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# PROFESSIONAL ETHICS OF JUDGES IN ENFORCEMENT OF JUSTICE

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**ABSTRACT**

Judicial professional ethics is a fundamental element in maintaining dignity, independence, and justice in the judicial system. Judges, as executors of judicial power, have a significant responsibility to uphold the law fairly, without intervention or personal interests. This article aims to comprehensively examine the concept of judicial professional ethics, its underlying principles, the forms of ethical violations that frequently occur, and the role of oversight institutions in maintaining judicial integrity in Indonesia. This research uses a normative-juridical approach with a literature review method of primary and secondary legal sources. The results show that the implementation of judicial professional ethics still faces various challenges such as political pressure, abuse of authority, and weak internal oversight. Therefore, strengthening the values of integrity, transparency, and accountability through ethics education and institutional reform is a crucial step in upholding true justice.

*Keywords: Professional Ethics, Judges, Integrity, Upholding Justice, Code of Ethics.*

## 1. INTRODUCTION

Judges are central figures in the judicial system, playing a key role in upholding law and justice in society. Through their decisions, judges not only determine the right or wrong of a case but also contribute directly to the formation of public morality and trust in the judiciary. Therefore, judges are required to possess high legal competence and strong moral integrity, so that every decision rendered truly reflects the values of substantive justice.

The professional ethics of judges serve as moral guidelines and standards of behavior that must be upheld in the performance of judicial duties. In the context of a state based on the rule of law (rechtstaat), judges must not be influenced by power, political pressure, or personal interests. Professional ethics serve to ensure that the exercise of judicial power remains within the bounds of truth, honesty, and moral responsibility. According to the Code of Ethics and Guidelines for Judicial

Conduct (KEPPH) issued by the Judicial Commission of the Republic of Indonesia, judges are required to uphold fundamental values such as independence, integrity, honesty, competence, and discipline in every decision they make.

However, in practice, the implementation of professional ethics for judges in Indonesia has not fully aligns with these ideal principles. Numerous cases of ethical violations, such as abuse of authority, bribery, and interference in the judicial process, demonstrate the continued weakness in the internalization of ethical values within the judicial system. This phenomenon not only damages the image of the judiciary but also undermines public trust in the legal system, which should be the last line of defense for those seeking justice.[1]

The integrity crisis affecting some judicial officials illustrates that the law cannot uphold justice without a strong moral conscience from those who enforce it. Judges, as enforcers of justice, are required to prioritize conscience and human values above all external pressures. Therefore, professional ethics cannot be viewed simply as normative rules; rather, it must become an inner consciousness inherent in every judge.

Furthermore, the challenges of upholding professional ethics for judges are increasingly complex in today's modern era. Advances in information technology, public openness, and high public expectations for legal transparency require judges to be more vigilant in their attitudes, behavior, and decisions. In this context, upholding professional ethics for judges is key to creating a judicial system with integrity and trust.

Based on these conditions, this study aims to analyze in-depth the concepts and principles of professional ethics for judges, the types of violations that frequently occur, and strategies that can be implemented to strengthen judges' integrity in upholding justice. Through this study, it is hoped that a comprehensive understanding of the importance of professional ethics as a moral foundation for upholding the honor of judges and realizing a just, dignified, and humanitarian justice system will emerge.

## 2. LITERATURE REVIEW

Professional ethics can generally be understood as a set of moral norms that govern professional behavior in carrying out their duties. According to K. Bertens, professional ethics aims to maintain a person's integrity and moral responsibility in work that affects the lives of others. In a legal context, the professional ethics of judges reflect fundamental values such as honesty, impartiality, and responsibility for justice.[2]

The Code of Ethics and Guidelines for Judges' Conduct (KEPPH), issued by the Indonesian Judicial Commission, establishes five core values that must be upheld by judges: independence, integrity, honesty, competence, and discipline. These values form the basis for judges' behavior in maintaining professionalism and the honor of their position.

Several previous studies have also emphasized the importance of moral integrity in the judicial profession. Mahfud MD stated that without integrity, the law loses its power as a means of upholding justice. Therefore, ethical education for prospective judges and a transparent oversight system are essential to achieving a clean and just judiciary.[3]

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[1] Supirman Rahman & Nurul Qamar, Ethics of the Legal Profession, Makassar, Reflection, 2014, p. 4

[2] Bertens, K. *Ethics*. Jakarta: Gramedia Pustaka Utama, 2007.

[3] Mahfud MD, Moh. *Political Law in Indonesia*. Jakarta: Rajawali Pers, 2011.

## 3. RESEARCH METHODOLOGY

This research uses a normative-juridical approach with a library research method. This approach was chosen because the study focuses on analyzing the principles, norms, and doctrines of judicial professional ethics within the context of the Indonesian legal system. Data were analyzed descriptively and qualitatively, interpreting the meaning of judicial professional ethics based on the principles of justice, integrity, and moral responsibility.[4]

## 4. RESULTS AND DISCUSSION

### 4.1. Ethical Violations and Their Challenges

Professional ethics for judges are moral guidelines that must form the basis for every action and decision of a judge. However, in practice, the application of professional ethics does not always conform to the ideal principles mandated by the Code of Ethics and Guidelines for Judicial Conduct (KEPPH). Various ethical violations still frequently occur and attract public attention, both administrative and moral, and those related to the professional integrity of judges in carrying out their duties.[5]

Violations of professional ethics for judges not only diminish the dignity of the individual perpetrator but also damage the image of the judicial institution as a whole. As law enforcers expected to uphold justice, ethical violations by judges will lead to a crisis of public trust in the legal system and the state.[6]

Violations of professional ethics for judges can be categorized into several main forms, including:

1) Abuse of Authority and Position
   Judges who use their positions to gain personal gain or influence certain parties are committing a serious violation of professional ethics. This abuse can take the form of bribery, gratuities, or legal brokering practices that violate the principles of justice and independence.
2) Dishonesty and Manipulation of the Legal Process
   Several cases have shown judges lacking transparency in examining and deciding cases, including ignoring evidence or favoring certain parties. This behavior violates the principle of objectivity and undermines public trust in the integrity of judges.
3) External Intervention in Decision-Making
   Political, economic, or power pressures are often factors that influence judicial independence. Judges who succumb to such interference have violated the principle of judicial independence, the core of professional ethics.
4) Inappropriate Behavior Outside the Court
   Professional ethics govern not only the behavior of judges in the courtroom, but also outside the court environment. Actions such as inappropriate relationships, hedonistic lifestyles, or involvement in political activities can harm the image and honor of the judicial office.
5) Conflict of Interest

[4] Soerjono Soekanto. *Introduction to Legal Research*. Jakarta: UI Press, 2010.

[5] Muhammad Nuh, Ethics of the Legal Profession, Bandung: Pustaka Setia, 2011, p. 122.

[6] Lili Rasjidi and Ira Rasjidi. Fundamentals of Legal Philosophy and Theory. Bandung: Citra Aditya Bakti, 2001.

Judges are prohibited from examining or deciding cases where personal, family, or other interests could potentially affect their objectivity. However, in practice, conflicts of interest are often ignored and become a source of injustice in court decisions.

Based on an analysis of various reports from the Judicial Commission of the Republic of Indonesia (KY) and the Supreme Court (MA), several main factors contribute to violations of professional ethics among judges, namely:

1) Weak Internal and External Oversight
   Ethical oversight conducted by the judiciary is often ineffective due to limited resources and a lack of coordination between the MA and the KY.
2) Political Intervention and Power
   Pressure from interested parties, both political and economic, is one of the main causes of ethical violations that threaten judicial independence.
3) Low Individual Ethical Awareness
   Not all judges have a strong moral awareness of their professional ethical responsibilities. The lack of ongoing moral guidance and education leads some judges to be tempted to abuse their power.
4) Permissive Organizational Culture
   In some cases, ethical violations are not dealt with firmly due to a culture of tolerance for error. This permissive attitude creates an environment that allows minor violations to develop into systemic practices.
5) Limited Transparency and Accountability
   The lack of transparency with the public in handling ethical violations results in a low deterrent effect and reduced public trust in oversight institutions.

In efforts to uphold professional ethics for judges, various structural and cultural challenges must be addressed, including:

1) Limited Authority of the Judicial Commission
   Although the Judicial Commission (KY) has a mandate to oversee the behavior of judges, this institution's authority is often limited to recommendations without binding executive power.
2) Dual Oversight between the Supreme Court (MA) and the Judicial Commission
   The lack of coordination between internal (MA) and external (KY) supervisors leads to overlapping authority and weak enforcement of ethical sanctions.
3) Internal Resistance
   Many judges view ethical oversight as an interference with judicial independence. This view hinders the process of enforcing discipline and ethical evaluation.
4) Lack of Systematic Ethics Education
   Ethics education at judicial candidate training institutions is often formalistic and does not foster strong moral character.
5) Social Change and Public Pressure
   In the digital era and the openness of information, judges face significant pressure from public opinion and social media, which can influence their professional attitudes and behavior.

**4.2. Efforts to Strengthen Judicial Professional Ethics**

Judicial professional ethics is the moral foundation that guides every judge in carrying out their duties to uphold justice honestly, independently, and with integrity. However, the implementation of these ethics often faces challenges, such as political interference, abuse of authority, weak internal oversight, and individual moral degradation. Therefore, strengthening

judicial professional ethics is a strategic step in judicial reform aimed at building public trust and strengthening the legitimacy of judicial institutions.

Efforts to strengthen judicial professional ethics can be implemented through several key strategies, namely:[7]

1) Strengthening Judicial Ethics Education and Development

   A crucial first step is to strengthen ethics education from the early stages of judicial candidate formation. Ethics education should not be merely theoretical but should be developed in the form of character development and moral awareness training. Judicial candidate educational institutions, such as the Center for Judicial Technical Education and Training (Pusdiklat Mahkamah Agung), need to integrate curricula that emphasize the values of honesty, justice, and social responsibility.

   Furthermore, for active judges, continuing judicial education is necessary on a regular basis to maintain moral values amidst social change and developments in legal technology. Ethics education serves as a reminder that justice is determined not only by adherence to written law, but also by the judge's conscience.

2) Strengthening the Supervisory and Accountability Function

   Supervision is a key element in maintaining the implementation of professional ethics. This can be strengthened through synergy between the Supreme Court (MA) as the internal supervisor and the Judicial Commission (KY) as the external supervisor. These two institutions must work collaboratively, not competitively, with the same goal: to maintain the honor and dignity of judges.

   The Judicial Commission needs to strengthen transparent reporting and enforcement mechanisms for ethical sanctions and ensure fair and accountable ethical review procedures. Publication of the results of handling ethical violations is also crucial to increase the deterrent effect and build public trust in the judiciary.

3) Reform the Recruitment System and Performance Assessment of Judges

   Judicial integrity must be built from the recruitment process. Therefore, the selection system for prospective judges must be designed in an open and merit-based manner, assessing not only academic competence but also personal integrity and moral track record.

   In addition to recruitment, the judicial performance assessment system must also include ethical and behavioral indicators, not solely case productivity. This will encourage judges to use integrity and professionalism as measures of career success, rather than the number of decisions rendered.

4) Enhancing a Culture of Integrity in the Judicial Environment

   Professional ethics cannot be enforced solely through written regulations; they must become a living culture within the workplace. A culture of integrity needs to be built through moral leadership from judicial officials who set an example for their subordinates.

   The Supreme Court needs to strengthen an organizational culture based on ethical values such as openness, responsibility, and discipline. Rewarding judges who excel in maintaining integrity and exemplary moral conduct can also serve as a moral incentive for other officials.

5) Increasing Public Participation and Judicial Transparency

   Public involvement in overseeing judicial behavior is a crucial factor in maintaining transparency and accountability. The public needs to be given access to

[7] Abdulkadir Muhammad, Ethics of the Legal Profession: Bandung, Citra Aditya Bakti, 2006, p. 62.

information related to the ethics process, including reporting of violations and the results of their actions.

With public participation, the judiciary will be encouraged to be more open and accountable for the ethical behavior of its officials. Furthermore, the public also needs to be educated to understand the boundaries of judicial professional ethics so that they are not easily influenced by opinions that could undermine judicial independence.

6) Inter-Institutional Collaboration in Ethics Development

Strengthening judicial professional ethics cannot be done in isolation. Collaboration is needed between the Supreme Court, the Judicial Commission, the Ministry of Law and Human Rights, law universities, and non-governmental organizations (NGOs) focused on issues of justice and public integrity.

This collaboration can be realized in the form of a national ethics forum, joint research, cross-institutional ethics training, and data- and technology-based ethical violation prevention programs. Through synergistic cooperation, efforts to maintain the honor and dignity of judges will be more effective and sustainable.

7) Digitalization of Ethics Systems and Performance Transparency

Advances in information technology are opening up new opportunities for digital-based ethics oversight and development. An e-Ethics system, or judicial integrity portal, can be developed to facilitate reporting, monitoring, and publication of ethics enforcement results in real time.

In addition to increasing efficiency, digitalization can also reduce the scope for manipulation and strengthen transparency. This way, any ethical violations can be detected more quickly and prosecuted in accordance with the principles of accountability and procedural fairness.[8]

## 5. CONCLUSION

The professional ethics of judges play a central role in ensuring the achievement of justice and public trust in the judiciary. Judges must uphold the values of honesty, independence, and moral responsibility in every decision they render. However, ethical violations still occur due to weak oversight, external intervention, and low moral awareness. Therefore, strengthening the ethics system, continuing education, and fostering a culture of integrity are key to building a dignified and fair judiciary.

## 6. REFERENCE

Abdulkadir Muhammad, Ethics of the Legal Profession: Bandung, Citra Aditya Bakti, 2006, p. 62.

Bertens, K. *Ethics*. Jakarta: Gramedia Pustaka Utama, 2007.

[8] Fauzie Yusuf Hasibuan, Law and the World of Justice in Indonesia, Jakarta, Fauzie & Partners, 2007, p. 1

Fauzie Yusuf Hasibuan, Law and the World of Justice in Indonesia, Jakarta, Fauzie & Partners, 2007, p. 1

Judicial Commission of the Republic of Indonesia. Guidelines for Judicial Ethics and Conduct (KEPPH). Jakarta: KY RI, 2012.

Law Number 48 of 2009 concerning Judicial Power.

Lili Rasjidi and Ira Rasjidi. Fundamentals of Legal Philosophy and Theory. Bandung: Citra Aditya Bakti, 2001.

Mahfud MD, Moh. *Political Law in Indonesia*. Jakarta: Rajawali Pers, 2011.

Muhammad Nuh, Ethics of the Legal Profession, Bandung: Pustaka Setia, 2011, p. 122.

Soekanto, Soerjono. *Introduction to Legal Research*. Jakarta: UI Press, 2010.

Supirman Rahman & Nurul Qamar, Ethics of the Legal Profession, Makassar, Reflection, 2014, p. 4.