



**CONSTITUTIONAL COURT  
OF THE REPUBLIC OF INDONESIA**

**SUMMARY OF DECISION  
FOR CASE NUMBER 75/PUU-XXIII/2025**

**Concerning**

**Formal Review of the Formation of the Indonesian National Armed Forces Law**

- Petitioners** : **Muhammad Imam Maulana, et al.**
- Type of Case** : Formal Review of Law Number 3 of 2025 concerning Amendment to Law Number 34 of 2004 concerning Indonesian National Armed Forces (Law 3/2025) against the 1945 Constitution of the Republic of Indonesia)
- Subject Matter** : Formal Review of Law 3/2025 against Article 28C paragraph (2) and Article 28D paragraph (1) of the 1945 Constitution
- Verdict** : To declare the Petitioners' petition inadmissible
- Date of Decision** : Wednesday, September 17, 2025
- Overview of Decision** :

The Petitioners are Indonesian citizens who have fulfilled their right to vote, are registered as voters, and have used their right to vote to elect members of the House of Representatives. The Petitioners are of the view that as election participants, they are not merely passive objects in the democratic process, rather, they are subjects who play an active role in determining the direction and future of the country.

With respect to the Court's authority, since the Petitioners petition for a formal review of Law 3/2025 against Article 28C paragraph (2), Article 28D paragraph (1) and Article 28F of the 1945 Constitution, the Court has the authority to hear the Petitioners' petition;

With respect to the deadline for submitting a formal review, the Petitioners filed their petition within the grace period for submitting a formal review of a law. With respect to the deadline for completing the formal review, the Court is of the opinion that the 60 (sixty) business days should be calculated from the moment the President and/or the House of Representatives delivers their statement in the plenary session of the case examination, which serves as the starting point for counting the 60 (sixty) business days for reviewing the said law. However, in certain circumstances, when the President and the House of Representatives fail to present their statements in two (2) plenary sessions scheduled for hearing such statements, the Court may apply an alternative time frame to determine the deadline for completing the formal review.

Whereas with respect to the legal standing of the Petitioners, although several petitions related to the formal review of Law 3/2025 address the same issues as the petition *a quo*, some of those petitions did not proceed to the evidentiary stage in the examination

hearings and were declared inadmissible because the petitioners clearly have no legal standing. Meanwhile, the present petition proceeded to the examination hearings because, *in casu* the case *a quo*, it could not be determined at the outset whether the Petitioners have the legal standing. There remained a possibility that the legal standing could be established after further study and examination during the evidentiary stage in the examination hearings. When the Court decided to continue to hearings, there were still aspects that did not sufficiently convince the Court regarding the fulfillment of the requirements for legal standing, matters that could only be conclusively determined upon completion of the examination hearings. In this regard, although the case *a quo* progressed to the evidentiary stage in the examination hearings, including hearing the expert's testimony presented by the Petitioners, no evidence or trial fact was found indicating that the Petitioners had ever actively participated in or monitored the process of forming Law 3/2025 from the outset. Accordingly, after a series of hearings and upon examination of the evidence and legal facts, the Court ultimately reached a definitive conclusion that the Petitioners have no legal standing to submit the petition *a quo*. Because the Petitioners lack legal standing to submit the petition *a quo*, the Court does not consider the substance of the petition further.

Accordingly, the Court subsequently passes down a decision whose verdict states that the Petitioners' petition is inadmissible.

### **Dissenting Opinion**

With respect to the Constitutional Court Decision *a quo*, 2 (two) constitutional justices, Constitutional Justice Suhartoyo and Constitutional Justice Saldi Isra, express a dissenting opinion, as follows:

Considering the legal considerations as described above, Petitioners I to IV have sufficiently describe the basis for their alleged constitutional losses as individual Indonesian citizens who are currently students actively engaged in various critical activities, including daily activities related to studying proper legislative drafting to uphold the supremacy of law. They have also participated in activities expressing aspirations concerning the formation of Law 3/2025. Moreover, the difficulties they experience in accessing study materials related to the Law *a quo* have the potential to violate their constitutional rights to obtain information as guaranteed by Article 28F of the 1945 Constitution of the Republic of Indonesia. In addition, the Petitioners have demonstrated a causal relationship (*causal verband*) between the formation of Law 3/2025 and their legal interests as university students, particularly in relation to the process of forming the said law. Therefore, as Indonesian citizens who are students, the Petitioners have a specific, actual, or at least potential assumption of loss. Moreover, the alleged loss of constitutional rights *a quo* arises from their involvement in expressing aspirations related to the formation of Law 3/2025 and from their status as Indonesian citizens as referred to in Article 51 paragraph (1) letter a of the Constitutional Court Law, who were not provided with adequate access to participate actively in the process of forming Law 3/2025.

In light of the legal considerations outlined above, we are of the opinion that the Court should declare that the Petitioners have legal standing and may act as Petitioners (hereinafter referred to as the Petitioners) in submitting the petition *a quo*, and that the Court should proceed to examine the subject matter questioned in the Petitioners' petition.