



CONTEMPT OF COURT IN INDONESIA: A LEGAL ANALYSIS BASED ON THE CRIMINAL CODE AND ISLAMIC LAW PRINCIPLES

Zuman Malaka

Sekolah Tinggi Agama Islam Taruna Surabaya, Surabaya, Indonesia

zumanmalaka@staitaruna.ac.id

ARTICLE INFO

Keywords:

*Contempt of Court;
Criminal Code, Islamic
Law; Justice System; Legal
System.*

ABSTRACT

Contempt of Court involves actions that undermine the judiciary's authority and disrupt the judicial process, posing a significant challenge to maintaining a just legal system. This study examines the concept of Contempt of Court in Indonesian positive law and Islamic law, analyzing relevant cases to highlight legal gaps. The research employs a normative legal method with statutory and conceptual approaches, analyzing secondary data from legislation, the Qur'an, Hadith, and scholarly literature. Findings reveal that Indonesian regulations on Contempt of Court are scattered across the Criminal Code, Narcotics Law, and Corruption Crime Law, lacking a unified framework, which leads to inconsistent enforcement, as evidenced by cases like courtroom disruptions and violence against judges. Islamic law principles, emphasizing justice and obedience to judicial authority, condemn such acts but are underexplored in Indonesia's legal system. The study concludes that a dedicated Contempt of Court law, integrating positive and Islamic legal principles, is essential to ensure legal certainty, deter violations, and uphold a just and dignified judicial system. This research underscores the need for comprehensive regulations to strengthen judicial authority in Indonesia.

A. INTRODUCTION

The judiciary is a cornerstone of the legal system, characterized by its independent and efficient nature, ensuring fair and equal law enforcement for all citizens.¹ The authority, integrity, and independence of this institution must be safeguarded from various forms of interference to uphold justice effectively.² One form of violation against the judiciary's honor is an act

¹ Nur Kholis, "Asas Non Diskriminasi dalam Contempt Of Court," *Legality: Jurnal Ilmiah Hukum* 26, no. 2 (2019): 220.

² Maria Marques-Banque, "The Positive List Approach and the Legality Principle in Criminal Law in the European Union," *Revista Catalana de Dret Ambiental* 12, no. 1 (2021): 6.

categorized as Contempt of Court. Contempt of Court encompasses any action or speech, whether active or passive, inside or outside the courtroom, intended to degrade and undermine the authority, dignity, and honor of the judicial institution.³ Such acts, committed by individuals or groups, disrupt and obstruct the proper administration of justice.⁴

The focus of this study is the lack of specific and comprehensive regulation regarding Contempt of Court in Indonesia, both within the framework of positive law and in relation to Islamic legal principles. Although the term Contempt of Court was formally introduced in the General Explanation of Law Number 14 of 1985 concerning the Supreme Court, Indonesia lacks a dedicated regulation explicitly addressing this issue.⁵ Regulations concerning Contempt of Court are scattered across various legal provisions, such as the Criminal Code, the Narcotics Law, and the Corruption Crime Law, leading to legal uncertainty in enforcement. From the perspective of Islamic law, while the term Contempt of Court is not explicitly mentioned, principles of respect for the judiciary and justice are embedded in the Qur'an and Hadith, yet their application within Indonesia's positive legal framework remains underexplored. This absence of a unified regulation poses challenges in maintaining judicial dignity and ensuring an uninterrupted legal process.

Empirical phenomena demonstrate that acts of Contempt of Court frequently occur in Indonesia, reflecting weak public awareness of the importance of preserving judicial authority.⁶ Cases such as Adnan Buyung Nasution's loud protest in court in 1986, Mimi Lidyawati's act of throwing shoes at a judge in 1987, and the burning of the Larantuka District Court building in 2004 highlight that Contempt of Court is a tangible threat requiring serious attention. Other cases, such as the assault by lawyer Desrizal Chaniago on judges in 2019 and the commotion caused by Razman Nasution and Firdaus Oiwo in 2025, indicate that perpetrators include not only the public but also advocates who should understand courtroom ethics. These incidents underscore the urgent need to strengthen protections for judicial authority to ensure a just and dignified legal system.

³ Alensi Kusuma Dewi, M. Said Karim, and Audyna Mayasari Muin, "Urgensi Contempt of Court Dalam Sistem Peradilan Pidana: Studi Perbandingan Hukum," *Fakultas Hukum Universitas Hasanuddin* 31, no. 1 (2023): 48.

⁴ Hari Disemadi and Kholis Roisah, "Urgency of the Contempt of Court Criminalization Policy to Overcome Harassment Against the Status and Dignity of Courts," *Brawijaya Law Journal* 6, no. 2 (2019): 230.

⁵ Opik Rozikin, "Contempt Of Court In Indonesian Regulation," *JCIC: Jurnal CIC Lembaga Riset Dan Konsultan Sosial* 1, no. 1 (2019): 7.

⁶ Mohammad Anton Suryadi and Muhammad Zainal, "Analisis Perbuatan Menghalangi Proses Penyidikan, Penuntutan Dan Peradilan (Obstruction of Justice) Dalam Sistem Pidana Di Indonesia," *Justness: Jurnal Hukum Politik Dan Agama* 3, no. 2 (2024): 10,

Previous studies have explored Contempt of Court from various angles, but significant research gaps remain. According to Gumbira et al.,⁷ analyses of Contempt of Court in Indonesia primarily focus on positive law, particularly the Criminal Code, without deeply integrating Islamic legal perspectives. Syafaq et al.,⁸ examine the Judicial Commission's role in addressing Contempt of Court from an Islamic legal thought perspective but fail to comprehensively analyze empirical cases. Similarly, Afriana et al.,⁹ highlight the fragmented nature of Contempt of Court regulations in Indonesia, noting their lack of legal certainty, yet they do not address the relevance of Islamic values in strengthening these regulations. Disemadi and Roisah¹⁰ argue for the criminalization of Contempt of Court to protect judicial dignity but overlook its integration with Islamic legal principles. Mulyadi¹¹ emphasizes the urgency of a specific Contempt of Court law but does not connect it to empirical cases or Islamic law. The research gap lies in the lack of a holistic study integrating positive law, Islamic law, and empirical cases in Indonesia to formulate the need for specific Contempt of Court regulations.

Theoretically, Contempt of Court contradicts the principle of the rule of law in positive legal systems and the principle of justice (*al-'adl*) in Islamic law.¹² Originating from the Anglo-Saxon legal tradition, Contempt of Court aims to protect judicial authority as a pillar of law enforcement, as defined in Black's Law Dictionary.¹³ In Islamic law, the Qur'an and Hadith emphasize justice, honesty, and obedience to *ulil amri* (those in authority), including judges, as outlined in QS. An-Nisa verses 59 and 135 and a Hadith rejecting interference in legal enforcement.¹⁴ These principles constitute the normative

⁷ Seno Wibowo Gumbira, Supanto, Muhammad Rustamaji, and Agus Riewanto "The Reconstruction of Contempt of Court in the Enforcement of the Constitutional Court of the Republic of Indonesia Based on Pancasila," *International Journal of Advanced Science and Technology* 28, no. 20 (2019): 32.

⁸ Hammis Syafaq, Nur Lailatul Musyafaah, and Sri Warjiyati, "Judicial Commission Role to Handle Contempt of Court in Indonesia from the Perspective of Islamic Legal Thought," *European Journal of Law and Political Science* 2, no. 3 (2023): 10.

⁹ Anita Afriana, Artaji Artaji, Elis Rusmiati, Efa Laela Fakhriah, and Sherly Putri, "Contempt of Court: Penegakan Hukum Dan Model Pengaturan Di Indonesia," *Jurnal Hukum dan Peradilan* 7, no. 3 (2018): 449.

¹⁰ Hari Disemadi and Kholis Roisah, "Urgency of the Contempt of Court Criminalization Policy to Overcome Harassment Against the Status and Dignity of Courts," *Brawijaya Law Journal* 6, no. 2 (2019): 233.

¹¹ Aditya Wisnu Mulyadi, "Urgensi dan Pengaturan UU Tentang Contempt Of Court Untuk Menjamin Harkat, Martabat Dan Wibawa Peradilan," *Jurnal Magister Hukum Udayana (Udayana Master Law Journal)* 4, no. 2 (2015): 45.

¹² Simon Butt, "Religious Conservatism, Islamic Criminal Law and the Judiciary in Indonesia: A Tale of Three Courts," *Journal of Legal Pluralism and Unofficial Law* 50, no. 3 (2018): 7.

¹³ Budi Suhariyanto, "'Contempt of Court' Dalam Perspektif Hukum Progresif," *Jurnal Yudisial* 9, no. 2 (2016): 160.

¹⁴ Supardin and Abdul Syatar, "Adultery Criminalization Spirit in Islamic Criminal Law: Alternatives in Indonesia's Positive Legal System Reform," *Samarah* 5, no. 2 (2021): 920.

ideal for safeguarding judicial dignity and preventing actions that disrupt the legal process.¹⁵ Thus, protecting judicial authority must be upheld from both positive and Islamic legal perspectives to achieve a just and dignified legal system.¹⁶

This study holds significant academic and practical importance. Academically, it contributes to legal scholarship by integrating positive and Islamic legal perspectives on Contempt of Court, an area rarely explored concurrently. Practically, it offers recommendations for policymakers to formulate specific Contempt of Court regulations, enhancing legal certainty and judicial protection in Indonesia. By understanding the interplay between positive law and Islamic values, this study provides guidance for law enforcers to handle Contempt of Court cases more justly and consistently.

The primary issues in this study are how Contempt of Court is understood and applied in Indonesian positive law and how Islamic law responds to actions undermining judicial authority. The absence of specific regulations leads to legal uncertainty in enforcing sanctions against Contempt of Court perpetrators. Furthermore, the lack of integration of Islamic legal values into these regulations hinders the application of holistic justice principles. This study focuses on analyzing existing regulations, Islamic legal principles, and empirical cases to identify weaknesses and the need for regulation in Indonesia.

This study aims to examine the concept of Contempt of Court in Indonesian positive law and Islamic law and to analyze cases in Indonesia to formulate the need for specific regulations. It seeks to provide a comprehensive understanding of the importance of protecting judicial authority to realize a just and dignified legal system. By integrating positive and Islamic legal perspectives, the study also aims to offer policy recommendations to strengthen the enforcement of laws against Contempt of Court in Indonesia.

B. RESEARCH METHODS

This study employs a normative legal research method, utilizing statutory and conceptual approaches to examine the concept of Contempt of Court in Indonesian positive law and Islamic law. The normative method is selected because it focuses on analyzing legal norms and principles as found in legislation, religious texts, and scholarly interpretations, which are suitable

¹⁵ Hammis Syafaq, Nur Lailatul Musyafaah, and Sri Warjiyati, "Judicial Commission Role to Handle Contempt of Court in Indonesia from the Perspective of Islamic Legal Thought," *European Journal of Law and Political Science* 2, no. 3 (2023): 15.

¹⁶ Opik Rozikin, "Contempt Of Court In Indonesian Regulation," *JCIC: Jurnal CIC Lembaga Riset Dan Konsultan Sosial* 1, no. 1 (2019): 9.

for addressing the legal and theoretical dimensions of Contempt of Court.¹⁷ This approach enables a systematic examination of how existing regulations and Islamic legal principles address actions that undermine judicial authority, providing a foundation for assessing legal gaps. The research relies on secondary data, ensuring a comprehensive analysis of legal frameworks without requiring primary data collection.

The data consists of primary legal materials, such as the Criminal Code, Law Number 1 of 2023 concerning the Criminal Code, Law Number 35 of 2009 concerning Narcotics, and Law Number 31 of 1999 concerning the Eradication of Corruption Crimes, as well as secondary legal materials, including the Qur'an, Hadith, and scholarly works such as Black's Law Dictionary and Barda Nawawi Arief's writings on criminal law. Additional secondary sources include journal articles which discuss Contempt of Court regulations and Islamic legal perspectives, respectively. These materials are collected from legal databases, religious texts, and academic publications to ensure a robust analysis of both positive and Islamic legal frameworks. The study is limited to normative analysis, focusing on legal texts and documented cases, and does not include empirical fieldwork due to its doctrinal nature.

The analysis techniques involve several systematic steps to address the research objectives. First, legal issues are identified by formulating questions regarding the regulation and application of Contempt of Court in Indonesia and its alignment with Islamic law principles. Second, primary and secondary legal materials are collected and organized to provide a comprehensive dataset. Third, norm analysis is conducted by interpreting the contents of legal provisions and Islamic principles to understand their implications for Contempt of Court. Finally, legal conclusions are formulated based on the interpretation of norms, offering insights into the need for specific regulations. These steps ensure a structured and thorough examination of the research problem, connecting positive law, Islamic law, and empirical cases to propose actionable recommendations.

C. DISCUSSION

1. Contempt of Court in Indonesia Criminal Law

The term Contempt of Court has been known since the 13th century in countries that adhere to a strict Anglo-Saxon system with adversaries, especially England, which is used as an effort to protect the judiciary and any act that is considered to be able to degrade the dignity of the judiciary itself.¹⁸

¹⁷ Hardani, *Metode Penelitian Kualitatif & Kuantitatif* (Yogyakarta: CV. Pustaka Ilmu Group, 2020): 73.

¹⁸ T. Subarsyah, "Contempt of Court in Indonesian Criminal Justice System," *International Journal of Science and Society* 2, no. 3 (2020): 316.

Protection of the judiciary means that when the judge carries out his judicial duties alone, it turns out that it is considered insufficient.¹⁹ Not only that, protection must also be given to the institution. The judiciary needs to be upheld from any act that can result in an assessment that degrades the dignity and position of the court.²⁰

The term "contempt" means to insult, look down on or violate, while "court" means court, so there is an understanding of Contempt of court as an insult to the court or an act that lowers the court's dignity.²¹ The term *contempt* in English carries five distinct meanings. First, it refers to a lack of respect that is accompanied by an intense feeling of dislike. Second, it can describe a general manner or attitude that is openly disrespectful and contemptuous. Third, *contempt* denotes a willful disobedience or disregard for the authority of a court or legislative body, reflecting its legal connotation. Fourth, it can be understood as the act of connecting with or expressing disdain toward something considered esteemed, yet perceived as mean, vile, worthless, or scornful. Together, these meanings illustrate the breadth of the concept, ranging from personal feelings to social attitudes and formal legal contexts.

Meanwhile, the following meaning to Contempt of Court, that "any act which is calculated to embarrass, hinder, or obstruct the court in the administration of justice, or which is calculated to lessen its authority or dignity. Committed by a person who does any act in willful contravention of its authority or dignity, or tending to impede or frustrate the administration of justice, or by one who, being under the court's authority as a party to a proceeding therein, willfully disobeys its lawful orders or fails to comply with an undertaking which he has given".²²

In Indonesia, the term Contempt of Court was first found in point 4 of the fourth paragraph of the General Explanation of Law Number 14 of 1985 concerning the Supreme Court, which reads, "Furthermore, to ensure further the creation of the best possible atmosphere for the administration of justice to uphold law and justice based on Pancasila, it is necessary to create a law

¹⁹ Dimas Abimanyu, Erna Dewi, and Eko Rahardjo, "Analisis Kebijakan Formulasi Tentang Perbuatan Yang Menghambat Proses Peradilan (Contempt Of Court) dalam Sistem Peradilan Indonesia," *Poenale* 5, no. 3 (2017): 8.

²⁰ H. Yusep Mulyana, "Actions That Obstacle The Justice Process (Contempt Of Court) in The Criminal Law System in Indonesia," *East Asian Journal of Multidisciplinary Research* 2, no. 2 (2023): 817.

²¹ Anita Afriana, Artaji Artaji, Elis Rusmiati, Efa Laela Fakhriah, and Sherly Putri, "Contempt of Court: Penegakan Hukum Dan Model Pengaturan Di Indonesia," *Jurnal Hukum dan Peradilan* 7, no. 3 (2018): 446.

²² Henry Campbell Black, Bryan A. Garner, Becky R. McDaniel, and David W. Schultz, *Black's Law Dictionary* (St. Paul, MN: West Group, 1999): 58.

that regulates action against actions, behavior, attitudes and/or statements known as Contempt of Court."²³

Furthermore, in the provisions of the Criminal Code, there are also provisions governing Contempt of court, which are stated in Article 207, Article 217, and Article 224 of the Criminal Code; Article 207 of the Criminal Code; "Anyone who causes a disturbance in a court hearing or in a place where a civil servant is carrying out his legitimate duties in public and refuses to leave after being ordered by or on behalf of the authorized authority shall be punished by imprisonment for a maximum of three weeks or a maximum fine of four thousand five hundred rupiahs."

Article 217 of the Criminal Code; "Anyone who causes a disturbance in a court session or in a place where an official is carrying out his legitimate duties in public and does not leave after being ordered by or on behalf of the competent authority is threatened with a maximum imprisonment of three weeks or a maximum fine of one thousand eight hundred rupiahs."

Article 224 of the Criminal Code; "Anyone who is called as a witness, expert or interpreter according to the law and intentionally does not fulfill the obligations under the law that he must fulfill is threatened with: In criminal cases with a maximum prison sentence of nine months and In other cases, with a maximum imprisonment of six months; The latest provisions of the Indonesian Criminal Code concerning *contempt of court* are regulated under Article 279 of Law Number 1 of 2023 on the Criminal Code. The article stipulates two important points. First, any person who causes a disturbance near the courtroom during a trial and refuses to leave after being ordered up to three times by or on behalf of an authorized officer shall be subject to a maximum fine of Category I. Second, any person who causes a disturbance inside a court hearing and fails to comply with an order to leave after being instructed up to three times by or on behalf of the judge shall be subject to a maximum imprisonment of six months or a maximum fine of Category II. These provisions emphasize the importance of maintaining order and respect for judicial proceedings as part of safeguarding the dignity and authority of the court.

Article 280 of Law Number 1 of 2023 concerning the Criminal Code further regulates acts categorized as *contempt of court* within trial proceedings. The provision stipulates that any person may be subject to a maximum fine of Category II if, during a court hearing, they (1) fail to comply with a court order issued in the interests of the judicial process; (2) display disrespectful behavior towards law enforcement officers, court officials, or the judicial process despite prior warnings from the judge; (3) attack the integrity

²³ H. Yusep Mulyana, "Actions That Obstacle The Justice Process (Contempt Of Court) in The Criminal Law System in Indonesia." 819.

of law enforcement officials, court officials, or the court proceedings; or (4) publish the trial process live without prior court permission. Furthermore, criminal acts as referred to in point (2) and point (3) are considered complaint-based offenses and may only be prosecuted upon a formal complaint. Such complaints must be made in writing by the presiding judge, thereby underscoring the principle that not all disruptive or disrespectful acts automatically constitute prosecutable offenses, but rather require judicial discretion to initiate legal proceedings.

Article 281 of Law Number 1 of 2023 concerning the Criminal Code broadens the scope of *contempt of court* by criminalizing acts of obstruction, intimidation, or undue influence directed at officials performing duties related to investigation, prosecution, court examinations, or judicial decision-making. Anyone who engages in such conduct with the intent to compel or dissuade an official from carrying out their duties may be subject to a maximum imprisonment of 7 years and 6 months or a fine up to Category VI. This provision emphasizes the seriousness of interference with judicial and law enforcement processes, categorizing such behavior as a grave offense against the integrity of justice.

In addition to the Criminal Code, the Indonesian legal system also recognizes provisions outside the KUHP that can be categorized as forms of *contempt of court*. For example, Article 138 of Law Number 35 of 2009 concerning Narcotics prescribes sanctions for any individual who obstructs or complicates the investigation, prosecution, or judicial examination of narcotics-related cases, with penalties of up to 7 years' imprisonment and a fine of Rp. 500,000,000. Similarly, Article 143 of the same law addresses false testimony in narcotics trials, providing for a minimum sentence of 1 year and a maximum of 10 years' imprisonment, along with fines ranging from Rp. 60,000,000 to Rp. 600,000,000.

In addition to the Criminal Code, several provisions outside the KUHP also regulate acts that fall within the scope of *contempt of court*. Article 87 paragraph (2) of Law Number 8 of 2010 on the Prevention and Eradication of the Crime of Money Laundering stipulates that witnesses who provide false testimony under oath shall be punished according to the provisions of the Criminal Code. Similarly, Law Number 31 of 1999 in conjunction with Law Number 20 of 2001 on the Eradication of Corruption includes specific provisions to safeguard the judicial process. Article 21 of this law criminalizes any act of intentionally preventing, obstructing, or thwarting investigations, prosecutions, or court examinations of suspects, defendants, or witnesses in corruption cases, with penalties ranging from a minimum of three years to a maximum of twelve years' imprisonment and fines between Rp. 150,000,000 and Rp. 600,000,000.

Furthermore, Article 22 of the same law reinforces the prohibition against providing false or incomplete information in corruption cases. Individuals who fail to provide the required information, or deliberately provide incorrect statements as stipulated under Articles 28, 29, 35, and 36, are subject to imprisonment of three to twelve years and/or fines within the same range. These provisions demonstrate that Indonesian legislation imposes strict sanctions not only to maintain the integrity of judicial processes in general but also to ensure truthfulness and cooperation in cases involving serious crimes such as corruption and money laundering.

Law Number 21 of 2007 concerning the Eradication of Criminal Acts of Human Trafficking also contains provisions that can be categorized as forms of *contempt of court*. Article 20 of the law stipulates that any person who provides false testimony, submits false or fabricated evidence, or unlawfully influences witnesses during court proceedings related to human trafficking crimes shall be punished with imprisonment ranging from one to seven years and a fine between Rp. 40,000,000 and Rp. 280,000,000. This provision seeks to uphold the integrity of the judicial process by ensuring that testimonies and evidence presented in court remain truthful and reliable.

In addition, Article 22 addresses deliberate acts of obstruction in the judicial process. It criminalizes any intentional effort to prevent, obstruct, or thwart investigations, prosecutions, or court examinations involving suspects, defendants, or witnesses in human trafficking cases. The penalties for such offenses include imprisonment of one to five years and fines ranging from Rp. 40,000,000 to Rp. 200,000,000. These rules reinforce the importance of protecting the judicial process in serious criminal cases such as human trafficking, while also safeguarding victims and witnesses from undue interference.

Based on the description above, it can be concluded that Contempt of Court is a legal concept that includes various forms of actions that can degrade authority and dignity and disrupt the ongoing judicial process^{24v}. Its regulation in Indonesia is not only found in the Criminal Code but is also spread across various other laws that protect the integrity of the judicial process. It shows that Contempt of Court has a broad scope²⁵. However, when discussing legal certainty, the regulation regarding Contempt of Court in Indonesia has not been specifically regulated in law, so it is important to classify Contempt of Court. So, no generally accepted benchmark definition for

²⁴ Anita Afriana, Artaji Artaji, Elis Rusmiati, Efa Laela Fakhriah, and Sherly Putri, "Contempt of Court: Penegakan Hukum Dan Model Pengaturan Di Indonesia," *Jurnal Hukum dan Peradilan* 7, no. 3 (2018): 446.

²⁵ Muhammad Ihsan Firdaus, "Offense of Contempt Against Government in Law Number 1 of 2023 Concerning Criminal Law Code From Constitutionalism Perspective," *Audito Comparative Law Journal (ACLJ)* 4, no. 2 (2023): 60.

an offense can be included or classified as Contempt of Court 26. However, this classification is needed to provide a more comprehensive understanding of the various actions that can be categorized as Contempt of court. The following is the classification of Contempt of Court, namely:

According to Barda Nawawi Arief, the following are the specific terms of Contempt of Court. 27 Civil Contempt Disobedience to the judgments and orders of Courts. Namely, they are unable to comply with court regulations or orders. For example, sanctions for not attending court without a valid reason, such as the defendant not answering when asked by the judge. Contempt can be categorized as civil if the action is in the form of not complying with court orders, not implementing a decision or order to hand over land ownership or hand over goods within a certain time, and not submitting evidence requested by the court to answer questions.

Civil Contempt Tends to Hinder or to Obstruct the Due Administration of Justice. An act that aims to disrupt or obstruct the proper administration of justice. The sanction is criminal punishment. Criminal Contempt is an act that does not respect the court or tends to cause the court to be disrespected. Criminal contempt perpetrators can be subject to criminal sanctions in prison as punishment.

A contempt is criminal if an act disturbs or interferes with the ongoing judicial process. For example, publications or actions that hinder a good judicial process, obstruct or interrupt witnesses, make a commotion, mock the determination or decision of the trial judge and all actions that tend to affect public trust and undermine the court's authority in administering justice. Criminal Contempt can be classified into several forms, including Contempt in the Face of The Court, Direct Contempt, Contempt in the Face of Threatening Language, Physical attack to judges, jurors, legal counsel, witnesses, etc. Contempt or harassment in the form of interfering with the trial process (Contempt by interference), which includes acts committed in court (Contempt in the face of the court). Although the term Contempt in the face, the problem is not whether the court's dignity has been attacked or violated but whether the trial process has been disturbed. The goal is not to support or protect the court's dignity but to protect the general public's rights by assuring that the administration of justice is not disturbed. Violation of the subjudice rule: Acts calculated to prejudice the fair trial and Contempt *ex facie* private communication with the judge to influence the decision. Commenting in the media on a case that is awaiting a decision. Providing information or biased

²⁶ Sufmi Dasco Ahmad, "Legal Sanctions Against Contempt of Court Actors: Analysis Based on Criminal Law and Criminal Procedure Code," *Ayer Journal* 27, no. 4 (2020): 32.

²⁷ Noveria Devy Irmawanti and Barda Nawawi Arief, "Urgensi Tujuan Dan Pedoman Pemidanaan Dalam Rangka Pembaharuan Sistem Pemidanaan Hukum Pidana," *Jurnal Pembangunan Hukum Indonesia* 3, no. 2 (2021): 223.

publications that are considered to interfere with the due process of justice, in particular legal proceedings. Scandalizing the court (embarrassing or causing a scandal for the court); contempt ex-facie is intended to reduce the authority of the judge/court. It is not a criticism if the criticism is reasonable criticism/reasonable argument. Obstructing court officer (disturbing/attacking/hitting or threatening the judge outside the court session. Note that after leaving the courtroom. Revenge for done acts in the course of litigation, namely, the action is directed at witnesses who have given testimony before the court. Breach of duty by an officer of the court (breach of duty by a court official).

According to Oemar Seno Adji,²⁸ five constitutive forms of Contempt of Court that illustrate how actions, attitudes, or statements can undermine the integrity and authority of the judiciary. First, acts of contempt through notification or publication (sub judice rule) occur when verbal or written statements are made in such a way that they could influence a judge's decision before it is handed down. Second, disobeying a court order represents a refusal to comply with judicial directives, thereby undermining the authority, dignity, and legitimacy of the court. Third, obstructing justice refers to actions that disrupt or distort the smooth functioning of judicial processes, impeding the administration of justice.²⁹

Fourth, scandalizing the court involves statements made outside of court, often through publications, that cast doubt on the court's integrity, fairness, or legitimacy. Lastly, misbehaviour in court encompasses acts, gestures, or words expressed during proceedings that disturb the order and harmony of the courtroom. These categories emphasize that Contempt of Court is not limited to overt disobedience but also includes subtle actions or expressions, both inside and outside the courtroom, that threaten judicial authority and the proper administration of justice.

The classification of Contempt of Court proposed by experts such as Barda Nawawi Arief³⁰ and Oemar Seno Adji³¹ shows that acts of Contempt of court can occur in various forms, both directly in court and through publications that can affect the course of the judicial process; therefore, to ensure legal certainty and protection of the integrity of the judicial institution,

²⁸ Indriyanto Seno Adji, and Juan Felix Tampubolon, *Perkara HM. Soeharto: Politisasi Hukum*, Jakarta, Multimediametrie, 2001.

²⁹ Raka Indra Pratama, Ade Mahmud, and Chepi Ali Firman Zakaria, "Kebijakan Kriminal Terhadap Tindak Pidana Perzinahan Berdasarkan Hukum Pidana Positif Dan Hukum Pidana Islam," *Al-Jinayah Jurnal Hukum Pidana Islam* 8, no. 1 (2022): 33.

³⁰ Barda Nawawi Arief and FX Djoko Priyono, "Criminalization of Contempt of Court Arrangement in the Draft Criminal Code," *International Journal of Pharmaceutical Research (09752366)* 13, no. 1 (2021): 465

³¹ Indriyanto Seno Adji, and Juan Felix Tampubolon, *Perkara HM. Soeharto: Politisasi Hukum*, Jakarta, Multimediametrie, 2001

a clearer and more comprehensive regulation is needed regarding Contempt of Court in Indonesia.³²

2. Contempt of Court in Islamic Law

Although the term Contempt of Court is not explicitly mentioned in Islamic law³³, the principles underlying the prohibition of Contempt of court can be found in the verses of the Qur'an and Hadith, which will be explained as follows:³⁴

Prohibition of making noise or giving false testimony

The word of Allah SWT in QS. An-Nisa verse 135

يَا أَيُّهَا الَّذِينَ ءَامَنُوا كُونُوا قَوِّمِينَ بِالْقِسْطِ شُهَدَاءَ لِلّٰهِ وَلَوْ عَلَىٰ أَنْفُسِكُمْ أَوِ الْوَالِدِينَ وَالْأَقْرَبِينَ إِن يَكُنْ غَنِيًّا أَوْ فَقِيرًا فَاللّٰهُ أُولَىٰ بِهِمَا فَلَا تَتَّبِعُوا الْهَوَىٰ أَنْ تَعْدِلُوا وَإِنْ تَلَوْا أَوْ نَعَرَضُوا فَإِنَّ اللّٰهَ كَانَ بِمَا تَعْمَلُونَ خَبِيرًا

Meaning:

"O you who believe, be true upholders of justice, be witnesses for Allah, even if it is against yourselves or your parents and relatives. If you are rich or poor, Allah knows best what is good for you. So, do not follow your desires because you want to deviate from the truth. And if you distort (the words) or are reluctant to be witnesses, Allah is indeed All-Knowing of everything you do." (QS. An-Nisa: 135)

The description of Surah An-Nisa verse 135 above shows that the verse is one of the foundations of Islam, emphasizing the importance of justice and honesty in the legal process. In addition, it is also explained that a witness must be honest, must not lie and must not be biased. Witnesses who refuse to testify or do not tell the truth in court are included in Contempt of Court.

Acts that are not oblivious to judicial regulations

The Word of Allah SWT in QS. An-Nisa verse 59

يَا أَيُّهَا الَّذِينَ ءَامَنُوا أَطِيعُوا اللّٰهَ وَأَطِيعُوا الرَّسُولَ وَأُولِيَ الْأَمْرِ مِنْكُمْ فَإِنْ تَنَزَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ إِنْ كُنْتُمْ تُؤْمِنُونَ بِاللّٰهِ وَالْيَوْمِ الْآخِرِ ذَلِكَ خَيْرٌ وَأَحْسَنُ تَأْوِيلًا

Meaning:

³² Siti Zulaichah, "The Important of Designing Legislation on Indonesian Contempt of Court Act: Legal Practitioners Perspective," *Borobudur Law Review* 5, no. 1 (2023): 75.

³³ Intisar Rabb, "Foreword to the Symposium on Brunei's New Islamic Criminal Code," *Journal of Islamic Law* 1, no. 1 (2020): 10.

³⁴ Syafaq, Musyafaah, and Warjiyati, "Judicial Commission Role to Handle Contempt of Court in Indonesia from the Perspective of Islamic Legal Thought," 390.

"Hai people who believe, obey Allah and obey His Messenger and the best command among you." (QS. An-Nisa: 59)

In this verse, Allah SWT commands Muslims to obey Allah, His Messenger and ulil amri (those who hold power). In law enforcement, judges are part of ulil amri because they are given the authority to decide cases based on applicable laws to uphold justice. Therefore, all forms of Contempt of Court, such as insulting judges, belittling court decisions or disrupting the trial process, are forms of disobedience to Sharia's command to obey ulil amri. Through obedience to judges as ulil amri, justice and order can be realized in society.

Contempt of Court

The Word of Allah SWT in QS. Al-Hujurat verse 11

يَا أَيُّهَا الَّذِينَ ءَامَنُوا لَا يَسْخَرْ قَوْمٌ مِّن قَوْمٍ عَسَىٰ أَن يَكُونُوا خَيْرًا مِّنْهُمْ وَلَا نِسَاءٌ مِّن نِّسَاءٍ عَسَىٰ أَن يَكُنَّ خَيْرًا مِّنْهُنَّ وَلَا تَلْمِزُوا أَنفُسَكُمْ وَلَا تَنَابَزُوا بِالْأَلْقَابِ بِئْسَ الْأَسْمُ الْفُسُوقُ بَعْدَ الْإِيمَانِ وَمَن لَّمْ يَتُبْ فَأُولَٰئِكَ هُمُ الظَّالِمُونَ

Meaning:

"O you who believe, let not a group of men slander another group. Perhaps the one slandered is better than them. And let not a group of women slander another group; perhaps the one slandered is better. And do not slander yourselves and do not call yourselves by names that contain mockery. The worst of nicknames is the bad nickname after faith, and whoever does not repent is the wrongdoer." (QS. Al Hujurat: 11)

In this verse, it is forbidden to criticize, mock, and humiliate others because the one insulted may be better in the sight of Allah. This verse is the basis for prohibiting insulting judges when associated with Contempt of Court. This action is not only against the law but also contrary to the values of Islam and is classified as an unjust act.

Contempt of Court is an act that contradicts the principles of Islamic law, which upholds an independent judicial system. There is a lot of information that has the same meaning as membership and the principle that all people are equal before the law.³⁵ As in QS. Al-Maidah verse 8:

³⁵ Nur Lailatul Musyafaah, Sri Warjiyati, and Hammis Syafaq, "Tindak Pidana Contempt of Court Perspektif Hukum Islam," *Al-Jinayah: Jurnal Hukum Pidana Islam* 7, no. 2 (2021): 293.

يَا أَيُّهَا الَّذِينَ ءَامَنُوا كُونُوا قَوَّامِينَ لِلَّهِ شُهَدَاءَ بِالْقِسْطِ وَلَا يَجْرِمَنَّكُمْ شَنَاٰنُ قَوْمٍ عَلَىٰ ءَلَا تَعْدِلُوا ءَعْدِلُوا هُوَ أَقْرَبُ لِلتَّقْوَىٰ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ خَبِيرٌ بِمَا تَعْمَلُونَ

Meaning:

"O you who believe, be upright in the cause of Allah, witnesses with justice. And let not hatred of a people cause you to be unjust. Be, for that is nearer to piety. And fear Allah. Indeed, Allah is All-Aware of what you do." (Surah Al-Maidah: 8)

In that verse, a judge must decide matters fairly without taking sides or being influenced by other parties because justice is the highest form of piety. The same goes for witnesses, who must give honest and unbiased testimony.

In addition, there is a hadith of the Prophet SAW that rejects the influence of third parties in upholding court decisions, namely: "From Urwah bin Zubair, a woman stole during the time of the Prophet Muhammad SAW, precisely when the conquest of Mecca occurred. Her people felt uneasy about this case, so they negotiated with Usamah bin Zaid in the hope that they could ask for a lighter sentence from him. Urwah said that when Usamah reported his case to the Prophet Muhammad SAW, his emotions seemed to change (a sign that his emotions were rising). Then the Prophet Muhammad SAW said: "Will you invite me to make a "compromise" with Allah's law?" Usamah immediately repented by saying, "Ask forgiveness for me, O Messenger of Allah". That evening, the Prophet Muhammad SAW gave a speech, praising Allah with the praise that was due to Him and then said: "Respected audience, the people before you were doomed because if the upper class (officials, nobles, political elites) stole, they let it be, on the other hand, if the ordinary people (low class, bourgeoisie, no rank) stole, they enforced the punishment. By the One in Whose hand I am, if Fatima bint Muhammad steals, I will cut off her hand. Then Rasulullah SAW ordered the woman to have her hands cut off, and later she followed up on her repentance well and got married."

The Hadith emphasizes that the Messenger of Allah SAW rejected all forms of intervention in law enforcement, even against those closest to him or the nobility. He emphasized that the law of Allah SWT must be enforced fairly without discrimination, even if the perpetrator is his daughter. Thus, this is an important basis on which justice must not be compromised, and any attempt to obstruct the legal process is a violation.³⁶

³⁶ Hajed A. Alotaibi, "The Challenges of Execution of Islamic Criminal Law in Developing Muslim Countries: An Analysis Based on Islamic Principles and Existing Legal System," *Cogent Social Sciences* 7, no. 1 (2021): 33.

Based on the explanation of the verses of the Qur'an and the Hadith above, it can be concluded that Islam highly upholds the principles of justice, honesty and obedience in law enforcement.³⁷ Therefore, any form of behaviour that degrades the dignity of the judiciary disrupts the course of the legal process, gives false testimony, insults the judge or tries to influence the court's decision is included in the category of Contempt of Court which does not only violate the provisions of positive law but also contradicts the teachings of Islamic law. Islam teaches us to uphold justice in society to create a just, orderly, and dignified social order.³⁸

3. Contempt of Court Acts That Have Occurred in Indonesia

Contempt of Court is not just a rule in the law; in reality, Contempt of Court also often occurs. In Indonesia,³⁹ there are several cases where someone commits an act that is considered demeaning or disruptive to the trial.⁴⁰ For example, someone makes a commotion in the courtroom, intimidates witnesses, and even commits physical violence against judges and anarchic acts that damage court facilities.⁴¹ Cases like this show that the court must be protected to work fairly without pressure from any party. Here are some instances of Contempt of Court that have occurred in Indonesia.⁴²

The Case of Adnan Buyung Nasution, Buyung Nasution was one of the first lawyers in Indonesia to stumble upon a Contempt of Court case in January 1986. It started with the HR Dharsono case when the Central Jakarta District Court Panel of Judges read HR Dharsono's verdict. Buyung suddenly felt offended by the judge's explanation, which said he was unethical. He immediately grabbed the loudspeaker and shouted, "I protest the Panel's words - who is unethical?"

The protest caused Judge Soedijono to stop reading the verdict. The atmosphere, which had been warm from the crowd's shouts, became increasingly rowdy. At that moment, the police entered the courtroom. But Buyung immediately shouted and emphasized that the courtroom was the judge's jurisdiction, not the police. Soedijono then reported Buyung's attitude to the Supreme Court, and he was summoned by the Chief Justice of the

³⁷ Rossa Ilma Silfiah, "The Implementation Of Religious Pluralism Values Of Islamic Law On Article 156a Of The Criminal Code," *Yustisia Jurnal Hukum* 9, no. 2 (2020): 75.

³⁸ Padmo Wahyono, "Contempt of Court dalam Proses Peradilan Di Indonesia," *Jurnal Hukum & Pembangunan* 16, no. 4 (2017):17.

³⁹ Syarif Nurhidayat, "Pengaturan dan Ruang Lingkup Contempt Of Court Di Indonesia," *Jurnal Ius Constituendum* 6, no. 1 (2021): 22.

⁴⁰ Endhang Boedhiarti, "Urgensi Pengaturan Contempt Of Court Di Indonesia Di Masa Yang Akan Datang (Ius Constituendum)," *Jurnal Juristic* 1, no. 03 (2021): 40.

⁴¹ Anita Afriana, Artaji Artaji, Elis Rusmiati, Efa Laela Fakhriah, and Sherly Putri, "Contempt Of Court: Penegakan Hukum Dan Model pengaturan Di Indonesia "456.

⁴² Muhammad Fadli, "Tindakan Penghinaan yang Menghambat Proses Peradilan (Contempt Of Court) Dalam Penegakan Hukum Di Indonesia," *Jurnal Analisis Hukum* 3, no. 1 (2020):32.

Central Jakarta District Court for insulting or degrading the dignity of the judicial institution. Finally, Minister of Justice Ismail Saleh was banned from practicing as a lawyer for 1 (one) year.

The Case of Mimi Lidyawati, Mimi Lidyawari was the first person to be convicted of insulting the court's dignity. In April 1989, the woman was sentenced to 5 (five) months in prison by a panel of judges at the Central Jakarta District Court chaired by Wahono Baud. According to the judge, Mimi was proven to have defamed the court because she dared to throw her shoes at the judge in session. Mimi's actions shocked the justice world on August 8, 1987. At that time, Judge Abdul Razak had just finished reading his verdict against Mrs. Nani in an embezzlement case. Mimi, a witness in the case sitting in the visitor's chair, suddenly threw her high-heeled shoe at the judge. It happened because Mimi was dissatisfied with the judge's verdict, which only sentenced Nani to 10 (ten) months in prison. Mimi, who admitted that Nani had cheated her out of Rp. 76,000,000, had given a bribe of Rp. 2,500,000 to the judge so that Nani would be given a heavy sentence.

The Case of the Burning of the Larantuka District Court Building, East Nusa Tenggara, The Larantuka District Court and the Larantuka District Attorney's Office, East Nusa Tenggara (NTT), were burned down by a mob in November 2004 after a judge ruled on a dispute between a state official and a community leader there. A Catholic priest was given a suspended sentence because his criticism was accused of defaming the Regent of East Flores. The verdict of the Larantuka District Court judge was considered biased as if there was a conspiracy among state officials. A crowd of a thousand people was filled with anger when Father Frans Amanue Pr. was found guilty and sentenced to 2 (two) months with a probationary period of 5 (five) months because he was proven to have intentionally attacked someone's honour or good name. Meanwhile, Father Frans criticized the Regent's policy of requesting the assistance of Rp 199,000,000,000 to handle the Larantuka mud flood disaster in April 2003. Many irregularities occurred in the implementation in the field. Father Frans stated that such a large request for assistance was unethical and embarrassing. The Regent of Flores Timor is often in the spotlight because of waste or alleged corruption.

The Case of Lawyer Tomy Winata, Desrizal Chaniago, Tomy Winata's lawyer at that time, Desrizal Chaniago, attacked 2 (two) judges during a trial at the Central Jakarta District Court on Thursday, July 18, 2019. The attack was carried out using a belt in the middle of the trial. The attack occurred in the middle of the panel of judges reading out the verdict on the breach of contract lawsuit filed by Tomy Winata. It resulted in Chief Justice Sunarso being injured on the forehead and a member of the panel of judges also being slashed. After the incident, Desrizal was immediately secured by security

officers at the Central Jakarta District Court. Furthermore, Desrizal Chaniago was charged with assault against 2 (two) Panels of Judges at the Central Jakarta District Court and sentenced to 6 (six) months in prison by the panel of judges. The verdict was lighter than the public prosecutor's demand, which was 8 (eight) months in prison.

The case of Razman Nasution and Firdaus Oiwoobo, Razman Nasution and Firdaus Oiwoobo caused a commotion at the North Jakarta District Court on Thursday, February 6, 2025, in a defamation case trial where Razman sat as a defendant. The commotion went viral after the video was uploaded by Hotman Paris Hutapea, the party who reported Razman Nasution. In a video uploaded by the Instagram account @hotmanparisofficial, Razman is seen approaching and holding Hotman Paris's shoulder while sitting in the witness chair. In another viral video, one of Razman's lawyers, Firdaus Oiwoobo, climbs onto the court table. As a result, the Supreme Court declared that both the minutes of the advocate's oath were frozen ⁴³. The freezing of Razman's advocate's oath minutes was stated in a letter of determination issued by the Ambon High Court Chief Justice, Aroziduhu Waruwu, on Tuesday, February 11, 2025. On the same day, the Banten High Court Chief Justice, Suharjono, also issued a letter of determination freezing Firdaus Oiwoobo's advocate's oath minutes. In addition to his oath being suspended, Razman Nasution was also reported to the National Police Criminal Investigation Unit by the North Jakarta District Court. Razman was reported for allegedly violating Article 335 of the Criminal Code on unpleasant acts, Article 207 of the Criminal Code on insulting a legal entity, and Article 217 of the Criminal Code on causing a commotion in the courtroom.

The cases described above show that Contempt of Court is not just a legal rule but a reality that often occurs in judicial practice in Indonesia. Various forms of violations, such as loud protests in the courtroom (Adnan Buyung Nasution Case), acts of violence against judges (Desrizal Chaniago Case), inappropriate actions such as throwing shoes at judges (Mimi Lidyawati Case), and anarchic actions such as burning down court buildings (Larantuka District Court Case) prove that respect for judicial institutions is often ignored. In addition, the actions taken by Razman Nasution and Firdaus Oiwoobo in the trial also reflect an attempt to disrupt the course of justice, which resulted in the suspension of their advocates' oaths. All of these cases can be categorized as Contempt of Court in the form of direct insults in the courtroom and actions that affect the court's independence from outside the trial. Therefore, the court

⁴³ Imam Sujono, Ja'far Baehaqi, Sardjana Orba Manullang, Muhammad Rusli, and Retno Sari Dewi, "Exploratory of Cybercrime in Law Perspective, a Research Using Bibliometric Approach," *AIP Conference Proceedings* 2927, no. 1 (2024): 54.

needs stronger protection to carry out its duties independently and without pressure from any party.⁴⁴

From a positive legal perspective, such actions violate the laws and regulations governing Contempt of court.⁴⁵ Meanwhile, in Islamic law, as previously discussed, the courts are viewed as a tool to uphold justice (*al-'adl*), which is one of the principles of Islam. The Qur'an and Hadith strictly prohibit Muslims from being oppressive, dishonest, and disrupting the process of upholding justice.⁴⁶ Therefore, both in positive law and Islamic law, Contempt of Court must be dealt with firmly to maintain the dignity of the judicial institution and guarantee justice for the community.⁴⁷

D. CONCLUSION

Contempt of Court encompasses actions that degrade the dignity and authority of the judiciary, disrupting the judicial process and undermining justice. In Indonesia's positive legal system, regulations addressing Contempt of Court are scattered across the Criminal Code, Narcotics Law, Corruption Crime Law, and other statutes, lacking a unified and comprehensive framework. This fragmentation leads to inconsistent enforcement, as seen in cases like Adnan Buyung Nasution's courtroom protest, Mimi Lidyawati's assault on a judge, and the burning of the Larantuka District Court, which highlight the urgent need for clear legal boundaries. From an Islamic law perspective, principles of justice, honesty, and obedience to judicial authority, as derived from the Qur'an and Hadith, condemn such acts as contrary to the pursuit of a just social order. The absence of specific legislation exacerbates legal uncertainty, allowing violations to persist without adequate sanctions.

To address these issues, Indonesia requires a dedicated Contempt of Court law that clearly defines prohibited acts, such as courtroom disruptions, violence against judges, and interference with judicial processes, and establishes proportionate sanctions, including fines and imprisonment. This law should integrate Islamic legal principles, such as the emphasis on justice and respect for *ulil amri*, to create a holistic framework that resonates with Indonesia's cultural and religious context. Cases like Desrizal Chaniago's attack on judges and Razman Nasution's courtroom commotion underscore the need

⁴⁴ Yordan Gunawan, Amarta Yasyhini Ilka Haque, Nazella Jeanny Andrian, and Moli Aya Mina Rahma, "Analysis of the International Court of Justice's Jurisdiction in the Airspace Violation Cases," *Jambura Law Review* 5, no. 1 (2023): 17.

⁴⁵ Alensi Kusuma Dewi, M. Said Karim, and Audyna Mayasari Muin, "Urgensi Contempt of Court Dalam Sistem Peradilan Pidana: Studi Perbandingan Hukum," *Fakultas Hukum Universitas Hasanuddin* 31, no. 1 (2023): 48.

⁴⁶ Prayudha Leo Prima and Uning Pratimaratri, "Studi Perbandingan Hukum Terhadap Konsep 'Contempt of Court' di Negara Indonesia, Malaysia dan Pakistan," *Executive Summary* 12, No. 1 (2021): 5.

⁴⁷ Imam Sujono, "Urgensi Penemuan Hukum Dan Penggunaan Yurisprudensi Dalam Kewenangan Mahkamah Konstitusi," *Jurnal Konstitusi* 18, no. 3 (2022): 590.

for such a law to deter future violations and protect judicial independence. By formulating specific regulations, Indonesia can strengthen the judiciary's authority, ensure consistent law enforcement, and uphold a just and dignified legal system that aligns with both positive and Islamic legal values.

BIBLIOGRAPHY

Journals:

- Abimanyu, Dimas, Erna Dewi, and Eko Rahardjo. "Analisis Kebijakan Formulasi Tentang Perbuatan yang Menghambat Proses Peradilan (Contempt of Court) dalam Sistem Peradilan Indonesia." *Poenale* 5, no. 3 (2017): 5-10.
- Afriana, Anita, Artaji Artaji, Elis Rusmiati, Efa Laela Fakhriah, and Sherly Putri. "Contempt of Court: Penegakan Hukum dan Model Pengaturan di Indonesia." *Jurnal Hukum Dan Peradilan* 7, no. 3 (2018): 441-458.
- Ahmad, Sufmi Dasco. "Legal Sanctions Against Contempt of Court Actors: Analysis Based on Criminal Law and Criminal Procedure Code." *Ayer Journal* 27, no. 4 (2020): 27-40.
- Alotaibi, Hajed A. "The Challenges of Execution of Islamic Criminal Law in Developing Muslim Countries: An Analysis Based on Islamic Principles and Existing Legal System." *Cogent Social Sciences* 7, no. 1 (2021): 25-41.
- Arief, Barda Nawawi, and FX Djoko Priyono. "Criminalization of Contempt of Court Arrangement in the Draft Criminal Code." *International Journal of Pharmaceutical Research (09752366)* 13, no. 1 (2021): 455-470.
- Boedhiarti, Endhang. "Urgensi Pengaturan Contempt of Court di Indonesia di Masa yang Akan Datang (Ius Constituendum)." *Jurnal Juristic* 1, no. 03 (2021): 25-56.
- Butt, Simon. "Religious Conservatism, Islamic Criminal Law and the Judiciary in Indonesia: A Tale of Three Courts." *Journal of Legal Pluralism and Unofficial Law* 50, no. 3 (2018): 1-15.
- Dewi, Alensi Kusuma, M. Said Karim, and Audyna Mayasari Muin. "Urgensi Contempt of Court dalam Sistem Peradilan Pidana: Studi Perbandingan Hukum." *Fakultas Hukum Universitas Hasanuddin* 31, no. 1 (2023): 36-56.
- Disemadi, Hari, and Kholis Roisah. "Urgency of the Contempt of Court Criminalization Policy to Overcome Harassment Against the Status and Dignity of Courts." *Brawijaya Law Journal* 6, no. 2 (2019): 224-233.
- Fadli, Muhammad. "Tindakan Penghinaan yang Menghambat Proses Peradilan (Contempt of Court) dalam Penegakan Hukum di Indonesia." *Jurnal Analisis Hukum* 3, no. 1 (2020): 26-40.
- Firdaus, Muhammad Ihsan. "Offense of Contempt Against Government in Law Number 1 of 2023 Concerning Criminal Law Code From Constitutionalism

- Perspective." *Audito Comparative Law Journal (ACLJ)* 4, no. 2 (2023):55-67.
- Gumbira, Seno Wibowo, Supanto, Muhammad Rustamaji, and Agus Riewanto. "The Reconstrution of Contempt of Court in the Enforcement of the Constitutional Court of the Republic of Indonesia Based on Pancasila." *International Journal of Advanced Science and Technology* 28, no. 20 (2019): 23-40.
- Gunawan, Yordan, Amarta Yasyhini Ilka Haque, Nazella Jeanny Andrian, and Moli Aya Mina Rahma. "Analysis of the International Court of Justice's Jurisdiction in the Airspace Violation Cases." *Jambura Law Review* 5, no. 1 (2023).
- H. Yusep Mulyana. "Actions That Obstacle The Justice Process (Contempt Of Court) in The Criminal Law System in Indonesia." *East Asian Journal of Multidisciplinary Research* 2, no. 2 (2023): 811-822.
- Irmawanti, Noveria Devy, and Barda Nawawi Arief. "Urgensi Tujuan Dan Pedoman Pemidanaan Dalam Rangka Pembaharuan Sistem Pemidanaan Hukum Pidana." *Jurnal Pembangunan Hukum Indonesia* 3, no. 2 (2021): 217-227.
- Kholis, Nur. "Asas Non Diskriminasi dalam Contempt Of Court." *Legality: Jurnal Ilmiah Hukum* 26, no. 2 (2019): 210-237.
- Marques-Banque, Maria. "The Positive List Approach and the Legality Principle in Criminal Law in the European Union." *Revista Catalana de Dret Ambiental* 12, no. 1 (2021): 1-12.
- Mulyadi, Aditya Wisnu. "Urgensi Dan Pengaturan UU Tentang Contempt of Court Untuk Menjamin Harkat, Martabat dan Wibawa Peradilan." *Jurnal Magister Hukum Udayana (Udayana Master Law Journal)* 4, no. 2 (2015): 41-50.
- Musyafaah, Nur Lailatul, Sri Warjiyati, and Hammis Syafaq. "Tindak Pidana Contempt of Court Perspektif Hukum Islam." *Al-Jinayah: Jurnal Hukum Pidana Islam* 7, no. 2 (2021): 283-302.
- Nurhidayat, Syarif. "Pengaturan an Ruang Lingkup Contempt of Court di Indonesia." *Jurnal Ius Constituendum* 6, no. 1 (2021): 19-25.
- Pratama, Raka Indra, Ade Mahmud, and Chepi Ali Firman Zakaria. "Kebijakan Kriminal Terhadap Tindak Pidana Perzinahan Berdasarkan Hukum Pidana Positif Dan Hukum Pidana Islam." *Al-Jinayah Jurnal Hukum Pidana Islam* 8, no. 1 (2022): 27-37.
- Prima, Prayudha Leo, and Uning Pratimaratri. "Studi Perbandingan Hukum Terhadap Konsep 'Contempt of Court' di Negara Indonesia, Malaysia dan Pakistan." *Executive Summary* 12. No. 1 (2021): 1-10.
- Rabb, Intisar. "Foreword to the Symposium on Brunei's New Islamic Criminal Code." *Journal of Islamic Law* 1, no. 1 (2020): 1-20.
- Rozikin, Opik. "Contempt of Court in Indonesian Regultion." *JCIC: Jurnal CIC*

- Lembaga Riset dan Konsultan Sosial* 1, no. 1 (2019): 1-14.
- Silfiah, Rossa Ilma. "The Implementation of Religious Pluralism Values of Islamic Law on Article 156a of the Criminal Code." *Yustisia Jurnal Hukum* 9, no. 2 (2020): 43-99.
- Subarsyah, T. "Contempt of Court in Indonesian Criminal Justice System." *International Journal of Science and Society* 2, no. 3 (2020): 312-321.
- Suhariyanto, Budi. "'Contempt of Court' dalam Perspektif Hukum Progresif." *Jurnal Yudisial* 9, no. 2 (2016): 151-171.
- Sujono, Imam. "Urgensi Penemuan Hukum Dan Penggunaan Yurisprudensi Dalam Kewenangan Mahkamah Konstitusi." *Jurnal Konstitusi* 18, no. 3 (2022): 585-600.
- Sujono, Imam, Ja'far Baehaqi, Sardjana Orba Manullang, Muhammad Rusli, and Retno Sari Dewi. "Exploratory of Cybercrime in Law Perspective, A Research Using Bibliometric Approach." *Aip Conference Proceedings* 2927, no. 1 (2024): 44-60.
- Supardin, and Abdul Syatar. "Adultery Criminalization Spirit in Islamic Criminal Law: Alternatives in Indonesia's Positive Legal System Reform." *samarah* 5, no. 2 (2021): 913-927.
- Suryadi, Mohammad Anton, and Muhammad Zainal. "Analisis Perbuatan Menghalangi Proses Penyidikan, Penuntutan dan Peradilan (Obstruction Of Justice) dalam Sistem Pidana Di Indonesia." *Justness: Jurnal Hukum Politik dan Agama* 3, no. 2 (2024): 1-20.
- Syafaq, Hammis, Nur Lailatul Musyafaah, and Sri Warjiyati. "Judicial Commission Role to Handle Contempt of Court in Indonesia from the Perspective of Islamic Legal Thought." *European Journal of Law and Political Science* 2, no. 3 (2023): 7-13.
- Wahyono, Padmo. "Contempt of Court Dalam Proses Peradilan Di Indonesia." *Jurnal Hukum & Pembangunan* 16, no. 4 (2017): 12-21.
- Zulaichah, Siti. "The Important of Designing Legislation on Indonesian Contempt of Court Act: Legal Practitioners Perspective." *Borobudur Law Review* 5, no. 1 (2023): 65-84.

Books:

- Black, Henry Campbell, Bryan A. Garner, Becky R. McDaniel, David W. Schultz, *Black's Law Dictionary*. St. Paul, MN: West Group, 1999: 40-75.
- Hardani. *Metode Penelitian Kualitatif & Kuantitatif*. Yogyakarta: CV. Pustaka Ilmu Group, 2020: 60-86.