

The Role of Prosecutor's Intelligence in Investigations of Alleged Corruption Criminal Acts

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Abstract. *The purpose of this study is to find out and analyze the role of the prosecutor's intelligence in carrying out investigations into alleged corruption and to find out and analyze the obstacles and solutions in the implementation of the prosecutor's intelligence in investigating alleged corruption. This legal research uses an empirical legal research approach method. The results of the study state that the role of the prosecutor's intelligence in uncovering corruption cases in general has a role, namely in terms of investigating corruption by the prosecutor's intelligence in order to obtain information and evidence to continue to the investigation process by the special criminal sections. Efforts to overcome this are by extending the time in the process of summoning witnesses and collecting evidence related to the case, as well as by providing guarantees and protection for parties who are asked for information regarding interventions carried out by related agencies.*

Keywords: *Corruption, Intelligence; Investigations.*

1. Introduction

The Republic of Indonesia is a state based on law (Rechtsstaats), not a state based on power (Machtsstaat), which is expressly regulated in the body, namely in Article 1 paragraph (3) of the 1945 Constitution. In the concept of a state based on law, it is idealized that the commander in chief in all the dynamics of state life is the law.¹

The target of the law is not only people who actually act against the law, but also legal acts that may occur, and state apparatus to act according to the law. The system of how the law works in this way is a form of law enforcement. Of the various legal studies, one of the most important studies to discuss further is the

¹Laurensius Arliman, Realizing Good Law Enforcement to Realize Indonesia as a Legal State, Al Qadau Journal, Vol 8 No 1, 2021, p.509-534

study of criminal law. Criminal law can be formulated as a number of legal regulations containing prohibitions and orders or obligations, for those who violate them are threatened with criminal penalties (legal sanctions) for those who do it. Criminal law is divided into two, namely material criminal law and formal criminal law. Material criminal law is about instructions and descriptions of criminal acts, while formal criminal law is the way the state through its officials enforces material law. Acts that violate these rules are called criminal acts.²

One of the phenomenal crimes is corruption.³ This phenomenon is understandable considering the negative impacts caused by this crime can affect various areas of life. Corruption in Indonesia has become increasingly widespread and uncontrolled among the Indonesian people which will bring disaster to the life of the nation and state. The increasing cases of corruption are a very serious problem, because corruption can endanger the stability and security of the state and its people, endanger the social and economic development of society, politics, and can even damage the values of democracy and the morality of the nation because it cultivates corruption.⁴

A social phenomenon called corruption is the reality of human behavior in social interactions that are considered deviant, and endangered society and the state. Therefore, such behavior in all forms is criticized by society, even by the corruptors themselves according to the expression "corruptors shout corruptors". The public's criticism of corruption according to the legal concept is manifested in the formulation of the law as a criminal act that needs to be approached specifically, and is threatened with quite severe punishment.⁵

The spread of corruption practices in Indonesia is very ironic with the many strategies that have been carried out because perpetrators of corruption usually have strong economic and political positions. To be able to uncover perpetrators of corruption who have strong economic and political positions, of course, requires various government institutions such as the BPK, BPKP, Inspectorate, KPK and by NGOs such as ICW.⁶

Law enforcement efforts in corruption crimes include conducting an investigation and inquiry process and to assist this process, in addition to the role of investigators and investigators in general, the role of intelligence agencies is very

²Dastin Darmawan, Nur Ain Saputri, Muhammad Irwandi, & Yesyka Yesyka. Legal Review of the Application of the Principle of Legality in Criminal Acts of Theft. Amendment: Journal of Defense Science, Politics and Indonesian Law, Vol 1 No.(3), 2024, p.324–331

³Dwi Atmoko, & Amalia Syauket. Law Enforcement Against Corruption Crimes Reviewed from the Perspective of Impact and Eradication Efforts. Binamulia Law, Vol 11 No(2), 2023, p.177–191.

⁴Barda Nawawi Arief, Selected Chapters on Criminal Law, Citra Aditya Bakti, Bandung, 2016, p. 67

⁵Elwi Danil, Corruption: Concept, Criminal Acts, and Eradication, Raja Grafindo, Jakarta, 2011, p. 1

⁶Marwan Effendi, Corruption and National Strategy; Prevention and Eradication, Reference, Jakarta, 2016, p. 14

necessary. Law Number 17 of 2011 concerning State Intelligence is the basis for regulating Intelligence in the Republic of Indonesia. According to Article 1 paragraph (1) of Law Number 17 of 2011 concerning State Intelligence, it reads as follows: "Intelligence is knowledge, organization, and activities related to the formulation of policies, national strategies, and decision-making based on analysis of information and facts collected through work methods for early detection and warning in order to prevent, deter, and overcome every threat to national security".⁷

Intelligence in the law enforcement process in Indonesia is divided into two, namely Intelligence owned by the Indonesian National Police and Intelligence within the scope of the Indonesian National Prosecutor's Office. In addition, there is intelligence owned by the state which has a special function in national defense and security which can be used to implement national politics.⁸

One component of the law enforcement apparatus that carries out efforts to overcome criminal acts of corruption is the Prosecutor's Office. This is in accordance with one of the important substances of the 1945 Constitution Amendment, namely to emphasize Law Number 48 of 2009 concerning Judicial Power, Article 38 which states that other bodies whose functions are related to judicial power, one of which is the Prosecutor's Office of the Republic of Indonesia.⁹

2. Research Method

This legal research uses an empirical legal research approach method. Empirical legal research, namely legal research using legal principles and principles in reviewing, viewing, and analyzing problems, in research, in addition to reviewing the implementation of law in practice.¹⁰ By using the statute approach and case approach, the answers to the problems raised in this study can be presented. The statute approach is an approach that refers to laws and regulations, while the case approach is an approach that is based on cases that have occurred.¹¹

⁷Novi Yanthy Adelina Simatupang, Alpi Sahari, Adi Mansar, Optimizing the Enforcement of Corruption Crimes at the Deli Serdang District Attorney's Office, *Iuris Studia Journal of Legal Studies*, Vol 5 No 2 June 2021, p. 189-197

⁸Marwan Efendi, Attorney General's Office of the Republic of Indonesia, Position and Function in Legal Perspective, Gramedia, Jakarta, 2018, p. 28.

⁹Musafir, Review of Fiqh Siyasah on the Authority to Handle Corruption Crimes in Indonesia (Analysis of the Authority of the Police, Prosecutor's Office, and the Corruption Eradication Commission), *Al Ahkam Journal of Islamic Criminal Law*, Vol 6 No 1 March 2024, p. 1-13

¹⁰Ronny Hanitijo Soemitro, *Legal Research Methodology and Jurimetrics*, Ghalia Indonesia, Jakarta, 1990, p. 33.

¹¹Ronny Hanitijo Soemitro, *Legal Research Methods and Jurimetrics*, Jakarta: Ghalia Indonesia, 2015, p.39.

3. Results and Discussion

3.1. The Role of Prosecutor's Intelligence in Carrying Out Investigations into Alleged Corruption Crimes

One of the phenomenal crimes is corruption. This phenomenon is understandable considering the negative impacts caused by this crime can affect various areas of life. Corruption in Indonesia has become increasingly widespread and uncontrolled among the Indonesian people which will bring disaster to the life of the nation and state. The increasing cases of corruption are a very serious problem, because corruption can endanger the stability and security of the state and its people, endanger the social and economic development of society, politics, and can even damage the values of democracy and the morality of the nation because it cultivates corruption.¹²

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The spread of corruption practices in Indonesia is very ironic with the many strategies that have been carried out because perpetrators of corruption usually have strong economic and political positions.¹⁴ To be able to uncover perpetrators of corruption who have strong economic and political positions, of course, requires various government institutions such as the BPK, BPKP, Inspectorate, KPK and by NGOs such as ICW.¹⁵

In article 130 of the Decree of the Attorney General of the Republic of Indonesia Kep-225/A/JA/05/2003 which states that the Deputy Attorney General for Intelligence has duties and authorities in the form of judicial intelligence activities in the social, political, financial, economic, economic, and defense, security and public order sectors. Basically, the prosecutor's judicial intelligence is of a nature that provides support to tasks in other areas in the prosecutor's office such as special and general criminal, Civil and State Administration, Supervision and

¹²Barda Nawawi Arief, *Selected Chapters on Criminal Law*, Citra Aditya Bakti, Bandung, 2016, p. 67

¹³Elwi Danil, *Corruption: Concept, Criminal Acts, and Eradication*, Raja Grafindo, Jakarta, 2011, p.1.

¹⁴Pujjiono, *Collection of Criminal Law Writings*, Mandar Maju, Bandung, 2017, p.143

¹⁵Marwan Effendi, *Corruption and National Strategy; Prevention and Eradication*, Reference, Jakarta, 2016, p.14.

guidance. Furthermore, the Attorney's intelligence has a role to fully support the success of criminal cases, starting from investigation, prosecution and execution.¹⁶

The Attorney General's Intelligence in law enforcement efforts is one of the efforts made by the Attorney General's Office to uncover corruption cases. The Attorney General's Intelligence method or operation method is expected to reduce the occurrence of corruption in Indonesia. The Attorney General's Institution in enforcing the law on corruption has a fairly central role. The Attorney General's Office not only has the authority to prosecute, in handling special criminal cases by the Attorney General's Office it is usually divided into stages: Investigation, Investigation, Prosecution.¹⁷

Investigations conducted by the Attorney General's Intelligence are very important and need to be carried out, because these intelligence activities are carried out to search for, explore, obtain and collect information, data/information materials (baket) from various sources (both open and closed sources) through open and closed activities that are needed in revealing cases of alleged corruption. By conducting investigations, the Attorney General's Intelligence can make estimates regarding the problems faced in order to enable policy determination and take action with calculated risks.¹⁸

The Attorney General's Intelligence in the process of disclosing alleged corruption has a method or way in carrying out the investigation process. This method or way of investigation basically contains a regular way and how Intelligence activities are carried out. The investigation is carried out to achieve maximum results. Investigation or investigation by the Attorney General's Intelligence means a series of activities, efforts, or actions carried out in a planned, gradual and sustainable manner in an Intelligence activity cycle to search for and collect as much data or information as possible from various sources, both openly and secretly. Through a series of activities carried out openly and secretly. The data or material is then processed in a process to produce ready-to-use data as an intelligence product, this intelligence product is then submitted to the superior or authorized leader as input in decision making. The source of the intelligence data bank data is obtained from the Deputy Attorney General, the Education and Training Agency (Badiklat), the Center for Statistics, Crime and Information Technology Data (Pusdaskrimti), the Legal Information Center (Puspenkum), the High Prosecutor's Office, the

¹⁶I Made Dwi Narendra Dananjaya, *The Role of Prosecutor's Intelligence in Disclosing Corruption Cases*, Jurnal Preferensi Hukum, Vol. 3, No. 1–March 2022, p.12-16

¹⁷Leden Marpaung, *Criminal Case Handling Process (At the Prosecutor's Office & District Court Legal Efforts & Execution)*, Sinar Grafika, Jakarta, 2011, p.19

¹⁸Firdaus Dewilmar, *Quo Vadis Prosecutor's Intelligence (An Effort to Reposition as Law Enforcement Intelligence)*, Phinatama Media, Makassar, 2020, p.82.

District Prosecutor's Office, the District Prosecutor's Office Branch, print and electronic media, and other sources.¹⁹

The methods or techniques of investigation carried out by the Attorney General's intelligence are through open or closed activities. The techniques are as follows:

1) Open investigation Open investigation is an investigation carried out openly or openly by carrying out the following activities:

a. Interviews. This activity is carried out through question and answer techniques or dialogue with sources. This interview aims to obtain information or statements regarding the matter being investigated by directly calling or visiting people who are being considered to know about the matter being investigated.

b. Observations. Observation activities are carried out by going directly to the field by conducting reviews or observations. Observations are carried out by conducting research on objects in the field that are related to the matter being investigated.

2) Closed investigation. Closed investigations are carried out secretly or secretly which are only known by the intelligence section itself with undercover techniques through the following activities:

a. Sensors carried out censorship activities are carried out by conducting research activities, selecting, sorting news, documents or people who are suspected to limit the person's space of movement.

b. Wiretapping is done by eavesdropping, secretly recording all news and all communications that are suspicious.

c. Espionage or spying aims to obtain information about things that are considered to be criminal acts or to steal documents.

d. Infiltration is done by entering the environment of a party who is considered to know information about things that are considered to be corruption or infiltrating the environment around the party suspected of committing corruption.

Based on the Regulation of the Attorney General Number PER-024/A/JA/08/2014 concerning the Administration of Intelligence of the Republic of Indonesia Prosecutor's Office, the Prosecutor's Office Intelligence has the authority to carry out:

1) Intelligence Investigation, or referred to as LID, an investigation is a series of efforts carried out in a planned and directed manner to seek information to

¹⁹Muhammad Insa Ansari and Indra Kesuma Hadi, Implementation of Duties and Authorities of Prosecutors in the Field of Civil and State Administration, Kanun Journal of Legal Studies, No. 60, Year XV (August, 2013), p.421.

become intelligence, and present it as input for policy formulation and decision making;

2) Intelligence Security, or referred to as PAM, security is an activity carried out to prevent and/or counter intelligence activities from parties that will influence, hinder and disrupt law enforcement carried out by the Prosecutor's Office as well as things that contain threats, disturbances, obstacles and challenges to the strategic interests of national development and security;

3) Intelligence Fundraising, or referred to as GAL, fundraising is an action carried out to support the success of law enforcement carried out by the Prosecutor's Office as well as matters that potentially contain threats, disturbances, obstacles and challenges to the strategic interests of national development and security

The stages carried out by the Attorney General's Intelligence in uncovering criminal acts of corruption begin with a report from the public (Lapdumas) to the Attorney General's Office. The report is received and disposed by the Head of the Attorney General's Office, then the Head of the Attorney General's Office distributes the report to the Intelligence Division for follow-up. After the report is studied by the Head of Intelligence, the Head of Intelligence then disposes it to the Head of the Economic, Financial and Strategic Development Security Sub-Section to make an Intelligence Review (Lahin) on the Lapdumas.

The Intelligence Review (Lahin) on the Lapdumas on the public complaint report is carried out in the following manner:

1) Conducting an analysis of the report;

2) Making a temporary conclusion, in which we conclude from all sides of the Lapdumas and provide a brief description of what the reporter wants in terms of the legal regulations, in the Intelligence Review (Lahin) the reviewer makes suggestions for action that provides an overview to the leadership, both the Head of the District Attorney's Office and the Head of Intelligence to determine the steps to be taken.

3) Planning and Data or Information Collection Stage

a. Planning Based on Article 1 point 18 of the Regulation of the Attorney General of the Republic of Indonesia Number Per037/A/JA/09/2011 concerning the Standard Operating Procedure (SOP) for the Intelligence of the Attorney General's Office of the Republic of Indonesia , it states that the Intelligence Investigation Plan is a preparation for carrying out an investigation, which is carefully prepared regarding everything that will be done by the executor of intelligence operations based on a predetermined warrant. The planning stage is carried out by the Intelligence Staff after receiving instructions/orders from the Head of the Attorney General's Office which are used as guidelines in carrying out the main tasks in the

field to provide direction for intelligence activities, so that they can be carried out out in a focused and systematic manner in order to obtain maximum results.

b. Data or Information Collection After preparing the planning regarding the activities to be carried out, the intelligence section then carries out data or information collection activities. In order to obtain data or information that is appropriate and timely according to the interests of the investigation, appropriate tactics and techniques are needed in collecting information. The methods or techniques of investigation carried out by the Attorney General's Intelligence are through open and closed investigation activities.

According to the Head of the Intelligence Section of the Gianyar District Attorney's Office, intelligence investigations are carried out if information appears that is obtained from outside the prosecutor's findings, community findings, NGO findings or findings obtained by the Intelligence section itself. After receiving a report or there is a suspicion that a crime has occurred as mentioned above, especially corruption, a warrant is issued from the Head of the District Attorney's Office to conduct an investigation at the place where the information was obtained. This investigation is still confidential, at this stage a search for data, information, and evidence is carried out as material to determine the follow-up to the investigation process being carried out. Then after collecting sufficient accurate data from the closed investigation, a pre-exposure is held at the prosecutor's office before heading to an open investigation. If the initial data obtained from the field turns out to be supportive, an open investigation is carried out. In this open investigation stage, prospective witnesses and suspects are summoned. This summons is only an invitation, so prospective witnesses and suspects have the right to accept or refuse to attend the Prosecutor's Office. It is possible that cooperative prospective suspects will be willing to show the evidence requested by the intelligence section and provide information to prove the legality of their actions. Uncooperative suspects will usually provide convoluted and secretive information, which is likely to arouse the suspicion of the Attorney General's Intelligence regarding the truth of the alleged accusations. Then a report is made to the leadership in this case the KAJARI in the form of a Special Information Report Letter (non pro justitia) containing an investigation into a particular case, and an Interrogation Report from Intelligence, it should be noted that this report is not a BAP but only a request for information (Interrogation Report). If the data and witnesses in this Interrogation Report support it, an exposure will be carried out within the Attorney General's Office.²⁰

The next step is to notify the Kajati, from the Kajati then a Letter of Order is issued to the Kajari with 2 (two) possibilities whether to continue the examination to the investigation level or to stop the investigation into the case. If the letter of order

²⁰Interview with Head of Intelligence Section of Gianyar District Attorney's Office I Nyoman Triarta Kurniawan on August 10, 2024

states that the examination process must be continued, the Intelligence investigator will immediately transfer this case to the special criminal section for immediate investigation, then the investigation into the case will be carried out by the special criminal section.

One example of case Number. Sp. Ops XXX results obtained Based on the results of the Intelligence Operation carried out by the Intelligence Section by collecting Data and/or Collecting Information from parties related to the Alleged Misuse of the use of XXX Regency Land which is used for building a Hotel with the name XXX, so that the following information, data, documents or complete information is obtained: The construction of Hotel XXX until this report was made has not had permission from the Governor. There is a potential for state financial loss due to the process of changing the function of land use in XXX Regency; in the Minutes of the XXX Village Land Lease Agreement between the parties (tenants) there is a clause from the rental value to the original village income, but not all of it is deposited into the Village Account. The Intelligence Operation Implementation Team provides advice to the leadership, the results of the intelligence operation regarding the Alleged Misuse of the use of XXX Regency Land which is used for building a Hotel can be transferred to the Special Crimes Division to be followed up in accordance with applicable standard operating procedures.

3.2. Obstacles and Solutions in the Implementation of Prosecutor's Intelligence Investigation of Alleged Corruption Crimes

The Attorney General's Intelligence at the District Attorney's Office in handling corruption cases does not always run smoothly, there are several obstacles or barriers experienced in carrying out their duties properly. Some of the obstacles experienced by the Attorney General's Intelligence in handling corruption cases at the District Attorney's Office are as follows:

- 1) The modus operandi is sophisticated Cases handled by the Attorney General's Office that are suspected of being corruption crimes are very difficult to detect or track when they were carried out or after being carried out by the perpetrator because they are so neat, so perfect the methods used , both through accountability, bookkeeping, or physical work, and so on, so that the authorized supervisory apparatus can be easily fooled, coupled with the tools used, for example electronic media such as computers and the internet.
- 2) Human Resources (HR) Factor In this alleged corruption case, the lack of HR belongs to the Attorney General's Intelligence both quantitatively and qualitatively. Quantitatively, human resources are still lacking while to carry out the duties of the intelligence section, more human resources are needed considering that corruption is an extraordinary crime, while qualitatively, human resources in the State Attorney's Intelligence are still not equipped with

sophisticated facilities such as tools to detect whether a document is forged or not, tools to find out whether someone is giving the right information or not.

3) **Slow Bureaucratic System** The Corruption Eradication Law makes it difficult or hindered to progress. In examining the suspect's account, which must first ask permission from the Governor of Bank Indonesia because of its confidential nature, this really makes it difficult for the Prosecutor's Office.

4) **Inadequate Facilities and Infrastructure** The Prosecutor's Office in the investigations carried out is still not supported by adequate facilities and infrastructure such as adequate work space, operational vehicles and prison vehicles.

5) **No specific funds** have been allocated for investigations. In the interests of pursuing convicts/suspects/defendants along with tracking, searching, and confiscating the assets of corruptors both at home and abroad, it requires a lot of funds.

6) In the investigation process, the Intel Prosecutor has difficulty in summoning witnesses, because there is no letter of summons for witnesses from the state prosecutor's intelligence which is not included in the prosecutor's Intelligence SOP. However, according to the author, this is not a major obstacle to the implementation of the authority of the Prosecutor's Intelligence, because the process of summoning witnesses is the authority of the investigator. Investigations by the Prosecutor's Intelligence as previously explained can be carried out through open investigation activities such as direct interviews in the field with parties who know the information, or through closed investigation activities such as wiretapping, which aims to obtain information or information that is useful in the investigation and investigation stages of corruption crimes.

7) In the process of collecting evidence, because there is no warrant to collect evidence. For example, the treasurer who argues to provide a receipt as evidence, even though the receipt can be evidence in the corruption case.

8) The fear of people who are asked for information due to intervention from the leadership of an agency against the person who provides data, is a factor that greatly influences the collection of information, data or evidence for the process of investigating corruption cases

9) The limited time given by law or internal prosecutor's regulations in the process of disclosing corruption. In carrying out our duties, we are required to be fast (speed) while the Intel personnel themselves are limited, the Law or prosecutor's regulations themselves only provide 7 (seven) days and 1 extension for 7 (seven) days in the implementation of Sprintug so that the total given in Sprintug is only 14 (fourteen) days, even then the extension requirement must be with a justifiable reason where the intelligence agent himself needs time to go

undercover to obtain data and information. For judicial intelligence operations, only 30 (thirty) days are given. Corruption is an extraordinary crime, which requires a long time to reveal.

10) The authority in the intelligence sector regulated in the Regulation of the Attorney General of the Republic of Indonesia and the Deputy Attorney General for Intelligence has not been found to have any coercive efforts in carrying out tasks or implementing judicial intelligence operations so that intelligence agents as executors of tasks or options cannot request documents for free or by force, must require a process by going undercover, sneaking or even by stealing data, this also takes time related to the existing situation and conditions. Intelligence agents only have the right to request a copy of the data or only in the form of visuals in the form of taking photos of the data obtained.

11) Intelligence or the intelligence sector cannot guarantee that the results of judicial intelligence operations submitted to the special criminal sector become corruption case products that are continued and transferred to the Corruption Court, because the limitations of the intelligence sector's authority only increase the status of the case to the special criminal sector for the authority of the investigation and prosecution stages are in the special criminal sector of the Prosecutor's Office

Based on these obstacles, in every disclosure of a crime, obstacles or problems are often found, including the State Attorney's Intelligence in disclosing alleged corruption. These obstacles can be grouped into:

1) Obstacles in the legal aspect:

a. The perpetrators of corruption in carrying out their actions use sophisticated *modus operandi*, the criminal sanctions or punishments imposed on the perpetrators of corruption are still relatively light, not comparable to the actions that have been carried out, namely harming the interests of the nation and state. The threat of criminal penalties in the laws and regulations is applied more lightly to perpetrators of corruption, even perpetrators are often given an acquittal and are not proven to have committed corruption. The imposition of criminal sanctions does not deter perpetrators of corruption.

b. The provisions of the laws and regulations that are felt to be no longer in accordance with the demands of community development and do not support the duties and authorities of the prosecutor's office in law enforcement efforts, many legal obstacles are found, namely in the Criminal Procedure Code, for example, the rules in the Criminal Procedure Code do not specify specifically, the flow in the Criminal Procedure Code is still general.

2) Obstacles in non-legal aspects:

- a. The human resource factor that understands the performance of the Attorney General's Intelligence is still considered very lacking;
- b. The leadership factor that has leadership qualities is also considered very little possessed by the District Attorney's Office.
- c. The limited allocation of funds in carrying out its duties to uncover a corruption case.

Regarding the obstacles experienced by the State Attorney's Intelligence in its role in disclosing alleged corruption, the following are the methods taken to overcome them:

1) Legal aspects. In its role in disclosing alleged corruption, the State Attorney's Office coordinates well with the High Prosecutor's Office. In addition, the State Attorney's Office also exchanges opinions informally with criminal and constitutional law experts on whether the disclosure of corruption cases is in accordance with existing legal regulations, and to avoid mistakes in disclosing corruption cases. In this case, the Attorney General's Office, especially the Intelligence division, must be proactive in carrying out the existing Intelligence function, especially in mobilizing members of the DPR, considering that the Law is a political product from the DPR. It is hoped that new legal products will be born that support the implementation of the duties and authorities of the Attorney General's Office in law enforcement efforts. With the birth of a new legal product, it finally places the Criminal Procedure Code as a *lex generalis* where as the National Criminal Procedure Law, the Criminal Procedure Code is the basis and general guideline in the implementation of law enforcement. The Criminal Procedure Code as a general legislation (*lex generalis*) contains the understanding that every other legislation containing criminal provisions will apply the Criminal Procedure Code in the Criminal Procedure process. However, because there are special things in each of these laws, it is possible that the regulations used are in the other laws as long as they do not deviate from the Criminal Procedure Code.

2) Non-Juridical Aspects. Human resources are an important factor in the implementation of investigations carried out by the Attorney General's Intelligence, for that the unavailability of adequate human resources must be anticipated early on and overcome in the following ways:

- a. The existing employee recruitment pattern must be transparent and accountable without having to pay a certain amount of money to be accepted to work as an employee of the prosecutor's office;
- b. The job transfer system must really pay attention to the principles of justice and quality of human resources, it is common knowledge that the current job transfer system is not based on a person's ability and educational background or

achievements, but rather on a person's closeness and loyalty to the leader so that the principles of justice and professionalism are neglected;

c. The Attorney General's intelligence training system must be further improved so that members of the Attorney General's Intelligence have the same opportunity to take part in training to improve their quality and professionalism so that it will improve the performance of the Attorney General's Intelligence. To create leaders who have a leadership spirit in the Attorney General's Intelligence environment, a healthy, professional and competitive competition system must always be created, and the method of appointing leaders must be eliminated which is based only on a person's closeness and loyalty to the leader so that the principles of justice and professionalism are neglected

Prosecutor's intelligence plays a vital role in efforts to eradicate corruption in Indonesia. Corruption is a serious threat to development and public welfare, because it damages governance and hinders the fair distribution of resources. In this context, the Prosecutor's Office as one of the law enforcement agencies has an important task to not only prosecute, but also conduct in-depth investigations into various corruption cases. Through a sharp and well-coordinated intelligence function, the Prosecutor's Office is expected to be able to uncover more corrupt practices that are detrimental to the state and strengthen public trust in law enforcement.

4. Conclusion

The role of the Attorney General's intelligence in uncovering corruption cases in general has a role, namely in the investigation of corruption by the Attorney General's intelligence in order to obtain information and evidence to continue to the investigation process by the special criminal section, preventive efforts or prevention by establishing Strategic Development Security (PPS) is part of the law enforcement intelligence task through a series of activities carried out in a planned and directed manner to prevent and/or ward off efforts, work, intelligence activities, and/or opposing parties that are detrimental to the interests of law enforcement, as well as public order and security in strategic development based on the Attorney General's Order, and the Attorney General's Intelligence in seeking for fugitives from the prosecutor's office/court. The obstacles for the Attorney General's intelligence in uncovering corruption cases are in terms of summoning witnesses, collecting evidence, and the fear of the party being asked for information regarding intervention by the relevant agencies. Efforts to overcome this are by extending the time in the process of summoning witnesses and collecting evidence related to the case, as well as by providing guarantees and protection for the party being asked for information regarding interventions made by the relevant agencies.

5. References

- Ahmad Nadir, 2005, *Pilkada Langsung dan Masa Depan Demokrasi di Indonesia*, Averroes Press, Malang;
- Barda Nawawi Arief, 2016, *Kapita Selekta Hukum Pidana*, Citra Aditya Bakti, Bandung;
- Dastin Darmawan, Nur Ain Saputri, Muhammad Irwandi, & Yesyka Yesyka. Tinjauan Yuridis Penerapan Asas Legalitas Dalam Tindak Pidana Pencurian. *Amandemen: Jurnal Ilmu Pertahanan, Politik Dan Hukum Indonesia*, Vol 1 No.(3), 2024;
- Dwi Atmoko, & Amalia Syauket. Penegakan Hukum Terhadap Tindak Pidana Korupsi Ditinjau dari Perspektif Dampak Serta Upaya Pemberantasan. *Binamulia Hukum*, Vol 11 No(2), 2023;
- Elwi Danil, 2011, *Korupsi: Konsep, Tindak Pidana, dan Pemberantasannya*, Raja Grafindo, Jakarta;
- Firdaus Dewilmar, 2020, *Quo Vadis Intelijen Kejaksaan (Sebuah Upaya Reposisi Sebagai Intelijen Penegakan Hukum)*, Phinatama Media, Makassar;
- I Made Dwi Narendra Dananjaya, Peranan Intelijen Kejaksaan Dalam Pengungkapan Kasus Tindak Pidana Korupsi, *Jurnal Preferensi Hukum*, Vol. 3, No. 1–March 2022;
- Laurensius Arliman, Mewujudkan Penegakan Hukum Yang Baik Untuk Mewujudkan Indonesia Sebagai Negara Hukum, *Jurnal Al Qadau*, Vol 8 No 1, 2021;
- Leden Marpaung, 2011, *Proses Penanganan Perkara Pidana (Di Kejaksaan & Pengadilan Negeri Upaya Hukum & Eksekusi)*, Sinar Grafika, Jakarta;
- Marwan Effendi, 2016, *Korupsi dan Strategi Nasional; Pencegahan serta Pemberantasannya, Referensi*, Jakarta;
- Marwan Efendi, 2018, *Kejaksaan R.I, Posisi dan fungsinya dalam Perspektif Hukum*, Gramedia, Jakarta;
- Muhammad Insa Ansari dan Indra Kesuma Hadi, Pelaksanaan Tugas Dan Kewenangan Jaksa Di Bidang Perdata Dan Tata Usaha Negara, *Kanun Jurnal Ilmu Hukum*, No. 60, Th. XV (Agustus, 2013);
- Musafir, Tinjauan Fikih Siyasah Kewenangan Penanganan Tindak Pidana Korupsi Di Indonesia (Analisis Kewenangan Kepolisian, Kejaksaan, Dan Komisi Pemberantasan Korupsi), *Al Ahkam Jurnal Hukum Pidana Islam*, Vol 6 No 1 Maret 2024;
- Novi Yanthy Adelina Simatupang, Alpi Sahari, Adi Mansar, Optimalisasi Penegakan Hukum Tindak Pidana Korupsi Pada Institusi Kejaksaan Negeri Deli Serdang, *Iuris Studia jurnal Kajian hukum*, Vol 5 No 2 Juni 2021;
- Pujiyono, 2017, *Kumpulan Tulisan Hukum Pidana*, Mandar Maju, Bandung;

Ronny Hanitijo Soemitro, 1990, *Metodologi Penelitian Hukum dan Jurimetri*,
Ghalia Indonesia, Jakarta;