

# QUO VADIS

## the last bastion of justice?

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JAKARTA

**A** number of judges have been caught red-handed taking bribes from lawyers or their couriers, but judicial corruption looks set to continue if the arrests and ensuing investigations and jail sentences lack a deterrence effect.

Most recently, a staff worker at the Supreme Court was arrested in the National Monument Square in Central Jakarta for allegedly accepting bribes meant for a Supreme Court justice.

It has been 15 years and four presidents since the reform era was initiated, but reform in the fields of law and bureaucracy has not lived up to people's expectations. Corrupt practices within the judiciary have remained rampant, sending a signal that the country's fight against graft during two terms of Presi-

has not been eradicated.

What is wrong with the country's anticorruption movement? Many theories, analyses and prescriptions have been offered to help policymakers improve the corruption eradication strategy, but unfortunately no comprehensive actions have been taken to follow up on the public advice. The responses have been sporadic and ad hoc, merely symptomatic without addressing the root causes of corruption.

The corruption eradication program has been conducted without a significant increase in the state budget allocation for judicial reform and legal development. Exacerbating the budget shortfall, regional governments earmark barely sufficient funds to support the reform program. The Herculean effort is rendered useless and fails to satisfy the public as in the case of Indonesia today.

The current budget for judicial reform is far from enough to achieve bureaucratic reform within the judiciary. The insufficient budget is testament to half-hearted reform.

With the stomach to take breakthrough measures, the much-awaited judicial reform will remain a discourse, or worse a pipedream.

Low pay for judges is the biggest obstacle to combating judicial corruption. The judges are easily lured into accepting bribes and gratuities, or in some cases the judges themselves ask for the money.

The economic slowdown, compounded by the absence of social security for judges and their families, have added insult to injury. To be able to work professionally, efficiently and peacefully, judges must be appreciated with decent salaries and allowances and are entitled to housing, transportation, training, medical care and life insurance.

As professionals, they deserve bonuses as a form of appreciation of their good performance. The bonus can go to, for example, judges whose verdicts are not appealed.

Handsome remuneration and facilities will protect judges and encourage them to uphold their integrity, work in an efficient and professional way and promote a sense of justice. There is no country in the world where the rule of law runs in conjunction with poor salaries for judges.

The pay of judges in Indonesia lags behind that of their counterparts in other countries. Judges in Singapore, for example, receive a monthly take-home pay of at least S\$50,000 (US\$40,000), or 100 times the basic salary of an early-career judge in Indonesia. The gap gets wider as Singaporean judges also receive bonuses for good and professional performances.

A clean bureaucracy in the judiciary will help prevent improper external influence on the judiciary's impartiality. Lawyers will find it difficult to entice judges to deliver a verdict in favor of their clients. Improvement in welfare and capacity will encourage judges to work professionally and ensure the delivery of justice.

Good salaries will give a boost to judges' allegiance to the principles of justice, the state, the Constitution, and a professional code of conduct. An independent judiciary will strengthen enforcement of the law and in turn raise public confidence in the rule of law. Eventually a law-abiding society will develop.

As representatives of God, judges must be sufficiently appreciated, so that they can win the public's respect. The most important goal of a salary increase is to promote integrity among judges as the last bastion of justice and impartiality. *Fiat justitia ruat coelum!*

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dent Susilo Bambang Yudhoyono has failed to impact on the judiciary.

Efforts to address the entrenched corruption have been countless. A draconian anticorruption law was passed and revised, international conventions to combat corruption have been ratified, a powerful anti-graft commission and supporting institutions have been formed and the national leadership has declared corruption an extraordinary crime, but bribery