



Rule of Law and Rule of Ethic in Law Enforcement in Indonesia

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Article Info	Abstract	
<p>Keywords: Ethics; Rule of Law; Law Enforcement.</p>	<p>Introduction: Ethics cannot be separated from law. In law enforcement, ethics and law work together to realize legal ideals. Law enforcement officials need ethical considerations so that the law enforcement process can run well. Ethics acts as an important guide to ensuring proper and appropriate behavior in legal practice. Areas of coverage of ethical standards include sacred values, solidarity, theoretical, power, economics, and skills.</p> <p>Purposes of the Research: The purpose of this study is to provide a description of the importance of ethics in law enforcement in Indonesia. In addition to the substance of the law, law enforcement officers are a very influential factor. The law can be implemented properly if law enforcement officers have good ethical basic values.</p> <p>Methods of the Research: The research method used is normative juridical, which is research that examines documents, namely by using various primary, secondary and tertiary legal materials such as laws and regulations, court decisions, legal theory, and can be in the form of opinions of scholars. The approach in this research is the concept and law approach.</p> <p>Results of the Research: The results of the study indicate that the legal profession is a profession that is full of ethical values, because it deals with various humanitarian interests from society in general through actions and decisions taken. In reality, law enforcement officers actually make the law not upright to achieve its goals. Thus, legal knowledge alone is not enough, the ethics of law enforcement officers becomes a reference for upholding the law properly in society.</p>	

1. INTRODUCTION

In simple term, law can be understood as a universally accepted set of rules and regulations created by a competent authority that has a competence, which may be regional, national, or international.¹ A law is described as a set of rules and regulations, created by the government to govern an entire society. Laws are universally accepted, recognized and enforced. It is created with the aim of maintaining social order, peace, justice in society and to provide protection to the general public and safeguard their interests. It was created after considering ethical principles and moral values. Ethics is a branch of moral philosophy that guides people about what is good or bad. It is a collection of basic concepts and principles of the ideal human character. These principles help in making decisions about, what is right or wrong. Ethics tells about how to act in certain situations and makes judgments to make

¹ Surbhi S, "Difference Between Law and Ethics (with Comparison Chart)," n.d.

better choices. Ethics is a code of ethics agreed upon and embraced by society, which sets standards for how one should live and interact with others.

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In its development, there was a time when the system of norms or rules that guide and control the ideal human behavior in the common life, namely ethical norms and legal norms also religious norms grow naturally in the reality of human life universally, complementary and synergistic. But then in subsequent developments there was a clash between the three system of norms, especially with the emergence of the *Pure Theory of Law* from Hans Kelsen, which emphasizes that legal norms must be cleaned or purified from various social influences, and moreover the influence of ethics and religion.²

Despite the various responses to the clash of the three norms, ethical practices are largely developed from religious values that are believed and idealized in common life, and ethical norms are then juxtaposed with legal norms in the law enforcement process. In the relationship between law and ethics, it is illustrated that ethics is broader than law. Any violation of the law can be said to be also a violation of ethics, but something that violates ethics, not necessarily violates the law. Earl Warren, Chief Justice of the United States Supreme Court stated, *in civilized life, law floats in a sea of ethics*³. This statement asserts that the law is impossible to enforce if ethical ocean water does not flow or does not function properly. Thus, if the law is to be enforced properly, then the society governed by the law must be built with good ethics.

2. METHOD

The research method used is normative juridical, which is research that examines documents, namely by using various primary, secondary and tertiary legal materials such as laws and regulations, court decisions, legal theory, and can be in the form of opinions of scholars. The approach in this research is the concept and law approach.

3. RESULTS AND DISCUSSION

3.1 Rule of Law and Rule of Ethics

Although credit for the modern concept of rule of law is usually given to AV Dicey, the development of legal concepts can be traced through history to many ancient civilizations, including ancient Greece, Mesopotamia, India, and Rome⁴. In ancient Israel, God's law was equally binding on everyone. No one has the right to increase or decrease it, and judges are warned not to discriminate for the sake of the powerful. The ancient Greeks initially regarded the best form of government as government by the best people⁵. Plato recommended a benevolent monarchy ruled by an ideal philosopher king, who was above the law. Plato however, hoped that the best people would be good at respecting existing

² Jimly Asshiddiqie, *Judicial Ethics and Constitutional Ethics* (Jakarta: Sinar Grafika, 2014), P. xii.

³ Darwin Lex Lasry, *The Fourth Tony Fitzgerald Memorial Lecture* (Northern Territory Library, n.d.).

⁴ Anthony Black, *A World History of Ancient Political Thought*, (Oxford University Press, 2009).

⁵ Cooper and John, *Complete Works By Plato* (Hackett Publishing, 1997), p. 1402.

laws, explaining "Where the law is subject to other authorities and has no authority of its own, the collapse of the state is, in my view, not far away; But if the law is the ruler of the government and the government is its slave, then the situation is full of promise and man enjoys all the blessings that the gods pour on a country. Aristotle firmly opposed letting supreme officials hold power other than guarding and serving the law. In other words, Aristotle also recommended the rule of law⁶.

In medieval times, in Islamic jurisprudence the rule of law was formulated in the seventh century, so that no official could claim to be above the law, not even a caliph⁷. Alfred the Great, king of Anglo-Saxon in the 9th century, reformed the laws of his kingdom and devised a legal code based on biblical commandments. He argued that the same law should be applied to everyone, whether rich or poor, friends or enemies. This is most likely inspired by Leviticus 19:15: "Do not cheat in the judiciary; Do not defend the little one inappropriately, and do not be influenced by the great, but you must judge others with the truth⁸.

At the beginning of the Modern Period, in 1607, Chief Justice of the British Supreme Court, Sir Edward Coke said that the law is a golden stick and a measure for adjudicating and that protects the King in safety and peace, that the king should not be under anyone but under God and the law. John Locke also addresses the issue in *the Second Treatise of Government*, that man's natural freedom is free from higher powers on earth, and is not under the will or legislative authority of man, but has only the laws of nature as its rules. Like the freedom of nature, it must not be under restraint other than the laws of nature. This principle was also discussed by Montesquieu in *The Spirit of the Laws*. The expression rule of law appeared in Samuel Johnson's Dictionary (1755)⁹.

In 1776, the idea that no one was above the law became popular during the founding of the United States. For example, Thomas Paine wrote in his *Common Sense* pamphlet that "in America, the law is king. For as in absolute government, the King is the law, as in the free countries, the law must be king; And there can be nothing else"¹⁰. The influence of Britain, France and the United States also spread the principle of rule of law to other countries around the world¹¹.

The Oxford dictionary provides a definition of the rule of law as the authority and influence of law in society; A principle under which all members of society (including those in government) are considered equal, and subject to publicly disclosed rules and due process¹². The rule of law contains the understanding that every citizen is subject to the law.

Among modern legal theorists, it is found that there are at least two main conceptions of the state of law that can be identified, namely formalist definitions and substantive definitions, but sometimes functional conceptions are also found. The formalist definition

⁶ David Clarke, *The Many Meanings of the Rule of Law* in Kanishka Jayasuriya, Ed., *Law, Capitalism and Power in Asia*, Routledge (New York, 1998).

⁷ Weeramantry Christopher, *Justice without Frontiers* (Martinus Nijhoff Publishers, 1997), p.132.

⁸ Alter Robert, *The Five Books of Moses: A Translation with Commentary* (W.W. Norton & Company, 2004), P.627.

⁹ Brian Z Tamanaha, *On the Rule of Law: History, Politics, Theory* (Cambridge University Press, 2004), p. 47.

¹⁰ Winks Robin W, *World Civilization: A Brief History (2nd Ed.)* (San Diego: CA: Collegiate Press, 1993), p. 406.

¹¹ Billias George Athan, *American Constitutionalism Heard Round the World, 1776–1989: A Global Perspective* (New York: New York University Press, 2011), p. 53-56.

¹² "Oxford Dictionary," n.d.

of a legal state does not make judgments about the "fairness" of the law itself, but defines certain procedural attributes that a legal framework must have in order to conform to the rule of law. The substantive conception of the state of law goes beyond this and includes certain substantive rights that are said to be based on, or derived from, the state of law¹³.

Most legal theorists believe that the state of law has purely formal characteristics, for example:

- 1) the law requires generality, general rules that apply to people and behaviors that conflict with individuals;
- 2) publicity, no secret laws;
- 3) prospective applications, slight or no retroactive laws;
- 4) consistency, there are no conflicting laws;
- 5) equality, applied equally throughout society; and
- 6) certainty, certainty of application to a particular situation.

The rule of law has been regarded as one of the key dimensions that determine the quality and good governance of a country¹⁴. Richard Fallon argues that ¹⁵ the purpose of law is served by five elements of the rule of law :

- 1) First, the capacity of the rule of law, standards, or principles to guide people in conducting their affairs. Society must be able to understand the law and obey it;
- 2) The second is efficacy. The law should really guide people, at least for the most part. In Joseph Raz's expression, "one must be governed by the law and obey it."
- 3) The third is stability. The law must be stable enough, to facilitate coordinated planning and action over time;
- 4) The fourth is the rule of law. The law shall govern officials, including judges, as well as ordinary citizens;
- 5) Fifth, it involves an impartial instrument of justice. Courts should be available to enforce the law and should use fair procedures.

In another concept, the purpose of the rule of law is:¹⁶

- 1) Make the state subject to the law
- 2) Ensuring equality before the law
- 3) Providing law and order
- 4) provide efficient and impartial justice, and
- 5) Upholding human rights

In the context of U.S. law and government, the rule of law is a principle of government in which all persons, institutions and entities, public and private, including the state itself, are accountable to publicly announced laws, enforced equally, and independently tried, and which are consistent with international human rights.

That principle can be broken down into seven effects:¹⁷

¹³ Craig Paul P, *Formal and Substantive Conceptions of the Rule of Law: An Analytical Framework* (Public Law, 1997), p. 467.

¹⁴ Kaufman and Daniel, *Governance Matters VI: Governance Indicators for 1996–2006, World Bank Policy Research Working Paper No. 4280*, n.d.

¹⁵ Richard H Fallon, *The Rule of Law as a Concept in International Discourse* (97 Columbia Law Review, 1997).

¹⁶ Rule of law U.S. Army Center for Law and Military Operations, *A Practitioner's Guide for Judge Advocates, The Judge Advocate General's Legal Center and School* (Charlottesville, Virginia, 2010).

¹⁷ U.S. Army Center for Law and Military Operations.

- 1) The State monopolizes the use of force in dispute resolution;
- 2) The individual feels secure in himself and his property;
- 3) The state itself is bound by law and does not act arbitrarily.
- 4) The law can be immediately determined and stable enough to allow individuals to plan their affairs;
- 5) Individuals have meaningful access to an effective and impartial legal system;
- 6) States protect human rights and fundamental freedoms;
- 7) Individuals rely on the existence of judicial institutions and the content of the law in carrying out daily life.

The rule of law in the UK is between the relationship of law and justice. In America, the understanding is in human rights and in the Netherlands this understanding was born from the understanding of state sovereignty. Through understanding the rule of law in supervising the implementation of government duties. The essence of the rule of law in Indonesia is the guarantee of justice for all communities, especially social justice.

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The term rule of law is then identified with the term state of law, which generally contains identical notions, namely sovereignty or rule of law over people and governments bound by law²⁰. However, in Indonesian contexts, there are several experts who provide an understanding of the legal state that has been adapted to Indonesia's socio-cultural conditions, one of which is Oemar Seno Adji, who specifically presents the concept of a typical Indonesian legal state derived from the ideals of law and legal beliefs and practices in Indonesian statehood. According to Seno Adji ²¹, the Indonesian state of law (which he called the state of Pancasila law) which has a Jakarta Charter, views the Supreme Divinity as a *prima kausa*, will not provide freedom of tolerance constitutional guarantees of anti-religious freedom of life in the midst of Indonesian legal order. The Indonesian state of law, has its own characteristics that show special aspects of human rights- among others, not separating religion from the state, the recognition of human rights and the recognition of the socio-economic rights of the people that must be guaranteed and become the responsibility of the state.

The rule of law in the Indonesian context, Jimly Asshiddiqie argues, that the idea of the State of Law was built by developing the "legal device" itself as a functional and equitable system, developed by arranging an orderly and orderly political, economic and

¹⁸ Satjipto Rahardjo, *Other Sides of The Law in Indonesia* (Jakarta: Kompa BookPublisher, 2003).

¹⁹ Sunarjati Hartono, *What Is the Rule of Law?* (Bandung: Alumni, 1974), p. 10.

²⁰ I Dewa Gede Palguna, "Constitutional Complaint of Legal Efforts against Violations of Constitutional Rights of Citizens" (Sinar Grafika, Jakarta, 2013), p. 23.

²¹ Oemar Seno Adji, *Free Justice, State OfLaw* (Jakarta: Erlangga Press, 1980), p. 23.

social institutional superstructure and infrastructure, and fostered by building a rational and impersonal culture and legal awareness in public life, nation and state. For this reason, the legal system needs to be built (law making) and enforced (law enforcing) as it should be²². Seno Adji, using the point of view of the philosophy of the state, namely Pancasila in providing views on the rule of law. He puts the element of divinity as the main door in law, which then the state of law will protect basic human rights, and the state has full responsibility. While Jimly Asshiddiqie, giving a view, using the point of view of the implementation of the state of law, that to build a state of law, it must use the legal tools itself. That is, this legal device will regulate all socio-political-economic efforts of a country, so as to create certainty, justice and order.

Furthermore, it is necessary to provide an understanding to all state organizers that in organizing government in addition to having to be based on the rule of law, no less important also pay attention to the rule of ethics. In the conception of the rule of law is covered by the understanding of the code of or the book of law which becomes the foundation in the implementation of government bureaucracy. In the conception of the rule of ethics is covered by the understanding of the code of ethics or code of conduct which must also be in line with the understanding of the rule of law. In the perspective of the state of Pancasila law, it must also be understood that Pancasila is not only a source of law, but also as a source of ethics. Both legal and ethical perspectives should be used as normative and operational reference sources in the life of the nation and state. Pancasila contains universal values in inclusiveness that can unite us all as a nation in a unity of ideological and philosophical systems in the life of the nation and state. For this reason, in an effort to build a serving bureaucracy must be supported by the rule of law and rule of ethics simultaneously. With the awareness of legal norms and ethical norms of state organizers reflected through ethical attitudes, behaviors, actions and speech, it will produce a trustworthy, disciplined, exemplary, and noble state organizer in accordance with the ideals of the nation.

Ethics are important not so that people can understand philosophically, but so that people can improve the way of life²³. With ethics, people practice and strive to make moral decisions throughout life will pay off when faced with serious moral dilemmas, allowing people, as decision makers, to make more informed decisions, which will likely result in moral decisions. In the field of law enforcement, the integrity and behavior of law enforcement officials, must show a life lived morally.

Ethics is a branch of philosophy that discusses right and good behavior in human life. The ultimate goal is a good life and not just a life that is always right and never wrong. In practice, both concern the substance that is the essence of ethical issues, namely right and wrong, good and bad.

There are three categories of ethical theory.²⁴

- 1) Normative ethics
- 2) Meta ethics
- 3) Applied ethics.

²² Jimly Asshiddiqie, "Makalah: Gagasan Negara Hukum Indonesia." n.d.

²³ Lafollette H, *The Practice of Ethics* (Malden, ME: Blackwell Publishing, 2007), p. 7.

²⁴ Steve McCartney and Rick Parent, "Ethics in Law Enforcement" (VICTORIA, B.C.: BCCAMPUS, 2015), p. 11.

Normative ethics tells not only what to do, but also why to do those things in some cases may seem the opposite of what an ethical decision would think would be. Such theories are often called ethical systems because they provide a system that allows people to determine the ethical actions that individuals should take. Evans and Macmillan²⁵ define normative ethics as ethical theories relating to norms, standards or criteria that define the principles of ethical behavior. The most common example of normative ethical theory is utilitarianism, a system used by individuals to make decisions when faced with ethical dilemmas. Meta-ethics does not address how people should behave; Meta-ethics is more related to the study than the theory of ethics itself. Here its importance is in evaluating theories and moral and ethical systems. For example, moral relativism is a meta-ethical theory because it interprets discussions around ethics. Evans and Macmillan define meta-ethics as ethical theory relating to moral concepts, theories, and meanings of moral language.

Pollock further defines meta-ethics as a discipline that investigates the meaning of an ethical system and whether a system is relative or universal, and is built alone or independently of human creation²⁶. Applied ethics explains how to apply normative theory to specific issues, usually related to the work or property of an organization. Evans and Macmillan define applied ethics as an ethical theory concerned with the application of normative ethics to specific ethical issues.

3.2 Law Enforcement based on Rule of Law and Rule of Ethic in Indonesia

As a state of law, the State of Indonesia has an obligation to provide guarantees of protection, treatment and fair enforcement of all citizens. That every citizen must be recognized equality of position before the law, as stated in Article 27 of the 1945 Constitution, that all citizens simultaneously stand in law and government and are obliged to uphold the law and government without exception. The manifestation of the state providing equal protection and treatment before the law is to establish a system of law enforcement.

The law enforcement system is a system built to create, maintain and maintain the peace of living association in accordance with the rules, in this case the rules of law / laws and regulations, which apply in society. Law enforcement does not merely mean the implementation of legislation. Law enforcement as the establishment of the rule of law, not only requires the commitment of obedience of all components of the nation to the law, but requires law enforcement officials to enforce law-oriented, in the form of legal certainty, justice and legal expediency. Law enforcement occupies a strategic position in legal development, all the more so in a country of law. According to Jeremy Bentham, law enforcement is central to the protection of human rights²⁷.

Thus, law enforcement is essentially a process of defending the law. Processes that are influenced by various things, such as individual quality (human resources), institutional quality/ legal structure (including mechanisms of work and management), quality of facilities / infrastructure, quality of legislation (legal substance) and quality of

²⁵ Evans and MacMillan, *Ethical Issues In Criminal Justice And Public Safety*, 4th ed. (Toronto: Edmond Montgomery Publications, 2014), p.27.

²⁶ J.M. Pollock, *Ethical Dilemmas and Decisions in Criminal Justice* (United States: Wadsworth Publishing Company, 2010), p. 6.

²⁷ Jeremy Bentham, *Anarchical Fallacies*, and in A.I. Belden, *Human Rights* (Calif: Wardworth, 1970), p. 30.

environmental conditions (economic system, politics, culture, including the legal culture of society).

In the process of law enforcement, humans are the main component that determines all activities in the law. Friedman posits that "*the legal system is not a machine, it is run by human beings.*"²⁸. Thus, the top priority in law enforcement is not the law itself, but in the quality of people who carry out the law, namely law enforcement officials, considering the role of law enforcement officers occupying strategic positions in law enforcement. The law enforcement system has become the basis for the establishment of formal institutions that function as law enforcement, which are actors that influence the law enforcement process, because they are the ones who carry out the role of implementing the law. In the Explanation of the 1945 Constitution also outlined that the important thing in the implementation of the state is the spirit of the state organizer. Thus, realizing a state of law, not only requires legal norms or regulations as a legal substance, but also its institutions or driving bodies as a legal structure supported by the legal behavior of all components of society as a legal culture.

Law enforcement officials as people with noble professions (*officium nobile*), have ethical peculiarities because the work area of people with the legal profession is loaded with implications of ethical values. The legal profession is a profession that exists to serve society when society comes face to face with the authority of power. The legal profession has justified powers to behave and behave according to the law. Power according to law (authority) is what makes the legal profession need a higher morality.

Ethics itself was originally understood in relation to religion, known as theological ethics²⁹. Etika theological is an ethic that departs from the pre-budgets about God / divine. Thus, it can be briefly said that theological ethics is an ethic based on religious elements. In contrast to philosophical ethics, theological ethics has a transempirical nature, namely that human experiences with God that go beyond morality cannot be observed by humans with their five senses. Since theological ethics relates to the divine, the main sources used for this ethic are scripture and other tools.

The next development is the Ontological Ethics, where humans who originally lived confined and dependent on nature, out of the confines of nature, even became the ruler of nature with the help of science. In this time, ethics grows and develops in the world of science, and becomes part of philosophy. However, ethical conceptions are developed only in the theoretical and abstract state of discourse. The system of ethical norms and behavior is only used as the object of philosophical study without a support system to make it concrete in the quality of human behavior in the life of the community. The idea of writing standards of professional behavior developed, starting with medical ethics. Since then, the habit of writing codes of ethics and codes of conduct has grown rapidly, and concerns most aspects of life, both professional organizations, businesses and community organizations. Ethics that were originally unwritten and officially enforced were developed into an official system of rules as well as positive laws³⁰.

The following developmental stage is the stage where there is dissatisfaction with the code of ethics and code of conduct which is formally but not strictly enforced. This is triggered by the fact that many malpractices are carried out in certain professions, including

²⁸ Friedman L.M., *The Legal System; A Social Perspective* (New York: Russell Sage Foundation, 1975), P. 14.

²⁹ Asshiddiqie, *Judicial Ethics and Constitutional Ethics*.

³⁰ Asshiddiqie.

the legal profession, which are then not followed by the enforcement of the code of ethics and code of conduct. In Indonesia, the Indonesian Doctors Association was the pioneer in developing a code of ethics system, but its enforcement was not followed. Likewise with other professions after that.

In 1996, the United Nations general assembly recommended that UN member states develop *ethics infrastructures in public offices*. Infrastructure is a code of ethics and a code of ethics enforcement agency. The establishment of this institution is intended so that the code of conduct code of conduct that is prepared and enforced can be served and enforced with an effective sanctions system for violators. Those institutions are called the Ethics Commission, the Honorary Council, or the Ethics Commission. In various fields, the mechanism of enforcing the code of ethics began to be applied, including among law enforcement, both police, prosecutors, justice, even advocates and notaries. Nevertheless, the mechanism of the code of conduct hearing runs behind closed doors, and has not been constructed as *an ethical court*. This is what then caused many of the ethics code rulings made against law enforcement to get a strong reaction from the public. Decision of the Constitutional Court Judges for example conducted a code of conduct hearing against a judge Arsyad Sanusi behind closed doors and then the person concerned was asked to resign for early retirement, some time later, the same was done against Chief Justice Ahmad Yamani. Ahmad Yamani's ruling received a strong reaction from the public who then demanded that the chief justice be re-tried publicly by involving the role of the Judicial Commission. After going through an open hearing Ahmad Yamani found widespread evidence that the person concerned had been found to have violated the category of heavy code of conduct, and was subsequently sentenced to dishonorable dismissal.

Sutan Takdir Alisyahbana divides six types of values that are essentially basic values that also appear in the contemplation of the morality of the legal profession, namely theoretical values, economic values, religious values, art values, power values and solidarity values³¹. These values were then modified by Shidarta into sacred values, solidarity values, theoretical values, power values, economic values and skill values³². If the code of ethics is dissected, then it is very likely that the basic values of this profession are already contained in it, although formulated in different words.

The basic values of sacredness can be spelled out in religious, honest, free, just and wise values. The basic values of solidarity are spelled out in open values, devotion, corps integrity, and collegial. The basic values of theory are spelled out in objective, methodological, and insightful values. The basis of power is spelled out in the values of responsibility, authority, and trust. The basic value of economics is spelled out in simple and non-materially oriented values, and the value of skills is spelled out by careful and capable values. These basic values, which are then further elaborated in the formulation of the code of ethics or code of conduct for people with the legal profession become guidance and guidelines not only when carrying out their professional responsibilities but also in community life.

As board outline, some of the material contents in the legal profession code of ethics are described as follows:

1. Police Professional Code of Ethics

³¹ Sutan Takdir Alisyahbana, *History of Indonesian Culture Seen in Terms of Values* (Jakarta: Dian Rakyat, 1982), p. 6.

³² Shidarta, *Morality of the Legal Profession, An Offer of Frame of Mind* (Refika Aditama, 2009), p. 132.

It is regulated in the Regulation of the National Police of the Republic of Indonesia Number 7 of 2006. In this Perkap it is stated that the Police Professional Code of Ethics is the Police Professional Code of Ethics are norms or rules which constitute a unified ethical or philosophical foundation with behavioral and verbal regulations regarding matters that required, prohibited, or inappropriate to be carried out by members of the Police. Police Professional Ethics is the crystallization of Tribrata values which are based on and inspired by Pancasila and reflect the identity of each Polri member in the form of moral commitment which includes:

- a) Personality Ethics, namely the moral attitude of Indonesian Police / Polri members towards their profession based on the call to worship as religious people.
- b) State Ethics, namely the moral attitude of Polri members who uphold the ideological and constitutional foundations of the Republic of Indonesia, namely Pancasila and the 1945 Constitution of the Republic of Indonesia.
- c) Institutional Ethics, namely the moral attitude of Polri members towards institutions that are a place of service and should be upheld as the inner and outer bond of all Bhayangkara personnel with all their dignity and honor.
- d) Ethics in relations with the community is the moral attitude of members of the National Police who always provide the best service to the community.

2. Prosecutors' Code of Conduct

It is regulated in the Regulation of the Attorney General of the Republic of Indonesia Number Per-014/A/JA/11/2012 concerning the Prosecutor's Code of Conduct. In this Perja it is formulated that the Prosecutor's Code of Conduct is a set of norms elaborating the Code Prosecutors' ethics, as a guideline, regulates the behavior of prosecutors, both in carrying out their professional duties, maintaining the honor and dignity of their profession, as well as in carrying out social relations outside of service. Prosecutors have obligations to the state, institutions, the Prosecutor's Profession and to the community. Prosecutors are required to have integrity, independence and impartiality. This code of conduct also regulates procedures for examining and imposing administrative actions through the Code of Conduct Assembly.

3. Code of Ethics and Code of Conduct for Judges

It is regulated 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 Code of Conduct for Judges. The basic principles of the code of ethics and the Code of Conduct for Judges are implemented in 10 rules of conduct, namely: (1) Behaving Fairly, (2) Behaving Honestly, (3) Behaving Wisely and Wisely, (4) Be Independent, (5) With High Integrity, (6) Responsible, (7) Uphold Self-Esteem, (8) High Discipline, (9) Behave Humble, (10) Be Professional.

Furthermore, it is regulated that each Court Leader must make serious efforts to ensure that judges in their environment comply with the Code of Conduct for Judges, and Violations of these Guidelines can be subject to sanctions. Judges suspected of having violated this regulation are examined by the Supreme Court of the Republic of Indonesia and/or the Commission

Judicial Republic of Indonesia. The Supreme Court of the Republic of Indonesia or the Judicial Commission of the Republic of Indonesia submits the results of the decision on the results of the examination to the Chief Justice of the Supreme Court. Judges who are

proposed to be subject to temporary suspension and dismissal by the Supreme Court of the Republic of Indonesia or the Judicial Commission of the Republic of Indonesia are given the opportunity to defend themselves in the Honorary Council of Judges.

4. CONCLUSION

The legal profession is a profession loaded with ethical values. They are dealing with the various humanitarian interests of society in general through the actions and decisions they take, which have an impact on the fulfillment of the sense of justice of many people, but specifically dealing with those who seek justice through the actions and decisions of law enforcement officials. In reality, law enforcement officials themselves who actually make the law is not upright to achieve its goals. Thus, law and legal knowledge alone are not enough, the ethics of law enforcement officials become a reference for the establishment of the law well in society.

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