

## Ethics and Professional Responsibilities of Judges in Carrying Out Duties in Law Enforcement

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### ABSTRACT

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The Judicial Code of Ethics serves as the ethical principles of judges, serving as the basis or guideline for every decision-making process in legal cases before them, as law enforcement officers, and in addressing the challenges of legal issues and legal developments. The purpose of this article is to provide the wider public with knowledge and understanding regarding ethics as a guideline and the challenges faced by judges in examining, adjudicating, and deciding legal cases. This article was written using literature and secondary data. The approach used in this research is the statutory approach. Judges are functional and state officials authorized to examine, adjudicate, and decide legal cases fairly and based on the law. Judges are responsible for interpreting and applying applicable law to cases before them and ensuring that justice and truth are achieved. The Judicial Code of Ethics is a written rule or code of conduct that judges must adhere to in carrying out their duties to ensure integrity, fairness, and public trust in the judicial institution. The Code of Ethics for the Judges' Professionalism contains the obligation and requirement to carry out their profession responsibly for the results and impacts of their actions and to refrain from violating the rights of others. The Code of Ethics is not law, but rather a norm that serves as a benchmark for legal professionals in upholding the authority of the law with humanity and justice. (Drs. H. Wildan Suyuthi Mustofa, "Judge's Code of Ethics," p. 52, Publisher: Jakarta, Kencana Prenada Media 2013.) The Code of Ethics for Judges is regulated by Joint Decrees of the Chief Justice of the Supreme Court of the Republic of Indonesia and the Chairman of the Judicial Commission of the Republic of Indonesia Number 047/KMA/SKB/IV/2009 and 02/SKB/P.KY/IV/2009 concerning the Code of Ethics and Guidelines for Judges' Conduct. However, in their role as legal advocates, judges often face various ethical dilemmas in making legal decisions. These dilemmas can influence the decision-making process and the final outcome of a case. As a legal advocate, a judge is often faced with various ethical dilemmas in making decisions that ultimately resolve issues. Judges are often faced with situations where the strict application of the law does not always align with the principles of justice. This helps prevent arbitrary action and ensures that the law is applied consistently.

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## 1. INTRODUCTION

Indonesia is a country of law, meaning that all aspects of state and social life must be based on law, and law is the highest authority that regulates all actions of the government and citizens. This is regulated in Article 1 paragraph (3) of the 1945 Constitution, which emphasizes that Indonesia is a country of law. Judges are one of the law enforcements officers, where the law enforcement process in Indonesia aims to achieve justice, create legal certainty, and provide benefits for all levels of society. In terms of law enforcement, it is not only a mandate of the 1945 Constitution but also a pillar and pillar of justice. The concept of a state of law adopted by Indonesia is not only based on formal legality, but also includes the principles of protecting human rights, equality before the law, and an independent and impartial judiciary. Indonesia adopts the values of *rechtstaat* and the rule of law, which emphasize that state power must be limited and monitored through legal mechanisms to prevent abuse of authority. In this context, the judiciary has a strategic position as a guardian of the constitution, guardian of justice, and guarantor of the upholding of democratic values (Córdova, A., & Tiscornia, 2025). Judges as state officials who are authorized to administer justice are one of the most important elements in the law enforcement system. The position of judges as the main actors in the judicial institution is very vital, especially considering all the authority they have.<sup>2)</sup> Judges play a central role because through their decisions, judges determine whether the law truly provides justice, certainty, and benefits for society. Therefore, the profession of judge is seen as a noble profession (*officium nobile*) and honorable, because on the shoulders of a judge rests the hopes of society to obtain a fair, impartial, and integrity-based resolution of cases (Uding & Lum, 2025).

In the law enforcement process, judges are tasked not only with upholding the law textually but also with interpreting it to reflect societal developments and the public's sense of justice. Judges are required to balance substantive justice with formal legal certainty, ensuring that their decisions do not merely cite rules but also reflect moral values, social propriety, and the rights of those seeking justice. This is where the ethics, professionalism, and integrity of judges become crucial (Qin, Wang, & Hui, 2025). Effective law enforcement is influenced by the need for public trust in the judiciary and individual judges (Gardner, 2023). Therefore, upholding ethical standards for the judicial profession in carrying out their duties and responsibilities is an absolute necessity.

The purpose of writing this article for the wider community is to;

1. Increase public awareness of the importance of professional ethics for judges and the responsibilities of judges in carrying out their duties;
2. Build public trust in the applicable legal system and judges;
3. Inform them of their rights and how they are protected by applicable law;
4. Increase public participation in the justice enforcement process;
5. Prevent abuse of judicial power and violations of the code of ethics by judges;
6. Increase the accountability of judges and their staff and the legal system to the rights of the community;
7. Improve the quality of law and the legal system by considering the principles of justice, ethics, and morality;

The profession of a judge is a very important profession in upholding law and justice, therefore the profession of a judge is a very important and honorable profession in the legal system.

The responsibilities of the Judicial Profession are:

1. Examining Legal Cases;  
The process of analyzing and evaluating a legal case or problem to determine whether there is a violation of the law and determining the appropriate solution or decision.
2. Interpreting the Law;  
The process of understanding and explaining the meaning of a legal regulation or statute.
3. Supervising the Legal Process;  
The process of monitoring and ensuring that the legal process is carried out in accordance with applicable rules and procedures.
4. Securing Justice;  
Ensuring that justice is achieved and the rights of all parties involved in the legal process are protected.
5. Adjudicating Legal Cases;  
Processing and deciding a legal case being considered by a judge or other legal institution.
6. Delivering Decisions;  
Making final and binding decisions for the parties involved in a case or dispute.
7. Maintaining Integrity;  
Maintaining and improving the quality and credibility of judges by ensuring judges act honestly, fairly, and transparently.
8. Avoiding Conflicts of Interest;  
Ensuring that judicial decisions or actions taken are not influenced by personal or group interests and do not harm other parties.
9. Maintaining Confidentiality;  
Ensuring that confidential or sensitive information is not disclosed to third parties without permission.
10. Complying with the Judicial Code of Ethics;  
Adhering to and implementing the standards of judicial conduct established by the judicial profession.
11. Keeping abreast of Legal Developments;  
Judges continuously update their knowledge and understanding of applicable laws, regulations, and policies and stay abreast of the latest developments in the legal field.

Thus, it can be emphasized that the existence of judges is not merely an executor of judicial power, but also a fundamental pillar in ensuring the functioning of the rule of law (Astuti & Jannah, 2025). The integrity, expertise, and responsibility of judges are among the main benchmarks for the success or failure of the judicial system in realizing justice, legal certainty, and benefits for all levels of society (Bernstein, 2024). Therefore, court decisions are equated with judges' decisions, therefore the results of law enforcement and justice depend on the ability and wisdom of judges in making decisions that reflect justice.

## 2. METHODS

The research method used in this article is normative juridical research, namely legal research conducted by examining library materials or secondary data only.<sup>3)</sup> The approach used in this research is the Statute Approach, an approach carried out by examining all laws and regulations related to the legal issue being discussed (researched) and using a case approach (Geyh, 2023). This research was conducted using the library research method, where the researcher conducted research by conducting literacy, studying, reviewing, and analyzing literature relevant to the subject matter of this study.

The literature sources include relevant books and journals, as well as related laws and decisions. The data obtained will be analyzed using qualitative techniques and presented in a descriptive normative manner.

### 3. FINDINGS AND DISCUSSION

#### **The principles of professional ethics for judges as a guideline in carrying out the duties and responsibilities of judges in law enforcement;**

A professional code of ethics is an ethical guideline agreed upon by a particular community group. Codes of ethics are generally considered social norms, but if a code of ethics carries significant sanctions, it falls under the category of legal norms (Nuraliati et al., 2025). This code of ethics reflects the professional values of the profession, translated into the standards of conduct of its members (Khelil, Guidara, & Khlif, 2023). The most important professional value is the desire to serve the community (John & Panachakel, 2023). Based on the Joint Decree of the Chief Justice of the Supreme Court of the Republic of Indonesia and the Chairman of the Judicial Commission of the Republic of Indonesia Number 047/KMA/SKB/IV/2009 02/SKB/P.KY/IV/2009 Concerning the Code of Ethics and Guidelines for Judges' Conduct 4), it is stated that the framework for the code of ethics for judges in Indonesia is as follows:

1. Behaving Fairly;  
Fairness means placing something in its proper place and giving it its due, which is based on the principle that everyone is equal before the law (Fusco et al., 2024). Therefore, the most fundamental requirement of justice is to provide equal treatment and opportunities (equality and fairness) to everyone. Therefore, someone who carries out duties or professions in the judicial field and bears the responsibility of upholding just and correct laws must always act fairly without discriminating against anyone.
2. Behaving Honestly;  
Honesty means being able and daring to declare that right is right and wrong is wrong. Honesty fosters the development of a strong personality and raises awareness of the essence of right and wrong (Pudjiastuti, 2023).
3. Behaving Wisely and Prudently;  
Being wise and prudent means being able to act in accordance with prevailing societal norms, including legal norms, religious norms, customs, and morality, while taking into account the current situation and conditions, and calculating the consequences of one's actions. Wise and prudent behavior fosters a person with broad insight, high levels of tolerance, caution, patience, and courtesy.
4. Becoming Independent;  
Being Independent means being able to act alone without the assistance of others, free from interference and influence. An independent attitude fosters the behavior of a resilient judge, adhering firmly to principles and beliefs in the truth in accordance with moral requirements and applicable legal provisions.
  - 1) High Integrity  
Integrity means a complete, dignified, honest, and unwavering attitude and personality. High integrity is essentially manifested in a loyal and resilient attitude that adheres to applicable values and norms in carrying out duties. High integrity will foster the development of individuals who dare to resist temptation and all forms of intervention, prioritizing the demands of conscience to uphold truth and justice and always striving to carry out duties in the best possible manner to achieve the best possible goals.
  - 2) Responsibility  
Responsibility means a willingness to carry out all matters within one's authority and duties to the best of one's ability, and having the courage to bear all consequences for carrying out those authorities and duties.
  - 3) Upholding Self-Esteem  
Self-esteem means that human dignity and honor are inherent in every individual, which must be maintained and upheld by everyone. The principle of upholding self-esteem,

especially for judges, will encourage and shape a strong and resilient personality, thus developing individuals who consistently maintain the honor and dignity of judicial officials.

4) High Discipline

Discipline means adherence to norms or rules believed to be a noble calling to carry out the mandate and trust of a justice-seeking society. High discipline will foster the development of individuals who are orderly in carrying out their duties, sincere in their service, strive to be role models in their environment, and do not abuse the trust entrusted to them.

5) Behave Humbly

Humility means being aware of one's limitations, being far from perfection, and avoiding all forms of arrogance. Humility will foster a realistic attitude, a willingness to be open to continuous learning, respect the opinions of others, cultivate tolerance, and embody simplicity, gratitude, and sincerity in carrying out one's duties.

6) Behave Professionally

Professionalism means a moral attitude grounded in the determination to carry out one's chosen work with sincerity, supported by expertise based on knowledge, skills, and broad insight. A professional attitude will encourage the development of individuals who consistently maintain and uphold the quality of their work, and strive to improve their knowledge and performance, thereby achieving the highest quality, effective, and efficient work results.

### **The purpose and objectives of the code of ethics for the judicial profession.**

According to Article 2 of the Code of Ethics, the judge's profession has the following aims and objectives:

1. As a means;
  - 1) Guidance and character building of judges
  - 2) Supervision of judges' behavior
2. As a means
  - 1) as a means of social control
  - 2) as a deterrent to extrajudicial interference
  - 3) as a deterrent to misunderstandings and conflicts among members and between members and the community
  - 4) as a means of guaranteeing the improvement of judges' morality and functional independence for judges
  - 5) as a means of fostering public trust in the judicial institution

The Judges' Honorary Council is a body formed by the Supreme Court and the Judicial Commission with the duty and authority to examine and decide on alleged violations of the Code of Ethics and/or Guidelines for Judges' Conduct based on Article 1 paragraph (7) of Law Number 18 of 2011 concerning Amendments to Law Number 22 of 2004 concerning the Judicial Commission. Further provisions are regulated in Joint Regulation of the Supreme Court and the Judicial Commission Number 04/PB/MA/IX/2012 and 04/PB/P.KY/09/2012 concerning Procedures for the Formation, Work Procedures, and Decision-Making Procedures of the Judges' Honorary Council. According to the regulation, the Judges' Honorary Council is a self-defense forum for judges who, based on the results of the examination, are found to have violated the provisions as stipulated in the legislation, and are proposed to be given a heavy sanction in the form of dismissal. The Judges' Honorary Council Membership of the Judges' Honorary Council consists of 3 (three) Supreme Court Justices and 4 (four) members of the Judicial Commission.

### Sanctions for Judges Who Violate the Code of Ethics.

Judge is a very noble profession; therefore, judges are required to maintain the nobility of their profession in carrying out their duties and responsibilities by adhering to the established code of ethics. Sanctions for violations of the code of ethics committed by judges are regulated in the Joint Regulation of the Chief Justice of the Supreme Court of the Republic of Indonesia and the Chairperson of the Judicial Commission of the Republic of Indonesia Number: 02/PB/MA/IX/2012/02/PB/P.KY/09/2012 concerning Guidelines for Enforcing the Code of Ethics and Guidelines for Judges' Conduct Article 19 contains three sanctions for judges who violate the code of ethics, including.

#### a. Minor Sanctions

Minor sanctions are imposed on judges who violate the code of ethics, usually in the form of a verbal warning, a written warning, or a written statement of dissatisfaction.

#### b. Moderate Sanctions

Moderate sanctions are imposed on judges who violate the code of ethics, usually in the form of a delay in periodic salary increases for a maximum of one year, a salary reduction of one periodic salary increase for a maximum of one year, a delay in promotion for a maximum of one year, for non-hammer judges for a maximum of six months, a transfer to another court with a lower grade, or the cancellation or suspension of promotion.

#### c. Severe Sanctions

Severe sanctions are imposed on judges who violate the code of ethics, usually in the form of dismissal from office for non-hammer judges for a maximum of six months and a maximum of two years, demotion to the same lower rank for a maximum of three years, permanent dismissal with pension rights, or dishonorable discharge.

Judges who are proposed for permanent dismissal and whose defense has been rejected by the Judges' Honorary Council shall be subject to temporary dismissal based on the decision of the Chief Justice of the Supreme Court. The level and type of sanctions imposed on judges found guilty of violations may be varied based on the level and type of violation, taking into account the background, seriousness, and/or consequences of the violation.

## 4. CONCLUSION

The profession of judge, often referred to as God's "right hand" on earth, illustrates the crucial role of judges as law enforcers. Therefore, a professional code of ethics is a set of ethical standards agreed upon by a specific community. While codes of ethics fall under social norms, those with relatively severe sanctions fall under the category of legal norms. As regulated and stated in the Joint Decree of the Chief Justice of the Supreme Court of the Republic of Indonesia and the Chairman of the Judicial Commission of the Republic of Indonesia Number 047/KMA/SKB/IV/2009 and 02/SKB/P.KY/IV/2009 Concerning the Code of Ethics and Guidelines for Judges' Conduct, judges in carrying out their duties as law enforcement officers must have the characteristics of fairness, honesty, behave wisely and prudently, be independent, have high integrity, be responsible, uphold their dignity as a judge, be disciplined, professional, and humble. However, in reality, in carrying out their duties and responsibilities, judges are often faced with ethical dilemmas in making decisions so that there are often many deviations from the code of ethics which cause judges to receive light, medium or heavy sanctions. Therefore, it is crucial to maintain integrity and professionalism in carrying out duties as a judge, as well as to adhere to the professional code of ethics as a guide to behavior and action. Therefore, efforts to prevent and prosecute judges who violate the code of ethics must be intensified by increasing transparency and accountability within the judicial system, conducting stricter oversight of judges, and providing training to improve adherence to the code of ethics in dispensing justice.

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