices, socio-legal impacts on affected communities, or comparative international practice in jurisdictions that have resolved similar authority anomalies, such as the Netherlands or Germany. Future research employing empirical and comparative methods would significantly extend and validate these findings. In particular, comparative analysis of how analogous omnibus law reforms in other civil law systems have addressed authority specificity challenges would be valuable for Indonesian legislative reform.

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