CHAPTER FIVE
CONCLUSION AND RECOMMENDATION

A. Conclusion

Based on the previous discussion in chapter IV, it arrives at conclusion that there is urgency of external supervision on Constitutional Court’s Justices in Indonesia. Urgency of external supervision on Constitutional Justices is due to some reasons. First, supervision system against the behaviour of Constitutional Justices is not maximum yet and not ideal based on the previous discussion in point A chapter IV. The system of supervision is still internal conducted by the Honorary Council of Constitutional Court. Even though the membership of the Honorary Council of Constitutional Court consist of 2 (two) members namely 1 (one) of The Constitutional Court and 1 (one) of the Judicial Commission, but according to the author is still a lot of things that have to be arranged from both numbers and supervised mechanism so that supervision is ideal and maximum. Second, when it compares between system supervision of judicial institution in other countries namely Italy and French, author arrived at the conclusion that the authority of Judicial Commission in other countries are supervising the judiciary include Constitutional Court. Very expected that Indonesia can apply the system and can be the formation of the judicial institutions which free, independent, clean and authoritative. Third, the position of the supervisory institution of Constitutional Justice still internal and not a maximum yet of controlling and
does not guarantee the trust of the Constitutional Court. So, these are the reason behind the need of external supervision of Constitutional Justices.

B. Recommendation

Responding the unclear authority of the Judicial Commission in Supervision the Constitutional Court Justices, the People’s Consultative Assembly (MPR) needs to amend Article 24B of the 1945 Constitution which asserts the authority of the Judicial Commission in supervising the Constitutional Court Justices.