

Liaison of The Judicial Commission: A Bridge of Justice for The Regions

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Abstract

Establishing the Judicial Commission Liaison is expected to contribute to implementing the supervisory function carried out by the Judicial Commission of the Republic of Indonesia (Central). However, the reality is that the formation and presence of KY Liaison in the regions has not been effective due to various problems. This research is focused on two main issues: 1) What difficulties does KY Liaison face in the regions? and 2). How can we optimize KY Liaison in the areas to increase the effectiveness of judge supervision? This type of study is a normative juridical study using a statutory and conceptual approach. The secondary data sources used were analyzed using a literature study. The study results show that KY Liaison's problems are related to the liaison nomenclature, number of liaison



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members, facilities and infrastructure, and employment status. As a solution, in terms of nomenclature, it is crucial to change the connecting nomenclature. Adding members to be ideally suited to the workload is necessary for membership. Then, concerning facilities and infrastructure, adequate facilities and infrastructure must be provided to implement the duties and functions of the KY Liaison. Regarding employee status, KY Liaison regional employees may not come from honorary employees.

Keywords

Judicial Commission, Judicial Commission Liaison, and Supervision

I. Introduction

Background

The establishment of the Judicial Commission (KY) can be said to be a further development of establishing the Honorary Assembly of Supreme Court Justices, which has developed within the Supreme Court (MA).¹ However, such a panel formed within the internal environment of the Supreme Court, there are many doubts about the effectiveness of the supervisory function over the honor of the Supreme Court Justice because of their position that is not independent of the subject to be supervised.² In addition, if

¹ Sindy, Nurul Mutmainah Al Zahra, and Neni Nurjanah, "Rekonstruksi Komisi Yudisial Sebagai Upaya Optimalisasi Penegakan Integritas Kekuasaan Kehakiman," *Jurnal Studia Legalia* 3, no. 02 (November 21, 2022): 64-85, <https://doi.org/10.61084/jsl.v3i02.31>.

² Muhammad Hasan Basri, "Implikasi Putusan Mahkamah Konstitusi Terhadap Komisi Yudisial Dalam Pengawasan Etik Hakim: Studi Kasus Putusan Mahkamah Konstitusi 005/PUU-

this institution is formed within the structure of the Supreme Court, then the subjects it supervises are only limited to the supreme court justice. Against this background, a KY institution was formed outside the Supreme Court with the hope that it would be more objective in implementing the judge's supervisory function. In other words, the position of the Supreme Court can also be expected to be independent and independent so that it can be expected to carry out its duties more effectively under judicial supervision.³

At the beginning of the establishment of the KY, the object of its supervision began with constitutional judges, supreme court judges and judges throughout Indonesia. However, the KY's authority was canceled after Constitutional Court Decision No. 005/PUU-IV/2006.⁴ The Constitutional Court stated that all provisions of the KY Law concerning the supervision of Constitutional Court judges must be declared contrary to the 1945 Constitution and do not have binding legal force. More details of the decision of the Constitutional Court of the Republic of Indonesia No.005/PUU-IV/2006⁵, on the Material Test of Law No.22 of 2004 concerning the Judicial Commission⁶ Certifies that:

IV/2006," *Jurnal Lex Renaissance* 6, no. 3 (July 1, 2021), <https://doi.org/10.20885/JLR.vol6.iss3.art7>.

³ Bambang Sutiyo, "Penguatan Peran Komisi Yudisial Dalam Penegakan Hukum Di Indonesia," *Jurnal Hukum Ius Quia Iustum* 18, no. 2 (2011): 266-84, <https://doi.org/10.20885/iustum.vol18.iss2.art7>.

⁴ I Nyoman Suandika et al., "The Legal Power of the Constitutional Court Decisions Remains," *Journal of Social Research* 2, no. 12 (November 28, 2023): 5112-22, <https://doi.org/10.55324/josr.v2i12.1606>.

⁵ Halimah Humayrah Tuanaya and Oksidelfa Yanto, "The Extension of the Honorary Council of the Constitutional Court in Safeguarding the Integrity of Constitutional Court Judges," *Journal of Legal and Cultural Analytics* 3, no. 2 (May 31, 2024): 197-208, <https://doi.org/10.55927/jlca.v3i2.9394>.

⁶ Yayan Sopyan, "Contempt of Court in Indonesia: The Meaning, Root of Problems and Its Alternative Solutions," *Jurnal Dinamika*

1. Constitutional judges are not included in the sense of "judges" whose ethical behavior is supervised by the KY. A separate Honorary Assembly supervises the implementation of the code of ethics for constitutional judges in accordance with Law No. 24 of 2003 concerning the Constitutional Court as the implementation of Article 24C paragraph (6) of the 1945 Constitution.
2. If the law determines that the Supreme Court justice is included in the definition of "judge" whose ethical behavior is supervised by the Supreme Court externally, the Constitutional Court argues that it does not contradict the 1945 Constitution. Thus, it returns to the lawmakers, namely the House of Representatives, together with the President, to determine the legal policy that will be chosen to carry out the order of Article 24B paragraph (1) of the 1945 Constitution.

In further developments, the Constitutional Court Decision No. 005/PUU-IV/2006 has also caused a debate on the position of the KY in the constitutional structure. This is because, in its ruling, the Constitutional Court said that as a state institution, it is not an executor of judicial power but only a *supporting* element or *auxiliary organ* where the Constitutional Court only assists or supports the actors of judicial power. Therefore, the KY cannot be used as an organ that carries out the role of *checks and balances*.⁷

On the other hand, the Constitutional Court is also of the view that the position of the Supreme Court is also determined in the 1945 Constitution as an independent state commission whose composition, position, and membership

Hukum 20, no. 1 (April 28, 2021): 82, <https://doi.org/10.20884/1.jdh.2020.20.1.2731>.

⁷ Salahudin Pakaya, "Political Law Regulation of Judicial Institutions in Exercising the Powers of an Independent Judgment: Before and After Amendments to the 1945 Constitution," *International Journal Papier Public Review* 1, no. 2 (November 20, 2020): 119-28, <https://doi.org/10.47667/ijppr.v1i2.91>.

are regulated by its law. Thus, this state commission is not under the influence of the Supreme Court or controlled by other branches of power. In this context, the relationship between the Supreme Court and the Supreme Court can be considered independent but *interrelated*.⁸

Apart from the position of the KY in the Indonesian constitutional structure, one of the KY's authorities supervises the judges. Even to optimize the power of supervision, Law No. 22 of 2004 *jo.* Law No. 18 of 2011, KY is given the authority to form a regional liaison according to needs. One of the objectives of establishing the KY Liaison is to provide convenience for the public in submitting reports, increase the effectiveness of trial monitoring, and promote institutional socialization to maintain and uphold the honor, nobility, dignity, and behavior of judges.⁹

Apart from the mandate of the law, the presence of the KY Liaison is by the dynamics of the environment, and the increase in the duties and functions of the KY requires more significant support from partners. The establishment of the KY Liaison is also an effort to improve itself and improve the quality of services for justice seekers, which continues to be carried out by the KY.¹⁰ Based on KY Regulation No. 1 of 2017 on the Formation, Structure, and Work Procedures of the Judicial Commission Liaison in the Regions, the duties owed by the KY Liaison are as follows:

1. monitoring and supervising the behavior of judges;

⁸ Ismail Rumadan, "membangun hubungan harmonis dalam pelaksanaan fungsi pengawasan hakim oleh mahkamah agung dan komisi yudisial dalam rangka menegakkan kehormatan, keluhuran dan martabat hakim," *Jurnal Hukum Dan Peradilan* 5, no. 2 (July 29, 2016): 209, <https://doi.org/10.25216/jhp.5.2.2016.209-226>.

⁹ Muhammad Fauzan, "pasang surut hubungan antara mahkamah agung dengan komisi yudisial dalam sistem ketatanegaraan republik indonesia," *Jurnal Dinamika Hukum* 12, no. 1 (January 15, 2012), <https://doi.org/10.20884/1.jdh.2012.12.1.110>.

¹⁰ Suparto Suparto, "komisi yudisial Lembaga Negara Konstitusi, Amputasi Kewenangan, Dan Prospeknya" (Bina Karya (BIKA), 2021), [https://repository.uir.ac.id/22252/1/3.Komisi Yudisial.pdf](https://repository.uir.ac.id/22252/1/3.Komisi%20Yudisial.pdf).

2. receive reports from the public related to alleged violations of the Code of Ethics and/or the Code of Conduct for Judges;
3. verify the Report of Alleged Violations of KEPPH in a closed manner;
4. take legal and/or other steps against individuals, groups of people, or legal entities that degrade the honor and dignity of judges and
5. carry out other duties assigned by the Judicial Commission.

The KY regulation makes the authority of the KY Liaison quite clear. However, its application so far is far from optimal. The existence of the KY Liaison still has several problems, including those related to authority, institutional structure, budget, and minimal infrastructure. In terms of authority, the KY Liaison is very limited, appearing only as the "postman" of Central KY.¹¹ This is because, according to KY Regulation No. 1 of 2017, the duties and authorities of the KY Liaison are limited to reporting the results of supervision carried out at the center.¹² From an institutional perspective, the question arises regarding the fundamental question of the KY Liaison's existence as a permanent institution or only as an *ad hoc institution*. Furthermore, regarding budget, KY Residents still face a minimal or inadequate budget. The KY Liaison in the regions plays a significant role in the performance of the KY at the center. The role of the KY Liaison, which is not optimal in the future, will result in the supervision of judges, a mandate of the constitution, and its

¹¹ Andi Maysarah, Rina Melati Sitompul, and Ayu Trisna Dewi, "The Liaison Role of the Judicial Commission of the North Sumatra Region in an Effort to Create a Clean Justice in North Sumatra," *MORALITY: Journal of Legal Sciences* 9, no. 2 (December 24, 2023): 252, <https://doi.org/10.52947/morality.v9i2.348>.

¹² Soni Irawan and Saut Parulian Panjaitan, "tugas pengawasan komisi yudisial terhadap perilaku hakim pasca berlakunya undang-undang nomor 18 tahun 2011 tentang perubahan atas undang-undang nomor 22 tahun 2004 tentang komisi yudisial," *Lex LATA* 4, no. 1 (September 7, 2022), <https://doi.org/10.28946/lexl.v4i1.1429>.

organic rules, which are challenging to achieve.¹³

This study is fascinating to study further in a more comprehensive study. The consideration is that there are still limited similar studies, so it is hoped that this research can become a significant scientific reference and a source for future studies. The urgency of this study is that the issue of the Judicial Commission (KY) Liaison has been forgotten over time. Therefore, the author raises this issue again in this article to remind the plan that once existed. This idea is considered a good step in realizing justice in the regions.

Research Question

Therefore, to find a solution to this problem. So, in providing limitations in the discussion. So, the scope discussed is based on the subject matter to test what issues the KY Liaison face in the regions and to find ideas regarding optimization for the KY Liaison in the areas of increasing the effectiveness of judge supervision.

II. Method

This type of research is juridical-normative research, namely legal research carried out using library materials or secondary data as basic materials and by searching for various laws and regulations related to KY and KY Liaison in the region.¹⁴ The literature related to problems related to KY Liaison in the

¹³ Umi Illiyina, "Pasang Surut Komisi Yudisial: Kreasi, Resistensi Dan Restorasi," *Jurnal Konstitusi* 8, no. 3 (May 20, 2016): 391, <https://doi.org/10.31078/jk837>.

¹⁴ Muhammad Zainuddin and Aisyah Dinda Karina, "Penggunaan Metode Yuridis Normatif Dalam Membuktikan Kebenaran Pada Penelitian Hukum," *Smart Law Journal* 2, no. 2 (2023): 114–23, <https://doi.org/https://doi.org/10.34310/slj.v2i2.26>.

region was also searched. The results of the juridical-normative research are presented descriptively in the form of a presentation that describes as completely as possible how problems related to KY Liaison and the offer of solutions can be solved so that the KY Liaison in the region can be effective and increase the effectiveness of judges' supervision. As for the approach used, it uses two approaches: first, the statute approach.¹⁵ This approach is used to understand the content of laws and regulations related to the KY and various issues in the PUU. Second, it is a conceptual approach.¹⁶ This approach is used to find a constitutional solution to the ineffective role of the KY Liaison in supervising judges.

III. DISCUSSION

The Establishment of the State of Law as a Democratic Unit

The embryo of the state of law is very old, much older than the age of State Science or State Science. Plato first put forward the idea of a state of the law in his book "Nomoi," later translated into English as "The Laws," stating that good state administration is based on sound legal arrangements.¹⁷ Plato's opinion by Aristotle was perfected by writing the book *Politica*, which revealed that a good country is a country that is governed by a constitution and the rule of

¹⁵ Chau Nguyen et al., "A Legal Information Retrieval System for Statute Law," 2022, 370-82, https://doi.org/10.1007/978-981-19-8234-7_29.

¹⁶ Georg Krücken, "Multiple Competitions in Higher Education: A Conceptual Approach," *Innovation* 23, no. 2 (April 3, 2021): 163-81, <https://doi.org/10.1080/14479338.2019.1684652>.

¹⁷ Ahmad Sabirin, "Solusi Problematika Hukum Penanganan Pandemi Covid-19 Dalam Perspektif Hubungan Pusat Dan Daerah," in *National Conference on Law Studies (NCOLS)*, vol. 2, 2020, 1216-32.

law.¹⁸ This opinion is reinforced by George Sabine, who states:¹⁹

"The constitutional rule in the state is inextricably linked, also with the question of whether it is better to be governed by man or the best law, as long as a government is governed by law, therefore the rule of law is accepted by Aristotle as a sign of a good state and not merely as an unfit necessity."

The ideas expressed above are both vague and are said to have been sunk for a very long time until finally the concept of "rechtstaat" emerged.²⁰ According to Immanuel Kant, the concept of the state of law is seen as too narrow in its development because the task of the state is not just as a night watchman but develops more widely and actively intervenes in the economic, social, and cultural fields.²¹

According to Immanuel Kant, the elements of the state of law are (a) the protection of human rights, (b) separation and division of powers to guarantee those rights, (c) government based on laws and regulations, and (d) administrative tribunals in disputes.²² The elements of *the rule of law* are as

¹⁸ Jacqueline Feke, "Ancient Greek Laws of Nature," *Studies in History and Philosophy of Science* 107 (October 2024): 92–106, <https://doi.org/10.1016/j.shpsa.2024.05.010>.

¹⁹ Benjamin B Saunders and Simon P Kennedy, "History and Constitutional Interpretation: Applying the 'Cambridge School' Approach to Interpreting Constitutions," *Oxford Journal of Legal Studies* 40, no. 3 (September 1, 2020): 591–618, <https://doi.org/10.1093/ojls/gqaa013>.

²⁰ Ronald Car, "Room for the Rechtsstaat in Times of Extremes," 2024, 117–51, https://doi.org/10.1007/978-3-031-62098-0_4.

²¹ Hartmut Kliemt, "The Nature and Significance of the Political Ideal of the Rule of Law: Hayek, Buchanan, and Beyond," *Kyklos* 77, no. 4 (November 25, 2024): 1084–1102, <https://doi.org/10.1111/kykl.12407>.

²² Guido Pincione, "Rule of Law: Theoretical Perspectives," in *Encyclopedia of the Philosophy of Law and Social Philosophy* (Dordrecht:

follows: a) *Supremacy of the law*; The absence of arbitrary power (*absence of arbitrary power*), in the sense that a person can be punished if he violates the law. b) *Equality before the law*: This means that everyone is seen equally in the eyes of the law, regardless of their background. c) *Guarantee of human rights by laws and court decisions*; This means that everyone is protected and seen as having equal rights in the eyes of the law.

Some Indonesian legal experts also have views on the state of law. Sri Soemantri said that there are at least four elements of the state of the law: a) The government, in carrying out its duties and obligations, must be based on laws or regulations. This element emphasizes that all government actions and policies must be based on applicable laws. The government must not act arbitrarily or based solely on power but must be subject to the rule of law that has been set. This principle underscores the importance of legal certainty and transparency in government running. b) There is a guarantee of human rights (citizens). The state of law must guarantee the fundamental rights of citizens, including civil liberties, legal protection, and political rights. The state must protect and respect human rights through existing laws, regulations, and legal mechanisms so that each individual has clear protection from potential violations. c) There is a division of power within the State. This principle refers to the concept of *trias politica*, which is the division of power between the three leading institutions of the state: the executive, the legislature, and the judiciary.

The goal is to prevent the concentration of power on one side and ensure checks and balances. Each branch of power

has a different function but supervises each other so that there is no abuse of authority. d) There is supervision from the judiciary (*rechterlijke controle*). Judicial supervision ensures that all government actions and law enforcement are by applicable legal rules. The judiciary plays a role in supervising the law's implementation and functioning as an independent institution in upholding justice and resolving legal disputes. This ensures that the government and other institutions act by the law and do not violate the rights of citizens.²³

Meanwhile, Utrecht distinguishes between a Formal State of Law or a Classical State of Law and a Material State of Law or a Modern State of Law. The Formal Law State is concerned with a formal and narrow legal sense, namely in the sense of written laws and regulations. The second, namely the more up-to-date Material Law State, also includes the definition of justice.²⁴ A democratic system must support the implementation of the state of law itself. In a democratic system, the administration of the state must rely on the people's participation and interests. The relationship between the state of law and democracy cannot be separated. Democracy without legal regulation will lose direction, while law without democracy will lose meaning.²⁵ Franz Magnis

²³ Desyanti Desyanti et al., "Legal Implications of Regulating Judicial Review of District/City Regulations in Indonesia," *International Journal of Social Science Research and Review* 5, no. 1 (January 3, 2022): 45–55, <https://doi.org/10.47814/ijssrr.v5i1.148>.

²⁴ Andryan et al., "An Analysis of the Indonesian Government Policy on the Lockdown from the Human Rights Perspective," 2021, <https://doi.org/10.2991/assehr.k.210506.055>.

²⁵ Guangyu Cao, Chenran Liu, and Li-An Zhou, "Suing the Government under Weak Rule of Law: Evidence from Administrative Litigation Reform in China," *Journal of Public Economics* 222 (June 2023): 104895, <https://doi.org/10.1016/j.jpubeco.2023.104895>.

Suseno states, "A democracy that is not a state of law is not a democracy in the true sense. Democracy is the safest way to maintain control over the rule of law."²⁶

The relationship between democracy and the state of law is correlated; the two cannot be separated. On the one hand, democracy provides a foundation and power mechanism based on the principle of equality and the equality of human beings; on the other hand, the state of law offers a benchmark that the ruler of a country is not a human being but a law.²⁷

The concept of the state of law promoted by Indonesia is *demokratische rechtsstaat*, which is a democratic state of law that is oriented towards the interests of justice and not to a handful of authorities. In contrast to *the absolute rechtsstaat*, which tends to place power within the legal framework without democratic supervision, *the demokratische rechtsstaat* emphasizes democratic control that encourages the involvement of the entire community in the legal process and government.²⁸

The existence of KY becomes very relevant within the framework of the democratic legal state. KY was established as one of the essential pillars in maintaining judicial independence and integrity, with the primary function of supervising judges and judicial institutions to stay on track

²⁶ Min Seong Kim, "The Emptiness of Pancasila Studies: Indonesia's State Ideology and Its Scholarly Valorisation," *SSRN Electronic Journal*, 2021, <https://doi.org/10.2139/ssrn.3958878>.

²⁷ Dirk Helbing et al., "Democracy by Design: Perspectives for Digitally Assisted, Participatory Upgrades of Society," *Journal of Computational Science* 71 (July 2023): 102061, <https://doi.org/10.1016/j.jocs.2023.102061>.

²⁸ Doina Stratu-Strelet et al., "Developing a Theory of Full Democratic Consolidation: Exploring the Links between Democracy and Digital Transformation in Developing Eastern European Countries," *Journal of Business Research* 157 (March 2023): 113543, <https://doi.org/10.1016/j.jbusres.2022.113543>.

with the principles of democracy and justice. This supervisory function is a critical element in ensuring that the judicial process runs transparently and fairly and does not deviate from the principles of the rule of law that guarantee the rights and obligations of all citizens without exception.

As an archipelagic country with solid regional autonomy, Indonesia faces challenges in implementing the principles of *democratic rechtsstaat* throughout its territory. Each region has different characteristics, needs, and government systems, so special efforts are needed to ensure that the supervision and principles of justice carried out at the national level also apply effectively at the local level.

This is where the critical role of the KY Liaison in the region emerges. The KY liaison is tasked with bridging KY supervision with judicial practice in the areas, considering that the judiciary at the local level plays a significant role in handling various cases involving the local community. The KY liaison in the region ensures that judicial officers' violations of the code of ethics can be handled promptly and transparently. In addition, they also play a role in receiving reports from the public regarding alleged violations committed by judges or the judiciary in the regions so that the legal process can be run by the principles of justice and democracy carried out by the Indonesian legal state.

KY liaisons in the regions also play a role in socializing the community regarding the functions and roles of KY, as well as increasing the legal awareness of local communities. Thus, the KY Liaison is necessary not only as a supervisor but also as a facilitator who helps the community access justice. With the existence of KY Liaison in the regions, the principle of *demokratische rechtsstaat* can be implemented more evenly throughout Indonesia. Each region, with its diversity and

autonomy, can remain subject to the principles of the rule of law that prioritizes justice and democracy.²⁹

Theory of State Institutions and the Formation of KY Liaison in the Regions

The definition of an organ or state institution is more deeply. We can approach it from Hans Kelsen's view of *the concept of the State Organ* in his book *General Theory of Law and State*. Hans Kelsen elaborates, "Whoever fulfills a function determined by the legal order is an organ."³⁰ Anyone who performs a function determined by a legal order is an organ. That is, the organs of the state are not always organic.

In addition to organic organs, more broadly, every position determined by law can also be called an organ as long as its functions are norm-creating and norm-applying).³¹ Thus, the KY was formed as a state institution with clear objectives based on existing norms, and it has a very important function in the supervision of existing courts, as it can also supervise the integrity of judges who carry out their duties.

²⁹ Jeroen J. L. Candel, "Power to the People? Food Democracy Initiatives' Contributions to Democratic Goods," *Agriculture and Human Values* 39, no. 4 (December 6, 2022): 1477-89, <https://doi.org/10.1007/s10460-022-10322-5>.

³⁰ Hans Kelsen, *General Theory of Law & State*, ed. Hans Kelsen and A. Javier Treviño (Routledge, 2017), <https://doi.org/10.4324/9780203790960>.

³¹ Fortuna Casoria, Fabio Galeotti, and Marie Claire Villeval, "Perceived Social Norm and Behavior Quickly Adjusted to Legal Changes during the COVID-19 Pandemic," *Journal of Economic Behavior & Organization* 190 (October 2021): 54-65, <https://doi.org/10.1016/j.jebo.2021.07.030>.

In this narrower sense, a judge is an organ of the state because he is elected or appointed to perform their functions. Judges perform their functions professionally and, therefore, receive regular wages and salaries from the state's finances.³² The essential characteristics of state organs in this narrow sense are that (1) the state organ is elected or appointed to occupy a particular position or function; (2) the function is carried out as the primary profession or even legally exclusive; and (3) because of its function, it is entitled to receive salary compensation from the state".³³

According to Jimly Asshiddiqie, state institutions must be understood as positions, organs, institutions, or bodies that fall within the scope of the definition of state organization in a broad sense related to the functions of making and implementing state legal norms (law-creating and law-applying *functions*).³⁴ In terms of hierarchy, state institutions or organs can be distinguished into three layers:³⁵

1. The first layer of organs is high state institutions: the president and vice president, the DPR, DPD,

³² Haeruman Jayadi, AD Basniwati, and Sofwan Sofwan, "Lembaga-Lembaga Negara Sederajat Dalam Struktur Kelembagaan Negara Berdasarkan Undang-Undang Dasar 1945," *Journal Kompilasi Hukum* 7, no. 2 (December 28, 2022), <https://doi.org/10.29303/jkh.v7i2.122>.

³³ Bunyamin Alamsyah and Uu Nurul Huda, "politik hukum pelebagaan komisi-komisi negara dalam sistem ketatanegaraan indonesia," *Jurnal Hukum Dan Peradilan* 2, no. 1 (March 29, 2013): 85, <https://doi.org/10.25216/jhp.2.1.2013.85-108>.

³⁴ Erna Hayati and H Ali, *Hukum Tata Negara* (Syiah Kuala University Press, 2017).

³⁵ Tri Mulyani, "kajian normatif mengenai hubungan antar lembaga negara dalam sistem ketatanegaraan republik indonesia berdasarkan undang-undang dasar tahun 1945: sebelum dan sesudah amandemen," *Hukum Dan Masyarakat Madani* 6, no. 1 (January 14, 2016): 75, <https://doi.org/10.26623/humani.v6i1.855>.

MPR, MK, MA and BPK. All of these institutions received authority from the 1945 Constitution.

2. The second-tier organs are referred to as state institutions only: state ministers, TNI, Polri, KY, KPU, and BI. Some of these institutions get their authority from the Constitution, and some get their authority from the law and
 - a) The third layer of organs is a state institution whose source of authority comes from regulators or regulators under the law.

The territory of judicial power, although there are two implementing institutions or actors of judicial power, namely the Supreme Court and the Constitutional Court, also has the Judicial Commission as an institution that supervises judges' dignity, honor, and behavior. The existence of the KY function is *auxiliary* to the branch of judicial power.³⁶The emergence of auxiliary state institutions, according to Jennings, is based on the following reasons:³⁷

1. *The need to provide cultural or personal service supposedly free from the risk of political interference.*
2. *The desirability of non-political regulation of markets.*
3. *The provision of technical service.*

³⁶ Suparto Suparto, "Kedudukan Dan Kewenangan Komisi Yudisial Republik Indonesia Dan Perbandingannya Dengan Komisi Yudisial Di Beberapa Negara Eropa," *Jurnal Hukum Dan Pembangunan* 47, no. 4 (2017): 497-516, <https://doi.org/http://dx.doi.org/10.21143/jhp.vol47.no4.1585>.

³⁷ Francis Jennings, *The Creation of America: Through Revolution to Empire* (Cambridge University Press, 2000).

4. *The creation of informal judicial machinery for settling disputes.*

Article 24, paragraph (3) of the 1945 Constitution states that "other bodies whose functions are related to judicial power are regulated in law." This provides a constitutional basis for establishing state institutions that support the judicial power, although they are not directly part of the institution. These institutions have "constitutional importance" because they maintain integrity and law enforcement. State institutions can be categorized into two: *directly constitutional*, such as the Supreme Court and the Constitutional Court, which are directly regulated by the Constitution, and *indirectly constitutional*, which is formed based on laws, such as the KY.³⁸ KY is an independent institution that has a vital role in supervising the ethics and behavior of judges in Indonesia. Although it is not directly related to the structure of judicial power, the KY functions to support the integrity of the judiciary in Indonesia.

One form of extension of the KY function is through the KY Liaison in the regions. The KY liaison has an essential task in supervising the behavior of judges and court officials at the regional level, receiving and following up on community reports related to violations of the code of ethics, and socializing the duties of the KY to the local community. The existence of the KY Liaison is essential to ensure that judicial supervision is centralized in Jakarta and spread throughout

³⁸ Puji N U R Firman, "Politik Hukum Kelembagaan Tentara Nasional Indonesia Dalam Sistem Ketatanegaraan Republik Indonesia Pada Masa Orde Baru Dan Pasca Reformasi" (Universitas Islam Indonesia, 2013), <https://dspace.uii.ac.id/handle/123456789/9286>.

Indonesia so that access to justice can be realized evenly. In an archipelagic country such as Indonesia, with substantial regional autonomy, the KY Liaison plays an essential role in ensuring that the principle of *demokratische rechtsstaat* runs effectively throughout the country. Thus, through Article 24 paragraph (3), institutions such as the Judicial Commission and the KY Liaison in the regions are recognized as part of the law enforcement system that supports judicial justice and integrity at the national and local levels.

Problems of the Existence of Liaison Judicial Commissions in the Regions

KY, which was formed to supervise the behavior of judges in terms of its function, can be drawn out to be an *external auditor* whose position is made equal to that of judges in institutions equivalent to their supervision. The relationship between the Supreme Court as a *supporting organ* and the Supreme Court as *the main organ* in the supervision of judges' behavior should be more accurately understood as a *partnership* relationship without disturbing the independence of each other."³⁹

*The trend of the modern constitution is that independent commissions are given a place in the constitution as constitutional organs.*⁴⁰ Thus, the KY is a state institution

³⁹ Muhammad Nasir Tenteng, "Sinergitas Komisi Yudisial Dan Mahkamah Agung," *Sawerigading Law Journal* 1, no. 2 (September 15, 2022): 89-100, <https://doi.org/10.62084/slj.v1i2.221>.

⁴⁰ heru Setiawan And Fifiana Wisnaeni, "Rekonseptualisasi Kewenangan Mahkamah Konstitusi Dalam Upaya Memaksimalkan Fungsi Mahkamah Konstitusi Sebagai The Guardian Of Constitution" (Fakultas Hukum, 2017), <https://Repo->

formed through the constitution to carry out external supervision of judges.⁴¹ KY does not always use the term state commission, which will be *Ad Hoc* because adopting the practice of regulating countries experiencing a democratic transition period also usually uses the term State Commission, which can also be referred to as *a state auxiliary organ*.⁴²

Article 3 paragraph (1) of Law No. 18 of 2011 concerning the Judicial Commission states that it is based in the Capital of the Republic of Indonesia, showing that the scope of work carried out by the KY is extensive, which includes supervision of judges in all provinces and districts/cities in Indonesia. When calculated today, the number of judges in Indonesia is estimated to be approximately 7,000 people. If this number must be supervised one by one by the KY, of course, it is impossible to do so considering the minimal human resources (HR). The limitation of human resources is even more convincing that the existence of KY Liaison in the region is essential to support the implementation of KY duties. Through the KY Liaison, it is hoped that KY will strengthen and improve its overall performance. Therefore, the presence of the KY Liaison can be interpreted as having a role in assisting the implementation of the function of judicial power in upholding the honor, nobility, dignity and behavior of judges.

Dosen.Ulm.Ac.Id/Bitstream/Handle/123456789/33131/Lembaga Negara Dan Penyelesaian Sengketa edit baru.pdf?sequence=1.

⁴¹ Titik TriwulanTutik, "Pengawasan Hakim Konstitusi Dalam Sistem Pengawasan Hakim Menurut Undang-Undang Dasar Negara RI 1945," *Jurnal Dinamika Hukum* 12, no. 2 (May 15, 2012), <https://doi.org/10.20884/1.jdh.2012.12.2.51>.

⁴² Kelik Iswandi and Nanik Prasetyoningsih, "Kedudukan State Auxiliary Organ Dalam Sistem Ketatanegaraan Di Indonesia," *Jurnal Penegakan Hukum Dan Keadilan* 1, no. 2 (2020), <https://doi.org/10.18196/jphk.1208>.

Legitimization, the presence of the KY Liaison, is a mandate of Article 3, paragraph (2) of Law Number 18 of 2011.⁴³In its implementation, the existence of the KY Liaison is further regulated by the Judicial Commission Regulation Number 1 of 2017 concerning the Formation, Composition, and Work Procedures of the Judicial Commission Liaison in the Regions. The regulation explains that the KY Liaison is domiciled in the provincial capital whose working area is within the scope of the province or jurisdiction of the High Court. In *the quo Regulation*, several main things are regulated, namely regarding the work area and position of the KY Liaison. The work area of the KY Liaison is undoubtedly different from the KY of the Republic of Indonesia, which is located in the capital of the Republic of Indonesia.

The KY liaison only carries out duties and authorities in a smaller area, which is only limited to the scope of the provincial area. In addition, the Regional KY Liaison has a hierarchical relationship with the KY and is responsible to the Judicial Commission through the Secretary-General. This can be interpreted as its position becoming a unit or an inseparable part of the central KY structure.

As mentioned in the background, the purpose of forming the KY Liaison is to provide convenience for the community in submitting reports. In addition, it will increase the effectiveness of trial monitoring and support prevention efforts in the form of socialization of institutional roles and codes of ethics and guidelines for judges' conduct. It's just that

⁴³ Dadan Taufik Fathurohman, "Rekonstruksi Regulasi Kewenangan Komisi Yudisial Dalam Menjaga Keluhuran Marwah Dan Martabat Hakim Yang Berdasarkan Nilai Keadilan" (UNIVERSITAS ISLAM SULTAN AGUNG, 2023), <https://repository.unissula.ac.id/31046/>.

in its development, the existence of the KY Liaison still leaves problems, so the ideal role of being able to supervise judges has not been appropriately achieved.

There are at least 6 (six) problems to date that have occurred in the Regional KY Liaison. *The first* problem faced by the Judicial Commission (KY) Liaison is related to institutions that are still not well consolidated. In this case, some essential issues include (a) Uncertainty about the institutional status of the KY Liaison in the region, whether it is permanent or temporal.⁴⁴This lack of clarity makes the role and sustainability of the KY Liaison function gray. In some areas, the KY Liaison has not been fully recognized as a permanent institution, which ultimately affects its institutional stability, resource security, and capacity to supervise judges on an ongoing basis.

This condition also impacts the public's perception of the credibility and sustainability of the KY Liaison's role, making this institution's performance less than optimal in carrying out its functions. (b) The current institutional design of the KY Liaison also faces various obstacles in its implementation. Many KY liaisons in the region have difficulty working optimally due to the limited main tasks and functions given to them.⁴⁵

Currently, the KY Liaison only serves as an extension of the central Judicial Commission, with duties more focused on handling reports and general supervision. However, to

⁴⁴ Anang Zubaidy, "Desain Kelembagaan Penghubung Komisi Yudisial Di Daerah," *Jurnal Majelis*, 2018, 13, https://www.mpr.go.id/pengkajian/JM_PKK.pdf#page=28.

⁴⁵ Ratna Johari Pamungkas, "Analisis Produktivitas Kerja Pegawai Di Biro Pengawasan Perilaku Hakim Sekretariat Jenderal Komisi Yudisial Republik Indonesia" (Politeknik STIA LAN Jakarta, 2023), <http://repository.stialan.ac.id/id/eprint/180/>.

increase the institution's effectiveness and performance, it is necessary to add or expand the tasks and functions so that the KY Liaison can carry out a more strategic role, for example, in direct investigation or conducting wider legal socialization in the community.

The expansion or addition of these tasks and functions makes the nomenclature of the KY Liaison less precise because it is no longer just a liaison between the community and the central KY but also carries out a more complex role. Thus, it is necessary to re-examine the institutional design of the KY Liaison, both in terms of structure, duties, and nomenclature, to suit the needs of supervision in the field and more effectively support the performance of the Judicial Commission.

The second *problem* the KY Liaison faces is the minimal number of members. Based on Article 9 paragraph (1) of KY Regulation No. 1 of 2017, the KY Liaison consists of 1 (one) coordinator and a maximum of 5 (five) assistants.⁴⁶ This provision clearly shows that the core organ of the KY Liaison is only held by 1 (one) person, namely the coordinator, while the rest act as assistants in a more limited capacity. This means that only the coordinator has full authority to carry out the duties and functions of the KY Liaison, while the assistants only provide technical support.

This condition creates an unideal membership structure for the KY Liaison, considering the great responsibility that this

⁴⁶ Delfina Gusman Gusman and Arya Putra Rizal Pratama, "Penghubung Komisi Yudisial Sebagai Pengawasan Perilaku Hakim Berdasarkan Kode Etik Pedoman Perilaku Hakim," *University Of Bengkulu Law Journal* 6, no. 2 (2021): 114-32, <https://doi.org/https://orcid.org/0000-0001-7157-4333>.

institution must carry out, which is to supervise the behavior of judges in an often vast area. The lack of core members who have the authority to carry out supervisory duties impacts the ineffectiveness of the work pattern carried out by the KY Liaison. A single coordinator will certainly be overwhelmed in managing supervision in the field, especially in handling reports, investigations, and coordinating with relevant parties in the region.

For example, in supervising judges in large provinces such as East Java or North Sumatra, where the number of courts and judges is quite large, only one coordinator with several assistants is insufficient. Supervising tasks that should be carried out intensively and in detail is not optimal due to the limitations of human resources, which hold full authority. It can also slow the investigation and response to community reports, as the workload is too heavy for one coordinator to bear.

The third *problem* faced by the Judicial Commission (KY) Liaison in the region is the limitation of facilities and infrastructure. Facilities and infrastructure are essential elements that support the optimization of the implementation of the institution's functions and duties, including the supervision of judges and the judiciary. Adequate facilities are necessary so the KY Liaison can carry out their duties efficiently and effectively. However, *de facto* conditions show that the facilities and infrastructure owned by the KY Liaison in the region are minimal.

Some of these limitations include the absence of a proper office, which makes it difficult for the KY Liaison to carry out their administrative and operational functions. Most KY liaisons in the region work in minimal facilities, which do not

support activities such as receiving community reports, investigations, or data management. The absence of official vehicles is also a significant obstacle, especially regarding mobility to conduct field surveillance or investigations in hard-to-reach areas. KY liaisons often have to use private or public transportation, which complicates the task and slows down the supervision process. In addition, the KY Liaison also still does not have modern trial recording equipment. Adequate recording tools are vital in documenting and verifying judges' ethical violations. Without proper technology, the quality of supervision and documentation of the judicial process becomes less than optimal. For example, when it comes to investigating violations, the lack of recording tools can lead to the loss of substantial evidence or difficulties in ensuring the accuracy of findings in the field.

The fourth *problem* faced by the KY Liaison in the regions is the lack of budget because they depend entirely on the budget allocation from the Central KY Secretariat General (Secretary General). Based on a study from MPI Consulting and the Judicial Commission Liaison Development Team, the operational budget for each KY Liaison in the region is only IDR 7,000,000.00 per year. This number is inadequate compared to the tasks and coverage of areas the KY Liaison must supervise in several provinces.

With such a limited budget, the KY Liaison faces difficulties in carrying out its duties effectively, especially regarding mobility and field supervision. For example, in provinces with large or hard-to-reach areas, operational costs such as transportation, accommodation, and the implementation of socialization and investigation activities require much larger funds. With only Rp7,000,000.00 per year, essential activities such as investigating violations of judges' ethics in remote

areas, organizing communication forums with the community, and managing reports cannot be done optimally. This lack of budget also impacts the limitations of facilities owned by KY Liaisons, such as communication tools, supporting technology, and the ability to conduct more intensive socialization with the community. This narrows the space for the KY Liaison to ensure that supervision of the judiciary runs effectively and efficiently at the regional level.

Fifth, lack of authority. In the technical implementation of duties, the KY Liaison does not have the authority to carry out executions. At the same time, the community and judges continue to ask for follow-up on their report. This is because, in Article 5 of KY Regulation No. 1 of 2017, the authority of the KY Liaison only comes to prepare a report on the results of trial monitoring to be forwarded to the central KY. This means that the authority of the KY Liaison does not have the authority to take actions such as providing sanctions recommendations.⁴⁷

When compared to the authority of the central KY, Article 20 of the Law on KY has the following authority:

1. monitoring and supervising the behavior of Judges;
2. receive reports from the public related to violations of the Code of Ethics and/or the Code of Conduct for Judges;
3. verify, clarify, and investigate reports of alleged violations of the Code of Ethics and/or the Code of Conduct for Judges in a closed manner;

⁴⁷ Nur Lailatul Musyafaah, "Tugas Dan Wewenang Komisi Yudisial Jawa Timur Dalam Pengawasan Hakim Tindak Pidana Korupsi," *Al-Jinayah: Jurnal Hukum Pidana Islam* 3, no. 2 (2017): 277-306, <https://jurnalfsh.uinsa.ac.id/index.php/HPI/article/download/509/497>.

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4. decide whether or not the report of alleged violations of the Code of Ethics and/or the Code of Conduct for Judges is correct and
 - a) taking legal and/or other steps against individuals, groups of people, or legal entities that degrade the honor and dignity of Judges.

Looking at the authority above, at least 2 (two) authorities are not delegated to the KY Liaison in the region. The two authorities are 1) verifying, clarifying, and investigating reports of alleged violations of the Code of Ethics and/or the Code of Conduct for Judges in a closed manner; 2) deciding whether the report of alleged violations of the Code of Ethics and/or the Judge's Code of Conduct is correct. Considering these two authorities are not owned by the KY Liaison, the KY Liaison cannot answer public questions regarding the follow-up and development of reports reported to the KY Liaison in the region.

The sixth *problem* the KY Liaison faces is related to their employment status, which is generally as an honorary employee. This employment status is considered inappropriate, considering that the KY Liaison's work involves confidentiality and high integrity, especially in supervising judges' behavior and handling sensitive public reports. Honorary employees do not have guarantees and status equivalent to permanent employees, which can affect professionalism and a sense of security in their duties.

In addition, the status of honorary employees in the KY Liaison can potentially cause distrust from the public, both from the complainant and the reported party. The complainant may hesitate to provide a report because they fear the

information they convey will not be adequately guarded by the employee whose status is not fixed. In contrast, the reported person may question the credibility and integrity of the KY Liaison handled by an employee with temporary status. This situation can damage public trust in the KY Liaison and the supervision process.

Given the essential and confidential nature of the work, KY Liaison employees should have the status of permanent employees or at least be regulated in a more robust and reliable personnel mechanism. This will provide legal protection for them, increase the institution's credibility, and encourage higher professionalism in carrying out its duties. Thus, supervision of judges and the judiciary can be carried out more optimally, and the public will have more trust in the reporting process and case handling. Various problems in the KY Liaison have become the role of the KY Liaison, who have been unable to work optimally. The formation of the KY Liaison is in the context of optimizing the supervision of judges. Based on the exposure to the problem, the authors try to explain the solution to the problem.

Optimizing the Liaison Role of the Judicial Commission in the Context of Increasing Supervision of Judges for Justice

Let's look at the reasons for establishing the KY in various countries. The basis of the reasons is as follows: (a) the weak intensive monitoring of the judicial power because the monitoring is only carried out internally; (b) the absence of an institution that is a liaison between the government power (*executive power*), which in this case is the Ministry of Justice

(*judicial review*); (c) the judicial power is considered to have insufficient efficiency and effectiveness in carrying out its duties if it is still preoccupied with non-legal technical issues; (d) the absence of consistency in the decisions of judicial institutions, because each decision lacks strict assessment and supervision from a particular institution; (e) The pattern of recruitment of judges has been considered too biased with political issues because the institutions that propose and recruit them are political, namely the president or parliament.

These reasons also became a foothold for the formation of the KY in Indonesia. This is seen implicitly in the consolidation of Law No. 22 of 2004, which states that the Supreme Court has a vital role in efforts to realize independent judicial power through the nomination of Supreme Court judges and transparent and participatory supervision of judges to uphold honor and dignity, as well as maintain the behavior of judges.⁴⁸ In the process, the supervisory function carried out by KY is considered not optimal due to various reasons, such as limited human resources. Therefore, in 2011, Law No. 22 of 2004 was amended and included substance so KY could form a liaison.⁴⁹

When examined, the main reason for the formation of the KY Liaison is because it is realized that there are

⁴⁸ Tri Cahya Indra Permana, "eksistensi dan peran komisi yudisial : pengkajian konteks filosofi, sejarah dan tujuan pembentukannya dalam dinamika ketatanegaraan indonesia," *Jurnal Hukum Dan Peradilan* 3, no. 1 (April 23, 2018): 85, <https://doi.org/10.25216/jhp.3.1.2014.85-100>.

⁴⁹ Ellydar Chaidir and Suparto Suparto, "Perlunya Pengawasan Terhadap Kode Etik Dan Perilaku Hakim Konstitusi Dalam Rangka Menjaga Martabat Dan Kehormatannya," *UIR Law Review* 1, no. 02 (October 25, 2017): 111, <https://doi.org/10.25299/uirlrev.2017.1.02.951>.

weaknesses related to monitoring the supervision of judges in the regions. The weak supervision is because the Judicial Commission, centralized in the state capital, is also limited in human resources. At the same time, the scope of the area that the central KY must supervise is vast, resulting in the implementation of tasks becoming difficult and not running optimally. These conditions were then formed by the KY Liaison in the regions, mainly provincial areas. The formation of the KY Liaison is expected to strengthen and improve the overall performance of KY RI.

Even so, the existence of the KY Liaison cannot be considered optimal in implementing the supervision of judges in the regions. For this reason, optimizing the role of the KY Liaison in the region has become necessary. Therefore, to realize this, it is essential to pay attention to several aspects of improving the KY Liaison, namely the nomenclature of the KY Liaison, the number of Liaison members, facilities and infrastructure, budget, and personnel status.

First, the nomenclature of the Liaison. In the Great Dictionary of Indonesian (KBBI), the word "liaison" is interpreted as a person who acts as an intermediary. From this meaning, a "liaison" is not a person or entity with total power over something they own.⁵⁰ This also has consequences for the terminology of the KY Liaison. The nomenclature places the KY Liaison as not being an authority in implementing duties. Therefore, if the nomenclature is maintained, it will be challenging to expand and add the main tasks and functions

⁵⁰ Tim Redaksi Kamus Besar Bahasa Indonesia, "Kamus Besar Bahasa Indonesia," 2018.

of the KY Liaison. For the problem, ideally, the nomenclature used should be "representative."

The nomenclature of "representative" is appropriate for the following reasons: 1). According to KBBI, the term "representative" is interpreted as a person or group who has the ability or obligation to speak and act on behalf of.⁵¹ Thus, if the KY Liaison is changed to a KY Representative, then the institution (liaison) is the representative of the central KY in the region who can act on behalf of the central KY. In addition, it can also be interpreted that the institution (liaison) also exercises authority as owned by the central KY. This can be done because the "regional KY" is no longer placed as an institution that connects the supervision of judges in the regions to the central KY but as an institution that represents the central KY whose position is in the area.⁵²

Second, as an institution with the critical task of supervising judges in the regions, attention to the number of KY Liaison members is crucial. Indonesia's vast and diverse territory requires adequate membership to ensure thorough and effective supervision. Currently, the membership of the KY Liaison consists of only 1 (one) coordinator, which is not enough to carry out the necessary supervisory functions.⁵³

⁵¹ Ibid.pp.12

⁵² Sukrisno and Marsudi Dedi Putra, "Kemendesakan Pengaturan Pengawasan Eksternal Perilaku Hakim Konstitusi," *Syntax Idea* 6, no. 3 (April 5, 2024): 1435-51, <https://doi.org/10.46799/syntax-idea.v6i3.3135>.

⁵³ Tri Noviyanti, Ratna Herawati, and Amiek Soemarmi, "Pelaksanaan Tugas Dan Wewenang Penghubung Komisi Yudisial Di Jawa Tengah," *Diponegoro Law Journal* 8, no. 4 (2019): 2810-22, <https://doi.org/https://doi.org/10.14710/dlj.2019.27785>.

The limited number of members is an obstacle to the effectiveness of supervision, especially in areas with many courts and judges.⁵⁴ In this condition, one coordinator will find it difficult to reach all the required supervision areas, so the risk of violations by judges can increase due to the lack of intensive supervision. The increase in the number of KY Liaison members is significant in improving the effectiveness of the supervision. With an adequate number of members, the KY Liaison in the region will be able to carry out more comprehensive supervision. For example, supervision can be done by dividing duties among members to handle community reports, conduct investigations, and organize broader legal socialization. This will increase responsiveness to reports and strengthen the presence of KY Liaison in the community so that public trust in the judiciary can be maintained.

Furthermore, with more effective and structured supervision, it is hoped that it can positively impact the dignity and honor of judges. When judges feel well-watched, they tend to be more careful in carrying out their duties and adhering to the code of ethics, increasing the integrity and trust of the public in the justice system. Therefore, it is necessary to improve the membership of the KY Liaison in the region by considering its characteristics and the need for supervision. Thus, the KY Liaison can perform better in maintaining the quality of justice and increasing public trust in judicial institutions in Indonesia.

⁵⁴ Aztri Fithrayani Alam, "Efektivitas Pelaksanaan Tugas Komisi Yudisial Indonesia Penghubung Dalam Mewujudkan Peradilan Bersih," *Jurisprudentie: Jurusan Ilmu Hukum Fakultas Syariah Dan Hukum* 5, no. 1 (June 8, 2018): 216, <https://doi.org/10.24252/jurisprudentie.v5i2.5813>.

Third, adequate offices are essential for performing the supervisory function of judges in the regions. Although it does not have to be a permanent office, the KY Liaison must have decent facilities to support their performance. Adequate office facilities are required to carry out various activities, such as receiving community reports, conducting investigations, and organizing legal socialization. All of these activities will be difficult to do without the proper workspace. In many cases, the KY Liaison in the region operates without an official office, thus hindering the administrative process and communication with related parties.

As a solution, local governments can provide support by providing the necessary infrastructure, such as office space that can be rented or loaned from local government facilities. For example, using unused government buildings can be an efficient alternative so that the KY Liaison has a place to work more professionally. In addition, access to office equipment such as computers, telephones, and the Internet is also essential to support effective communication and documentation.

The availability of adequate facilities and infrastructure will not only increase the operational efficiency of the KY Liaison Office but also show the government's seriousness in supporting this institution in its supervisory duties. With better facilities, the KY Liaison is expected to function optimally in maintaining the integrity of judges and increasing public trust in the judicial system in Indonesia. Therefore, the arrangement and procurement of the proper infrastructure facilities is a strategic step that needs to be taken to support the

performance of the KY Liaison so that they can operate better in the supervisory function.⁵⁵

Fourth, the budget – a budget that is not balanced with the workload owned. Adequate and balanced budgeting is essential to ensure that the KY Liaison can effectively carry out its duties in supervising judges in the regions. Currently, the budget allocated to KY Liaison often does not reflect the complexity and volume of work they have to handle, which can hinder their performance in supervisory functions.⁵⁶

In this context, the solution to the budget must be based on the performance charged to the KY Liaison in the region. The KY Liaison must carefully evaluate the workload and responsibilities to identify appropriate budget needs. For example, suppose the KY Liaison in the region has to handle many community reports, conduct investigations, and conduct legal socialization. In that case, the budget must be sufficient to support all these activities, including transportation costs, organizing activities, and maintaining infrastructure. The importance of performance-based budgeting also means that the KY Liaison needs to conduct transparent and accountable reporting related to using the budget and achieving their performance. With precise data and information, authorities can assess the effectiveness of budget use and make necessary adjustments.

⁵⁵ Amran Suadi, *Sistem Pengawasan Badan Peradilan Di Indonesia-Rajawali Pers* (PT. RajaGrafindo Persada, 2021).

⁵⁶ Methodius Kossay, "Dinamika Penghubung Komisi Yudisial Dalam Pengawasan Hakim Di Indonesia," *Penerbit Yayasan Prima Agus Teknik*, 2024, 1-145, <https://penerbit.stekom.ac.id/index.php/yayasanpat/article/view/484>.

For example, suppose a KY Liaison completes several investigations and carries out significant outreach activities. This can be the basis for a more substantial budget request in the following year. In this way, the budget allocation not only serves to cover operational costs but also as an investment to improve the effectiveness of supervision and maintain the dignity of judges. Thus, balanced and clear performance-based budgeting will enable the KY Liaison in the region to work more optimally, support them in carrying out their supervisory functions, and ultimately contribute to improving the integrity and public trust in the judicial system in Indonesia.

Fifth, employment status is related to the employment status that needs improvement. Currently, the employment status of KY Liaison members in the region is generally that of honorary employees, which is a status that is not clear and does not guarantee legal certainty for the individual. This unclear status can potentially reduce the level of public trust in the KY Liaison as an institution that should be responsible for supervising judges. The public tends to doubt the commitment and integrity of individuals who work with honorary status, which can ultimately affect the institution's credibility.

Therefore, it is essential to clarify the membership status of the KY Liaison and its supporting employees. A more apparent arrangement will ensure that KY Liaison members have a strong commitment and adequate competence to perform their supervisory functions. For comparison, we can look at the staffing model implemented by the Regional General Election Commission (KPUD) and the Ombudsman of the Republic of Indonesia (ORI). These two institutions do not use honorary employees in their core structures; All members

and supporting employees have a more formal and explicit status, thus increasing public trust in their performance.

By following the example of KPUD and ORI, KY Liaison should also be able to implement a more structured and formal staffing system. This can be done by establishing the membership of the KY Liaison as a civil servant (PNS) or by providing a clear contract status so that there is legal certainty and professionalism in carrying out duties. From a policy perspective, there is no need to form a new Regional Judicial Commission, but it is enough to optimize the existing KY Liaison. By clarifying the status of personnel, the KY Liaison will be better able to carry out supervisory functions effectively and professionally and increase public trust in judicial institutions in Indonesia. This step will strengthen the integrity of the KY Liaison and ensure that the supervision of judges is carried out in the spirit of justice and transparency.

IV. Conclusion

Based on the above discussion, it can be concluded that the problems of the KY Liaison in the region consist of 1). Liaison Nomenclature; 2). Number of liaison members; 3). Facilities and infrastructure; 4). Employment status. To make the KY Liaison run effectively in the future, it is essential to improve these four aspects. Regarding terminology, it is vital to make changes no longer using the word "link" but "representative." In terms of membership, it is necessary to add members so that they become ideal according to the workload. Furthermore, adequate facilities and infrastructure must be provided to implement the duties and functions of the KY Liaison. Then, in terms of employee status, KY Liaison employees in the region must not come from honorary

employees. All stakeholders, especially the Judicial Commission of the Republic of Indonesia, must encourage changes to KY Regulation Number 1 of 2017 so that the content material can strengthen the duties and functions of the KY Liaison in the regions. In addition, it is also essential to encourage changes to the provisions of Article 3 paragraph (2) of Law Number 22 of 2004 *jo.* Law Number 18 of 2011 changed the terminology of "liaison" to "representative" of KY in the region.

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