

**RECONSTRUCTING THE JUDICIAL SUPERVISION PARADIGM  
IN INDONESIA: ANALYSIS OF CONSTITUTIONAL COURT  
DECISION NO. 39/PUU-XIII/2015**

***REKONSTRUKSI PARADIGMA SUPERVISI DI INDONESIA:  
ANALISIS KEPUTUSAN MAHKAMAH KONSTITUSIONAL  
NO. 39/PUU-XIII/2015***

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**ABSTRACT**

This study examines fundamental weaknesses in judicial supervision in Indonesia following Constitutional Court Decision Number 39/PUU-XIII/2015. Using normative legal research with statutory, case-based, conceptual, and comparative approaches, the research identifies a critical research gap: the absence of comprehensive frameworks that integrate oversight of judicial technical reasoning with ethical evaluation in ways that maintain judicial independence while strengthening institutional accountability. This study theoretically contributes to the development of balanced independence-accountability theory by reconceptualizing judicial supervision as a system that enables rather than constrains judicial professionalism. The findings indicate three central issues. First, Constitutional Court Decision Number 39/PUU-XIII/2015 has significantly narrowed the authority of the Judicial Commission by restricting oversight related to judicial technical matters, creating institutional vulnerability. Second, both internal and external supervisory mechanisms failed to detect early indications of bribery in the acquittal verdict of Gregorius Ronald Tannur, despite striking inconsistencies between the court's legal reasoning and the evidentiary record, demonstrating critical gaps in monitoring systems. Third, judicial supervision in Indonesia remains predominantly

reactive rather than proactive, addressing issues only after they surface in criminal proceedings. This study recommends regulatory reform through the enactment of the Judicial Office Bill, revision of the Judicial Commission Law, and integration of artificial intelligence systems with appropriate safeguards to identify anomalous judicial decisions. These measures aim to strengthen preventive mechanisms while preserving judicial independence and ensuring institutional accountability.

**Keywords : Judicial Supervision, Judicial Commission, Constitutional Court Decision, Judicial Integrity, Judicial Accountability, Institutional Reform.**

### **ABSTRAK**

*Studi ini meneliti kelemahan mendasar dalam pengawasan peradilan di Indonesia setelah Putusan Mahkamah Konstitusional Nomor 39/PUU-XIII/2015. Dengan menggunakan penelitian hukum normatif dengan pendekatan hukum, berbasis kasus, konseptual, dan komparatif, penelitian ini mengidentifikasi kesenjangan penelitian yang kritis: tidak adanya kerangka kerja komprehensif yang mengintegrasikan pengawasan penalaran teknis peradilan dengan evaluasi etis dengan cara yang menjaga independensi peradilan sekaligus memperkuat akuntabilitas kelembagaan. Studi ini secara teoritis berkontribusi pada pengembangan teori independensi-akuntabilitas yang seimbang dengan merekonseptualisasikan pengawasan peradilan sebagai sistem yang memungkinkan, bukan membatasi, profesionalisme peradilan. Temuan menunjukkan tiga isu utama. Pertama, Putusan Mahkamah Konstitusional Nomor 39/PUU-XIII/2015 telah secara signifikan mempersempit kewenangan Komisi Yudisial dengan membatasi pengawasan terkait masalah teknis peradilan, sehingga menciptakan kerentanan kelembagaan. Kedua, baik mekanisme pengawasan internal maupun eksternal gagal mendeteksi indikasi awal penyusutan dalam putusan pembebasan Gregorius Ronald Tannur, meskipun terdapat inkonsistensi yang mencolok antara penalaran hukum pengadilan dan catatan bukti, yang menunjukkan kesenjangan kritis dalam sistem pemantauan. Ketiga, pengawasan peradilan di Indonesia sebagian besar bersifat reaktif daripada proaktif, hanya menangani masalah setelah muncul dalam proses pidana. Studi ini merekomendasikan reformasi regulasi melalui pengesahan Rancangan Undang-Undang Kantor Kehakiman, revisi Undang-Undang Komisi Kehakiman, dan integrasi sistem kecerdasan buatan dengan pengamanan yang tepat untuk mengidentifikasi keputusan peradilan yang anomali. Langkah-langkah ini bertujuan untuk memperkuat mekanisme pencegahan sambil menjaga independensi peradilan dan memastikan akuntabilitas kelembagaan.*

***Kata Kunci : Pengawasan Peradilan, Komisi Peradilan, Keputusan Pengadilan Konstitusional, Integritas Peradilan, Akuntabilitas Peradilan, Reformasi Kelembagaan.***

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## **I. INTRODUCTION**

The judicial power occupies a central position in a rule of law state because it is where justice is tested and enforced. Yet, this statement, which sounds neat and formal in constitutional doctrine, often collides with a much harsher reality experienced by citizens who come to court as victims, defendants, or witnesses. For them, the judiciary is not an abstract branch of power but a concrete, tangible experience of how the state either protects or abandons them.

Over the past two decades, Indonesia has witnessed repeated scandals involving judges and court officials. Each case tends to follow a familiar pattern: media exposure, public outrage, a wave of statements from officials promising reform, and then a slow return to business as usual once the issue disappears from the headlines. What remains is a deepening sense of cynicism among ordinary citizens who begin to assume that "judicial corruption" is not an anomaly but a structural feature of the system. In such a context, judicial supervision is no longer a technical institutional issue; it becomes a question of whether the state can still credibly claim to uphold justice.

The acquittal verdict of Gregorius Ronald Tannur by the Surabaya District Court is one of the clearest illustrations of this structural problem. The public followed the case not only because of its legal complexity but because it involved a vulnerable victim and disturbing facts that, in the eyes of many, should have led to a conviction. When the judgment instead produced an acquittal, and when the written reasoning appeared markedly out of step with the evidentiary record, citizens were not simply confused; many felt betrayed. The judiciary, which should function as a last refuge when other institutions fail, appeared instead as a place where injustice could be formally certified.

From the perspective of judicial supervision, the Tannur case exposes at least two layers of failure. At the first layer, the judicial panel issued a decision whose reasoning was so controversial that it should have triggered immediate ethical scrutiny. At the second layer, neither internal oversight within the Supreme Court's institutional structure nor external oversight by the Judicial Commission reacted in a timely or meaningful way. The alarm that should have sounded in supervisory institutions never did. That silence is as important as the judgment itself, because it signals that the system lacks internal sensors to detect when something has gone seriously wrong.

This situation reveals that judicial supervision in Indonesia remains reactive and fragmented. Internal supervision by the Supreme Court through

the Supervisory Board operates within structural and psychological limitations: limited staff, hierarchical culture, and an ingrained reluctance to question judicial colleagues. External supervision by the Judicial Commission, which was originally envisioned as a strong guardian of judicial ethics, has had its authority gradually narrowed by constitutional interpretation. Rather than complementing each other, these mechanisms often operate like parallel lines: close in formal terms but rarely intersecting in practice. When serious problems emerge, each institution can point to the other as the party that should have acted more decisively.

More importantly, the human impact of these institutional dynamics often disappears from the official discussion. When a problematic judgment is issued, the debate in legal circles tends to focus on doctrinal issues: whether the court misapplied a statute, whether a precedent was ignored, or whether the evidentiary standard was properly interpreted. Those are important questions. Yet for victims and their families, the central issue is much simpler: whether the court's decision feels fair and whether anyone in the system is willing to take responsibility when it clearly does not. A supervision system that fails to respond to such cases sends a damaging message—not only to the parties in that particular case but to society at large—that there is no meaningful accountability when the judiciary fails.

In this sense, the problem of judicial supervision can no longer be framed solely as an institutional design question. It is also a question of social trust. A judiciary that appears insulated from meaningful oversight gradually loses its moral authority, even if it formally retains its legal authority. Citizens may continue to bring cases to court because there is no alternative, but they do so with a sense of resignation rather than hope. That erosion of trust is dangerous for any legal system, especially one like Indonesia's that is still consolidating its democratic institutions.

Against this backdrop, the reconstruction of the judicial supervision paradigm is not a luxury but a necessity. It requires rethinking not only who supervises whom and under what legal authority, but also how supervision can be designed to respond to the lived realities of those who depend on the courts for protection. The Tannur case, seen through this lens, is not just "one bad decision" but a symptom of deeper weaknesses in the way Indonesia understands and practices judicial oversight.

The significance of this research lies in its attempt to bridge the gap between the formal narrative of judicial independence and the lived experience of judicial accountability in Indonesia. The research is grounded in the theoretical contribution that judicial independence and accountability are not binary opposites but mutually constitutive principles that strengthen one another when properly calibrated. By focusing on the Constitutional Court's decision that restricted the Judicial Commission's authority and the concrete example of the Ronald Tannur case, this study aims to show that the way

Indonesia currently balances independence and accountability is not merely theoretically imperfect but practically harmful.

The primary research gaps this study addresses are: (1) the absence of empirically grounded analysis of how institutional design choices in MK Decision 39/PUU-XIII/2015 have manifested in specific supervisory failures; (2) the lack of systematic comparison between Indonesia's fragmented dual-supervision model and coordinated international models; and (3) the absence of operationalized reform proposals that specify how to distinguish between "technical matters" and "ethics" in practice.

The primary objectives of this study are: First, to analyze how Constitutional Court Decision Number 39/PUU-XIII/2015 has reshaped the practical landscape of judicial supervision. Second, to unpack why both internal and external supervision mechanisms failed in the Ronald Tannur case. Third, to identify systemic and cultural factors that make Indonesian judicial supervision predominantly reactive. Finally, to formulate realistic reform proposals that strengthen oversight while maintaining judicial independence.

## **II. METHOD**

This research employs normative legal research using multiple methodological approaches. First, the statutory approach examines the normative framework of judicial supervision, particularly derived from the Indonesian Constitution of 1945, laws concerning judicial power, laws on the Judicial Commission, and regulations related to judicial codes of conduct and guidelines for judicial behavior. This approach is essential for understanding the formal authority boundaries of supervisory institutions and how these boundaries are constructed through legal interpretation.

Second, the case approach is used to examine Constitutional Court Decision Number 39/PUU-XIII/2015 and the acquittal verdict in the Gregorius Ronald Tannur case. Through this approach, the research traces how legal norms operate in practice while identifying supervisory failure points invisible at the textual level of regulation.

Third, the conceptual approach is used to analyze key concepts such as judicial independence, judicial accountability, and judicial technical matters. This approach is necessary because judicial supervision problems are not merely normative but also conceptual. Many supervision problems actually emerge from imbalanced conceptual interpretation between judicial freedom and ethical responsibility.

Fourth, the comparative approach compares Indonesia's judicial supervision model with practices in other countries, particularly England through the Judicial Conduct Investigations Office mechanism. This comparison is not intended to imitate mechanically, but rather to draw relevant and contextual lessons for reforming Indonesia's supervision system.

### **a. Primary, Secondary, and Tertiary Legal Materials**

The legal materials used in this research consist of primary, secondary, and tertiary sources. Primary legal materials include legislation forming the basis for judicial power regulation and its supervision, including the Indonesian Constitution of 1945, the Law on Judicial Power, the Law on the Judicial Commission, and joint decisions of the Supreme Court and Judicial Commission concerning codes of conduct and guidelines for judicial behavior. Additionally, primary legal materials include Constitutional Court Decision Number 39/PUU-XIII/2015 and the Surabaya District Court judgment in the Gregorius Ronald Tannur case.

Secondary legal materials consist of scientific literature including legal textbooks, accredited legal journal articles, official reports from judicial institutions, and relevant government publications addressing judicial supervision issues. These materials are used to enrich normative analysis and provide theoretical context for problems discussed.

Tertiary legal materials including legal dictionaries and encyclopedias serve as tools to ensure accurate use of legal terminology and concepts employed in the research.

### **b. Data Collection and Analysis Techniques**

Legal material collection was conducted through systematic literature study. The researcher traced legislation, court decisions, and scientific literature relevant to judicial supervision. Additionally, searches were conducted through online databases such as scientific journal portals, court decision directories, and official websites of relevant state institutions.

This technique was selected because it enables the researcher to obtain comprehensive and current legal materials while maintaining analytical consistency with regulatory developments and judicial practice through the final research period.

### **c. Legal Material Analysis Techniques**

Legal materials are analyzed qualitatively using prescriptive reasoning patterns. Collected materials are analyzed through deductive reasoning, drawing conclusions from general norms to specific implications in judicial supervision practice. This reasoning is combined with inductive analysis based on facts and findings in the Ronald Tannur case study.

Additionally, comparative analysis is used to test the feasibility of applying supervisory principles or mechanisms from other jurisdictions to Indonesia's legal context. Through this combination of approaches, the research seeks to reveal gaps between law as written in regulations and law as implemented in practice, while formulating realistic and implementable reform recommendations.

### **III. ANALYSIS AND DISCUSSION**

#### **a. Dialectic of Judicial Independence and Accountability: The Conceptual Framework of Supervision**

Judicial independence represents a fundamental principle in a rule of law state. It protects judges from interference by politicians, powerful economic actors, and even from pressure within the judiciary itself. Without such independence, courts risk becoming mere extensions of executive or legislative power, and legal decisions become indistinguishable from political negotiation. However, when independence is interpreted as a kind of inviolable immunity, it morphs from a protection into a privilege. At that point, the very principle designed to safeguard justice can begin to shield misconduct.

In many conversations with legal practitioners and scholars, one recurring theme is the sense that Indonesian judicial culture has internalized a defensive understanding of independence. Judges are often taught to be wary of any form of external scrutiny, including from institutions explicitly mandated by the Constitution to uphold judicial integrity. Complaints are easily dismissed as “attacks on independence,” and criticism—even when grounded in careful legal analysis—is sometimes portrayed as ignorance of how the judiciary really works. This defensive posture is understandable given Indonesia’s authoritarian past, when courts were routinely pressured by the executive. Yet if carried too far, it risks turning independence into a taboo topic, rather than an evolving principle that must constantly be reinterpreted in light of new challenges.

True independence is not the same as isolation. A judge who never has to explain unusual decisions, who is never asked to reflect on patterns in their reasoning, and who faces no consequences for deliberate disregard of evidence is not independent in the constitutional sense; that judge is unaccountable. Independence, in its richer sense, presupposes a community of judicial peers and oversight institutions that are capable of asking difficult questions in good faith. A culture in which judges can admit mistakes, learn from peer review, and respond to well-founded criticism is more consistent with the idea of independence as moral responsibility rather than mere institutional insulation.

The relationship between independence and accountability should therefore be understood as mutually constitutive. Accountability mechanisms that are carefully designed and transparently implemented can actually strengthen independence by making it clear that judges answer to principles, not to fleeting political interests. When the standards of supervision are known in advance, applied consistently, and focused on integrity rather than outcome control, judges can decide even politically sensitive cases with greater confidence. They know that if they act in good faith, follow the law,

and provide reasoned justifications, oversight institutions will not punish them simply because their decisions are unpopular.

In the Indonesian context, however, this ideal balance has not yet been achieved. The legal framework separates “judicial technical matters” from “judicial ethics” as if the two were easily distinguishable in practice. In reality, the line between them is blurry. A pattern of decisions that repeatedly disregards certain types of evidence, or that consistently interprets key legal concepts in ways that benefit particular actors, may indicate not just a doctrinal stance but a deeper ethical problem. When oversight bodies are prevented from even asking questions about these patterns, under the pretext that they are “technical,” the system effectively disables one of its main tools for safeguarding integrity.

A more human-centered understanding of independence and accountability begins with acknowledging that judges, like all professionals, operate under pressures, incentives, and blind spots. They may genuinely believe that they are deciding cases fairly while unintentionally reproducing biases or overlooking crucial evidence. In such circumstances, accountability mechanisms are not only about sanctioning misconduct; they are also about creating structures that help judges see what they might otherwise miss. This is where tools such as peer review, transparent reasoning, and data-based pattern analysis can play an important role, not as instruments of control but as supports for better judicial decision-making.

**b. Constitutional Court Decision No. 39/PUU-XIII/2015: Narrowing the Judicial Commission's Authority**

Constitutional Court Decision Number 39/PUU-XIII/2015 fundamentally altered the supervisory landscape in Indonesia by distinguishing between “judicial technical matters” (which became off-limits for the Judicial Commission) and “judicial ethics” (which remained within its purview). The problem with this distinction is its analytical weakness. The Constitutional Court created a legal fiction by suggesting that matters of judicial technical reasoning can be completely separated from matters of judicial ethics. In reality, the quality of legal reasoning is intimately connected to judicial integrity.

The Ronald Tannur case exemplifies this problem perfectly. The acquittal judgment contained legal reasoning that was strikingly inconsistent with the evidence presented. Yet because the Judicial Commission interpreted the constitutional decision as prohibiting it from examining such technical matters, it could not intervene proactively. This restriction has had three concrete consequences: it narrowed the Judicial Commission's preventive capacity; it created coordination gaps between the Judicial Commission and the Supreme Court's internal supervisory mechanisms; and it left Indonesia

without any institution effectively capable of identifying problematic judicial patterns before they crystallize into concrete harm.

**c. Supervisory Failure in the Ronald Tannur Case: Systemic and Institutional Analysis**

The acquittal of Gregorius Ronald Tannur at the Surabaya District Court in 2016 represents more than a single problematic judgment. It represents a comprehensive failure of judicial supervision systems designed specifically to prevent such outcomes.

The evidence presented during trial clearly demonstrated Tannur's involvement in human trafficking and abuse of minors. Yet the judicial panel not only acquitted him but did so using legal reasoning that was internally inconsistent and inadequately supported by evidentiary record. This inconsistency should have triggered immediate alarm within any functioning supervision system.

Why did the internal supervision mechanisms of the Supreme Court fail to detect this? The Supreme Court's Supervisory Board operates under significant constraints. First, it is understaffed relative to the number of judges and cases requiring scrutiny. Second, it operates within an institutional culture that prioritizes judicial independence over accountability, making it reluctant to intervene even when problems are apparent. Third, internal supervision by definition lacks the external perspective and institutional independence necessary to challenge powerful judges or judicial panels.

In the Tannur case, the absence of timely supervisory response is especially troubling when viewed from the standpoint of the victim and her family. For them, the courtroom is not simply a site of legal argument but the last stage in a long and exhausting journey to seek recognition and protection from the state. When a verdict appears to ignore or minimize the harm they have suffered, the damage is not only legal but deeply personal. It sends an implicit message that their suffering is negotiable and that institutional comfort may carry more weight than their rights.

A functioning supervision system would not guarantee a particular outcome in any individual case, but it would at least guarantee that when a judgment sharply diverges from what the evidence seems to support, someone takes a closer look. That “second look”—whether by internal supervisors or by an independent commission—serves as a form of reassurance to the public that the judiciary is capable of self-correction. When such mechanisms fail to activate, citizens are left with the impression that judges answer only to themselves, and that no one inside the system is willing to say, “This deserves deeper scrutiny.”

Why did the external supervision mechanism—the Judicial Commission—also fail? As analyzed above, the Constitutional Court's 2015

decision had constrained the Judicial Commission's authority precisely in areas where red flags were most visible. Additionally, the Judicial Commission works on a complaint-based reactive system. Without external parties (such as prosecutors) bringing concerns to the Commission's attention, the Commission relies on passive receipt of complaints, which never arrived in this case.

The Ronald Tannur case reveals a critical institutional design flaw: Indonesia's dual supervision system (internal and external) was operating as a fragmented rather than coordinated system. Each institution waited for the other to act. Neither took ownership of the broader supervisory function

#### **d. Reactive Nature of Indonesian Judicial Supervision: Root Causes and Implications**

The third key finding of this research concerns the predominantly reactive character of judicial supervision in Indonesia. This reactivity stems from several institutional and structural factors.

First, both the Supreme Court's internal supervision and the Judicial Commission's external supervision operate primarily through complaint mechanisms. They wait for problems to be reported rather than proactively investigating or monitoring judicial performance. This is fundamentally different from the approach adopted in other countries, such as England's Judicial Conduct Investigations Office, which combines complaint mechanisms with systematic monitoring and quality assurance protocols.

Second, the absence of comprehensive data systems makes proactive supervision nearly impossible. Indonesian courts lack integrated information systems that would allow supervisory institutions to identify statistical anomalies—such as unusually high acquittal rates for particular types of crimes, patterns of inconsistent reasoning, or judges whose decisions are disproportionately overturned on appeal. Such systems are standard in advanced judicial systems and enable supervisory institutions to focus their investigations on areas of genuine concern.

Third, there is a persistent cultural bias toward protecting judicial autonomy at the expense of accountability. This bias is not unreasonable—it stems from legitimate concerns about political interference in judicial decision-making. However, it has been interpreted too broadly, such that even transparent professional scrutiny is viewed with suspicion. This culture makes judges reluctant to participate in robust peer review or quality assurance mechanisms.

Fourth, supervisory institutions in Indonesia have operated with inadequate resources and limited institutional capacity. The Judicial Commission, despite its mandate, has been chronically underfunded relative to the size of the judiciary and the complexity of its supervisory mission.

Similarly, the Supreme Court's Supervisory Board operates with limitations in both personnel and procedural infrastructure.

These factors combine to create a system that is inevitably reactive—addressing problems only after they manifest in obvious ways that external authorities (such as law enforcement) discover independently.

**e. Comparative Perspective: The English Model and Its Relevance to Indonesia**

England's Judicial Conduct Investigations Office (JCIO) operates within a framework that successfully balances judicial independence with accountability while combining reactive complaint mechanisms with proactive measures. In everyday practice, a judge who becomes the subject of a complaint undergoes initial screening to assess whether the allegation is clear, relevant to judicial conduct standards, and supported by facts. Complaints expressing only dissatisfaction with outcomes are usually closed at this stage. If a complaint passes this preliminary filter, the judge is given an opportunity to present a written response, and only in certain circumstances is the matter escalated to a more in-depth inquiry.

The JCIO employs several mechanisms absent from Indonesia's system: it operates a formal quality assurance framework that enables systematic review of judicial conduct and performance; it has established clear, detailed guidelines for judicial conduct that go beyond general ethical principles; and it conducts preliminary investigations and assessment before formal proceedings, screening out complaints lacking merit while identifying patterns of concern.

Importantly, the English system does not sacrifice judicial independence. Rather, it protects a more meaningful conception of independence— independence from political control combined with professional accountability to peers and to public standards. However, the English model cannot be transplanted directly to Indonesia. Several core principles are transferable: the value of systematic data collection and pattern identification; the importance of clear conduct guidelines; the feasibility of combining reactive complaint mechanisms with proactive monitoring; and the possibility of maintaining judicial independence while strengthening accountability mechanisms.

Table 1 Comparative Analysis: Indonesian vs. English Judicial Supervision Models

<b>Dimension</b>	<b>Indonesia (Current)</b>		<b>England (JCIO)</b>	
<b>Supervision Type</b>	Primarily	complaint-based	Complaint-based	+
	reactive		systematic	proactive
			monitoring	

<b>Data Systems</b>	No integrated performance data analysis	Systematic pattern identification and anomaly detection
<b>Scope of Review</b>	Limited to “ethics”; excludes “technical matters”	Integrated review of conduct manifesting in reasoning quality
<b>Coordination</b>	Fragmented (internal/external operate separately)	Coordinated single body (JCIO) with clear procedures
<b>Initial Screening</b>	Case-by-case assessment without clear filters	Preliminary assessment distinguishes frivolous from substantive complaints
<b>Transparency</b>	Limited public reporting on supervisory actions	Regular publication of statistics and case summaries
<b>Judge Protection</b>	Independence protected through isolation	Independence protected through clear standards and peer accountability
<b>Institutional Capacity</b>	Chronically under-resourced	Adequate staffing and budget allocation

**f. Proposed Regulatory and Institutional Reforms with Operational Definitions**

Based on the analysis above, this research proposes three categories of reform, with explicit operational definitions of key concepts:

**1. Clarification of Oversight Boundaries (Operational Definition)**

The distinction between "judicial technical matters" and "judicial ethics" must be operationally redefined as follows:

- a) Judicial ethics jurisdiction includes any aspect of judicial conduct—whether procedural, evidentiary, or reasoned—that exhibits: (a) patterns of inconsistent treatment of similarly situated parties; (b) logical incoherence between stated findings and articulated reasoning; (c) systematic disregard of evidence categories; (d) conflicts of interest or appearance of bias; or (e) reasoning patterns statistically anomalous compared to peers.
- b) Off-limits areas remain: appellate court review of first-instance judgments through normal appeal mechanisms, and reversal on grounds of different legal interpretation when reasoning is coherent and evidence-grounded.
- c) Trigger mechanism: When a judgment exhibits multiple indicators listed above, supervisory institutions (internal or external) have authority to open preliminary inquiry without awaiting external complaint.

## **2. Regulatory Reform through Legislative Reform**

First, enactment of the Judicial Office Bill and revision of the Judicial Commission Law should achieve: (1) clarify boundaries as operationalized above; (2) restore the Judicial Commission's authority to examine reasoning patterns when they indicate ethical concerns; (3) establish mandatory quarterly data reporting on judicial performance metrics; and (4) formalize coordination mechanisms between Supreme Court Supervisory Board and Judicial Commission through joint procedures.

## **3. Institutional Reform Strengthening Supervisory Capacity**

- a) Adequate budget allocation to both the Supreme Court's Supervisory Board and the Judicial Commission (minimum 3% of total judicial budget)
- b) Development of integrated information systems enabling analysis of: acquittal rates by judge and case type; reversal rates on appeal; patterns of evidence treatment; appeal frequency and success rates by judge
- c) Establishment of peer review and quality assurance protocols meeting at least quarterly
- d) Formalization of joint coordination mechanisms with shared case tracking system

## **4. Technological Integration: AI Systems with Safeguards**

The proposed AI integration must include specific risks and safeguards:

- a) Pattern identification: Detecting statistically unusual acquittal rates, reversal rates, or reasoning inconsistencies within defined tolerance thresholds
- b) Anomaly flagging: Identifying decisions whose internal logical structure diverges significantly from typical reasoning patterns for judges of similar experience
- c) Trend analysis: Tracking judicial performance changes over time and by case category

Identified Risks of AI Implementation:

- a) Algorithmic bias risk: AI trained on historical data may perpetuate existing discrimination patterns or judicial biases. Mitigation: regular bias audits by independent technical experts; disaggregated analysis by protected characteristics; human review of all AI-flagged cases before investigation initiation.
- b) False positives risk: AI may flag legitimate judicial discretion as anomalous. Mitigation: high confidence thresholds before flagging; preliminary human screening of AI outputs; judge opportunity to respond with explanations; regular accuracy measurement against human expert review.

- c) Chilling effect risk: Judges may become overly cautious, producing boilerplate reasoning lacking substantive engagement. Mitigation: clear communication that AI flags for investigation, not punishment; emphasis that outlier status alone is not misconduct; integration with peer support rather than punitive framing.
- d) Data security and misuse risk: Judicial performance data could be accessed inappropriately or used politically. Mitigation: restricted access controlled by independent data governance board; encryption standards meeting international security protocols; audit logs of all data access; legislative prohibition on use of data for political purposes.
- e) Validity and reliability risk: AI outputs may not accurately correlate with actual misconduct. Mitigation: rigorous validation studies comparing AI-flagged cases with confirmed misconduct; independent technical evaluation before implementation; continuous performance monitoring with quarterly reports to supervisory bodies.

**Mandatory Safeguards:**

- a) All AI-flagged cases receive human preliminary investigation before proceeding
- b) Judges flagged receive written explanation of why their case was selected
- c) AI system outputs are never used as sole basis for disciplinary action
- d) Independent technical audit of system annually by certified external experts
- e) Data governance board with judge representation, civil society participation, and transparency
- f) Legislative codification of AI use limitations and judicial review of AI determinations

**5. Coordination Mechanism: Proposed Boundary Clarification Between Internal and External Supervision**

Table 2 Proposed Coordination Framework Between Internal and External Supervision

<b>Matter Type</b>	<b>Supreme Court Supervisory Board (Primary)</b>	<b>Judicial Commission (Primary)</b>
<b>Individual judge conduct violations (abuse of power, conflict of interest, appearance of bias)</b>	Joint investigation with Commission; data provision and analysis	Review of Board's investigation for procedural adequacy; public reporting
<b>Systemic patterns in judicial reasoning (e.g., high acquittal rates)</b>	No performance analysis	integrated data analysis Analysis of patterns; recommendation for institutional reform

<b>inconsistent evidence)</b>	<b>with</b>		
<b>Ethical indicated reasoning quality</b>	<b>violations through</b>	Investigation; coordination Commission's expertise	with Co-investigation; final determination on ethical findings
<b>Implementation reforms and institutional change</b>	<b>of</b>	Supreme leadership responsibility Commission oversight	Court Commission monitoring and public reporting with

#### IV. CONCLUSION

This study has demonstrated that judicial supervision in Indonesia faces three interconnected problems rooted in institutional design, regulatory limitation, and reactive operational frameworks. Reconstructing the paradigm of judicial supervision therefore means more than revising statutes or redefining institutional mandates. It requires a conscious decision to treat judicial independence not as a shield against all forms of scrutiny but as a commitment to decide cases responsibly, transparently, and with an awareness of their social impact.

The reforms proposed in this article—clarifying boundaries between technical reasoning and ethics through operational definitions, restoring balanced authority to the Judicial Commission, strengthening data systems and coordination mechanisms, and carefully integrating artificial intelligence tools with appropriate safeguards—are not ends in themselves. Their deeper purpose is to ensure that the judiciary can look honestly at itself and that society can, in turn, look at the judiciary with renewed trust.

Ultimately, the legitimacy of Indonesia's judiciary will not be measured only by the elegance of its legal arguments or the formal independence of its judges, but by the extent to which its decisions resonate with a shared sense of justice. Judicial supervision, understood in this broader sense, is not a threat to the courts; it is one of the conditions that allows them to fulfill their role as the guardians of the rule of law in a way that citizens can see, feel, and believe.

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