The Role of A Dignified Judge Within The Scope of Judicial Power in Indonesia

Efendi Ibnususilo[1*], Suparto[2], Aryo Akbar[3] Faishal Taufiqurrahman[4]

efendiibnususilo@law.uir.ac.id[1] suparto@law.uir.ac.id[2] aryoakbar@law.uir.ac.id[3] faishal1919@law.uir.ac.id[4]*

[1,2,3,4]Faculty Of Law, Universitas Islam Riau

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Abstract

The supervisory function of the Judicial Commission at that time was met with a lot of resistance from judges, which eventually led to the submission of a judicial review of Law No. 22/2004 on the Judicial Commission to the Constitutional Court, which the Constitutional Court granted. With the granting of the judicial review petition, the Judicial Commission's supervisory function over judges ceased to exist. This raises the question of whether the judges will be able to carry out their duties fairly without external supervision. Purpose Study: Can these judges still carry out their duties fairly without externalsupervision? If so, then what is the role of these dignified judges within the scope of judicial power in Indonesia? This article uses normative legal research that analyzes relevant secondary data related tothe role of dignified judges within the scope of judicial power. This research concludes that a dignified judge is a judge who works professionally based on ethical integrity, moral integrity and intellectual integrity. In order for this to be done, it is necessary to have supervision, both internally and externally. This research shows that there are still many judicial mafias in Indonesia, one of which comes from thejudges themselves. this shows that there are still judges who do not work professionally by ignoring ethical and moral values so that many decisions are made that harm justice in society

I. Introduction

Judicial power and its authority have been regulated in the 1945 Constitution, both before the amendment and after theamendment, if in the 1945 Constitution the guarantee of judicial power can only be found in the explanation, it is different after the amendment of the guarantee of independence is expressly stated in the body.(Sekretariat et al., 2006)

Article 24 paragraph (1) of the 1945 Constitution. Substantially, the regulation of judicial power resulting from the amendmentof the 1945 Constitution has more value thanbefore the amendment. However, this does not mean that the formal juridical guarantees in the 1945 Constitution can perfectly realize the independence of the judicial power, therefore further arrangements are still needed for institutions that can guarantee theindependence of the judicial power. The substance of the regulation in the 1945 Constitution after the amendment, institutionally, there are new developments and better hopes for the future of the birth ofan independent judicial power. The institution that strengthens the birth of anindependent judicial power is expresslyregulated in Article 24B of the 1945 Constitution, in paragraph (1) which reads; "The Judicial Commission is independent and has the authority to propose the appointment of Supreme Court judges and has other powers in order to maintain and uphold the honor, dignity and behavior of judges". (Naufal Husni, 2020)

The constitutional provision is further regulated by Law No. 18/2011 on the Amendment to Law No. 22/2004 on the Judicial Commission. The course of history shows that Law No. 22/2004, in Chapter III Article 20 and Article 22 paragraph (1) lettere and paragraph (5), the matter of"supervision" of judges' behavior has been subject to judicial review by theConstitutional Court, with Decision No. 005/PUU - IV/ 2006, so the Judicial Commission no longer has the authority to supervise. However, with the birth of Law No. 18/2011 on the Judicial Commission,Article 20 paragraph (1), the authority of theJudicial Commission to conduct supervisionwas restored. This is in line with Article 24 of the 1945 Constitution, which calls for the independence of the judicial power, with thesupervisory function given to the Judicial Commission and the judicial power placed under one roof, it is emphasized that the Supreme Court oversees the general courts, state administrative courts, religious courts and military courts. (Bagus et al., 2024) The latter two were not originally under the Supreme Court. Through amendments to the 1945 Constitution, the Constitutional Court was born, as one part ofthe judicial power in the field of state administration. Normatively, it can be said that the regulation of judicial power betweenbefore and after the amendment has changed,namely the addition of the institution of the Constitutional Court, and the guarantee of therule of law supported by an independent andimpartial judicial system.(Ni'matul Huda., 2010.)

Empirically, the exercise of judicial power after the amendment is faced with a problem.The problem arose with the supervisory authority exercised by the Judicial Commission over the ranks of judges under the Supreme Court, supervision aimed at carrying out the function of maintaining the honor and dignity of judges as mandated in the 1945 Constitution. The supervisory function of the Judicial Commission at that time was met with resistance from judges, which eventually led to the submission of a judicial review of Law No. 22/2004 on the Judicial Commission to the ConstitutionalCourt, which the Constitutional Court granted. With the granting of the judicial review petition, the Judicial Commission's supervisory function over judges ceased to exist.(Wijaya, 2021)

2. Research Method

Methods

This legal research uses a normative approach. One of them is to identify whether the law regulates a matter and how the rules are applied. The source of this research is secondary data sources consisting of primarylegal materials, secondary materials and tertiary legal materials. Primary legal materials in this research Primary legal materials in this study include laws and regulations regarding judicial power. Secondary legal materials consist of literature, legal journals, and articles related to the independence of judges and judicial power. Meanwhile, tertiary legal materials are materials are materials that explain primary and secondary materials consisting of dictionaries, legal dictionaries, and dictionaries. dictionaries, legal dictionaries, and so on. The analysis technique used in this research uses a normative approach, used to determine the function of judges based on applicable legal provisions that apply and their implementation practices.(Bagus et al., 2024)

3. Results and Discussion

The conception of modern state formation in terms of power is no longer based on the principles used as the establishment of conventional states in the past which relied on the concentration of power. The concentration of power in one hand has caused injustice and suffering to society. Against this background, a new paradigm of thought was born that power must be shared with other parties in the form of institutions that function as controllers and balancers. Therefore, in general, a state system divides the government system into a "trichotomy" consisting of the executive, legislative and judiciary, commonly called the trias politica. The three types of power must be separated from each other, both regarding the task (functie) and regarding the equipment (organization) that does it. In Montesquieu's opinion, if the judicial power is not separated from the legislative power and the executive power, there is no guarantee of justice for the lives and freedoms of citizens, and judges can even be suppressed by the interests of powers outside the judicial power itself.(Yahman, 2024)

Montesquieu's opinion is referred to by almost all modern countries that value the limitation of power in the state. If power is not limited and dispersed in different organs of the state, then the ruler of the state will rule arbitrarily. The implications of tyrannical power will threaten the lives and liberties of citizens, and in the context of judicial power, tyrannical power will threaten the independence of judicial bodies.(Suwandoko et al., 2022)

The judiciary implemented by the judicial power is one of the most important elements in the constitutional structure of a country. In the concept of the rule of law, whether the concept of rechtstaat, the rule of law, or Islamic nomocracy, judicial power becomes an important pillar of how the rule of law works. The assumption is that if the performance of judicial power is poor, it will have implications for the poor state of law in Indonesia. Rechtstaat as conveyed by Julius Stahl, is the concept of the rule of law from the Continental European legal system, whose elements consist of the protection of human rights, government based on law, separation of powers and administrative judicature.(Suwandoko et al., 2022)

The rule of law, as pioneered by A.V. Dicey, is the concept of the rule of law from the Anglo Saxon legal system, whose elements consist of: Supremacy of Law, Equality Before the Law, and The Constitution based on individual right. Meanwhile, Islamic Nomocracy is the principles in running the life of a state that gets its foundation from Islamic teachings, and these principles include: The principle of power as a mandate, the principle of deliberation, the principle of justice, the principle of equality, the principle of recognition and protection of human rights, the principle of free justice, the principle of peace, the principle of welfare, the principle of obedience to the people. At the very least, from the concept of the rule of law above, the existence of judicial power becomes very important for the rule of law and its position must be independent so that justice can be upheld.("Cultivating Citizens' Awareness of the Rule of Law from the Perspective of Building a Law-Based Society," 2024)

The role and function of independent judicial power authorizes the judiciary as a pressure valve for any violator of the law, who commits acts contrary to the law, violates public order and decency, whoever and from any party. In fact, judicial power is the last resort for efforts to uphold the law, truth and justice.("Cultivating Citizens' Awareness of the Rule of Law from the Perspective of Building a Law-Based Society," 2024)

The enforcement of law and justice is carried out by judges in all judicial circles. Therefore, judges are the spearhead of law enforcement and justice in a state of law, so that the professionalism of judges is required in carrying out the task of law

enforcement. Conceptually, the duties of judges can be categorized into 3 (three), namely:

1. Judiciary; receiving cases, examining and adjudicating
2. Legal considerations: giving consideration and advice in legal matters to state institutions when requested.
3. Academic duties: to explore the values of justice in society

Judiciary duty is a routine task carried out by judges. In carrying out these duties, judges are required to be professional and independent. There are many challenges in carrying out these duties, and sometimes these challenges are not always legal challenges, but also non-legal challenges. Legal challenges mean that judges must always apply the law appropriately and bring justice to the litigants. It is not easy to do so, because judges must think hard to be able to explore cases properly. The background of the failure of law today, this is what gave birth to the idea of progressive law pioneered by Satjipto Rahardjo, Progressive Law reveals the veil and searches for various failures of modern law based on positivistic, legalistic, and linear philosophy to answer legal problems as human and humanitarian problems. According to Suteki, progressive law departs from 2 (two) basic assumptions, the first basic assumption of progressive law is that law exists for humans, not the other way around. Law is not for itself, but for something broader and bigger. Second, law is not an absolute and final institution, because law is always in the process of becoming (law as a process, law in the making).(Harisman, 2020)

For this reason, judges in enforcing the law must always be based on the judge's beliefs and the community's sense of justice. So theoretically there are 3 (three) actions of judges in adjudicating cases, namely:

1. Constantiating: recognizing or confirming that an event has occurred that was submitted by the parties before the court.
2. Qualifying: assessing events that have been deemed true and qualifying them in which legal relationship and what kind of law. In other words, the judge will find which law will be applied to the concrete event.
3. Constituing: the judge determines the law and gives justice to the person concerned.

In carrying out this task, judges must not only apply the applicable law, but are also required to make legal discoveries in order to be able to present a just decision, so that judges are not merely the mouthpiece of the law, but can actually make legal discoveries in order to create a sense of justice. There are 2 (two) systems of legal discovery by judges, namely:

1. Heteronomous system: a system in which judges must comply with the law. This system does not allow judges to be creative to explore a sense of justice for the litigants.
2. Autonomous system: This system allows judges to be independent law makers. Judges can find law in legislation, customary law, jurisprudence, international treaties, doctrine, customary law and etc.

This autonomous system is not widely practiced by judges, because most judges choose the safe way by making the autonomous system a common thing to do. The use of the autonomous system requires courage from the judges themselves so that strong motivation is needed from the judges to optimize their ability to find law, because law can be made by judges (judge made law).("Institution of The Judicial Commission of The Republic of Indonesia As an Ethical Court for Judges," 2021) In addition to courage and motivation, intellectual judges also need to be constantly sharpened so that their ability to find law can be relied upon. This system of legal discovery by judges can actually be a foothold that judges have the freedom to create decisions that are worth justice, not only procedural justice according to the law, but also substantive justice in accordance with the sense of justice of the community. However, often this freedom of judges has the risk of being misused, even in the name of justice based on the Almighty God and laws and regulations.(Anshori, 2023)

According to Fran Cross, judicial independence or freedom of judges is not defined as unlimited independence or freedom. However, the independence of judicial power or freedom of judges is defined as independence or freedom in the judicial process which includes:

1. Free from pressure, interference, and fear when examining and deciding cases.
2. No one can refuse to carry out the judge's decision, the judge's decision is a law that must be obeyed and implemented.
3. Judges cannot be contested or sued on the grounds that the decision is wrong or detrimental to others.
4. Judges may not be subject to an action (such as demotion, dismissal) because of their decisions

In the name of freedom, judges may abuse their powers and therefore the following limitations are imposed:

1. Judges only make decisions according to the law
2. Judges decide solely to provide justice
3. In interpreting, constructing or finding the law, judges must stick to the general principle of law and principle of justice.

4. Create a mechanism to take action against judges who are arbitrary or abuse their power

The task of judges in law enforcement is the toughest task, because the task is not only related to legal issues, but also social and political issues in a more complex dimension. Therefore, experience and professionalism in legal technical skills of judges are not enough, but judges must also have several provisions in law enforcement. *First*, the provision of moral integrity, namely judges must have strong morals so that they are able to face various challenges and temptations that can plunge judges into an attitude that is not independent. Various cases that have surfaced in the world of justice related to corruption, accepting bribes or often termed the judicial mafia are proof that law enforcers, including judges, have weaknesses in terms of morals. Moral integrity can be built from the deepening of religious values, social ethics and professional ethics (code of conduct) which become the basis of values for the life and work of judges. In any religion, there is never a value base that justifies the practice of corruption by a law enforcer, therefore, this matter of moral integrity must be an internal provision for judges. *Second,* intellectual integrity, judges are basically required to think, especially in applying and making legal discoveries. Therefore, intellectual integrity is an asset for judges to be able to work professionally. Moral integrity and intellectual integrity are expected to make judges work independently and professionally. However, these two things are not sufficient, because law enforcement is very complex, especially when faced with political situations.(Masterman & Schütze, 2019)

Therefore, in addition to the two assets above, judges in upholding progressive law, Satjopto Rahardjo said that they must have the courage and place themselves as part of society, and be able to put their ears to the heart of society. The need for judges to be able to place themselves as part of society, sociologically, because law enforcement does not stand alone but has a close reciprocal relationship with its society. This capital of professional experience, intellectual integrity and courage is expected to be able to fortify judges in facing and fighting the disease of judicial mafia.(Hukum & Suwondo, 2020)

The practice of judicial mafia, such as buying and selling cases, is very difficult to eradicate, because it does not only involve judges, but also other law enforcers and interested members of the public. Temptation from litigants to court personnel easily occurs in court institutions authorized to examine and decide cases.

The pretext of independence is used as a powerful weapon to pave the way for irregularities. This means that judges can take actions that undermine their independence, such as accepting bribes. However, based on moral, professional and intellectual integrity, judges will be able to fortify themselves against temptation in law enforcement. On the other hand, there must also be legal awareness from the public not to do things that are contrary to the law such as bribery and others. Without strong determination and synergy between the community and judges in upholding the law, it is impossible for the judicial mafia to be eradicated.(Saragih, 2023)

It is common knowledge that the practice of judicial mafia is in fact a network for trading legal authority, so it is not just buying and selling cases. Based on the findings of the Task Force for the Eradication of the Judicial Mafia established by President Bambang Yudoyono, it was found that there are luxurious facilities that can be enjoyed by prisoners in detention centers. The judicial mafia is manifested in the phenomenon of case brokering, as observed in the playback of telephone recordings during the judicial review of the KPK Law at the Constitutional Court in early November 2009. This is actually what is meant by the judicial mafia, which occurs on a wide scale by trading legal authority owned by institutions related to law enforcement.(Andriawan, 2022)

Judicial power after the amendment of the 1945 Constitution has undergone a very fundamental change both regarding the institution and its authority, namely the establishment of the Constitutional Court institution along with its authority and the Supreme Court institution with its reforms. Reform in the field of judicial power must be aimed at 5 (five) things as follows:

1. Making the judicial power independent
2. Restoring the essential function of the judicial power to realize justice and legal certainty
3. Perform the function of checks and balances for other state institutions.
4. Encourage and facilitate and uphold the principles of a democratic rule of law in order to realize the sovereignty of the people.
5. Protect human dignity in its most concrete form

So normatively the regulation of independent judicial power is adequate, but it is not enough only in the form of normative guarantees, but requires the commitment of the organizers of judicial power itself, starting from the judges of the courts of first instance, appeal, to cassation and judicial review in the Supreme Court. So that the abstract rules can be implemented and applied in concrete form in accordance with the sense of justice in society.(Ariyanti, 2019)

The implementation of the independence of the judicial power is so important, Alexander Hamilton as quoted by Aidul Fitriciada A, suggested the need for protection guarantees for the enforcement of its independence. The guarantee of protection of the judicial power must exist because the judicial power is the weakest branch of power. It is said to be weak because the judiciary or judicial power does not have the influence of both power (sword) and finance (nurse). On that basis, the independence of judicial power requires protection through the constitution or basic law.(Rushiti, 2022)

Judicial power in a country must be guaranteed independence, one of the fundamental guarantees is its regulation in the constitution. The constitution is the main guarantee of legal certainty because the constitution, as stated by K.C. Wheare Wheare ... "it is used to describe the whole system of government of a country, the collection of rules which establish and regulate the government". So the constitution is a description of the entire system of government of a country and is a collection of rules that regulate and put in place the order of government. Judicial power is a part or sub-system of the state government system in a broad sense. The constitution provides clear and firm rules regarding the judicial power, including its independence. Therefore, independence is a must in a judicial power. This is because the main requirement for the implementation of an objective judicial process is the independence of the institution that organizes the judiciary, namely the independence of the judicial body as an institution (institutional independence), as well as the independence of judges in carrying out their functions (individual/functional independence).(Andreawan, 2024)

As a party who is expected to provide a solution to every case submitted to him. Independence includes a neutral attitude, maintaining the same distance from all parties related to the case, and not prioritizing one party, as well as a deep appreciation of the balance between the interests related to the case. However, in current practice, justice seekers are often dissatisfied and disappointed with the performance of judges who are considered not independent and unprofessional. The amount of intervention and external pressure on judges, sometimes makes the performance of judges no longer optimal, or even choose to be opportunistic.(Pasamai & Aswari, 2023)

The independence of the judicial power can be conceptually divided into three, namely: First, institutional independence in the sense that it is institutionally divided and separate in carrying out its functions. Second, the independence of individual judges includes professionalism, scientific integrity, morals and ethics that must be possessed by an individual judge. Third, independence in the judicial process characterized by not being influenced by any institution and by whoever the judge is in giving a decision. (Dharsana, 2021)

The principle of institutional independence of the judicial power means that the judicial power is not subordinate to other powers in carrying out its functions and authorities. Individual independence of judges is necessary, where judges have full authority in deciding a case, including in finding and applying the law. It is imperative that judges are given full authority and independence, so that the decisions taken will be able to reflect quality decisions and fulfill a sense of justice in society.(Romdoni et al., 2023)

There are at least two spaces that must be considered related to the exercise of judicial power which is an independent power, namely first the judicial institution where the judicial process is carried out, and second the court institution which is an institution in which there is a judicial institution, both of which are required to uphold independence in exercising judicial power.(Dara Purwono & Setiyono, n.d.)

Therefore, a code of conduct for judges is necessary and indispensable, and it is time that there should be an institution authorized to supervise the adherence to the code of conduct. Without this, it is very difficult to realize an independent judicial power. Independence in terms of the judicial process must also be guaranteed. So that the judicial process must be free from various interests, namely the motives of money, politics, economics, positions from various parties coming from within and from outside. This independence is emphasized in the constitution. Constitutionally the 1945 Constitution has provided guarantees.(Kristhy et al., n.d.)

The essential function of independent judicial power mandated in the 1945 Constitution needs to be implemented in order to realize justice and legal certainty. In realizing these noble ideals, an integral effort is needed, which includes reforms in human resources and supervision. Human resources reform is not limited to efforts to improve the performance of judges and related law enforcement officials. But also reforming the morals, professional ethics and conscience of the dignity of judges based on the sense of devotion of judges in law enforcement. Even this moral reform will have implications for the image of judges who are clean, honest and professional in their work.(Adiyanto et al., n.d.)

Therefore, the improvement and guidance of judges must begin from the beginning, not only limited to improvements in the skills in carrying out the job description, but also a spiritual touch that can have an influence on the personality of the judges so that they have moral integrity inherent in each individual judge. Justice and legal certainty are highly coveted by the justice-seeking public, so the presence of dignified judges is a fundamental need to change the face of the judiciary whose image

is declining. Justice and legal certainty will not be realized if individual judges do not have moral integrity. It is also necessary to avoid an understanding that focuses solely on procedural justice, let alone not having a sense of justice that is highly anticipated by justice seekers.(Saitkasimov, n.d.)

It is in the hands of judges that the noble task rests. If judges are unable to meet public expectations in realizing justice and legal certainty. If judges cannot fulfill the expectations of the community in realizing justice and legal certainty, the deterioration of the judiciary will trigger the growth of public distrust of the judiciary, which will result in the community acting and seeking justice in their own way, contrary to the principles of the rule of law. This will clearly harm and endanger the peace of society and the state. This is what needs to be anticipated by all parties, especially the judiciary, in upholding the image of an authoritative judiciary and dignified judges.(Gde et al., n.d.)

Independent judicial power as one of the pillars of the trias politica, can function as checks and balances, this can function optimally when supported by qualified law enforcement officials. So human resources have an important and decisive role in running the wheels of judicial power. Judicial power held and exercised by qualified human resources will produce quality and reliable legal decisions. Checks and balances are a form of providing control and balance for other state institutions, in this case the executive and legislative institutions, so that the judicial power as part of the judiciary will be able to carry out its functions properly in the field of law enforcement.(Kaharuddin, n.d.)

The enforcement of the principles of a democratic state of law needs to be continuously encouraged and facilitated in the context of realizing people's sovereignty, including providing basic and main protection for humans, namely about human rights, protection of human rights, one of which is protection of human dignity in a concrete form, namely a sense of security, order and peace, therefore the institution of judicial power has a very decisive role in upholding the law. In a democratic state of law, there is the principle of independent judicial power, so that if this principle is not realized, it will threaten the sustainability of a democratic state of law. One of the efforts to realize a democratic rule of law, the 1945 Constitution has regulated the establishment of the Judicial Commission with its authority. One of the backgrounds of the establishment of the Judicial Commission is the powerlessness of the judicial power in facing the judicial mafia, so that with the establishment of this institution, it is hoped that law enforcement will be better in this country.(Soetrisno, n.d.)

The initial establishment of the Judicial Commission by Law No. 25 of 2000, in the national development program, stated that one of the legal reform programs that must be implemented in order to create judicial institutions and law enforcement agencies that are independent, free from the influence of the authorities from any other party or often said to be independent and impartial judiciary.

The establishment of the Judicial Commission and the implementation of one-stop judicial power is a form of political commitment to the rule of law, so that one-stop judicial power becomes a necessity to realize independent judicial power, then the administrative, personal, financial and organizational authority of the court moves to the Supreme Court which was originally the authority of the Ministry of Justice and Human Rights. The Supreme Court is expected to be a tool of legal reformation and able to play an important role in the context of organizing a clean and good judiciary in this country, so that efforts to reform the judicial power can be realized. The occurrence of abuse of authority practices in the judiciary is caused by many factors, namely the ineffectiveness of functional internal supervision by the judicial body itself. The ineffectiveness of the internal supervision function of judicial bodies is caused by two main factors, namely the spirit of defending fellow corps (esprit de corp) and the absence of a real will from the leadership of the body. To overcome this, it is necessary to have a special institution that carries out the function of external supervision of judges. This special institution is the Judicial Commission.

The reality is that the Judicial Commission has been established and authorized by law to supervise judges. This commission must deal with the Supreme Court. The supervisory function is aimed at maintaining the honor and dignity of judges as stipulated in the 1945 Constitution. The supervisory function of the Judicial Commission has even been challenged by judges, leading to a petition for judicial review of Law No. 22/2004 on the Judicial Commission and the Constitutional Court granting the petition. Practically with the decision of the Constitutional Court, the Judicial Commission no longer has the authority to supervise judges. Such conditions can be said to be a step backwards and further away from realizing independent judicial power, because the moral integrity of judges is still questionable.

The very limited authority of the Judicial Commission, which no longer has the authority to conduct supervision, requires the Supreme Court itself to create a regulatory guideline for judges on the ethics and behavior of judges. In December 2006, the Supreme Court issued a code of conduct for judges in all judicial circles in Indonesia. The code contains 10 (ten) provisions, namely:

1. Behave fairly
2. Behave honestly and listen to both parties
3. Showing a wise and prudent attitude, namely the ability to act in accordance with the norms adopted by the community, whether legal norms, religious norms, customs or ethics, by considering the situation and conditions.
4. Being independent.
5. Maintain and demonstrate high integrity.
6. Responsible, namely accepting the consequences of actions taken in the performance and exercise of their authority.
7. Uphold self-respect
8. Highly disciplined
9. Behave humbly
10. Be professional

Thus the ten guidelines are a corridor for the dignity of judges in upholding law and justice. The Constitution mandates the Judicial Commission with the authority to maintain and uphold the honor of judges, therefore the Judicial Commission will always pay attention to every case decision made by judges, whether the decisions made are in accordance with the honor of judges and the sense of justice that arises in society. However, in reality, the assessment of judges' decisions is controversial because some think that the Judicial Commission has intervened in the independence of judges. Such a position is very dilemmatic, on the one hand the Judicial Commission is required to conduct supervision to uphold the honor and dignity of judges, while on the other hand there is a principle that judges should not be intervened. Actually, the term intervene in this context is not appropriate because the action of the Judicial Commission is to supervise the judge's decision, not to influence when the judge will make a decision. Supervisory actions taken by the Judicial Commission are based on the many public reports to the Judicial Commission about the behavior of judges and demands that the Judicial Commission read court decisions, and even summon judges for examination because the reporting of behavioral violations is suspected to originate and lead to the judge's decision.(Aldyan, n.d.)

The authority of the Judicial Commission to safeguard and uphold the honor and nobility of judges continues to be exercised, whether the profession of judges has been carried out in accordance with the guidelines for the ethics and behavior of judges, as well as supervising and maintaining that judges remain in their human nature, have a conscience, maintain their dignity, by not committing despicable acts. With the existence of the Judicial Commission, the level of efficiency and effectiveness of judicial power, among others, in the recruitment and monitoring of Supreme Court Judges. In

addition, with the existence of the Judicial Commission, the independence of judicial power can be maintained, because politicization of the recruitment of Supreme Court Judges can be minimized by the existence of the Judicial Commission which is not a political party.(Prasetyo & Handayani, n.d.)

The Judicial Commission's effort to uphold the honor and dignity of judges is a noble effort to support the operation of the legal system. because the honor and dignity of judges is part of the effort to build a just legal system from the aspect of the apparatus. If the legal apparatus has noble dignity, complies with laws and regulations, professional codes of ethics and has moral and intellectual integrity and has the courage to uphold progressive law, it will have a positive impact on the legal world. (Saitkasimov, n.d.)

The honor and dignity of judges will also have a huge influence on the growth of the legal culture of society. This will have a positive impact on increasing public confidence in the authority of the judiciary. It can also avoid public actions that lead to contemp of court or humiliation of the judiciary.

Efforts to uphold the honor and dignity of judges will be futile if the Judicial Commission is left to work alone. Support from the community and institutions that are committed to maintaining the authority of the judiciary is appropriate and necessary. Even the highest state institution, the President, must provide support for efforts to maintain the honor and dignity of judges carried out by the Judicial Commission. The Judicial Commission as an independent institution, and as an external supervisor, is very important in upholding the honor, dignity and behavior of judges, because the internal supervision that has been carried out by the judges' honor panel has proven to be ineffective. In addition, the Judicial Commission conducts supervision so that the behavior of judges becomes better. However, the efforts of the Judicial Commission will not be of much help if the judiciary itself does not provide full support. Judges must be made aware that the Judicial Commission is not a threat, so it does not need to be hostile, even judges should not be resistant to efforts made by the Judicial Commission. In fact, the presence of the Judicial Commission is a good partner in the effort to realize a clean and independent judicial power to support the realization of a democratic rule of law.

4. Conclusion

Honorable and dignified judges are judges who work professionally based on ethical integrity, moral integrity, and intellectual integrity. In addition, in their work they must also be guided by a code of conduct, if these conditions are met by judges, quality judicial decisions that are based on the value of justice that lives in society will be realized. So that dignified judges as mandated by Article 24 of the 1945 Constitution can be realized. For this reason, both internal supervision through the judicial body itself, in this case the Supreme Court, and external supervision through the Judicial Commission are absolutely necessary to prevent the occurrence of judicial mafia. In the end, it will be possible to realize an independent judicial power that produces just decisions in accordance with the wishes of the community. Thus our recommendation are: a) In order to realize dignified judges, the Supreme Court should improve supervision, and if judges are proven to have committed misconduct, accepted bribes, corrupted case trading, etc., judges should be given strict sanctions and dismissed with disrespect. b) The Constitutional Court should review the decision of the judicial review on the authority of the Judicial Commission to supervise judges, due to the fact that there are still many cases of judicial mafia and judges' decisions that are not in favor of justice. And c) The Supreme Court and the Judicial Commission should work together to formulate immediate steps, both normatively and in action, to realize an independent judiciary by making the Judicial Commission a partner in realizing dignified judges.

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