

**JUDGES RECRUITMENT SYSTEM REFORM TO ENSURE THE
INTEGRITY OF JUDGES**

UNDERGRADUATE THESIS



**This undergraduate thesis is submitted as one of the requirements to obtain
the degree of Bachelor of Laws
at the Faculty of Law Universitas Muhammadiyah Yogyakarta**

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ABSTRACT

The emergence of bribery cases involving Judges in Indonesia, for example the major Judges in Indonesia, namely former Chief Judge Akil Mochtar and constitutional judge Patrialis Akbar and many others, shows that there is a decline in the integrity of judges in Indonesia and many raise questions against the selection system for Judges in Indonesia. This study intends to evaluate the judicial recruitment system in Indonesia. This research is a normative legal research with statutory, legal approach. The results of this study indicate that the system of recruitment of judges in Indonesia still has several problems. The first problem is the issue of requirements related to how to assess integrity, morality, statesmanship, and the devotion of candidates to God. The second is the problem of the judicial selection mechanism in Indonesia. The mechanism for selecting judges in Indonesia is not transparent and accountable, and the reformulation of the judicial recruitment system in Indonesia to be even better is needed. This study proposes several recommendations. First, it relates to tracking the integrity of candidates, therefore an assessment tool is needed to affirm the integrity and morality of prospective judges in the judicial selection mechanism in Indonesia. Second, the selection mechanism must be transparent and open to the public; and third, the importance of clear legal reform in the Judicial Authority Act.

Keyword: *The Judges in Indonesia, System Recruitmen Judges, The better model of judges recruitment system.*

DECLARATION PAGE

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

I hereby declare that the Undergraduate Thesis which is entitled “**JUDGES RECRUITMENT SYSTEM REFORM TO ENSURE THE INTEGRITY OF JUDGES**” its content is truly the work of my own and I did not do a plagiarism or quotation in ways that are inconsistent with the prevailing ethic in the scientific community. On this statement, I am ready to bear the risk/any sanctions imposed to me in accordance with the applicable regulations, if in the future a breach of scientific ethics, I am willing to accept the sanctions.

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M. Syarkowi

MOTTO

“Better to fight and lose than never fight at all”

Arthur Hugh Clough

“Walking Together in the Dark is better than Walking Alone in the Light”

Ali Bin Abi Thalib

“If you only do what you can do, you will never be more than what you are”

Master Shifu

DEDICATION

This undergraduate Thesis is dedicated to

My Lord, Allah SWT
Prophet Muhammad SAW

My beloved parents
Syamsuri Zal Bahri
Siti Amiroh

My lovely brothers and sisters
Free Noerni
Jumro Wijaya
Mira Dewi

FOREWORD

Alhamdulillah Walhamdulillah tsumma Alhamdulillah, thank you Allah SWT, The Most Merciful and Most Gracious who has given me His blessing and an opportunity to accomplish my Undergraduate Thesis as my final work to fulfill the requirement to obtain the degree of Bachelor of Law entitled **JUDGES RECRUITMENT SYSTEM REFORM TO ENSURE THE INTEGRITY OF JUDGES** at International Program for Law and Sharia, Faculty of Law, Universitas Muhammadiyah Yogyakarta.

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ATTACHMENT

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The 1945 Constitution

Law No. 24 of 2003 on Constitutional Court.

Law No. 22 of 2004 on Judicial Commission

Law No. 4 of 2004 on Judicial System

Law No. 48 of 2009 on Judicial System

LIST OF ABBREVIATIONS

MA	: <i>Mahkamah Agung</i> (Supreme Court)
MK	: <i>Mahkamah Konstitusi</i> (Constitutional Court)
KY	: <i>Komisi Judisial</i> (Judicial Commission)
DPR	: <i>Dewan Perwakilan Rakyat</i> (House of Representative)
CPNS	: <i>Calon Pegawai Negri Sipil</i> (Candidates of Civil Servants)
KKN	: <i>Korupsi Kolusi Nepotisme</i> (Corruption Collusion Nepotism)
KPK	: <i>komisi Pemberantasan Korupsi</i> (Commission Eradication Commission)