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The Authority of the District Court in Adjudicating Sharia Life Insurance Disputes (Study of the Decision of the Medan District Court No. 693/Pdt.G/2024/PN.Mdn)

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ABSTRACT

Based on Decision Number 693/Pdt.G/2024/PN.Mdn. Medan District Court. This study examines the unlimited authority of the District Court to examine and decide on Sharia life insurance disputes. The primary objective of this study is to determine the legal basis and consequences of ordinary courts adjudicating Sharia economic cases, even though Religious Courts have normative authority over such cases under Law No. 3 of 2006 and Constitutional Court Decision No. 93/PUU-X/2012. This study examines several aspects of procedural law and judicial organization using a legal-normative methodology and case studies. The findings indicate that although the judges in the decision granted the exception related to absolute jurisdiction, the lawsuit registration process was still accepted by the District Court due to the limited administrative role of the court clerk as regulated in Perma No. 1 of 2019 and Perma No. 7 of 2015. This situation creates inconsistency between legal substance and administrative mechanisms. Therefore, this ruling is not only relevant in legal terms but also serves as a point of systemic evaluation of judicial practices and the urgency of reforming the Islamic economic legal system in Indonesia. This study is expected to strengthen the understanding of the division of absolute authority and encourage regulatory harmonization and increased professionalism in Islamic judicial institutions.

KEYWORDS

Absolute
Authority;
Sharia Life
Insurance;
Exceptions;
Legal Reform



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INTRODUCTION

In recent years, sharia life insurance has contributed to significant growth in Indonesia, particularly in terms of an increase in the number of disputes involving sharia financial products.¹ However, this growth also brings new challenges, particularly in terms of law enforcement and dispute resolution. The Indonesian judiciary is expected to provide fair and transparent resolutions to all disputes, including all sharia insurance disputes.² According to research, a legal vacuum exists in the assessment of judicial authority.³

The Religious Court has the highest authority in deciding cases arising from sharia insurance agreements (policies), as stipulated in Article 49, letter I of Law Number 3 of 2006 concerning Religious Courts.⁴ In essence, these differences of opinion are a component of the Islamic economy. This is reinforced by Constitutional Court Decision No. 93/PUU-X/2012, which expands the authority of the Religious Court on sharia-based commercial matters. A similar assertion was also made by Sastra Panjaitan et al.,⁵ Which states that “The Religious Court has absolute authority to settle sharia economic cases, and even Constitutional Court Decision No. 93/PUU-X/2012 dated August 29, 2012 states that the settlement of sharia economic cases must be through a decision of the Religious Court.”

From a legal perspective, Constitutional Court Decision No. 93/PUU-X/2012 highlights the role of law in resolving cases involving Islamic banks and the authority of ordinary courts to adjudicate cases not specifically regulated in muamalat contracts. However, ordinary courts (also known as district courts) should not have the authority to examine, adjudicate, and resolve Islamic economic cases if muamalat contracts govern such cases. If this were to occur, it would indicate a potential overlap between positive law and Islamic law, which could be confusing for customers and lawyers operating within the legal framework.⁶

However, in practice, this clear division of jurisdiction is often not consistently enforced. One interesting example to examine is the Medan District Court Decision Number 693/Pdt.G/2024/PN.Mdn. In this case, the subject of the dispute was a life insurance policy that used a sharia contract. Although the lawsuit was initially filed with the District Court, the panel of judges granted the defendant's objection, stating

¹ Panisa & Zainarti, “Peran Asuransi Syariah dalam Pertumbuhan Perkonomian di Indonesia” (2025) 3:2 J Ilm Ekon dan Manaj 95-101, online: <<https://ejurnal.kampusakademik.co.id/index.php/jiem/article/view/3791>>.

² Evri Evri, Dhaniswara K Harjono & Hulman Panjaitan, “Tinjauan Yuridis Terhadap Penerapan Choice of Law Dalam Penyelesaian Sengketa Asuransi Marine Cargo Di Indonesia” (2024) 6:7 J Syntax IDEA 3278-3293.

³ Novritsar Hasintongan Pakpahan & Indonesia Indonesia, “Kekosongan Hukum Dalam Penilaian Letak Kerugian Pada Kepentingan Umum atau Kepentingan Militer Sebagai Dasar Kewenangan Peradilan Koneksitas” (2022) 1:2 Sanskara Huk dan HAM 37-46.

⁴ Azharuddin Lathif & Diana Mutia Habibaty, “Disparitas Penyelesaian Sengketa Jalur Litigasi Pada Polis Asuransi Syariah Dan Putusan Pengadilan” (2019) 16:1 J Legis Indones 76-88.

⁵ Muhammad Fitri Adi, Budi Sastra Panjaitan & Mhd Yadi Harahap, “Pelaksanaan Eksekusi Hak Tanggungan Dalam Perkara Pembiayaan Murabahah Melalui Pengadilan Agama Medan” (2022) 10:2 Al-Mashlahah J Huk Islam Dan Pranata Sos 915-930, online: <<https://jurnal.staialhidayahbogor.ac.id/index.php/am/article/view/3150>>.

⁶ Erry Satria Hadi, *Kesiapan peradilan agama dalam melaksanakan kewenangan perkara ekonomi syariah pasca putusan mahkamah konstitusi nomor 93/PUU-X-/2012* UIN Sunan Gunung Djati Bandung, 2015) [unpublished].



that the dispute was outside the absolute jurisdiction of the District Court because it involved a sharia contract. Since the decision granted the defendant's objection, one of which pertained to absolute jurisdiction, stating that the case should fall under the jurisdiction of the Religious Court, the case was not proceeded to the merits of the case.

However, this still raises critical questions regarding the inconsistency between applicable legal norms and judicial practice. The issue becomes even more complex because the decision issued by the District Court in the Sharia insurance case could have implications for the validity of the decision itself, given that absolute competence is non-negotiable.⁷ The inaccuracy of applying this absolute competence also reflects the absence of an initial screening mechanism for cases that are not within the court's jurisdiction. Therefore, this study is important to explore how district courts can continue to examine and decide cases that are outside their authority, as well as assess the validity of their decisions from the perspective of procedural law and judicial authority theory, and the legal implications of such decisions.

This decision has sparked an important discussion on how courts should understand and apply the principle of absolute jurisdiction. Lawsuits that should have been dismissed because they were outside the jurisdiction of the institution were instead accepted and examined, raising concerns about the quality of legal protection and legal certainty for the parties involved. Therefore, an in-depth academic study is needed.

Several previous studies have shown the importance of an in-depth study of the absolute authority of judicial institutions in handling Sharia economic cases. One such study was conducted by Intan Maharani, A. A. Sagung Laksmi Dewi, and Luh Putu Suryani in a journal entitled "Settlement of Disputes Between Parties Bound by an Arbitration Agreement."⁸ This study emphasizes the urgency of courts gaining a deep understanding of alternative dispute resolution mechanisms, particularly arbitration, so that they do not arbitrarily take over cases that should be outside their jurisdiction.

Furthermore, research conducted by Rafika in 2022 entitled "Insurance Dispute Resolution Through Alternative Dispute Resolution Institutions in the Financial Services Sector" revealed that there are still shortcomings in technical and administrative training in the general court system. These shortcomings have an impact on the acceptance of cases by the District Court, even though these cases should fall under the absolute jurisdiction of the Religious Court.⁹

Another study by Latief Awaludin in 2024, entitled "Strengthening the Role of PA (Religious Courts) in Resolving Sharia Economic Disputes," highlights the weakness of internal socialization within judicial institutions. This has led to frequent potential violations of absolute jurisdiction, indicating the need for

⁷ Dita Ayu Sekar Sari, *KEWENANGAN PENGADILAN NEGERI DALAM MEMBATALKAN PUTUSAN BADAN PENYELESAIAN SENGKETA KONSUMEN PADA PEMBIAYAAN SYARIAH* Fakultas Syariah dan Hukum UIN Syarif Hidayatullah Jakarta, 2021) [unpublished].

⁸ Ni Made Intan Maharani, Anak Agung Sagung Laksmi Dewi & Luh Putu Suryani, "Penyelesaian Sengketa Para Pihak Yang Telah Terikat Dalam Perjanjian Arbitrase (Studi Kasus Di Pengadilan Negeri Denpasar)" (2020) 2:1 J Analog Huk 119–123.

⁹ Raina Rafika, "Penyelesaian Sengketa Asuransi Melalui Lembaga Alternatif Penyelesaian Sengketa Sektor Jasa Keuangan" (2022) 9:4 SALAM J Sos dan Budaya Syar-i 1209–1222.



institutional strengthening and improved legal understanding among judicial officials.¹⁰ Meanwhile, research conducted by Elsafitri, D., Lubis, M. R., and Rahmi, N. in a journal entitled "Legal Review of Constitutional Court Decision Number 93/PUU-X/2012 on the Settlement of Sharia Banking Disputes (Study of Sukoharjo District Court Decision Number 72/Pdt. G/2015/PN Skh, Semarang High Court Decision No. 416/PDT/2016/PT. SMG, Supreme Court Decision No. 2063 K/Pdt/2017, and Supreme Court Review Decision No. 266 PK/Pdt/2020," presents an empirical study showing that similar issues are not limited to a single region. The case that occurred at the Medan District Court illustrates the weakness of the judicial system in understanding and classifying cases related to Islamic economic law.¹¹

From the overall study, it can be concluded that there are still institutional gaps and legal misunderstandings that affect the implementation of absolute authority in Sharia economic cases, so strategic steps and comprehensive judicial policy reforms are needed. Based on these issues, the author considers it important to conduct a more in-depth study related to:

- a. How can the District Court have absolute jurisdiction to accept and examine Sharia insurance dispute claims based on the decision of the Medan District Court No. 693/Pdt.G/2024/PN.Mdn?
- b. How valid is the decision of the Medan District Court No. 693/Pdt.G/2024PN.Mdn in the dispute over Sharia insurance policies in Indonesia?
- c. What are the legal implications of District Court Decision No. 693/Pdt.G/2024PN.Mdn on judicial practice and policy in the Sharia economic legal system?

Thus, this study is expected to provide a basic understanding of the law and contribute scientifically to the understanding of civil procedure law, particularly regarding the division of absolute authority, which clarifies the legal position of the general court in the context of the sharia economy. Although the main focus of this research is to critique the inconsistencies between legal norms and court practices and to explore other legal rules that influence the flow of sharia cases to the general court system administratively, this study is also useful for the development of legal science and evaluation discussions in the context of sharia economic court reform in Indonesia, while also encouraging the alignment of court practices with applicable norms.

METHOD

This study is a normative legal study that aims to examine the authority of judicial institutions in handling Sharia life insurance cases.¹² This method is used to examine applicable legal norms and relate them to industry practices in order to analyze the

¹⁰ Latief Awaludin, "Penguatan Peran PA (Pengadilan Agama) dalam Penyelesaian Sengketa Ekonomi Syariah" (2023) 8:1 Al-Ibanah 27-48.

¹¹ Mutiara Elsafitri, *Tinjauan Yuridis Putusan MK Nomor 93/PUU-X/2012 Terhadap Penyelesaian Sengketa Perbankan Syariah (Studi Putusan PN Sukoharjo Nomor 72/Pdt. G/2015/PN Skh, Putusan PT Semarang Nomor 416/PDT/2016/PT. SMG, Putusan MA Nomor 2063 K/Pdt/2017, dan Putusan Peninja Program Pascasarjana Institut Ilmu Al-Qur'an (IIQ) Jakarta, 2023)* [unpublished].

¹² Suyanto, *Metode Penelitian Hukum Pengantar Penelitian Normatif, Empiris Dan Gabungan* (Gresik: Unigres Press, 2023).



legal aspects of the case. Specifically, this approach focuses on assessing the validity of Medan District Court Decision Number 693/Pdt.G/2024/PN Mdn and understanding the position and limits of absolute jurisdiction between religious courts and general courts. To answer the research question comprehensively, this study uses a statute approach. This approach emphasizes the examination of various relevant laws and regulations to determine whether a norm or policy has been legally adopted in the Indonesian legal system. This approach serves as the basis for analyzing the legal aspects related to the absolute jurisdiction of courts in handling civil cases with religious dimensions, such as Sharia life insurance.¹³

The data sources in this study consist of primary and secondary legal materials. Primary legal materials include applicable laws and regulations, court decisions, and Supreme Court regulations directly related to the subject matter. Among these are Law No. 7 of 1989 on Religious Courts, as amended by Law No. 3 of 2006, Constitutional Court Decision No. 93/PUU-X/2012, and District Court of Medan Decision No. 693/Pdt.G/2024/PN Mdn. Additionally, several Supreme Court regulations also serve as primary references in this study, namely Supreme Court Regulation No. 1 of 2019 on Electronic Case Administration and Court Proceedings, Supreme Court Regulation No. 4 of 2019, which amends Supreme Court Regulation No. 2 of 2015 on Simple Lawsuits, and Supreme Court Regulation No. 7 of 2015 on the Rules of Procedure and Operational Guidelines for the Clerk's Office.

The secondary legal materials in this study include various legal literature that reinforce and complement the analysis of primary legal materials. These materials include legal textbooks that discuss issues of judicial jurisdiction and civil procedure law, articles in legal journals, opinions of legal experts, and relevant information sources from credible websites. All of these materials are used to provide a deep theoretical and legal foundation for the issues examined in this study.

RESULT & DISCUSSION

I. The Absolute Authority of the District Court in Receiving and Examining Sharia Insurance Dispute Lawsuits Based on District Court Decision Number 693/2024/Pdt.G/PN.Mdn)

Within the framework of Indonesia's legal system, which adopts a mixed legal system (civil law with influences from Islamic and customary law), understanding the boundaries of absolute authority between courts is crucial in maintaining the principle of due process of law and the effectiveness of the judicial system.¹⁴ Disputes involving sharia-based economic transactions, such as sharia life insurance, are explicitly included in the absolute jurisdiction of the Religious Court as stipulated in Article 49 letter (i) of Law Number 3 of 2006. Therefore, any attempt to resolve disputes outside of this jurisdiction has the potential to violate the principle of absolute competence, which is imperative.

In practice, as seen in the Medan District Court Decision Number 693/Pdt.G/2024/PN.Mdn, the District Court continues to accept and examine Sharia insurance cases up to the exception stage. This raises fundamental questions

¹³ *Ibid.*

¹⁴ Wisnu Agung Nugroho et al, *Sistem hukum & peradilan di Indonesia: Teori dan praktik* (Jambi: PT. Sonpedia Publishing Indonesia, 2024) at hlm.2.



regarding the case administration mechanism and the integrity of the application of the principle of absolute authority. Provisions in various Supreme Court Regulations, such as Supreme Court Regulation No. 1 of 2019 on the Conduct of Cases and Electronic Hearings, Perma No. 4 of 2019, and Perma No. 7 of 2015 on the Organization and Operations of the Clerk's Office, clearly state that the clerk does not have the authority to refuse case registration, even when the case falls outside the scope of the absolute jurisdiction of the judicial institution where the lawsuit was filed.¹⁵

Normatively, these provisions are intended to maintain accessibility to the judicial system and guarantee the principle of equality before the law.¹⁶ However, in practice, this has created an administrative anomaly that allows cases outside the jurisdiction of certain institutions, such as Sharia economic cases in the District Court, to still be accepted and processed. In fact, in the context of *ius cogens* cases, such as disputes involving sharia contracts, only the Religious Court has the legal authority to examine and adjudicate them.¹⁷

This phenomenon highlights the disconnect between administrative norms of the judiciary and substantive norms governing absolute jurisdiction.¹⁸ Theoretically, absolute competence is a fundamental element in the division of judicial power. Violations of this competence will render a decision null and void or legally invalid, as affirmed by various doctrines of civil procedure law.¹⁹

The Medan District Court's decision to grant the absolute jurisdiction exception is a form of procedural correction by the principles of procedural law. The judge correctly stated that his institution did not have the authority to adjudicate the case, and this action prevented further errors that could have led to maladministration of justice.²⁰ However, this correction came after the trial had begun, demonstrating the weakness of administrative screening and the suboptimal management of cross-jurisdictional cases.

In a broader context, the issue of overlapping jurisdictions between judicial institutions is not only found in Sharia insurance cases but has also been highlighted in the resolution of land disputes. Budi Sastra Panjaitan stated that "Land disputes will drag on if they are not carefully resolved through specialized courts, and it is even possible that the same land dispute will remain unresolved simply because of

¹⁵ Sonyendah Retnaningsih et al, "Pelaksanaan E-Court menurut Perma Nomor 3 Tahun 2018 tentang Administrasi Perkara di Pengadilan Secara Elektronik dan E-Litigation menurut Perma Nomor 1 Tahun 2019 tentang Administrasi Perkara dan Persidangan di Pengadilan Secara Elektronik (Studi di Peng" (2020) 50:1 J Huk Pembang 124–144.

¹⁶ Lelly Muridi Zham-Zham et al, "Keberlakuan Asas Equality Before The Law Pada Praktik Peradilan di Indonesia" (2023) 2:1 J LAWNESIA (Jurnal Huk Negara Indones 13.

¹⁷ Ramlah Ramlah, "Penyelesaian Sengketa Perbankan Syariah di Pengadilan Agama" (2012) 5:2 NALAR FIQH J Huk Islam 1–29.

¹⁸ Arif Wibowo, "Jurisprudence of the State Administrative Court in the Development of State Administrative Law" (2023) 2:1 JUSTICES J Law 21–33.

¹⁹ H R Ridwan, Despan Heryansyah & Dian Kus Pratiwi, "Perluasan Kompetensi Absolut Pengadilan Tata Usaha Negara Dalam Undang-Undang Administrasi Pemerintahan" (2018) 25:2 J Huk Ius Quia Iustum 339–358.

²⁰ Maulana Ahmad Al Farabi & Merline Eva Lyanthi, "Perlindungan Hukum Bagi Korban Dalam Peralihan Hak Atas Tanah Secara Melawan Hukum" (2025) 3:2 Media Huk Indones 16.



differences in the wording of decisions between existing judicial bodies.”²¹ This phenomenon shows that in cases that are specific and cross-jurisdictional, such as sharia insurance, the existence of a clear and integrated forum for resolution is an urgent necessity in order to avoid legal chaos and forum shopping practices.

In a theoretical and jurisprudential context, this issue reflects the disharmony between administrative justice and substantive justice.²² The Indonesian judicial system needs procedural reforms that not only guarantee access to justice but also strengthen the early case screening system to match cases with the appropriate institutions.²³ Following Constitutional Court Decision No. 93/PUU-X/2012, the strengthening of the absolute authority of the Religious Court over sharia economic cases has constitutional legitimacy and must be consistently obeyed.²⁴

In the realm of cross-jurisdictional practice, similar sharia insurance cases can be compared to land dispute cases in that overlapping jurisdictions and differences in court rulings are factors that prolong the legal settlement process.²⁵ Sharia economic disputes have similar characteristics, namely that they are multidimensional and require a special forum that is competent in substantive law and procedural law.

Thus, the existence of Medan District Court Decision No. 693/Pdt.G/2024/PN.Mdn must be seen as a reflection of structural problems in the judicial administration system, which is still passive and unable to perform a substantive selection function for incoming cases. In the long term, this situation demands administrative reform through revisions to technical regulations governing court clerks, the implementation of a case classification system based on substance, and the enhancement of the capacity of court clerks and judges to understand the principle of absolute jurisdiction. On the other hand, the judges' firmness in granting the exception highlights the crucial role of the *judex facti* as the guardian of a legitimate and constitutional judicial system. Judges serve as the custodians of procedural justice principles, ensuring that cases are heard in the appropriate forum.²⁶ Therefore, in the future, strengthening the legal system will not only require revisions to substantive legal norms but also improvements in administrative judicial practices that are more adaptive and responsive to the complexity of Sharia economic cases.

II. The validity of Medan District Court Decision No. 693/Pdt.G/2024PN.Mdn in a Sharia Insurance Dispute in Indonesia

The decision of the Medan District Court No. 693/Pdt.G/2024/PN.Mdn, which granted the absolute jurisdiction exception in a Sharia life insurance dispute case,

²¹ Budi Sastra Panjaitan, “Pembentukan Pengadilan Pertanahan Sebagai Solusi Penyelesaian Sengketa Pertanahan” (2020) 4:2 Bina Huk Lingkung 264.

²² Robi Assadul Bahri, “Penafsiran Asas Judicial Pardon Dalam Kitab Undang-Undang Hukum Pidana Baru” (2024) 1:1 J Mahalisan 16–32.

²³ Ida Yusnani, “Arah Reformasi Peradilan di Indonesia: Menimbang Antara Keadilan, Kepastian, dan Kemanfaatan Hukum” (2023) 1:3 YUDHISTIRA J Yurisprudensi, Huk dan Peradil 75–82.

²⁴ M Abas et al, *Hukum Ekonomi Syari'ah* (Jambi: PT. Sonpedia Publishing Indonesia, 2023).

²⁵ Adi, Panjaitan & Harahap, *supra* note 5.

²⁶ Muhammad Alvian Yudistira Chandra Chaerudin, Ali Maskur & Arina Hukmu Adila, “Prinsip Keadilan Prosedural Sebagai Landasan Pertimbangan Hakim Dalam Kasus Pencurian Ayam” (2025) 8:1 J USM LAW Rev 509–529.



should be declared valid and by the basic principles of the Indonesian judicial system. In civil procedure law, the principle of absolute jurisdiction is a non-derogable rule (*ius cogens*) and is closely related to the court's function in upholding substantive and procedural justice.²⁷ Therefore, when a case is brought before a forum that does not have absolute jurisdiction, the resulting decision is potentially null and void (*nietig van rechtswege*).²⁸

The validity of the decision is rooted in the legal legitimacy set forth in Article 49(i) of Law No. 3 of 2006 concerning Amendments to Law No. 7 of 1989 concerning Religious Courts. The provision clearly states that the Religious Court has the authority to adjudicate sharia economic cases, including all forms of disputes arising from contracts based on sharia principles, such as sharia life insurance (*takaful*).²⁹ This has been reinforced by Constitutional Court Decision No. 93/PUU-X/2012, which confirms that absolute authority over sharia economic cases falls under the jurisdiction of the Religious Court. In its considerations, the Court emphasized that the division of judicial authority is a constitutional effort to guarantee due process of law and the effectiveness of the integrated judicial system in Indonesia.³⁰

This decision by the Medan District Court is a concrete example of the proper implementation of procedural law principles, whereby the judge first examines and rules on the defendant's objection regarding absolute jurisdiction before proceeding to the merits of the case. This action is consistent with the principles of *audi alteram partem* and *praejudicium*, namely, the importance of determining the appropriate forum before addressing the substance of the case.³¹ If the panel of judges continues with the examination of the main case without regard to the provisions of absolute competence, the resulting decision may be declared invalid or without legal binding force (non-executable judgment).³²

In the context of legal reform, the validity of this ruling is not limited to procedural aspects, but also sends a strong signal regarding the need for reform in the implementation of Islamic economic justice in Indonesia. Vice President Ma'ruf Amin has highlighted on numerous occasions the lack of attention given to strengthening religious judicial institutions in handling Islamic economic cases.³³ Many general courts still accept and even adjudicate sharia economic cases due to a lack of understanding of the division of judicial authority and the uneven distribution of sharia legal education among general court officials.

This situation shows that there's a lack of understanding in the judicial system, which can lead to procedural errors and end up with decisions that are formally

²⁷ I Dewa Agung Ayu Mas Puspitaningrat, Putu Chandra Kinandana Kayuan & I Made Artha Rimbawa, "Niet Ontvankelijke Verklaard Dalam Putusan" (2024) 18:1 J Yustitia 32–44.

²⁸ *Ibid.*

²⁹ Ghiyats Faris Abdulloh, *ANALISIS KEPATUHAN HUKUM POLIS ASURANSI JIWA TAKAFUL KELUARGA* Fakultas Syariah dan Hukum UIN Syarif Hidayatullah Jakarta, 2023) [unpublished].

³⁰ Anom Sutrisno, "Peran Hakim dalam Mewujudkan Due Process of Law Pada Sistem Peradilan Tata Usaha Negara di Indonesia" (2025) 5:1 Locus J Konsep Ilmu Huk 17–28.

³¹ Fauziah Lubis et al, "Analisis Asas Audi Et Alteram Partem dalam Praktik Peradilan Perdata di Indonesia" (2025) 5:2 Bur J Indones J Law Soc Gov 1063–1077.

³² Bambang Subagyo, Sugeng Ariadi & Ghansham Anand, "The Problematics Of Execution Law Against Non-Executable Judgments And Comparisons With Malaysian Law" (2018) 9:2 Jurisdiction J Huk dan Syariah 244–262.

³³ Athallah Dhiaulhaq Hareldi, *Pemberdayaan Ekonomi Masyarakat: Studi Pemikiran Prof. KH. Ma'ruf Amin* FEB UIN JAKARTA, 2024) [unpublished].



flawed.³⁴ Therefore, the validity of the Medan District Court's decision also serves as a form of structural correction to judicial practices that are not yet fully harmonized with procedural law provisions and the sharia-based substantive legal system. In this context, the principle of *lex specialis derogat legi generali* is once again actualized, namely that special law (in this case, Sharia judicial law) supersedes general law when dealing with subjects or objects that are specifically regulated.³⁵

Furthermore, this ruling has a long-term effect in encouraging the establishment of a more robust sharia economic justice system. Strengthening the validity of rulings based on absolute competence must also be accompanied by strengthening legal capacity and judicial expertise within the Religious Courts. Judicial professionalism, understanding of Islamic economic principles such as contracts, uncertainty, gambling, and fees, as well as the ability to interpret contracts within the framework of the objectives of Islamic law, are key to ensuring that this judicial system truly meets the sense of justice of Muslims who are the subjects of the law in such cases.³⁶

Equally important, this ruling also emphasizes that the direction of legal reform in Indonesia cannot be separated from the sociological and normative realities of society. The national legal system, as stipulated in Article 24 of the 1945 Constitution, adheres to the principle of legal pluralism, which recognizes the existence of religious and customary legal systems as an integral part of the national legal system. Therefore, the recognition of the authority of Religious Courts in Sharia economic cases is not merely a technical-legal issue, but also a recognition of the constitutional right of the Muslim community to resolve disputes based on a legal system consistent with their beliefs.

In conclusion, Decision Number 693/Pdt.G/2024/PN.Mdn must be placed within the broader framework of legal reform. Its validity is not only due to its conformity with positive law, but also because of its function in strengthening a fair, professional, and responsive Sharia economic justice system that is responsive to the socio-economic developments of the community. In this context, concrete steps are needed from the state to accelerate the harmonization of the sharia economic regulatory system, enhance the institutional capacity of the judiciary, and provide ongoing education for legal practitioners and academics to prevent further forum confusion in cases based on sharia contracts.

III. Legal Implications of Medan District Court Decision No. 693/Pdt.G/2024/PN.Mdn on Judicial Practice and Sharia Economic Law System Policy in Indonesia

The decision of the Medan District Court No. 693/Pdt.G/2024/PN.Mdn, which granted the exception regarding absolute jurisdiction in a sharia life insurance

³⁴ FATIA HANIFA, *DISPARITAS HAKIM DALAM MENENTUKAN CACAT FORMIL ERROR IN PERSONA PADA GUGATAN PERKARA EKONOMI SYARIAH (Studi Terhadap Putusan Nomor 393/Pdt. G/2023/Ms. Bna dan Putusan Nomor 2275/Pdt. G/2023/PA. Plg)* Fakultas Syariah dan Hukum UIN Syarif Hidayatullah Jakarta, 2024) [unpublished].

³⁵ *Ibid.*

³⁶ Husin Wattimena, Hasan Hasan & Muis Pikahulan, *PEMBUKTIAN TINDAK PIDANA SEBAGAI PENGUAT GUGATAN PERCERAIAN (STUDI KOMPETENSI ABSOLUT PERADILAN AGAMA)* (Bandung: CV. Widina Media Utama, 2024).



dispute case, marks an important precedent in the dynamics of the national sharia economic legal system. The legal implications of this decision not only impact the legal realm but also touch on institutional and policy aspects of the judicial system in a holistic manner.

First, from a normative perspective, this ruling affirms and reinforces the principle of absolute jurisdiction as stipulated in Article 49(i) of Law No. 3 of 2006 amending Law No. 7 of 1989 on Religious Courts. Disputes arising from contracts based on Sharia principles, including Sharia life insurance, fall under the jurisdiction of the Religious Court. This directly eliminates jurisdictional ambiguities that often arise in practice, particularly when there is overlap between general civil law and Sharia-based civil law.³⁷ This ruling is also in line with the principle of *lex specialis derogat legi generali*, whereby Sharia law as a special regime has its own space in the settlement of economic disputes based on Sharia contracts.

Second, from the perspective of judicial practice, the granting of absolute jurisdiction exceptions reflects judicial awareness of the need to correct *errors in foro*.³⁸ This correction is not only important as a mechanism for remedying procedural errors, but also serves as a means of legal education for judicial officials and the legal community in general. In this context, the decision serves as a form of informal judicial review of erroneous jurisprudential practices. This also prevents forum shopping, which is a strategy employed by those seeking justice to choose a court that is considered more favorable, thereby undermining the integrity of the judicial system.

Third, from a legal policy perspective, this ruling reflects the importance of institutional and substantive legal reform in the Islamic economic system. The discourse on strengthening the authority of the Religious Court is not limited to expanding its jurisdiction, but must also include strengthening human resources, improving the legal literacy of judges in Islamic economics, and improving legal infrastructure. Vice President Ma'ruf Amin's statement on the need for institutional repositioning of sharia courts reflects the urgency of structural and normative reforms to support the growth of an inclusive national sharia financial and economic sector that is responsive to the needs of the Muslim community in Indonesia.³⁹

Fourth, from the perspective of the national legal system, this ruling indicates an urgent need for regulatory harmonization between authorities. Inconsistencies between legal norms in legislation, such as the Financial Services Authority (OJK) Law, the Insurance Law, and the Religious Court Law, must be addressed immediately.⁴⁰ This ambiguity has led to confusion in the process of resolving Sharia economic disputes, particularly in non-bank sectors such as Sharia insurance. If left unresolved, this will continue to create room for confusion that is detrimental to those seeking justice and weakens the effectiveness of the law itself.

³⁷ Jesi Aryanto, "Dualisme Yurisdiksi Antara Peradilan Umum dan Peradilan Agama Terhadap Sengketa Ekonomi Syariah" (2012) 3:1 ADIL J Huk 93–122.

³⁸ Khosrol Khotimah et al, "Tinjauan Hak Asasi Manusia Terhadap Error in Persona Dalam Praktik Peradilan Pidana di Indonesia" (2024) 7:2 Unizar Law Rev 196–202.

³⁹ Hareldi, *supra* note 33.

⁴⁰ Abdul Saman Nasution, "Konsep Penyelesaian Pembiayaan Bermasalah menurut Undang-Undang Nomor 10 Tahun 1998 tentang Perbankan dan Peraturan Otoritas Jasa Keuangan Nomor 6 Tahun 2022 tentang Perlindungan Konsumen dan Masyarakat di Sektor Jasa Keuangan Pada Lembaga Keuangan Syariah" (2024) 5:2 Law J 52–65.



Fifth, in a systemic context, this ruling serves as a trigger point for cross-sector synchronization between the judicial system, Islamic financial institutions, and regulators such as OJK, BI, and DSN-MUI. Harmonization between institutions is vital so that the resolution of Islamic economic disputes can run efficiently and by the principles of sharia compliance.⁴¹ Furthermore, this ruling requires curriculum updates and ongoing training for Religious Court judges so that they have the necessary capacity to resolve increasingly complex Sharia economic cases involving modern transactions.

Sixth, this ruling also provides an important lesson for legal practitioners and academics that the Islamic economic legal system in Indonesia is still in the process of consolidation. The implementation of Sharia-based legal norms is not yet fully supported by a comprehensive and coherent regulatory framework. Therefore, an integrative legal design is needed between religious norms, national positive law, and universal principles of economic justice. This is important to ensure legal certainty, legal clarity, and legal consistency in the resolution of disputes arising from Sharia financial transactions.

Thus, Decision Number 693/Pdt.G/2024/PN.Mdn not only resolves the issue of absolute authority in a single case but also serves as a critical evaluative point for the direction of Sharia economic law reform in Indonesia. Strengthening religious courts as the frontline in resolving sharia disputes, restructuring sectoral regulations, and enhancing institutional capacity are strategic steps to ensure the judicial system operates constitutionally, fairly, and by the characteristics of Islamic law as a mercy to all creation.

CONCLUSION

The decision of the Medan District Court No. 693/Pdt.G/2024/PN.Mdn is an important reflection of the application of the principle of absolute jurisdiction in the Indonesian judicial system, particularly in sharia economic disputes such as sharia-based life insurance. Although the case was initially filed and heard by the District Court, the panel of judges ruled that the case fell under the jurisdiction of the Religious Court and granted an exception regarding absolute jurisdiction. The Constitutional Court Decision No. 93/PUU-X/2012, which affirms that sharia economic disputes fall under the absolute jurisdiction of the Religious Court, reinforces this decision, which aligns with the provisions of Article 49(i) of Law No. 3 of 2006. Nevertheless, the fact that the case was directly accepted indicates administrative flaws in the legal system, particularly regarding case registration. This is directly related to Ministerial Regulation No. 7 of 2015 on the Organization and Operations of Court Clerks and Ministerial Regulation No. 1 of 2019 on Case Administration and Electronic Court Proceedings, which limit the authority of court clerks to merely record and register incoming cases without assessing the substance of the claim or its absolute jurisdiction.

This provision renders the case registration system passive, so that even though a lawsuit is clearly outside the jurisdiction of the institution (such as sharia

⁴¹ Iyoyo Dianto & Abdul Majid, "Peran Dewan Syariah Nasional Majelis Ulama Indonesia dan Dewan Pengawas Syariah terhadap Impelementasi Akad Syariah di Perbankan Syariah Indonesia" (2025) 8:1 Syarikat J Rumpun Ekon Syariah 66–78.



insurance cases that should be tried by the Religious Court), the court clerk does not have the authority to reject it. As a result, the judge as *judex facti* must still process the case until it is finally ruled inadmissible through an exception. From a legal and policy perspective, this decision has important implications. First, it normatively emphasizes the importance of adherence to the absolute division of jurisdiction among judicial institutions. Second, practically, it highlights the need for synchronization between administrative norms and legal substance to prevent overlapping jurisdiction or forum shopping. Third, systemically, this decision serves as a basis for evaluating judicial practices and encourages institutional reform, particularly in the Islamic economic judicial system in Indonesia, through strengthening the capacity of judges, improving regulations, and educating legal stakeholders. Thus, the Medan District Court's decision not only resolves a single case procedurally but also reflects the urgent need for harmonization between procedural law, absolute authority, and judicial administration, so that Indonesia's Islamic economic law system can operate consistently with substantive justice and legal certainty.

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REFERENCES

BOOK

- Abas, M et al, *Hukum Ekonomi Syari'ah* (Jambi: PT. Sonpedia Publishing Indonesia, 2023).
- Abdulloh, Ghiyats Faris, *ANALISIS KEPATUHAN HUKUM POLIS ASURANSI JIWA TAKAFUL KELUARGA* Fakultas Syariah dan Hukum UIN Syarif Hidayatullah Jakarta, 2023) [unpublished].
- Elsafitri, Mutiara, *Tinjauan Yuridis Putusan MK Nomor 93/PUU-X/2012 Terhadap Penyelesaian Sengketa Perbankan Syariah (Studi Putusan PN Sukoharjo Nomor 72/Pdt. G/2015/PN Skh, Putusan PT Semarang Nomor 416/PDT/2016/PT. SMG, Putusan MA Nomor 2063 K/Pdt/2017, dan Putusan Peninja Program Pascasarjana Institut Ilmu Al-Qur'an (IIQ) Jakarta, 2023)* [unpublished].
- Hadi, Erry Satria, *Kesiapan peradilan agama dalam melaksanakan kewenangan perkara ekonomi syariah pasca putusan mahkamah konstitusi nomor 93/PUU-X-/2012* UIN Sunan Gunung Djati Bandung, 2015) [unpublished].
- HANIFA, FATIA, *DISPARITAS HAKIM DALAM MENENTUKAN CACAT FORMIL ERROR IN PERSONA PADA GUGATAN PERKARA EKONOMI SYARIAH (Studi Terhadap Putusan Nomor 393/Pdt. G/2023/Ms. Bna dan Putusan Nomor 2275/Pdt. G/2023/PA. Plg)* Fakultas Syariah dan Hukum UIN Syarif Hidayatullah



- Jakarta, 2024) [unpublished].
- Hareldi, Athallah Dhiaulhaq, *Pemberdayaan Ekonomi Masyarakat: Studi Pemikiran Prof. KH. Ma'ruf Amin* FEB UIN JAKARTA, 2024) [unpublished].
- Nugroho, Wisnu Agung et al, *Sistem hukum & peradilan di Indonesia: Teori dan praktik* (Jambi: PT. Sonpedia Publishing Indonesia, 2024).
- Sari, Dita Ayu Sekar, *KEWENANGAN PENGADILAN NEGERI DALAM MEMBATALKAN PUTUSAN BADAN PENYELESAIAN SENGKETA KONSUMEN PADA PEMBIAYAAN SYARIAH* Fakultas Syariah dan Hukum UIN Syarif Hidayatullah Jakarta, 2021) [unpublished].
- Suyanto, *Metode Penelitian Hukum Pengantar Penelitian Normatif, Empiris Dan Gabungan* (Gresik: Unigres Press, 2023).
- Wattimena, Husin, Hasan Hasan & Muis Pikahulan, *PEMBUKTIAN TINDAK PIDANA SEBAGAI PENGUAT GUGATAN PERCERAIAN (STUDI KOMPETENSI ABSOLUT PERADILAN AGAMA)* (Bandung: CV. Widina Media Utama, 2024).

JOURNAL

- Adi, Muhammad Fitri, Budi Sastra Panjaitan & Mhd Yadi Harahap, "Pelaksanaan Eksekusi Hak Tanggungan Dalam Perkara Pembiayaan Murabahah Melalui Pengadilan Agama Medan" (2022) 10:2 Al-Mashlahah J Huk Islam Dan Pranata Sos 915-930, online: <<https://jurnal.staialhidayahbogor.ac.id/index.php/am/article/view/3150>>.
- Aryanto, Jesi, "Dualisme Yurisdiksi Antara Peradilan Umum dan Peradilan Agama Terhadap Sengketa Ekonomi Syariah" (2012) 3:1 ADIL J Huk 93-122.
- Awaludin, Latief, "Penguatan Peran PA (Pengadilan Agama) dalam Penyelesaian Sengketa Ekonomi Syariah" (2023) 8:1 Al-Ibanah 27-48.
- Bahri, Robi Assadul, "Penafsiran Asas Judicial Pardon Dalam Kitab Undang-Undang Hukum Pidana Baru" (2024) 1:1 J Mahalisan 16-32.
- Chaerudin, Muhammad Alvian Yudistira Chandra, Ali Maskur & Arina Hukmu Adila, "Prinsip Keadilan Prosedural Sebagai Landasan Pertimbangan Hakim Dalam Kasus Pencurian Ayam" (2025) 8:1 J USM LAW Rev 509-529.
- Dianto, Iyoyo & Abdul Majid, "Peran Dewan Syariah Nasional Majelis Ulama Indonesia dan Dewan Pengawas Syariah terhadap Impelementasi Akad Syariah di Perbankan Syariah Indonesia" (2025) 8:1 Syarikat J Rumpun Ekon Syariah 66-78.
- Evri, Evri, Dhaniswara K Harjono & Hulman Panjaitan, "Tinjauan Yuridis Terhadap Penerapan Choice of Law Dalam Penyelesaian Sengketa Asuransi Marine Cargo Di Indonesia" (2024) 6:7 J Syntax IDEA 3278-3293.
- Farabi, Maulana Ahmad Al & Merline Eva Lyanthi, "Perlindungan Hukum Bagi Korban Dalam Peralihan Hak Atas Tanah Secara Melawan Hukum" (2025) 3:2 Media Huk Indones 16.
- Khotimah, Khosnol et al, "Tinjauan Hak Asasi Manusia Terhadap Error in Persona Dalam Praktik Peradilan Pidana di Indonesia" (2024) 7:2 Unizar Law Rev 196-202.
- Lathif, Azharuddin & Diana Mutia Habibaty, "Disparitas Penyelesaian Sengketa Jalur Litigasi Pada Polis Asuransi Syariah Dan Putusan Pengadilan" (2019) 16:1 J Legis Indones 76-88.



- Lubis, Fauziah et al, "Analisis Asas Audi Et Alteram Partem dalam Praktik Peradilan Perdata di Indonesia" (2025) 5:2 Bur J Indones J Law Soc Gov 1063–1077.
- Maharani, Ni Made Intan, Anak Agung Sagung Laksmi Dewi & Luh Putu Suryani, "Penyelesaian Sengketa Para Pihak Yang Telah Terikat Dalam Perjanjian Arbitrase (Studi Kasus Di Pengadilan Negeri Denpasar)" (2020) 2:1 J Analog Huk 119–123.
- Nasution, Abdul Saman, "Konsep Penyelesaian Pembiayaan Bermasalah menurut Undang-Undang Nomor 10 Tahun 1998 tentang Perbankan dan Peraturan Otoritas Jasa Keuangan Nomor 6 Tahun 2022 tentang Perlindungan Konsumen dan Masyarakat di Sektor Jasa Keuangan Pada Lembaga Keuangan Syariah" (2024) 5:2 Law J 52–65.
- Pakpahan, Novritsar Hasintongan & Indonesia Indonesia, "Kekosongan Hukum Dalam Penilaian Letak Kerugian Pada Kepentingan Umum atau Kepentingan Militer Sebagai Dasar Kewenangan Peradilan Koneksitas" (2022) 1:2 Sanskara Huk dan HAM 37–46.
- Panisa & Zainarti, "Peran Asuransi Syariah dalam Pertumbuhan Perokonomian di Indonesia" (2025) 3:2 J Ilm Ekon dan Manaj 95–101, online: <<https://ejurnal.kampusakademik.co.id/index.php/jiem/article/view/3791>>.
- Panjaitan, Budi Sastra, "Pembentukan Pengadilan Pertanahan Sebagai Solusi Penyelesaian Sengketa Pertanahan" (2020) 4:2 Bina Huk Lingkung 264.
- PUSPITANINGRAT, I DEWA AGUNG AYU MAS, Putu Chandra Kinandana Kayuan & I Made Artha Rimbawa, "Niet Ontvankelijke Verklaard Dalam Putusan" (2024) 18:1 J Yustitia 32–44.
- Rafika, Raina, "Penyelesaian Sengketa Asuransi Melalui Lembaga Alternatif Penyelesaian Sengketa Sektor Jasa Keuangan" (2022) 9:4 SALAM J Sos dan Budaya Syar-i 1209–1222.
- Ramlah, Ramlah, "Penyelesaian Sengketa Perbankan Syariah di Pengadilan Agama" (2012) 5:2 NALAR FIQH J Huk Islam 1–29.
- Retnaningsih, Sonyendah et al, "Pelaksanaan E-Court menurut Perma Nomor 3 Tahun 2018 tentang Administrasi Perkara di Pengadilan Secara Elektronik dan E-Litigation menurut Perma Nomor 1 Tahun 2019 tentang Administrasi Perkara dan Persidangan di Pengadilan Secara Elektronik (Studi di Peng)" (2020) 50:1 J Huk Pembang 124–144.
- Ridwan, H R, Despan Heryansyah & Dian Kus Pratiwi, "Perluasan Kompetensi Absolut Pengadilan Tata Usaha Negara Dalam Undang-Undang Administrasi Pemerintahan" (2018) 25:2 J Huk Ius Quia Iustum 339–358.
- Risqilah, Risqilah, "IMPLEMENTASI HUKUM SYARIAH DALAM SISTEM HUKUM NASIONAL" (2025) 10:1 Leg J Ilm Ilmu Huk 19–24.
- Subagyono, Bambang, Sugeng Ariadi & Ghansham Anand, "The Problematics Of Execution Law Against Non-Executable Judgments And Comparisons With Malaysian Law" (2018) 9:2 Jurisdiction J Huk dan Syariah 244–262.
- Sutrsino, Anom, "Peran Hakim dalam Mewujudkan Due Process of Law Pada Sistem Peradilan Tata Usaha Negara di Indonesia" (2025) 5:1 Locus J Konsep Ilmu Huk 17–28.
- Wibowo, Arif, "Jurisprudence of the State Administrative Court in the Development of State Administrative Law" (2023) 2:1 JUSTICES J Law 21–33.



LEX JOURNAL
KAJIAN HUKUM DAN Keadilan JOURNAL

Yusnani, Ida, "Arah Reformasi Peradilan di Indonesia: Menimbang Antara Keadilan, Kepastian, dan Kemanfaatan Hukum" (2023) 1:3 YUDHISTIRA J Yurisprudensi, Huk dan Peradil 75-82.

Zham-Zham, Lelly Muridi et al, "Keberlakuan Asas Equality Before The Law Pada Praktik Peradilan di Indonesia" (2023) 2:1 J LAWNESIA (Jurnal Huk Negara Indones 13.