



The Scope of Anti-SLAPP Protection and Judicial Independence in Environmental Law Enforcement: A Construction Following Constitutional Court Decision Number 119/PUU-XXIII/2025

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ABSTRACT

This article examines the limits of Anti-Strategic Lawsuit Against Public Participation (Anti-SLAPP) protection and its relationship with judicial independence in environmental law enforcement in Indonesia. The central issue is how protection for environmental defenders can be implemented effectively without becoming an absolute immunity that eliminates the judiciary's function of adjudicating cases. This study employs normative legal research using statutory, conceptual, case, and limited comparative approaches. The findings show that Article 66 of Law No. 32 of 2009 on Environmental Protection and Management provides a substantive basis for protection, while Supreme Court Regulation No. 1 of 2023 and Minister of Environment and Forestry Regulation No. 10 of 2024 have begun to establish operational mechanisms. Constitutional Court Decision No. 119/PUU-XXIII/2025 broadens the protected subjects from a formulation previously perceived as limited to victims and/or complainants to every person, including witnesses, experts, activists, and other parties participating in environmental protection. This article argues that the limits of Anti-SLAPP protection should be formulated through a threshold test encompassing a causal nexus with public participation, environmental public interest, indications of retaliation, good faith, and the principles of necessity and proportionality. Under this framework, Anti-SLAPP does not conflict with judicial independence; rather, it operates as a corrective mechanism to prevent the courts from being used to suppress public participation.

Keyword:

Anti-SLAPP, judicial independence, environmental law enforcement, public participation, right to a good and healthy environment.

INTRODUCTION

A Strategic Lawsuit Against Public Participation (SLAPP) is a form of abuse of legal process that may formally appear as a

civil action, criminal complaint, or other legal proceeding but is substantively aimed at suppressing public participation. The

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concept was first mapped by Penelope Canan and George W. Pring in their observations of lawsuits used to silence citizens' political expression, particularly when citizens petitioned government or voiced matters of public concern. Within this framework, a SLAPP is assessed not merely by whether the plaintiff or complainant ultimately wins or loses, but by its strategic consequences: diverting citizens' energy from public advocacy to self-defense in costly, protracted, and exhausting legal proceedings (Canan & Pring, 1988a, p. 506). Pring later emphasized that cases exhibiting SLAPP characteristics often use private-law or criminal-law instruments to punish conduct that properly belongs within the sphere of public participation (Pring, 1989, p. 5). Subsequent scholarship has understood SLAPP as a litigation strategy that creates a chilling effect on other citizens who might otherwise participate in public issues (Pring, 1989, p. 8).

The harm caused by a SLAPP does not necessarily lie in the final judgment. In many cases, the process itself becomes the punishment. Protracted legal proceedings, advocacy costs, reputational risks, criminal exposure, and resource disparities between citizens and corporations or public officials can produce a broader deterrent effect. Canan and Pring's socio-legal research demonstrates that SLAPP cannot be adequately studied through case documents alone because its principal effects emerge in power relations outside the courtroom (Canan & Pring, 1988b, p. 385). Under chilling-effect theory, the threat of legal sanctions may cause citizens to refrain from speaking or acting even when their conduct is legally protected (Schauer, 1978, p. 693). Kendrick likewise shows that chilling effects operate through uncertainty, risk, and perceived threats, such that unclear law or legal processes that can too readily be used to retaliate against criticism may reduce the quality of

public deliberation (Kendrick, 2013, p. 1637).

In the environmental context, SLAPP has a distinctive character because public participation is an inherent component of environmental governance. The right to a good and healthy environment requires not only prohibitions on pollution but also access to information, participation in decision-making, and access to justice. Boyle places environmental rights at the intersection of human rights and ecological protection because environmental quality is a prerequisite for the fulfillment of many other rights (Boyle, 2012, p. 613). Accordingly, legal attacks against citizens who raise environmental objections cannot be reduced to ordinary disputes between two parties. They implicate constitutional, democratic, and ecological dimensions because they restrict the public's ability to oversee activities that may cause pollution or environmental degradation.

In Indonesia, the normative basis for Anti-SLAPP protection is set out in Article 66 of Law No. 32 of 2009 on Environmental Protection and Management (the Environmental Protection and Management Law). The provision states that every person who fights for the right to a good and healthy environment may not be criminally prosecuted or civilly sued (Law No. 32 of 2009, art. 66). Article 66 does not stand alone. It must be read together with Article 65, which recognizes the right to a good and healthy environment, environmental education, access to information, access to participation, access to justice, the right to submit proposals or objections, and the right to file complaints (Law No. 32 of 2009, art. 65(1)-(5)). The relationship between Articles 65 and 66 is important because Anti-SLAPP is not a personal privilege but a consequence of recognizing participatory rights in environmental protection and management.

Nevertheless, the implementation of Anti-SLAPP protection in Indonesia has long faced operational problems. Sembiring notes that Article 66 has become the principal entry point for Anti-SLAPP protection, but formulating implementing rules is challenging because the concept of SLAPP emerged from the United States and cannot simply be transplanted into Indonesia (Sembiring, 2019, p. 186). This challenge is reinforced by the fact that attacks against environmental defenders in Indonesia do not always take the form of civil lawsuits; they often involve criminal complaints, criminalization, intimidation, and other legal actions that have a silencing effect (Sembiring, 2019, p. 187). Indonesian Anti-SLAPP protection must therefore be designed with attention to the characteristics of the national legal system, law-enforcement structures, and patterns of power relations in the environmental sector.

Previous studies indicate that Anti-SLAPP protection in Indonesia has not yet been effective. Nelisa emphasizes the urgency of strengthening procedural rules because Article 66 provides substantive protection without a clear preliminary screening mechanism (Nelisa, 2022, p. 118). Handayani, Achmadi, and Apsari show that SLAPP in Indonesia does not appear in a single form; it may take the form of a textbook SLAPP, a disguised SLAPP, or a more elusive form that exploits procedural gaps (Handayani et al., 2022, p. 152). Maharani and Sari likewise conclude that barriers to effective Anti-SLAPP protection include lengthy legal processes, high costs, evidentiary difficulties, and weak integration among law-enforcement institutions (Maharani & Sari, 2024, p. 14).

From the perspective of legal-system theory, the ineffectiveness of Anti-SLAPP protection is attributable not only to deficiencies in legal norms but also to the structure and culture of law enforcement. Using Lawrence M. Friedman's framework,

Sukmadewi et al. show that the operational ambiguity of Article 66, inconsistent interpretations among law-enforcement officials, and low levels of participation and legal awareness contribute to weak protection for environmental activists (Sukmadewi et al., 2026, p. 475). These findings indicate that Anti-SLAPP norms should be designed not merely as declarations of immunity but as screening procedures that can be understood by investigators, prosecutors, judges, attorneys, and the public.

The most important development emerged through Constitutional Court Decision No. 119/PUU-XXIII/2025. The Court found that the Explanation to Article 66 of the Environmental Protection and Management Law could narrow the meaning of "every person" so that it appeared to cover only victims and/or complainants pursuing legal avenues. The Court then declared the Explanation to Article 66 conditionally unconstitutional unless interpreted to protect every person, including victims, complainants, witnesses, experts, and environmental activists who participate in environmental protection and management through legal avenues or other forms of participation, while continuing to respect judicial independence (Constitutional Court Decision No. 119/PUU-XXIII/2025, pp. 128-132). The decision broadens the horizon of Anti-SLAPP protection but simultaneously creates a new conceptual question: where should the limits of protection be drawn, and how should those limits be situated in relation to the principle of judicial independence?

The question of limits is important because Anti-SLAPP must not be understood as absolute immunity. If every action claimed to constitute environmental advocacy were automatically immune from legal examination, Anti-SLAPP protection could be misused to shield conduct that is substantively unrelated to environmental

interests, undertaken in bad faith, or involving violence, falsification, threats, or disproportionate insults. Conversely, if the limits are drawn too narrowly, Article 66 loses its protective function because citizens must still endure the entire legal process before obtaining a final judgment. This dilemma makes the relationship between Anti-SLAPP protection and judicial independence a normative legal problem requiring systematic construction.

Judicial independence is itself a constitutional principle guaranteed by Article 24(1) of the 1945 Constitution of the Republic of Indonesia. In institutional theory, judicial independence is necessary so that judges may decide cases on the basis of law and facts rather than political pressure, economic pressure, or public opinion (Ferejohn & Kramer, 2002, p. 962). Feld and Voigt distinguish between *de jure* or formal judicial independence and *de facto* independence, both of which are important in assessing the quality of judicial power (Feld & Voigt, 2003, p. 498). In the Anti-SLAPP context, judicial independence cannot mean that judges are free to disregard the protection afforded by Article 66. Rather, it should mean that judges have a duty to determine independently whether a case constitutes a legitimate legal claim or an instrument for suppressing public participation.

Supreme Court Regulation No. 1 of 2023 provides an important procedural direction. In environmental criminal cases, a defendant may object that the indictment violates Article 66; the public prosecutor is given an opportunity to respond; and the judge must rule on the objection through an interlocutory decision within a specified period (Supreme Court Regulation No. 1 of 2023, art. 76). The regulation also lists considerations that judges must take into account, including the right to a good and healthy environment, access to information, participation, access to justice, the relationship between the case

and environmental advocacy, forms of public participation, and the principles of necessity and proportionality (Supreme Court Regulation No. 1 of 2023, art. 78). However, the regulation must still be read together with Constitutional Court Decision No. 119/PUU-XXIII/2025 and Minister of Environment and Forestry Regulation No. 10 of 2024 so that the limits of Anti-SLAPP protection do not stop at procedural mechanisms but also include substantive parameters.

This study differs from previous research. Earlier studies have largely emphasized the urgency of regulatory strengthening, the effectiveness of Article 66, protection for environmental activists, or procedural Anti-SLAPP design. This article focuses on an issue that has not been extensively formulated in explicit terms: the normative limits of Anti-SLAPP protection in relation to judicial independence. Its novelty lies in constructing an Anti-SLAPP threshold test that integrates: (i) the expansion of protected subjects following Constitutional Court Decision No. 119/PUU-XXIII/2025; (ii) the procedural mechanisms of Supreme Court Regulation No. 1 of 2023; (iii) the classification of protected subjects and conduct under Minister of Environment and Forestry Regulation No. 10 of 2024; and (iv) judicial independence as a guarantee of objective adjudication rather than a reason to weaken protection for public participation.

Based on the foregoing background, this study formulates two principal research questions:

1. How does Indonesian environmental law regulate the limits of Anti-SLAPP protection following Constitutional Court Decision No. 119/PUU-XXIII/2025?
2. What would constitute an ideal Anti-SLAPP framework that effectively protects environmental public

participation without undermining judicial independence?

METHODS

This study uses normative legal research. Normative legal research treats law as a system of norms, principles, doctrines, judicial decisions, and legal arguments that are assessed according to internal consistency and their conformity with the purposes of law. Marzuki explains that legal research is conducted to identify legal rules, legal principles, and legal doctrines for resolving the legal issues under examination (Marzuki, 2017, p. 35). Soekanto and Mamudji likewise characterize normative legal research as library-based research grounded in primary and secondary legal materials (Soekanto & Mamudji, 2015, pp. 13-14).

The study employs statutory, conceptual, case, and limited comparative approaches. The statutory approach examines the 1945 Constitution of the Republic of Indonesia, the Environmental Protection and Management Law, Supreme Court Regulation No. 1 of 2023, Minister of Environment and Forestry Regulation No. 10 of 2024, the national Criminal Code, the national Criminal Procedure Code, and environmental law-enforcement guidelines. The conceptual approach develops the concepts of SLAPP, Anti-SLAPP, chilling effect, public participation, access to justice, and judicial independence. The case approach focuses on Constitutional Court Decision No. 119/PUU-XXIII/2025. The limited comparative approach considers practices in California, the Philippines, Australia, and European discourse as comparative materials without treating them as legal-transplant models to be directly imported into Indonesia.

Primary legal materials consist of legislation and judicial decisions. Secondary legal materials primarily include national and international journal articles, books on legal research methodology,

environmental-law theory, and reports issued by credible institutions. Tertiary materials include legal dictionaries and other terminological sources. Legal materials were collected through library research. The materials were analyzed using a prescriptive-analytical approach: identifying the applicable norms, assessing weaknesses or inconsistencies, and then formulating a more appropriate legal construction. Prescriptive analysis is necessary because legal research does not end with description; it advances arguments about what the governing norm or standard of legal application ought to be (Ibrahim, 2006, p. 57).

RESULTS AND DISCUSSION

1. Basic Concepts of SLAPP, Anti-SLAPP, and the Chilling Effect in Environmental Public Participation

Conceptually, SLAPP is not synonymous with every lawsuit filed against an activist or every criminal complaint made against a citizen. A case may be characterized as a SLAPP only where there is a connection between the legal action and public participation undertaken in the public interest, together with an indication that legal process is being used to weaken or silence that participation. The strategic element of SLAPP must therefore be read through the context of power relations: who is using law, against whom, in what social setting, and with what consequences for the space available for public participation. From the outset, Canan and Pring emphasized that SLAPP arises when legal proceedings target citizen activities connected to participation in government or public policy (Canan & Pring, 1988a, p. 506).

In environmental-law scholarship, SLAPP is often distinguished from an ordinary civil dispute because it attacks conduct that performs a democratic function. Merriam and Benson propose practical indicators for identifying SLAPP, including litigation against a party

speaking or participating on a public issue, legal claims that often appear excessive, and an objective of imposing litigation burdens on the defendant (Merriam & Benson, 1993, p. 17). They treat the prevention of SLAPP as part of protecting participatory rights because a claim that appears formally legitimate may become a tool of social repression if it is not screened at an early stage (Merriam & Benson, 1993, p. 20).

The concept of Anti-SLAPP emerged as a response to this problem. Anti-SLAPP is not merely a rule stating that environmental defenders may not be sued or prosecuted. It is a legal mechanism for screening cases so that courts do not become forums for weakening public participation. Anti-SLAPP therefore has both substantive and procedural dimensions. The substantive dimension determines who and what conduct are protected. The procedural dimension determines when and how the protection is examined. If only substantive protection exists, citizens must still bear the burden of litigation until the end of the case. Conversely, a procedural mechanism without substantive parameters may become uncertain and susceptible to abuse.

Indonesian scholarship shows that SLAPP takes diverse forms. Handayani, Achmadi, and Apsari classify the phenomenon into several forms that are not always easy to recognize because they may be framed as defamation, civil wrongdoing, or violations of public order (Handayani et al., 2022, pp. 155-156). This diversity requires judges and law-enforcement officials to look beyond legal form and examine the legal effect and legal purpose of the case. In other words, Anti-SLAPP analysis concerns abuse of legal process, not merely the statutory provision alleged to have been violated.

In environmental matters, environmental defenders may include

affected residents, academics, expert witnesses, environmental organizations, Indigenous peoples, journalists, or community groups that object to business activities. Wongkar, Achmadi, and Iswarini emphasize that environmental human-rights defenders, including women environmental defenders, often experience layered attacks involving not only legal proceedings but also social stigma, economic pressure, and violence (Wongkar et al., 2022, p. 41). The limits of Anti-SLAPP protection must therefore be broad enough to capture indirect forms of attack while remaining sufficiently precise to distinguish legitimate public participation from conduct that falls outside legal protection.

The chilling effect provides the normative reason why Anti-SLAPP protection must operate at an early stage. If a citizen must wait until final judgment to receive protection, the chilling effect has already occurred. Other citizens learn that raising an environmental objection may result in a criminal complaint or a civil claim seeking billions of rupiah. Even where the target is ultimately acquitted or released from liability, the process itself imposes social and psychological costs. Effective Anti-SLAPP protection must therefore provide an early-dismissal or screening mechanism. Judicial independence performs an important function here: it does not require every case to proceed to final judgment, but instead enables an independent preliminary assessment of whether a case is a legitimate legal proceeding or an abuse of process.

Anti-SLAPP, however, must not be formulated as unlimited protection. Under the rule of law, every person may still be held accountable for conduct that genuinely violates the law, provided that the legal process is not retaliation for legitimate public participation. This boundary can be expressed through five

principles: a causal nexus to an environmental issue, public interest, good faith, proportionality of expression or conduct, and the absence of an independently unlawful act that constitutes a criminal offense or civil wrong unrelated to environmental advocacy. These principles are essential to avoid two extremes: the criminalization of public participation on one side and absolute immunity on the other.

2. Positive-Law Regulation of Anti-SLAPP in Indonesia

Indonesia's positive-law framework for Anti-SLAPP begins with constitutional guarantees. Article 28H(1) of the 1945 Constitution guarantees every person the right to physical and spiritual well-being, a place to live, and a good and healthy environment. Article 28D(1) guarantees fair legal certainty, while Article 28G(1) guarantees protection of the person, family, honor, dignity, and security. In relation to judicial power, Article 24(1) provides that judicial power is independent and exercised to uphold law and justice. Anti-SLAPP therefore lies at the intersection of environmental rights, legal certainty, personal security, and judicial independence.

At the statutory level, Article 65 of the Environmental Protection and Management Law regulates a spectrum of participatory rights. Every person has the right to a good and healthy environment, environmental education, access to information, access to participation, access to justice, the right to submit proposals and objections, and the right to file complaints regarding alleged pollution or environmental damage (Law No. 32 of 2009, art. 65). Article 70 further affirms that the public has equal and broad rights and opportunities to participate actively in environmental protection and management (Law No. 32 of 2009, art. 70). Article 66 must be read as a safeguard for the exercise of these rights. Without Article 66,

participatory rights may become weak rights because their exercise can be met with retaliatory legal proceedings.

The longstanding problem with Article 66 lies in its Explanation. The Explanation states that Article 66 is intended to protect victims and/or complainants who pursue legal avenues in response to pollution or environmental damage and to prevent retaliation through criminal prosecution or civil litigation, while continuing to respect judicial independence (Explanation to Law No. 32 of 2009, art. 66). This formulation has two sides. On the one hand, it shows that the legislature recognized the risk of retaliation. On the other hand, it created a narrow interpretation because it appeared to protect only victims and/or complainants, while witnesses, experts, academics, activists, organizations, Indigenous communities, and citizens expressing public views were not expressly identified.

Constitutional Court Decision No. 119/PUU-XXIII/2025 corrected this narrowing. The Court held that the Explanation to Article 66 must not narrow the main provision because the provision itself uses the phrase "every person." According to the Court, protection cannot be limited to victims and/or complainants because environmental protection involves many subjects who may participate in oversight, complaints, advocacy, testimony, expert opinion, and other forms of public participation (Constitutional Court Decision No. 119/PUU-XXIII/2025, pp. 128-130). Accordingly, the Court held that the Explanation to Article 66 is conditionally constitutional insofar as it is interpreted to protect every person, including victims, complainants, witnesses, experts, and environmental activists participating in environmental protection and management (Constitutional Court Decision No. 119/PUU-XXIII/2025, p. 132).

The expansion of protected subjects is reinforced by Minister of Environment and Forestry Regulation No. 10 of 2024. The regulation identifies protected subjects as individuals, groups of persons, environmental organizations, academics and experts, Indigenous peoples, and business entities that fight for the right to a good and healthy environment (Minister of Environment and Forestry Regulation No. 10 of 2024, art. 2). Protected forms of advocacy are also broadened to include environmental education, preservation of local wisdom, seeking and providing information, submitting proposals, opinions, objections, complaints, advocacy, and other activities related to environmental protection (Minister of Environment and Forestry Regulation No. 10 of 2024, art. 3). The regulation therefore functions as an administrative instrument that guides government and the public in identifying the persons and activities entitled to protection.

Supreme Court Regulation No. 1 of 2023 provides a more procedural framework. In criminal cases, a defendant may object that the indictment violates Article 66 of the Environmental Protection and Management Law. The judge then examines the objection through an interlocutory decision. If the defendant is established to be a person fighting for the right to a good and healthy environment, the judge may declare the prosecution inadmissible without examining the merits (Supreme Court Regulation No. 1 of 2023, art. 76(1)-(4)). If that status becomes established only after examination of the merits, the judge may issue a decision releasing the defendant from all legal charges (Supreme Court Regulation No. 1 of 2023, art. 77). This structure is important because it recognizes two points at which Anti-SLAPP protection may operate: early screening and final protection after examination of the merits.

Article 78 of Supreme Court Regulation No. 1 of 2023 contains important parameters for defining the limits of protection. Judges must consider the right to a good and healthy environment, access to information, access to participation, access to justice, forms of public participation, the relationship between the case and environmental advocacy, forms of obstruction, and the necessity and proportionality between the public interest and the criminal offense charged (Supreme Court Regulation No. 1 of 2023, art. 78(1)). The regulation also recognizes diverse forms of participation, including opinions expressed on social media, demonstrations, public forums, communications to state officials, complaints, administrative lawsuits, civil actions, and testimony in court (Supreme Court Regulation No. 1 of 2023, art. 78(2)). The Supreme Court Regulation therefore moves the legal framework from abstract protection toward more operational considerations.

Nevertheless, the positive-law framework still leaves several problems unresolved. First, Article 66 remains a general prohibition that does not specify a preliminary evidentiary mechanism for civil cases, ordinary criminal cases, or cases that are not expressly labeled as environmental. Second, the Supreme Court Regulation guides judges but does not directly bind investigators and public prosecutors to conduct early screening. Third, Minister of Environment and Forestry Regulation No. 10 of 2024 is administrative in character and does not resolve procedural consequences when retaliation occurs through non-environmental criminal complaints or defamation-based civil actions. Fourth, there is no clear regulation on fee shifting, compensation, or sanctions for abuse of legal process proven to constitute a SLAPP.

3. Normative Weaknesses and Problems of Implementation

Before the adoption of the Supreme Court Regulation, the ministerial regulation, and the Constitutional Court decision, the principal weakness of Article 66 was its declaratory character. The statement that a person "may not be criminally prosecuted or civilly sued" sounds strong, but it does not explain who makes that determination, when it is made, what evidence is required, what form the decision should take, or what legal consequences follow when a case is found to be a SLAPP. Without such a mechanism, Article 66 risks functioning only as a defense raised at the end of litigation. This problem has been criticized in numerous studies. Nelisa argues that Anti-SLAPP protection is inadequate if it is available only after lengthy proceedings because the principal purpose of protection is to prevent unnecessary litigation burdens (Nelisa, 2022, pp. 119-120).

Second, problems arise from the diversity of case types. SLAPP in Indonesia is not limited to civil actions against citizens. It may appear as a criminal complaint for defamation, incitement, property damage, interference with business activities, reports arising from demonstrations, or even civil claims alleging reputational and economic loss. In their study of freedom of expression, Riyadi and Hadi characterize SLAPP as a law-based threat to freedom of expression because formally lawful legal instruments can be used to punish public criticism (Riyadi & Hadi, 2021, p. 145). Anti-SLAPP analysis therefore must not be confined to cases formally labeled as environmental; it must examine the substantive relationship between the proceeding and environmental public participation.

Third, there is an evidentiary problem. In an ordinary case, the accused or defendant must rebut the elements of the offense or civil wrong alleged. In a case

exhibiting SLAPP characteristics, an environmental defender may effectively be required to prove two matters at once: that the alleged conduct did not occur as charged and that the proceeding itself constitutes retaliation for public participation. This double burden can obscure the function of Article 66. An ideal Anti-SLAPP design should therefore provide for prima facie proof at an early stage. The party seeking protection should need only to show preliminary evidence of environmental participation and a connection between that activity and the legal proceeding. The complainant or plaintiff should then be required to demonstrate that the claim has a serious legal basis and is not retaliatory.

Fourth, an institutional problem remains. Law-enforcement institutions do not always share the same understanding of Anti-SLAPP. In criminal matters, investigators and public prosecutors may treat a complaint as an ordinary case, while its retaliatory context becomes apparent only after the matter reaches court. Attorney General Guideline No. 8 of 2022 recognizes the intersection between environmental criminal enforcement and protection for persons who fight for environmental rights (Attorney General Guideline No. 8 of 2022, ch. I). However, this sectoral guideline still needs to be integrated with a more explicit complaint-screening mechanism so that cases exhibiting SLAPP characteristics do not proceed too far before they are tested.

Fifth, there is a boundary problem. As protection expands, concerns arise that Anti-SLAPP may be invoked as a pretext for avoiding responsibility for conduct prohibited by law. This concern cannot be ignored. The appropriate response, however, is not to narrow the class of protected subjects again but to develop testable parameters. Judges must distinguish forceful expression that remains proportionate within

environmental advocacy from knowingly false accusations; peaceful protest from violence; protected reports to public officials from document falsification; and public-interest criticism from personal attacks unrelated to environmental issues.

Sixth, there is a problem in the relationship between procedure and substance. Supreme Court Regulation No. 1 of 2023 establishes an objection mechanism in criminal cases but does not fully address civil cases or non-environmental criminal complaints filed against environmental defenders. Conceptually, SLAPP frequently operates through generally applicable provisions. A systematic reading is therefore required of Article 66, Article 65, Constitutional Court Decision No. 119/PUU-XXIII/2025, and principles of procedural law. If protection applies only to cases formally labeled as environmental, a party seeking to use SLAPP can simply choose another legal instrument to avoid Anti-SLAPP protection.

Seventh, there is a remedial problem. Anti-SLAPP laws in many other jurisdictions provide not only dismissal but also stays of burdensome evidentiary proceedings, fee shifting, and remedies for persons targeted by SLAPP. Indonesia does not yet have a strong remedial regime. As a result, even where a case is declared inadmissible, the environmental defender's losses of time, money, reputation, and personal security may not be restored. This indicates that Indonesian Anti-SLAPP protection remains more defensive than restorative. Handayani, Achmadi, and Apsari emphasize the need for Anti-SLAPP mechanisms with protective, deterrent, and restorative dimensions (Handayani et al., 2022, p. 156).

Taken together, these problems show that the central weakness is not merely the absence of norms but the underdevelopment of a threshold-test design. A threshold test is necessary so that protection can be provided earlier

while remaining subject to legal assessment. It is also necessary to prevent judicial independence from being placed in opposition to Anti-SLAPP. Judges remain independent to examine preliminary evidence, assess the relationship between the case and public participation, and determine whether the proceeding should continue. Conversely, where strong indications of retaliation exist, judicial independence obliges judges to prevent abuse of the judicial process.

4. Judicial Independence as a Limit on Protection

The phrase "while continuing to respect judicial independence" is a sensitive point in Anti-SLAPP discourse. The Explanation to Article 66 uses this phrase; Minister of Environment and Forestry Regulation No. 10 of 2024 likewise states that the pursuit of environmental rights must respect judicial independence; and Constitutional Court Decision No. 119/PUU-XXIII/2025 retains the phrase in its conditional constitutional formulation. The phrase must not be interpreted as a limitation that empties the protection of its substance. Nor may it be understood as permission for judges to disregard Article 66. The more appropriate meaning is that Anti-SLAPP protection must be determined by a court through independent legal assessment rather than by the unilateral claim of the party seeking protection.

Judicial independence under the rule of law has two dimensions. The first is independence from external pressure, whether from government, capital holders, public opinion, or interest groups. The second is accountability to law, reasoned judgments, and fair procedure. Van Dijk and Vos emphasize that judicial independence and accountability cannot be separated because an independent court must still be able to explain the normative and factual bases of its decisions (van Dijk & Vos, 2018, p. 90). In the Anti-SLAPP context, that accountability is

realized through a judge's obligation to provide reasons explaining why a case does or does not constitute a SLAPP.

Under this understanding, judicial independence constitutes a procedural limit rather than a substantive limit that negates Anti-SLAPP protection. Judges must not automatically accept the assertion that a person is an environmental defender; however, they also should not postpone Anti-SLAPP assessment until the entire case has concluded when sufficient preliminary evidence already exists. Judicial independence calls upon judges to identify abuse of legal process actively, particularly because environmental disputes often involve substantial disparities in information and resources. In many environmental cases, parties with access to capital and technical documents may use legal proceedings to weaken citizens who possess only local knowledge and first-hand experience of environmental harm.

The first limit on Anti-SLAPP protection is the existence of an act of public participation related to environmental protection or management. Such conduct may include complaints, reports, administrative objections, expressions of opinion, testimony, academic research, advocacy, campaigns, peaceful demonstrations, communications to public officials, or the use of media to raise environmental issues. Article 78 of Supreme Court Regulation No. 1 of 2023 recognizes this broad spectrum of participation (Supreme Court Regulation No. 1 of 2023, art. 78(2)). This limit prevents protection from being extended to conduct that has no genuine connection to environmental issues.

The second limit is a causal nexus between public participation and the legal action faced by the person seeking protection. Not every case against an environmental activist is a SLAPP. An activist may be involved in a legal dispute

unrelated to environmental activities. It must therefore be tested whether the complaint, lawsuit, demand letter, or other proceeding arose in response to environmental participation. Relevant indicators include temporal proximity between criticism and the legal action, the identity and interests of the complainant or plaintiff in the environmental issue criticized, disproportionately large claims, patterns of intimidation before litigation, and demands that citizens stop their advocacy.

The third limit is public interest. Anti-SLAPP protection is justified because the protected activity is connected to environmental interests as matters of public concern. Public interest does not mean that every statement must ultimately prove correct; rather, the statement or activity must be directed toward influencing policy, oversight, law enforcement, or public awareness of environmental matters. Criticism concerning environmental permits, alleged pollution, forest degradation, mining, waste, infrastructure projects, or business activities with ecological impacts should therefore receive stronger protection than a purely private dispute.

The fourth limit is good faith and proportionality. Anti-SLAPP does not protect fabricated evidence, threats of violence, intentional physical destruction, or false accusations made with knowledge of their falsity. At the same time, the good-faith standard must not be overly demanding. Citizens often lack access to complete technical data. They may raise concerns based on direct experience, such as waste odors, changes in water quality, disappearing fish stocks, flooding, or land degradation. Minor inaccuracies in expression should not automatically remove protection where the core conduct constitutes reasonable environmental participation. The appropriate standard is a good-faith reasonable belief based on the

information available when the action was taken.

The fifth limit is the principle of necessity and proportionality recognized in Article 78 of the Supreme Court Regulation. Judges must consider whether criminal or civil proceedings against an environmental defender are necessary to protect a legitimate legal interest and whether their impact on public participation is proportionate. If the interest asserted by the complainant or plaintiff could be protected through clarification, a right of reply, administrative mechanisms, or open evidentiary proceedings without criminal sanctions, the use of repressive criminal process should be viewed with particular caution as potentially disproportionate. This principle is consistent with the idea of *ultimum remedium* in environmental criminal enforcement, although not every environmental case can be reduced to that principle.

Judicial independence, therefore, does not conflict with Anti-SLAPP. The two are mutually reinforcing. Anti-SLAPP requires an independent judiciary that will not yield to pressure from powerful actors using law as an instrument of repression. Judicial independence requires Anti-SLAPP so that the judiciary does not become an instrument for abuse of process. An independent court is not merely a court that is free to decide cases; it is also a court capable of refusing the use of the judicial forum for purposes inconsistent with the function of adjudication itself.

5. Limited Comparison with Anti-SLAPP Practices in Other Jurisdictions

Comparative law is important but must be used cautiously. Sembiring has warned that Anti-SLAPP emerged from the particular needs of the United States and cannot simply be copied into Indonesia because of differences in legal systems, forms of attack, and the character of public

participation (Sembiring, 2019, p. 186). A relevant comparison does not seek an identical model; rather, it identifies procedural principles that can be adapted to Indonesian procedural law. These principles include early screening, suspension of burdensome evidentiary proceedings, burden shifting to require a serious claim, and remedies for SLAPP targets.

California is frequently cited because it provides a special motion to strike. In general, the mechanism involves two stages: first, the defendant shows that the plaintiff's claim arises from protected activity; second, the plaintiff must demonstrate a probability of prevailing on the claim. Nelisa notes that the California model is important because it provides an early procedural device to prevent a case from proceeding too far when the claim concerns public participation (Nelisa, 2022, pp. 132-134). The principal lesson for Indonesia is not that California's mechanism should be adopted verbatim, but that Anti-SLAPP protection should move assessment from the end of litigation to an early stage.

The Philippines provides an example more closely connected to environmental matters through its Rules of Procedure for Environmental Cases. Under that system, SLAPP may be raised as a defense and examined through a summary hearing. The summary-hearing concept is relevant to Indonesia because it allows judges to determine promptly whether a case is connected to the exercise of environmental rights. This resembles Article 76 of Supreme Court Regulation No. 1 of 2023, which permits an interlocutory decision in environmental criminal proceedings. Indonesia, however, still needs to extend this logic to civil cases and ordinary criminal cases that are factually connected to environmental public participation.

Australia illustrates the difficulty of Anti-SLAPP reform because protection for

freedom of expression must be balanced against reputation, public order, and protection from genuine harm. Ogle argues that Australian Anti-SLAPP reform must consider the relationship between public participation and the use of litigation by more powerful actors (Ogle, 2010, p. 35). The lesson from Australia is the need for an instrument that does more than confer immunity: it should provide a procedural design for identifying cases that attack public participation.

In the United Kingdom, Hilson examines environmental SLAPPs and shows that litigation threats in environmental disputes may constitute both a threat and an opportunity to clarify protection for public participation (Hilson, 2016, p. 248). Recent European debate has likewise moved toward stronger protection for journalists, human-rights defenders, and public participants against abusive litigation. Pasqua's analysis of the proposed European Union instrument emphasizes early dismissal and protection of public debate in a democratic society (Pasqua, 2023, p. 209).

Four lessons for Indonesia emerge from this limited comparison. First, Anti-SLAPP must operate at an early stage if it is to retain its protective function. Second, preliminary review must still be conducted by a judge or other law-enforcement official with lawful authority so that due process is preserved. Third, there must be a test of the relationship between the legal claim and public-participation activity. Fourth, abuse of legal process must carry remedial consequences. These four principles can be adapted to the Indonesian system through revision of the Environmental Protection and Management Law, strengthened procedural law, and harmonized guidance for investigators, prosecutors, and judges.

6. An Anti-SLAPP Framework Compatible with Judicial Independence

An ideal Anti-SLAPP framework in Indonesia must begin by recognizing Article 66 of the Environmental Protection and Management Law as a norm protecting public participation rather than merely an exception from legal responsibility. The limits of protection should therefore be formulated as a threshold test applicable at an early stage. This threshold test is not intended to determine the truth of every issue on the merits; it determines whether the case should proceed or should be dismissed because it predominantly constitutes retaliation against environmental participation.

First, the subject test. Persons eligible to seek protection should reflect the expansion recognized in Constitutional Court Decision No. 119/PUU-XXIII/2025 and Minister of Environment and Forestry Regulation No. 10 of 2024: every person who fights for environmental rights, including victims, complainants, witnesses, experts, activists, academics, environmental organizations, Indigenous peoples, community groups, and other parties who genuinely participate in environmental protection. The phrase "every person" must remain tied to protected activity. Activist status does not automatically confer immunity; what is protected is the act of public participation.

Second, the protected-activity test. Protected activities include providing information, complaints, reports, administrative objections, advocacy, research, testimony, expert opinions, publications, campaigns, peaceful demonstrations, environmental litigation, communications to public officials, and other forms of participation intended to protect the environment. The list should be treated as open-ended because forms of public participation evolve with technology and social practice. Social media, for

example, may serve as a vehicle for environmental participation when used to communicate information, criticism, or objections concerning environmental interests.

Third, the causal-nexus test. A person seeking protection must present preliminary evidence that the proceeding arose because of, or is closely connected to, environmental participation. Such preliminary evidence may include a chronology, demand letters, police reports, pleadings, statements by the complainant, temporal proximity between the report and advocacy activity, or patterns of pressure before the case was filed. This test is important to prevent every private dispute from being characterized as a SLAPP. If no causal nexus can be shown, the case may proceed as an ordinary matter.

Fourth, the environmental-public-interest test. The judge should assess whether the protected activity concerns an environmental issue with a public dimension, such as pollution, forest degradation, waste management, permitting, spatial planning, water resources, Indigenous rights, climate change, or the ecological impacts of business activities. Public interest need not mean a national issue; a local issue may satisfy this element when it affects a community, an ecosystem, or residents' environmental rights. This is consistent with Article 70 of the Environmental Protection and Management Law, which places the public within the system of environmental protection and management.

Fifth, the retaliation-or-abuse-of-process test. Judges should consider objective indicators such as extremely large and disproportionate damages claims, multiple parallel proceedings, the use of criminal provisions to address disputes over expression, demands that advocacy cease, extreme disparities in resources, or the absence of a concrete injury that the

plaintiff or complainant can adequately explain. Not every indicator must be present. A sufficiently strong pattern showing that the legal proceeding has the effect or purpose of silencing public participation should be enough to trigger heightened scrutiny.

Sixth, the good-faith-and-reasonableness test. Courts must distinguish statements that may not be entirely accurate but were made on the basis of a reasonable belief from statements knowingly fabricated to harm another party. This standard is important because environmental issues often depend on technical data that are not readily accessible to the public. Citizens should not lose protection merely because they cannot scientifically prove every allegation at the moment they raise an objection. Protection, however, should not extend to a party who fabricates evidence, knowingly makes false accusations, or uses violence.

Seventh, the necessity-and-proportionality test. Judges must assess whether restricting public participation through legal proceedings is necessary to protect another legal interest and whether the means used are proportionate. In criminal cases, recourse to criminal law should be examined strictly because its effects on liberty and personal security are more severe than clarification mechanisms or civil remedies. In civil cases, the size of the claim and litigation costs should be examined to determine whether they are rational or designed to intimidate. This principle does not eliminate anyone's right to sue; it prevents abusive exercise of that right.

Eighth, the procedural-consequence test. If the threshold test is satisfied at an early stage, the judge should be able to declare the civil claim or criminal prosecution inadmissible. In environmental criminal cases, this direction is already reflected in Article 76 of

Supreme Court Regulation No. 1 of 2023. In civil proceedings, an Anti-SLAPP objection should be developed and examined before evidence on the merits. At the investigation and prosecution stages, investigators and public prosecutors should be required to conduct an Anti-SLAPP assessment before naming a suspect or referring a case for prosecution where indications exist that the proceeding is retaliatory to environmental participation.

Ninth, the remedial test. Anti-SLAPP protection is not complete with dismissal alone. Environmental defenders targeted by SLAPP may suffer financial loss, reputational damage, diminished personal security, and lost advocacy time. Legislators should therefore consider remedies such as fee shifting against bad-faith plaintiffs, orders restoring reputation, protection for environmental witnesses, victims, and complainants, and sanctions for abusive use of legal process. These remedies must be designed carefully so that legitimate access to courts is not chilled, while remaining strong enough to create a deterrent effect.

Tenth, the institutional-harmonization test. Anti-SLAPP will not be effective if it is understood only by environmental judges. Investigators, public prosecutors, administrative officials, local governments, the Witness and Victim Protection Agency, legal-aid institutions, and the environmental ministry should operate under consistent guidance. Minister of Environment and Forestry Regulation No. 10 of 2024 can serve as an administrative coordination gateway, Supreme Court Regulation No. 1 of 2023 as judicial guidance, and Attorney General Guideline No. 8 of 2022 as a basis for environmentally sensitive prosecution. These instruments must, however, be connected by a common standard: whether the case is linked to environmental

participation and whether the proceeding constitutes retaliation or abuse of process.

This ideal framework positions judicial independence as the mechanism of review rather than an exception that weakens protection. Judges remain free, and are obliged, to assess the evidence. Their freedom, however, is directed by legal norms: Article 66 of the Environmental Protection and Management Law, Constitutional Court Decision No. 119/PUU-XXIII/2025, Supreme Court Regulation No. 1 of 2023, and the constitutional right to a good and healthy environment. Under this design, Anti-SLAPP becomes part of due process rather than a departure from it. It ensures that procedural law is not used for purposes that conflict with the right to public participation.

The practical implication of this framework is a change in how cases are read. Law-enforcement officials should not ask only whether a report, lawsuit, or formal element of an offense exists. They should also ask whether the legal proceeding emerged in the context of an environmental conflict, whether the person being proceeded against was exercising a participatory right, and whether the proceeding imposes a disproportionate burden on public participation. These questions do not require law-enforcement officials to side with activists; rather, they place officials under a constitutional obligation to ensure that law is not used as a technology of silencing. At the same time, a party who claims to have been harmed by an environmental defender's statement or conduct retains the opportunity to show that the claim is serious, proportionate, and nonretaliatory. An ideal Anti-SLAPP design must therefore protect two values at once: the public's willingness to oversee environmental matters and every person's right to fair legal protection.

Ultimately, the limits of Anti-SLAPP protection must be defined through a

precise balance. Protection that is too narrow renders Article 66 ineffective because environmental defenders remain intimidated by legal process. Protection that is too broad disrupts equality before the law and creates room for abuse. The most appropriate construction is strong early-stage protection based on a clear threshold test, rational preliminary evidence, proportionality review, and decisions subject to legal review. This model allows public participation to remain protected while preserving the dignity of the judiciary as an independent institution.

CONCLUSION

First, Indonesia's Anti-SLAPP legal framework now has an increasingly strong normative basis. Article 66 of the Environmental Protection and Management Law provides substantive protection for every person who fights for the right to a good and healthy environment. Articles 65 and 70 provide the context that this protection is rooted in rights of access to information, participation, justice, complaints, and public involvement. Supreme Court Regulation No. 1 of 2023 provides a judicial mechanism, particularly in environmental criminal cases, while Minister of Environment and Forestry Regulation No. 10 of 2024 clarifies the protected subjects and forms of advocacy. Constitutional Court Decision No. 119/PUU-XXIII/2025 expands the meaning of protection by affirming that the Explanation to Article 66 may not restrict protection to victims and/or complainants, but must encompass every person, including witnesses, experts, activists, and other parties participating in environmental protection and management.

Second, the limits of Anti-SLAPP protection should be understood as normative boundaries intended to prevent two extremes: suppression of public participation and absolute immunity. Protection should not be granted

automatically merely because a person identifies as an environmental defender. At the same time, protection should not be postponed until final judgment because the legal process itself can create a chilling effect. The appropriate boundary is an Anti-SLAPP threshold test covering the protected subject, protected activity, causal nexus, environmental public interest, indications of retaliation, good faith and reasonableness, necessity and proportionality, procedural consequences, and remedies.

Third, judicial independence does not conflict with Anti-SLAPP protection. Judicial independence should be understood as both the authority and the duty of judges to determine objectively whether a case is a legitimate legal claim or an abuse of process. Anti-SLAPP strengthens the judicial function by preventing courts from being used as instruments of intimidation against citizens exercising environmental participatory rights. The ideal Anti-SLAPP framework is therefore an early screening mechanism that remains subject to judicial determination and is based on preliminary evidence, legal reasoning, proportionality, and decisional accountability.

RECOMMENDATIONS

First, the legislature should revise or supplement the Environmental Protection and Management Law to clarify the Anti-SLAPP mechanism comprehensively. The revision should regulate the definition of SLAPP, protected subjects, protected forms of participation, the threshold test, an early-dismissal mechanism, fee shifting, remedies for SLAPP targets, and institutional coordination.

Second, the Supreme Court should expand procedural Anti-SLAPP rules beyond environmental criminal cases to include civil cases and other proceedings that are substantively connected to environmental public participation. A civil Anti-SLAPP objection should be formulated

so that it can be determined before evidentiary proceedings on the merits.

Third, investigators and public prosecutors should have guidelines for preliminary Anti-SLAPP assessment. Such an assessment should be conducted when a criminal complaint follows an environmental complaint, public campaign, expert opinion, testimony, or community objection to a business activity. This would allow cases exhibiting SLAPP characteristics to be terminated before they impose unnecessary burdens on environmental defenders and the justice system.

Fourth, judges should use Constitutional Court Decision No. 119/PUU-XXIII/2025 as a basis for progressive but measured interpretation. Judges must not narrow protection again to victims and/or complainants. They should, however, test good faith, causal nexus, public interest, and proportionality so that protection does not become absolute immunity.

Fifth, academics and civil-society organizations should develop a database of cases exhibiting SLAPP characteristics in Indonesia. Such a database is important for mapping reporting patterns, forms of litigation, vulnerable environmental sectors, the identities and characteristics of targeted parties, and judicial responses. Reliable data would support policy reform and training for law-enforcement officials.

REFERENCES

- Al-Dabbagh, H. (2020). SLAPPs and speech torts: Comparative reflections. *Journal of Comparative Law*, 15(2).
- Aulia, N. Z., Zafira, A., & Margarettha, R. (2021). Anti-SLAPP: Meninjau kembali mekanisme perlindungan pejuang lingkungan hidup. *Jurnal Legislatif*, 5(1).
- Boyle, A. (2012). Human rights and the environment: Where next? *European Journal of International Law*, 23(3).
- Canan, P. (1989). The SLAPP from a sociological perspective. *Pace Environmental Law Review*, 7(1).
- Canan, P., & Pring, G. W. (1988a). Strategic lawsuits against public participation. *Social Problems*, 35(5).
- Canan, P., & Pring, G. W. (1988b). Studying strategic lawsuits against public participation: Mixing quantitative and qualitative approaches. *Law & Society Review*, 22(2).
- Chandranegara, I. S. (2019). Defining judicial independence and accountability post political transition. *Constitutional Review*, 5(2).
- Feld, L. P., & Voigt, S. (2003). Economic growth and judicial independence: Cross country evidence using a new set of indicators. *European Journal of Political Economy*, 19(3).
- Ferejohn, J., & Kramer, L. D. (2002). Independent judges, dependent judiciary: Institutionalizing judicial restraint. *New York University Law Review*, 77(4).
- Friedman, L. M. (1975). *The legal system: A social science perspective*. Russell Sage Foundation.
- Handayani, M. M., Achmadi, J. C., & Apsari, P. K. (2022). Berbagai wajah fenomena SLAPP di Indonesia. *Jurnal Hukum Lingkungan Indonesia*, 8(1).
- Harahap, I., & Pratiwi, R. (2023). Perkembangan pengaturan Anti-SLAPP di bidang lingkungan hidup menurut hukum Indonesia. *Jotika Research in Business Law*, 2(2).
- Hilson, C. J. (2016). Environmental SLAPPs in the UK: Threat or opportunity? *Environmental Politics*, 25(2).
- Ibrahim, J. (2006). *Teori & metodologi penelitian hukum normatif*. Bayumedia.
- Indrawati, N. (2022). Perlindungan hukum terhadap partisipasi masyarakat (Anti SLAPP) dalam penegakan hukum lingkungan hidup di Indonesia. *Media Iuris*, 5(1).

- Kendrick, L. (2013). Speech, intent, and the chilling effect. *William & Mary Law Review*, 54(5).
- Maharani, F., & Sari, I. (2024). Efektifitas kebijakan Anti-SLAPP di Indonesia untuk mencegah kriminalisasi peran serta masyarakat dalam perlindungan dan pengelolaan lingkungan hidup yang baik dan sehat. *Lex Omnibus: Jurnal Hukum Tata Negara dan Administrasi Negara*, 1(2).
- Marzuki, P. M. (2017). Penelitian hukum. Kencana.
- Merriam, D. H., & Benson, J. A. (1993). Identifying and beating a strategic lawsuit against public participation. *Duke Environmental Law & Policy Forum*, 3(1).
- Nelisa, L. (2022). Urgensi penguatan ketentuan prosedural Anti-SLAPP di Indonesia untuk melindungi pembela HAM lingkungan dari serangan litigasi. *Jurnal Hukum Lingkungan Indonesia*, 8(1).
- Ogle, G. (2010). Anti-SLAPP law reform in Australia. *Review of European Community & International Environmental Law*, 19(1).
- Pasqua, M. (2023). The proposed EU directive on SLAPPs: A (first) tool for preserving, strengthening and advancing democracy. *Athena: Critical Inquiries in Law, Philosophy and Globalization*, 3.
- Pring, G. W. (1989). SLAPPs: Strategic lawsuits against public participation. *Pace Environmental Law Review*, 7(1).
- Pring, G. W., & Canan, P. (1996). SLAPPs: Getting sued for speaking out. Temple University Press.
- Riyadi, E., & Hadi, S. (2021). Strategic lawsuit against public participation (SLAPP): A legal based threat to freedom of expression. *Padjadjaran Jurnal Ilmu Hukum*, 8(1).
- Schauer, F. (1978). Fear, risk and the First Amendment: Unraveling the chilling effect. *Boston University Law Review*, 58.
- Sembiring, R. (2019). Merumuskan peraturan Anti Strategic Lawsuit Against Public Participation di Indonesia. *Bina Hukum Lingkungan*, 3(2).
- Soekanto, S., & Mamudji, S. (2015). Penelitian hukum normatif: Suatu tinjauan singkat. Rajawali Pers.
- Sukmadewi, Y. D., Pujiastuti, E., Mulyani, T., Supriyadi, & Utama, K. W. (2026). Penguatan regulasi Anti-SLAPP dalam perlindungan hukum aktivis lingkungan di Indonesia. *Jurnal USM Law Review*, 9(1).
- van Dijk, F., & Vos, G. (2018). A method for assessment of the independence and accountability of the judiciary. *International Journal for Court Administration*, 9(3).
- Wongkar, E. E. L. T., Achmadi, J. C., & Iswarini, T. (2022). Ketentuan dan penegakan hukum Anti-SLAPP terhadap perempuan pembela HAM atas lingkungan hidup dalam perspektif teori hukum feminis. *Jurnal Hukum Lingkungan Indonesia*, 8(1).