Stefanus Hendrianto, *Law and Politics of Constitutional Courts, Indonesia and the Search for Judicial Heroes*. London and New York: Routledge, 2018, xix + 291 pp. ISBN 9781138296428, price: GBP 120 (hardback).

The birth of the Indonesian Constitutional Court reads like a joke. Law makers and politicians in the legislative branch did not have any intention of creating a court capable of exercising a robust model of judicial review. Their initial intention was to supervise presidential impeachment. However, they realized that they had to endow the court with more authority than that. The joke continued when the court opened on August 19, 2003. It had no funding, no office, and no support staff. The judicial leadership of Jimly Asshiddiqie has changed this situation, as we can read in the book currently under review. As he stated, the court was equipped with only three pieces of paper: the Constitution, the Constitutional Court Law, and the presidential decree that appointed the Constitutional Court justices (p. 64).

Hendrianto's book is a critical assessment of judicial leadership, examines its impact on the development of Indonesia's constitutional court. It illuminates the efforts of the first-generation "judicial heroes" of the Indonesian Constitutional Court and critically examines what happened after the Chief Justice Jimly Asshiddiqie left the office. It consists of nine chapters, divided into four parts. Part one focuses on the foundations, explaining theories of judicial heroes. The four chapters of part two discuss the court's first generation, especially the leadership of Jimly Asshiddiqie and Mahfud MD. Three chapters in part three described its second generation, which is described as less heroic. Part four is the book's conclusion.

Begun as the author's PhD thesis at the University of Washington, the book aims to answer two main questions. What is the impact of chief justices on the development of judicial authority? How can we evaluate different models of judicial leadership in the Indonesian Constitutional Court?

Quoting John Gava (2001), the book refers to heroic judges as people who "boldly discover rights, refuse to be bound by out-of-date precedents and replace strict rules with flexible standards based on their notions of reasonableness, fairness, and efficiency". Based on various experiences of judicial leadership at constitutional courts, Hendrianto theorizes that a judicial hero achieves such a status through a courageous and ambitious interpretation of the constitution, participating in economic, social, and political governance. A judicial hero has to save society from social wrongs by discovering rights in the law and challenging the status quo (p. 15).

The book then examined the judges of Indonesia Constitutional Court since its very beginning. Its founding chief justice, Jimly Asshiddiqie, is argued to

BIJDRAGEN TOT DE TAAL-, LAND- EN VOLKENKUNDE

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be a 'prudential-minimalist type of judicial hero' on the basis of his combination of maximalist and minimalist strategies. The court struck down many governmental policies during his leadership, but at the same time it sometimes delayed the implementation of its decisions, or allowed the government to make practical adjustments to its policies (p. 5).

This book also focuses on Jimly Asshiddiqie's intellectual leadership, arguing that this strategic-minded chief justice combined ambitious interpretations of the constitution with "quasi-weak-form review", including the willingness to recognize the merits of deferring to political judgments about the constitution. Through this strategy, Asshiddiqie successfully strengthened the court's authority while simultaneously fortifying it against the executive and legislative branches of Indonesia's government (p. 6).

Hendrianto also compares Asshiddiqie with Mahfud. Mahfud transformed quasi-weak-form review into a tool to issue strong remedies without giving substantial deference to the legislature. Mahfud led the court to bypass many procedural rules, changing it into a pro-social justice court with a mission to provide benefits for poor and disadvantaged people. His leadership style was aggressive, which did not serve the court in the long run because it proved hard to maintain its longevity. It provoked a direct attack on the court by the elected branches of government in 2011 (p. 8).

Both first-generation leaders have increased the court's legitimacy among other state institutions. Conversely, as Hendrianto argues afterwards, the "anti-heroes" can be held responsible for 'miscarriage of chief justice' (p. 185). They are Akil Mochtar (2013), Hamdan Zoelva (2013–2015), and Arief Hidayat (2015–2017).

Mochtar was charged and convicted for bribery. Zoelva and Hidayat are described as typical soldier chief justices, who perceive the function of the court as following the orders of the constitution and the political branches of the government. Unsurprisingly, during their leadership, the court often played it safe through the issuance of conditionally unconstitutional decisions without bold rulings. The challenge they introduced, then, is how to maintain a constitutional democracy with mediocre judges (p. 260).

The book contains numerous critical insights on development of the court from individual rather than institutional perspectives. Its focus on judicial heroism might be unusual for scholars who may prefer the term judicial leadership. The study also discusses other constitutional court leaderships, such as Laszlo Solyom of the Hungarian Constitutional Court (1990–1998), who established the notion of "invisible constitution", or Awad al-Murr of the Supreme Constitutional Court of Egypt who took great pride in developing ambitious jurisprudence based on rights provisions and international human rights standards (p. 14).

Such a view comes with certain shortcomings. A judicial hero is by definition an individual, offering no collective, collegial model of leadership. We therefore read little about the role of the vice chairman, who could act as a backup for criticism, or even underpin the institutional governance. Equally neglected is the role of other justices in making independent decisions. There are discussions among justices (*Rapat Permusyawaratan Hakim*) to exchange ideas, legal briefs, witness and expert testimonies. Despite these private debates, a majority of the Court (five or more justices) decides the outcome of a case. The role of such discussions has received limited attention in the book (p. 62).

In the *Communist Party* case, the court decided its first high-profile civil and political rights case relating to past human rights abuses. It struck down a provision in the General Election Law, which held that “individual members of the Communist Party and its affiliates should be treated equally as citizens without discrimination” (pp. 82, 118). This case was quite controversial in terms of its legacy of the authoritarian Soeharto regime and its political and social stigmatization over people connected to the Communist Party. The court took this approach to avoid a political confrontation with elected politicians. Asshiddiqie leadership can thus be seen as quite successful in enhancing the court’s authority and defending it from debilitating attacks.

Overall, this book offers two illuminating perspectives: understanding patterns of ‘judicial behavior’ through the lens of leadership, and presenting a comparative framework of leadership in changing constitutional systems. In examining Indonesia’s constitutional court, this book completes the work of Petra Stockmann (2007), Simon Butt (2015), and Donald L. Horowitz (2013). Hendrianto has succeeded in mapping the development of a key judicial institution through the perspective of judicial heroes. Its model of “prudential-minimalist heroes” can be expanded to other law enforcement institutions, such as prosecutor offices, police institutions, and state institutions operating under the constitutional system. The book is coherent, original, clear, and—with regard to the development of rule of law after more than three decades of authoritarianism—it contains many surprises.

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