

**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 penyuapan 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.

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