

Authority of the Prosecutor as Single Prosecution System in Criminal Corruption Cases

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Abstract. *The authority attached to the position of Attorney General as controller of prosecution policy is in accordance with the principle of a single prosecution system, while placing him as the Highest Public Prosecutor in a country. The aim of this research is to examine and analyze (1) the juridical implications of the role of the Prosecutor's Office in eradicating criminal acts of corruption, (2) the presence of a single prosecution system for the Prosecutor's Office in carrying out the prosecution of criminal acts of corruption, (3) the concept of a policy for prosecuting criminal acts of corruption based on the single principle. prosecution system in the future. The approach method used in this research is normative juridical. The results of this research are: (1) The authority of the public prosecutor in handling criminal acts of corruption is regulated in the Criminal Code (KUHP) and the Indonesian Prosecutor's Law. After the enactment of the Criminal Procedure Code, there was a division into the stages of the prosecutor's duties, namely the pre-prosecution stage and the prosecution stage. However, the KUHP itself contains these two stages in the Prosecution Chapter, namely in Chapter XV. (2) Ideally, there is a clear separation between criminal justice sub-systems so that there is no phenomenon of overlapping authority between these sub-systems. For example, in the case of corruption prosecutions, there is overlap in prosecutions as regulated by Law Number 30 of 2002 concerning the Corruption Eradication Commission which gives authority to the Corruption Eradication Commission (KPK) to carry out prosecutions which should be stated in Article 13 of the Criminal Procedure Code that the Public Prosecutor is a prosecutor who is given authority by Law to carry out prosecution. (3) Grammatically, the meaning of sentences based on the applicable criminal procedural law refers to the Criminal Procedure Code, because apart from the Criminal Procedure Code, there are no other criminal procedural laws that apply in Indonesia in general. This is an interpretation that for criminal acts of corruption, prosecution must be carried out according to Articles 137 to 144 of the Criminal Procedure Code by the public prosecutor, in this case by the Prosecutor.*

Keywords: *Corruption; Prosecutor; Single; System.*

1. Introduction

The principle of the Single Prosecution System cannot be separated from the meaning of the Prosecutor as one and inseparable (*een en ondeelbaar*)" which in its historical course originates from Law Number 7 of 1947 dated 27 February 1947 concerning the Composition and Powers of the Supreme Court and Attorney General's Office, which was later replaced by Law Number 19 of 1948 dated 8 June 1948 concerning the Composition and Powers of Judicial Bodies and the Prosecutor's Office. In these two laws, basically it is stipulated that each Court (Supreme Court, High Court and District Court) has one Prosecutor's Office whose jurisdiction is the same and which consists of one or several Prosecutors counted as one Chief Prosecutor.¹

The court consists of several judges, each of whom counts as 1 (one) judge. However, the prosecutor at the court, even though it consists of several prosecutors, is one unit and only counts as 1 (one) prosecutor under the Chief Prosecutor. This meaning is actually contained in the principle of "*een en ondelbaar*" namely that the Prosecutor's Office is one and cannot be separated. In fact, this principle speaks of the existence of a unified prosecution policy under the Attorney General as the Highest Public Prosecutor.² The regulation of the "*een en ondelbaar*" principle is none other than to maintain unified prosecution policy which displays unique characteristics that are integrated in the thinking, behavior and work procedures of the Prosecutor's Office.

Confirmation of the principle of the Single Prosecution System in the criminal justice system in Indonesia,³ where this aims to avoid disparities in prosecution in handling Corruption Crime cases. This is important to minimize confusion in law enforcement which can lead to injustice for those seeking justice. In carrying out prosecutions, prosecutors are the main element in the justice system, for this reason, in carrying out their duties and authority, prosecutors must protect and respect human values and support human rights, which contributes to ensuring a

¹ Edita Elda, *Arah Kebijakan Pemberantasan Tindak Pidana Korupsi Di Indonesia: Kajian Pasca Perubahan Undang-Undang Komisi Pemberantasan Korupsi*. Jurnal Ilmiah Ilmu Hukum, Vol.1 No.2, 2019. P. 166

² Rangga Trianggara Paongan, *Kewenangan Penuntutan Komisi Pemberantasan Korupsi Dan Kejaksanaan Dalam Penanganan Tindak Pidana Korupsi Di Indonesia*. Lex Crimen, Vol.2 No.1, 2013, p. 21-36

³ Johannes Pasaribu, *Peranan Jaksa Terkait Asas Dominus Litis Berdasarkan Sistem Peradilan Pidana Di Indonesia*, *USU Law Journal*, Vol. 6. No. 2, 2018, p. 153-160

fair process and the smooth functioning of criminal justice system. Prosecutors have a role as the front guard of the judiciary.⁴

The implementation of state power in the field of prosecution can be seen from 2 (two) aspects. First, institutionally independent, which means that the Prosecutor's Office is placed in an institutionally independent position.⁵ The prosecutor's office should be better placed institutionally independent and free from any power. Second, functionally independent, which means that the prosecutor can be free and independent in carrying out his duties whether to prosecute or not to prosecute.⁶

Based on objective reality, the determination and control of prosecution policy is only in one hand, namely the Attorney General. The authority attached to the position of Attorney General as controller of prosecution policy, is in accordance with the principle of a single prosecution system, while placing him as the Highest Public Prosecutor in a country.⁷ Understanding the substance of the principle of the single prosecution system that has been described eliminates disparities in prosecution and various other problems related to technical prosecution. The existence of a unified prosecution policy not only shows the existence of equal treatment of civil and military legal subjects, but also the fulfillment of law enforcement objectives of justice, certainty and benefit. The substance of the principle of equality before the law, which is a constitutional mandate, is aimed at maintaining a balance in protecting the interests of the state, society and individual interests, including the interests of criminal perpetrators and crime victims.⁸

The empirical background is based on several legal problems that still occur in criminal acts of corruption, and have an impact on legal uncertainty for justice seekers. There are prosecutions for criminal acts of corruption that do not place the position of the Attorney General as the highest Public Prosecutor as in Law Number 30 of 2002 concerning the Corruption Eradication

⁴ Ook Mufrohim, and Ratna Herawati, Independensi Lembaga Kejaksaan sebagai Legal Structure didalam Sistem Peradilan Pidana (Criminal Justice System) di Indonesia, *Jurnal Pembangunan Hukum Indonesia*, Vol. 2, No. 3, 2020, p. 373-386,

⁵ Andi Hamzah dan A. Abidin, *Hukum Pidana Indonesia*, Ghalia Indonesia, Jakarta, 2010, p. 21.

⁶ Dian Rosita, Kedudukan Kejaksaan Sebagai Pelaksana Kekuasaan Negara Di Bidang Penuntutan Dalam Struktur Ketatanegaraan Indonesia, *Jurnal Ius Constituendum*, Vol. 3, No. 1, 2018, p. 27-47

⁷ Rolando Ritonga. Manifestasi Kewenangan Kejaksaan Dalam Penerapan Denda Damai Dalam Tindak Pidana Ekonomi Guna Mengubah Tatanan Sosial Masyarakat. *The Prosecutor Law Review*, Vol 1, No. 2, 2023. P. 20-35

⁸ Egidius Taimenas. Substansi Hukum Perundang-Undangan Harus Dipastikan Bersifat Komprehensif. *Jurnal Pendidikan Tambusai*, Vol. 6, No. 1, 2022, p. 872-879.

Commission where the leadership of the Corruption Eradication Committee has the function of controlling Prosecution Policy.⁹

Previous research from Yessy Paramita Samadi in a journal entitled "Judicial Study of Public Prosecutor's Indictments in Corruption Crime Cases", found that there was no difference in the formulation of criminal acts of corruption in indictments with the formulation of criminal acts in indictments in general, which consist of single charges, alternative charges, cumulative charges, and subsidiary charges.¹⁰

Another research from Edy Suranta Tarigan in a journal entitled "The Existence of the Prosecutor's Authority in Determining the Elements of State Financial Losses as Proof in Corruption Crime Cases" found that "elements of State financial losses are proven because in criminal acts of corruption they are in accordance with the material offenses in the Constitutional Court decision no. 25 / PUU / The prosecutor in carrying out this calculation is in accordance with Law No. 16 of 2004, namely carrying out this investigation which is the basis for the Prosecutor to calculate the State's financial losses."¹¹

The purpose of this research is to determine the juridical implications of the role of the prosecutor's office in eradicating criminal acts of corruption and to analyze the presence of a single prosecution system for prosecutors in the implementation of prosecutions for criminal acts of corruption and to analyze the concept of policy for prosecuting criminal acts of corruption based on the principle of a single prosecution system in the future.

2. Research Methods

The approach used in this research is a normative juridical or written legal approach (legislation/statute approach). The normative juridical approach is an approach based on the main legal material by examining theories, concepts, legal principles and statutory regulations related to this research. The research specifications were carried out using a descriptive

⁹ Marwan Effendy, *Diskresi Dalam Penegakan Hukum Tindak Pidana Korupsi*, Makalah, Seminar Nasional Universitas Brawijaya Malang, Malang, 2012, p. 21

¹⁰ Yessy Paramita Samadi, *Kajian Yuridis Dakwaan Jaksa Penuntut Umum dalam Perkara Tindak Pidana Korupsi*, *Lex Crimen*, Vol. 4, No. 2, 2015, p. 5-7

¹¹ Edy Suranta Tarigan (et. al), *Eksistensi Kewenangan Jaksa Dalam Menentukan Unsur Kerugian Keuangan Negara Sebagai Pembuktian Pada Perkara Tindak Pidana Korupsi*, *Locus Journal of Academic Literature Review*, Vol. 2, Issue 2, 2023, p. 183-192

analytical approach method. The data that has been obtained is then analyzed using qualitative analysis.

3. Results and Discussion

3.1. Juridical Implications for the Role of the Prosecutor's Office in Eradicating Corruption Crimes

The prosecutor's office in criminal law acts as a functional institution that is authorized by law to act as a public prosecutor and implement court decisions that have obtained permanent legal force and other authorities based on law. This role requires a prosecutor not only to master the discipline of criminal law, but also the discipline of civil law and state administration. Prosecutors are not only required to master positive law of a general nature (*lex generalis*) but also of a special nature (*lex specialis*) which has emerged recently.¹²

Acts of corruption are basically anti-social acts, contrary to morals and legal rules, so if these acts are not prevented or dealt with, the result is that the system of public relations will be disharmonious and will progress towards a system of individualism, bribery and the like. In turn, the mentality of individuals, groups or parts of our nation's society is colored by a deceitful attitude, a desire to benefit each other, which will always be done in all kinds of ways.¹³

The enactment of the Republic of Indonesia Prosecutor's Law in Article 30 paragraph (1) letter d states "the duty and authority of the prosecutor is to carry out investigations into certain criminal acts based on law". The authority of the prosecutor has sparked debate in terms of carrying out investigations into criminal acts of corruption. Explanation of the article, what is meant by certain crimes under the law is as regulated in Law Number 31 of 1999 concerning the eradication of criminal acts of corruption as amended by Law Number 20 of 2001, in conjunction with Law Number 30 of 2002 concerning commission for eradicating criminal acts of corruption and Law Number 26 of 2000 concerning Human Rights.¹⁴

¹² Kelik Pramudya dan Ananto Widiatmoko, *Pedoman Etika Profesi Aparat Hukum*, Pustaka Yustisia, Jakarta, 2010, p. 39

¹³ Usmaedi (et. al), Membangun Nilai-Nilai Etika Melalui Budaya Lokal Banten Sebagai Upaya Pencegahan Kasus Tindak Pidana Korupsi di Provinsi Banten. *Jurnal Educatio FKIP UNMA*, Vol. 7, No. 2, 2021, p. 446-451

¹⁴ Ratna Sari Dewi Polontalo, Independensi Jaksa Sebagai Penuntut Umum Dalam Tindak Pidana Korupsi Menurut Undang-Undang Nomor 16 Tahun 2004 Tentang Kejaksaan Republik Indonesia, *Lex Crimen*, Vol. 7, No. 6, 2018, p. 35-41

This delegation of authority is explained in the background of the Prosecutor's Law, namely to accommodate several statutory provisions which previously gave authority to the prosecutor's office to carry out investigations. Based on the explanation of this article, it can be said that the prosecutor's office has privilege rights, namely special rights to be able to carry out investigative actions into criminal acts of corruption.¹⁵ Article 30 paragraph (1) letter d of the Republic of Indonesia Prosecutor's Law, in 2007 a material review was carried out. In material testing, the applicant explained that there had been legal disharmony regarding the position and authority of prosecutors as investigators or public prosecutors. The dualism of authority possessed by the prosecutor's office is prone to giving rise to abuse of power.

The position of the prosecutor's office is *dominus litis* (case controller), which means that the prosecutor's office has full authority to determine whether a case can proceed to the next stage or not. Because in the process of handling criminal acts of corruption, the prosecutor's office has the authority to carry out investigations and prosecutions, this has implications for the criminal justice system where the prosecutor's office also carries out investigations using a one-stop system. If you look at the KUHAP guidelines, it does not recognize the existence of a one-roof system because the KUHAP adheres to the principle of functional differentiation which emphasizes the existence of different work functions between investigations and prosecutions carried out by different agencies, but they are interconnected, which is called the Integrated Criminal Justice System. (*Integrated Criminal Justice System*).¹⁶ This system implies an interaction process, which is prepared rationally and in an efficient manner, to provide certain results with all its limitations.¹⁷

In implementation, when the prosecutor's office carries out investigations and prosecutions under one roof regarding the process of handling corruption based on the Corruption Law, which is said to follow applicable procedural law, the position of the prosecutor as an investigator in addition to his main duties as a public prosecutor in corruption cases becomes a problem because there are no regulations in place. It is clear from both the Criminal Procedure Code and the Corruption Law that prosecutors are investigators and public prosecutors because the Prosecutor's Law is an administrative law that gives authority to prosecutors to carry out

¹⁵ Irfan Ardiansyah, Pengaruh Disparitas Pidana Terhadap Penanggulangan Tindak Pidana Korupsi di Indonesia. *Jurnal Hukum Respublica*, Vol.17 No. 1, 2017, p. 88.

¹⁶ Marwan Effendy, *Sistem Peradilan Pidana: Tinjauan Terhadap Beberapa Perkembangan Hukum Pidana*, Cetakan ke-1, Referensi, Jakarta, 2012, p. 18-19

¹⁷ Hutahaean, Armunanto dan Erlyn Indarti, *Lembaga Penyidik Dalam Sistem Peradilan Pidana Terpadu Di Indonesia*, *Jurnal Legislasi Indonesia*, Volume 16 Nomor 1, Maret 2019, p. 30

investigations into certain criminal acts, one of which is corruption. As a result, in the process there are still frequent debates with other institutions that also have authority as investigators and unclear regulatory arrangements regarding the implementation of prosecutors' authority as investigators and public prosecutors giving rise to theories that are not in line with existing practice. So this causes legal uncertainty regarding the handling of criminal acts of corruption by law enforcement officials at the prosecutor's office.¹⁸

3.2. The Presence of a Single Prosecutor's Prosecution System in the Implementation of Corruption Crime Prosecution

The prosecutor's office in particular has a central position in law enforcement efforts in Indonesia. The prosecutor's office is one of the subsystems of the criminal justice system in Indonesia. The criminal justice system (Criminal Justice System) in Indonesia only recognizes 4 (four) subsystems, namely the Police, Prosecutor's Office, Courts and Correctional Institutions. The duties and authority of the prosecutor's office within the scope of justice are increasingly emphasized in Law Number 8 of 1981 concerning Criminal Procedure Law (KUHAP), where the position of the Prosecutor's Office is as a prosecution institution in the criminal justice system. However, in cases of criminal corruption, the prosecutor's office is given the authority to investigate the case. The prosecutor's office is also considered to be the controller of the case process because only the prosecutor's office can determine whether a case can be transferred to court or not, besides that the prosecutor's office is also the only institution that implements criminal decisions.

Quality law enforcement can be realized by no longer producing as many regulations as possible, but producing quality regulations that protect the people, make things easier for the people, provide justice for the people, and do not overlap with each other and improve the process of harmonization of laws and regulations. invitation.

Law enforcement in line with Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia is by improving the criminal justice system, especially in criminal acts of corruption.¹⁹ Efforts to realize the concept of free justice must be supported by an integrated criminal justice system with the integrity of other sub-systems, one of which is the Prosecutor's Office.²⁰ One of

¹⁸ Rainaldy Valentino Kaligis, Implikasi Hukum Atas Revisi Undang-Undang Nomor 30 Tahun 2002 Tentang Kpk Terhadap Penyelesaian Kasus Tindak Pidana Korupsi, *Lex Crimen*, Vo. 9, No. 1, 2020, p. 140-150

¹⁹ Adnan Topan Husodo (et. al), *Save KPK Save Indonesia*, ICW, Jakarta, 2011, p. 5

²⁰ Marjono Reksodioutro, *Kriminologi dan Sistem Peradilan Pidana*, Universitas Indonesia, Jakarta, 1994, p. 94

the functions, duties and authorities of the Prosecutor's Office is as a government institution that exercises state power in the field of prosecution, so it is a necessity to be able to realize legal certainty, legal order, justice and truth based on the law and heed religious norms, decency and morality. , and is obliged to explore the human values, law and justice that exist in society. The prosecutor's office must be able to be fully involved in the development process to create a just and prosperous society based on Pancasila, and is obliged to participate in maintaining and upholding the authority of the government and state and protecting the interests of the community.

In carrying out prosecutions, prosecutors are the main element in the justice system, for this reason, in carrying out their duties and authority, prosecutors must protect and respect human values and support human rights, which contributes to ensuring a fair process and the smooth functioning of criminal justice system. Prosecutors have a role as the front guard of the judiciary. The position and role of the Attorney General not only functions to manage the organizational management of the Prosecutor's Office, but also has the task of controlling the implementation of the duties and authority of the Prosecutor/Public Prosecutor in the process of handling cases and law enforcement.²¹

When referring to it systemically, synchronization in the criminal justice system which is formed from structural, substantive and cultural synchronization can be returned to the applicable criminal justice guidelines, namely the Criminal Procedure Law which is regulated through Law Number 8 of 1981 concerning the Criminal Procedure Law. Through these guidelines, functional relationships between investigators and public prosecutors, investigators and courts, public prosecutors and courts are regulated, as well as relationships between courts and prosecutors and correctional institutions.

Ideally, there is a clear separation between criminal justice sub-systems so that there is no phenomenon of overlapping authority between these sub-systems. For example, in the case of corruption prosecutions, there is overlap in prosecutions as regulated by Law Number 30 of 2002 concerning the Corruption Eradication Commission which gives authority to the Corruption Eradication Commission (KPK) to carry out prosecutions which should be stated in Article 13 of the Criminal Procedure Code that the Public Prosecutor is a prosecutor who is given authority by The law for carrying out prosecutions, and Article 2 of Law Number 11 of 2021 concerning

²¹ Amirudin Hamzah, *Kebutuhan Surat Dalam Praktik Proses Pidana (Proses Beracara)*, Mandar Maju, Bandung, 2008, p. 34

Amendments to Law Number 16 of 2004 concerning the Prosecutor's Office of the Republic of Indonesia which places the Prosecutor's Office as an institution that exercises state power in terms of prosecutions which are carried out freely without influence from any party.²² The implementation of the Integrated Criminal Justice System is actually carried out to prevent things like this which could later lead to disparities in criminal law enforcement.

The role of the prosecutor as a single public prosecutor or single prosecution system is a basis for carrying out the duties of the prosecutor's office which aims to maintain a unified prosecutorial policy that displays unique characteristics that are integrated in the behavior, thinking and work procedures of the prosecutor's office. What prosecutors must have is professional expertise, both in terms of understanding and understanding. This is one of the efforts of the prosecutor's office to successfully eradicate criminal acts of corruption.²³

Based on these facts, there should be a clear separation between the duties and authorities of the Corruption Eradication Committee and the Prosecutor's Office in handling criminal acts of corruption, specifically in terms of prosecution. Don't give the impression that one institution is taking over the authority of another institution. This is intended to clarify functions which aim to eliminate chaos and overlapping prosecutorial functions and authorities. Apart from that, having clear specifications regarding the authority to prosecute will provide and guarantee the realization of legal certainty, so that the results obtained will be more effective and maximal.

The Corruption Eradication Committee Law does not provide a definition of prosecution therefore the definition of prosecution refers to the Criminal Procedure Code as a general criminal procedural law. The Corruption Eradication Committee Law only regulates the Corruption Eradication Commission's authority to carry out prosecutions, which are carried out by Public Prosecutors at the Corruption Eradication Commission who are appointed and dismissed by the Corruption Eradication Commission. The Public Prosecutor in question is the Public Prosecutor who carries out the function of prosecuting criminal acts of corruption.

This is correlated with an opinion by Lord Acton (John Emerich Edward Dalberg-Acton) in his letter to Bishop Mandell, namely, "power tends to corrupt, and absolute power corrupts absolutely", "power tends to corrupt, and absolute power gives rise to absolute corruption as

²² Qotrun Nida, Yulianah, dan Asep Hasan Sofwan, Disparitas Kewenangan Lembaga Penegak Hukum dalam Pemberantasan Tindak Pidana Korupsi, *Untirta Civic Education Journal*, Vol. 5 No. 2, Desember 2020, p. 163-181

²³ Jan. S. Maringka, *Reformasi Kejaksaan Dalam Sistem Hukum Nasional*, Sinar Grafika, Jakarta, 2017, p. 49.

well."²⁴ Meanwhile, Miriam Budiardjo looks at Lord Acton's opinion regarding the dictum through a political approach rather than a legal approach so that its meaning becomes broader. The meaning of "power tends to corrupt...", based on developed political science, is "Humans who have power tend to abuse it", and "...and absolute power corrupts absolutely", meaning "... and humans who have absolute power definitely abuse it."his power."²⁵

3.3. Concept of Policy for the Prosecution of Corruption Crimes based on the Principle of a Single Prosecution System in the Future

In the criminal justice system in Indonesia, the position of the Prosecutor's Office as the sole public prosecutor (single prosecution system) and as the only agency implementing criminal decisions (executive ambtenaar) has increasingly been neglected in its development, considering that currently there are several other institutions that also carry out prosecution functions. and executions but not controlled by the Attorney General, for example for Corruption Crimes carried out by the Corruption Eradication Commission (KPK) as well as for perpetrators of criminal acts within the military justice environment carried out by the Military Prosecutor, the High Military Prosecutor and the Indonesian National Army Prosecutor.

As is also true in various countries that adhere to the Continental European system, the Court consists of several judges, each of whom counts as 1 (one) judge. However, the prosecutor at the court, even though it consists of several prosecutors, is one unit and only counts as 1 (one) prosecutor under the Chief Prosecutor. This meaning is actually contained in the principle of "een en ondelbaar" namely that the Prosecutor's Office is one and cannot be separated. In fact, this principle speaks of the existence of a unified prosecution policy under the Attorney General as the Highest Public Prosecutor. The regulation of the "een en ondelbaar" principle is none other than to maintain unified prosecution policy which displays unique characteristics that are integrated in the thinking, behavior and work procedures of the Prosecutor's Office.

For this reason, it is necessary to reaffirm the principle of the Single Prosecution System in the criminal justice system in Indonesia, where this aims to avoid disparities in prosecution in this case the handling of Corruption Crime cases. Indonesia's juridical construction regarding the authority of State Institutions in carrying out their duties and authorities must be realized with a juridical construction that specifies an ideal role for each Institution that does not overlap with

²⁴ Ermansjah Djaja, *Meredesain Pengadilan Tindak Pidana Korupsi*, Sinar Grafika, Jakarta, 2010, p. 3

²⁵ Miriam Budiardjo, *Dasar-Dasar Ilmu Politik*, Gramedia, Jakarta, 1977, p. 99

each other. Basically, the problem of the authority of state institutions that handle big problems for the nation, namely corruption, indirectly has a big impact on the success of eradicating criminal acts of corruption, where it is always the people who are the victims of this impact. The problem of criminal acts of corruption is closely related to a fairly wide scope for movement. So the response must not only be carried out through a law enforcement process, but also an integral analysis and improvement of all related laws and regulations must be carried out.²⁶

The principle of a single prosecution system, which is the foundation for developing the judicial environment, ultimately focuses on coordination, collaboration and synchronization, both substantial synchronization, structural synchronization and cultural synchronization. This is important, because if there are subsystems that are not synchronized in the implementation of the criminal justice system, it will not only indicate an incompatibility with the spirit of judicial power, but will have implications for achieving the goals of law enforcement and justice itself.

There are no clear rules regarding coordination in handling criminal acts of corruption between the Corruption Eradication Committee and the Indonesian Attorney General's Office. The Corruption Eradication Commission cannot work alone, it must coordinate with other law enforcers, starting from investigations, investigations, prosecutions to decisions. This coordination is of course based on the role and approval of leaders in each law enforcement institution, including the police, prosecutor's office and courts. The application of the principle of dominus litis and the principle of a single prosecution system requires coordination in the field of prosecution between the Corruption Eradication Commission and the Prosecutor's Office, where the command of case control and prosecution rests with the Attorney General as the highest leader in the field of prosecution.

Article 26 of the Corruption Eradication Law states that:

“Investigations, prosecutions and examinations in court regarding criminal acts of corruption are carried out based on the applicable criminal procedural law, unless otherwise provided in this Law.”

Grammatically, the meaning of sentences based on the applicable criminal procedural law refers to the Criminal Procedure Code, because apart from the Criminal Procedure Code, there are no other criminal procedural laws that apply in Indonesia in general. This is an interpretation that

²⁶ Moh. Hatta, *Kebijakan Politik Kriminal Penegakan Hukum Dalam Rangka Penanggulangan Kejahatan*, Pustaka Pelajar, Yogyakarta, 2010, p. 63.

for criminal acts of corruption, prosecution must be carried out according to Articles 137 to 144 of the Criminal Procedure Code by the public prosecutor, in this case by the Prosecutor.

Thus, the Prosecutor's Office still has jurisdiction in eradicating Corruption Crimes, in this case based on the central position of the Prosecutor's Office as case controller, namely to determine whether or not a case can be submitted to trial.

4. Conclusion

The authority of the public prosecutor in handling criminal acts of corruption is regulated in the Criminal Code (KUHP) and the Republic of Indonesia Prosecutor's Law. After the enactment of the Criminal Procedure Code, there was a division into the stages of the prosecutor's duties, namely the pre-prosecution stage and the prosecution stage. However, the KUHP itself contains these two stages in the Prosecution Chapter, namely in Chapter XV. Since the enactment of the Criminal Procedure Code, basically the prosecutor's job is only to act as a public prosecutor and execute court decisions. The implementation of the Integrated Criminal Justice System is actually carried out to prevent things like this which could later lead to disparities in criminal law enforcement. The role of the prosecutor as a single public prosecutor or single prosecution system is a basis for carrying out the duties of the prosecutor's office which aims to maintain a unified prosecutorial policy that displays unique characteristics that are integrated in the behavior, thinking and work procedures of the prosecutor's office. What the prosecutor's office must have is professional expertise, both regarding understanding and insight. This is one of the efforts of the prosecutor's office to successfully eradicate criminal acts of corruption. In Article 26 of the Corruption Eradication Law, grammatically the meaning of sentences based on the applicable criminal procedural law refers to the Criminal Procedure Code, because apart from the Criminal Procedure Code there are no other criminal procedural laws that apply in Indonesia in general. This is an interpretation that for criminal acts of corruption, prosecution must be carried out according to Articles 137 to 144 of the Criminal Procedure Code by the public prosecutor, in this case by the Prosecutor. Thus, the Prosecutor's Office still has jurisdiction in eradicating Corruption Crimes, in this case based on the central position of the Prosecutor's Office as case controller, namely to determine whether or not a case can be submitted to trial.

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