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Abuse of Prosecutorial Authority and Ethical Violations in the Robot Trading Fahrenheit Case

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Abstract: Abuse of authority by prosecutors constitutes a form of misconduct that not only violates the law but also undermines the integrity of the prosecution service and public trust in the criminal justice system. This study aims to analyze the forms of abuse of authority and violations of the prosecutorial code of ethics in handling the Robot Trading Fahrenheit criminal case, as well as the legal implications arising from such misconduct. This research employs a normative legal method using statutory and case approaches through the analysis of legislation, the prosecutorial code of ethics, court decisions, and relevant legal literature. The findings show that Prosecutor Azam Akhmad Akhsya abused his authority by exploiting his position for personal gain through the manipulation of law enforcement administration, the creation of fictitious beneficiaries, and the misappropriation of IDR 11.7 billion allocated for the return of seized assets. His conduct fulfilled the elements of corruption under Article 12(e) of the Anti-Corruption Law and violated Attorney General Regulation No. 4 of 2024 concerning the Prosecutors' Code of Conduct. The study concludes that such misconduct gives rise to criminal, ethical, and administrative liability, highlighting the need to strengthen internal oversight and enforcement of the prosecutorial code of ethics to uphold professionalism and institutional accountability.

Keyword: Abuse Of Authority, Prosecutors, Code Of Ethics.

INTRODUCTION

Within Indonesia's criminal justice system, the public prosecution service is a state institution vested with the authority to exercise state power in the field of prosecution, as stipulated in Law Number 11 of 2021 amending Law Number 16 of 2004 concerning the Public Prosecution Service of the Republic of Indonesia. As the dominus litis, or controller of criminal proceedings, prosecutors occupy a strategic position in determining the continuation of criminal cases based on the results of investigations and the available evidence (Royani, 2024). Their authority encompasses examining case files, providing directives to investigators regarding deficiencies in the investigation, assessing the sufficiency of evidence, and presenting prosecutions before the court (Mamahit et al., 2026). Accordingly, prosecutors play a pivotal role in ensuring legal certainty, upholding justice, and safeguarding the public interest throughout the criminal justice process.

The extensive authority vested in prosecutors requires that they perform their duties with professionalism, integrity, and independence (Effendy, 2005). In addition to complying with statutory regulations, prosecutors are bound by professional codes of ethics and conduct that establish the moral standards governing the exercise of their authority. These ethical standards require every prosecutor to uphold honesty, objectivity, and accountability while refraining from any form of abuse of power. Consequently, the prosecutorial authority entrusted to prosecutors should be exercised solely for the purpose of law enforcement rather than to obtain personal gain or to serve the interests of particular individuals or groups.

In practice, however, instances of prosecutorial abuse of authority continue to occur. Such misconduct may take the form of accepting gratuities or bribes, as well as engaging in other acts that contravene both the law and the professional code of ethics governing prosecutors. One notable example is the case involving Prosecutor Azam Akhmad Akhsya. In this case, the defendant, who served as a public prosecutor at the West Jakarta District Prosecutor's Office, was alleged to have abused his prosecutorial authority in handling the fraudulent investment scheme known as the Fahrenheit Robot Trading case. Such conduct not only has the potential to prejudice the rights and interests of justice seekers but also undermines the credibility of the prosecution service and erodes public confidence in the criminal justice system (Paridatussa'adah et al., 2026). This case demonstrates that broad prosecutorial discretion, when exercised without adherence to legal and ethical standards, may create opportunities for the abuse of power in the administration of criminal justice.

Efforts to strengthen the integrity and professionalism of prosecutors have been implemented through various internal and external oversight mechanisms, including the enforcement of professional codes of ethics and the imposition of criminal sanctions on prosecutors found guilty of abusing their authority (N. A. Putri & Lewoleba, 2025). Nevertheless, the continued occurrence of prosecutorial misconduct indicates that existing oversight mechanisms and ethical enforcement have not been fully effective in preventing abuses in the exercise of prosecutorial authority. Accordingly, it is essential to undertake a more comprehensive examination of the various forms of abuse of authority committed by prosecutors, as well as the legal implications arising from criminal judgments against prosecutors who are found to have engaged in such misconduct.

Previous research conducted by Khaidir Saleh, Halida Zia, and Abid Muflihin, entitled "*Kode Etik Profesi Jaksa yang Berintegritas Berdasarkan PERJA Nomor: PER-067/A/JA/07/2007 tentang Kode Perilaku Jaksa*," examines the code of ethics as a guideline for maintaining prosecutorial integrity and professionalism in the performance of official duties. However, the study is primarily confined to the normative regulation of the code of ethics and does not examine its application in concrete cases involving prosecutorial abuse of authority (Saleh et al., 2020). Likewise, Imam Rahmaddani's study, entitled "*Pengawasan Kode Etik Jaksa oleh Komisi Kejaksaan Guna Terwujudnya Jaksa yang Profesional dan Berintegritas*," discusses the mechanisms for supervising prosecutorial conduct through the Prosecutorial Commission. Nevertheless, the study focuses predominantly on preventive oversight and does not address legal accountability once an abuse of authority has occurred (Rahmaddani, 2023). Meanwhile, Fayyaz Aqsadia Gisnan's study, entitled "*Penegakan Pelanggaran Kode Etik Jaksa di Wilayah Hukum Kejaksaan Tinggi Jawa Barat*," analyzes the enforcement of the prosecutors' code of ethics based on Lawrence Friedman's legal system theory and concludes that ineffective enforcement is largely attributable to an underdeveloped legal culture. Unlike the present study, however, it concentrates on ethical violations in general and does not specifically analyze prosecutorial abuse of authority in a concrete case or the corresponding legal accountability arising therefrom (Gisnan et al., 2025).

It is evident that previous studies have primarily focused on the prosecutors' code of ethics, oversight mechanisms, and prosecutorial professionalism in general. The present study differs from those works by focusing on prosecutorial abuse of authority in a specific case, namely the case involving Prosecutor Azam Akhmad Akhsya. It examines the forms of abuse of authority, violations of the prosecutors' code of ethics, as well as the legal accountability and the legal implications of the criminal judgment imposed on a prosecutor found guilty of abusing prosecutorial authority.

Based on the foregoing discussion, this study addresses two principal research questions, namely the forms of abuse of authority committed by prosecutors within Indonesia's criminal justice system and the legal implications arising from criminal judgments against prosecutors who are found guilty of abusing their authority. These issues warrant careful examination in order to clarify the limits of prosecutorial authority and the legal consequences that may be imposed to uphold the integrity and accountability of law enforcement in Indonesia.

METHOD

This study employs a normative legal research method, focusing on the examination of legal norms governing prosecutorial authority, abuse of authority, and violations of the prosecutors' code of ethics in the handling of criminal cases. The research adopts both a statutory approach and a case approach. The statutory approach involves the analysis of legislation governing the Public Prosecution Service, criminal law, and the prosecutors' code of ethics, while the case approach examines judicial decisions and a specific case involving a prosecutor as the perpetrator of the criminal offence of abuse of authority. The legal materials consist of primary legal materials, including legislation, the prosecutors' code of ethics, and judicial decisions, as well as secondary legal materials, including books, scholarly journal articles, and other relevant legal literature. All legal materials are analyzed qualitatively to obtain a comprehensive understanding of the forms of prosecutorial abuse of authority and the legal and ethical implications arising therefrom.

RESULTS AND DISCUSSION

Appointment, Professional Development, and Supervision of Prosecutors in Safeguarding Professionalism and Integrity

Given the extensive authority exercised by prosecutors in the prosecution process, the office of prosecutor may only be held by individuals who satisfy the qualifications prescribed by law. In their capacity as Civil Servants (PNS), prosecutors form part of the State Civil Apparatus (ASN) as stipulated in Law Number 20 of 2023 concerning the State Civil Apparatus. Accordingly, the Public Prosecution Service of the Republic of Indonesia implements rigorous recruitment, professional education, and appointment mechanisms to ensure that every individual appointed as a prosecutor possesses the professional competence, integrity, and capabilities necessary to exercise prosecutorial authority in a professional and accountable manner.

In addition to undergoing a competitive selection process and professional education, an individual may be appointed as a prosecutor only upon fulfilling the requirements set forth in Article 9 paragraph (1) of Law Number 11 of 2021 concerning Amendments to Law Number 16 of 2004 on the Public Prosecution Service of the Republic of Indonesia (UU Kejaksaan). These requirements include being an Indonesian citizen who believes in the One Almighty

God, demonstrates loyalty to *Pancasila* and the 1945 Constitution of the Republic of Indonesia, holds at least a Bachelor of Laws degree, has the status of a PNS, is at least 23 years of age and not more than 30 years of age, possesses integrity and an unimpeachable character, and is physically and mentally fit. These statutory requirements demonstrate that the appointment of prosecutors is determined not only by intellectual competence but also by moral character and an ethical track record, which constitute essential foundations for the proper exercise of prosecutorial authority.

The process of becoming a prosecutor begins with participation in the Civil Servant Candidate (CPNS) recruitment conducted by the Public Prosecution Service of the Republic of Indonesia. The selection process consists of administrative screening, a computer-assisted basic competency test comprising the national insight test, the general intelligence test, and a field competency assessment, which generally includes examinations in law, interviews, medical examinations, physical fitness tests, and psychological assessments. In addition to satisfying the academic qualifications in the field of law, applicants must also meet the prescribed physical and mental health requirements, as well as other qualifications established under the recruitment process. Through these stages, the Public Prosecution Service conducts an initial screening to identify prospective prosecutors who possess the competence, character, and readiness required to perform law enforcement duties (Fatimah, 2025).

Upon successfully completing all stages of the selection process, candidates are appointed as CPNS and undergo a probationary period in accordance with the applicable laws and regulations. Thereafter, CPNS recruited for prosecutorial positions are required to participate in and successfully complete the Prosecutor Formation Education and Training Program (PPPJ), which is administered by the Education and Training Agency of the Public Prosecution Service of the Republic of Indonesia. The implementation of the PPPJ is founded on the principle that personnel constitute valuable institutional assets whose competencies must be continuously maintained and developed. This principle is embodied in Attorney General Regulation (PERJA) Number PER-037/A/JA/12/2009 concerning the Administration of Education and Training for Personnel of the Public Prosecution Service of the Republic of Indonesia, which provides that education and training constitute a process of learning and character development aimed at enhancing the knowledge, skills, professionalism, integrity, and discipline of prosecutorial personnel in carrying out their duties, functions, and authority (Waluyo, 2015).

For example, the implementation of the PPPJ for Cohort LXXXIII, Batch I, in 2026 was designed as a strategic stage in the development of professional prosecutors. During the program, participants receive comprehensive instruction in criminal procedure law, prosecution techniques, case administration, professional ethics, the values of *Tri Krama Adhyaksa*, and various competencies required for the performance of law enforcement duties. The PPPJ is intended not only to enhance participants' technical proficiency but also to cultivate professional character, discipline, esprit de corps, ethical standards, and a strong sense of official responsibility, thereby preparing prospective prosecutors to exercise prosecutorial authority on behalf of the State (Admin, 2026).

Upon satisfying all recruitment requirements and successfully completing both the professional education and the PPPJ, a prospective prosecutor is appointed by the Attorney General and is subsequently required to take the official oath or pledge of office as a manifestation of moral commitment prior to assuming prosecutorial office. This comprehensive process forms part of the merit-based ASN management system, which is intended to ensure that every prosecutor possesses not only the technical competence required for handling criminal cases, a thorough understanding of procedural law, and a sound mastery of substantive criminal law, but also the personal integrity and discipline necessary to perform law enforcement duties effectively (Aswin Maysura, 2025). Nevertheless, given the strategic position of prosecutors as *dominus litis*, the broad scope of prosecutorial authority continues to create opportunities for abuse of authority if oversight and control mechanisms are not implemented effectively (Riadi et al., 2026).

As part of the effort to uphold the professionalism and integrity of the prosecutorial corps, prosecutors are represented by a professional organization known as the Indonesian Prosecutors Association (PERSAJA). PERSAJA is the only legally recognized professional organization for prosecutors in Indonesia and serves as a forum through which prosecutors promote the values of justice, expediency, and legal certainty. Historically, the organization traces its origins to the establishment of the *Persatuan Djaksa-Djaksa Seluruh Indonesia* by Attorney General R. Soeprapto on 6 May 1951, which subsequently evolved into PERSAJA. The organization was established in response to the need to unite prosecutors in supporting the rule of law and strengthening the role of the Public Prosecution Service within the Indonesian constitutional system. In addition, PERSAJA seeks to advance and enhance the personal and professional qualities of its members in accordance with the dignity of the prosecutorial profession, both through the development of legal scholarship and the reinforcement of professionalism and integrity as core professional values (Sudirdja, 2024).

In an effort to strengthen the implementation of professional ethical standards for prosecutors, the Public Prosecution Service of the Republic of Indonesia enacted Attorney General Regulation (PERJA) Number PER-014/A/JA/11/2012 concerning the Prosecutors' Code of Conduct (PERJA 14/2012), which was in force at the time the offences in the Azam Akhmad Akhsya case were committed. This regulation serves as the principal ethical framework governing the standards of conduct and professional behaviour that every prosecutor is required to uphold in the exercise of prosecutorial authority (Y. D. Putri et al., 2025). It prescribes various forms of prohibited conduct that may compromise the independence and objectivity of law enforcement, including the abuse of office for personal gain, involvement in conflicts of interest, manipulation of legal facts, and other conduct capable of undermining the integrity of judicial proceedings. The promulgation of this code of conduct demonstrates that prosecutors are required not only to comply with positive law but also to adhere to professional ethical values as the moral foundation for the performance of their official duties(Wahyuni, 2023).

To ensure compliance with the prosecutors' code of conduct, PERJA 14/2012 establishes an enforcement mechanism for addressing alleged violations of professional ethics. Alleged violations may arise from public reports or complaints, as well as findings resulting from internal oversight, namely inherent supervision (*pengawasan melekat*) and functional supervision (*pengawasan fungsional*), as provided under Article 15 paragraph (1) of PERJA 14/2012. *Pengawasan melekat* is carried out hierarchically by immediate supervisors within the Public Prosecution Service through monitoring, observation, inspection, identification, and analysis of indications of misconduct, followed by the formulation of appropriate corrective measures. Meanwhile, *pengawasan fungsional* is conducted by authorized supervisory officials through various oversight activities, including desk reviews, general inspections, special inspections, leadership inspections, case and reporting inspections, and monitoring activities. At the central level, the supervisory function is performed by the Deputy Attorney General for Supervision (Jamwas) and its subordinate offices, while at the regional level it is carried out by the Assistant for Supervision within the High Prosecutor's Office and examining officials within the District Prosecutor's Office (Sugiarto & Rifat, 2025). Reports of alleged violations are subsequently followed up through clarification and investigation in accordance with the regulations governing supervisory procedures within the Public Prosecution Service. Where the investigation establishes sufficient evidence of a violation of the code of conduct, the competent authority establishes a Prosecutors' Code of Conduct Council (MKPJ) to examine and adjudicate the alleged violation, as provided under Article 17.

During the proceedings, the MKPJ summons the prosecutor alleged to have committed the violation, together with other relevant parties, for examination. The prosecutor concerned is afforded the right to present a defence, while the MKPJ is authorized to examine the evidence, data, facts, and other relevant information before rendering its decision, as stipulated in Articles 20 through 23. Decisions of the MKPJ are binding and serve as the basis for the competent authority to impose administrative measures. Pursuant to Article 13, such administrative measures may include temporary removal from prosecutorial duties for a period ranging from three months to one year and/or reassignment to another work unit for a period ranging from one to two years. Furthermore, Article 12 paragraph (4) expressly provides that the imposition of administrative measures does not preclude criminal liability or disciplinary sanctions applicable to PNS where the conduct also satisfies the constituent elements of a criminal offence or a disciplinary violation. Accordingly, the application of these graduated and stringent sanctions reflects the Public Prosecution Service's commitment to enforcing internal discipline in order to preserve the integrity and dignity of the institution.

The Concept and Forms of Prosecutorial Abuse of Authority

Despite the existence of various oversight mechanisms and the enforcement of the prosecutors' code of conduct, prosecutors have, in practice, continued to misuse the authority vested in their office for purposes that deviate from the proper function of law enforcement, a phenomenon commonly referred to as abuse of power. This phenomenon is consistent with the theory of abuse of power advanced by Acton through the well-known adage, *"Power tends to corrupt, and absolute power corrupts absolutely."* According to Acton, every holder of public authority has a tendency to misuse that authority, particularly where effective mechanisms of oversight and institutional constraints are absent (Hafis & Yogia, 2017). Accordingly, before examining the case that constitutes the object of this study, it is necessary to first understand the concept and various forms of abuse of authority that may be committed by prosecutors.

Under Article 17 paragraph (2) in conjunction with Article 18 paragraph (1) of Law Number 30 of 2014 concerning Government Administration, abuse of authority fundamentally refers to the exercise of authority in a manner that deviates from the purpose for which such authority was conferred (Bujung et al., 2023). Authority that is originally granted to serve the public interest is instead exercised to pursue objectives inconsistent with the legislative purpose underlying its conferral. From the perspective of criminal law, however, abuse of authority may constitute a criminal offence where public office is exercised in bad faith for the purpose of unlawfully benefiting oneself or another person (Latif, 2016). Accordingly, ethical violations, abuse of authority, and criminal offences represent three interrelated legal domains that frequently arise concurrently in practice (Kurniawan, 2024).

Within the context of the Public Prosecution Service, such misconduct may arise from the extensive authority exercised by prosecutors throughout the criminal justice process, beginning with the pre-prosecution stage, continuing through prosecution, and extending to the execution of judicial decisions. Cases involving misconduct by law enforcement officials demonstrate that prosecutorial abuse of authority may take various forms, including exploiting official position for personal gain through bribery, gratuities, demands for money, or extortion directed at parties to criminal proceedings; engaging in irregularities during case handling, such as obstructing legal proceedings, manipulating prosecutorial charges, altering legal facts, or abusing control over evidentiary materials; and acting under circumstances involving conflicts of interest that compromise the independence and objectivity required in the exercise of prosecutorial functions. Fundamentally, these various forms of misconduct stem from the use of official authority for purposes other than the enforcement of law as prescribed by legislation. Consequently, authority that is intended to promote legal certainty and justice is instead exercised to pursue interests that are inconsistent with the objectives for which such authority was originally conferred (Arifin, 2025).

The relationship between abuse of authority and violations of professional ethics is of particular significance in the performance of prosecutorial duties. The misuse of official position for personal gain, the loss of independence arising from conflicts of interest, and conduct that disregards the principle of objectivity in the handling of criminal cases all constitute behaviour that is incompatible with the prosecutors' code of conduct. Consequently, abuse of authority may give rise to multiple layers of legal consequences, encompassing ethical, administrative, and criminal liability (Wahyuni, 2023). A sound understanding of the concept and various forms of prosecutorial abuse of authority is therefore essential as the analytical framework for examining the case involving Prosecutor Azam Akhmad Akhsya, enabling the identification of the specific forms of misconduct committed and the legal implications arising from such conduct.

Abuse of Authority and Its Legal Implications in the Case of Prosecutor Azam Akhmad Akhsya

One of the cases illustrating prosecutorial abuse of authority within the Public Prosecution Service is the case involving Azam Akhmad Akhsya. At the time the alleged offences were committed, the defendant was a PNS serving as a Public Prosecutor (JPU) and Head of the Pre-Prosecution Subsection at the West Jakarta District Prosecutor's Office (Dutainfo, 2025). In that capacity, the defendant was vested with the authority to prosecute criminal cases and to execute judicial decisions that had acquired final and binding legal force.

The offences charged against the defendant arose from his involvement in handling the fraudulent Fahrenheit Robot Trading investment case involving the defendant Hendry Susanto. In that case, the defendant was appointed as a JPU pursuant to the Public Prosecutor Appointment Order Number 3959/M.1.12.3/Eku.2/07/2022 dated 15 July 2022. He also served as the Executing Prosecutor, responsible for enforcing the court's judgment, including the restitution of monetary evidence to the victims entitled to receive it pursuant to the Court Judgment Execution Order Number 7835/M.1.12.4/Eku.3/12/2023. These positions placed the defendant in a role that conferred substantial authority and access over the execution of evidentiary assets. Accordingly, such responsibilities should have been discharged in a professional, transparent, and lawful manner.

Based on the facts established during the trial, the abuse of authority was carried out systematically over the period from August to December 2023. The scheme employed by the defendant extended beyond merely demanding payments from parties with an interest in the restitution of evidentiary assets and involved a series of actions designed to conceal and facilitate the unlawful appropriation of those funds. The defendant was found to have prepared duplicate Minutes of Evidence Restitution (BA-20), created 137 fictitious beneficiary groups known as the "Kelompok Bali," and utilized bank accounts belonging to third parties as conduits for receiving funds in order to disguise the flow of money obtained through the scheme(*Putusan Nomor 48/Pid.Sus-TPK/PN Jkt.Pst.*, 2025). Through this arrangement, a portion of the funds that should have been returned to the victims as restitution of evidentiary assets was instead unlawfully diverted and appropriated by the defendant.

During the execution of the judgment on 23 December 2023, the defendant received approximately IDR 11.7 billion from several legal counsel representing the victims. The funds were subsequently used for various personal purposes, including the purchase of insurance products, the placement of time deposits, the acquisition of land and residential property in the name of the defendant's wife, and the financing of religious pilgrimage and overseas travel (*Putusan Nomor 48/Pid.Sus-TPK/PN Jkt.Pst.*, 2025). The use of these funds for personal benefit demonstrates that the authority vested in the defendant as the Executing Prosecutor was no longer exercised to achieve the objectives of law enforcement but had instead been misused to obtain unlawful personal gain.

The case was ultimately uncovered through an investigation conducted by the Jakarta High Prosecutor's Office and culminated in the arrest of the defendant together with two legal counsel on 27 February 2025 (Hardum & Tihadanah, 2025). During the trial, the charges were substantiated through witness testimony, manipulated evidence restitution documents, and financial transaction records demonstrating the flow of funds to the defendant. Based on this evidence, the Panel of Judges of the Central Jakarta District Court (PN) found the defendant guilty of committing the criminal offence prescribed under Article 12(e) of Law Number 31 of 1999 concerning the Eradication of Corruption Crimes (UU Tipikor), as amended by Law Number 20 of 2001, and imposed a sentence of seven years' imprisonment together with a fine of IDR 250 million (*Putusan Nomor 48/Pid.Sus-TPK/PN Jkt.Pst.*, 2025). On appeal, the sentence was increased to nine years' imprisonment, a fine of IDR 500 million, and an obligation to pay substitute compensation amounting to IDR 11.7 billion (*Putusan Nomor 54/PID.SUS-TPK/PT DKI*, 2025).

The sentence imposed by the District Court (PN) was based on the finding that all constituent elements of Article 12(e) of the UU Tipikor had been proven beyond a reasonable doubt. The court found that the first element, namely the status of a public official, was satisfied because the defendant remained actively employed as a prosecutor at the West Jakarta District Prosecutor's Office. With respect to the second and third elements, namely the intent to unlawfully benefit oneself and the act of coercing another person to give something or make a payment, the Panel of Judges based its assessment on the series of facts established during the trial, which demonstrated the defendant's abuse of authority in his capacity as the executing prosecutor.

In assessing the second and third elements, the Panel of Judges considered not only the defendant's intention to obtain an unlawful personal benefit but also the fact that such benefit was acquired through the abuse of official authority accompanied by coercive conduct. The evidence presented at trial established that the defendant exploited his position as the executing prosecutor, who possessed authority over the process of returning evidentiary assets, to demand payments from the legal counsel representing the victims. Although no explicit threats were made, the witnesses testified that they complied with these demands because they feared that the restitution of the victims' assets would be delayed or obstructed if the defendant's requests were not satisfied. These facts demonstrated a direct nexus between the payments made by the victims' legal representatives and the defendant's official authority as the executing prosecutor. The payments were therefore not made voluntarily but resulted from psychological pressure arising from the defendant's position of authority. On this basis, the Panel of Judges concluded that the element of coercion under Article 12(e) of the UU Tipikor had been satisfied.

The Panel of Judges rejected the argument that the defendant's twelve years of service without any prior disciplinary record should be regarded as a mitigating circumstance. According to the Panel, the defendant's professional experience and length of service instead constituted aggravating factors because, as a prosecutor with extensive experience in law enforcement, the defendant possessed a comprehensive understanding of the applicable legal framework, professional ethical standards, and the consequences arising from the abuse of prosecutorial authority. Nevertheless, the defendant deliberately engaged in corrupt conduct through a premeditated and sophisticated scheme. This reasoning demonstrates that the court regarded the defendant's position as a JPU not merely as a public office but as a public trust that demands a higher standard of integrity than that expected of ordinary citizens (*Putusan Nomor 48/Pid.Sus-TPK/PN Jkt.Pst.*, 2025).

The Public Prosecutor subsequently filed an appeal against the judgment of PN, which was granted by the Jakarta High Court. In its reasoning, the appellate panel concurred with the District Court's finding that the defendant had been lawfully and convincingly proven guilty of committing the corruption offence charged in the first count of the indictment. However, the appellate court held that the sentence imposed by PN did not adequately reflect the objectives of corruption eradication, particularly given that the defendant was himself a prosecutor entrusted with enforcing the law. Accordingly, the term of imprisonment was increased to nine years, the fine was increased to IDR 500 million and the defendant was additionally ordered to pay substitute compensation in the amount of IDR 11,7 billion pursuant to Article 18 paragraph (1)(b) of the UU Tipikor (*Putusan Nomor 54/PID.SUS-TPK/PT DKI*, 2025).

Accordingly, this case exemplifies the two forms of abuse of authority discussed in the preceding section, namely the misuse of official position for personal gain and misconduct in the handling of criminal proceedings. Such conduct gives rise not only to criminal liability, as reflected in the judicial decisions, but also to consequences in the spheres of professional ethics and public service discipline, given that the defendant was a prosecutor bound by the prosecutors' code of conduct and the disciplinary rules applicable to PNS (Purnama et al., 2025).

Tabel 1. Violations of PERJA 14/2012 Committed by Azam Akhmad Akhsya

Article	Provision	Violation
Article 5 (a)	Requires prosecutors to uphold the honour and dignity of the prosecutorial profession by performing their duties and exercising their authority with integrity, professionalism, independence, honesty, and fairness.	Azam betrayed the public trust vested in him as a prosecutor by exploiting the authority conferred upon him by the State for personal gain. Authority that should have been exercised to enforce the law and execute judicial decisions honestly, fairly, and professionally was instead abused through the receipt of IDR 11.7 billion, the manipulation of the administrative process for the restitution of evidentiary assets, and the diversion of funds rightfully belonging to the victims for his personal benefit.
Article 7 (1)(b)	Prohibits prosecutors from soliciting or accepting gifts or benefits of any kind from parties having an interest in a matter, whether directly or indirectly.	Azam actively solicited uang pengertian ("understanding money") from the legal counsel representing the victims of the Robot Trading Fahrenheit scheme and accepted IDR 11.7 billion originating from the restitution process for evidentiary assets. The individuals providing these funds were legal representatives of the victims who had a direct interest in the proper execution of the judgment and the restitution of their clients' assets.
Article 7 (1)(g)	Prohibits prosecutors from using their authority to exert physical or psychological pressure.	Azam exploited his position as the executing prosecutor to demand uang pengertian ("understanding money") from the victims' legal counsel, causing them to fear that the restitution of the victims' assets would be delayed or obstructed if his demands were not satisfied. This constituted psychological pressure arising from the abuse of his dominant official position, which the Panel of Judges characterized as vis compulsiva (psychological coercion).

Source: Authors' analysis (2026)

Misconduct committed by a prosecutor may give rise to several distinct forms of accountability, namely criminal, ethical, and administrative accountability. The existence of these different forms of sanctions reflects a multi-layered accountability framework designed to uphold professional integrity and ensure compliance with both legal norms and professional ethical standards (Purnama et al., 2025). Criminal accountability is imposed through judicial proceedings in accordance with the applicable criminal legislation where the conduct satisfies the constituent elements of a criminal offence. Ethical accountability, by contrast, is determined through disciplinary proceedings before the Prosecutors' Code of Conduct Council (MKPJ) for violations of the prosecutors' code of conduct, while administrative accountability is imposed pursuant to the applicable civil service regulations for breaches of official disciplinary obligations (Rahmawati et al., 2026). Although each form of accountability is governed by a distinct legal basis, procedural mechanism, competent authority, and regulatory objective, they may be imposed concurrently where the same conduct satisfies the legal requirements of each respective regime.

In the case of Azam Akhmad Akhsya, no information has, to date, been made publicly available regarding any decision of the Prosecutors' Code of Conduct Council (MKPJ) imposing ethical sanctions upon the defendant. Nevertheless, when assessed against the provisions of the Prosecutors' Code of Conduct, Azam's conduct exhibits the characteristics of a serious ethical violation, as it involved the abuse of official position, the receipt of benefits from interested parties, and the use of prosecutorial authority to exert psychological pressure upon others. Should such ethical violations be established through the internal disciplinary process, the resulting decision may subsequently serve as the basis for the imposition of administrative measures in accordance with the applicable civil service regulations. Given the gravity of the misconduct committed, together with the existence of a final and binding criminal conviction, the administrative sanction of dismissal with dishonour would, from a normative perspective, constitute a sanction that could appropriately be imposed.

This approach is reflected in the case of Prosecutor Pinangki Sirna Malasari, who was convicted of bribery, money laundering, and criminal conspiracy, and was consequently subjected to the ethical sanction of dismissal with dishonour from the prosecutorial profession (Amelia et al., 2025). This demonstrates that accountability for prosecutorial misconduct extends beyond criminal liability alone. Although no information has yet been released concerning the ethical sanctions imposed on Azam, the Public Prosecution Service has taken administrative action against several other officials connected with the same case. Hendri Antoro, the Head of the West Jakarta District Prosecutor's Office, was removed from his position after it was established that he had received IDR 500 million from the defendant and had failed to properly discharge his supervisory and internal control responsibilities, which formed part of his official duties within the Public Prosecution Service (Somad, 2025). Similarly, Iwan Ginting, the former Head of the West Jakarta District Prosecutor's Office, was relieved of his position and reassigned to an administrative post after it was established that he had also received IDR 500 million from the defendant (Ristiyanti, 2025). These measures demonstrate that, in addition to the criminal accountability imposed upon the principal offender, the Public Prosecution Service may also impose administrative consequences upon officials who are found either to have participated in the misconduct or to have failed to exercise their supervisory responsibilities in accordance with their official authority.

The occurrence of prosecutorial abuse of authority cannot be attributed solely to inadequate internal oversight, weak individual integrity, or the broad discretionary powers exercised by prosecutors in the performance of their official duties. Previous studies have also shown that such misconduct may be influenced by an organisational culture that is permissive of unethical practices, including the normalization of unofficial payments disguised as expressions of "gratitude." Such practices have the potential to obscure the distinction between legitimate appreciation and unlawful gratuities, thereby increasing the risk of abuse of office. Accordingly, effective prevention requires more than the imposition of sanctions alone. It should also include strengthening merit-based recruitment, enhancing professional ethics education, improving the effectiveness of internal oversight mechanisms, and providing recognition and incentives for prosecutors who consistently demonstrate high standards of integrity and professionalism. Collectively, these measures are expected to foster an organisational culture that supports a clean, accountable, and credible system of law enforcement.

CONCLUSION

Based on the findings of this study, it can be concluded that prosecutorial abuse of authority within Indonesia's criminal justice system fundamentally constitutes the exercise of official authority in a manner that deviates from the purpose for which such authority was conferred, namely to enforce the law, protect the public interest, and uphold legal certainty and justice. Although the Public Prosecution Service of the Republic of Indonesia has implemented a rigorous recruitment system, PPPJ, professional development through PERSAJA, as well as internal oversight and enforcement of the prosecutors' code of conduct under PERJA 14/2012 which was subsequently updated and replaced by PERJA 4/2024, these mechanisms have not entirely eliminated the possibility of prosecutorial abuse of authority.

In the case involving Prosecutor Azam Akhmad Akhsya, the abuse of authority was manifested through the misuse of official position for personal gain, misconduct in the handling of criminal proceedings, manipulation of prosecutorial administrative processes, and the exercise of official authority in a manner that created conflicts of interest. These acts were evidenced by the receipt of IDR 11.7 billion from parties with an interest in the restitution of evidentiary assets, the preparation of duplicate BA-20 documents, the creation of 137 fictitious beneficiary groups, the use of third-party bank accounts to conceal the flow of funds, and the unlawful appropriation of restitution funds for personal benefit. Such conduct not only satisfied the constituent elements of the corruption offence under Article 12(e) of the UU Tipikor but also violated the obligations and prohibitions prescribed under Article 5(a), Article 7(1)(b), and Article 7(1)(g) of PERJA 14/2012.

The legal implications arising from a criminal judgment against a prosecutor found guilty of abuse of authority are multi-layered, encompassing criminal, ethical, and administrative accountability. In the case of Azam Akhmad Akhsya, criminal accountability has been realized through the imposition of a term of imprisonment, a criminal fine, and an order to pay substitute compensation. However, at the time this study was conducted, no information had been made publicly available regarding any decision of MKPJ imposing ethical sanctions upon the defendant. Given that the defendant's conduct clearly constituted a serious violation of the Prosecutors' Code of Conduct, ethical proceedings should also be pursued, with the resulting decision serving as the basis for appropriate administrative measures in accordance with the applicable civil service regulations. Furthermore, the findings of this study demonstrate that preventing prosecutorial abuse of authority requires more than punitive sanctions alone. It also necessitates strengthening merit-based recruitment, enhancing professional ethics education, improving the effectiveness of internal supervisory mechanisms, and fostering an organisational culture that promotes integrity, accountability, and professionalism. These measures are expected to reinforce public confidence in the integrity of the Public Prosecution Service and the Indonesian criminal justice system as a whole.

REFERENCE

Admin. (2026). *Badiklat Kejaksaan RI Gelar PPPJ 2026, Siapkan Jaksa Profesional Menuju Indonesia Emas 2045*. Badiklat.Kejaksaan.Go.Id. https://badiklat.kejaksaan.go.id/berita/s/badiklat-kejaksaan-ri-gelar-pppj-2026-siapkan-jaksa-profesional-2143b

Amelia, S. P., Bauw, E. A. I., Syahrendra, M. R., Tobing, R. N. A., & Mulyadi, M. (2025). Etika dan Profesi Kejaksaan dalam Perspektif Hukum : Studi Kasus Penyuapan Oleh Jaksa Pinangki. *Amandemen: Jurnal Ilmu Pertahanan, Politik, Dan Hukum Indonesia*, *2*(3), 33–47. https://doi.org/10.62383/amandemen.v2i3.961

Arifin, F. (2025). *Imunitas Sang Penuntut Umum*. Hukumonline.Com. https://www.hukumonline.com/berita/a/imunitas-sang-penuntut-umum-lt67c07e48aea09/

Aswin Maysura, N. (2025). Peran Sistem Merit dalam Reformasi Birokrasi di Indonesia: Tantangan dan Solusi dalam Perspektif Hukum Administrasi Negara. *Mendapo: Journal of Administrative Law*, *6*(1), 85–105. https://doi.org/10.22437/mendapo.v6i1.40185

Bujung, A. R., Sarapun, R. M. S., & Pinangkaan, N. (2023). Penerapan Hukum Atas Penyalahgunaan Wewenang Oleh Pejabat Pemeritah Ditinjau Dari Undang-Undang No 30 Tahun 2014 Tentang Administrasi Pemerintahan. *Lex Administratum*, *11*(1).

Dutainfo. (2025). *Nyanyian Eks Jaksa Azam Siapa Saja Yang Ikut Terima Uang Barbuk Robot Trading*. Dutainfo.Com. https://dutainfo.com/2025/05/nyanyian-eks-jaksa-azam-siapa-saja-yang-ikut-terima-uang-barbuk-robot-trading/

Effendy, M. (2005). *Kejaksaan RI: Posisi dan Fungisnya Dari Perspektif Hukum* (Marnixon, Wila, & N. Jatna, Eds.). Gramedia Pustaka Utama.

Fatimah. (2025). *Syarat CPNS Kejaksaan 2025, Ini Ketentuan yang Harus Dipenuhi!* Jadiasn.Id. https://jadiasn.id/syarat-cpns-kejaksaan-2025-ini-ketentuan-yang-harus-dipenuhi/

Gisnan, F. A., Nuripma, I. M., & Janatino, J. H. (2025). Penegakan Pelanggaran Kode Etik Jaksa di Wilayah Hukum Kejaksaan Tinggi Jawa Barat. *Pemuliaan Hukum*, *8*(2), 126–145. https://doi.org/10.30999/ph.v8i2.4134

Hafis, R. I. Al, & Yogia, R. A. (2017). Abuse Of Power: Tinjauan Terhadap Penyalahgunaan Kekuasaan Oleh Pejabat Publik Di Indonesia. *Jurnal Publika*, *3*(1), 80–88.

Hardum, S. E., & Tihadanah, T. (2025). Revisi UU Advokat dan UU Kekuasan Kehakiman untuk Selamatkan Profesi Advokat. *Jurnal Ilmu Multidisiplin*, *4*(3), 1677–1687. https://doi.org/10.38035/jim.v4i3.1193

Kurniawan, R. (2024). *Penyalahgunaan Wewenang: Antara Administrasi dan Pidana*. Hukumonline.Com. https://www.hukumonline.com/berita/a/penyalahgunaan-wewenang--antara-administrasi-dan-pidana-lt6750944ea5468/

Latif, A. (2016). *Hukum Administrasi Dalam Praktik Tindak Pidana Korupsi* (Tarmizi, Ed.; 2nd ed.). Prenada Media Group.

Mamahit, K. E., Wongkar, V. E., & Tawas, F. (2026). Kewenangan Jaksa Penuntut Umum Sebagai Dominus Litis Dalam Civil Law Legal System Di Indonesia. *Lex Crimen*, *15*(1).

Paridatussa'adah, S., Nurdin, S. A., Tuasikal, F. G., Putri, M. J., & Kusuma, R. P. B. B. (2026). Analisis Pelanggaran Kode Etik Jaksa Dalam Perspektif Etika Dan Tanggung Jawab Profesi Hukum. *Das Sollen: Jurnal Kajian Kontemporer Hukum Dan Masyarakat* , *4*(2), 1–21.

Purnama, R., Delzanty, K., Talitha, R., Hakim, M. A. T., Rosdiana, H., Ramadhani, S., Permana, F. R., & Mulyadi. (2025). Pelanggaran Etika Profesi serta Konsekuensi Tanggung Jawab Hukum dalam Kasus Suap Jaksa Farizal. *Media Hukum Indonesia*, *2*(7), 99–106. https://doi.org/doi.org/10.5281/zenodo.15581816

Putri, N. A., & Lewoleba, K. K. (2025). Peranan Kode Etik Jaksa Pada Pengawasan dan Pertanggungjawaban Dalam Menjaga Integritas Penegakan Hukum di Indonesia. *Media Hukum Indonesia*, *3*(3), 366–372. https://doi.org/10.5281/zenodo.15612312

Putri, Y. D., Budiyono, & Muhtadi. (2025). Kode Etik Jaksa Berdasarkan Undang-Undang Dasar 1945. *AKADEMIK: Jurnal Mahasiswa Humanis*, *5*(3), 1424–1436.

Putusan Nomor 48/Pid.Sus-TPK/PN Jkt.Pst. (2025).

Putusan Nomor 54/PID.SUS-TPK/PT DKI (2025).
Rahmaddani, I. (2023). Pengawasan Kode Etik Jaksa Oleh Komisi Kejaksaan Guna Terwujudnya Jaksa Yang Profesional Dan Berintegritas. *Journal Presumption Of Law*, *5*(1), 18–34. https://doi.org/10.31949/jpl.v5i1.4403
Rahmawati, Y. N., Fauziaturrina, N., Yuana, A. S. R., Maharani, A. P., & Budiono, A. (2026). Analisis Pelanggaran Kode EtikJaksa Dalam Perspektif Etika Profesi Dan Tanggung Jawab Hukum. *CAUSA: Jurnal Hukum Dan Kewarganegaraan*, *3*(3). https://doi.org/10.5281/zenodo.15581816
Riadi, D., Srihadiati, T., La Dee, M., & Utama, A. S. (2026). *Penegakan Hukum Pidana: Perspektif Polisi, Jaksa, dan Hakim*. Media Penerbit Indonesia.
Ristiyanti, J. (2025). *Kejagung Mutasi Jaksa Iwan Ginting ke Tata Usaha karena Menerima Rp 500 Juta*. Tempo.Co. https://www.tempo.co/hukum/kejagung-mutasi-jaksa-iwan-ginting-ke-tata-usaha-karena-menerima-rp-500-juta-2075347
Royani, I. (2024). Independensi Kewenangan Jaksa Dalam Penuntutan Tindak Pidana Korupsi Menurut Undang-Undang Nomor 16 Tahun 2004 Tentang Kejaksaan Republik Indonesia. *Lex Librum: Jurnal Ilmu Hukum*, *10*(2), 177–186. https://doi.org/10.46839/lljih.v10i2.481
Saleh, K., Zia, H., & Muflihin, A. (2020). Kode Etik Profesi Jaksa Yang Berintegritas Berdasarkan Perja Nomor: PER-067/A/JA/07/2007 Tentang Kode Perilaku Jaksa. *Datin Law Jurnal*, *1*(2).
Somad, A. (2025). *ICW: Sanksi Etik Jaksa Penerima Uang Barang Bukti Investasi Bodong Sekadar untuk Menyelamatkan Muka Kejaksaaan*. Jaring.Id. https://jaring.id/icw-sanksi-etik-jaksa-penerima-uang-barang-bukti-investasi-bodong-sekadar-untuk-menyelamatkan-muka-kejaksaaan/
Sudirdja, R. P. (2024). *PERSAJA dan Supremasi Hukum Indonesia*. Hukumonline.Com. https://www.hukumonline.com/berita/a/persaja-dan-supremasi-hukum-indonesia-lt66390951b9106/?page=all
Sugiarto, R. V., & Rifat, T. (2025). Efektivitas Pengawasan Internal Kejaksaan dalam Mewujudkan Integritas dan Akuntabilitas: Perspektif Negara Hukum Indonesia. *HORIZON: Indonesian Journal of Multidisciplinary*, *4*(3), 253–262. https://doi.org/10.54373/hijm.v4i3.5361
Wahyuni, W. (2023). *Kode Etik dan Perilaku Jaksa*. Hukumonline.Com. https://www.hukumonline.com/berita/a/kode-etik-dan-perilaku-jaksa-lt63c1507932457/?page=2
Waluyo, B. (2015). *Bunga Rampai Kejaksaaan Republik Indonesia* (S. A. Tardi, Ed.). Badan Penerbit Fakultas Hukum Universitas Indonesia.