



Law Enforcement in Handling Obstruction of Justice in Corruption Crimes
Committed by Advocates Case Study of Supreme Court Decision Number: 684
K/Pid.Sus/2009

Rama Paramaswara; Eva Achjani Zulfa; Surya Nita

Master in Police Science, Universitas Indonesia, Indonesia

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Abstract

This study aims to examine law enforcement's response to obstruction of justice and corruption offences committed by advocates using case studies from the Supreme Court Verdict No. 684 K/Pid.Sus/2009. The study's formulation of the problem is based on the Supreme Court Decision 684 K / Pid.Sus / 2009, and the Position of the Right to Immunity Advocates in Cases of Corruption. This is a normative juridical form of research. The results revealed that while the Position of Advocate possesses protection from prosecution in cases of corruption, this does not mean they are immune from the law. Equal protection under the law requires that equality before the law be respected and maintained as a common standard in law enforcement. Criminal liability for those who obstruct justice in corruption cases is 3 (three) years in prison and a fine of Rp. 150.000.000, if the defendant's activities are found to meet the elements of criminal acts as defined in Article 21 of Law No. 31 of 1999 jo. Law No. 20 of 2001. It can be speculated that the concept of equality before the law must continue to be implemented because it signifies equality against everyone, whether privileged or impoverished, authorities or regular citizens. In a matter of fact, advocates do not receive legal immunity. In this instance, the advocate should also maintain the Criminal Justice System's, such as a precaution or even obstruct the legal process by not taking steps.

Keywords: *Obstruction of Justice; Corruption Crime; Advocate; Supreme Court Decision*

Introduction

An advocate is a legal expert who works in court. According to another interpretation, advocate means "advisors." Because of their role as advisors in court, advocates are sometimes referred to as legal advisers. When compared to the term defender, the titles legal advisor/legal aid and advocate/lawyer are more fitting for their roles as companions to the suspect/defendant or plaintiff/defendant. Since the term defender can be regarded as someone who assists judges in their efforts to find material truth, even if it departs from a subjective point of view, meaning siding with the suspect's or defendant's interests (Kaligis, 2015, p. 2).

Advocate is an *Officium Nobile Profession*, or a noble profession, because it is committed to the common good and to upholding human rights. Whereas article 1 paragraph 1 of the Law on Advocates indicates that advocates have the profession of providing legal services that meet the standards both within and outside the court. Additionally, the Law on Advocates reinforces the definition of legal services delivered by an advocate, stating in Article 1 paragraph 2 that legal service offered by advocates include providing legal consultation, legal assistance, exercising power, representing, accompanying, defending, and taking other legal actions in the client's legal interest. Provision of legal services and advice is meant to prevent suspects or defendants from being treated unfairly or inhumanely, a concept known as due process of law. As a person facing lawsuits, the right of a suspect or defendant is safeguarded and harmed since the scope of legal aid activities includes defense, representation outside and inside the court, teaching, research, and diffusion of ideas (Raharjo & Sunarnyo, 2014).

According to Indonesian advocates' ethics code, advocates exist in Indonesia to serve the public as "agents for law enculturation" or "agents for legal growth," especially advocates who serve as "agents of law development." Professionalism in the legal profession can be defined as a person's ability to adhere to a code of ethics, credibility, and reputation while also doing their duties to the best of their abilities and suffering the fewest setbacks (Saepudin, 2016). It is essential that the Code of Ethics for the Advocate profession is binding on the profession and one's self. However, in practice, often advocates are unable to live up to the ideals of their profession. A lack of understanding for his profession's essence is to blame, as are external pressures that are too powerful. As a part of the criminal justice system, attorneys are frequently tasked with defending clients accused of corruption. However, lawyers are frequently placed in a position where they must decide whether to disrupt the court process in order to free or acquit their clients of claims of criminal corruption (Mote, 2012).

The obstruction of the legal process is already a result of the crime that thrives in Indonesia in the event of criminal actions of corruption. Deep Corruption in Indonesia, by Heinzpeter Znoj, uncovers the persistence of widespread corruption. It is possible to find all kinds of obstruction of justice offenses in Indonesian criminal law norms (Agustina, 2015, p. 30).

The Manatap Ambarita case began with his appointment as a legal advisor to accompany the suspect Manatap Ambarita. In April 2008, to be precise on April 3, 2008, the Tua Pejat District Attorney issued a summons for Manatap Ambarita. This coincided with the appointment of Manatap Ambarita as his legal advisor. As a legal advisor, Manatap Ambarita asked the Tua Pejat District Attorney's Office to postpone the examination of the suspect, on the grounds that he studied the case files and his client was not ready for examination. The Tua Pejat District Attorney, however, denied the request and requested that Manatap Ambarita, the suspect's legal advisor, immediately present the suspect at the Aspidus Prosecutor's Office in West Sumatra. Manatap, on the other side, insisted on requesting two weeks to analyze the papers and attempt to protect the suspect on the grounds that he was still not ready for questioning. This contradicts the suspect's confession, according to which he was barred from appearing before the District Attorney's Office by his counsel. As a matter of fact, the Tua Pejat District Attorney issued an arrest warrant for the suspect Manatap Ambarita, ST on the same day.

To make an arrest the Investigating Prosecutor together with Poltabes Padang formed an Arrest Team. The arrest team tried to contact them via cellphone but both were inactive. Furthermore, the team also visited the hotel where the legal advisor was staying, by asking the general manager of the hotel, it turned out that they were recorded as staying at the hotel in room 211. After asking for permission to open the door to their second room, nothing was found, only the suspect case files were available. Because it was considered obstructing the process of arresting the suspect, Manatap Ambarita as the suspect's legal advisor was detained without being shown an arrest warrant and an arrest warrant for questioning about the actual whereabouts of the suspect. After being interrogated alternately by 5 investigators, The suspect, Manatap Ambarita, came to surrender after being contacted by his legal advisor. Manatap is accused of lying and hiding his client from the examination by the prosecutor's office and violating Article 21 of Law Number 31 of 1999.

According to Asmuddin, SH (Chairman of the Padang District Court) the judge's point of view is that in interpreting article 21 related to the explanation of inhibiting, obstructing, and hindering, it is clearly stated in the law. If there are actions or things that hinder prosecutors, judges and others, it is clear that it is an obstacle. Not acting as a professional duty has also fulfilled the act of obstructing, thus complicating the legal process that is being handled. In principle, the activities of hindering that occur in many other criminal acts which intend to protect all criminal acts that occur.

Based on the foregoing background, the following issue may taken into account:

1. What is the Obstruction Of Justice Criminal Accountability in Corruption Crimes Performed by Advocates in the Supreme Court Decision Number: 684 K/Pid.Sus/2009?
2. What is the Position of Immunity for Advocates in Cases of Corruption?

Research Methods

This is a normative juridical type of research, in which the author examines various written laws and regulations, one of which is Law Number 31 of 1999 jo. Law Number 21 of 2001 concerning the Eradication of Criminal Acts of Corruption, which is supported by a variety of literatures pertaining to the issues discussed in this research. The author relied on secondary data, which included primary, secondary, as well as tertiary legal materials.

Results and Discussion

Position of Immunity of Advocates in Cases of Criminal Acts of Corruption Case Study of Supreme Court Decision Number: 684 K/Pid.Sus/2009

Advocates are provided with legal protection under Law No. 18 of 2003, which stipulates in Article 5 paragraph (1) that “advocates have the status of law enforcement officers who are free and independent, as established by laws and regulations”. Therefore, the guarantee of protection granted by the constitution should not be used to discriminate against advocates, as according to Article 18 of Law No. 18 of 2003 concerning Advocates.

As specified by provisions of Article 18 paragraph (1) of the Criminal Procedure Code, it is stated that the implementation of the arrest task is carried out by an officer of the state police of the Republic of Indonesia by showing a letter of assignment and giving the suspect an arrest warrant which includes the identity of the suspect and states the reason for the arrest as well as a brief description of the suspected health case and the place where he was examined. Article 28D paragraph (1) of the Constitution states that “Everyone has the right to recognition, guarantee, protection and fair legal certainty and equal treatment before the law”.

Generally speaking, the forms of legal protection available are grouped into two categories, which can be described as follows:

1. Preventive Legal Protection, under this preventive legal protection, legal subjects are given the option to make objections or opinions prior to the finalization of a government decision. The objective is to avert conflicts. Preventive legal protection is critical for government actions based on discretion, as it encourages the government to exercise caution when making discretionary decisions. Indeed, there is no explicit law in Indonesia governing preventive legal protection.

2. **Repressive Legal Protection.** Repressive legal protection is intended to resolve conflicts. The administration of legal protection by Indonesia's General Courts and Administrative Courts falls under this area of legal protection.

Protection from government action is based on the idea that human rights are recognized and protected, since western history shows that the emergence of such ideas about human rights recognition and protection was motivated by the desire to impose restrictions and lay down obligations on society and government.

Advocates' legal protection is regulated by a number of statutes. To begin, Article 28D paragraph (1) of the 1945 Constitution controls the recognition, guarantee, protection, and legal certainty of advocates, as well as equal treatment before the law. Furthermore, Article 16 of Law No. 18 of 2003 on Advocates regulates the legal immunity of advocates while doing their duties. Advocates are not convicted criminally or civilly for carrying out their duty. Fourth, advocates are legally protected under Article 33 of Law No. 18 of 2003 on the Advocates' Code of Ethics.

Advocates have the obligation to implement a code of ethics as regulated in the advocate law. The code of ethics for advocates has been agreed with the law enforcement parties and has also been regulated in the advocate professional organization based on the Law on Advocates. The code of ethics for advocates is regulated in Article 33 of Law Number 18 of 2003 concerning the Code of Ethics which states:

“The code of ethics and provisions regarding the Advocate Professional Honorary Council have been established by the Indonesian Advocates Association (hereinafter referred to as IKADIN), the Indonesian Advocates Association (AAI), the Indonesian Legal Advisory Association (IPHI), the Indonesian Advocates and Lawyers Association (HAPI), the Indonesian Bar Association (SPI), the Association of Indonesian Legal Consultants (AKHI), and the Association of Capital Market Legal Consultants (HKHPM), on 23 May 2002 were declared to have legal force (*mutatis mutandis*) according to this Law until new provisions are made by the Advocates Organization.”

In addition to Law Number 18 of 2003 concerning Advocates. The behavior of advocates in carrying out their duties is regulated in the Advocate's Code of Ethics. Article 9 of the Advocate's Code of Ethics states that:

- a. Every advocate must comply with and understand this Advocate's Code of Ethics.
- b. Supervision of the implementation of the Advocate's Code of Ethics is carried out by the Honorary Council.

If an advocate is on duty, if it is found to have violated the Advocate's Code of Ethics, then the Honorary Council must follow up on it in accordance with Law Number 18 of 2003 concerning Advocates.

Code of Ethics for Advocates Chapter IX Article 10 paragraph (1) concerning the Honorary Council states: “The Honorary Council has the authority to examine and adjudicate cases of violations of the Code of Ethics committed by advocates”. Same with other professional workers who have a Code of Ethics and have been regulated in their respective professional organizations.

The right of immunity is seen as alive when advocates carry out their professions that adhere to the Law on Advocates and the code of professional ethics and have good faith, namely in accordance with the *ius constitutum* and not against the law. In the obstruction of justice act which is classified as one of the contempt of court, the aspect of criminal responsibility in the advocate profession views that advocates in committing violations are not within the scope of the profession as advocates, so that the right of immunity which is only attached to the advocate profession becomes invalid. In addition to the

criminal aspect that binds advocates if they commit a violation, there are also aspects of the code of ethics that must be upheld (Mamengko, 2016).

The most important part related to the immunity of advocates is good faith. Good ethics is carrying out professional duties for the sake of upholding justice based on the law to defend the interests of clients, court hearings are court hearings at every level of court in all judicial environments (Explanation of Article 16) of Law Number 18 of 2003. Decision of the Supreme Court (also referred to as MA) Number 684K /Pid.Sus/2009, is the object of this research. The verdict is that the convict is an advocate.

As for the case, Advocate Manatap Ambarita received a Power of Attorney from his client (Manatap Ambarita) on Thursday, April 3, 2008 at 10.00 WIB. Based on a summons dated March 28, 2008, which asked his client, Manatap Ambarita, to appear before investigators for questioning as a suspect on Thursday, April 3, 2008 at 09.00 WIB. At that time Manatap Ambarita and his client (Manatap Ambarita) came, but Manatap Ambarita only arrived in front of the High Prosecutor's Office. Manatap Ambarita asked his client to wait in the car, then Manatap Ambarita, who had received a power of attorney, entered before the investigator who asked the investigator to give the investigator 2 weeks with the reason to study the case file. The request for postponement was considered by the investigators not to be Manatap Ambarita's request and deemed not to be a reason to study the file, so the request for postponement was rejected by the investigator and still asked to present his client (Manatap Ambarita). Upon hearing the investigator's refusal and request, Manatap Ambarita had the principle that he needed to study the file because he had just received it, did not present his client, and asked for guarantees so that his client would not be detained. Advocate based on a power of attorney from his client, for and on behalf of his client to represent and appear before the investigator and asked for guarantees that his client would not be arrested. Advocate based on a power of attorney from his client, for and on behalf of his client to represent and appear before the investigator. and asked for guarantees that his client would not be arrested. Advocate based on a power of attorney from his client, for and on behalf of his client to represent and appear before the investigator.

In the decision of case number 684K/Pid.Sus/2009, Manatap Ambarita's advocate was in criminal proceedings without going through a trial of code of ethics for Manatap Ambarita's lawyer, Ambarita was immediately arrested without an arrest warrant. At the time of the arrest of Manatap Ambarita, the investigator was accompanied by 2 (two) police officers. The process of arresting Manatap Ambarita was carried out not according to procedures, for example the arrest of an advocate Manatap Ambarita without an arrest warrant; Investigators accompanied by 2 (two) police officers complete with long-barreled weapons aimed at Manatap Ambarita's head with pressure and threats if investigators do not want to be arrested. Threats and pressures were uttered several times so that Manatap Ambarita was stressed and afraid that the investigators would forcefully push him into a car and force him to take him to the High Prosecutor's Office for interrogation.

This is contrary to the code of ethics for advocates regulated in Chapter VIII concerning the Implementation of the Code of Ethics Article 9 states;

1. Every advocate must comply with and understand this Advocate's Code of Ethics.
2. Supervision of the implementation of the Advocate's Code of Ethics is carried out by the Honorary Council.

If an advocate who is on duty is found to have violated the Advocate's Code of Ethics, then the Honorary Council is obliged to follow up. In accordance with Article 33 of Law Number 18 of 2003 concerning Advocates in conjunction with the Code of Ethics for Advocates Chapter IX Article 10 paragraph (1) concerning the Honorary Council states: "The Honorary Council has the authority to examine and adjudicate cases of violations of the Code of Ethics committed by advocates".

When compared with a notary, there is discrimination in the settlement of cases between fellow professional workers in the legal field. This indicates that there is no legal equality in the Manatap Ambarita case and the case against a notary Feny Sulifadarti. The absence of the trial of the advocate's code of ethics against Manatap Ambarita caused injustice to Manatap Ambarita's advocate. Based on these facts, the advocate organization does not carry out its function as a protector for advocates who are advocating for their clients.

The results of the analysis that the researchers put forward on the Supreme Court's Decision Number 684K/Pid.Sus/2009, have incorrectly applied Article 21 of the UUTPK against the advocate Manatap Ambarita. The case has not yet gone through the trial of the advocate's code of ethics which is a prerequisite for a violation of professional workers which can be processed through the trial of the advocate organization before going through the trial process in court. The author also adheres to the principle of "Equality Before The Law", which is that even though advocates have the rights regulated in the Advocate Law, it does not mean that advocates are immune from the law. How can someone who already has his own immunity rights have such behavior. Therefore, the author is of the opinion that the public prosecutor should include the addition of the indictment article against Manatap Ambarita in a separate article of the Advocate's Code of Ethics. So that other advocates do not protect themselves from their immunity rights. In fact, the legal facts revealed from the trial, it can be concluded that the defendant's act of refusing to hand over his client to be examined by investigators and telling lies and hiding his client's whereabouts are not part of carrying out his professional duties in good faith as an advocate. In the legal facts considered by the judge, the panel of judges stated that the defendant had exceeded his authority as a legal advisor. In reality, it can happen that the treatment of advocates is proven not to be in accordance with the law because of a problem that can only be seen because of status arrogance. What should be advocates also uphold the Criminal Justice System does not take precautions, thwart to hinder the process to the court process.

Criminal Accountability for Obstruction Of Justice in Corruption Crimes Performed by Advocates Case Study of Supreme Court Decision Number: 684 K/Pid.Sus/2009

Talking about criminal liability in criminal law, recognizing criminal responsibility contains the principle of culpability. In line with this, criminal law recognizes that there is no mistake that occurs without violating the law. Then there is the theory with the term "*Geen Straf Zonder Sculd or Keine Strafe Onhe Schuld*" (Eddy, 2016, p. 153). The ability to be responsible, the existence of errors (absence/*culpa* or *dolus*) and the absence of justification are elements of criminal responsibility (Padil, 2016). The element of error in a broad sense is the ability to be responsible (*schuldfähigkeit* or *zurechnungsfähigkeit*) which is related to the psychological state of the perpetrator. The next element must be proven, namely the existence of a relationship between the perpetrator's actions and the presence of an element of intent (*dolus*) or negligence (*culpa*).

In criminal liability, there is a strict liability doctrine which means that legal subjects can be held accountable if they have met the actus reus as formulated in the law, so strict liability is also known as absolute responsibility that can be imposed directly on the perpetrator (Hikmawati, 2017). Strict liability is applied to cases of violation, one of which is contempt of court (Hikmawati, 2017). Contempt of court consists of direct contempt, which is a form of insult that is carried out directly both inside the courtroom and outside the court during a trial. It is different with indirect contempt, one of which is the act of disturbing and preventing judges from examining, judging and deciding a case or also court officials and law enforcers involved in the legal process, this is what is classified as obstructing justice (Asshiddiqie, 2015). In order to be able to be held criminally accountable to advocates, they must consider the right of immunity which becomes immunity from advocates in carrying out their profession.

Based on the indictment used by the Public Prosecutor against the defendant Manatap Ambarita is a single indictment, namely Article 21 of Law 31 of 1999 in conjunction with Law Number 20 of 2001 concerning the Eradication of Corruption Crimes. From the chronology of the case, it can be seen that the

defendant's efforts to prevent, hinder or thwart the investigation process into Manatap Ambarita. This can be seen from the defendant's refusal to hand over Manatap Ambarita, even though the defendant and Manatap Ambarita had arrived at the Prosecutor's Office. The defendant also lied to investigators about Manatap Ambarita's whereabouts when investigators approached the accused, who was suspected to be with Manatap Ambarita at the Prince Beach Hotel. To the investigator, the defendant said that Manatap was at his residence, but when the investigator was at Manatap Ambarita's house, Manatap Ambarita's wife replied that her husband was with his legal advisor (the defendant) and had not yet returned. The actions of the perpetrators have clearly and clearly attempted to prevent, hinder or thwart the investigation process in accordance with the indictment of the Public Prosecutor as stated in Article 21 of Law Number 31 of 1999 in conjunction with Law Number 21 of 2000 concerning Eradication of Criminal Acts of Corruption.

The author considers that the indictment made by the public prosecutor has met the material requirements which is align with provisions of Article 143 paragraph (2) letter b of the Criminal Procedure Code, namely that it contains a detailed, clear and complete description of the criminal act charged with mentioning the time and place of the crime being committed. The indictment used by the public prosecutor is a single indictment, namely using Article 21 of the Corruption Eradication Law. The author assumes that using a single indictment is quite dangerous, because if the indictment is not legally and convincingly proven, the defendant will be acquitted (*vrijspraak*) in accordance with the provisions of Article 191 paragraph (1) of the Criminal Procedure Code. Of course it will be different if what is used, for example, is an alternative indictment, if one of the articles of indictment is not proven, then there is another layer of indictment that can be backed up. This means that the public prosecutor still has a bullet to ensnare the perpetrators. However, even so, the Public Prosecutor's action was appropriate, because the article relating to the act of obstructing the legal process that was suitable for being charged with the perpetrator contained only one article, namely Article 21 in the Law on the Eradication of Criminal Acts of Corruption.

The public prosecutor in his charge came to the conclusion that the defendant Manatap Ambarita had been legally and convincingly proven guilty of "intentionally preventing, obstructing or thwarting directly or indirectly the investigation, prosecution, and examination at a court hearing against a suspect or defendant or witnesses in a corruption case" as regulated and threatened with criminal offense of violating Article 21 of Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption as amended and added to by Law Number 20 of 2001. If viewed from the elements of Article 21 of the Law on the Eradication of Criminal Acts of Corruption, the criminal acts committed What is done by the defendant is correct and appropriate, as is the element of every person as a legal subject who is able to be responsible for the actions he has committed. In this trial, the element of everyone has been fulfilled against the defendant Manatap Ambarita in his position as a person or legal subject who is physically and mentally healthy and can be held accountable.

The element of intention has also been fulfilled, because from the legal facts at trial, it can be seen that the defendant knew that his actions could hinder the law enforcement process, moreover the defendant was a law enforcer as well. The element of preventing, hindering or thwarting directly or indirectly from the defendant's actions has also been fulfilled where the defendant's actions have hampered the law enforcement process against his client Manatap Ambarita directly. The elements of an investigation, prosecution and examination in court must be interpreted as an alternative, not a cumulative event, so that if one of the conditions is fulfilled, starting from an investigation, prosecution, or examination in court, then these elements have been fulfilled. The elements against the suspect or defendant or witnesses in a corruption case have also been fulfilled because the defendant's actions have hindered the process of investigating a suspect from a corruption case. Therefore, the public prosecutor demanded that the defendant be sentenced to imprisonment for 3 (three) years, reduced as long as the Defendant is in detention, with an order that the Defendant remains in detention in the Detention Center and a fine of Rp. 150,000,000.- (one hundred and fifty million rupiah) Subsidiary 6 (six) months in prison.

The author considers that the demands made by the public prosecutor have fulfilled the sense of justice, given that the act of obstructing the legal process must be considered a crime and is as dangerous as the criminal act of corruption itself. The Supreme Court's decision also rejected the cassation request from the defendant. Where one of the reasons for the defendant's application is that the defendant is only carrying out his job as a legal advisor. Indeed, regarding the immunity rights of advocates/legal advisors, Article 16 of Law Number 18 of 2003 concerning Advocates states that "advocates cannot be prosecuted both civilly and criminally in carrying out their professional duties in good faith for the benefit of the client's defense in court proceedings". This right to immunity was later strengthened by the Constitutional Court Decision No. 26/PUU-XI/2013 which states "advocates cannot be prosecuted both civilly and criminally in carrying out their professional duties in good faith for the benefit of the client's defense inside and outside the court session". However, it can be seen from the legal facts revealed from the trial, it can be concluded that the defendant's act of refusing to hand over his client for examination by investigators and telling lies and hiding his client's whereabouts are not part of carrying out his professional duties in good faith as an advocate, the panel of judges stated that the defendant had exceeded his authority as a legal advisor.

According to Sarwono, in the field of psychological theory, one of the factors that states that a person commits a crime is the Medan Theory, namely a person's behavior is the result of the interaction between personality and environmental factors. The defendant is an advocate, so automatically the environment is advocates. However, according to the author, this environment made the defendant arrogant because he always thought that he was a lawyer who was better than an investigator who wanted to examine his client. This can be seen from his words which say in a threatening tone to investigators that he is a "lawyer from the city" (Harahap, 2013).

The author agrees that legal advisors who exceed the limits of their authority must be found guilty, so that they can be a lesson for other advocates so that they do not arbitrarily protect their clients and then argue with their immunity rights as advocates. Moreover, the advocate profession is part of law enforcement which should be cooperative in revealing the truth of every legal event.

According to the author, the act of obstructing the legal process is a crime that has a tremendous impact because it hinders the law enforcement process. Punishments should be given more severe in order to provide a deterrent effect and as a warning signal for other individuals not to mess with the law enforcement process anymore. Seeing the principle of *lex generalis derogat lex specialis*, which is general law should not override special law. Therefore, according to the author, because the Corruption Act is a special law, the crimes committed include serious and special crimes.

Conclusion

Based on the findings of the research, it can be concluded that the position of The Right to Immunity advocates in cases of corruption has improved significantly since the passage of Law No. 18 of 2003. This is because, under Law No. 18 of 2003, advocates have been granted the authority to appoint other advocates to represent them in court. Nevertheless, just because they have the right to immunity does not imply they are immune to the law. As a result of the legal principle of equality before the law, equality before the law continues to be respected and maintained as a common benchmark in law enforcement operations. In addition, it should be underlined that the principle of equality before the law must continue to be implemented because the principle means equality for everyone, whether they are privileged or impoverished, officials or regular citizens. The right of immunity does not extend to advocates. Notwithstanding, in practice, it is possible that the treatment of the advocate is incompatible with the law since a problem is primarily perceived to have arisen as a result of the advocate's arrogance of status. As long as the Criminal Justice System does not take measures and does not obstruct the court process, it should be upheld by the advocates.

Meanwhile, criminal liability for perpetrators of obstruction of justice in corruption cases in the supreme court decision No. 684 / Pid.Sus / 2009 on behalf of Manatap Ambarita is subject to criminal sanctions in the form of imprisonment for 3 (three) years and a fine of Rp.150.000,000.- (one hundred and fifty million rupiah), provided that if the fine is not paid then replaced with imprisonment for 1 (one) month because the defendant's actions have been proven comply with the elements of criminal acts as stipulated in Article 21 of Law No. 31 of 1999 jo. Law No. 20 of 2001 shall be punished with imprisonment of at least 3 (three) years and a maximum of 12 (twelve) and or a fine of at least Rp. 150.000.000,00 and a maximum of Rp. 600.000.000,00.

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