

Enhancing Legal Certainty through Legal Reform in Indonesia: Problems and Efforts to Strengthen Legal Institutions

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Abstract

Legal certainty is a fundamental aspect of the rule of law in Indonesia, as mandated in the 1945 Constitution. However, legal uncertainty persists due to the weakness of legal institutions, which undermines public trust, social stability, and economic growth. This study explores the challenges faced by key legal institutions—police, prosecutor’s office, and judiciary—and their impact on legal certainty. The research employs a normative legal method with a conceptual approach, analyzing secondary legal sources to assess the effectiveness of legal enforcement mechanisms. Findings indicate that corruption, inadequate infrastructure, limited human resource capacity, and inefficient judicial processes hinder the ability of these institutions to uphold justice. To address these issues, comprehensive legal reforms are essential, focusing on enhancing institutional capacity, enforcing transparency and accountability, integrating technology, and fostering public participation. Strengthening oversight mechanisms and implementing ethical standards for law enforcement officials are also crucial. By adopting these measures, Indonesia can build a more transparent, effective, and just legal system that upholds the rule of law and restores public confidence.

Keywords: Legal certainty, legal reform, legal institutions, rule of law.



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Introduction

As a democratic nation, Indonesia upholds the principle of the rule of law, as mandated in the Preamble of the 1945 Constitution.¹ This principle asserts that every individual, including the government, must comply with the applicable legal system. However, in practice, achieving legal certainty remains a serious challenge. Legal uncertainty often arises due to the weakness of legal institutions that should play a role in enforcing regulations fairly and transparently. This situation has broad implications for social stability, the investment climate, and human rights protection, necessitating a more effective and sustainable legal system reform.

The weakness of legal institutions in Indonesia is one of the primary causes of legal uncertainty.² These institutions include law enforcement agencies such as the police, the prosecutor's office, the judiciary, and other judicial bodies. The quality and effectiveness of these institutions are crucial in ensuring successful law enforcement. For instance, the police, as the frontline of the criminal justice system,³ frequently face various challenges, including internal corruption, inadequate infrastructure, and limited training for human resources. Cases involving police officers, such as the scandal involving Ferdy Sambo in a premeditated murder case, have further reinforced public perception of the lack of integrity within law enforcement agencies.⁴ The inability of the police to carry out their duties professionally and transparently contributes to the public's low trust in Indonesia's legal system.

In addition to the police, the prosecutor's office, which is responsible for prosecution, faces similar challenges. Several cases have highlighted corrupt practices within the institution, such as the case of Subri, Head of the Praya District Attorney's Office, who was arrested by the Corruption Eradication Commission (KPK) for bribery related to land certificate forgery.⁵ Another case involved Devyanti Rochaeni, a prosecutor from the West Java High Prosecutor's Office, who was caught red-handed receiving bribes.⁶ This phenomenon indicates that reform within the prosecutor's office is not only necessary in terms of regulations but also in enhancing oversight and accountability to ensure that prosecution processes are conducted professionally and with integrity.

On the other hand, the judiciary, as a fundamental pillar of the legal system, faces challenges such as lengthy court proceedings, high litigation costs, and the presence of collusion and corruption at various judicial levels. Additionally, alternative dispute resolution mechanisms such as arbitration and mediation have not been optimally utilized. As a result, many citizens seek legal certainty outside the formal judicial system, further exacerbating legal uncertainty. In

¹ Ilham Ilham et al., "PPAT's Obligation in Providing Free Services to Indigent People," *Jurnal Akta* 11, no. 2 (June 7, 2024): 471, <https://doi.org/10.30659/akta.v11i2.37247>.

² Rai Mantili, Hazar Kusmayanti, and Anita Afriana, "Problematika Penegakan Hukum Persaingan Usaha Di Indonesia Dalam Rangka Menciptakan Kepastian Hukum," *PADJADJARAN Jurnal Ilmu Hukum (Journal of Law)* 3, no. 1 (2016): 116–32, <https://doi.org/10.22304/pjih.v3n1.a7>.

³ Jan Terpstra and Jelle Kort, "Police Officers' Trust in Criminal Justice," *International Journal of Law, Crime and Justice* 47 (December 2016): 12–20, <https://doi.org/10.1016/j.ijlcj.2016.05.001>.

⁴ Inri Inggrit Indrayani, "Retorika Dan Power Relations: Strategi Restorasi Citra Kepolisian Republik Indonesia Pada Kasus Ferdy Sambo," *Jurnal Komunikatif* 11, no. 2 (December 2022): 165–78, <https://doi.org/10.33508/jk.v11i2.4270>.

⁵ Suharyo Suharyo, "Peranan Kejaksaan Republik Indonesia Dalam Pemberantasan Korupsi Di Negara Demokrasi (Role of The Attorney General of Indonesia in Eradicating Corruption in State Democracy)," *Jurnal Penelitian Hukum De Jure* 16, no. 1 (August 26, 2016): 15, <https://doi.org/10.30641/dejure.2016.V16.15-25>.

⁶ Deny Tri Ardianto et al., "Dadi Jeksa; Adaptation of Serat Jayengbaya to Dance Film," *Mudra Jurnal Seni Budaya* 37, no. 4 (October 24, 2022): 395–403, <https://doi.org/10.31091/mudra.v37i4.2113>.

the context of human rights protection, there are still numerous cases of violations that are not addressed with firm legal action. Therefore, strengthening legal institutions must include improving the effectiveness of oversight mechanisms for judicial institutions to ensure that justice is accessible to all societal groups.

Strengthening legal institutions is a crucial agenda in realizing legal certainty in Indonesia. Legal system reform must be carried out comprehensively, focusing on enhancing the capacity of law enforcement agencies, strengthening regulations, and enforcing principles of transparency and accountability. The government must also allocate sufficient resources to support the sustainability of these reforms, including funding, law enforcement training, and the integration of technology in the judicial system. Additionally, collaboration between the government, civil society, and international institutions must be strengthened to create a more effective legal ecosystem. This study will comprehensively examine strategies for strengthening legal institutions to achieve legal certainty in Indonesia, thereby contributing to the establishment of a more just, transparent, and trustworthy legal system.

METHOD

This study employs a normative legal research method with a conceptual approach to analyze the strengthening of legal institutions in ensuring legal certainty in Indonesia. The data used in this research are secondary sources, including book, journals, legal literature, and relevant official documents. Data collection is conducted through a library search, which involves searching for and studying literature from various primary and secondary legal sources. The collected data are analyzed qualitatively using a descriptive-analytical method by systematically examining legal norms and theories to understand how strengthening legal institutions contributes to legal certainty.

RESULT AND DISCUSSION

The Role and Function of Legal Institutions in Indonesia

The Role of the Police in Law Enforcement and Maintaining Public Security and Order

The role of the police in enforcing the law⁷ and maintaining public security and order is crucial for ensuring stability and justice in a country.⁸ This is stipulated in Law of the Republic of Indonesia Number 2 of 2002 on the Indonesian National Police, Article 13, which states that the primary duties of the police are: a. maintaining public security and order; b. enforcing the law; and c. providing protection, guidance, and services to the public.

This article signifies that the police have the primary responsibility for law enforcement within their jurisdiction. They act as government policy enforcers and carry out duties to prevent and address various legal violations, including criminal activities such as theft, robbery, violence, and others. Effective law enforcement helps create a safe environment and provides a sense of justice for all citizens.

⁷ Ahmed-Nor Mohamed Abdi and Mohamed Bile Hashi, "Impact of Police Effectiveness on Public Trust and Public Cooperation with the Somalia Police Service: Exploring the Mediating Role of Citizen Satisfaction," *Cogent Social Sciences* 10, no. 1 (December 31, 2024), <https://doi.org/10.1080/23311886.2024.2327137>.

⁸ Musmuliadin Musmuliadin, Erlyn Indarti, and Nur Rochaeti, "Revolutionizing Justice: Law Enforcement Through The Lens Of Progressive Law," *Indonesia Law Review* 14, no. 3 (December 1, 2024): 57–75.

Beyond handling criminal cases, the police also play a preventive role in crime prevention.⁹ They conduct patrols, organize public outreach activities, and engage with the community to identify potential crime risks and prevent incidents before they occur.¹⁰ With proactive police presence, crime rates can be reduced, and the public can feel safer and more protected.¹¹ The police are also entrusted with handling emergency situations, including natural disasters, riots, or other security incidents. They are responsible for coordinating crisis response efforts, providing assistance and guidance to the public, and ensuring safety and order during emergencies.

In performing their duties, the police also have an obligation to protect citizens' human rights. They must act in accordance with professional ethics, respect individual rights, and refrain from any abuse of power or human rights violations. The police work in collaboration with other legal institutions, such as the prosecution office, courts, and other agencies, to ensure the smooth functioning of the law enforcement process. They serve as providers of evidence and witnesses in judicial cases, supporting the overall legal proceedings.¹²

The police also play a crucial role in fostering good relationships with the community.¹³ They must listen to citizens' concerns and feedback, as well as strive to understand public needs and worries. Police transparency and engagement with society help build trust and cooperation, which are essential for maintaining security and order.

The role of the police in law enforcement and maintaining public security and order is essential in creating a safe, just, and equitable environment for all citizens.¹⁴ Collaboration with other legal institutions and active community involvement are key to successfully fulfilling this responsibility.

⁹ Rachmad Hariyanto and Bayu Suseno, "The Role of the Police in Handling Conflicts Between Residents in Jakarta: The Perspective of Community Policing Theory and Semelser's Theory," *Multidiscience : Journal of Multidisciplinary Science* 2, no. 1 (January 19, 2025): 216–26, <https://doi.org/10.59631/multidiscience.v2i1.326>; Riyadi Saputra Wibowo, Waluyo Waluyo, and Sapto Hermawan, "The Investment Supervision Implementation and One-Stop Integrated Services Office on the Implementation of Advertising in Public Spaces Based on the Regulation of the Head of Bekasi Region," *Strata Law Review* 2, no. 2 (September 30, 2024): 94–105, <https://doi.org/10.59631/slr.v2i2.205>.

¹⁰ Ferdin Okta Wardana and Zaid Zaid, "Peran Kepolisian Dalam Menangani Kasus Tradisi Penerbangan Balon Udara Di Ponorogo," *Legalitas: Jurnal Hukum* 13, no. 1 (July 3, 2021): 10–14, <https://doi.org/10.33087/LEGALITAS.V13i1.240>.

¹¹ Sukenda Sukenda, "Analisis Hukum Perjudian Togel Di Wilayah Hukum Polres Indramayu: Perspektif Hukum Positif," *Strata Law Review* 2, no. 1 (April 19, 2024): 77–86, <https://doi.org/10.59631/slr.v2i1.184>.

¹² Muhammad Arif, "Tugas Dan Fungsi Kepolisian Dalam Perannya Sebagai Penegak Hukum Menurut Undang-Undang Nomor 2 Tahun 2002 Tentang Kepolisian," *Al-Adl : Jurnal Hukum* 13, no. 1 (January 31, 2021): 91, <https://doi.org/10.31602/al-adl.v13i1.4165>.

¹³ Roberta Signori et al., "Relational Continuity in Community Policing: Insights from a Human-Centred Design Perspective," *Policing: A Journal of Policy and Practice* 17 (January 1, 2023), <https://doi.org/10.1093/police/paad038>.

¹⁴ Anthon Sattu Pabesak, Yoseph Pasolang, and Apriliani Kusuma Jaya, "Optimization The Role And Function Of The Community Police In Maintaining Community Security And Orderliness In Sidomukti Village," *International Journal of Business, Law, and Education* 4, no. 2 (August 14, 2023): 636–45, <https://doi.org/10.56442/ijble.v4i2.221>.

The Role of the Prosecutor's Office in Prosecution and Legal Protection for Society

The role of the prosecutor's office in prosecution and legal protection for society is crucial in a country's judicial system.¹⁵ The primary function of the prosecutor's office is to serve as the institution responsible for prosecuting criminal offenders in court. This aligns with Law No. 16 of 2004, which replaced Law No. 5 of 1991 concerning the Prosecutor's Office of the Republic of Indonesia. As one of the law enforcement institutions, the prosecutor's office is required to play a more significant role in upholding the rule of law, protecting public interests, enforcing human rights, and combating corruption. After the police conduct investigations and gather evidence related to a case, the prosecutor's office reviews the case files to determine whether to proceed with prosecution in court. The prosecution process must be based on sufficient and legally valid evidence. A fair and professional prosecution is essential in achieving justice within the judicial system.¹⁶

Beyond prosecution, the prosecutor's office also plays a role in providing legal protection for society. It offers legal advice to the public on various legal issues, including citizens' rights, contracts, and agreements. Additionally, it provides legal assistance to economically disadvantaged individuals to ensure access to justice. In court proceedings, prosecutors act as the state's representatives, presenting evidence to prove criminal charges. They are responsible for upholding truth and justice while ensuring that the rights of both defendants and victims are respected. Furthermore, the prosecutor's office can engage in mediation and alternative dispute resolution processes, facilitating peaceful settlements between disputing parties without going to court. Mediation is particularly useful in achieving fair solutions for all involved parties.¹⁷ By fulfilling its role professionally, independently, and with integrity, the prosecutor's office serves as a fundamental pillar in the judicial system, contributing to justice, security, and social order.

The Role of the Judiciary as a Judicial Institution for Fair and Efficient Dispute Resolution

The judiciary plays a crucial role in a country's judicial system by ensuring fair and efficient dispute resolution. Its primary function is to provide a neutral and independent forum for settling disputes between parties.¹⁸ The judiciary operates as an impartial body that adjudicates cases in accordance with the law. This role is in line with Article 24(2) of the 1945 Constitution of Indonesia, which states that judicial authority is exercised by the Supreme Court and lower courts in the general judiciary, religious courts, military courts, administrative courts, and the Constitutional Court. Judges are responsible for carefully considering arguments and evidence

¹⁵ Herwansah Herwansah, "The Existence of the Prosecutor's Office in Implementing the Principle of a Single Prosecution System," *Ratio Legis Journal* 3, no. 1 (May 1, 2024): 1019–27, <https://doi.org/10.30659/RLJ.3.1.771-780>.

¹⁶ Bart Custers, "A Fair Trial in Complex Technology Cases: Why Courts and Judges Need a Basic Understanding of Complex Technologies," *Computer Law & Security Review* 52 (April 2024): 105935, <https://doi.org/10.1016/j.clsr.2024.105935>.

¹⁷ Safrudin Safrudin, "Peaceful Way Before Separation: Examining the Effectiveness and Procedures of Mediation in Resolving Divorce Disputes in Religious Courts," *Strata Social and Humanities Studies* 2, no. 2 (October 31, 2024): 149–57, <https://doi.org/10.59631/sshs.v2i2.261>; Hariyanto and Suseno, "The Role of the Police in Handling Conflicts Between Residents in Jakarta: The Perspective of Community Policing Theory and Semelser's Theory."

¹⁸ Indriati Amarini, "Penyelesaian Sengketa Yang Efektif Dan Efisien Melalui Optimalisasi Mediasi Di Pengadilan," *Kosmik Hukum* 16, no. 2 (November 3, 2017), <https://doi.org/10.30595/KOSMIKHUKUM.V16I2.1954>.

presented by both parties and applying the law fairly and justly. Throughout the judicial process, judges must ensure that all parties have equal opportunities to present their cases.

The judiciary also plays a vital role in protecting human rights. In resolving disputes, judges must safeguard constitutional and fundamental human rights, ensuring that legal decisions do not infringe upon individual freedoms. The judiciary serves as a safeguard to prevent legal rulings that violate human rights and upholds justice in accordance with humanitarian values. Additionally, courts help maintain social order by providing legal certainty and enforcing sanctions against lawbreakers.¹⁹ Through judicial proceedings, the judiciary sends a clear message about the consequences of unlawful actions, thereby serving as an effective deterrent to crime and social misconduct. Another critical function of the judiciary is ensuring legal continuity in a country. Courts establish legal precedents through their rulings, which serve as references for future cases, fostering consistency and stability in legal enforcement.

Efficiency in dispute resolution is another key responsibility of the judiciary.²⁰ Courts must strive to resolve cases promptly without compromising the quality of legal decisions. Efficient court proceedings enhance legal certainty and justice for disputing parties. By maintaining its role as a neutral, fair, and efficient institution, the judiciary contributes to upholding the rule of law and fostering a reliable legal environment for society. Timely and just court decisions not only create legal certainty but also support economic development, investment, and the formation of a fair and civilized society.

Challenges in Achieving Legal Certainty in Indonesia

Corruption and Illegal Practices Among Law Enforcement Officers That Hinder Fair Law Enforcement

Corruption and illegal practices among law enforcement officers in Indonesia hinder the enforcement of fair law. Several notable cases illustrate how corruption and illegal practices among law enforcement officials obstruct the realization of legal certainty in Indonesia, including:

Table 1. *Major Corruption and Illegal Practices Cases in Indonesia*

No.	Case Name		Description	State Losses	Source
1	Bank Liquidity (BLBI) Case	Indonesia Assistance Corruption	A corruption scandal involving the misuse of Bank Indonesia's loan program for troubled banks during the 1998 monetary crisis. Some banks received Clearance Certificates (<i>Surat Keterangan Lunas</i> or SKL) before fully repaying their obligations.	Trillions of rupiah	Utama (2019)

¹⁹ Amarini.

²⁰ Hendri Jayadi et al., "Analysis of The Efficiency of Mediation Methods in Handling Conflicts," *Journal of Law and Sustainable Development* 12, no. 1 (January 30, 2024): e3101, <https://doi.org/10.55908/sdgs.v12i1.3101>.

2	Electronic ID Card (e-KTP) Corruption Case	A major corruption case involving high-ranking officials, including DPR members and the Minister of Home Affairs, in the mismanagement of the e-KTP project.	IDR 2.3 trillion	Charolina (2017)
3	Indonesian Football Match-Fixing Bribery Case	A case of bribery involving referees and PSSI officials, exposing illegal practices within sports governance.	Not specified	Putra (2022)
4	Medical Equipment Procurement Bribery Case	A corruption case involving high-ranking officials, including the former Governor of Banten, in the procurement of medical equipment at the Ministry of Health.	IDR 193 billion	Christiawan (2016)

These four cases on Table 1 above highlight the weakness of legal certainty in Indonesia, which stems from the fragility of its legal institutions. As a result, public trust in law enforcement agencies and the judicial system has declined, potentially leading to non-compliance with the law, increased crime rates, and threats to social stability.

Limitations of Human Resources, Facilities, and Infrastructure for Legal Institutions

The limitations of human resources, facilities, and infrastructure are common challenges faced by legal institutions in many countries, including Indonesia. Legal institutions such as the police, prosecutors, and courts often struggle to recruit and retain highly qualified professionals. A shortage of judges, prosecutors, and other legal officers can lead to case backlogs, slow judicial processes, and ineffective oversight of legal violations.

Budget constraints are a major issue affecting legal institutions. A lack of financial resources hinders efforts to upgrade technology,²¹ train personnel, and improve infrastructure. As a result, legal institutions may face difficulties in enhancing efficiency and effectiveness in law enforcement. Many legal institutions, particularly those in rural or remote areas, struggle with inadequate physical infrastructure, such as deteriorating courthouses, a lack of secure and sanitary detention facilities, and outdated technology. These limitations can hinder judicial processes and undermine public trust in the justice system.

Legal institutions frequently experience an increasing workload due to population growth and the rising number of legal cases that need to be addressed. This can lead to case accumulation, delays in judicial proceedings, and ineffective monitoring of legal violations. Additionally, limited public access to legal education can impact the quality of law enforcement. People who

²¹ RPIR Prasanna et al., “Sustainability of SMEs in the Competition: A Systemic Review on Technological Challenges and SME Performance,” *Journal of Open Innovation: Technology, Market, and Complexity* 5, no. 4 (December 2019): 100, <https://doi.org/10.3390/joitmc5040100>.

lack an understanding of their legal rights may struggle to protect themselves or comprehend ongoing judicial processes.

The slow judicial process and High Litigation Costs Make It Difficult for The Public to Access Justice

The slow judicial process and high litigation costs are indeed serious issues that can hinder public access to justice. Several factors contribute to these challenges, including:

Table 2. *Factors Contributing to the Slow Judicial Process and High Litigation Costs*

No	Factor	Description
1	High Workload	Many courts experience an excessive workload due to the rising number of cases each year, leading to case backlogs and judicial delays.
2	Lack of Human Resources and Infrastructure	Limited judges, prosecutors, court staff, and inadequate infrastructure contribute to delays in judicial proceedings.
3	Case Complexity and Procedural Formalities	Some cases, such as corruption and business law disputes, require extended time and higher costs due to their complexity and bureaucratic legal procedures.
4	Delaying Tactics and Additional Legal Remedies	Parties involved may use delaying strategies, such as requesting extensions or repeatedly filing appeals, which prolong litigation and increase costs.
5	High Litigation Costs	Expensive legal fees, including attorney fees, filing fees, and expert witness costs, make legal access difficult, especially for financially disadvantaged individuals.

Table 2 highlights the primary factors that contribute to the slow judicial process and high litigation costs, which in turn hinder access to justice. These issues arise due to excessive court workloads, inadequate resources, complex legal procedures, deliberate delaying tactics, and high litigation expenses. Addressing these challenges requires comprehensive judicial reforms, including improving efficiency, increasing resources, and ensuring accessibility to legal processes for all individuals.

Legal Reform and Efforts to Strengthen Legal Institutions

Government Initiatives and Efforts in Legal Reform to Enhance Legal Certainty

The Indonesian government is obliged to undertake various initiatives and efforts to carry out legal reforms aimed at enhancing legal certainty within the country. According to the researcher's perspective, the following measures should be implemented:

Table 3. *Key Measures in Legal Reform to Strengthen Legal Institutions*

No	Key Measures	Description
1	Legislation Drafting and Revision	Drafting and revising laws to address emerging legal issues and rectify weaknesses in existing legislation through in-depth studies and stakeholder consultations.

2	Establishment of Special Commissions and Institutions	Forming specialized bodies such as anti-corruption agencies or human rights institutions to evaluate and recommend legal reforms.
3	Capacity Building for Law Enforcement Officials	Providing better training and education for judges, prosecutors, and court officers to improve their competence and fairness in law enforcement.
4	Implementation of Technology in the Judicial System	Utilizing information technology and digitalization to enhance judicial processes, transparency, and accessibility to legal information.
5	Encouraging Public Participation	Promoting active involvement from society through public consultations, discussion forums, and participatory mechanisms in the legal reform process.
6	Enhancing Openness and Transparency	Increasing accessibility to legal information, such as court decisions, laws, and regulations, to foster public trust in the legal system.
7	Stricter Law Enforcement and Supervision	Ensuring the proper and fair implementation of laws, along with imposing sanctions on violators, to uphold legal certainty.

Table 3 outlines the key measures necessary for legal reform to strengthen legal institutions in Indonesia. These measures encompass legislative improvements, institutional strengthening, capacity building for legal professionals, technological integration, public participation, transparency enhancement, and stricter law enforcement. By implementing these initiatives, the government aims to create a robust legal system that ensures justice, reduces legal disparities, and fosters public confidence in the rule of law.

By implementing comprehensive legal reform initiatives and efforts, the government aims to enhance legal certainty, reduce legal disparities, and ensure access to justice for all citizens.²² A well-executed legal reform will contribute to social and economic stability and create a conducive legal environment for investment and economic growth.

Enhancing the Quality and Independence of Legal Institutions Through Improved Selection and Training

Enhancing the quality and independence of legal institutions through better selection and training is a crucial step in strengthening the judicial system and ensuring fair law enforcement. The following measures can be taken to achieve this goal:

²² Alina Pomaza-Ponomarenko et al., “Legal Reform and Change: Research on Legal Reform Processes and Their Impact on Society. Analysis of Factors That Facilitate or Hinder Legal Change, Including Political, Social, and Economic Factors,” *Journal of Law and Sustainable Development* 11, no. 10 (October 30, 2023): e1854, <https://doi.org/10.55908/sdgs.v11i10.1854>.

Table 4. *Key Measures to Enhance the Quality and Independence of Legal Institutions*

No.	Measures	Description
1	Transparent and Merit-Based Selection	Ensuring that the selection process for judges, prosecutors, and legal personnel is conducted transparently and based on objective qualifications and competencies.
2	Continuous Professional Training	Providing ongoing training in legal knowledge, case management, ethics, and communication skills to enhance law enforcement standards.
3	Encouraging Ethical Codes and Professional Standards	Enforcing strict ethical codes and professional standards to maintain integrity and independence within legal institutions.
4	Financial Independence	Allocating sufficient financial resources directly from the government to prevent external influence on legal institutions.
5	Supervision and Accountability	Implementing independent oversight mechanisms and performance evaluation systems to ensure fairness and transparency.
6	Strengthening Complaint Handling Mechanisms	Establishing transparent and effective mechanisms for handling public complaints regarding legal institution services.

Table 4 outlines six essential measures to enhance the quality and independence of legal institutions. These measures aim to improve the selection process, ensure continuous professional training, uphold ethical standards, secure financial independence, enhance accountability, and establish effective complaint-handling mechanisms. By implementing these strategies, legal institutions can function more effectively, ensuring fairness and public trust in the legal system.

By implementing a robust selection process and providing adequate professional training, legal institutions will have high-quality human resources capable of working independently to uphold justice for all. Improving the quality and independence of legal institutions will foster public trust that law enforcement is carried out fairly and equitably.

The Use of Technology and Digitalization in Judicial Processes to Enhance Legal Efficiency and Accessibility

The use of technology and digitalization in judicial processes holds significant potential for improving legal efficiency and accessibility for the public.²³ The following are some of the benefits of integrating technology and digitalization into the judicial system:

²³ Muhamad Latif and Ar-Rahim Innash, "Digital Transformation In The Justice System: Enhancing Efficiency And Accessibility Of Legal Services," *JIL : Journal of Indonesian Law* 5, no. 2 (December 15, 2024): 179–98, <https://doi.org/10.18326/JIL.V5I2.3468>.

Table 5. *Benefits of Technology and Digitalization in Judicial Processes*

No	Benefit	Description
1	Acceleration of Judicial Processes	Technology speeds up judicial procedures through electronic courts, enabling online submission of lawsuits, hearing scheduling, and digital document delivery, reducing time and administrative costs.
2	Improved Accessibility for the Public	Digitalization allows people, especially those in remote areas, to access legal information, court rulings, and other judicial services online without needing to be physically present in court.
3	Efficient Data Storage and Management	Courts can utilize secure and centralized database systems for storing and managing legal documents, ensuring easier access and processing for legal professionals and the public.
4	Cost Savings	The use of technology reduces administrative and document management costs, while teleconferencing minimizes travel expenses for parties and witnesses in distant locations.
5	Enhanced Transparency and Accountability	Digital documentation and public accessibility to legal information improve judicial transparency and strengthen institutional accountability in law enforcement.

The integration of technology and digitalization into judicial processes, as shown in Table 5, significantly enhances the efficiency, accessibility, and transparency of legal proceedings. By accelerating case processing, improving data management, reducing costs, and ensuring greater public access to legal information, digitalization contributes to a more effective and accountable judicial system. However, the successful implementation of these advancements requires careful consideration of data security, privacy protection, and equitable access to technology across all regions.

The implementation of technology and digitalization in judicial processes must be carried out carefully, considering data security and privacy concerns. Additionally, the government must ensure equitable access to technology and the internet across all regions, including remote areas, so that the benefits of legal digitalization can be fully realized by all members of society.

CONCLUSION

The findings of this study highlight the crucial role of legal institutions in ensuring legal certainty in Indonesia. The police, the prosecutor's office, and the judiciary each have specific responsibilities in upholding justice and maintaining public order. However, challenges such as corruption, resource limitations, slow judicial processes, and high litigation costs hinder the effectiveness of legal enforcement. The weakness of legal certainty in Indonesia is primarily caused by the fragility of its legal institutions, which leads to a decline in public trust. To address these issues, strengthening legal institutions through comprehensive reforms is essential. Efforts such as legislative improvements, institutional capacity building, integration of technology in the

judicial system, and public participation are necessary steps to enhance legal certainty and ensure equal access to justice.

To strengthen legal institutions and improve legal certainty, it is recommended that the Indonesian government implement transparent and merit-based selection processes for law enforcement officers, provide continuous professional training, and enforce strict ethical codes. Furthermore, financial independence, enhanced supervision, and the establishment of efficient complaint-handling mechanisms should be prioritized to ensure the integrity and independence of legal institutions. By adopting these measures, Indonesia can build a more reliable, transparent, and effective legal system that fosters justice, security, and public trust in the rule of law.

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