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Jurnal Ilmu Pemerintahan

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Technological interventions: a pathway to combatting judicial corruption

Amalia Syauket¹, Dwi Seno Wijanarko², Tyastuti Sri Lestari³, Ismaniah^{4*)}

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Abstract

This study aims to find out whether corruption in the court can be prevented with Information Technology (IT). This research uses a qualitative descriptive approach where the main data source can be processed from relevant and current literature material with the theme of this article as secondary data. Information technology is the most influential factor in changing the world today. The administration of justice is an activity that includes the provision of information, communication, and production of new information. There is no denying that information technology will affect the way justice administration works. Corruption that often occurs in courts (judicial commissions) is in the form of petty corruption, namely administrative or bureaucratic corruption with a power approach, namely the exclusive power of decision makers. The results showed that optimal use of IT can support efforts to eradicate corruption in the court by using E-Court, paperless court, E-Filing, E-Skum, E-Payment, E-Summons applications. These various applications can prevent judicial corruption due to the application of transparency principles, efficiency principles such as cost savings, reduction of illegal levies, ease of information transfer, reduction of case broker practices, reduction of opportunities for corruption due to potential conflicts of interest and face. -face-to-face, reducing gratification and bribery which are the main requirements of smart governance so that efforts to eradicate judicial corruption can be effective.

Keywords: administrative corruption, judicial corruption mode, IT utilization, smart governance

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Introduction

For Indonesians, corruption is considered one of the main enemies, but the hope of the people to eradicate it is not easy. Often, pejorative terms appear that show skepticism towards the issue of corruption prevention and eradication, among others reflected in several statements: "Indonesia is classified as a country with the most corruption, but there is no corruptor," "Legal theater stage" or the term "Go Forward, Don't Be Afraid Against Those Who Pay" when corruption cases are held (Rasul, 2012).

The implementation of information technology can significantly reduce corruption. This system has been implemented for all court registration applications for criminal, civil, and state administrative cases (Gultom et al, 2024). It has also been implemented in religious courts, public courts, and corruption courts. The existence of IT in seeking or minimizing the occurrence of judicial corruption reflects the parameters of modernity, indicating changes in the social system due to technological intervention. The implementation of information technology in Indonesia's judicial environment is a necessity (Sutrisno et al., 2020). So that its implementation can no longer be delayed.

Because it has been guided by the needs of stakeholders related to the trial process, including actors, lawyers, legal counsel, defendants, and families/communities (Robison & Hadiz, 2004).

Based on nonpartisan observations, it appears that with the implementation of e-court, there has been a change in work culture, which originally had to be face-to-face to bring files to court to digital, from originally carrying cash to paying trial fees to being cashless through the bank. Each actor must have an account to be able to access information on the trial schedule, time, and courtroom, as well as the names of judges and clerks, as well as the amount of trial costs (Suprihanto et al., 2023).

The challenges faced in implementing information technology in the court include mitigating its use and strengthening the anti-corruption character of all relevant stakeholders (Azhari, 2004). To achieve an independent judiciary free from interference and corruption. The next challenge in seeking to prevent judicial corruption is the use of IT in the context of reform in the judicial environment (Baktiar et al., 2020). There has been a change in the communication model between stakeholders as well as a change in work culture. Can reduce bribery, buying and selling cases, buying and selling articles (Solikhudin, 2017).

Information Technology (IT) and the administration of the justice system are two different worlds. It's as if technology and the justice administration system are in a different world. The main administrative court process is to handle filed or registered cases (Prabowo, 2013). The term judiciary gives meaning to the judicial branch of government, which includes all judicial bodies. The judiciary, part of a larger judicial system, is an important instrument in the fight against corruption. If corrupt practices in society in general are to be punished, they must be prosecuted, tried in court, and sanctioned. Therefore, the judiciary is inseparable in fighting corruption in society. In short, a well-functioning judiciary is the most important institution in the fight against corruption (Fadli & Iskandar, 2022).

Ironically, corruption can occur in the judiciary itself (judicial corruption), which will undermine the legal system and public trust in the judiciary. If public trust in the judiciary is low, obedience to the law will be impacted. The categorization of corruption that occurs in many courts is administrative or bureaucratic corruption, in the form of petty corruption such as bribery, illegal levies, or intermediary cases related to the implementation of laws, laws, and regulations, handling cases, and court decisions in general in a court (Simarmata, 2020).

Corruption in Indonesia has penetrated almost all sectors of national and state life (Ganie-Rochman & Achwan, 2016). Corrupt practices occur in three power sources: executive, legislative, and judicial. Corrupt behavior seems to be a trend for state officials today. With his authority, an official takes policies that contain elements of self-benefit. This opinion is confirmed by Sanusi (2009), who said that corruption and power are like two sides of a coin. Corruption always accompanies the journey of power, and vice versa; power is the entrance to acts of corruption (Sanusi, 2009; Zinn, 2013).

The state of the art of this research is eclectic, and government science in its work is supported by information technology and legal science with a focus on the corrupt practices of the judiciary that are so rife. Substantively and normatively, judicial corruption practices can be prevented by using information technology such as e-courts, which is a form of transparency and good governance. The previous research reviewed in this study was not specifically related to smart governance. So that the novelty of this research is on optimizing the risk mitigation system for e-court

management provided by the Supreme Court; for example, if you experience network connection problems (Aidi, 2020).

In general, an E court is an electronic justice system that serves as a service of justice administration. From the registration of the case to the summons and payment of the costs of the case (Syauket, 2021). So it is also called the term electronic trial because it is supported by information technology (Kusumaningtyas et al., 2017). Stakeholders of the E-court are lawyers or advocates as well as other users or non-advocates. In its implementation, the E court faces obstacles, including the high cost of building an e-court network, other problems related to personal data protection, and rejection from advocates or senior lawyers who do not understand the e-court as a solution to the problem (Indrawan & Widiyanto, 2017).

Judicial practice before using E court is still conventional, and petty corruption in the judiciary is possible (Falah & Suman, 2019). Because there is an opportunity to meet directly with an advocate/lawyer or legal representative who can be an entrance to the transactional occurrence (Rasul, 2012). Information technology, in addition to answering the challenges of the times, can also reduce interactions identified by corruption in judicial institutions or judicial corruption (Hardiansyah, 2016). In light of these identified challenges, the primary objective of this research is to delve into the effectiveness of implementing information technology (IT) as a means to combat corruption within the court system. Through thorough investigation and analysis, this study seeks to evaluate the extent to which IT tools and systems can serve as deterrents to corrupt practices, ultimately contributing to a more transparent and accountable judicial environment.

Research Methods

This research uses a descriptive qualitative approach where the (Kusumaningtyas et al., 2017) main data source is obtained and processed from library materials that are relevant and up to date with the theme of this article as secondary data. The study used includes eclectic government science for three reasons: first, more specifically on the principle of transparency as a major part of good governance because transparency will facilitate access to litigants through the use of IT towards smart governance; second, orderly administration of justice is a form of the effectiveness of government programs; Third, with legal knowledge related to the institutional aspects of justice and perpetrators of judicial corruption such as judges.

This study is used to illustrate the strong significance or relevance that IT can overcome and change conventional to modern methods of administration supported by IT in courts as one of the preventative efforts to overcome corruption in courts towards smart governance. With research statements: Can criminal acts of corruption in the courts be prevented by IT? As a form of response to the Supreme Court and the judicial institutions, below is a list of various issues of judicial corruption.

The author limits the research problem by not discussing court management because criminal justice works using its information chain with the police, prosecutors, lawyers, probation services, assistance agencies for witnesses and victims, and so on. This information chain has its own dynamics because the author is not experienced as a legal practitioner. Another reason for highlighting corruption articles is based on previous research work from authors with almost the same scope.

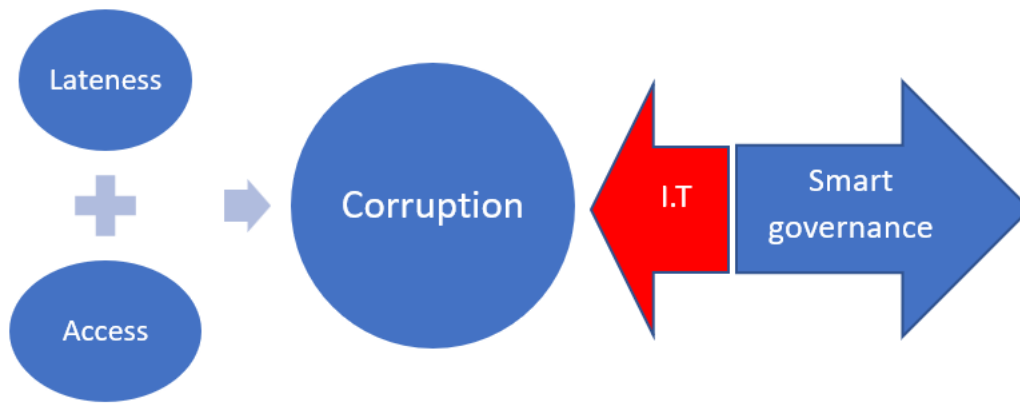


Figure 1. Major problems in the administration of the Court
Source: processed by author

There are three main problems in court administration, as in Figure 1 above, namely slow, protracted case resolution, no certainty of time, difficult access to legal information for justice seekers, and complicated procedures that can potentially give rise to rampant administrative corruption. In court, it involves judges, clerks, and staff. It is hoped that the role of IT will have relevance in reducing the causes of corruption because it adheres to transparent principles of good governance in the form of processes and access, impersonal ways of working while maintaining the principles of impartiality and independence of judges, which is a form of legal supremacy towards good and smart governance.

Results and Discussion

Judicial Corruption, Administrative Corruption in Court

Corruption is a term used with many meanings. However, these definitions cannot cover the entire reality of such a complex phenomenon as corruption. Andvig & Fjeldstad (2000) state that misuse of public facilities for private gain is the most common definition of corruption. At the same time, a complete understanding is a behavior that deviates from official manners that govern one's behavior when holding public office due to self-related motives such as wealth, power, or status. This is in line with the definition (Gloppen, 2014). Corruption is defined as abusing public office or trusted power for personal gain. When we talk about corruption in the judicial system (abbreviated as judicial corruption), the paradigmatic picture is of judges accepting bribes.

Corruption is a term that is used with many meanings. However, various definitions cannot cover the entire reality of a complex phenomenon such as corruption. Andvig and Fjeldstad (2000) stated that misuse of public facilities for personal gain is the most common definition of corruption. Meanwhile, a more complete definition is behavior that deviates from official etiquette that regulates a person's behavior when holding public office because of motives related to oneself, such as wealth, power, or status. This definition is in line with this definition (Gloppen, 2014). Corruption is commonly defined as misusing public office or trusted power for private gain. When we talk about judicial system corruption (judicial corruption for short), the paradigmatic image is judges taking bribes. Andvig & Fjeldstad (2000) further categorize corruption into two, namely: first, administrative or bureaucratic corruption, a form of petty bribery related to the implementation of laws, statutes, or other regulations; second, political corruption or corruption that is detrimental to the state (state capture), is high-level corruption in the law-making process, carried out by

companies that influence the formulation of laws or regulations through personal payments or other means to influence officials and politician.

When this categorization is applied to the justice system, it becomes, first, bureaucratic corruption in the form of influencing the implementation of laws and various other regulations, for example, in the handling of cases and judicial decisions in general; second, political corruption, high-level corruption, in the form of influencing judicial decisions in the form of election results, control of judicial bodies over executive bodies, high profile criminal cases or decisions that shape jurisprudence and influence appointments to judicial positions. The mode of corruption can be bribery, extortion, cronyism, nepotism, and patronage. Then, political corruption can be distinguished from bureaucratic corruption or petty corruption, where corruption is in state administration (Adelia, 2019).

The causes of corruption in the courts are carried out with a power and control approach to that power, which includes three factors: 1. exclusive power of decision-makers, 2. individual discretion over decision-makers, and 3. minimal accountability for abuse of power and discretion from Klitgaard (1998) So that when formulated, the relationship between these variables becomes:

$$\text{CORRUPTION} = \text{MONOPOLY} + \text{DISCRETION} - \text{ACCOUNTABILITY}$$

If applied to judges in court, the Klitgaard formula means that judges have a monopoly on legal dispute resolution, for example, when alternative legal remedies such as mediation or arbitration are not met. Judges have a monopoly on the power to impose sanctions on behalf of the state in resolving disputes. Judges have a monopoly in decision-making because there is no competition; second, they create broad discretion, such as exemption from inspection. Judges rarely have wide latitude. Statutory provisions limit the judge's authority. So decisions are often the subject of appeal or judicial review; and third, there is a lack of accountability in the form of not being clearly announced, closed trial processes, and unilateral resolution of legal disputes. When the litigation process is handled openly and transparently, and the decisions are published, the closed trial process is said to be an opening for judges to "play" in deciding cases. Hence, abuse of judicial power can be expected to be limited. Low accountability is because there is no control by the public, and the risk of being discovered or sanctioned for corrupt behavior is low. The purpose of accountability itself is the realization of justice between related parties (Rasul, 2012).

Corruption in the Courts can also be seen from an approach that focuses on motivation and incentives, according to Ackerman (1999) Corrupt behavior, according to this approach, is determined by the variables: 1. the level of benefits available, in the form of the amount of profit available, 2. the level of risk of an act of corruption, and 3. relative bargaining power between the briber and the bribed.

If these three variables are applied to judges in court, the causes of corruption are low salaries, poor working conditions, and scarcity of resources. These are real incentives for judges, clerks, and court staff to accept bribes to meet their needs. Because the only way to ensure a court decision that favors one of the parties is to bribe the judge. Judges, clerks, and staff may abuse their power when the risk of being caught is low or when getting caught requires minimal sanctions in the form of a warning, for example.

Another variable that influences the level of risk is organizational effectiveness. For example, when performance is not transparent, it will facilitate corrupt behavior because it reduces the risk of being discovered. The low risk of being discovered

indicates weaknesses in the institutional aspect. The level and form of institutional weakness are significant determinants of opportunities for corruption.

The existence of a monopoly, the level of authority, and the level of accountability influence the bargaining power of judges, clerks, and court staff. Bargaining power is relative to that of judges, clerks, staff, and plaintiffs who compete with each other, mainly determined by financial needs, resources, and competition. Influenced by the presence or absence of a monopoly, the size of the discretion and the level of accountability (Sanusi, 2009).

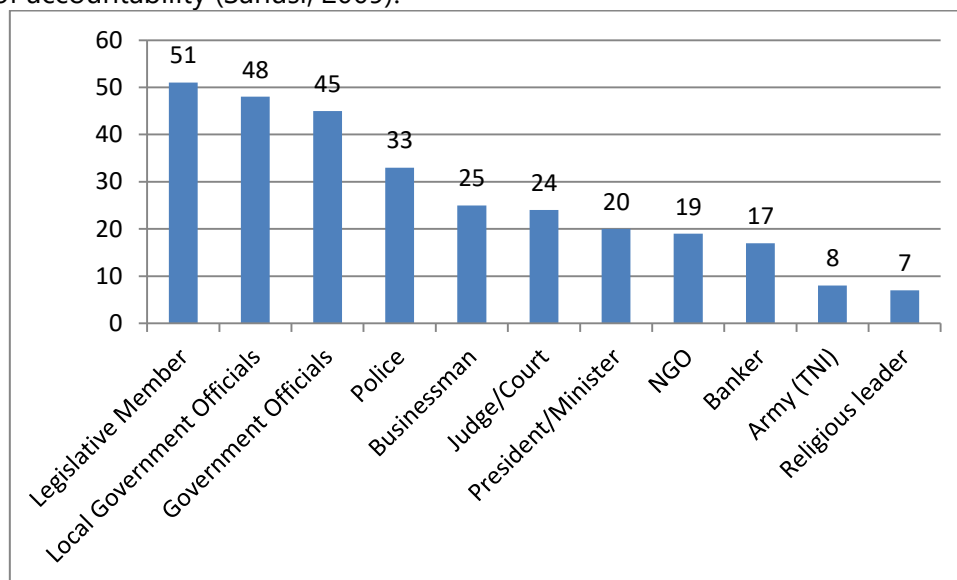


Figure 2. Empirical evidence of corruption in the courts
Source: International Transparency Report, 2020

Corruption in the judiciary is a common complaint in many countries. The problem of corruption is a disease that attacks many countries, including Indonesia. In 33 of the 62 countries surveyed by Transparency International in 2022, 24% of Indonesian respondents stated that their justice systems are corrupt. Judges/Courts are one of the most corrupt institutions in Indonesia. Although the percentage is declining in Indonesia, the infographic above shows that the judiciary is one of the most corrupt institutions. TII data for 2012-2018 shows that there are 30 judicial officers involved in corruption cases, consisting of judges and clerks. However, more and more non-judicial officers have been involved in the past five years. One example is the gratification case involving former Supreme Court Secretary Nurhadi.

Corruption in judicial institutions is a common complaint in many countries. The problem of corruption is a disease that attacks many countries, including Indonesia. In 33 of the 62 countries surveyed by Transparency International in 2022, 24% of Indonesian respondents stated that the judiciary was corrupt. Judges/Courts are one of the most corrupt institutions in Indonesia. Although the percentage is decreasing in Indonesia, the infographic above shows that the judiciary is one of the most corrupt institutions. TII data for 2012-2018 shows that there were 30 judicial officers involved in corruption cases, consisting of judges and clerks. However, more non-judicial officers have become involved in the last five years. One example is the gratification case involving the former Supreme Court secretary, Nurhadi.

Judicial Corruption Mode

Five modes often occur within the court. In the pre-trial stage, case brokers build good relationships with judges or court employees by providing gifts or facilities (Hardiansyah, 2016). The goal is to create a debt of gratitude when going to court; second, at the case registration stage, illegal fees are often found that are outside the provisions when registering the case and offering the use of certain lawyer services; third, case brokers often ask certain parties to organize a panel of judges when determining the panel of judges; fourth, meanwhile, in the trial process there are usually attempts to manipulate the trial by arranging witnesses, procuring evidence and even arranging the court's decision; fifth, the final mode, namely illegal levies requested by certain individuals to speed up or slow down the minutes of decisions.

Indonesia Corruption Watch (ICW), Gabrillin & Aziza (2019) Mapped patterns of corruption that occurred in the court sector, especially involving judges. The first pattern where corrupt practices often occur is when the applicant registers a case in court. At this time, corruption occurs in the form of requests for fees. This is intended so that one of the parties gets the case number early, and then the person in the court promises to arrange the case. The second pattern is at the stage before the trial. Corruption at this stage is to determine a panel of judges known to be able to regulate decisions. The third pattern occurs during the trial. This method is most often used by bribing the judges so that the decision is favorable to one of the parties.

Chairman of the Corruption Eradication Commission, Firlu Bahuri, added that three modes of corruption are often encountered in the justice system—first, bribery for cases; second, gratification to judges; third, blackmail. Bribery not only occurs among the authorities and other public officials, but this practice is also widespread and has become entrenched in the world of Indonesian justice. The police are a major component of this problem. The most dominant place where bribery occurs is in public office, especially in the realm of law enforcement. This shows that the Indonesian criminal justice system is still considered vulnerable to corrupt practices. Iskandar (2022) The method is bribing judges and advocates, and judges and advocates accept bribes. There are 20 judges caught in corruption, as reported by Gabrillin & Meiliana (2019):

Table 1. 20 judges caught in corruption

No.	Description
1	Kartini Marpaung, ad hoc judge at the Semarang Corruption Court. Kartini is suspected of receiving a bribe of IDR 150 million in connection with the alleged corruption case regarding maintenance costs for Grobogan Regency official cars involving the inactive chairman of the Grobogan Regency DPRD, M Yaeni. (2013)
2	Heru Kisbandono, ad hoc judge at the Pontianak Corruption Court. (2013) was sentenced to 6 years because he was proven to have bribed a Semarang corruption judge
3	Pragsono, judge at the Semarang Corruption Court
4	Asmadinata, ad hoc judge at the Palu Corruption Court. He was deemed to have committed a serious violation of the disgraceful act of accepting bribes.
5	Setyabudi Tejocahyono, Deputy Chair of the Bandung District Court. He is suspected of receiving a bribe of IDR 150 million in connection with the social assistance (bansos) bribery case in Bandung.
6	Ramlan Comel, ad hoc judge at the Bandung Corruption Court. Ramlan is suspected of being involved in bribery in handling social assistance corruption cases at the Bandung City Government.
7	Serefina Sinaga, judge of the West Java High Court. Involved in bribery in handling

	social assistance corruption cases in the Bandung City Government
8	Amir Fauzi, Medan PTUN judge. Accepting bribes from lawyer OC Kaligis in the PTUN case regarding Medan social assistance corruption in 2015
9	Dermawan Ginting, Medan PTUN judge. Accepting bribes from lawyer OC Kaligis in the PTUN case regarding Medan social assistance corruption in 2015
10	Tripeni Irianto Putro, Chair of PTUN Medan. Accepting bribes from lawyer OC Kaligis in the PTUN case regarding Medan social assistance corruption in 2015
11	Janner Purba, Chairman of the Kepahiang District Court. Involved in bribery related to the criminal act of corruption, misuse of honoraria from the board of trustees of M Yunus Regional Hospital in Bengkulu
12	Toton, Bengkulu City District Court judge. Involved in bribery related to the criminal act of corruption, misuse of honoraria from the board of trustees of M Yunus Regional Hospital in Bengkulu
13	Dewi Suryana, judge at the Bengkulu Corruption Court. Accepting a bribe of IDR 125 million to mitigate the verdict against Wilson as Acting Head of the Regional Financial and Asset Management Revenue Agency of the Bengkulu City Government
14	Sudiwardono, Chairman of the North Sulawesi High Court. Involved in bribery related to an appeal case with defendant Marlina Mona Siahaan as Regent of Bolaang Mongondow for the 2001-2006 and 2006-2015 periods
15	Merry Purba, ad hoc judge at the Medan Corruption Court. Allegedly received a total of 280,000 Singapore dollars related to the verdict for the defendant, Tamin Sukardi.
16	Wahyu Widya Nurfitri, judge at the Tangerang District Court. He was involved in bribery related to a civil breach of contract lawsuit.
17	Iswahyu Widodo, South Jakarta District Court judge. Suspected of accepting bribes related to handling civil cases
18	Irwan, South Jakarta District Court judge. Suspected of accepting bribes related to handling civil cases at the South Jakarta District Court
19	Lasito, Semarang District Court judge. Involved in a bribery case involving the Regent of Jepara
20	Kayat, Balikpapan District Court judge. Involved in bribery cases to influence decisions

Source: Kompas.com

Research by the Indonesian Judicial Monitoring Society (MaPPI) Dio Ashar Gabrillin & Meiliana (2019) It is said that the arrest of this judge shows that there are deep-rooted corrupt practices in the judicial institution. One of the reasons is weak supervision, which increases the potential for corruption in judicial institutions.

The bargaining power of judges, clerks, and court staff is influenced by the existence of a monopoly of exclusive decision-making power, the level of authority, and the level of accountability. Bargaining power is relative to that of judges, clerks, staff, and plaintiffs who compete with each other, mainly determined by financial needs, resources, and competition. Influenced by the presence or absence of a monopoly, the size of the discretion and the level of accountability (Sanusi, 2009).

Chairman of the TII Todung Management Board, Mulya Lubis, admitted that the finding that the Judiciary had the highest initiative in asking for bribes was an interesting thing. However, he did not believe someone could give in to one hand. It takes two to Tango. According to him, the practice of bribery occurs because some offer it, namely brokers and black lawyers. According to online legal sources, because requests usually come from both parties, if the case is thin, then most of the entrepreneurs are asking for it. Judges usually wait to be approached. The judge didn't

want to ask because he was waiting for the best offer. If the judge thinks the case is strong, the judge usually requests it via the clerk.

The only way to ensure a favorable or favorable court decision is to bribe the judge (Reiling, 2018). Judges accept bribes because of greed and mental inability to face temptation, not because of their small income. (Guritno & Asril, 2022). Another opinion states that it is suspected that many judges are caught in corruption due to low integrity, the process of recruiting judges is often problematic, and supervision of judges is not yet effective. Thus, it can be concluded that in Indonesia, corruption has become an open secret and has broad implications for people's lives. No area of life is contaminated by corruption, collusion, and nepotism, both on a small and large scale, from the central government down (Sofyanoor, 2022)

In line with the above, Gloppen (2014) States, "Bribes offered by users of the legal system may take many forms, including illegal 'fees' that court personnel levy to do what they should do anyway. Court users pay to get their case through the system, to influence the outcome of a given case, or to delay it. Bribes may be paid to the judge, or to assistant staff or lawyers to remove files or assign the case to a particular judge". Furthermore, Golup S, 2007 "Where petty corruption is prevalent it creates an additional barrier for ordinary citizens to access the justice system. For poor people, the sums involved may be prohibitive. Even where it does not directly affect case outcomes (and even more so when it does), bribery adds to the class bias of the justice system. It strengthens exclusionary patterns based on gender, race, ethnicity, caste, and so on. Widespread bribery also erodes trust in the courts and distorts their ability to perform their functions as impartial arbitrators of disputes, guarantors of contracts, and enforcers of the law. Bribery is not only a problem in formal judicial institutions but also commonly in alternative administrative and judicial institutions (variably termed informal, traditional, customary, community, or nonstate) that most people in the developing world turn to for lack of access to or trust in the formal justice system".

From the empirical evidence above, which is widespread in the judiciary, the majority of noble judges are caught in criminal acts falling into the category of petty corruption, the mode of which is bribery, such as in the case of judges Kartini Marpaung, Setyabudi Tejocahyono, accepting bribes of one hundred and fifty to two hundred million rupiah, illegal levies or case brokering or brokering - which is carried out by Judge Heru Kisbandono in connection with the implementation of laws, statutes or regulations, handling cases and judicial decisions in general on a daily basis. With limited impact because it only has binding force for interested parties through a judge's decision. Suppose we refer to Supreme Court Regulation number 1 of 2000. In that case, the number of bribes received by the judges is included in the category of light state financial losses because the nominal state losses are less than two hundred million rupiahs with the background of material benefits in the form of abuse of power to obtain material benefits good for himself/others.

Utilization of Information Technology as an effort to eradicate Judicial Corruption towards smart governance

Eradicating corruption has always been a major concern compared to other criminal acts in general. This is because corruption is an extraordinary crime, where the crime's method and the perpetrators' modus operandi use sophisticated and varied means such as technological tools (Marbun et al., 2020; Martini, 2019). Besides that, criminal acts of corruption are destructive to the state's finances and the country's economy, but it also hurts public trust (Isra et al., 2017). Corruption has a major

negative impact on a nation. Therefore, it must be eradicated comprehensively. Corruption must be eradicated through repressive/enforcement/penal and preventative/non-penal eradication efforts. Eradicating criminal acts of corruption does not merely focus on handling cases of criminal acts of corruption that have occurred but must be accompanied by efforts to prevent criminal acts of corruption from occurring (Nugroho, 2019).

Corruption is a calculated crime that uses thought, not a crime driven by emotions. For example, an official who is honest and able to refuse bribes, if the bribe offered is large in amount while the possibility of being caught is small and if caught, the sanctions imposed are very light. Many officials will be tempted to accept bribes. Therefore, overcoming corruption must be done through a system. Monopolies must be eroded and eliminated, the boundaries of authority must be clear, accountability must be increased, the possibility of being caught red-handed must be increased, and penalties for perpetrators of criminal acts of corruption must be toughened (Fatimah, 2009)

The advantages achieved in the information and communication technology field are something to be grateful for because these advances will make it easier to carry out tasks. Information and Communication Technology developed in government, or what is called e-government, makes it easier for people to access government policies. On the other hand, e-government can also support efficient government management (Simarmata, 2020).

Information and communication technology is developing very rapidly. The rapid development of information and communication technology will create, access, process, and utilize information precisely and accurately (Aprianto, 2021; Rerung & Sobon, 2021; Wiryany et al., 2022). With the development of technology, especially information and communication system technology, it is possible to make efforts to prevent criminal acts of corruption by utilizing the application of this technology. In other words, criminal acts of corruption can be prevented electronically. This includes preventing corruption through information technology-based criminal justice because it is easy for law enforcement agencies to recognize someone's attempts to abuse their authority to commit criminal acts of corruption.

Empirical evidence of the use of Information Technology as an effort to eradicate Judicial Corruption towards smart governance. The implementation of E-court, based on Supreme Court Regulation Number 3 of 2018, is a drastic change from the previous court service system, which was completely offline but now must be done online. Electronic courts or E-Courts are court systems in which participants and other stakeholders carry out some of the administrative and procedural aspects of court functions, such as presenting evidence, filing judicial records, or receiving testimony remotely.

The implementation of a paperless court system aims to reduce reliance on traditional paper documents during legal proceedings, promoting efficiency and accessibility to information. One prominent example of such a system is observed at The International Criminal Court in The Hague (Galang, 2022). E-filing, or online case registration, allows users to register and submit their cases electronically through the e-Court Application provided by the Supreme Court of the Republic of Indonesia. Upon registration, users receive an Estimated Payment Cost (e-SKUM) and a Payment Number (Virtual Account) for fee payment through various electronic channels. This process streamlines case handling and payment procedures, with collaboration between the Supreme Court and government banks to facilitate multi-channel

payments. Additionally, electronic summons (E-Summons) can be issued to relevant parties, enabling plaintiffs and defendants to participate in court proceedings electronically, subject to written consent and approval (PERMA RI, 2018). These advancements in technology not only enhance the efficiency of court operations but also contribute to a more accessible and transparent judicial system.

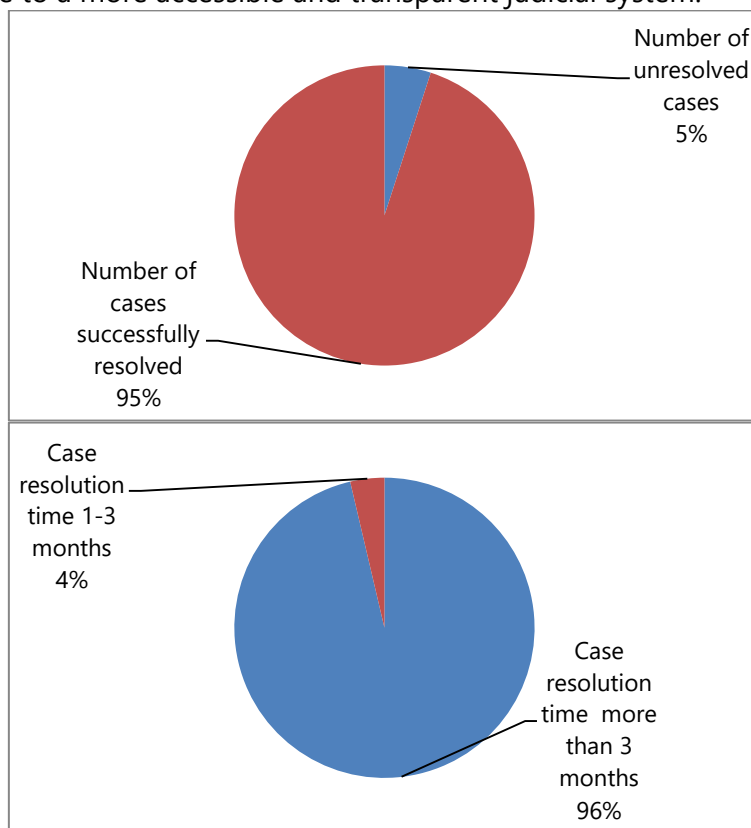


Figure 3. Case decisions at The Supreme Court via E-Court in Indonesia

Source : supreme court annual report

The use of information technology also speeds up the process of law enforcement of this case in court. In 2018, 17,638 ruling cases were successfully resolved by the Supreme Court. The Supreme Court's Annual Report states that during 2018, the number of cases submitted to the Supreme Court was 18,544 cases, consisting of 17,156 cases filed in 2018 and the rest in 2017 as many as 1,388 cases. In terms of case resolution time during 2018, as many as 96.33 percent of cases were successfully resolved on time. Throughout 2018, the Supreme Court decided that the processing time of cases within 1-3 months was 16,911 out of 17,638 cases (96.33%). Only 3.67% of cases are decided within 3 (three) months. This achievement exceeds the target of the Supreme Court itself, which set a target of 75% case processing time. Zil (2020) The use of E-Court cannot be separated from the categorization of the use of information technology in court.

The use of technology systems in court administration management is an excellent breakthrough in realizing efficient and hassle-free court administration, which has always been the case (Djamaludin et al., 2023; Rifqi, 2020; Susanto et al., 2020). Innovation in renewing the court administration management system to overcome constraints and obstacles in the process of administering justice and to ensure that justice is carried out quickly and at a low cost. The online system is a new breakthrough in the administration of justice. By utilizing sophisticated technology in the form of an internet network, you can create a system in the form of an application called E-Court. This makes it more practical for justice seekers to register their cases in court.

The publication of PERMA RI No.3 of 2018 It concerned the Electronic Administration of Cases in Court by the Supreme Court, which in this regulation is stated in article 2 PERMA RI No. 3 of 2018 concerning the administration of Cases in Court, namely as the legal basis for administering electronic case administration in court to support the realization of orderly case administration that is professional, transparent, accountable, effective, efficient and modern. With openness and guaranteed rights to obtain court information, justice seekers, the public, and the mass media can observe, monitor, and criticize the judicial process. Public control of the courts will not occur if openness and guarantees for obtaining information do not exist. Therefore, optimizing an electronic-based court service system that accommodates the openness of court information is key and a need that must be met. Thus, the dream of realizing a modern judiciary can be immediately implemented in Indonesia.

The rule of law can generally be understood as an effort to uphold and place the law in the highest position so that the law can protect all citizens without intervention by and from any party, including state officials. This means that the law must be recognized and accepted as a regulatory and controlling standard for the actions of every individual and group, including the government and security forces.

However, the reality is that the judiciary and law enforcement are some of the institutions most affected by corruption. Gloppen (2014) Stated "that corruption is commonly defined as the misuse of public office or trusted power for private gain. When we talk about judicial system corruption (judicial corruption for short), the paradigmatic image is that of judges taking bribes. However, judicial corruption is a lot more prevalent. It includes all forms of inappropriate influence that may damage the impartiality of justice and may involve any actor within the justice system, including lawyers and administrative support staff. The question of corruption is not only a matter of relations between judicial personnel and 'court users' (public and private parties in civil cases, prosecutors and accused in criminal cases); it is also about internal relations in the judiciary. The 'gain' need not be material. It can also be sexual favors or the offered 'furtherance of political or professional ambitions and may also take the form of avoiding something undesired in the form of threats. Biased decision-making is thus not only a matter of the personal integrity of judicial personnel but concerns the structural protection of judicial independence and the insulation of judicial decision-makers from illegitimate political and hierarchical influence".

Implementing administrative governance and embracing transparency and open data principles through information technology can pave the way for smart governance within the courts. This approach enables judges to uphold the rule of law by making independent decisions, unaffected by any transactional buying or selling of cases. By doing so, the judiciary can maintain its dignity and integrity, ensuring fair and impartial justice for all.

Conclusion

Optimal use of information technology can help prevent criminal acts of corruption, or in other words, criminal acts of corruption can be prevented electronically in the form of implementing the E-Court, paperless court, E-Filing, E-Scum, E-Payment, E and summons. These various systems can be trusted to prevent criminal acts of corruption so that efforts to eradicate judicial corruption become more effective. This makes it easier to transfer information and access, has an impact on reducing opportunities for corruption, collusion and nepotism and face-to-face meetings, reducing the potential for illegal levies and case brokering. The use of

Information Technology will strengthen the principle of legal supremacy because judges, in deciding cases, are free from corruption in the form of bribery or gratification so that the nature of the decision is impartial and fair and the independence of the judicial institution can be upheld. Modernization in administrative governance in courts with the use of IT will be a condition for the formation of smart governance in efforts to eradicate corruption.

The type of corruption that occurs in the Court is in the form of gratification at the beginning and bribery in the process, which is a form of administrative corruption that can also be handled by administrative means in the form of conducting case administration electronically in court. To be able to lead the judiciary in Indonesia to realize smart governance, the disclosure of judicial information towards a modern judiciary, efforts are needed, among others: (1) strengthening IT-literate human resources; (2) providing coaching facilities for litigants; and (3) integrate the E-Court into one door. Corruption problems such as judicial corruption in the judiciary are systemic problems that must be prevented through system and institutional improvements.

The type of corruption that is widespread in the Courts is in the form of gratification at the start and bribery in the process, which is a form of administrative corruption. So, it can also be handled using administrative methods, such as implementing electronic case administration in court. To be able to lead the courts in Indonesia to realize smart governance and openness of judicial information towards a modern judiciary, efforts are needed, including (1) strengthening human resources who are IT literate, (2) providing coaching facilities for litigants, and (3) integrating E-Court into one door. Corruption problems such as judicial corruption in judicial institutions are systemic problems that must be prevented through improving systems and institutions.

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