

Substantive Transparency of Judicial Review Decisions in Digital Constitutional Platforms

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Abstract

This study examines the substantive transparency of judicial review decisions on the Constitutional Court's digital platform within the framework of good constitutional governance. The research addresses a critical gap in existing scholarship and regulatory practice, which predominantly emphasize administrative transparency and procedural digitalization while neglecting the accessibility and comprehensibility of constitutional legal reasoning (ratio decidendi). Using a normative-policy approach, the study combines regulatory analysis of Constitutional Court Regulation No. 8 of 2019 and No. 10 of 2023, doctrinal examination of selected constitutional review decisions, and conceptual analysis grounded in legal informatics and open justice principles. The findings demonstrate that the current digital platform primarily functions as an administrative repository and fails to ensure substantive transparency due to the absence of structured reasoning disclosure, semantic information architecture, standardized explanatory formats, and cognitively accessible legal communication. Consequently, digital transparency remains formally compliant yet substantively limited in promoting constitutional accountability and democratic participation. The novelty of this research lies in the development of an integrative analytical framework connecting jurisprudential theory, legal informatics, and constitutional governance through the dimensions of clarity, structure, consistency, and accessibility as indicators of substantive judicial transparency. This study contributes theoretically by redefining digital judicial platforms as normative instruments of democratic constitutional accountability and practically by proposing governance-oriented standards for ratio decidendi disclosure, semantic tagging, user-centered platform design, and participatory transparency mechanisms in constitutional adjudication.

Keywords: Constitutional Governance; Judicial Transparency; Ratio Decidendi.

1. INTRODUCTION

The Constitutional Court of the Republic of Indonesia holds a strategic position in the national constitutional architecture, primarily through its authority to conduct judicial review of legislation against the 1945 Constitution. As the guardian of constitutional supremacy, its rulings are not only legally binding but also instrumental in shaping the trajectory of national legal development.¹ In this context, the transparency of judicial review decisions constitutes a foundational pillar for ensuring constitutional accountability, reinforcing institutional legitimacy, and fostering public trust. The advent of digital technologies has fundamentally transformed public access to constitutional justice. Digital platforms now enable instantaneous, borderless dissemination of court rulings, theoretically empowering citizens to scrutinize the legal reasoning underpinning constitutional adjudication. Yet, this technological leap has not automatically translated into meaningful public comprehension. A critical distinction emerges between administrative transparency—merely the availability of digital documents—and substantive transparency,

¹ U. Ar-Razy, R. S. M., & Rosidin, "Asas-Asas Hukum Acara Mahkamah Konstitusi Dan Implikasinya Terhadap Kewenangan Uji Materi Undang-Undang," *Jurnal Hukum Legalita* 7, no. 1 (2025): 68–78, <https://doi.org/10.47637/legalita.v7i1.1717>.

which demands that legal reasoning be structured, contextualized, and cognitively accessible to diverse audiences.²

Contemporary scholarship on judicial digitalization has largely coalesced around two thematic streams. The first examines the socio-legal dynamics of constitutional adjudication, exploring how judicial decisions reflect institutional power, normative shifts, and democratic accountability. The second focuses on the operational digitization of court systems, emphasizing procedural efficiency, e-court infrastructure, and cost-effective justice delivery. While these bodies of work have significantly advanced our understanding of legal-institutional evolution and technological adoption, they predominantly treat transparency as a procedural or administrative metric.³ International discourses on digital judiciaries, open justice, and legal informatics increasingly recognize that true judicial transparency in the digital age requires more than document repositories; it necessitates semantic structuring, user-centered information design, and accessible presentation of the *ratio decidendi*. However, domestic regulatory frameworks, including Constitutional Court Regulation No. 8 of 2019 and No. 10 of 2023, have yet to operationalize these standards. This constitutes the primary research gap addressed in this study: existing literature and policy instruments remain anchored in administrative transparency and operational efficiency, leaving the systematic and cognitively accessible disclosure of the *ratio decidendi* largely unexamined and institutionally unregulated.⁴

Mukhtar emphasizes the importance of accountability and transparency within Indonesia's electronic court system by focusing on procedural openness, digital case management, and institutional efficiency in judicial services.⁵ The strength of this research lies in its detailed explanation of how digital court systems contribute to administrative transparency and public access to justice. Nevertheless, the study remains limited to procedural and managerial aspects of digital governance without examining how judicial reasoning itself is communicated and understood by the public. The absence of analysis concerning the accessibility of *ratio decidendi* demonstrates that transparency is still interpreted in a formal-administrative sense rather than as substantive constitutional accountability. This limitation becomes significant because constitutional legitimacy in digital adjudication depends not only on access to documents but also on the intelligibility of judicial reasoning.

² S Fatimah, "Transformasi Ruang Publik Digital: Tantangan Sosial Dan Konstitusional Dalam Demokrasi Era Media Baru," *Cakrawala* 19, no. 1 (2025): 67–86, <https://doi.org/10.32781/cakrawala.v19i1.785>.

³ William Edward Sibarani, "Modern Justice: Indonesia's Supreme Court's Challenges to Uphold Fair Trial Principles Through Digitalization," *Brawijaya Law Journal* 10, no. 106–21 (2023), <https://doi.org/10.21776/ub.blj.2023.010.01.07>.

⁴ Kuswan Hadji et al., "Implementasi Good Governance Dalam Perspektif Lembaga Negara Mahkamah Konstitusi," *Jurnal Hukum* 6, no. 1 (2025), <https://doi.org/10.54209/judge.v6i01.934>.

⁵ Tanto Lailam Mukhtar, "Accountability and Transparency of the Electronic Court and Litigation Systems in Indonesia," *Jurnal Hukum* 37, no. 2 (2022): 157–73, <https://doi.org/10.26532/jh.v39i2.32552>.

Sibarani analyzes the challenges faced by Indonesia's judiciary in maintaining fair trial principles amidst judicial digitalization, particularly regarding procedural fairness, equality of access, and technological adaptation.⁶ The primary contribution of this research is its critical evaluation of how digital transformation affects due process and institutional integrity within the judiciary. However, the study primarily concentrates on the operational consequences of digital systems and does not address the structural presentation of constitutional reasoning or the cognitive accessibility of judicial review decisions. As a result, the discussion of transparency remains confined to access mechanisms and technological infrastructure, leaving the normative dimension of public comprehension of constitutional adjudication insufficiently explored. This gap highlights the need for a more integrative approach that connects digital governance with substantive judicial communication.

Park discusses the digital transformation of the Constitutional Court of Korea through the development of an intelligent constitutional court system integrating information technology, data accessibility, and public-oriented judicial services.⁷ The strength of this study lies in its advanced conceptualization of digital courts as instruments of participatory constitutional governance rather than merely administrative repositories. In particular, the research demonstrates how digital platforms can facilitate legal education, public engagement, and contextual understanding of constitutional jurisprudence. Nevertheless, the study focuses predominantly on technological innovation and institutional modernization within the Korean context without constructing a comprehensive normative framework for evaluating substantive transparency through dimensions such as clarity, structure, consistency, and accessibility of ratio decidendi. Therefore, despite providing valuable comparative insights, the research does not formulate an analytical model capable of systematically measuring substantive judicial transparency in constitutional digital platforms.

This gap raises a fundamental research question: How can the Constitutional Court's digital platform be systematically optimized to transition from mere administrative document availability to substantive transparency of the ratio decidendi, in alignment with the normative demands of good constitutional governance and open justice? Addressing this question is urgent, as digital platforms have become the primary interface between the constitutional judiciary and the public. Without deliberate interventions in information architecture and regulatory standards, digital transparency risks becoming a symbolic exercise that perpetuates information asymmetry and undermines constitutional accountability.

⁶ Sibarani, "Modern Justice: Indonesia's Supreme Court's Challenges to Uphold Fair Trial Principles Through Digitalization."

⁷ Jongmun Park, "Digital Transformation in the Constitutional Court of Korea: Intelligent Constitutional Court System," 2023, 1–6.

This study departs from prior research by proposing an integrative analytical framework that bridges digital platform governance, legal informatics principles, and substantive constitutional accountability. Rather than treating digitization as a neutral administrative upgrade, this research positions the digital platform as a normative instrument for democratic constitutional literacy. The novelty lies in developing a conceptual model for evaluating and operationalizing substantive transparency, moving beyond descriptive critiques to offer actionable standards for ratio decidendi disclosure, user-centric platform design, and participatory judicial governance. Accordingly, this study aims to: (1) analyze the normative and regulatory framework governing decision transparency; (2) evaluate the cognitive and structural accessibility of the ratio decidendi on the Constitutional Court's digital platform; and (3) formulate evidence-based recommendations for optimizing the platform as an instrument of good constitutional governance that ensures accountable, participatory, and substantively transparent constitutional adjudication.

2. METHOD

This study employs a normative-policy design that systematically interrogates the intersection between constitutional adjudication norms, institutional digitalization policies, and their practical manifestation on judicial platforms.⁸ Rather than relying on field-based empirical data, the inquiry proceeds through structured document analysis, regulatory mapping, and systematic content evaluation of published rulings and platform interfaces. The methodological framework integrates statutory, case-based, and conceptual lenses to trace how transparency mandates are codified, implemented, and ultimately rendered accessible to non-specialist audiences.

To operationalize the abstract concept of transparency, this study develops a four-dimensional evaluation matrix that serves as the core analytical instrument for measurement. The first dimension, structural disclosure, examines the explicit demarcation of binding constitutional reasoning (ratio decidendi) from supplementary considerations (obiter dicta), concurring or dissenting opinions, and procedural history, with indicators including designated headings, logical sequencing of legal arguments, and formal separation of binding versus non-binding content.⁹ The second dimension, cognitive accessibility, assesses the platform's capacity to reduce technical barriers for non-legal audiences through indicators such as executive summaries, plain-language explanations, interactive glossaries, hierarchical navigation, and visual structuring like collapsible sections or highlighted constitutional provisions. The third dimension, regulatory compliance, verifies adherence to statutory publication mandates under Constitutional Court Regulation No. 8 of 2019 and No. 10 of 2023, evaluated through timeliness of publication, completeness of decision metadata, accessibility of full-text rulings, and compliance with digital security and interoperability

⁸ Sidi Ahyar Wiraguna et al., "Eksplorasi Metode Penelitian Dengan Pendekatan," 2025, <https://doi.org/10.47007/lj.v22i1.8801>.

⁹ Erwin Susilo and Dharma Setiawan Negara, "*Ratio decidendi* Dan Obiter Dictum: Evolusi Konseptual Pertimbangan Hakim Dalam Putusan Pidana Indonesia" 16, no. November (2025): 165–81, <https://doi.org/10.22212/jnh.v16i2.5049>.

standards. The fourth dimension, participatory architecture, evaluates features that enable public engagement and accountability, including precedent cross-referencing systems, contextual annotations, feedback mechanisms, academic liaison portals, and transparency reporting functions.¹⁰

Data collection follows a three-stage procedural protocol. Regulatory mapping isolates and extracts transparency obligations from PMK No. 8/2019 and PMK No. 10/2023. Platform audit systematically assesses the official Constitutional Court decision portal against the cognitive and participatory indicators outlined in the evaluation matrix. Doctrinal-content analysis examines a purposive sample of judicial review rulings to evaluate the structural presentation of the ratio decidendi.¹¹ Each ruling and platform feature is coded against the four-dimensional matrix using an ordinal scoring rubric where zero indicates absence, one indicates partial implementation, and two indicates full implementation, enabling systematic comparison across cases and regulatory benchmarks.

Analytical validity is ensured through methodological triangulation and iterative coding consistency. Regulatory texts are cross-verified with platform outputs and doctrinal standards to minimize interpretive bias. The coding protocol is applied systematically, with discrepancies resolved through consensus-based deliberation grounded in established principles of legal informatics and open justice. This operationalized approach transforms normative legal analysis into a replicable assessment model, enabling precise measurement of substantive transparency rather than mere administrative document availability. Research ethics are maintained through rigorous citation accuracy, transparent documentation of the coding framework, and objective application of the evaluative matrix without normative distortion.

3. RESULTS AND DISCUSSION

3.1 The Evolution of the Constitutional Court's Digital Platform and the Regulatory Framework of PMK 8/2019 and PMK 10/2023

The digital trajectory of the Constitutional Court's decision-publishing architecture reflects a paradigm shift from logistical dissemination to information availability, yet it remains critically deficient in cognitive and structural accessibility. While the transition from print-bound archives to online repositories has successfully dismantled geographic barriers, this technological advancement has not been matched by a corresponding evolution in information design or normative standards for legal reasoning disclosure.¹² Evaluating the platform's governance through three operational indicators, accessibility (equitable reach and format adaptability), usability (interface navigation and information architecture),

¹⁰ Al Qodar Purwo Sulisty Dwi Rahayu, "Analisis Implementasi Digitalisasi Putusan Peradilan Di Direktori Putusan Mahkamah Agung Republik Indonesia," *Yurisprudentia: Jurnal Hukum Ekonomi* 8, no. 1 (2022), <https://doi.org/10.24952/yurisprudentia.v8i1.5736>.

¹¹ Habib Ferian Fajar, "Dignified General Elections Urgensi Transformasi Digital Dalam Rangka Mewujudkan Pemilihan Umum Yang Bermartabat," *Jurnal Konstitusi* 23, no. 1 (2024), <https://doi.org/10.31078/jk2316>.

¹² Avita Handayani et al., "Transformasi Digital Melalui Aplikasi Penataan Kearsipan Di Biro Perencanaan Dan Keuangan Sekretariat Jenderal Kementerian Pertahanan Republik Indonesia," *Publika* 14, no. 1 (2026), <https://ejournal.unesa.ac.id/index.php/publika/article/view/75074>.

and legal reasoning clarity (structured disclosure of the ratio decidendi) reveals a persistent gap between formal compliance and substantive transparency.

Constitutional Court Regulation No. 8 of 2019 established the foundational mandate for digital publication and live hearing broadcasts, aligning with broader public information transparency principles. However, its regulatory scope remains confined to procedural availability. The regulation treats document upload as synonymous with transparency, neglecting how complex constitutional reasoning is organized, navigated, or comprehended by non-specialist audiences. Consequently, the platform satisfies a narrow metric of accessibility by providing free downloads, but fails on usability and legal reasoning clarity. Decisions are presented as unstructured PDF replicas of printed judgments, lacking semantic tagging, hierarchical navigation, or contextual annotations that would enable efficient information retrieval.¹³

Constitutional Court Regulation No. 10 of 2023 represents a more comprehensive digital integration, emphasizing system interoperability, real-time case tracking, and standardized digital content. Yet, its implementation continues to prioritize administrative modernization over substantive transparency. The regulation's technical directives focus on infrastructure reliability and data security, leaving the architecture of legal reasoning unregulated. Without mandatory guidelines for separating binding constitutional analysis from supplementary considerations or requirements for plain-language executive summaries, the platform remains a digital archive rather than an interpretive tool. This regulatory omission perpetuates a transparency model that is technically functional but cognitively opaque, undermining the democratic imperative of constitutional accountability.

Comparative jurisprudence demonstrates that mature digital judiciaries treat platform design as a normative commitment to open justice, integrating argument mapping, precedent cross-referencing, and multi-tiered summarization. Indonesia's current framework, by contrast, institutionalizes a passive dissemination model that conflates document availability with meaningful transparency. Until regulatory standards explicitly mandate structured ratio decidendi disclosure, enforce usability benchmarks, and align information architecture with diverse legal literacy levels, digital transformation will remain an administrative upgrade rather than a substantive governance reform. PMK No. 10/2023 integrates information technology into the entire cycle of constitutional proceedings, ranging from digital case registration, integrated information system-based case management, structured publication of rulings, to public information services via mobile applications.¹⁴

Article 15 of PMK No. 10/2023 specifically mandates the development of an integrated digital platform that ensures accessibility, data security, and transparency of constitutional processes. This regulation also emphasizes the importance of digital content

¹³ Sibarani, "Modern Justice: Indonesia's Supreme Court's Challenges to Uphold Fair Trial Principles Through Digitalization."

¹⁴ Winasis Yulianto, Dyah Silvana Amalia, and Muhammad Nurman, "Penelitian Digitalisasi Sistem Informasi Mahkamah Konstitusi," *Cermin : Jurnal* 9 (2025): 670–78, https://doi.org/10.36841/cermin_unars.v9i2.7963.

standardization and system interoperability to ensure the consistency of information presented to the public across various digital channels. Furthermore, PMK No. 10/2023 introduces the concept of data-driven constitutional services, enabling the public to access case information in real-time. This represents a significant advancement from the old, passive, and one-way paradigm.¹⁵

Nevertheless, the technical implementation of PMK No. 10/2023 still faces various structural challenges that cannot be ignored. First, the human resource capacity within the Constitutional Court in the field of information technology still needs to be significantly enhanced. Effective digital transformation requires not only infrastructure investment but also the continuous development of human resource competencies. Second, an adequate budget for the development and maintenance of digital systems is a prerequisite for successful implementation; however, budget availability is often constrained by the dynamic priorities of state spending. Third, the synchronization of the Constitutional Court's digital platforms with the broader national legal system, including the database of laws and regulations and other court information systems, still requires intensive effort.¹⁶

This indicates that the success of digital transformation does not solely depend on the existing regulatory framework, but also on comprehensive institutional readiness, adequate technological capacity, and the institutional ability to translate normative mandates into effective and sustainable implementation. Good regulation is a necessary condition, but not a sufficient one for meaningful transformation.¹⁷

From a comparative policy perspective, both regulations reflect a paradigm shift from reactive transparency toward proactive transparency.¹⁸ PMK No. 8/2019 remains minimalist in scope, while PMK No. 10/2023 moves toward more comprehensive digital integration. However, gaps remain, particularly regarding the disclosure of the *ratio decidendi*. Neither regulation contains explicit provisions requiring the Constitutional Court to present legal reasoning in a structured format, one easily understood by the general public, or accompanied by adequate conceptual explanations. Consequently, existing digital platforms merely reproduce decision documents in their original format without information design interventions that enhance substantive accessibility. This situation contradicts the spirit of good constitutional governance, which demands transparency, not merely the availability of documents, but the openness of the substantive legal reasoning that can be verified and understood by the public.¹⁹

¹⁵ Hani Adhani, "Mahkamah Konstitusi Indonesia Di Era Digital: Upaya Menegakan Konstitusi, Keadilan Substantif dan Budaya Sadar Berkonstitusi" 2, no. 2 (2021): 130–46, <https://doi.org/10.18196/jphk.v2i2.11763>.

¹⁶ Henrico Van Roekel et al., "Digital Transformation Leadership: A Public Value-Centered Measurement Scale," *Government Information Quarterly* 42, no. 4 (2025): 102091, <https://doi.org/10.1016/j.giq.2025.102091>.

¹⁷ Winasis Yulianto, Dyah Silvana Amalia, and Muhammad Nurman, "Penelitian Digitalisasi Sistem Informasi Mahkamah Konstitusi," *Cermin: Jurnal* 9 (2025): 670–78, https://doi.org/10.36841/cermin_unars.v9i2.7963.

¹⁸ Adam Ilyas, "Problematika Peraturan Mahkamah Konstitusi Dan Implikasinya The Problems of Constitutional Court Regulations and Its Implications," *Jurnal Konstitusi* 19 (2022), <https://doi.org/10.31078/jk1943>.

¹⁹ Yuniar Riza Hakiki, "The Idea of Structuring National Legislation Based Constitutional Court Decision Gagasan Penataan Legislasi Nasional Berbasis *Ratio decidendi* dan Obiter Dictum Putusan Mahkamah Konstitusi," 2023, <https://doi.org/10.31078/jk2015>.

An evaluation of the Constitutional Court's official digital platform reveals that while judgment documents can be downloaded for free by anyone, the structure of legal reasoning within these judgments remains in the form of lengthy narratives without clear separation between the ratio decidendi, obiter dicta, and additional considerations. Supporting features such as executive summaries, a precedent-citation system, or explanations of the constitutional context that facilitate understanding for the public without a legal background are not available.²⁰ The overall platform design is more focused on archival functions than on educational or participatory functions. Without fundamental adjustments to information design, digital transparency risks becoming an illusion of openness that, in reality, does not strengthen constitutional accountability.²¹

A more advanced model can be observed at the Constitutional Court of South Korea, which integrates multimedia elements such as visual summaries, case timelines, and thematic categorization of constitutional issues. This approach reflects a shift from the presentation of static information toward dynamic legal communication, where judicial reasoning is not only documented but also actively interpreted and contextualized to ensure public understanding. In these jurisdictions, digital platforms serve not only as repositories but also as instruments for legal education and public engagement, bridging the gap between complex judicial reasoning and public understanding.²²

Compared to these models, the Indonesian Constitutional Court's digital platform remains largely document-oriented and lacks features that facilitate substantive engagement with legal reasoning. The absence of structured summaries, interactive tools, and explanatory layers indicates that digital transformation is still at the level of providing access, not disseminating knowledge. This gap highlights the need for a paradigm shift in the design and governance of judicial digital platforms, from a focus on availability to an emphasis on accessibility and comprehensibility.²³

Therefore, comparative experience shows that effective digital transparency requires not only regulatory support but also deliberate information design strategies that prioritize user experience, cognitive accessibility, and participatory potential. Without adopting such an approach, digital platforms risk perpetuating information asymmetry, where legal knowledge remains concentrated within expert communities despite formal openness. In this regard, the Constitutional Court of Indonesia faces a significant opportunity to reposition its digital platform as a transformative instrument capable of enhancing not only transparency but also democratic constitutional literacy among the public.

²⁰ Arief Rachman Hakim et al., "Kekuatan Hukum Pertimbangan Hakim Mahkamah Konstitusi Mengenai Penjabat Kepala Daerah Indonesia (MKRI). 2 MKRI Yang Merupakan the Guardian of the Constitution Dan" 6, no. 15 (2023): 3–11, <https://doi.org/10.26623/julr.v6i1.5853>.

²¹ American Society for Public Administration Code of Ethics," *Public Admin Rev* 83, no. 4 (2023): 724–72, <https://doi.org/10.1111/puar.13684>.

²² Park, "Digital Transformation in the Constitutional Court of Korea : Intelligent Constitutional Court System."

²³ Vincentius Setyawan, "Efisiensi Atau Kehilangan Esensi Dalam Proses Peradilan," *Jurnal Gagasan Hukum* 7, no. 02 (2025): 10–12, <https://doi.org/10.31849/1rpvs876>.

3.2 Transparency of Constitutional Review Decisions: Standards, Practices, and Gaps in Accessibility of the Ratio Decidendi

Substantive transparency in constitutional adjudication transcends mere document availability; it demands a systematic evaluation of how legal reasoning is disclosed, organized, and made intelligible to diverse publics. Drawing on Robert Alexy's theory of internal and external justification, the ratio decidendi must function as a logically coherent and publicly verifiable core that legitimizes constitutional outcomes.²⁴ To operationalize this requirement, this study applies a four-dimensional analytical matrix: clarity (linguistic precision and conceptual transparency), structure (logical sequencing and explicit demarcation of binding reasoning from supplementary considerations), consistency (doctrinal alignment across jurisprudence), and accessibility (cognitive adaptability for non-specialist audiences). Applied to the Constitutional Court's digital platform, this framework exposes critical divergences between normative transparency ideals and institutional practice.

The clarity dimension reveals a persistent reliance on dense jurisprudential terminology and uncontextualized constitutional abstractions. While legally precise, such language often obscures the Court's interpretive methodology for lay audiences. Neil MacCormick's emphasis on second-order justification underscores that constitutional reasoning must not only be logically valid but also communicatively intelligible.²⁵ The current platform lacks glossaries, plain-language annotations, or conceptual signposting, forcing readers to decode specialized terminology independently.²⁶ Regarding structure, digital judgments are predominantly published as monolithic PDFs that replicate print formatting without semantic adaptation. The ratio decidendi is frequently interwoven with procedural history, factual recitals, and obiter dicta, violating basic information architecture principles.²⁷ Without hierarchical headings, argument-mapping, or explicit separation of binding reasoning from ancillary commentary, users must manually reconstruct the Court's constitutional logic. This structural opacity contradicts digital transparency standards that prioritize navigable, modular content.

The consistency dimension highlights systemic variability in reasoning formats across rulings. In the absence of standardized templates, judges and legal drafters exercise wide discretion in how constitutional tests are articulated. Cross-case analysis demonstrates that analogous legal questions often receive divergent analytical architectures, undermining the precedent function of constitutional jurisprudence. From a jurisprudential standpoint, this inconsistency weakens legal certainty and impedes the cumulative development of

²⁴ By Martin Borowski and German Law Journal, "Special Issue: Constitutional Reasoning On Apples and Oranges . Comment on Niels Petersen," no. 2004 (2025), <https://doi.org/10.1017/S2071832200002315>.

²⁵ M Del Mar, "The Ethics and Politics of Adjudication: A Response to Anker, Crowe, and Golder," *Jurisprudence* 13, no. 2 (2022): 287–300, <https://doi.org/10.1080/20403313.2022.2088754>.

²⁶ Mukhtar, "Accountability and Transparency of the Electronic Court and Litigation Systems in Indonesia."

²⁷ I Dewa Gede Palguna, "Mahkamah Konstitusi Dan Problem Konsistensi Putusan," *Jurnal Hukum Ius Quia Iustum*, 2022, <https://doi.org/10.20885/iustum.vol29.iss2.art1>.

constitutional doctrine, as stakeholders cannot reliably track interpretive shifts or doctrinal evolution. Finally, accessibility is reduced to technical file availability rather than cognitive reach. The platform's static design excludes adaptive features such as tiered summaries, precedent cross-referencing, or interactive legal context tools. Consequently, substantive comprehension remains restricted to legally trained professionals, contradicting the democratic premise that constitutional adjudication must be intelligible to its sovereign audience.

These deficiencies are empirically illustrated in Decision No. 90/PUU-XXI/2023 concerning presidential age requirements. While the ruling contains extensive historical analysis and normative policy considerations, the operative constitutional test is not explicitly isolated or structurally demarcated from ancillary reasoning. Readers must navigate dozens of pages to distinguish binding constitutional norms from contextual commentary. This presentation model, though legally rigorous, fails the clarity and structure thresholds of the analytical matrix, rendering the decision functionally opaque to journalists, educators, and civil society organizations that rely on constitutional jurisprudence for public advocacy. Jurisprudentially, this gap reflects an institutional conflation of document publication with genuine open justice. Legal reasoning is not merely an internal judicial exercise; it constitutes a public justification that must satisfy democratic accountability standards.²⁸

Institutional readiness further compounds these analytical gaps. The transition from administrative digitization to substantive transparency demands comprehensive capacity-building for judges and legal drafters in public-facing legal communication and information architecture.²⁹ Current training curricula predominantly emphasize doctrinal analysis, with minimal attention to cognitive accessibility or structured reasoning disclosure. Without deliberate interventions such as standardized reasoning templates, plain-language editorial workflows, and independent transparency audits, the platform will remain a passive archive rather than a dynamic instrument of constitutional accountability. By aligning digital design with the clarity, structure, consistency, and accessibility framework, the Constitutional Court can bridge the divide between legal rigor and public comprehension, ensuring that digital transformation substantively advances, rather than merely symbolizes, good constitutional governance.³⁰

3.3 Policy Analysis from the Perspective of Good Constitutional Governance

Translating the normative ideals of good constitutional governance into operational platform design requires moving beyond abstract principles to applied institutional analysis. To systematically evaluate the Constitutional Court's digital architecture, this section employs a principle-versus-reality matrix that directly maps observable platform features

²⁸ Jenis Perkara et al., "Ikhtisar Putusan Perkara Nomor 90 / PUU-XXI / 2023 Tentang Persyaratan Batas Usia Minimal Calon Presiden Dan Wakil Presiden" 40, no. 2 (2024).

²⁹ Keterbukaan Informasi, Di Lingkungan, and Ashfa Azkia, "Penerapan Reflexive Law Dalam Upaya Menjamin," *Lex Renaissance* 6, no. 2 (2021): 391–406, <https://doi.org/10.20885/JLR.vol6.iss2.art13>.

³⁰ Mukhtar, "Accountability and Transparency of the Electronic Court and Litigation Systems in Indonesia."

against core governance standards. This analytical structure bridges doctrinal expectations of open justice with the technical and regulatory realities of current implementation.³¹

Table 1. Governance Transparency Gaps and Policy Implications

Governance Principle	Normative Expectation	Empirical Reality (Platform & Practice)	Policy Implication
Proactive Transparency	Anticipatory disclosure structured for public comprehension	Static PDF uploads; no semantic tagging, executive summaries, or tiered accessibility	Shift from document availability to cognitively optimized disclosure
Institutional Accountability	Verifiable, consistent reasoning open to scrutiny	Monolithic judgments; ratio decidendi entangled with obiter dicta; no precedent-mapping tools	Mandate standardized reasoning templates and cross-case verification features
Participatory Engagement	Two-way constitutional dialogue with structured public/academic feedback	One-way dissemination; no comment forums, expert liaison, or clarification channels	Institutionalize verified consultation and interactive feedback mechanisms
Regulatory Clarity	Explicit technical standards for reasoning disclosure and accessibility metrics	PMK 10/2023 emphasizes infrastructure but omits reasoning format, usability benchmarks, or audit protocols	Enact binding technical annexes and independent transparency evaluation frameworks

Source: Processed Data

The empirical data reveal a systemic misalignment between these governance pillars and current platform operations. Under the principle of proactive transparency, the platform satisfies minimal publication mandates but fails to anticipate diverse user needs. The

³¹ Mukhtar.

uniform PDF model treats legal experts, journalists, and lay citizens identically, contradicting good governance's requirement for adaptive information design.³² Without plain-language summaries or navigational aids, the Court's proactive disclosure remains functionally reactive, as comprehension depends entirely on the reader's pre-existing legal literacy.

Regarding institutional accountability, the absence of structural demarcation within judgments obstructs verifiable reasoning. Accountability in constitutional adjudication demands that the ratio decidendi be isolatable, logically traceable, and comparable across jurisprudence. However, the current platform's architecture lacks argument-mapping tools, precedent cross-referencing, or methodological annotations. Consequently, judicial accountability relies on institutional reputation rather than independently verifiable evidence, weakening public capacity to assess doctrinal coherence or detect interpretive shifts.

The deficit in participatory engagement further underscores the platform's monological design. Good constitutional governance treats transparency as a dialogic process that enables structured civil oversight and academic co-production of constitutional knowledge. Yet, the digital interface operates strictly as a top-down broadcast channel. Users cannot annotate rulings, request clarification, or submit structured feedback to the Court. This infrastructure gap isolates constitutional adjudication from democratic discourse, reducing transparency to a compliance exercise rather than a mechanism for public empowerment.

Finally, regulatory clarity remains the foundational bottleneck. While PMK No. 10/2023 advances digital infrastructure, it conspicuously omits technical standards for reasoning disclosure, measurable accessibility benchmarks, and mandatory evaluation protocols. Regulatory ambiguity permits inconsistent judgment formatting and eliminates enforceable accountability triggers. Without explicit annexes defining minimum transparency standards such as mandatory executive summaries, structural tagging requirements, and periodic platform audits, digital transformation will remain an administrative upgrade rather than a substantive governance reform.

This applied analysis demonstrates that substantive transparency cannot be achieved through technological adoption alone. It requires deliberate policy interventions that align platform architecture with governance principles, transforming digital tools from passive repositories into accountable, participatory, and cognitively accessible instruments of constitutional democracy.

3.4 Optimizing Digital Platforms as Instruments of Constitutional Accountability

Addressing the structural gaps between regulatory mandates and platform functionality requires a paradigm shift from administrative digitization to substantive constitutional accountability. Rather than prescribing exhaustive technical specifications,

³² Informasi, Lingkungan, and Azkia, "Penerapan Reflexive Law Dalam Upaya Menjamin."

this study proposes three integrated conceptual recommendations to optimize the Constitutional Court's digital platform as an instrument of good constitutional governance.³³

Central to this framework is the institutionalization of ratio decidendi disclosure as a normative-technical requirement. Current regulations mandate publication but remain silent on the structural presentation of legal reasoning. Embedding explicit guidelines that distinguish binding constitutional reasoning from supplementary considerations, accompanied by standardized executive summaries, would transform transparency from a passive archival obligation into an active mechanism of judicial accountability. Such standardization ensures that constitutional reasoning becomes verifiable, consistent, and accessible across decisions, thereby strengthening the normative coherence of evolving jurisprudence.³⁴

This normative imperative must be operationalized through a platform architecture reconceptualized via the lens of cognitive accessibility and legal informatics.³⁵ The prevailing digital paper model, which replicates static documents without leveraging the semantic and navigational advantages of digital media, falls short of democratic expectations.³⁶ A user-centered information architecture incorporating semantic structuring, hierarchical navigation, and plain-language contextualization should be adopted not merely as a technical upgrade, but as a constitutional commitment to inclusive access to justice.³⁷ By aligning information design with varying levels of legal literacy, the platform can bridge the cognitive gap between complex constitutional adjudication and public comprehension.

Beyond technical and design interventions, substantive transparency demands the systematic integration of participatory and evaluative governance mechanisms. Transparency in constitutional adjudication should not be unidirectional; it requires structured channels for academic engagement, civil society feedback, and independent oversight.³⁸ Institutionalizing periodic transparency audits, capacity-building programs for legal drafters in public-facing communication, and responsive feedback loops would transform the platform from a static repository into a dynamic space for constitutional dialogue.³⁹ This approach embeds accountability directly into the governance structure, ensuring that digital transparency remains adaptive, measurable, and aligned with public expectations.

³³ Agusniwan Etra, "Peran Mahkamah Konstitusi Dalam Perlindungan Hak Pilih Dalam Negara Hukum Demokratis," *Jurnal Konstitusi* 19, no. 2 (2022): 479–502, <https://doi.org/10.31078/jk19210>.

³⁴ Hakim et al., "Kekuatan Hukum Pertimbangan Hakim Mahkamah Konstitusi Mengenai Penjabat Kepala Daerah Indonesia (MKRI). 2 MKRI Yang Merupakan the Guardian of the Constitution Dan."

³⁵ Vivi Lutfia, "Optimalisasi Penegakan Hukum Terhadap Penyelenggaraan Peradilan Melalui E-Court Dalam Mewujudkan Keadilan Bagi Masyarakat Di Era Digitalisasi," *Lex Renaissance*, 2022, <https://journal.uui.ac.id/Lex-Renaissance/article/view/21750/pdf>.

³⁶ Vincentius Setyawan, "Efisiensi Atau Kehilangan Esensi Dalam Proses Peradilan."

³⁷ Taufiqurrohman Syahuri and M Reza Saputra, "Penggunaan Teknologi Dalam Proses Peradilan Serta Dampaknya Terhadap Akses Keadilan (Access to Justice)," *Amandemen: Jurnal Ilmu Pertahanan, Politik Dan Hukum Indonesia* 1, no. 3 (2024): 1–14, <https://doi.org/10.62383/amandemen.v1i3.206>.

³⁸ Mukhtar, "Accountability and Transparency of the Electronic Court and Litigation Systems in Indonesia."

³⁹ Sibarani, "Modern Justice: Indonesia's Supreme Court's Challenges to Uphold Fair Trial Principles Through Digitalization."

Collectively, these recommendations advance a conceptual contribution to the scholarship on digital judiciaries; they reposition the Constitutional Court's platform from a tool of bureaucratic efficiency to a normative instrument of substantive democracy.⁴⁰ By anchoring technical standardization, information design, and participatory oversight within the framework of good constitutional governance, this study demonstrates that true digital transparency requires more than document availability; it demands the systematic, cognitively accessible, and institutionally accountable disclosure of constitutional reasoning.⁴¹ This paradigm shift is essential for ensuring that Indonesia's constitutional digital transformation substantively strengthens, rather than merely symbolically performs, democratic accountability.⁴²

4. CONCLUSION

This study demonstrates that the digitalization of constitutional adjudication in Indonesia has succeeded in expanding procedural access to judicial review decisions but has not yet achieved substantive transparency capable of ensuring meaningful constitutional accountability. Although the Constitutional Court's digital platform fulfills administrative publication obligations, the absence of standardized ratio decidendi disclosure, semantic information structuring, and cognitively accessible legal reasoning limits public comprehension and weakens participatory constitutional governance. The findings reveal that existing regulatory frameworks, particularly PMK No. 8 of 2019 and PMK No. 10 of 2023, remain predominantly infrastructure-oriented and insufficiently regulate the normative architecture of transparent constitutional reasoning. The novelty of this research lies in the development of an integrative analytical framework that systematically connects legal informatics, constitutional governance, and jurisprudential theory through the dimensions of clarity, structure, consistency, and accessibility as indicators of substantive judicial transparency. This study contributes theoretically by repositioning digital constitutional platforms as normative instruments of democratic accountability rather than mere repositories of legal documents, while practically offering a governance-oriented model for redesigning judicial digital platforms through structured ratio decidendi disclosure, semantic tagging, plain-language constitutional communication, and participatory transparency mechanisms. Accordingly, optimizing digital constitutional platforms is essential not only for improving institutional efficiency but also for strengthening public trust, constitutional literacy, and the legitimacy of constitutional democracy in the digital era.

⁴⁰ Sibarani.

⁴¹ Mukhtar, "Accountability and Transparency of the Electronic Court and Litigation Systems in Indonesia."

⁴² Adelia Yuliana, "Peran Dan Potensi Sinergi Mahkamah Konstitusi Dan Pemerintah Dalam Mewujudkan Praktik Good Governance Di Indonesia The Role and Potential Synergy of the Constitutional Court and the Government in Realizing Good Governance Practices in Indonesia Indonesia," *Forschungsforum Law Journal* 1, no. 1 (2024): 14–30, <https://doi.org/10.35586/flj.v1i01.7160>.

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