

Designing the Authority of the Judicial Commission in Upholding the Honour, Capacity, and Welfare of Judges in Indonesia

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Abstract

One of the constitutional mandates of the Judicial Commission of Indonesia is to safeguard the honour, dignity, and conduct of judges, as stipulated in Article 24B(1) of the 1945 Constitution and Article 13(b) of Law No. 22 of 2004 on the Judicial Commission. Conceptually, however, Article 20 of Law No. 18 of 2011 redefines the Commission primarily as an external supervisory body over judicial conduct, without clearly delineating its role in preserving judicial honour and dignity. Moreover, Article 20(2) of the same law extends the Commission's responsibilities to include promoting the capacity and welfare of judges, operationalized through ethics training under Judicial Commission Regulation No. 3 of 2013. This regulatory framework leaves two key issues unresolved: first, the precise scope of the Commission's role in upholding judicial honour and dignity; and second, the extent of its authority in advancing judicial welfare. Employing a normative legal research method with statutory and conceptual approaches, this article finds that the Judicial Commission lacks a comprehensive framework to implement its constitutional mandate effectively. It argues that the Commission's authority should be restructured to function not only as an external supervisory body but also as a guardian of judicial integrity and an institution empowered to ensure that judges' welfare is adequately supported by the executive branch.

Keyword: Judicial Commission; Judicial Integrity; Indonesia Judicial Welfare.

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Introduction

The Judicial Commission (*Komisi Yudisial*) was established as a product of Indonesia's post-reform era, aiming to ensure that the judiciary is capable of performing its constitutional functions effectively and is composed of judges who possess integrity, independence, and immunity from political influence. Conceptually, Thohari identifies five fundamental reasons why Indonesia requires a Judicial Commission. First, as an external body capable of monitoring judicial power through public participation. Second, as an intermediary institution that bridges the judiciary and the executive branches, thereby preventing direct interactions that could give rise to conflicts of interest. Third, as an external body responsible for the recruitment and monitoring of Supreme Court justices. Fourth, as a supervisory institution designed to prevent judicial misconduct and safeguard the quality of judicial decisions. Fifth, as a mechanism to limit political influence in the recruitment process of Supreme Court justices.[1]

The Judicial Commission was established as a state institution through the third amendment to the Indonesian Constitution, positioned under the chapter on Judicial Power. The Commission is vested with two principal functions: first, to propose candidates for the appointment of Supreme Court justices to the House of Representatives (DPR); and second, to uphold the honour, dignity, and conduct of judges.[2] From these functions, it is evident that the Judicial Commission was constitutionally designed to ensure that judicial power operates independently, both during and after the recruitment process, as stipulated in Article 24B(1) of the 1945 Constitution, and further elaborated in Article 13(a) and (b) of Law No. 22 of 2004, as amended by Law No. 18 of 2011 concerning the Judicial Commission.

Conceptually, the Judicial Commission's role may be understood through three distinct phases. First, the initial phase, in which the Commission plays a role in the recruitment of Supreme Court justices. This mechanism was intended to enhance the independence of judicial appointments by minimizing the involvement of other branches of power executive, legislative, or even the judiciary itself. This authority is explicitly regulated in Articles 14 through 19 of Law No. 18 of 2011, as well as in several technical regulations issued by the Commission.

Second, the operational phase, in which the Judicial Commission holds a constitutional mandate to safeguard the honour and dignity of judges across all judicial environments and to ensure the fulfilment of their welfare rights, as guaranteed under Article 48 of Law No. 48 of 2009 and Government Regulation No. 44 of 2024.

Third, the final phase, in which the Judicial Commission functions as a supervisory body over judicial conduct. In this phase, the Commission is empowered to jointly formulate a judicial code of ethics with the Supreme Court and to ensure compliance with this code by all judges. This includes conducting ethics training and implementing disciplinary measures against violations of the judicial code of conduct.

Among these three phases, the second (operational) phase remains problematic, both conceptually and in its implementation. Conceptually, the Commission's role in upholding judicial honour and dignity has been narrowly interpreted as the conduct of ethics training, as stipulated in Judicial Commission Regulation No. 3 of 2013. This interpretation, however, is misguided. It conflates the supervisory function properly belonging to the final phase with the ongoing responsibility to protect judicial dignity and welfare during the operational phase. As a result, the Judicial Commission appears to perform only two phases the initial and final while neglecting the essential middle phase that ensures judges' honour is maintained and their welfare adequately secured.

Based on this preliminary analysis, two central issues can be identified: first, what is the precise role of the Judicial Commission in upholding the honour and dignity of judges; and second, how should the Commission function in enhancing the capacity and welfare of judges. Addressing these questions requires the development of a comprehensive conceptual design for the Judicial Commission's role within Indonesia's constitutional framework.

Literature Review

2.1 Judicial Independence and Accountability

The judiciary represents an independent branch of power that operates autonomously and does not directly influence the system of government. Unlike the relationship between the executive and legislative branches, which mutually shape the form of governance, the judiciary functions as a distinct institution entrusted with administering justice free from external interference. Accordingly, the principle of judicial independence is recognized across all constitutional democratic systems.

Nevertheless, judicial independence cannot stand in isolation; it must be balanced with accountability. As Geyh asserts, judicial independence and accountability are not mutually exclusive; rather, they constitute complementary components of an effective constitutional design.[3] In a similar vein, Burbank and Friedman emphasize that while institutional autonomy is essential, mechanisms ensuring ethical integrity and professional competence are equally vital to prevent potential abuse or arbitrariness within the exercise of judicial power.[4]

In Indonesia, Asshiddiqie argues that judicial independence is a multidimensional concept that requires both internal and external safeguards.[5] These safeguards include transparent recruitment processes, ethical oversight, and adequate welfare systems to prevent corruption and undue influence. Furthermore, Manan emphasizes that independence should not be understood merely as freedom from external interference, but also as the institutional capacity to uphold integrity, discipline, and professionalism within the judiciary itself.[6] Within this theoretical framework, the Judicial Commission functions as an essential intermediary institution designed to harmonize the two fundamental imperatives of judicial power independence and accountability.

2.2 Comparative Perspectives on Judicial Oversight Bodies

Comparative studies of judicial commissions across various countries reveal that these bodies exhibit differing characteristics in terms of authority, institutional role, and organizational structure. Garoupa and Ginsburg propose a typology of judicial commissions that vary in composition, powers, and effectiveness, depending on each country's political and legal traditions.[7] They argue that judicial commissions play a crucial role in mediating the tension between judicial independence and accountability. Similarly, Devlin and Dodek discuss how judicial commissions in several common law jurisdictions combine ethical enforcement, appointment functions, and institutional self-governance.[8]

For comparison, in the Philippines, the Judicial and Bar Council operates under the supervision of the Supreme Court, with the authority to provide recommendations regarding the appointment of justices of the Supreme Court. Meanwhile, in the Netherlands, the *Raad voor de rechtspraak* functions as an independent state institution with two main categories of authority. Its statutory tasks include the preparation of the judiciary's budget, allocation of funds to the courts, operational support, assistance in recruitment and selection procedures, and the promotion of quality and uniformity of law. Its non-statutory tasks include serving as the spokesperson of the judiciary and facilitating international cooperation.[9] The diverse practices of judicial commissions across different countries

varying in their roles and institutional positions demonstrate that the fundamental purpose behind the establishment of such bodies is to strengthen the independence of the judiciary.

2.3 Upholding the Honour, Capacity, and Welfare of Judges

Several studies demonstrate a clear relationship between judicial independence and judicial welfare, where the independence of the judiciary depends not only on institutional safeguards but also on the moral and material well-being of judges. Adequate welfare strengthens judges' integrity and resilience against corruption and external influence. In this regard, Shetreet (2012), in *The Culture of Judicial Independence*, explains:

“Personal judicial independence is secured by the provision of appropriate and adequate remuneration protected from undue interference by the Executive or by the Legislature, not related to previously established standards. This does not mean that judicial salaries cannot be affected by general economic measures which are applied to the whole country in situations of austerity.”

In the context of Southeast Asia, Saunders and Tan (2018) argue that the principle of constitutionalism requires attention to the socio-economic conditions of judges. They contend that improving judicial welfare and career development enhances the legitimacy of the judiciary and fosters a culture of accountability. Within this conceptual framework, the Judicial Commission should not confine its mandate solely to ethical supervision but should also encompass efforts to promote the welfare and professional capacity of judges as part of its authority to uphold judicial honour and dignity.

Although numerous studies have examined Indonesia's Judicial Commission, significant conceptual and empirical gaps remain. Most existing research focuses narrowly on the Commission's role as an external supervisory body, without fully exploring its potential as a guardian of judicial honour and dignity that integrates ethics, recruitment, welfare, and professional capacity. Furthermore, existing studies seldom analyze what the author refers to as the “*operational phase*” of the Commission's authority namely, its role in upholding judicial honour and dignity through capacity development and ensuring that judges' constitutional rights are fulfilled by the executive branch.

Research Methodology

This research adopts a descriptive-analytical approach, aiming to provide a systematic overview of the existing legal framework while offering an analytical assessment of its implementation. The study interprets the relevant provisions governing the authority of the Judicial Commission as stipulated in the 1945 Constitution of the Republic of Indonesia, Law No. 22 of 2004, as amended by Law No. 18 of 2011 on the Judicial Commission, Law No. 48 of 2009 on Judicial Power, and other related legal instruments, including Government Regulation No. 44 of 2024. Through this analysis, the research seeks to identify normative issues concerning the Judicial Commission's authority in upholding the honour and dignity of judges.

The study employs two main approaches.[10] First, the conceptual approach is used to examine and interpret the underlying legal ideas that define the role of the Judicial Commission in maintaining judicial honour and dignity. This approach is expected to provide a renewed conceptual foundation regarding the Commission's authority, which has traditionally been understood primarily in relation to ethical oversight.

Second, the statutory approach (statute-based approach) serves as the primary analytical tool of the study. This approach involves a critical examination of constitutional and legislative provisions regulating both the authority of the Judicial Commission and the judicial power more broadly. The analysis focuses on the vertical and horizontal relationships among these

legal instruments to identify normative inconsistencies or overlaps that may hinder the Commission's role in ensuring the enforcement of judicial honour and dignity.

Result

The establishment of the Judicial Commission during the 1999–2002 constitutional amendments was initially intended to serve as an independent supervisory body within the judicial branch. In the *original intent* of the 1945 Constitution, the framers agreed on the necessity of creating an institution called the Judicial Commission, tasked primarily with the recruitment of Supreme Court justices. However, debates soon emerged over concerns that if the Judicial Commission were granted only limited authority, its constitutional role would appear minimal.

This debate surfaced in the early stages of the deliberations on judicial power during the First Working Committee (PAH I) of the MPR on July 13, 2000. Patrialis Akbar questioned what other functions the Judicial Commission might have beyond the appointment and dismissal of Supreme Court justices, emphasizing the need for an additional clause clarifying the scope of its powers. He raised two key points: first, whether the Judicial Commission should possess functions other than appointment and dismissal; and second, if its establishment was indeed necessary, the Constitution should explicitly define its broader authority. A similar view was expressed by Hobbes Sinaga, who argued that the Judicial Commission should be endowed with clearer and broader powers, rather than being limited merely to the appointment of Supreme Court justices:[11]

“Jadi, kalau kita melihat bahwa hakim yang di angkat dan diberhentikan oleh DPR, seluruh Komisi Yudisial tadi, kok pekerjaannya cuma mengangkat, berarti sepertinya menganggur. Sementara ada logika lain, bahwa kalau yang mengangkat dan menghentikan, dia kan mestinya melakukan pengawasan, walaupun bukan pengawasan mengenai masalah tindakan yudisial, tetapi di dalam memelihara kehormatan dan program martabat para pejabat oleh hakim agung. Di dalam perumusan kita, ada mengenai Dewan Kehormatan. Apakah tidak bisa digabung nantinya antara Komisi Yudisial ini dengan Dewan Kehormatan, sehingga unsur Yudisial yang telah diambil tadi menjadi dua fungsi, mengangkat, mengawasi untuk menjaga kehormatan”. “If we observe that the appointment and dismissal of judges are conducted by the House of Representatives and the Judicial Commission, yet the Commission's task is limited merely to appointments, it would seem to have little substantive work. There is, however, another logical consideration: if the body responsible for appointing and dismissing judges exists, it should also exercise oversight not in terms of judicial decisions, but in maintaining the honour and dignity of judicial officials, particularly Supreme Court justices. In our current formulation, there is already the concept of an Honourary Council. Would it not be possible, therefore, to merge the Judicial Commission with the Honourary Council, so that the Judicial Commission embodies two essential functions: appointment and supervision to uphold judicial integrity?”

Based on the above debates, it can be inferred that the framers of the 1945 Constitutional amendments did not intend for the Judicial Commission to possess only the authority to appoint Supreme Court justices. Rather, they envisioned additional powers that would enable the Commission to effectively safeguard the independence of the judiciary. This perspective aligns with the view expressed by Harun Kamil during the early discussions on judicial power in the constitutional amendment process, who argued that:

“Sedangkan hakim-hakim sendiri diangkat diatur dengan undang-undang. Dan kita ketahui bahwa hakim ini sebagai pejabat umum, yang dalam menjalankan tugasnya itu tidak punya atasan dalam memutus perkara hanya hati nurani dengan Tuhan. Saya kira tentu harus

ada kriterianya, parameter atau tolok ukurnya. Jadi tentunya kita harus memerlukan suatu dewan kehormatan untuk menegakkan kehormatan dan menjaga keluhuran martabat dan perilaku hakim dalam menjalankan tugasnya”. “Meanwhile, the appointment of judges is regulated by law. We know that judges, as public officials, have no superiors in rendering decisions they are accountable only to their conscience and to God. Therefore, there must be clear criteria, parameters, or benchmarks governing their conduct. Consequently, it is essential to establish an Honourary Council to uphold the honour, dignity, and ethical behavior of judges in the performance of their duties.”

The constitutional debates that culminated in the formulation of the Judicial Commission’s authority, as stipulated in Article 24B paragraph (1) of the 1945 Constitution, demonstrate that the Commission was designed to play a pivotal role in ensuring that judges serving in the Supreme Court not only uphold integrity and independence but also maintain their honour and dignity. This constitutional mandate is further elaborated in Article 20 paragraph (2) of Law Number 18 of 2011, which provides that, “...*in addition to the duties as referred to in paragraph (1), the Judicial Commission shall also undertake efforts to enhance the capacity and welfare of judges...*”.

In exercising its constitutional mandate particularly concerning the supervisory function provided under Article 20 paragraph (2) of Law Number 18 of 2011 the Judicial Commission has faced challenges due to the overlapping authority with the Supreme Court’s internal supervisory body (*Badan Pengawasan*). The tension between these two institutions was eventually addressed through a Joint Decree between the Judicial Commission and the Supreme Court, Number 047/KMA/SKB/IV/2009 and 02/SKB/P.KY/IV/2009, signed on April 8, 2009. This decree established the *Code of Ethics and Code of Conduct for Judges (KEPPH)*.

Following the enactment of Law Number 18 of 2011, which granted the Judicial Commission clearer supervisory authority, the Commission and the Supreme Court issued another Joint Regulation Number 02/PB/MA/IX/2012 and 02/PB/P.KY/09/2012 on the *Guidelines for the Enforcement of the Code of Ethics and Code of Conduct for Judges (KEPPH)*. Subsequently, to implement its mandate under Article 20 paragraph (2) of the same law, the Judicial Commission acted promptly by issuing Judicial Commission Regulation Number 3 of 2013 on the *Enhancement of Judicial Capacity*, which aims to strengthen judges’ understanding and adherence to the code of ethics.

During the Focus Group Discussion held on September 8, 2025, the Judicial Commission invited judicial representatives to revisit and redesign the grand framework for enhancing judicial capacity and welfare, intended to replace Judicial Commission Regulation Number 3 of 2013. However, during the FGD, the Commission had yet to develop an initial blueprint for improving judicial capacity beyond its primary focus on the *Code of Ethics and Code of Conduct for Judges (KEPPH)*. In the author’s view, the Commission’s persistent emphasis on monitoring judicial behavior has effectively reduced its role to that of a “passive overseer,” merely waiting for judges to violate ethical standards rather than addressing the underlying causes that lead to such breaches.

Data published by the Supervisory Body of the Supreme Court (*Badan Pengawasan Mahkamah Agung*) for the period of August 2024 to August 2025 indicates a growing trend in the number of judges found to have violated the judicial code of ethics across different time intervals.

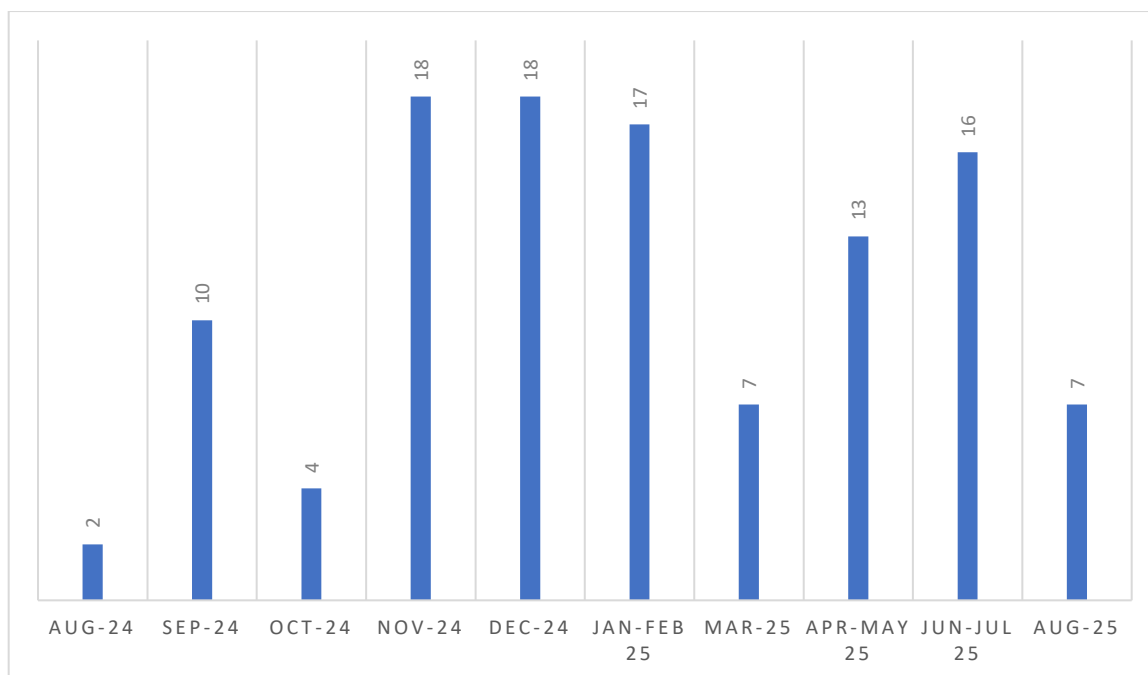


Figure 1. The number of judges subjected to disciplinary sanctions (Aug-24 to Aug-25)

Based on the above data, it is evident that the Judicial Commission must critically evaluate its programs aimed at enhancing judges' understanding of the code of ethics, as the number of ethical violations has not shown a declining trend. Since 2013, the Judicial Commission has undertaken no significant new initiatives in fulfilling its constitutional role of upholding the honour and dignity of judges, largely because its focus has remained limited to two core functions recruiting Supreme Court justices and monitoring judicial conduct.

The preceding discussion demonstrates that, constitutionally, the Judicial Commission still has substantial "unfinished business" in ensuring the integrity and dignity of the judiciary. The author contends that the Commission should conceptualize its mandate through three distinct phases of authority.

First, the initial phase, in which the Judicial Commission exercises its authority to nominate candidates for appointment as Supreme Court justices. This function represents the Commission's first gateway to ensuring judicial integrity, as nominees must undergo a series of rigorous evaluations, including administrative screening, public scrutiny, and a fitness and propriety test. Although the Commission's authority is currently limited to proposing candidates for the Supreme Court excluding judges at the first and appellate levels the author argues that this is appropriate, as Supreme Court justices adjudicate cases at the final level of the judicial process.

Second, the operational phase. At this stage, the Judicial Commission plays a crucial role in ensuring that judges who have been appointed can perform their duties effectively by upholding judicial honour and dignity through the enhancement of professional capacity and welfare including for judges at the first-instance and appellate levels. This phase serves as a means of recognizing and rewarding the service of judges. However, this *operational phase* has largely been absent from the Commission's practice, even though its authority in this regard is clearly provided for both constitutionally and statutorily.

In practice, Article 40 paragraph (1) of Law Number 48 of 2009 on Judicial Power stipulates that supervision functions as an instrument to uphold the honour and conduct of judges. The inconsistency between the phrasing in Article 24B paragraph (1) of the 1945 Constitution and Article 40 paragraph (1) of Law Number 48 of 2009 has led to a shift in the

interpretation of the Judicial Commission's authority from being responsible for ensuring that judges' honour and dignity are upheld, to holding judges accountable for their conduct before the Commission.

In fact, the wording of Article 24B paragraph (1) of the 1945 Constitution clearly distinguishes between "...and other powers in order to safeguard and uphold the honour, dignity, *and* behavior of judges." The use of the conjunction "*and*" (*serta* in the Indonesian text) serves as a connector between separate clauses, not a merger of them. Therefore, the Judicial Commission's interpretation that upholding honour and dignity equates to supervising judicial conduct misconstrues the constitutional intent. Ideally, supervision should take place *after* judges have received their due rights and recognition, and only when violations occur, rather than serving as the primary or sole means of upholding judicial honour.

Third, the final phase. In this stage, the Judicial Commission functions as a supervisory authority over judicial conduct and is empowered to impose sanctions for violations of the *Code of Ethics and Code of Conduct for Judges (KEPPH)*, based on the enforcement mechanism jointly established with the Supreme Court. Placing the supervisory role in this final phase ensures that the Commission's oversight serves as a form of accountability allowing the Commission to assess judges' performance and ethical compliance while using the findings as a basis for evaluating the broader exercise of judicial power.

4.1 Conceptual Framework of Authority

This paper focuses on the authority of the Judicial Commission in upholding the honour and dignity of judges through the enhancement of judicial capacity and welfare. As discussed previously, this authority falls within the **operational phase** of the Commission's mandate. The operational phase derives its legal foundation from Article 24B of the 1945 Constitution, particularly the phrase "*...and shall have other powers in order to safeguard and uphold the honour and dignity...*", and is further reinforced by Article 13(b) and Article 20(2) of Law Number 18 of 2011. Hence, this authority is firmly grounded both constitutionally and statutorily.

First, the author elaborates on the authority to *safeguard the honour and dignity of judges*. To date, there are no specific regulations that comprehensively address the concepts of judicial honour and dignity, as the legal status of judges remains inseparable from the provisions of the Law on the Supreme Court and the Law on Judicial Power. According to the *Kamus Besar Bahasa Indonesia (KBBI)*, "*kehormatan*" (honour) is defined as "an expression of respect or esteem," implying that the judicial office must be respected and valued. Meanwhile, "*martabat*" (dignity) refers to "a level of human worth or self-respect." Thus, the phrase "*upholding the honour and dignity of judges*" can be interpreted as an effort to recognize and preserve the self-worth and professional esteem of judges.

Based on this understanding, the Judicial Commission's role at this stage should be conceptualized as that of a guardian or protector, rather than merely a supervisory body. As a *guardian*, the Commission should act to protect judges from external threats such as intimidation or violence from litigants ensure that judges' official and protocol status is properly upheld, and, drawing from comparative models such as the Netherlands, function as a liaison between the Supreme Court and the executive branch to strengthen institutional support for the judiciary.

If formulated systematically, each phase of the Judicial Commission's authority reflects a distinct institutional function aligned with its constitutional mandate, as summarized in the following table:

Table 1. Classification of the roles and functions of the Judicial Commission

Phase	Legal Basis	Core Function	Nature of Authority	Institutional Role
Initial Phase	Article 24B(1) of the 1945 Constitution; Law No. 18/2011, Article 13(a)	to propose candidates for Supreme Court justices	Preventive	<i>Gatekeeper</i> ensuring integrity at the recruitment stage
Operational Phase	Article 24B(1) of the 1945 Constitution; Law No. 18/2011, Articles 13(b), 20(2)	to uphold the honour and dignity of judges	Developmental	<i>Guardian/Protector</i> safeguarding the status and welfare of judges
Final Phase	Article 24B (1) of the 1945 Constitution; Law No. 18/2011, Article 21; Joint Regulation with the Supreme Court (2012)	to supervise the conduct of judges	Corrective	<i>Supervisor</i> ensuring accountability through ethical enforcement

This conceptual formulation positions the Judicial Commission not solely as a disciplinary body, but as a comprehensive institution responsible for cultivating, protecting, and maintaining the integrity and dignity of the judiciary across all stages of judicial service.

The implementation of the Judicial Commission's authority within the operational phase is carried out primarily through initiatives aimed at enhancing judges' professional capacity, particularly in the area of judicial education. This includes the authority to collaborate with the Supreme Court in developing judicial training curricula, ensuring that judges' knowledge and competencies evolve in line with legal developments. The joint formulation of such curricula between the Judicial Commission and the Supreme Court prevents the monopolization of judicial education policy by the latter and compels the active participation of the Judicial Commission in fostering continuous professional growth among judges.

In addition to capacity-building efforts, the Judicial Commission also holds a role in promoting judicial welfare, as stipulated in Article 20 paragraph (2) of Law Number 18 of 2011. This function is exercised by serving as an intermediary between the Supreme Court and the government to ensure that judges' welfare rights are properly fulfilled, in accordance with

Article 48 of Law Number 48 of 2009 on Judicial Power and its implementing regulations. Through this intermediary role, the Judicial Commission not only contributes to safeguarding judicial independence but also reinforces institutional accountability by ensuring that the state fulfills its obligations to support judges both materially and professionally.

Conclusion

The Judicial Commission of Indonesia possesses a constitutionally mandated authority to uphold the honour and dignity of judges, primarily through measures aimed at enhancing judicial capacity and welfare. As a constitutional body, the Commission performs three principal powers, each corresponding to a distinct institutional function that reflects its integral role in maintaining judicial integrity and accountability within Indonesia's constitutional framework. First, the Judicial Commission performs its role as a nominator of candidates for the Supreme Court. This authority constitutes a vital component of the Commission's constitutional duty to ensure that nominees possess impeccable integrity, competence, and ethical standing. Within this function, the Commission exercises its *nominating authority* by conducting selection and evaluation processes designed to maintain public trust in the judiciary. Second, the Judicial Commission serves as a guardian of judicial honour and dignity. This role emerges from its constitutional responsibility to preserve the moral and ethical stature of judges. The Commission pursues this objective by promoting judicial professionalism, supporting continuous capacity-building, and advocating for the welfare of judges to strengthen their independence and integrity in adjudication. Third, the Judicial Commission functions as a supervisor by overseeing judicial conduct and enforcing disciplinary measures against judges who breach the Code of Conduct. This supervisory power reinforces judicial accountability and safeguards public confidence in the administration of justice. Through its function as a guardian, moreover, the Judicial Commission assumes a broader mediating role acting as a liaison between the Supreme Court and the executive branch to ensure the fulfilment of judicial welfare and the sustained protection of judicial honour in the performance of judicial duties.

References

- [1] A. A. Thohari, *Komisi Yudisial dan Reformasi Peradilan*. Jakarta: Lembaga Studi dan Advokasi Masyarakat (ELSHAM), 2004.
- [2] MKRI, *Naskah Komprehensif Perubahan Undang-Undang Dasar Negara Republik Indonesia Tahun 1945 Latar Belakang, Proses, Dan Hasil Pembahasan 1999-2002: Buku VI Kekuasaan Kehakiman*. Mahkamah Konstitusi, vol. 7, no. 2. 2010.
- [3] C. G. Geyh, *Judicial Independence, Judicial Accountability, and the Role of Constitutional Design*. Cambridge: Cambridge University Press, 2016.
- [4] and B. F. Burbank, Stephen B., *Judicial Independence at the Crossroads: An Interdisciplinary Approach*. Sage, 2002.
- [5] J. Asshiddiqie, *Perkembangan dan Konsolidasi Lembaga Negara Pasca Reformasi*. Jakarta: Konstitusi Press, 2006.
- [6] B. Manan, *Hubungan Antarlembaga Negara Menurut UUD 1945*. Yogyakarta: UII Press, 2013.
- [7] N. Garoupa and T. Ginsburg, "Chicago Unbound Chicago Unbound Guarding the Guardians: Judicial Councils and Judicial Guarding the Guardians: Judicial Councils and Judicial Independence Independence," no. 444, 2008, [Online]. Available: <http://ssrn.com/abstract=1303847>
- [8] and A. D. Devlin, Richard, *Regulating Judges: Beyond Independence and Accountability*. Edward Elga, 2008.
- [9] Komisi Yudisial, *Studi Perbandingan Komisi Yudisial di beberapa Negara*. Komisi Yudisial, 2014.

- [10] P. M. Marzuki, *Penulisan Hukum*. Jakarta: Kencana, 2007.
- [11] Sekretariat Jenderal MPR RI, *Risalah Perubahan Undang-Undang Dasar Negara Republik Indonesia Tahun 1945 1999-2002 Tahun Sidang 2001 Buku Tiga*. Jakarta: Sekretarian Jenderal MPR RI, 2009.