

Abstrak

Penelitian ini dilatarbelakangi oleh pembentukan Majelis Kehormatan dan Dewan Etik Mahkamah Konstitusi (MK) untuk melakukan pengawasan dan penegakan terhadap kode etik hakim konstitusi sebagai alat untuk melakukan pembinaan, pembentukan karakter dan tingkah laku hakim. Skripsi ini membahas tentang arti penting Kode Etik Hakim Konstitusi bagi pelaksanaan tugas dan pergaulan Hakim Konstitusi dan upaya penegakan hukum Kode Etik Hakim Konstitusi oleh Majelis Kehormatan dan Dewan Etik MK. Metode penelitian yang digunakan dalam penelitian ini yaitu yuridis normatif, yaitu dengan mengkaji bahan-bahan pustaka (studi kepustakaan). Data yang digunakan dalam penelitian ini adalah data sekunder, yang mencakup bahan hukum primer, bahan hukum sekunder dan tersier. Penelitian ini menyimpulkan bahwa Kode Etik Hakim Konstitusi memuat tujuh prinsip yang harus dilaksanakan oleh Hakim Konstitusi agar memberi jaminan bagi peningkatan moralitas Hakim Konstitusi dan kemandirian fungsional dalam menjalankan kekuasaan kehakiman yang merdeka dan dalam pergaulan masyarakat. Dalam penegakan Kode Etik Hakim Konstitusi, Majelis Kehormatan MK berwenang memeriksa laporan dugaan pelanggaran kode etik dari dewan etik yang dilakukan oleh hakim konstitusi dan memberikan penjatuhan sanksi berupa teguran tertulis, pemberhentian sementara, dan pemberhentian secara hormat atau pemberhentian tidak hormat kepada hakim konstitusi yang melakukan pelanggaran berat kode etik. Sedangkan Dewan Etik MK berwenang memeriksa laporan dugaan pelanggaran kode etik yang dilakukan oleh hakim konstitusi dan penjatuhan sanksi ringan berupa teguran lisan kepada hakim konstitusi yang melakukan pelanggaran ringan terhadap kode etik.

Kata kunci : Kode Etik Hakim Konstitusi,
Majelis Kehormatan Mahkamah Konstitusi,
Dewan Etik Mahkamah Konstitusi

Abstract

This research is motivated by the establishment of the Honorary Council and the Board of Ethics of the Constitutional Court to carry out supervision and enforcement of the code of conduct of judges constitution as a tool for development, the formation of character and behavior of judges. This thesis discusses the significance of the Constitutional Court of the Code for the implementation of tasks and relationships Constitutional Justice and law enforcement efforts by the Code of Constitutional Justice Honorary Council and the Board of Ethics Court. The method used in this study is normative, ie by reviewing library materials (literature study). The data used in this research is secondary data, which includes material hukumprimer, secondary and tertiary legal materials. This study concluded that the Code of Conduct contains seven principles of the Constitutional Court which must be implemented by the Constitutional Court to give guarantees for the improvement of morality and the Constitutional Court's functional independence in performing independent judicial power and in the association community. In the enforcement of the Code the Constitutional Court, the Honorary Council of the Constitutional Court is authorized to investigate reports of alleged violations of the code of conduct of the board of ethics committed by constitutional judges and provide for sanctions in the form of a written warning, suspension, and dismissal seecara respect or dishonorable discharge to the constitutional judge who commits an offense severe code of conduct. While the Board of Ethics MK authorities to investigate reports of alleged code violations committed by judges of the constitution and imposing mild sanctions in the form of an oral reprimand to the judge constitution commit minor violations of the code of conduct.

Kata kunci : Code of Constitutional Justice,
Honorary Council of the Constitutional Court,
Ethics Board Mahkamah Constitutional Court