

ABSTRAK

Contempt of Court merupakan suatu isu hangat yang cukup sering diperbincangkan dalam dunia penegakkan hukum di Indonesia. *Contempt of Court* merupakan suatu tindakan yang dapat merongrong wibawa pengadilan yang dilakukan secara langsung dan tidak langsung. Di Indonesia pengertian mengenai *Contempt of Court* secara resmi diakui legitimasinya sejak lahirnya Undang-Undang Nomor 14 Tahun 1985 Tentang Mahkamah Agung, yang diamanatkan dalam penjelasan umum butir 4 alinea ke 4. Pengaturan mengenai *Contempt of Court* dapat ditemukan dalam beberapa pasal di Kitab Undang-Undang Hukum Pidana. Namun banyak ahli mengatakan bahwa pengaturan dalam Kitab Undang-Undang Hukum Pidana tersebut tidak cukup dalam mewadahi delik-delik *Contempt of Court* dan juga dalam praktek beracaranya. Hal ini dibuktikan dengan terdapatnya RUU *Contempt of Court* dalam daftar Program Legislasi Nasional (Prolegnas) tahun 2015-2019. Karena delik *Contempt of Court* yang dapat digolongkan sebagai delik khusus membutuhkan sistem yang khusus pula agar tidak menyimpangi asas-asas hukum pidana dan hukum acara pidana.

Kata Kunci : *Contempt of Court*, Sistem Peradilan Pidana, Asas-asas Hukum Pidana.

ABSTRACT

Contempt of Court is a hot issue that is quite often discussed in the world of law enforcement in Indonesia. Contempt of Court is an action that can undermine the authority of the court which is carried out directly and indirectly. In Indonesia the notion of Contempt of Court officially recognized its legitimacy since the birth of Act. No. 14 of 1985 concerning the Supreme Court, which is mandated in the general explanation of point 4 of paragraph 4. The arrangements regarding the Contempt of Court can be found in several articles in the Criminal Law. However, many experts say that the regulation in the Criminal Code is not enough to accommodate Contempt of Court offenses and also in the practice of their law. This is evidenced by the existence of the Contempt of Court Bill in the list of National Legislation Programs for 2015-2019. Because the Contempt of Court offense which can be classified as a special offense requires a special system so as not to deviate from the principles of criminal law and criminal procedural law

Keywords : Contempt of Court, Criminal Prosedural's System, Criminal Law's Principle.