

Analysis of the Development of the State Civil Apparatus Candidates for Judges Behaving Negatively in Realizing the Great Justice in Indonesia

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Abstract

The State Civil Apparatus (ASN) is an important element in carrying out the tasks of government and development in a country. In implementing governance and development, professional ASNs are needed, free from political intervention, free from corrupt, collusion and nepotism practices, able to provide public services to the community and able to play a role as the glue of national unity and integrity based on Pancasila and the 1945 Constitution. as a tool requires guidance to improve the quality of human resources to work effectively and efficiently in providing services. the services provided to the community must be fair and comprehensive, especially in terms of providing services based on community rights so that justice in Indonesia can be realized. The State Civil Apparatus (ASN) prospective judges in Indonesia who are competent in carrying out their duties and functions will create a great court without negative attitudes or arbitrary actions of an officer. The State Civil Apparatus (ASN) guidance for prospective judges is important to improve the quality of ASN's work. The purpose of this paper is to identify the ASN model for prospective judges in realizing a large judiciary in Indonesia. This study uses a literature review method which is a research method by studying the literature or primary data sources used in research. From the results of research and data analysis, it can be determined that The State Civil Apparatus (ASN) coaching for prospective judges in Indonesia uses a coaching model based on employee discipline through the level of punishment from severe, moderate, and mild. See the position of Judge more priority to integrity than intelligence. Intelligence can be increased through various education and training programs. While morality which is the nature and basic nature can not be formed and improved. So prospective judges who behave despicably must be fired in order to realize a great court in Indonesia.

Keywords: Human Resources (HR), Supreme Court, State Civil Apparatuses (ASN) Prospective Judges.

I. Introduction

Human Resources (HR) is a central factor in an organization, whatever its shape and purpose, the organization is made based on various visions, missions and goals for the benefit of humans and in the implementation of its mission is managed and managed by humans according to (Larasati, 2018). So in the implementation of the activities of an organization of human resources is a strategic factor to support the activities of each organization so that the objectives of the organization can be achieved. In addition, human resources are also an essential element and basic capital in national

development. The implementation of national development is highly needed by the state civil apparatus who have high ability and professionalism in carrying out their duties and functions in accordance with their competencies. The ability and professionalism of a state apparatus is in the spotlight for the public, because the state civil apparatus in carrying out its duties and functions is more based on services provided to the public. The community is the object in providing services as a form of service in improving the quality of staffing as human resources in implementing national development according to (Sahya & Li, 2016). So essentially the state civil apparatus is a public servant who is obliged to provide optimal and responsive services.

Providing optimal and responsive services to the community of a state civil apparatus must be of quality in their field of work. The quality of the civil service can be seen from the expertise and competency possessed. This quality must always be maintained in order to gain public or community trust in the services provided. In addition to the quality of the quantity of state civil servants, it is also important in carrying out the duties and functions of the state apparatus in providing fast and responsive services to the public.

Quantitatively, there are indeed many state civil servants in Indonesia, with a large number of state civil servants expected to provide a maximum service, but in quantity not all apparatus have the quality of providing a service to the community. Based on the (2019 National Personnel Agency) in 2019 it was noted that the number of state civil apparatus amounted to 4,189,121 people. From these data it can be explained that the state civil apparatus in Indonesia is very large, this number does not guarantee a state civil apparatus in carrying out its duties and functions competently. Competence possessed by each employee greatly affects the performance of employees in carrying out their duties and functions responsibly. So the quality and quantity of the state civil service are interrelated in order to realize an optimal public service.

According to (Law of the Republic of Indonesia Number 5 Year, 2014 Regarding State Civil Apparatus) states that, ASN employees can become state officials, that is in Article 122 letter (e) includes the chairman, deputy chairman, junior chairman and Supreme Court justices in the Supreme Court as well as chairs, deputy chairs, and judges in all judicial bodies except ad hoc judges. From this explanation it can be explained that the judge is a State Civil Apparatus (ASN). Judges are said to be God's

representatives on the face of the earth. The title as a representative of God is very fitting to be placed on the shoulders of a judge because it is in his hands that fate and human life are determined, in carrying out its duties and functions a judge must carry it out properly and with quality. The quality of a prospective judge is guided by the judge's code of ethics and code of ethics as a state civil apparatus (ASN). According to (Faisal, 2016) in carrying out his duties as a representative of God on earth is not an easy case, the State of Indonesia must obtain good input in order to get qualified and professional judge candidates.

In Indonesia, there are many deviant cases related to prospective judges, such cases are cases of immorality, pornographic behavior, corruption, bribery, cheating, rape and others. Based on these cases, it is very unethical a prospective judge who basically has not been appointed to be a judge has committed a deviant act. The judge himself is a representative of God on earth, but with these cases whether a representative of God who is deemed to do a noble work can do an act that is not glorified. As someone who performs the obligation to uphold justice and realize a great trial, things that have been deviant do not exist in a judge or prospective judge. With this, the Supervisory Agency is very much needed to minimize the cases that occur to prospective judges. The oversight body for these cases is carried out directly by the Supreme Court of the Republic of Indonesia which, according to the (Republic of Indonesia Supervisory Agency, 2012) has the task of assisting the secretary of the Supreme Court in carrying out supervision of the implementation of duties within the Supreme Court and courts in all judicial environments. It is expected that with the existence of a supervisory body the performance of judges will be better monitored and the selection of prospective judges can be tightened and monitored continuously in order to get a prospective judge responsible and competent.

To realize a great court in Indonesia is not easy, considering that there are still many deviant cases conducted by prospective judges where the deviant cases that occur are basically oriented to the behavior of a prospective judge himself. Because, the behavior arises naturally and is the basic character of a person before making an action or decision. With this incident, the prospective judge who will become a judge should not have bad behavior, which the bad behavior of a prospective judge will have an impact

on the work process if it has been appointed as judge. A judge's bad behavior will also have an impact on the outcome of his decision in deciding a case. Therefore the State Civil Apparatus (ASN) judge must go through a rigorous selection selection to avoid any deviant and arbitrary actions.

Therefore, the State Civil Apparatus (ASN) prospective judges really need to do a coaching to improve the quality of a prospective judge and reduce the deviant behaviors committed by prospective judges. In general coaching means fostering, renewing, or the process, deeds, ways of fostering, efforts, actions, and activities carried out efficiently and effectively in order to obtain better results. In addition, according to Thoha (2014: 207) in (Rusdiana, 2013) coaching is an action, process, result, or statement for the better in this case shows there is progress, improvement over something and the coaching is more intended for humans, not material elements or organization. In this case it shows progress, an increase in something. There are two related elements, namely the coaching itself in the form of an action, process, or statement and an objective, and both coaching shows the improvement of something better. It is hoped that the guidance process can improve the quality of prospective judges. To create the quality of prospective judges it is necessary to foster State Civil Apartement (ASN) according to (Jusuf, 2016) based on 2 (two) achievements, namely professionalism and behavior in improving knowledge, quality, and skills achieved by the state civil apparatus. This can be achieved through a process of human resource management or good and maximum employees as enshrined in Law Number 32 of 2004 Article 129 in (Rustan, 2008) which states that the government carries out civil servant management fostering including the determination of formations, procurement, appointment, transfer, dismissal, determination of pension, salary, benefits, welfare, rights and obligations, legal standing, competency development, and total control. Human resource management can be maximized through optimization of civil servants or state civil servants (ASN) (Jusuf, 2016).

Every recruitment of prospective judges is always carried out a psychological assessment profile. The goal is to get Judge Candidates as needed. According to PPSDM, the Profile of Psychology Assemblies is a structured and systematic activity to measure and analyze in order to know and understand aspects Psychology and behavior of a person (ability to think, ways of working, character, motivation and the like) and

compare or match with the requirements of psychology or behavior in certain positions. In the recruitment of judges, the psychological assessment profile is carried out to obtain a candidate for judges who have a noble and commendable iakhlaq. Someone who has noble morality reflects moral integrity and high discipline. Someone who has noble or laudable behavior does not necessarily have high intelligence or intelligence. For the position of Judge, he prefers integrity rather than intelligence or intelligence. Intelligence can be increased through various education and training programs. While morality which is the nature and basic nature can not be formed and improved. High intelligence not accompanied by noble or laudable behavior will only give birth to behavior that is afraid of the leadership. Once the leaders off guard, deviant behavior will be repeated again. As proof that all perpetrators of criminal acts of corruption are not fools. They have a high level of academic education. Every time or a certain time the leadership continues to always remind him to try to avoid disgraceful actions. If in the recruitment process there is an error in making a noble choice, you will only get smart human resources acting in writing about finding a noble judge according to the Head of Law and Public Relations of the Republic of Indonesia Dr. Abdullah, SH, MS (2017).

The following data relates to cases of judges who were fired for negative behavior such as bribery, corruption, and various actions that have a negative impact. According to (Supreme Court Supervisory Agency, 2019) These cases include:

Table 1. Disciplinary Punishment in December 2019

Number	Name	Position	Sentenced to Discipline	Regulatory Rules	Information
1.	AP, S.H.	Judge at the District Court Skl	Medium sanctions in the form of a non-hammer judge for 6 (six) months provided that the	SKB Chair of the Supreme Court and Judicial Commission No. 047 / KMA / SK / 2009 Letter	KMA Disposition on December 17, 2019 jo Disposition Acting. Tuaka Was MARI on 17 December

			allowance for the office is not paid while serving the disciplinary sentence	C setting number 8 jo PB MARI and KY No. 02 / PB / MA / IX / 2012-02 / PB / P.KY / 09/2012 Article 12 paragraph (1) and paragraph (2), and Article 19 paragraph (3) letter d	2019, MARI's district supervisor passed on the results of the examination and recommendations to the Director General of Badilum on 31 December 2019 No. 292 / BP / PS.02 / 12/2019
2.	Dr. H. F, S.H., M.M., M.H.	Deputy Head of the Jkt Team for Religious Affairs (formerly) Director of the Religious Court at the Director General	The sanction is in the form of a non-hammer judge for 6 (six) months	SKB Chair of the Supreme Court and Chair of the Judicial Commission No. 047 / KMA / SK / IV / 2009 - No. 02 / SKB / P. KY / IV / 2009 Letter C point 2. Behave honestly, application	KMA Disposition on December 17, 2019 jo Disposition Acting. Tuaka Was MARI on 17 December 2019, head of the supervisory agency MARI passed the results of the examination and recommendations

		of Badilag)		2.1. (1), Letter C item 5, application 5.1 (1), Letter C item 6 application 6.1, Letter C item 7 application 7.1. jo PB MARI and KY No. 02 / PB / MA / IX / 2012-02 / PB / P.KY / 09/2012 Article 6 paragraph (2), Article 9 paragraph (4) letter a, Article 10 paragraph (2) letter a, Article 11 paragraph (3) (3) letter a, and Article 19 paragraph (3) letter d	ns to the Director General of Badilag on 31 December 2019 No. 297 / BP / PS.02 / 12/2019
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3.	E S, S.H., M.H.	Judge at Lbo District Court (formerl y judge at Tte District Court)	Severe sanctions in the form of a non-hammer judge for 2 (two) years	SKB Chair of the Supreme Court and Chair of the Judicial Commission No. 047 / KMA / SK / IV / 2009 - No. 02 / SKB / P.KY / IV / 2009 Number 1.2 (2), Number 2.2 (1) letter c and Number 5.1. item 7 jo PB MARI and KY No. 02 / PB / MA / IX / 2012 - 02 / PB / P.KY / 09/2012 Article 5 Paragraph (3) letter e, Article 6 paragraph (3) letter a Number 3, and Article 9	KMA Disposition on October 10, 2019 jo Disposition Acting. Tuaka Was MARI on October 14, 2019, head of the supervisory agency MARI passed the examination results and recommendatio ns to the Director General of Badilum on December 4, 2019 No. 267 / BP / PS.02 / 12/2019
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Source : (Badan Pengawasan Mahkamah Agung, 2019)

Based on the background description above, it can be taken the formulation of the problem of uncovering and analyzing the development of state civil apparatus (ASN) prospective judges in realizing a great court in Indonesia. The purpose of this study is to identify, uncover and analyze the development of state civil apparatus (ASN) prospective judges in realizing a great court in Indonesia. The benefits of this research are expected to be able to increase the repertoire of knowledge in the field of education, especially state administration, and are expected to be a reference material for further research relating to the development of the state civil apparatus (ASN) prospective judges in Indonesia.

II. Method

The methodology used is the library (library research) or literature review and survey where research is carried out in the library and study the literature which is the primary data source and community surveys in the field both offline and online. This is the community as the holder of people's sovereignty which receives an impact (Kuswana, 2011). The research approach uses a literature study methodology by reviewing 4 books, and 20 national journals related to the formation of Judges and Prospective Judges as well as offline and online surveys. The results of the survey and literature review will be used to identify, uncover and analyze the formation of Judges and Prospective Judges in realizing a clean justice system in Indonesia so that a great justice in Indonesia can be realized.

III. Results and Discussion

A. Employee Development

Talking about the relationship between personnel management and performance, to achieve maximum performance, coaching is very important in order to improve the quality of human resources. In the Big Indonesian Dictionary published by Balai Pustaka, it explains that Coaching comes from the word "bina, which means to maintain".

Coaching means fostering, renewing, or the process, deeds, ways of fostering, efforts, actions, and activities carried out efficiently and effectively in order to obtain better results. In general coaching is defined as an effort to provide direction and guidance in order to achieve a certain goal. Coaching is a common thing that is used to improve knowledge, attitudes, skills in the fields of education, economics, social, community, and others. Coaching emphasizes practical approaches, developing attitudes, abilities and skills.

Meanwhile, according to Law No. 43 of 1999, which is meant by fostering performance in civil servants (PNS) is an effort to realize that civil servants have the characteristics of being fully loyal and obedient to Pancasila, the 1945 Constitution, the state, and the government, as well as being united, good-minded, authoritative, strong, efficient, effective, clean, of high quality and aware of responsibilities as elements of the state apparatus, state servants and public servants (Cahyanigrum, 2018).

According to Harsono (2011: 123) explains the development of civil servants is the process of fostering, building, improving, developing civil servants in various ways, for example the improvement and development of knowledge and skills carried out through education and training both within and outside the environment of employees civil society to improve the competence and professionalism of civil servants (Rusdiana, 2013).

Furthermore, according to Thoha (2014: 207) coaching is an action, process, result, or statement for the better in this case shows there is progress, improvement of something and the coaching is more directed at humans, not the elements of objects or organizations (Rusdiana, 2013) . Further said, coaching is an action, process, result or statement for the better. In this case it is showing progress, an improvement over something. There are two related elements, namely the development itself can be in the form of an action, process or statement and a goal and both coaching can indicate the improvement of something.

Coaching can be done through education and training, or by taking courses both within the work environment and coaching that is conducted outside the work environment. It must be recognized that the higher the quantity of labor problems that arise will be more complex. One way that must be undertaken by human resource management which is also one of its functions is to provide education and training with a view to reducing problems, besides many will provide added value for individuals, such as increased knowledge, attitudes, and skills of employees concerned (Delvinda et al., 2004).

From the various understanding of coaching above, it can be concluded that fostering employee performance is an effort to improve and develop all resources, especially realizing Civil Servants who have the characteristics of being fully loyal and obedient to Pancasila, the 1945 Constitution, state and government, and united cohesive, good-minded, dignified, strong, efficient, effective, clean, high-quality and aware of responsibilities as elements of the state apparatus, public servants and public servants in carrying out the work and main tasks they have to achieve goals with better results . Thus it is very clear that coaching employees will provide many benefits, especially in the context of improving services to the community, because with good coaching services to the community will be faster, however it is realized that the achievement of coaching targets will be very difficult to achieve because there are so many influential factors both sourced from internal and external organizations where someone works.

B. Coaching Judges and Prospective Judges

The unification of the development of judicial power with the court administration under the Court is known as the one-stop judicial guidance system. With the enactment of the provisions for the fostering of an integrated justice system under one roof, since then the administration of the judiciary carried out in the courts in the general court, religious court, military court, and state administration court is entirely in the fostering of the Supreme Court. All matters relating to the formation of justice and non-justice (organization, administration and financial) of the judiciary in the justice environment are under the responsibility of the Supreme Court.

Guidance in the field of justice or technical justice in broad outline is all matters relating to the implementation of the proceedings of the judiciary which include the acceptance of cases, examinations, decisions and the implementation of decisions. Or all issues that cover the functions and authority of the judiciary to try cases to uphold law and justice in society. Whereas non-judicial field development covers administration, organization, and finance. The fields of administration include staffing, state assets, archives and documents. The field of organization includes the position, duties, functions, authority and organizational structure, and the financial sector is concerned with budgeting.

Therefore, after a gradual transfer, from 1 September 2004 the implementation of administrative, organizational and financial development of the general court, religious court, military court and state administration court were under the responsibility of the Supreme Court (Talli, 2014).

In general, there are 2 (two) large models in the recruitment of Judges, which are closely related to a country's legal system. In countries that adopt a common law system, judicial recruitment is usually open. Judges in the court of first instance were recruited from among those who had taken careers as legal practitioners, legislators, executives, legal academics or other legal circles. Instead, judge recruitment in countries that use a civil law system, such as Italy, the Netherlands, Indonesia and several countries in Latin America have a closed recruitment system. In these countries, first-rate court judges are generally recruited directly from students who have recently graduated from law faculties.

The two recruitment models above are also used to recruit Supreme Court Justices. The difference is, in a closed recruitment system, candidates for Supreme Court Justices do not come from students who have just graduated from the law faculty, but from judges who have had careers in court under the country's highest court. As for the open recruitment system, candidates for Supreme Court Justices are not only lawyers, legislators, executives, law academics, but also from those who have been judges in lower courts.

In fact, in addition to the two judge recruitment systems, there is also a 'mixed' recruitment system that combines open and closed recruitment systems so that Supreme Judge candidates come from career judges and those from professions other

than judges. Even the tendency of the highest courts in civil law countries such as the Netherlands, France, Japan or Italy to use this system (Susanto, 2017).

C. Appointment of Judges

Conditions for Appointing Judges To become a Judge, of course there are several requirements that must be met as stated in Article 14 paragraph (1) (Law of the Republic of Indonesia Number 49 Year, 2009) concerning Amendment to Law Number 2 of 1986 concerning General Judiciary and Law of the Republic of Indonesia Number 50 of 2009 concerning Amendments to Law Number 7 of 1989 concerning Religious Courts, namely:

- a. An Indonesian citizen.
- b. Having devotion to God Almighty.
- c. Faithful to Pancasila and the 1945 Constitution.
- d. Bachelor of law for general or Islamic law for religion.
- e. Graduated judge education.
- f. Being able to be both spiritually and physically carry out their duties and obligations.
- g. Authoritative, honest, fair, and behave without reproach.
- h. The lowest age is 25 years and the highest is 40 years.
- i. Never sentenced to prison for committing a crime based on a court decision that obtained permanent legal force.

D. Judge's Code of Ethics

The code of ethics and the code of conduct of judges constitute a moral guide for judges both inside and outside the service regulated in a Joint Decree of the Supreme Court of the Republic of Indonesia and the Judicial Commission which contains 10 principles serve as a guide for judges in carrying out their duties and responsibilities, in (Moch Ikhsan, Syafingi, & Sintha Dewi, 2018) the 10 principles include:

1. Behave fairly

2. Behave honestly
3. Behave wisely and wisely
4. Be independent
5. High intelligence
6. Take responsibility
7. Uphold self-esteem
8. High discipline
9. Behave modestly
10. Be professional

From the above explanation related to the existing code of conduct and code of conduct is expected to help the judge to become a professional law enforcer and not to violate the applicable rules. Supervision and enforcement of the code of conduct is carried out by the Judicial Commission. Enforcement of the code of ethics is one of the powers of the Judicial Commission of the four existing powers as listed in Article 13 (Law of the Republic of Indonesia Number 18 Year, 2011) concerning Amendments to Law Number 22 of 2004 concerning the Judicial Commission.

E. Termination of Judge

The dismissal of judges is not carried out arbitrarily. There are several reasons that can cause judges to be dismissed both with respect and dismissal with respect. Dismissal with respect can be done for several reasons as listed in Article 19 paragraph (1) and paragraph (2) (Law of the Republic of Indonesia Number 49 Year, 2009) concerning Amendment to Law Number 2 of 1986 concerning General Judiciary, reasons These include:

- a. At the request of the judge in writing.
- b. Physical or spiritual pain continuously.
- c. The judge is 65 years old for the chairman, deputy chairman, and district court judge, and 67 years for the chairman, deputy chairman, and high court judge.
- d. Apparently not capable in carrying out their duties.

- e. The deceased Chair, deputy chairman, and court judge are automatically dismissed from their positions by the President.

Dismissal of judges is not only done with respect, but there is dismissal with respect. Dismissal with respect as stated in Article 20 paragraph (1) (Law of the Republic of Indonesia Number 49 Year, 2009) concerning Amendment to Law Number 2 Year 1986 concerning General Judiciary can be carried out on the grounds (Putri, 2016):

- a. Judges sentenced to prison for committing crimes are based on court decisions that have obtained permanent legal force.
- b. Judges who commit despicable acts.
- c. Judges who are negligent in carrying out their work duties continuously for 3 months.
- d. Judges who break vows or appointments.
- e. Judges who commit violations as stated in Article 18 of Law Number 49 Year 2009 concerning Amendments to Law Number 2 of 1986 concerning General Courts.
- f. Violating the Code of Ethics and the Code of Conduct for Judges.

In Indonesia in the implementation of fostering the state civil apparatus (ASN) according to (Law of the Republic of Indonesia Number 5 Year, 2014 About the State Civil Apparatus) it is explained that the implementation of the management of the state civil apparatus is not based on the comparison between competencies and qualifications required by the position with competencies and qualifications held by State Civil Apparatus (ASN) candidates in recruitment, appointment, placement and promotion in positions in line with good governance. From this explanation, the competency and qualifications of each state civil apparatus become one of the requirements in the recruitment and appointment process with the aim that the state civil apparatus has quality competencies and qualifications. In addition, according to (Law of the Republic of Indonesia Number 5 Year, 2014 Regarding State Civil Apparatus) an State Civil Apparatus (ASN) has 3 (three) functions as follows:

- 1. Implementing public policy;

2. Public servants;
3. Adhesives and unifying the nation

Of the three functions above, a state civil apparatus in carrying out its duties and functions in order to run effectively and efficiently must have strict guidance as a way to improve the work quality of the state civil apparatus.

Based on the Law of the Republic of Indonesia Number 5 of 2014 in (Kemenpanrb, 2017) has the main objective in improving the state civil apparatus namely:

1. Independence and neutrality
2. Competence
3. Work performance / productivity
4. Integerity
5. Welfare
6. Quality of public services
7. Oversight and accountability

From the above objectives the state civil apparatus is required to fulfill the main objectives of the State Civil Apparatus (ASN), then the realization of these objectives is expected to improve the quality of human resources.

F. Analysis of the Coaching of Prospective Judges in Despicable Behavior

According to (Rifqi Sjarief Assegaf, 2002) in reality, in Indonesia it should only have clean and competent judges who are worthy of prosecuting corruptors so that the prosecutors of justice feel fair and that a fair trial can be realized. Because the prospective judge or judge must have objective parameters that are used as benchmarks in assessing the quality and integrity of the prospective judge. Some selection methods that can be done are as follows:

1. Test: to test the quality of prospective judges it is necessary to make a test, both verbally, especially in writing, considering expertise is one of the values in improving the quality of human resources.

2. Examination of decisions: Examination of decisions is a method for assessing the quality of judge decisions, this method is considered effective for assessing the quality of prospective judges and judges as well as to enrich the ability and insight of judges (learning process).
3. Property audit: one of the relatively objective methods for assessing the integrity of prospective judges by auditing the wealth of prospective judges and their families. So that we can know more objectively whether the judge obtained his wealth honestly or not.

From some of the selection methods above, it can be explained that to become a judge, the prospective judge must be completely free of deviant acts such as acts of corruption. Therefore, a prospective judge needs to conduct a coaching that aims to negate and deviate negative or deviant acts or behaviors carried out by a prospective judge, so that the great justice in Indonesia can be realized cleanly without any actions that can tarnish the good name of the judiciary which is basically an upholder of justice in Indonesia.

Indonesia is a state of law as stated in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia which states that the rule of law cannot be separated from the role of law enforcement institutions consisting of the police, prosecutors, lawyers, and judges. However, from the law enforcement institution, the judge has a very central role, because the judge has the authority in deciding cases and has the obligation to provide a guarantee of a sense of justice for every justice seeker through the legal process in court. While the Law of the Republic of Indonesia Number 48 Year, 2009, concerning Judicial Power) article 19 which regulates that judges and constitutional judges are state officials who exercise judicial power as stipulated in the law, there are two important elements, namely: Judges as perpetrators of judicial power and Judge as a state official. Therefore, a judge must carry out his obligations as an actor of judicial power or as a state official in a professional and responsible manner in upholding the supreme court in Indonesia. According to Nurjannah, (2013) the status of a judge as a state official cannot be interpreted to only lead to financial rights and facilities, but also outstanding qualifications and treatment to make the judge's profession truly worthy of

being called state officials. Therefore, in increasing the capacity of judges, it must be done with measured and sustainable management, and it is expected that a judge will be able to answer the challenges of law enforcement in Indonesia. In addition, according to Suparman, (2014) corruption, collusion, and nepotism (KKN) are considered as tangible manifestations of the symptoms of moral deterioration from the life of the community and state in Indonesia. So from this many judges tend to condemn their ambitions rather than legal and justice missions, quite a number of judges have consciously mortgaged their ideals (professional ideals) in order to get money to enrich themselves. Whereas according to (Hendrawati, Adhisyah, Yudhanto, & Putra, 2016) explained that the personal morality and integrity of a judge in his career and service as a law enforcement apparatus is really needed, because after all the law requires morale, what does the law mean if not accompanied by morals. Therefore, of the three explanations, the integrity of judges is an absolute requirement that cannot be absent if Indonesia intends to enforce law and justice.

According to T. Hani Handoko (2001: 4) in (Almasri, 2016) in realizing a clean judiciary must carry out human resource management processes with the main objective to increase the contribution of human resources (employees) to the organization in order to achieve the productivity of the organization concerned . So with the contribution of human resources, organizational productivity can increase, in this case the judiciary must spur the prospective judges to improve their quality in accordance with the management of human resources implemented so that the results obtained can be effective and efficient without negative actions so that the main objective of institutions can be achieved as well as the great justice in Indonesia can be realized.

According to (Talli, 2014) in relation to realizing a great justice in Indonesia. So coaching a prospective judge and judge is needed. The Supreme Court generally provides guidance through the dissemination of jurisprudence, in which the distribution of jurisprudence is expected so that the judges can follow the dynamics of legal reform. Including coaching conducted by the Supreme Court in the form of upgrading and workshops, even through meetings technical work between all judicial environments under the Supreme Court. In conducting coaching for prospective judges, there needs to be supervision in order to deviate actions, there must be supervision conducted by the Supreme Court to optimize its duties and functions based on Article

25 of Law Number 5 Year 2004 concerning the Supreme Court according to (Talli, 2014) The monitoring method can be carried out as follows:

a. Work Method

1. Direct, with a routine inspection system (sitin) and sudden inspection (inspection).
2. Indirect, in the form of reports, complaints and statistics.

b. Approach Method

1. Systematic.
2. Structural.

From the journal above it can be explained that in improving the quality of prospective judges so as not to conduct bad behavior, it is necessary to provide guidance and supervision both directly or indirectly in order to reduce deviant cases committed by prospective judges who have a detrimental impact on society and institutions justice enforcer. Therefore according to Sastrohadiwiryo (2002: 31) in (Al'libani, 2017) employee coaching aims to:

1. Increase loyalty and obedience
2. Producing a workforce that is efficient and effective
3. Improve quality and skills
4. Creating a conducive work climate
5. Provide briefing in the context of labor distribution

From these objectives, civil servants in providing optimal services to the public must pay attention to the objectives of coaching so that the services provided can be carried out effectively and efficiently. In carrying out its duties and functions, a prospective judge must avoid various cases that have a negative impact. According to (Supreme Court Supervisory Agency, 2019) the following are a number of cases relating to the disciplinary punishment of prospective judges who have disgraceful behavior including:

Table 2. Disciplinary Punishment in December 2019

Number	Name	Position	Sentenced to Discipline	Regulatory Rules	Information
1.	A, S.H.	Staff at the MTR District Court (formerly a candidate for judge)	Severe disciplinary law in the form of termination is not with respect as a civil servant	Government Regulation Number 53 Year 2010 Article 3 number 11, and Article 27 paragraph (4) letter e	KMA Disposition on December 17, 2019 jo Disposition Acting. Tuaka Was MARI on 17 December 2019, MARI's district supervisor passed on the results of the examination and recommendations to the Secretary of the Supreme Court of the Republic of Indonesia on 31 December 2019 No 282 / BP / PS.02 / 12/2019
2.	I S A, S.H.I	Candidates Judges at the Religious Court Plp	Disciplinary punishment is in the form of postponement of promotion for 1 (one) year, and postponement of appointment	Government Regulation 53 of 2010 Article 9 number 6, and Article 7 paragraph	KMA Disposition on December 17, 2019 jo Disposition Acting. Tuaka Was MARI on 17 December 2019, head of the supervisory

			of Judge for 2 (years) while observing the relevant behavior	(3) letter b	agency MARI passed the results of the examination and recommendations to the secretary of the Indonesian Supreme Court on 31 December 2019 No 279 / BP / PS.02 / 12/2019
3.	C A C T, S.H.	Candidates Judges at the Religious Court Olm	A disciplinary punishment is in the form of a lower rank of 1 year (one) year, with the result of the law being reduced by a special performance allowance of 90% (Ninety percent) per month for 1 (one) year	Governmen t Regulation 53 of 2010 Article 3 number 6, and Article 7 paragraph (3) letter c jo. SK KMA No. 071 / KMA / SK / V / 2008 Article 21 paragraph (1) letter b number 3	KMA Disposition on December 17, 2019 jo Disposition Acting. Tuaka Was MARI on 17 December 2019, head of the supervisory agency MARI passed the results of the examination and recommendations to the Secretary of the Supreme Court of the Republic of Indonesia gl 31 December 2019

					No 278 / BP / PS.02 / 12/2019
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Source : (Badan Pengawasan Mahkamah Agung, 2019)

Based on the various cases above, the prospective judges violated the context of discipline as the State civil apparatus (ASN). View (Government Regulation of the Republic of Indonesia Number 53, 2010 Concerning Discipline of Civil Servants) there are several levels and types of disciplinary penalties as follows:

1. Mild disciplinary punishment level: consists of verbal reprimands, written reprimands, dissatisfied statements in writing.
2. Moderate level of disciplinary punishment: consists of postponing periodic salary increase for 1 (one) year, delaying promotion for 1 (one) year, and lowering of rank one year lower.
3. Severe disciplinary penalties: consisting of lower ranks for 3 (three) years, transfers in the context of lowering ranks, release from positions, dismissal with respect not at his own request as a civil servant, and dismissal not with respect as Civil servants.

Based on the above statement it can be explained that a state civil apparatus (ASN) candidate for judges in anticipation of cases It is necessary to conduct strict disciplinary abuses so that the duties and functions of a judge in realizing a great judiciary in Indonesia can be achieved. In accordance with the objectives of national development, the state civil apparatus must be empowered in terms of competencies and expertise possessed as a support in carrying out their work, in order to create a healthy and clean work environment and free from various deviant behaviors that have a negative impact on the sustainability of justice in Indonesia. This is also directly proportional to the opinion of the Chairman of the Padang District Court Yozerisal,

S.H., M.H. who argue that "This position is noble, Do not be humiliated with dirty deeds". In the sense that the position of a judge is a noble position and should not be tarnished by various acts or bad actions committed by State Civil Apparatus (ASN) judges and prospective judges.

A, S.H. Staff at the MTR District Court (previously a candidate for judge) were given severe disciplinary action in the form of a non-respectful dismissal as a civil servant. This is evidence of the seriousness of the Supreme Court through the function of the oversight body's function to foster prospective judges and because it cannot be fostered it needs to be destroyed or dishonorably dismissed.

I S A, S.H.I Prospective Judge at the Palopo (Plp) Religious Court of South Sulawesi was given a disciplinary penalty in the form of delaying promotion for 1 (one) year, and postponing the appointment of a Judge for 2 (years) while observing the relevant behavior. The sentence is not appropriate for prospective judges to behave in deviant behavior in the Plp religious court, because it has violated the legal norms and ethical behavior which is clearly already known when reflecting on his profession as a judge later he is obliged to behave nobly. I S A, S.H.I should be fired disrespectfully because disgraceful behavior cannot be appointed by a judge. The reason is strong because the judge is called God's representative in the world. In addition, the education of judges for prospective judges is a very important enforcement of behavior than any other factor. The Supreme Court's supervisory body should have dismissed him immediately, this is because it is a deviant behavior that has tarnished the name of the institution. Not yet a judge, his behavior has deviated, especially in the future whether there is a guarantee if it is built in a straight line.

This is because indicators or measures of faith and deviant behavior that are healed cannot be measured theoretically and are valid and highly subjective methods. I S A, S.H.I as an employee of a prospective religious court Judge who is directly related to religion or religion has damaged the good name of the residents of this institution and has been required in recruitment to pay attention to the record or the past of the prospective judge. If the prospective judge who deviated, there should be no tolerance and must be dismissed with no respect. Representatives of God whose behavior is

negative or despicable should not be maintained by the state but must be dismissed and removed from the ranks of judges because it damages the image of judges who behave nobly. In addition, in order to be proper if the summons is noble, it is not those who behave negatively, despicable behavior, especially those who behave deviant.

It also agrees with the opinion of human resources (HR) experts that if in architecture, a deviation of the size of just one milli will impact the collapse of the building, as well as within the organization, a slight deviation of behavior will undermine the organization and organizational culture. (Ari Irawan Nugroho). According to Rozalinda, (2015) the role of human resources (HR) is very strategic as the executor of the functions of the company or organization, namely planning, organizing, leadership, and supervision. Therefore, human resources (HR) in carrying out the functions of the organization as an organizational output must be carried out in a tangible and integrated manner so that the goals of the organization can be achieved. In reality, human resources in an organization must be quality and if human resources in an organization do something that is despicable, it should be fired. Some cases of judge candidates for disgraceful conduct or judges have occurred in religious courts which should not have happened because religious courts clearly deal with issues that are resolved related to religious law. In addition, prospective judges on religious courts also do not deviate because their religious knowledge has been able to uphold justice in the realm of religious law, particularly Islamic religion. If the prospective judge of the religious court is unprofessional, has no integrity, and despicable behavior such as ISA, S.H.I then needs to be fired because the deviant behavior does not have high moral integrity so that it can damage the name of the institution.

The prospective judges of the ISA, S.H.I, do not have integrity and commit deviations, so it is inappropriate to be maintained in the Republic of Indonesia Supreme Court. This sees the position of Judge prioritizing integrity over intelligence or intelligence. Intelligence can be increased through various education and training programs. While morality which is the nature and basic nature can not be formed and improved.

Analyzing misconduct and despicable behavior of prospective ISA, S.H.I, judges, in accordance with moderate disciplinary punishment by the head of the Indonesian Supreme Court Supervisory Agency in December 2019, and refers to the Law of the Republic of Indonesia Number 50 of 2009 concerning Amendments to Law Number 7

of 1989 concerning Judiciary Religion. Article 13 point h. that prospective judges can be appointed judges if they are authoritative, honest, fair, and behave without reproach. Strongly agree that the ISA, S.H.I, judge candidate, was fired and cannot be appointed as a judge because it is against the Law, which is behaving in a despicable and deviant manner.

Following the elaboration of the requirements to be appointed as candidates for religious court judges, one must meet the following requirements:

1. Indonesian citizens;
2. Muslim
3. Devotion to God Almighty;
4. Loyal to Pancasila and the 1945 Constitution of the Republic of Indonesia;
5. Islamic scholars and / or law graduates who master Islamic law;
6. Physically and mentally healthy;
7. Authoritative, honest, fair, and behave without reproach; and
8. Not a former member of the banned organization of the Indonesian Communist Party including its mass organizations, or not a person directly involved in the September 30th Movement / the Indonesian Communist Party.

In addition, to be appointed as a judge must be a civil servant who comes from a prospective judge and is at least 25 (twenty-five) years old. Based on some of the opinions above, basically in realizing the Supreme Court in Indonesia that must be addressed is the behavior of a judge or a prospective judge himself that basically justice will be created through a metamorphic process that has the aim of realizing civilized justice.

Supreme Justice will be created through the process of civilizing justice itself by not committing various negative or deviant acts or actions. Dirty and deviant behavior will bring down the dignity and dignity, especially religious justice institutions which should have religious norms and principles will be damaged by deviant and disgraceful behavior as practiced by ISA, S.H.I, Candidate Judge at the Religious Court of South

Sulawesi Regional Administration who failed and did not eligible to be appointed as a judge of the Religious Court in March 2020 because of disgraceful behavior. ISA, S.H.I, were not appointed by judges in the religious court of Plp in South Sulawesi because of the decision of disciplinary punishment as of December 2019 issued by the Supreme Court Supervisory Agency of the Republic of Indonesia that ISA, S.H.I, Candidate for Judges at the Religious Court of Plp in South Sulawesi violated point 7 namely Authorized, honest, just, and behave without reproach.

In line with community surveys and community recommendations based on surveys of Indonesian people from various circles that the strategic steps that must be taken by the Supreme Court of the Republic of Indonesia are the dismissal of ISA, S.H.I, candidates who have deviant behavior in order to realize professional and modern religious justice institutions that reflect justice as an introduction in realizing Supreme Court in Indonesia.

Based on the survey results collected by the author in realizing a great court, the character of the prospective judge himself cannot be changed but knowledge and intelligence can be honed. This can be used as a basis for consideration in analyzing the despicable behavior of prospective judges, if the behavior that is done is based on a person's character naturally or there is an intentional element then, agreed to be fired and made recommendations to the Supreme Court of the Republic of Indonesia.

Based on data obtained from various online and offline survey sources relating to the track record of prospective ISA, S.H.I, judges, who has committed disgraceful and deviant acts can be explained that prospective ISA, S.H.I, judges, are the perpetrators of deviations from the judge's code of ethics by violating several articles contained in PP 53 of 2010 is related to Article 9 number 6, and Article 7 paragraph (3) letter b, namely generally carrying out deviant behaviors in which his actions cause tarnished the image of a prospective judge who will later become a judge in upholding justice in order to realize a great trial in Indonesia.

Prospective judge I S A, S.H.I based on his track record in 2016 graduated as a graduate majoring in Islamic Family Law or Ahwal Al Syakhsiyah, Faculty of Sharia, UIN Sunan Ampel Surabaya. And in 2017 the prospective judge I S A, S.H.I recorded following the SKB test as a Prospective Judge, then on January 29, 2018 based on the announcement of the Secretary of the Supreme Court of the Republic of Indonesia the prospective

judge I S A, S.H.I was placed in the Palopo Religious Court (Plp.) Of South Sulawesi. On June 28, 2018 prospective judge I S A, S.H.I attended the Basic Training for Civil Servant Candidates for CPNS positions as Candidates for Judge in the PA work unit. Plp. Subsequently it was noted that in December 2019 there were irregularities and disciplinary action was given by the Supreme Court Supervisory Agency through the Decree. Bawas issued by MA RI.

But on April 13, 2020, it was found out that candidate Judge I S A, S.H.I was separated as a Mentee Judge Candidate in PA. Jember after undergoing an internship in PA. Jember The explanation above is directly proportional to (Law of the Republic of Indonesia Number 14 Year, 2008) regarding Public Information Openness which explains that public information is information that is produced, stored, managed, sent, and / or received by the organizer and state administration and / or organizer and the administration of other public bodies in accordance with this law and other information relating to the public interest. Therefore public information disclosure is very important for personal and environmental development and for national security.

Based on the above explanation it is necessary to look at the prospective judge's record before being recruited. As in countries that adhere to the common law system, the profession of judges is indeed held by experienced legal practitioners or academics and has a good record and no record of disgraceful behavior. Before becoming judges, they are usually poor in the legal profession. So it is not wrong if one of the requirements to become a judge must be at least 40 years old. Based on that experience maturity also needs to be considered in terms of being a judge who incidentally is an enforcer of justice. Experience and knowledge can be well honed so that the resulting performance is good, it aims to reduce and suppress various forms of deviations that will be carried out by the judges at a later time. So from the various cases that have been carried out by the perpetrators, these actions can be used as a reference for the Supreme Court to be more stringent in selecting prospective judges who prioritize honesty and moral integrity so that future candidates for judges no longer have a dilapidated nature, and can enrich the people's perception related to legal justice it will be blunted above and sharply below.

C A C T, S.H. Prospective Judges at the Olm District Court are given a moderate disciplinary sentence in the form of lower ranks for 1 (one) year, with legal consequences reduced by special performance allowances of 90% (ninety percent) per month for 1 (one) year. Judge candidates who have a bad record of behavior have no tolerance and must be disrespected. Being a judge must be clean. If it is related to behavior, it must be dismissed because it does not meet the principles of ethics and fair decision making in accordance with the image of a positive judge as the representative of God. A deputy god whose behavior is already negative should not be maintained by the state but must be dismissed and removed from the ranks of judges because it damages the image of judges who behave nobly so that it is appropriate that the summons of judges is noble not those that behave negatively. Professional judges must have high moral integrity so that their decisions will not only be legal justice (justice according to the law) but also contain moral justice (moral justice) and social justice (community justice).

IV. Conclusion

A. Conclusion

In Indonesia, there is a need for guidance for prospective judges, in order to minimize and even avoid bad behavior or deviations from the behavior of a prospective judge. Through strict guidance and strict punishment, this will create a sense of deterrence for the perpetrators of these actions. To carry out its duties and functions, a prospective judge who will be appointed as a judge must be guided by the code of ethics of the judge and the code of ethics of civil servants and clean from disgraceful behavior. The code of ethics aims to put a limit on a prospective judge in acting. These limits need to be made in order to break the chain of cases of fraud that have occurred and are carried out by prospective judges who are essentially enforcers of justice. Therefore, a prospective judge must be truly integrity, honest, competent and of high quality and, importantly, of high moral standards in carrying out his duties and functions responsibly in providing a service to the community. Seeing the many cases of irregularities of prospective judges, it is necessary to emphasize the Supreme Court Republic of Indonesia with the direct dismissal of prospective judges whose behavior is despicable so as not to set a bad precedent in the training and recruitment of

prospective judges in the future. Thus, the great court in Indonesia can be realized by getting a judge who is commendable and virtuous without flawed behavior.

B. Suggestion

For the Government, the Supreme Court and the Judicial Commission:

1. It is expected not to nurture employees or prospective judges who have deviant behavior because it will embarrass and tarnish the good name of state institutions. So, candidate judge I S A, S.H.I of the Palopo Religious Court (Plp.) Of South Sulawesi, and others with disgraceful and undisciplined behavior must be fired directly to protect the good name of the institution.
2. Regarding the behavior of prospective judges is fundamental and has no tolerance. So, the candidate for judge I S A, S.H.I of the Palopo (Plp.) Religious Court of South Sulawesi, and others whose behavior is bad or distorted must be dismissed without special tolerance and guidance that only apply temporarily because it has become a character and behavior is very difficult to change. This is, there are no valid indicators of behavior and character changes and are very subjective.
3. Seeing the behavior of a prospective judge I S A, S.H.I, the Palopo (Plp.) Religious Court of South Sulawesi, and others who have bad behavior should be issued or fired directly before becoming a judge. Because judges must have a good and clean record and it is related to and related to a fair decision for justice seekers and likened to God's representative so that it is free and independent of deviant or bad and disgraceful behavior.
4. Strict and decisive guidance by prioritizing enforcement of the behavior or attitude of prospective judges of the ISA, S.H.I, Palopo (Plp.) Religious Courts of South Sulawesi, and others that are bad or distorted should be dismissed directly in order to create a judicial court and create trust Indonesian society.
5. The Supreme Court of the Republic of Indonesia will suffer a loss and make a big mistake if it still appoints prospective judges to behave in a disgraceful manner such as: ISA, S.H.I, Palopo (Plp.) Religious Court of South Sulawesi, and others whose behavior is despicable and does not comply with applicable regulations because it

has low moral integrity (no high moral integrity) and proven by disciplinary punishment letter issued by the Supreme Court Supervisory Agency in December 2019.

6. Restore the function of the Judicial Commission (KY) and collaboration in the recruitment of prospective judges so that the Supreme Court does not fail to recruit prospective judges who have a record of bad behavior that has a huge detrimental effect on the state. Judicial Commission (KY) and Supreme Court (MA) are united to realize a great court by recruiting clean judges without the slightest gap in the record of disgraceful behavior in order to maintain the dignity and dignity of judges who have been appointed as representatives of God on this earth.
7. The Supreme Court must take bold and decisive steps regarding the matter of the prospective judge's bad behavior that must be dismissed. Especially I S A, S.H.I Prospective Judge at the Palopo Religious Court (Plp.) Of South Sulawesi, whose behavior clearly deviated, should the Indonesian Supreme Court be brave and dismiss immediately so it would not set a bad precedent in the future. Dismissing one prospective judge of misbehavior there are still many millions of Indonesians who are better off and ready to be recruited than to maintain employees with deviant behavior.
8. The name of Your Honor is great for judges with high moral integrity. So the term judge is very inappropriate for prospective judges who behave in a dirty and deviant manner such as: I S A, S.H.I, Palopo Religious Court (Plp.) Of South Sulawesi, and others, so it must be dismissed immediately and not recommended to be appointed as a judge in the Plp Court. South Sulawesi.
9. For Prospective Judge I S A, S.H.I, whose behavior is dirty and distorted in accordance with the Rules for Appointing Judges of religious courts. Already not included in the category or do not meet the requirements of being appointed judges because of disgraceful behavior. So, I S A, S.H.I, the Palopo (Plp.) Religious Court of South Sulawesi must be fired for dirty, despicable and deviant behavior.

For the Society (Civil Society):

1. The community as a control and recommends to the Judicial Commission in the appointment of the first level of judges until the Supreme Court justices, the

community should exercise control in terms of selection to recruitment of prospective judges to reduce the politicization of filling the Judge position. What is expected will be able to obtain judges who are more qualified and behave morally and morally.

2. The community must guard and control as the holder of the highest sovereignty in the Republic of Indonesia. If the prospective judges of the ISA, S.H.I, Palopo Religious Court (Plp.) Of South Sulawesi remain inaugurated and appointed with a record of gross and distorted behavior and the bawas of the Supreme Court of the Republic of Indonesia, the people need to move and use people power as the holder of sovereignty and for the realization of a clean justice institution and in order to realize the great justice in Indonesia. Must immediately dismiss Candidate Judge I S A, S.H.I, Palopo (Plp.) Religious Court of South Sulawesi and the community must escort and be early detection so that prospective judges of bad behavior are no longer fostered but fired directly. There are still many generations of Indonesians with high moral integrity why should they maintain Candidates for Judge I S A, S.H.I who behave dirty, despicable, and deviant.
3. The public must criticize, the sovereignty in the hands of the people by showing their power so that prospective judges behave negatively and even deviate without tolerance and are dishonorably discharged because they greatly embarrass the Supreme Court's institutions and community norms. For example: Candidate Judge I S A, S.H.I, Palopo (Plp.) Religious Court of South Sulawesi, who behaves in a deviant and bad manner and is very intolerant, should be dismissed with disrespect. Still the status of the prospective judge's behavior has deviated and maintained by the state. the Indonesian Supreme Court should have the courage to dismiss prospective judges for disgraceful and deviant behavior. There is no loss in firing one or more prospective judges who behave badly and deviate because if they are not fired, it will bring a bad precedent to the training process and recruitment of prospective judges in the future. So that prospective judges underestimate the core issue of behavior. The Republic of Indonesia Supreme Court should be firm and dismiss perpetrators of disgraceful, dirty and deviant behavior as did I S A, S.H.I, a candidate for judges in the religious court Plp. South Sulawesi.

4. The public must check and balance to realize the state administration system by providing space for the public to participate in controlling and balancing the exercise of power, especially in judicial institutions in Indonesia.
5. All parties must participate in supervising, checking and balancing for the realization of a great judiciary in Indonesia, starting from a clean recruitment, early detection by direct fire of prospective judges who behave badly, dirty, and distorted which tarnished the name of the judiciary in the future.

For Stakeholders (Private):

1. It should not take advantage and give the lure that has a negative influence in the enforcement of justice.
2. It should be neutral in all aspects of the judicial process.
3. Do not take advantage of weaknesses or opportunities in controlling judges in exchange for something so that the mushrooming of the judicial mafia for moneyed stakeholders.
4. Not giving influence or invitation to commit deviations, especially in the settlement of cases related to justice, by giving bribes and various other forms.

V. Acknowledgments

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