

# The Urgency of Increase in Judges' Salaries and Fair Decisions

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**Abstract.** This research will analyze the increase in judges' salaries and its impact on fair decisions for justice seekers. Furthermore, it also aims to analyze what aspects need to be considered to achieve the ideal goal of the criminal justice process so that judges' decisions can fulfill a sense of justice. The method used in this study is the normative juridical writing method using secondary data obtained through literature study. The results of the study indicate that with an adequate salary increase, judges can focus more on their duties to provide fair decisions and are not tempted by external factors that can affect their independence. In addition, there are several aspects that need to be considered so that the criminal justice process can produce decisions that fulfill a sense of justice, including decisions must be based on the principle of substantive justice, namely justice that considers the material aspects of the case, not just formal procedures. Then there is also consistent application of the law, transparency and accountability. And no less important is respect for human rights. Thus, increasing judges' salaries can be one effort to improve the quality of law enforcement and justice in Indonesia.

**Keywords:** Court Decision; Criminal Justice System; Judge; Judicial Independence; Salary

## 1. Introduction

Judges are crucial figures in the criminal justice system, as they are responsible for upholding law and justice in society, with the authority to examine, try, and decide cases. The judge's role as the arbiter of a legal case has a significant impact on law enforcement through his or her decisions. The provisions of Law Number 48 of 2009 concerning Judicial Power, specifically Article 19, explicitly state that judges are executors of judicial power and, as state officials, are authorized by law to try and decide cases.

As part of the law enforcement tasked with adjudicating and deciding a case, judges have a central and crucial role in law enforcement, which is not only based on aspects of certainty and benefit, but also the aspect of justice as the main spirit of law enforcement in Indonesia. (Ribut Baidi and Aji Mulyana, 2024). Justice is the main pillar of a judge's professionalism. In carrying out their duties, a judge is responsible for upholding justice without discrimination, based on the law and moral principles rooted in society. (Cindy Kafka Navisa Dewi, 2024). Justice is one of the main objectives of the criminal justice system. Justice is also a fundamental principle in the legal system that ideally should be reflected in every court decision. (Sri Hardiyana Dju, et al, 2024). If justice is interpreted as social happiness, then social happiness will be achieved if the needs of social individuals are met. (Jimly Asshiddiqie & M. Ali Safa'at, 2018). Dworkin prioritizes justice in his legal theory of justice as value (justice is value). He distinguishes between justice and law. Justice is a value while law is a norm. (Ronald Dworkin, 2011).

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The ability of judges to make fair and wise decisions in every case they handle serves as a benchmark for the successful enforcement of law in society. Therefore, in handling any given case, fair and wise decisions are the primary foundation for carrying out their duties as judges. This is because when judges decide a case fairly, the fate of all parties involved is immediately determined. Therefore, it is no surprise that the integrity of the judicial system as a whole is reflected in the judge's decision. Judges are required to consider various aspects, both legal and humanitarian, in order to produce a decision that is not only legally valid but also accepted by all parties.

In the Indonesian criminal justice system, it is crucial for a judge to understand the comprehensive context of a case and apply the law while adhering to the principles of justice and fairness. This is, of course, a public expectation that a judge delivers a just verdict. In the decision-making process, judges must consider various legal precedents, applicable laws and regulations, and relevant legal doctrines to ensure that each decision is not only just but also has a strong and accountable basis.

Legal considerations in court decisions represent a judge's accountability for their decisions. Therefore, everything decided in the decision must be carefully considered within the legal considerations contained in the decision. (Dwi Hananta, 2018).

These legal considerations are made to carry out their duties professionally and maintain public trust in the judicial institution. Judges are the determinants of fair court decisions. Their crucial role in maintaining the integrity and credibility of the Indonesian judicial system will have a significant impact on law enforcement efforts. In fact, the integrity, independence, and ability of judges to understand the law and the values of justice are crucial to maintaining public trust in the judicial system.

All decisions made by judges will have a direct impact on the public, so judges must be careful in considering their decisions. (Chesaria Anggun Permaningtyas, et al., 2024). Therefore, judges everywhere must maintain independence and impartiality in making decisions, and ensure that the judicial process is transparent and accountable. This means that the judicial process must be conducted openly, clearly, and responsibly. Moreover, a transparent and accountable judicial process can increase public trust in the judicial system and ensure that justice is effectively upheld. Judges must be able to consider various aspects, including the law, facts, and human values.

From the above description, it is once again emphasized that judges play a crucial role in maintaining justice and order in society, as well as ensuring that human rights are respected and protected, namely by issuing fair decisions for those seeking justice. Unfortunately, in recent times, we have often seen judicial decisions violate the public's sense of justice. For example, the Attorney General's Office recently arrested and named three judges at the Surabaya District Court as suspects in the bribery case involving Ronald Tannur's acquittal. From January to April 2025, seven judges were detained on suspicion of involvement in bribery to alter court decisions. (Erwina Rachmi Puspapertiwi, Ahmad Naufal Dzulfaroh, 2025).

These cases undoubtedly undermine the justice system, as bribery is a condition in which a judge loses their integrity and independence. Accepting illegal payments should be avoided in every aspect of their duties as enforcers of justice. Bribery can influence a judge's decision and result in an unfair verdict, thus undermining public trust in the judicial system.

In practice, the presence of various problems in judicial decisions, such as decisions that violate the public's sense of justice, clearly hinders proper law enforcement. So what is the cause of all this, leading judges to trade in the cases they handle? Could it be due to low judicial salaries? Who knows, but that could be one of the reasons, among others. If it's a matter of salaries, then it's commendable that the government has increased judges' salaries by 280 percent to improve the foundations of justice from the grassroots level. This salary increase is an effort to strengthen the foundations of a professional and clean judicial system.

According to the Executive Director of Arus Survei Indonesia, Ali Rif'an, the focus of this policy is to improve the welfare of young judges, especially those serving in the regions. (Reynas Abdila, 2025). Based on Government Regulation Number 44 of 2024, the following are the details of the increase in the basic salary of judges: Judges of class IIIa (service period < 1 year) increased from Rp2,785,700 to Rp7,799,960. Judges of class IVe (service period 32 years) increased from Rp6,373,200 to Rp17,844,960. (<https://fahum.umsu.ac.id/info/gaji-hakim-naik-hingga-280-persen-di-era-prabowo-simak-rincian-lengkapny/>).

Meanwhile, the Chairman of the Indonesian Judges Association (IKAHI), Yasardin, expressed his appreciation and gratitude for the commitment of the President of the Republic of Indonesia, Prabowo Subianto, who stated the government's readiness to realize the increase in judges' salaries in his recent speech. According to Yasardin, the President's move is a concrete response to the long struggle of judges that has been going on for more than a decade. The struggle to increase judges' salaries is not new, but has begun since 2019. This struggle is motivated by the stagnation of salary increases since the issuance of Government Regulation Number 94 of 2012, even though according to the law, the government is obliged to guarantee the security and welfare of judges. (Jocelyn Valencia, 2025).

The government, as the state implementer, has a responsibility to create a safe and conducive environment for judges so they can work effectively and not be threatened in carrying out their duties. One way to do this is by increasing judges' salaries, so that in carrying out their duties, judges are expected to adjudicate cases properly. Moreover, judges are not permitted to reject a case on the grounds that the law is absent or unclear; rather, they are obligated to adjudicate it. As law enforcers, they are obligated to explore, follow, and understand the legal values that exist within society.

Based on the above description, this paper will analyze how significantly increasing judges' salaries can be a crucial step in improving the quality of law enforcement in Indonesia. It will also examine what aspects need to be considered to achieve the ideal goal of the criminal justice process, ensuring that judges' decisions fulfill a sense of justice?

## 2. Research methods

The method used in this research is the normative legal writing method. Normative legal research is a process of discovering legal rules, legal principles, and legal doctrines to address the legal issues faced (Peter Mahmud Marzuki, 2011). Normative legal research offers strengths such as a comprehensive understanding of existing legal norms (Martin Roestamy, 2024). The secondary data collection technique used is through library research in the form of legal literature, scientific journals, research results, and legislation. Once the data is collected, it is then processed to be used to address the existing problems.

### 3. Results and Discussion

#### Judges' Salary Increases and Fair Decisions

Speaking of salaries, it can be said that salaries are compensation provided by an agency, company, or organization to employees in return for their work. For employees, salaries are a crucial form of compensation. It can be said that when an employee works, a salary serves as a form of appreciation for their contribution and performance. The amount of salary received by employees varies, determined by factors such as position, work experience, and skills. In essence, salaries can increase employee motivation and job satisfaction, thus positively impacting overall productivity and performance. Salaries can also affect quality of life, meeting basic needs such as food, clothing, and shelter, as well as providing a better education for children.

Regarding salary increases for judges, this is certainly a welcome development for judges. With salary or allowance increases, judges will be able to improve their well-being, especially considering their demanding duties and responsibilities. Article 48 paragraph (1) of Law Number 48 of 2009 concerning Judicial Power explicitly stipulates that, "The state guarantees the security and welfare of judges and constitutional judges in carrying out their duties and responsibilities in administering judicial power."

In Indonesia, issues related to the welfare of judges have drawn attention from various parties. For example, the Judicial Commission Report indicates that "low levels of welfare can open up opportunities for corrupt practices and influence from vested interests" (Judicial Commission of the Republic of Indonesia, 2024). Furthermore, the lack of institutional support for judges' professional needs, such as training and work facilities, also poses an obstacle to creating an effective and integrity-based judicial system (Sausan Jilan et al., 2025).

As is well known, the government recently increased judges' salaries. This increase is one effort to improve the quality and integrity of law enforcement in Indonesia. Judges, as state officials, play a crucial role in upholding justice and the law in society. Therefore, they need to be provided with adequate and proper compensation to boost their motivation and performance. However, will this increase in judges' salaries result in just decisions? This question must be answered by the judges themselves. Because with an adequate salary increase, judges should be able to focus more on their duties to provide fair decisions and not be tempted by external factors that could affect their independence and impartiality.

Judges are free, according to the law, to decide cases without any external interference (Haryono, 2012). Therefore, it is crucial to maintain the independence of the judiciary so that the justice system can function effectively as a fair and independent enforcer of the law. (Binsar, M. Gultom, 2017).

Increasing judges' salaries can have a positive impact on the quality of decisions. With higher salaries, judges should be able to focus more on their duties as law enforcers without being distracted by personal financial concerns. This allows judges to concentrate on considering each case, resulting in more accurate and fair decisions. Furthermore, increasing judges' salaries can increase their motivation and work ethic, thus encouraging them to improve their legal skills and knowledge. Ultimately, the public hopes that judges will deliver higher-quality decisions based on applicable law.

Furthermore, increasing judges' salaries can also reduce the risk of corruption and other negative influences that can affect the independence and impartiality of judges. When judges

receive adequate salaries, they are less susceptible to the temptation to accept bribes or engage in other unethical behavior. This, of course, positively impacts the quality of their decisions, as they are more credible and fair. Therefore, increasing judges' salaries can be one way to improve the quality of law enforcement and justice in Indonesia.

In the long term, increasing judges' salaries can also increase public trust in the judiciary. When the public perceives that the judges deciding their cases are professional, independent, and unaffected by external factors, their trust in the judiciary will increase. This will undoubtedly have a positive impact on the quality of decisions made, as the public will be more accepting and respectful of their decisions. Judges who receive a decent and adequate salary will be more motivated to improve their skills and knowledge, thereby rendering more accurate and fair decisions. Furthermore, increasing judges' salaries should also increase public trust in the judiciary, as the public will perceive that the judges deciding their cases are professional and independent. If judges can foster public trust in law enforcement, then success in law enforcement has been achieved.

Success in law enforcement is the realization of the law that has been created. (Salim HS and Erlies Septiana Nurbani, 2018). The success of the Indonesian judicial system in ensuring justice depends heavily on the performance of its judges. (Rasji et al., 2025). For justice-seeking citizens, the success of judges in upholding the law through fair verdicts is something they always look forward to. Therefore, an increase in judges' salaries can provide hope that the resulting decisions will be fairer and free from undue influence. Justice-seeking citizens have the right to receive fair and non-discriminatory decisions, and a raise in judges' salaries can be one way to ensure that this right is fulfilled. Therefore, a raise in judges' salaries can be an important step in improving the quality of law enforcement in Indonesia.

### **Acceptance of the Decision with Open Hearts by All Parties**

Before handing down a sentence, the judge must first provide mitigating and aggravating factors. (Monang Siahaan, 2022). Based on Article 197 of the Criminal Procedure Code, if a judge issues a criminal sentence, one of the things that must be included in the decision is "the aggravating and mitigating circumstances of the defendant." The consequence of not including this is that the decision is void by law. The Criminal Procedure Code does not further explain what is meant by aggravating and mitigating circumstances. Another regulation that explains this is Article 8 Paragraph (2) of Law of the Republic of Indonesia No. 48 of 2009 concerning Judicial Power, which stipulates that "in considering the severity of the sentence, the judge must pay attention to the good and bad character of the defendant." (Dwi Hananta, 2018).

These reasons will undoubtedly influence the sense of justice, certainty, and legal utility of the decision. Furthermore, a good and just court decision is one that not only complies with applicable law but also considers specific reasons, ensuring its acceptance by all parties. In the context of criminal law, a legally valid decision that is accepted by all parties is the ideal goal of the judicial process. A legally valid decision means that the decision has been made based on applicable law and proper procedures, and has considered all evidence and arguments presented during the trial.

Furthermore, the acceptance of the decision with open arms by all parties demonstrates that the decision has met the expectations and needs of all parties involved, including the victim, the defendant, and the wider community. Achieving this ideal goal requires the

cooperation and commitment of all parties involved in the judicial process, including judges, prosecutors, lawyers, and other law enforcement officials. As the decision-making body, the judge must ensure that the decision is based on applicable law and is not influenced by external factors. Prosecutors and lawyers must also carry out their duties professionally and ensure that all relevant evidence and arguments are presented in court.

Accepting decisions graciously by all parties also requires transparency and accountability in the judicial process. The public must be able to understand the decision-making process and have confidence that the decision is fair and based on applicable law. A legally valid decision that is accepted by all parties can be an indicator of the judicial system's success in achieving its ideal goal of providing justice and legal certainty for the public.

In practice, achieving this ideal goal can be realized through various efforts, such as improving the quality of human resources in the judicial system, increasing transparency and accountability in the judicial process, and improving access to justice for all parties involved. Thus, a legally valid decision that is accepted by all parties can become a reality that can be enjoyed by all parties involved in the judicial process. This can be seen in several aspects, such as: First, the decision must be based on the principle of substantive justice, namely justice that considers the material aspects of the case, not just formal procedures. The judge must consider all evidence, witnesses, and arguments presented during the trial. Second, consistency in the application of the law is crucial for building public trust in the judicial system. A decision consistent with the law and legal precedent can enhance the legitimacy of the decision in the eyes of the public. Third, active participation from all parties, such as prosecutors, legal counsel, and judges, is essential in the trial process. This is crucial for achieving a fair decision. All parties must be given an equal opportunity to present evidence and arguments. Fourth, the judicial process must be transparent and accountable. Judges must provide clear and logical reasons for their decisions so that the public can understand the basis for their decisions. Fifth, decisions must respect human rights, including the right to a fair trial, the right to liberty, and the right to personal integrity.

Therefore, based on the above, a legally valid decision that is accepted by all parties can be achieved by considering the aforementioned aspects. A decision must not only meet legal standards but also moral and ethical standards, thereby increasing public trust in the justice system. An example of a decision that meets these standards is one that considers the interests of all parties, including the victim, the perpetrator, and the community. The decision must also be based on sufficient evidence and consistent application of the law.

In some cases, a legally valid decision can be accepted by all parties if the decision: First, provides justice for the victim and their family. This point further emphasizes the importance of justice as the primary foundation of a legal decision and is crucial in the legal process; Second, provides the perpetrator with an opportunity to improve themselves. This point demonstrates that the legal system is not only about punishment but also about rehabilitation. This reflects a more holistic approach to dealing with criminals; Third, increases public awareness of the importance of legal compliance. This point highlights the role of legal decisions in increasing public awareness and compliance with the law. This is important to create a more law-abiding society and reduce the potential for future crime.

Several strategies can be implemented to reduce the potential for future crime, for example, by increasing public awareness of the importance of security and safety through

educational campaigns and programs. Encourage active public participation in reporting suspicious activities and cooperating with security forces. Furthermore, it is necessary to identify and address the underlying causes of crime, such as poverty, unemployment, and lack of education. Develop programs to improve the community's quality of life and reduce social inequality. Equally important, security forces must be continuously provided with adequate training and education to enhance their ability to handle crime. Regarding security, cooperation between relevant institutions is also needed to improve the effectiveness of crime management.

The United Nations (UN) Congress outlines the following crime prevention/remediation policy strategies: First, the basic/principal strategy for crime prevention is to eliminate the causal factors/conditions that give rise to crime; Second, crime prevention and criminal justice must be pursued through an integrated/systematic policy. (Barda Nawawi Arief, 2007).

Concluding this section, a legally valid decision that is accepted by all parties is a goal that can be achieved by considering relevant aspects of criminal law. In practice, achieving this goal requires cooperation and commitment from all parties involved in the judicial process. Judges, prosecutors, lawyers, and other law enforcement officials must work together to ensure that decisions are fair, transparent, and based on applicable law. Thus, a legally valid decision that is accepted by all parties can become a reality that can be enjoyed by all parties involved in the judicial process. Therefore, attention to relevant aspects of criminal law is key to achieving this ideal goal.

#### **4. Conclusion**

A salary increase for judges should impact court decisions. With an adequate salary increase, judges can focus more on their duties, delivering fair decisions, and avoid being swayed by external factors that could compromise their independence and impartiality. This salary increase is intended to strengthen the foundation of a professional and clean judicial system. In essence, a salary increase for judges can be a crucial step in improving the quality of law enforcement in Indonesia.

In carrying out their duties and producing legally valid decisions that are accepted by all parties, judges must consider key aspects to achieve the ideal goals of the criminal justice process. These include decisions based on the principle of substantive justice, which considers the material aspects of the case, not just formal procedures. Furthermore, consistent application of the law, transparency, and accountability are crucial. And, equally important, respect for human rights.

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