



Toward a Pancasila Based National Ethics Court: An Institutional Model for Indonesia's Judicial Ethics System

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Abstract

Indonesia's current judicial ethics framework remains sectoral and disjointed, distributed among institutions such as the Judicial Commission (JC), the Honorary Council of Election Organizers (HCEO), the Prosecutorial Commission, and other similar bodies. This fragmented structure fails to ensure uniform ethical standards for state officials, creating ambiguity in norm enforcement and undermining accountability within the rule of law. This research identifies the systemic weaknesses inherent in the existing ethics apparatus and puts forward an institutional framework for a National Ethics Court (NEC) grounded in Pancasila principles. Utilizing normative legal methodology, this study integrates statutory and conceptual analytical approaches. Expanding upon and diverging from earlier contributions by Jimly Asshiddiqie and Harmoko M. Said, which remain confined to philosophical justifications for an ethics tribunal, this work elaborates a tangible institutional architecture: a cross-sectoral NEC functioning as a third pillar of judicial authority alongside the Supreme Court and the Constitutional Court, consolidating adjudicatory roles presently dispersed among the JC and HCEO, and instituted via either an organic statute or a limited constitutional amendment to the 1945 Constitution. The outcomes demonstrate that this reconceptualization an autonomous, unified, cross-sectoral adjudicative mechanism with final and binding decisional authority rectifies the disparate oversight mechanisms and inconsistent evaluative benchmarks arising from fragmentation. Accordingly, Indonesia requires a National Ethics Court: an autonomous, coordinated adjudicative organ founded upon Pancasila's core tenets of justice, legal certainty, and societal benefit.

Keywords: *Judicial Ethics; National Ethics Court; Pancasila; Rule of Law.*

I. Introduction

The legitimacy of state institutions in any modern democracy rests on the integrity of public officials. This integrity also underpins public confidence in governance. Ethics in government is no longer merely a matter of private morality. It now functions as a foundational norm that upholds good governance and constitutional morality. However, empirical evidence from Indonesia reveals structural and functional gaps in the ethical oversight of state officials. Violations of ethics arise regularly across the executive, legislative, and judicial branches. This recurring pattern indicates that the existing oversight system has not yet achieved full, integrated functioning.

Data from the Honorary Council of the House of Representatives (HCH) indicate 22 reports of alleged ethical breaches filed with the HR and RRC from 2019 through 2024. Roughly only 22.7 percent of these reports advanced to further review.¹ This limited follow-up rate reflects an accountability gap within the institution. It also reveals a lack of firm commitment to enforcing ethics inside the legislature. The system overseeing legislative ethics stays sectoral and lacks proper coordination. It has yet to address the underlying source of the issue.

A comparable trend can be seen in the internal monitoring conducted at the Corruption Eradication Commission (CEC). Its Supervisory Board (SB) documented a shifting count of alleged ethics breaches among CEC personnel: 20 cases in 2020, 38 in 2021, 26 in 2022, and 39 in 2024.² Although the SB functions as an internal watchdog, doubts remain about how effective it truly is. These doubts involve the transparency of procedures, the proportionality of penalties, and whether its rulings carry binding weight. The lack of genuine synergy amid fragmented oversight across agencies continues to undermine public trust in state institutions.

Weak coordination between institutions also generates uneven standards and processes in handling cases. Four judges were dismissed for ethical misconduct, according to the Honorary Council of Judges (HCJ). Meanwhile, the Election Supervisory Agency (ESA) documented 195 violations connected to the impartiality of regional leaders spanning 25 provinces.³ This inconsistency in institutional responses reveals shortcomings in the country's overall ethics framework. It highlights the necessity of a single, unified ethical system capable of ensuring legal certainty alongside enduring moral justice.

¹ Tempo, *Peneliti IPC Sebut DPR Periode 2019–2024 Tidak Layak Mendapatkan Penghargaan*, 2024.

² Dewas KPK, “Dewas KPK Kebanjiran Pengaduan Etik Di 2023,” preprint, Metro TV News, 2024.

³ Yosafat Diva Bayu Wisesa, “Bawaslu: Ada 195 Kasus Dugaan Pelanggaran Di Kampanye Pilkada,” preprint, IDN Times, December 23, 2024.

An independent ethics body has already been proposed by several legal and constitutional experts. Jimly Asshiddiqie put forward the concept of the rule of ethics as a companion to the rule of law. He advocated for an ethics body that is transparent and neutral.⁴ As an example of a functioning open ethics tribunal with binding rulings, he cited the Honorary Council of Election Organizers (HCEO). Even so, this concept has remained largely theoretical, not yet evolving into an institutional framework covering every branch of government.

This concept aligns with a recommendation issued by the United Nations General Assembly in 1996, which called on all nations to establish independent ethics bodies free of political influence in upholding ethical standards.⁵ In the Indonesian context, Harmoko M. Said highlights how sectoral ethics bodies including the Judicial Commission, HCEO, and the Prosecutorial Commission remain fragmented. According to him, this fragmentation causes these bodies to lack legitimacy due to insufficient consolidation. He recommends forming a Court of Ethics, whether through statutory law or constitutional revision.⁶

According to Ni'matul Huda, institutional disharmony has substantially undermined the Judicial Commission (JC), a weakening traced to Constitutional Court Decision Number 005/PUU-IV/2006, which removed the JC's authority to oversee constitutional judges.⁷ Some observers regard this ruling as involving elements of *ultra petita*, given that the Constitutional Court decided on an issue affecting its own interests. Consequently, the Constitutional Court runs the risk of turning into an unchecked super body one that external oversight struggles to reach even as its own internal ethics mechanisms have failed to prevent misconduct. This condition reinforces the argument for an independent ethics body with objective, accountable authority spanning all judicial officials, including constitutional judges.

From a legal-theory standpoint, this situation reflects a legal vacuum (*rechtsvacuum*) in the national ethics oversight structure. Satjipto Rahardjo argues that law should not stay confined to positive norms. Law should instead work as a transformative tool toward substantive justice.⁸ A progressive legal approach, then, fits the task of redesigning ethics institutions. Such reform should move beyond formalism and answer real social needs.

⁴ Jimly Asshiddiqie, "Memperkenalkan Peradilan Etika," *Jurnal Konstitusi Dan Demokrasi* 1, no. 1 (2021): 1–9.

⁵ Yusuf Warsyim and Harmoko, "Aktualisasi Kode Etik Penyelenggara Negara Di Indonesia," *Diversi Jurnal Hukum* 9, no. 1 (2023): 62–88.

⁶ Harmoko M. Said, "Menggagas Peradilan Etik Penyelenggara Negara Di Indonesia," *SASI* 27, no. 1 (2021): 24–37.

⁷ Susianto, "Mahkamah Konstitusi: Etika Kehakiman Dan Kendaraan Politik Penguasa," *Binamulia Hukum* 12, no. 2 (2023): 459–71.

⁸ Satjipto Rahardjo, *Ilmu Hukum* (Citra Aditya Bakti, 2000).

Discourse on consolidating ethics institutions surfaced again at the National Symposium on Ethics for State Organizers, held in late 2024 by the Pancasila Ideology Development Agency (PIDA), the Judicial Commission, and the CEC.⁹ The forum recommended merging ethics institutions into one national body. This step would strengthen checks and balances, transparency, and due process. Yet most existing studies stop at the normative and comparative level. They rarely address an operational institutional design fit for Indonesia's constitutional character.

This review points to a clear conclusion. Academic awareness of the need to institutionalize a national ethics system has grown. Still, no concrete design exists for a National Ethics Court (NEC) as a cross-sectoral constitutional body with final, binding adjudicative authority. This research addresses three gaps: first, the absence of an integrated, cross-sectoral ethics institutional design at the national level; second, the absence of a constitutionally grounded ethics institution model as a separate judicial authority, a third chamber of judicial power; and third, the absence of an ethics institution empowered to impose final, binding sanctions on all state officials.

This research offers novelty along three lines. First, it conceives the NEC as an independent, cross-sectoral national ethics institution with adjudicative authority over all public officials. Second, it takes an integrative approach: it combines the philosophical-normative dimension of the rule of ethics, the constitutional foundation of the 1945 Constitution and PCA Decrees, and an evaluation of weaknesses in sectoral ethics bodies such as the HCEO and JC. Third, it proposes constitutional reformulation through two paths: establishing the NEC by organic law, or amending the constitution to add a branch of judicial power outside the Supreme Court and the Constitutional Court.

The push to establish the NEC also ties to Pancasila's role as the basic norm (*grundnorm*) of the Indonesian legal system. Teguh Prasetyo stresses that Pancasila forms the normative foundation animating the entire national legal system.¹⁰ Establishing a National Ethics Court, then, works as more than institutional reform. It stands as ideological actualization, one that makes the values of Divinity, Humanity, and Social Justice concrete in state administration.

This research draws on an interdisciplinary approach, one that joins constitutional law, government ethics, and public institutional management. It aims to build the conceptual foundation and institutional design for a constitutional, systemic, sustainable ethics oversight system. The National

⁹ Badan Pembinaan Ideologi Pancasila, "Pembentukan Mahkamah Etika Nasional Dinilai Jadi Solusi Jawab Persoalan Kerapuhan Etika Penyelenggara Negara," preprint, BPIP, 2024.

¹⁰ Teguh Prasetyo and Arie Purnomosidi, *Membangun Hukum Berdasarkan Pancasila* (Nusa Media, 2014).

Ethics Court, once established, should become a pillar for strengthening institutional integrity, closing oversight gaps, and restoring public trust in Indonesia's constitutional democracy.

II. Research Method

This research applies normative legal method. This method offers a systematic way to explore and formulate legal norms, principles, and doctrines that answer the legal questions at hand. It carries a prescriptive character: it identifies relevant norms, principles, and doctrines to build coherent legal arguments and to feed the development of broader legal theories and concepts.¹¹ Two approaches guide this research: the statutory approach and the conceptual approach. Both work together to build a deep understanding of the ideal format for establishing the NEC within Indonesia's legal system. The statutory approach examines positive law sources, including the 1945 Constitution, PCA Decree Number VI/MPR/2001 on Ethics in National and State Life, and other relevant laws and regulations. The conceptual approach traces legal doctrines and theories that can ground the NEC's establishment as part of a constitutional structure that secures independent, constitutional ethics oversight. Primary legal materials in this research include the 1945 Constitution, PCA Decree Number VI/MPR/2001, and various laws on government administration. Secondary materials consist of scientific literature, legal journal articles, and academic studies on state officials' ethics. Tertiary materials include legal dictionaries and encyclopedias. The analysis proceeds deductively and prescriptively: it derives general norms from the legal system and builds toward recommendations for a national ethics institution that is just and consistent with Pancasila values.

III. Results and Discussion

A. Problems in Indonesia's Judicial Ethics System

The fragmentation sketched in the Introduction is not simply a matter of separate bodies producing separate case counts. It recurs across at least four structural dimensions: overlapping jurisdiction among oversight institutions, inconsistent procedural standards for handling reports, sanctions disproportionately weak relative to the severity of violations, and the absence of binding mechanisms for cross-institutional coordination. The evidence below, drawn from institutions not yet examined, tests how consistently this pattern holds across the executive, legislative, judicial, and election-

¹¹ Ani Purwati, *Metode Penelitian Hukum: Teori & Praktik* (Jakad Media Publishing, 2020).

oversight branches, and shows why sectoral reform alone cannot close the gap.¹²

Data on ethical violations across several state institutions reveal the scale of this problem: in 2024 alone, the Indonesian National Police (INP) dismissed 414 members for dishonorable conduct, demoted another 525, and recorded 2,341 disciplinary violations alongside 1,827 breaches of the professional code of ethics.¹³ These figures point beyond isolated incidents. They signal systemic weaknesses in the internal oversight of law enforcement institutions.

In the legislative branch, reports of ethical violations by HR RI members fluctuate as well: in 2022, nine members faced reports of alleged ethical violations, yet only three cases reached the Honorary Council of the House (HCH) for further processing.¹⁴ This low follow-up rate reflects weak institutional commitment to firm, consistent ethics enforcement within the legislature.

Judicial ethics violations also remain a live concern: JC data show 267 reports of alleged violations of the judicial code of ethics, of which only 11 passed verification and registration, joined by 39 carried-over reports from the previous period; of the 50 total processed reports, sanctions ranged from dishonorable dismissal to mild reprimand.¹⁵ This gap between the number of reports and the number of substantively processed cases stands out.

The Constitutional Court (CC) has also faced controversy over ethical violations, most notably in Decision Number 90/PUU-XXI/2023, its ruling on the age limit for presidential candidates. Critics argue this decision departed from judicial independence, as defined by The Bangalore Principles of Judicial Conduct 2002.¹⁶ Several earlier cases involving constitutional judges reinforced public perceptions of an integrity crisis inside the judicial body.¹⁷ These cases show that internal oversight mechanisms have not fully protected the independence and accountability of constitutional judges.

Ethics concerns extend into the CEC's own structure. Alleged violations involving former Chairman Firli Bahuri, former Deputy Chair Lili Pintauli Siregar, and active Deputy Chair Nurul Ghufroon show that anti-corruption bodies are not immune to integrity problems. A case of illegal levies at the

¹² Fitri Hayani et al., "Analisis Permasalahan Etika Pejabat Pemerintahan Dari Perspektif Administrasi Publik," *Eksekusi: Jurnal Ilmu Hukum Dan Administrasi Negara* 2, no. 4 (2024): 259–68.

¹³ Iqbal Basyari, *Melanggar Kode Etik, 414 Polisi Dipecat Sepanjang 2024*, 2024.

¹⁴ Erlina F. Santika, "Data Jumlah Pelanggaran Etik Anggota DPR RI Periode 2019–2024," preprint, Databoks Katadata, n.d.

¹⁵ Komisi Yudisial, "KY Usulkan 33 Hakim Dijatuhi Sanksi," preprint, 2024.

¹⁶ M. Jundi Rabbani et al., "Implementasi Etika Pejabat MK: Studi Kasus Kepemimpinan Anwar Usman," *At-Thullab* 6, no. 1 (2024): 1588–97.

¹⁷ Ilhamdi Putra Arfiani and Afdhal Fadhila, "Pelanggaran Etik Hakim Konstitusi Dan Rekomendasi Penegakan Hukum Pada Kasus Pemalsuan Putusan," *UNES Journal of Swara Justisia* 7, no. 4 (2024): 1234–48.

CEC detention center, involving at least 93 employees, deepened public doubt about the institution's credibility.¹⁸ This pattern reveals systemic weaknesses in the CEC's ethical culture and institutional governance.

Code of ethics violations have also touched the GEC, where Chairman Hasyim Asy'ari and West Java Provincial GEC Chairman Ummi Wahyuni both faced sanctions for ethics violations.¹⁹ Similar cases surfaced in several districts. This high rate of violations in strategic state institutions points to a need for comprehensive reform: stronger internal oversight, consistent enforcement of ethics codes, and firm, proportional sanctions.

Sectoral overlap and duplicated authority among oversight institutions reveal deeper weaknesses in the national ethics architecture; M. Said argues that these overlaps expose weaknesses in law enforcement and undercut ethical norms across the board.²⁰ Unclear jurisdiction in cross-sectoral cases often breeds confusion and slows case handling.

Limited coordination among institutions worsens the problem, partly because no explicit rules govern institutional cooperation. Tensions between the HCH and CEC in several cases illustrate this weak harmonization of authority.²¹ Sorni argues that weak communication and the absence of coordination mechanisms leave many ethical violations unresolved, sometimes producing outright deadlock in enforcement.²²

Beyond fragmented authority, weak sanction enforcement stands as another core problem: Transparency International Indonesia data show that of 100 ethical violation cases, only about 20 percent proceed further, and only 5 percent end in sanctions.²³ This finding exposes the weak coercive force of the current ethical system in protecting public officials' integrity.

Sanctions imposed often carry too little weight to deter future violations.²⁴ In many legislative ethics cases, punishment stops at a written reprimand or temporary dismissal. This leniency reflects weak state

¹⁸ Tempo, *Dewas KPK: Tiga Pimpinan KPK Terkena Sanksi Etik Selama 2019–2024*, 2024. lihat juga > Indonesia Corruption Watch, “Jelang Persidangan Etik 93 Pegawai KPK Terkait Pungutan Liar Di Rumah Tahanan: Bobroknya Pengawasan Dan Hilangnya Keteladanan Pemimpin,” preprint, Antikorupsi, December 24, 2024.

¹⁹ Tempo, *Inilah 5 Pelanggaran Ketua KPU Hasyim Asy'ari Sebelum Akhirnya Dipecat*, 2024., lihat juga > Anindyadevi Aurellia, “DKPP Pecat Ketua KPU Jabar Terkait Pelanggaran Etik Saat Pileg,” preprint, DetikNews, 2024.

²⁰ Said, “Menggagas Peradilan Etik Penyelenggara Negara Di Indonesia.”

²¹ Yesaya Fabian Davis and Amalia Putri Maharani, “Peran Hakim Dalam Menyimpangi Sanksi Minimum Khusus Terhadap Penyalahgunaan Narkotika Berdasarkan Teori Hukum Progresif,” *Jurnal Ilmu Hukum: Alethea* 7, no. 2 (2024): 149–64.

²² Sorni Paskah Daeli, “Etika Dan Integritas Kepemimpinan Dalam Pemerintahan Di Indonesia Perlu Ditingkatkan,” preprint, Kementerian Koordinator Bidang Pembangunan Manusia dan Kebudayaan Republik Indonesia, December 24, 2023.

²³ Kompas, *Pemberantasan Korupsi Di Indonesia Masih Stagnan*, 2020.

²⁴ Ismail Marzuki, “Korupsi Sebagai kejahatan Serius: Evaluasi Peran Lembaga Anti-Korupsi,” *Policy and Law Journal (Polaw)* 1, no. 1 (2024): 16–26.

commitment to enforcing public ethics as part of clean governance. Fragmented authority and weak sanctions together erode public trust. A 2021 survey by the Indonesian Survey Institute (ISI) found that about 65 percent of respondents doubted the capacity of ethics oversight institutions to work transparently and accountably.²⁵ Public opinion increasingly views ethics oversight as a political tool used against opposition parties.

Limited transparency around the procedures and outcomes of ethics cases, especially those involving senior officials, deepens negative public perception. This opacity creates the impression that case resolution happens behind closed doors, controlled by a narrow elite. That impression weakens the legitimacy of oversight institutions in the public eye. Fragmented authority, weak sanctions, and low public trust combine to block an effective national ethics oversight system. Comprehensive reform is now urgent. It must improve the legal framework, strengthen coordination among institutions, and expand transparency and public participation in oversight.

Reform of the national ethics system must also rest on Pancasila as living ethics that guides state officials' conduct. Yassir argues that Pancasila values should work as substantive ethical guidelines, not just formal legal sources. These values should place integrity, morality, and social justice at the center of public decision-making.²⁶ Once Pancasila becomes the normative ethical framework, oversight reform moves beyond administration. It becomes substantive, aimed at building a lasting culture of integrity.

B. Urgency and Philosophical Foundation for a National Ethics Court

Ethics-based governance forms an essential element in building good state governance and a democracy with integrity, a view that aligns with Rasyid's argument that any action by state or public officials which fails to support, or actively hinders, service, empowerment, and development counts as an ethical violation. Ethics, then, works as more than a moral norm: it also builds public trust in government and protects the bureaucracy's integrity.²⁷ Without strong ethics, government systems stay vulnerable to abuse of power, corruption, and opaque procedures, all of which erode public trust.²⁸

²⁵ LSI, "Rilis Survei LSI 01 Maret 2023," preprint, 2023.

²⁶ Yassir Arafat, "Diskursus Keputusan Kepala BPIP Sebagai Regeling," *Jurnal Rechtsens* 13, no. 2 (2024): 225–44.

²⁷ M. Nasir Djamil and T. B. Massa Djafar, "Etika Publik Pejabat Negara Dalam Penyelenggaraan Pemerintahan Yang Bersih," *Jurnal Politik* 12, no. 1 (2016): 1757–68.

²⁸ Robert W. Hahn and et al., "Assessing the Quality of Regulatory Impact Analyses," *Harvard Journal of Law and Public Policy* 23, no. 23 (2000): 859–85.

Indonesia has already tried to enforce ethics in government administration through several legislative instruments. These instruments draw on Pancasila philosophy, the 1945 Constitution, PCA Decree Number VI/MPR/2001 on Ethics in National and State Life, Law Number 30 of 2014 on Government Administration, Law Number 5 of 2014 on the State Civil Apparatus, and Law Number 28 of 1999 on State Organizers Free from Corruption, Collusion, and Nepotism.

Ironically, many state officials still violate these principles through abuse of authority, corrupt practices, collusion, and neglect of public interest, despite the ethical spirit behind these regulations. This pattern points to weak implementation of ethics in the bureaucracy. Bureaucratic opacity and officials' tendency to favor personal interest over public interest deepen the problem.

The term ethics traces back to the Greek *ethikos* or *ethos*, meaning customs, habits, and social practices, and refers to a set of conduct rules drawn from norms or values that grow naturally and command obedience in social life.²⁹ The Great Dictionary of the Indonesian Language defines ethics as a branch of knowledge covering principles of good and evil and moral rights and duties. It also covers norms or principles that govern behavior and the values a community holds and follows.³⁰ K. Bertens shares this view.³¹ He defines ethics as a set of moral values and norms that guide individual and group behavior. Bertens identifies two dimensions of ethics: first, a value system embedded in individual life; second, a set of formal ethical principles that govern professional conduct. Ethics, in this sense, often works as a branch of philosophy, one that examines concepts of good and evil in human action.

In the judicial realm, the post-reform era brought a shift toward independence, yet ethics remains a serious challenge, partly because ethical violations often get resolved behind closed doors. This condition highlights the need for a genuinely independent, transparent judicial ethics mechanism, one that can build public trust and secure substantive justice. Jimly Asshiddiqie explains that Indonesia's ethics enforcement institutions tend to work in a closed manner with limited authority. He argues this gap calls for an independent ethics court, one that can build public officials' integrity.³²

Indonesia, as a rule of law state grounded in Pancasila and the 1945 Constitution, requires that every policy and action submit to positive law. Article 27 paragraph (1) of the 1945 Constitution affirms the principle of equality, which rejects arbitrary action. Law enforcement grounded in moral and ethical values, though, remains an unfinished reform agenda. A shortage

²⁹ Zakiah Daradjat and et al., *Dasar-Dasar Agama Islam* (Universitas Terbuka, 2002).

³⁰ W. J. S. Poerwadarminta, *Kamus Umum Bahasa Indonesia* (Balai Pustaka, 1985).

³¹ K. Bertens, *Etika* (Gramedia Pustaka Utama, 1994).

³² Asshiddiqie, "Memperkenalkan Peradilan Etika."

of integrity and moral value in law enforcement risks damaging the essence of law itself.

The ethical values within Pancasila, as Indonesia's ideological foundation, must be woven fully into governance practice. These values work not just as moral guidelines. They also form the philosophical bedrock for national and state life. Various legal products, including laws, decrees, decisions, and administrative policies, elaborate these values further. These products, in essence, embody Pancasila's principles in operational form.³³ In this same spirit, on December 12, 1996, the United Nations General Assembly adopted a resolution titled 'Action Against Corruption', paired with an appendix on the 'International Code of Conduct for Public Officials'. This resolution urges every member state to build a public service ethics framework, one that ensures state duties get carried out with integrity and accountability.³⁴ This international recommendation offers an important reference for Indonesia's plan to establish the NEC as an ethics oversight body that protects state officials' integrity.

Several national figures have voiced support for this institution, including PCA RI Chairman Bambang Soesatyo.³⁵ He argues the Ethics Court can draw on TAP MPR Number VI/MPR/2001 on Ethics in National and State Life. The initiative to build this institution, then, needs strong backing from legislators, both from the government and from HR RI members.

Pancasila, as the state's foundation and the source of all law, carries a dual function. First, it works as a basic norm (*philosophische grondslag*) that gives ethical direction to every law and regulation. Second, it works as a value system that governs the moral conduct of citizens and public officials. In reconstructing the national judicial ethics system, Pancasila holds a strategic position as a constitutional ethical paradigm.³⁶

Belief in the One and Only God demands that state power rest on honesty and spiritual accountability. Just and Civilized Humanity demands fair treatment for every individual, free of power abuse. Indonesian Unity stresses national ethics that reject sectarian politics. Democracy guarantees a participative, transparent ethical process. Social Justice affirms public officials' social responsibility toward public welfare. Every effort to build a National Ethics Court, then, must reflect these values in its institutional

³³ Maria Farida Indrati Soeprapto, *Ilmu Perundang-Undangan 1* (Kanisius, 2007).; lihat juga > Fransiska Novita Eleanor, "Pancasila Sebagai Norma Dasar Dalam Sistem Hukum Indonesia," *ADIL Jurnal Hukum* 3, no. 1 (2012): 141–65.

³⁴ Dewan Kehormatan Penyelenggara Pemilu, "DKPP Gagasan Infra-Struktur Etika Dalam Jabatan-Jabatan Publik," preprint, DKPP, 2017.

³⁵ John Andhi Oktaveri, *Bamsoet: Etika Berbangsa Diatur Dalam Tap MPR*, 2020.

³⁶ Nurholish Madjid Datu et al., "Pancasila Sebagai Pilar Dalam Menanggulangi Cyberbullying Di Era Digital," *Pancasila: Jurnal Keindonesiaan* 4, no. 2 (2024): 183–92.

design and adjudication mechanisms. Ethics, in this frame, moves beyond an administrative tool. It becomes an expression of constitutional morality rooted in Pancasila as the national legal ideology.

After the constitutional amendments, various ethics code enforcement bodies emerged across every branch of state power. This proliferation strengthens the case for one integrated, cross-sectoral ethics court. Jimly Asshiddiqie and colleagues raised this idea at the Constitutional Law Conference in Padang, in September 2015. More broadly, shifting societal orientation and perspective, in response to evolving socio-political life, reflect how strongly the social environment shapes identity formation and individual existence. This shift alters values and ethical standards in social life, making moral awareness more relative and diverse. Individuals, in the end, can position themselves as subjects who question normative order and the structure of communal life.³⁷

Since the 19th century, ideas limiting government authority through constitutions, written and unwritten, gave rise to constitutionalism. This principle governs the limits of state authority, protects citizens' political rights, and includes checks and balances that guard against excessive concentration of power. It later grew into the concept of *rechtsstaat*, or rule of law, adapted within Indonesia's own rule of law state.³⁸

John Locke and Montesquieu, through the Trias Politica theory, developed the principle of separation of powers.³⁹ This theory divides power into three branches: legislative, executive, and federative. In practice, this division works horizontally, so that power does not concentrate in one entity, unlike the vertical distribution of power found in federal or unitary states.

The growing complexity of modern constitutional systems has driven the creation of independent regulatory and oversight bodies. In the United States, these bodies go by the name independent regulatory commissions, sometimes called the fourth branch of government.⁴⁰

In Indonesia, discourse on independent state commissions, each with special characteristics and authority, has grown within bureaucratic reform and drawn considerable attention.⁴¹ These institutions gain legitimacy both

³⁷ Emma Palese, "Ethics without Morality, Morality without Ethics-Politics, Identity, Responsibility in Our Contemporary World," *Open Journal of Philosophy* 3, no. 3 (2013): 366–71.

³⁸ Miriam Budiardjo, *Dasar-Dasar Ilmu Politik* (Gramedia Pustaka Utama, 2002).

³⁹ Hendra Nurtjahjo, "Lembaga, Badan, Dan Komisi Negara Independen (State Auxiliary Agencies) Di Indonesia: Tinjauan Hukum Tata Negara," *Jurnal Hukum & Pembangunan* 35, no. 3 (2005): 275–87.

⁴⁰ Jimly Asshiddiqie, *Perkembangan Dan Konsolidasi Lembaga Negara Pasca Reformasi* (Sekretariat Jenderal dan Kepaniteraan Mahkamah Konstitusi Republik Indonesia, 2006).

⁴¹ Tri Suhendra Arbani, "Analisis Yuridis Cabang Pemerintahan Keempat 'The Fourth Branch Of Government' Dalam Struktur Ketatanegaraan Di Indonesia," *Supremasi Hukum: Jurnal Kajian Ilmu Hukum* 5, no. 2 (2016): 168–96.

through explicit provisions in the 1945 Constitution and through various laws below it. Constitutional practice recognizes more than 34 institutions, positions, or bodies listed in the 1945 Constitution. These can be classified by normative hierarchy and functional role, whether as core or supporting institutions in the state power structure. Jimly Asshiddiqie proposes three categories for these state organs: first, primary-level organs that derive authority directly from the 1945 Constitution; second, secondary-level organs that draw authority from both the Constitution and statute; and third, additional-level organs that derive authority from regulations below the level of law.⁴²

The NEC's position, in this context, depends on the source of its authority. If the 1945 Constitution grounds this institution, the NEC sits at the first-layer organ level, on par with high state institutions such as the Constitutional Court and the Supreme Court. If statute alone grounds it, the institution falls to the second-layer organ level, alongside bodies such as the Judicial Commission and the General Election Commission. If regulation below statute grounds it, the NEC sits at the third layer, as a supporting organ. To secure the National Ethics Court's effectiveness as an independent institution with binding legal force, its establishment needs legitimacy through statute, or even constitutional recognition. Here, the President or the HR RI, empowered under Article 20 of the 1945 Constitution to propose a bill, must show real political will to build this strategic institution as part of good governance.

C. Institutional Design for a Pancasila-Based National Ethics Court

An ideal NEC design calls for comprehensive institutional architecture and responsive, efficient working mechanisms. This design must rest on close study of organizational principles, independence, impartiality, and lessons from judicial ethics models that already work well in other countries. Organizational theory, international comparison, and critical assessment of the national judicial ethics system all matter here. They shape recommendations that strengthen the NEC's role as a strategic institution for enforcing ethical standards among state officials.

Robbins and Judge describe organizational structure as a formal framework that shows how tasks get organized, grouped, and coordinated within an institution. This structure covers the division of responsibility, the functional grouping of work units, and coordination across units. Together, these elements shape task execution, authority, information flow, and decision-making within an organization.⁴³ In judicial institutions, these

⁴² Asshiddiqie, *Perkembangan Dan Konsolidasi Lembaga Negara Pasca Reformasi*.

⁴³ Stephen Robbins and Timothy Judge, *Perilaku Organisasi* (Salemba Empat, 2007).

principles show up through orderly administrative governance, standardized procedures, and effective leadership in managing human resources. Effective leadership in judicial institutions shows up through orderly, professional administrative governance, a productive work environment, and concrete steps to improve staff welfare. Together, these elements build a solid foundation for a judicial institution that responds to social change, adapts over time, and commits to law enforcement grounded in civility and justice.⁴⁴

Beyond structure, a strong organizational culture also drives judicial institution performance. A positive culture encourages integrity, professionalism, and accountability among judicial staff. Hofstede stresses that human resource management plays a strategic role in shaping the values and norms that support institutional goals.⁴⁵ Effective structure and strong culture, together, form the two main pillars behind an effective judicial ethics institution.

Independence and impartiality stand as two core principles in ethics judiciary. Independence keeps judicial institutions free from outside intervention, whether from the executive, the legislature, or other interest groups. Impartiality keeps judges neutral: they favor no party in a case and act evenly in performing their duties. These two principles work together as key foundations for a just, equitable judicial system.⁴⁶ Public trust in judicial ethics institutions depends on both.

Jimly Asshiddiqie argues that the current practice of ethical judiciary, run by various state institutions, stays largely symbolic or formal. One reason: ethical proceedings often happen behind closed doors. He stresses the need to transform this system toward modern judicial principles, openness, independence, and impartiality as non-negotiable basics.⁴⁷ Building a credible, integrated judicial ethics system needs a specific legal framework, one that spells out ethical standards for state officials and establishes a fully independent judicial ethics institution, free from political interference or narrow group interest. An open oversight system, one that invites active public participation, also matters. It ensures the institution consistently upholds justice and integrity. Independence and impartiality, then, must anchor any ethical system built to maintain moral standards for state officials.

Several countries offer working models of ethics judiciary that Indonesia can draw on, though each rests on preconditions that shape how far it can transplant. In the United States, judicial commissions in each state

⁴⁴ Alda R. Rizqi, "Menakar Progresifitas Lembaga Peradilan Dalam Mewujudkan Demokrasi Berintegritas," *Progresif* 12, no. 2 (2018): 2102–17.

⁴⁵ Geert Hofstede, *Cultures and Organisations: Software of the Mind* (McGraw-Hill, 1997).

⁴⁶ Mega Ayu Werdiningsih, "Check and Balances Dalam Sistem Peradilan Etik," *Jurnal Konstitusi & Demokrasi* 1, no. 1 (2021): 53–80.

⁴⁷ Asshiddiqie, *Perkembangan Dan Konsolidasi Lembaga Negara Pasca Reformasi*.

investigate alleged ethics violations by judges and recommend appropriate sanctions.⁴⁸ This model works within a federal structure where each state already runs an independent judiciary and a mature bar-association culture of peer self-regulation; Indonesia's unitary structure and single national judiciary make the state-by-state design itself untransplantable, though the underlying principle, that ethics enforcement should sit inside an independent commission rather than under executive control, transfers cleanly. In Italy, the Supreme Judicial Council (*Consiglio Superiore della Magistratura*) oversees judicial conduct, protects judicial independence, and can take disciplinary action against judges who breach the code of ethics.⁴⁹ The CSM emerged from Italy's post-war constitutional settlement, which deliberately insulated the judiciary from a legislature and executive it distrusted after fascism; its dual mandate over both career management and ethics gives it real leverage over judges, a feature Indonesia could adapt by giving the NEC binding sanctioning authority rather than the advisory role most sectoral bodies hold today. In Turkey, the Council of Judges and Prosecutors oversees the performance and conduct of judges and prosecutors, upholding ethical and professional standards across the judiciary.⁵⁰ The Turkish case is a cautionary one: constitutional amendments since 2010 shifted appointment power toward the executive, and the Council's disciplinary authority has since been used against judges seen as politically unaligned. Indonesia must design against that risk by fixing NEC appointment procedures and tenure protections in statute or the Constitution itself, not in ordinary regulation subject to easy amendment.

These models, taken together, show why an independent judicial ethics institution with firm enforcement authority matters. Within Indonesia's constitutional system, an independent, impartial NEC could serve as a strategic step toward stronger ethics enforcement among state officials. This step answers the pressing need for consistent ethical standards and effective enforcement, both essential for integrity and public trust in state institutions.⁵¹

This urgency calls for an Ethics Court institution constitutionally separate from the Supreme Court and the Constitutional Court. This

⁴⁸ Ridarson Galingging, "Pengadilan Etik Hakim Di Amerika Serikat," in *Bunga Rampai KY: Menggagas Peradilan Etik Di Indonesia* (Sekretariat Jenderal Komisi Yudisial RI, 2015).

⁴⁹ Fajri Nursyamsi, "Kode Etik Hakim Dan Penegakannya Di Italia," in *Bunga Rampai KY: Menggagas Peradilan Etik Di Indonesia* (Sekretariat Jenderal Komisi Yudisial RI, 2015).

⁵⁰ Hermansyah, "Sistem Pengawasan Dan Penegakan Etika Hakim Di Turki," in *Bunga Rampai KY: Menggagas Peradilan Etik Di Indonesia* (Sekretariat Jenderal Komisi Yudisial RI, 2015).

⁵¹ Mukhtar and Tanto Lailam, "Problem Etika Pejabat Negara Dan Gagasan Peradilan Etik Yang Independen Dan Imparsial," *Masalah-Masalah Hukum* 50, no. 3 (2021): 265–78.

institution would work as the sole judicial authority for resolving ethical violations across every judicial environment. Its operational foundation would rest on openness, independence, and public accountability.⁵²

This model draws inspiration from Italy's Consiglio Superiore della Magistratura (CSM), which combines ethics oversight with judicial career management, adapted here into a fully autonomous external institution.

To move this proposal beyond a general commitment to independence and impartiality, the NEC's institutional design should specify at least three elements. First, membership: a panel of seven to nine members drawn in fixed proportions from the judiciary, the legal academy, and civil society, none of whom may hold active office in an institution under the NEC's jurisdiction at the time of appointment, breaking the practice under which sectoral commissioners are sometimes drawn from, or answerable to, the very branches they oversee. Second, appointment: members nominated by a joint parliamentary-judicial selection committee and confirmed by the HR RI through a public fit-and-proper test, with staggered, non-renewable five-year terms, so that no single political moment can realign the entire institution at once. Third, relation to existing bodies: the NEC would absorb the adjudicative functions now split between the JC (*judicial ethics*) and the HCEO (*election-organizer ethics*). Both bodies would keep their investigative and case-building role, but final decision-making authority would move to the NEC as the single adjudicative forum. This concentration of adjudicative authority, rather than its duplication, is what distinguishes the NEC from a fifth sectoral body and answers the fragmentation this study diagnoses.

This design invites an objection worth confronting directly. Earlier in this study, the Constitutional Court is criticized for becoming a super body: a court whose rulings are final and binding, and whose own ethical conduct escapes meaningful external review. The NEC, as proposed, is likewise given final and binding authority. The distinction lies not in finality itself, which any adjudicative body needs to be effective, but in what stands outside the body's own reach. The Constitutional Court's problem was self-referential: it ruled on the scope of the very oversight mechanism, the JC, meant to check constitutional judges, in effect becoming the judge of its own ethics regime. The NEC avoids this by design. Its jurisdiction never extends to its own composition, procedure, or continued existence, all of which are fixed by statute or the Constitution and can change only through the ordinary legislative or constitutional-amendment process, not through the NEC's own adjudicative decisions. Its members likewise fall under a separate ethics and removal procedure run by the appointing committee, not by the NEC itself,

⁵² Yusuf Warsyim et al., "The Ideal Concept of Ethics Court in the Constitutional System of the Republic of Indonesia," *International Journal of Law and Society* 7, no. 1 (2024): 22–29.

so no adjudicator sits in judgment of their own conduct. Finality without self-referential authority is the safeguard that keeps the NEC from reproducing the problem it is built to solve.

Normative rules already govern the functions and authority of various judicial institutions in Indonesia. The Supreme Court, as the highest judicial institution, ensures consistent application of law across its jurisdiction.⁵³ The Constitutional Court holds constitutional authority to review laws against the 1945 Constitution, resolve authority conflicts among state institutions, and decide cases on the dissolution of political parties.⁵⁴ The Judicial Commission holds a mandate to supervise judges' conduct, protecting the integrity, dignity, and honor of the judicial institution.⁵⁵ Yet the ethics oversight system for state officials still runs into obstacles, chiefly the absence of procedural harmonization and weak synergy among authorized institutions.

Pramono et al. find that the Judicial Commission's function still faces limits on substantive authority. This limit weakens coordination among oversight institutions and can leave judges more exposed to outside influence, threatening judicial independence overall.⁵⁶ An ideal Ethics Court institution should answer this problem directly, with full judicial authority to impose sanctions, not just issue non-binding recommendations.⁵⁷

To protect institutional autonomy, an ideal Ethics Court system should adopt fixed, non-reelectable terms, following the model of the German Constitutional Court. This provision protects the integrity of decisions from political pressure and outside interference.⁵⁸ A structure built this way reflects real commitment to impartiality and independence in the ethics judiciary.

Regulations on handling ethical violations by public officials in Indonesia still scatter across different sectoral legal instruments, depending on agency and position. In the judicial realm, the Judicial Commission can follow up on public reports of alleged code-of-ethics violations by judges, under Article 20 of Law Number 18 of 2011.⁵⁹ For the State Civil Apparatus

⁵³ Mahkamah Agung Republik Indonesia, "Tugas Pokok Dan Fungsi," preprint, n.d.

⁵⁴ For further details, read the provisions of Article 24C of the 1945 Constitution.

⁵⁵ For further details, read the provisions of Article 24 B of the 1945 Constitution.

⁵⁶ Gunadi Pramono et al., "Judge Freedom Versus Accountability on Oversight System and Ethics Enforcement Mechanism in Criminal Justice in Indonesia," *Jurnal AKTA* 12, no. 1 (2025): 145–58.

⁵⁷ Luthfi Widagdo Eddyono, "Independence of the Indonesian Constitutional Court in Norms and Practices," *Constitutional Review* 3, no. 1 (2017): 71–97.

⁵⁸ M. Lutfi Chakim, "Organizational Improvement of the Indonesian Constitutional Court: Reflections on Appointment, Supervision, and Dismissal of Justices," *International Journal for Court Administration* 12, no. 1 (2021): 1–10, <https://doi.org/10.36745/ijca.308>.

⁵⁹ For further details, please refer to the provisions of Article 20 of Law No. 18 of 2011 concerning the Amendment to Law No. 22 of 2004 concerning the Judicial

(SCA), ethics oversight also runs sectorally, under Minister of SAEBR Regulation Number 9 of 2017. The SCA Commission, too, holds authority under Article 32 of Law Number 5 of 2014 to assess ethics violations and recommend action to the Personnel Development Officer.⁶⁰ Without one uniform national mechanism, though, the integrated ethics oversight system stays weak, producing inconsistent sanctions and low accountability across institutions.

An integrated national judicial ethics system, then, becomes essential. Building it calls for comprehensive, systematic national standards, ones that let ethics oversight for public officials run in an integrated, consistent, accountable way across every level of government.

An ideal NEC design should rest on historical analysis of Indonesia's ethics institutional development, review of past institutional designs, and close study of authority and its effect on ethics enforcement. Drawing on the best institutional practices from other legal systems, adapted to Indonesia's constitutional character, the NEC can serve as the front line in enforcing ethical standards for state officials. A dedicated law should guarantee independence and impartiality, and build an open, participative oversight system as the foundation for a stronger national judicial ethics infrastructure.

Grounded in Pancasila values, reconstructing the national judicial ethics system does more than improve institutional efficiency. It embeds ideological integrity throughout the adjudicative process. Every NEC decision, in this frame, should enforce the code of ethics and strengthen the nation's constitutional morality at once. Pancasila works as an ethical filter and a source of moral legitimacy for every state apparatus, one that helps build a clean, fair, socially just government.

IV. Conclusion

This study finds that Indonesia's ethics oversight system remains fragmented and sectoral, which weakens the enforcement of ethical norms. This problem points to an urgent need: reconstructing an integrated, consistent national judicial ethics system. The case for a National Ethics Court rests on the philosophical foundation of Pancasila and the 1945 Constitution, both of which demand fair, transparent ethics enforcement, oriented toward humanitarian values and social justice. The NEC should

Commission. Also, consult Judicial Commission Regulation No. 5 of 2024 concerning Procedures for Handling Alleged Violations of the Code of Ethics and/or Code of Conduct for Judges.

⁶⁰ For further details, please refer to the provisions of Law No. 5 of 2014 on the Civil Service, and Regulation of the Minister of State Apparatus Empowerment and Bureaucratic Reform of the Republic of Indonesia No. 9 of 2017 on the Code of Ethics and Code of Conduct for Employees of the Ministry of State Apparatus Empowerment and Bureaucratic Reform.

become a cross-sectoral judicial ethics institution with final, binding adjudicative authority, and a symbol of the nation's moral justice. Establishing the National Ethics Court needs constitutional legitimacy, whether through a dedicated law or a limited amendment to the 1945 Constitution. This step would make Pancasila values the substantive foundation for every ethics-related decision. A national ethics oversight system built this way does more than enforce law. It builds a just, moral, integrity-based legal civilization, one consistent with Pancasila's legal ideals.

References

- Arafat, Yassir. "Diskursus Keputusan Kepala BPIP Sebagai Regeling." *Jurnal Rechts* 13, no. 2 (2024): 225–44.
- Arbani, Tri Suhendra. "Analisis Yuridis Cabang Pemerintahan Keempat 'The Fourth Branch Of Government' Dalam Struktur Ketatanegaraan Di Indonesia." *Supremasi Hukum: Jurnal Kajian Ilmu Hukum* 5, no. 2 (2016): 168–96.
- Arfiani, Ilhamdi Putra, and Afdhal Fadhila. "Pelanggaran Etik Hakim Konstitusi Dan Rekomendasi Penegakan Hukum Pada Kasus Pemalsuan Putusan." *UNES Journal of Swara Justisia* 7, no. 4 (2024): 1234–48.
- Asshiddiqie, Jimly. "Memperkenalkan Peradilan Etika." *Jurnal Konstitusi Dan Demokrasi* 1, no. 1 (2021): 1–9.
- Asshiddiqie, Jimly. *Perkembangan Dan Konsolidasi Lembaga Negara Pasca Reformasi*. Sekretariat Jenderal dan Kepaniteraan Mahkamah Konstitusi Republik Indonesia, 2006.
- Aurellia, Anindyadevi. "DKPP Pecat Ketua KPU Jabar Terkait Pelanggaran Etik Saat Pileg." Preprint, DetikNews, 2024.
- Basyari, Iqbal. *Melanggar Kode Etik, 414 Polisi Dipecat Sepanjang 2024*. 2024.
- Bertens, K. *Etika*. Gramedia Pustaka Utama, 1994.
- Budiardjo, Miriam. *Dasar-Dasar Ilmu Politik*. Gramedia Pustaka Utama, 2002.
- Chakim, M. Lutfi. "Organizational Improvement of the Indonesian Constitutional Court: Reflections on Appointment, Supervision, and Dismissal of Justices." *International Journal for Court Administration* 12, no. 1 (2021): 1–10. <https://doi.org/10.36745/ijca.308>.
- Daeli, Sorni Paskah. "Etika Dan Integritas Kepemimpinan Dalam Pemerintahan Di Indonesia Perlu Ditingkatkan." Preprint, Kementerian Koordinator Bidang Pembangunan Manusia dan Kebudayaan Republik Indonesia, December 24, 2023.
- Daradjat, Zakiah, and et al. *Dasar-Dasar Agama Islam*. Universitas Terbuka, 2002.

- Datu, Nurcholish Madjid, M. T. Kasnawi, R. Muhammad, M. Sabri, and N. Indrayanti. "Pancasila Sebagai Pilar Dalam Menanggulangi Cyberbullying Di Era Digital." *Pancasila: Jurnal Keindonesiaan* 4, no. 2 (2024): 183–92.
- Davis, Yesaya Fabian, and Amalia Putri Maharani. "Peran Hakim Dalam Menyimpangi Sanksi Minimum Khusus Terhadap Penyalahgunaan Narkotika Berdasarkan Teori Hukum Progresif." *Jurnal Ilmu Hukum: Alethea* 7, no. 2 (2024): 149–64.
- Djamil, M. Nasir, and T. B. Massa Djafar. "Etika Publik Pejabat Negara Dalam Penyelenggaraan Pemerintahan Yang Bersih." *Jurnal Politik* 12, no. 1 (2016): 1757–68.
- Eddyono, Luthfi Widagdo. "Independence of the Indonesian Constitutional Court in Norms and Practices." *Constitutional Review* 3, no. 1 (2017): 71–97.
- Eleanora, Fransiska Novita. "Pancasila Sebagai Norma Dasar Dalam Sistem Hukum Indonesia." *ADIL Jurnal Hukum* 3, no. 1 (2012): 141–65.
- Galingging, Ridarson. "Pengadilan Etik Hakim Di Amerika Serikat." In *Bunga Rampai KY: Menggagas Peradilan Etik Di Indonesia*. Sekretariat Jenderal Komisi Yudisial RI, 2015.
- Hahn, Robert W., and et al. "Assessing the Quality of Regulatory Impact Analyses." *Harvard Journal of Law and Public Policy* 23, no. 23 (2000): 859–85.
- Hayani, Fitri, Indah Oktavia, Rindu Oktavia, Septa Adri Fania, Yulia Hanoselina, and Rahmadhona Fitri Helmi. "Analisis Permasalahan Etika Pejabat Pemerintahan Dari Perspektif Administrasi Publik." *Eksekusi: Jurnal Ilmu Hukum Dan Administrasi Negara* 2, no. 4 (2024): 259–68.
- Hermansyah. "Sistem Pengawasan Dan Penegakan Etika Hakim Di Turki." In *Bunga Rampai KY: Menggagas Peradilan Etik Di Indonesia*. Sekretariat Jenderal Komisi Yudisial RI, 2015.
- Hofstede, Geert. *Cultures and Organisations: Software of the Mind*. McGraw-Hill, 1997.
- Indonesia, Mahkamah Agung Republik. "Tugas Pokok Dan Fungsi." Preprint, n.d.
- Kompas. *Pemberantasan Korupsi Di Indonesia Masih Stagnan*. 2020.
- KPK, Dewas. "Dewas KPK Kebanjiran Pengaduan Etik Di 2023." Preprint, Metro TV News, 2024.
- LSI. "Rilis Survei LSI 01 Maret 2023." Preprint, 2023.
- Marzuki, Ismail. "Korupsi Sebagai Kejahatan Serius: Evaluasi Peran Lembaga Anti-Korupsi." *Policy and Law Journal (Polaw)* 1, no. 1 (2024): 16–26.
- Mukhtar, and Tanto Lailam. "Problem Etika Pejabat Negara Dan Gagasan Peradilan Etik Yang Independen Dan Imparsial." *Masalah-Masalah Hukum* 50, no. 3 (2021): 265–78.

- Nursyamsi, Fajri. "Kode Etik Hakim Dan Penegakannya Di Italia." In *Bunga Rampai KY: Menggagas Peradilan Etik Di Indonesia*. Sekretariat Jenderal Komisi Yudisial RI, 2015.
- Nurtjahjo, Hendra. "Lembaga, Badan, Dan Komisi Negara Independen (State Auxiliary Agencies) Di Indonesia: Tinjauan Hukum Tata Negara." *Jurnal Hukum & Pembangunan* 35, no. 3 (2005): 275–87.
- Oktaveri, John Andhi. *Bamsoet: Etika Berbangsa Diatur Dalam Tap MPR*. 2020.
- Palese, Emma. "Ethics without Morality, Morality without Ethics-Politics, Identity, Responsibility in Our Contemporary World." *Open Journal of Philosophy* 3, no. 3 (2013): 366–71.
- Pancasila, Badan Pembinaan Ideologi. "Pembentukan Mahkamah Etika Nasional Dinilai Jadi Solusi Jawab Persoalan Kerapuhan Etika Penyelenggara Negara." Preprint, BPIP, 2024.
- Pemilu, Dewan Kehormatan Penyelenggara. "DKPP Gagasan Infra-Struktur Etika Dalam Jabatan-Jabatan Publik." Preprint, DKPP, 2017.
- Poerwadarminta, W. J. S. *Kamus Umum Bahasa Indonesia*. Balai Pustaka, 1985.
- Pramono, Gunadi, Hidayatullah, and Akhmad Munawar. "Judge Freedom Versus Accountability on Oversight System and Ethics Enforcement Mechanism in Criminal Justice in Indonesia." *Jurnal AKTA* 12, no. 1 (2025): 145–58.
- Prasetyo, Teguh, and Arie Purnomosidi. *Membangun Hukum Berdasarkan Pancasila*. Nusa Media, 2014.
- Purwati, Ani. *Metode Penelitian Hukum: Teori & Praktik*. Jakad Media Publishing, 2020.
- Rabbani, M. Jundi, Cahya Kusumajati, and Mukhsin Achmad. "Implementasi Etika Pejabat MK: Studi Kasus Kepemimpinan Anwar Usman." *At-Thullab* 6, no. 1 (2024): 1588–97.
- Rahardjo, Satjipto. *Ilmu Hukum*. Citra Aditya Bakti, 2000.
- Rizqi, Alda R. "Menakar Progresifitas Lembaga Peradilan Dalam Mewujudkan Demokrasi Berintegritas." *Progresif* 12, no. 2 (2018): 2102–17.
- Robbins, Stephen, and Timothy Judge. *Perilaku Organisasi*. Salemba Empat, 2007.
- Said, Harmoko M. "Menggagas Peradilan Etik Penyelenggara Negara Di Indonesia." *SASI* 27, no. 1 (2021): 24–37.
- Santika, Erlina F. "Data Jumlah Pelanggaran Etik Anggota DPR RI Periode 2019–2024." Preprint, Databoks Katadata, n.d.
- Soeprapto, Maria Farida Indrati. *Ilmu Perundang-Undangan 1*. Kanisius, 2007.
- Susianto. "Mahkamah Konstitusi: Etika Kehakiman Dan Kendaraan Politik Penguasa." *Binamulia Hukum* 12, no. 2 (2023): 459–71.

Tempo. *Dewas KPK: Tiga Pimpinan KPK Terkena Sanksi Etik Selama 2019–2024*. 2024.

Tempo. *Inilah 5 Pelanggaran Ketua KPU Hasyim Asy'ari Sebelum Akhirnya Dipecat*. 2024.

Tempo. *Peneliti IPC Sebut DPR Periode 2019–2024 Tidak Layak Mendapatkan Penghargaan*. 2024.

Warsyim, Yusuf, Rio Christiawan, and Tuti Widyaningrum. "The Ideal Concept of Ethics Court in the Constitutional System of the Republic of Indonesia." *International Journal of Law and Society* 7, no. 1 (2024): 22–29.

Warsyim, Yusuf, and Harmoko. "Aktualisasi Kode Etik Penyelenggara Negara Di Indonesia." *Diversi Jurnal Hukum* 9, no. 1 (2023): 62–88.

Watch, Indonesia Corruption. "Jelang Persidangan Etik 93 Pegawai KPK Terkait Pungutan Liar Di Rumah Tahanan: Bobroknya Pengawasan Dan Hilangnya Keteladanan Pemimpin." Preprint, Antikorupsi, December 24, 2024.

Werdiningsih, Mega Ayu. "Check and Balances Dalam Sistem Peradilan Etik." *Jurnal Konstitusi & Demokrasi* 1, no. 1 (2021): 53–80.

Wisesa, Yosafat Diva Bayu. "Bawaslu: Ada 195 Kasus Dugaan Pelanggaran Di Kampanye Pilkada." Preprint, IDN Times, December 23, 2024.

Yudisial, Komisi. "KY Usulkan 33 Hakim Dijatuhi Sanksi." Preprint, 2024.

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