

Implementation of the Role of Public Prosecutors as Dominus Litis in General Criminal Cases According to the Provisions of Law Number 20 of 2025 Concerning the Criminal Procedure Code

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This study aims to examine the implementation of the Public Prosecutor's role as *dominus litis* in the handling of general criminal cases under the provisions of Law Number 20 of 2025 concerning the Indonesian Criminal Procedure Code (KUHAP). The *dominus litis* concept positions the Public Prosecutor not merely as a party who prosecutes cases in court but as the central controller of the entire criminal justice process, spanning from the investigation, inquiry, prosecution, trial, to the execution of court decisions. This research employs a normative-analytical approach, reviewing statutory regulations, legal doctrines, and criminal law theories, including the *crime control* and *due process* models, principles of the rule of law, mechanisms of checks and balances, and human rights protection. The study finds that KUHAP 2025 reinforces the Public Prosecutor's position as the central authority responsible for the continuity and consistency of all procedural stages. The implementation of *dominus litis* effectively balances the need for efficient law enforcement with the protection of the rights of suspects and defendants, thus ensuring a criminal justice system that is accountable, integrated, and just.

Keywords: Public Prosecutor, Dominus Litis, Criminal Procedure Code

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1. Introduction

Criminal procedure law own fundamental position in system justice criminal Because functioning as mechanism implementation law criminal material at a time as means control state power. In the doctrine law criminal, criminal procedure law No understood solely as rule procedural in nature technical, but rather as instrument normative that guarantees protection right basic man through restrictions use authority coercive by the authorities enforcer law. With Thus, character and quality arrangement criminal procedure law is very important to what extent is enforcement law criminal can ongoing in accordance with principles of the rule of law and principles *due process of law*.

Birth Constitution Number 8 of 1981 concerning Criminal Procedure Code (KUHAP) marks change important in history law Indonesian criminal law. The Criminal Procedure Code replaces system criminal procedure law colonial style repressive with more systems put suspects and defendants as subject the law that has rights procedural. Andi Hamzah stated that the Criminal Procedure Code is form the state's commitment to uphold justice more criminal humane and just. One of them principle The main principle adopted by the Criminal Procedure Code is principle differentiation functional, namely separation authority between investigator, prosecutor general, and judges in the enforcement process law criminal.

Separation authority the intended For prevent centralization power and create mechanism supervision between institution enforcer law. Van Bemmelen confirm that distribution function in criminal procedure law is prerequisite for realization fair trial, because every stages of the criminal process own different goals

and characteristics. However Thus, the implementation differentiation functional in a way too stiff also has potential cause obstacle in coordination and effectiveness system justice criminal.

Within the framework of the old Criminal Procedure Code, the Public Prosecutor did hold authority prosecution, but No own role control direct to stage investigation and inquiry. Involvement prosecutor at the stage pre-trial restricted through mechanism pre-prosecution of a legal nature corrective to results investigation. Condition this, as Andi Hamzah said, often causes weakness supervision quality case since stage early, so that impact on unpreparedness file matter at the time submitted to court.

In practice, the division such rigid authority often cause fragmentation between subsystem enforcement law. Muladi is of the opinion that system justice criminal should understood as something integrated unit, not as series working institutions in a way separated. Disintegration between subsystem potential cause inefficiency, delays handling case, and decline quality decision justice criminal.

along with development thinking law modern criminal law, emerged paradigm integrated criminal justice system that views enforcement law criminal as a continuous process from stage beginning until stage end. In the paradigm this, the Public Prosecutor was placed as actor central control direction and continuity handling matter. Doctrine *dominus litis* confirm that prosecutor play a role as ruler responsible matter answer determine eligibility prosecution and safeguarding consistency between the investigation, prosecution and implementation processes decision court.

According to Barda Nawawi Arief, concept *dominus litis* must placed in framework policy law rational and justice - oriented criminal law. Strengthening role prosecutor No intended For expand state power in general arbitrary, but rather For ensure that use law criminal done in a way selective, proportional, and responsible answer. In the context this, prosecutor functioning No only as prosecutor, but also as guard balance between interests of the state, victims, and rights suspect.

View the in harmony with Herbert L. Packer's theory of two system models justice criminal, namely crime control model and due process model. Packer emphasized that system justice the ideal punishment should be capable accommodate need enforcement effective law without put aside protection right basic human beings. Therefore that, implementation draft *dominus litis* must accompanied by with mechanism adequate restrictions and supervision so as not to contradictory with the principle of the rule of law.

Foundation conceptual the reflected in formation Constitution Number 20 of 2025 concerning the Criminal Procedure Code (National Criminal Procedure Code). The National Criminal Procedure Code marks occurrence change sufficient orientation deep in system justice Indonesian criminal law, namely transition from pattern separation authority of a nature formalistic and rigid going to a more approach integrated as well as emphasize coordination between apparatus enforcer law.

Shift This seen from strengthened the role of the Public Prosecutor since stage beginning handling case action criminal general. Within the framework said, the prosecutor No Again only operate function advance prosecution trial, but also plays a role as subjects who have not quite enough answer strategic in direct and control the handling process case in a way overall. Strengthening role This intended so that the stages investigation and inquiry can ongoing in harmony with need proof, interest enforcement law, as well as achievement justice that is substantive.

Strengthening the position of the Public Prosecutor reflect implementation doctrine *dominus litis* in greater understanding area, namely placement prosecutor as actor central that guarantees continuity and consistency handling case action criminal general since stage pre-trial until implementation decision court. Concept This expected capable answer various problem classic that has been This appear in old KUHAP practices, such as weakness coordination between institutions enforcer law, the occurrence return file case

in a way repeated, and low quality letter indictment consequence No optimally control case since stage beginning. With thus, *dominus litis* No Again understood in a way narrow as principle prosecution only, but as instrument management system justice criminal law in order to be able to functioning in a way effective, efficient, and integrated.

Although Thus, strengthening the role of the Public Prosecutor as *dominus litis* No can released from demands the principle of the rule of law. Within the framework of the rule of law, every expansion authority state apparatus must accompanied by with restrictions clear normative as well as mechanism adequate supervision use prevent occurrence abuse authority. Therefore that, the implementation draft *dominus litis* in the National Criminal Procedure Code must placed in framework balance between need effectiveness enforcement law and guarantees protection to rights suspect and defendant.

Reviewed from corner view principle due process of law, strengthening role prosecutor since stage beginning handling case demand existence guarantee that authority the No reduce principles fair trial. Principles the covering principle presumption No guilty, right on defense and assistance law, rights For obtain a fast and hassle -free judicial process protracted, and prohibition to action arbitrary in the investigation process. Implementation *dominus litis* which is not accompanied by with arrangement firm and measurable procedures potential shift orientation system justice criminal to direction an approach that focuses on *crime control*, so that ignore dimensions protection right basic man. Based on description background above, then formulated problem as follows: How Legal Regulations on the Authority of the Public Prosecutor as *Dominus Litis* In Handling Case Action General Criminal Procedures that are regulated in Constitution Number 20 of 2025 concerning the Criminal Procedure Code ?. How Implementation of the Role of the Public Prosecutor as *Dominus Litis* In Case Action General Crimes According to Constitution Number 20 of 2025 concerning the Criminal Procedure Code ?

2. Method

Study This use method study law normative with put law as a set norms that regulate the authority of the Public Prosecutor in system justice criminal. This approach chosen Because focus study directed at analysis regulation legislation and doctrine related laws with criminal procedure law, in particular authority prosecutor as *dominus litis* in the National Criminal Procedure Code. Analysis done through approach legislation with examine in a way systematic provision the laws that govern stages investigation, inquiry, prosecution, and execution, as well as approach conceptual For understand *dominus litis* concept, system justice criminal integrated, and the principle of due process of law in perspective theoretical.

Legal materials used consists of on material primary law in the form of regulation legislation, materials law secondary in the form of literature scientific and expert opinion law, as well as material law tertiary as material supporting. All material law analyzed in a way qualitative with technique descriptive and comparative For identify similarities, differences, and implications juridical from change arrangement the authority of the Public Prosecutor between the old Criminal Procedure Code and the National Criminal Procedure Code. Through method This expected obtained comprehensive understanding about the direction of criminal procedural law reform and its consequences to system justice criminal law in Indonesia.

3. Discussion

Legal Regulations on the Authority of the Public Prosecutor as *Dominus Litis* In Handling Case Action General Criminal Procedures that are regulated in Constitution Number 20 of 2025 concerning the Criminal Procedure Code

National Criminal Procedure Code, as arranged in Constitution Number 20 of 2025, marking shift paradigmatic in system justice Indonesian criminal law, from the separation model rigid authority going to more systems integrative, coordinative, and effectiveness - oriented enforcement just law. In the context of This, the Public Prosecutor does not Again just functioning as the suing party at trial, but own role strategic as controller direction case since stage pre-trial until implementation decision court through authority coordination, supervision to investigation and inquiry, as well as compilation file indictment Article 2, Articles 58–59, Articles 67–71 of the National Criminal Procedure Code as following :

Article 2 Paragraph (1): “ *Criminal procedure implemented only based on the established procedures in Constitution* ”

Article 2 Paragraph (2): “ *Criminal procedure implemented with system justice criminal integrated on base principle differentiation functional which emphasizes function Investigation at the Republic of Indonesia National Police, Prosecution at the Prosecutor's Office, Examination courts to Judges, Advocates who provide Legal Services and Legal Assistance in frame sit down incident criminal in a way professional and proportional as well as Supervisor Society does it function coaching to prisoners and convicts.* ”

Article 58 reads : “ *Handling every action criminal implemented by Investigator with involving Public Prosecutor with method coordinate in accordance with respective authorities in framework system justice criminal integrated* ”.

Article 59 reads : “

- 1) *Coordination between Investigators and Public Prosecutors in handling every action criminal as intended in Article 58 is carried out in a way equal, mutual complement each other and support.*
- 2) *Coordination between Investigators and Public Prosecutors begin from delivery letter announcement the beginning Investigations sent by Investigators to Public Prosecutor.*
- 3) *Coordination between Investigators and Public Prosecutors can done with use means technology information.*
- 4) *Coordination as referred to in paragraph (2) is carried out before and after results Investigation sent Investigator to Public Prosecutor and must poured in News.*
- 5) *Coordination carried out after results Investigation sent Investigator to Public Prosecutor, only can done 1 (one) time in every matter.*
- 6) *Opinion Public Prosecutor in study file case covering formal aspects and material aspects.*
- 7) *Announcement complete file case filed Investigators, poured in letter notification signed by the head the district attorney as guarantor answer Prosecution in the relevant jurisdiction.*
- 8) *In terms of file case stated complete as referred to in paragraph (7), the Investigator deliver Suspects and items proof to Public Prosecutor for done Prosecution.*

Articles 67-71 of the Criminal Procedure Code

Article 67 reads :

- 1) *The Public Prosecutor demanded case action crimes that occur in area the law in accordance with provision Constitution.*
- 2) *In terms of certain circumstances, the Public Prosecutor may demand case action criminal offences area law as referred to in paragraph (1).*

3) For carry out Prosecution external matters area law as referred to in paragraph (21), the Public Prosecutor must get letter appointment temporary from the Attorney General as a regional prosecutor law Prosecution implemented.

Article 68 reads : " The Public Prosecutor in carry out duties, functions and authorities beyond or violate provision regulation legislation or code ethics subject to sanctions administrative, sanctions ethics, or sanctions criminal in accordance with provision regulation legislation ".

Article 69 states : " The Public Prosecutor has the authority do Prosecution to Defendant in area the law and delegate case to competent district court Judgement ".

Article 70 reads : "In matter The Public Prosecutor is of the opinion that from results Investigation can done Prosecution, the Public Prosecutor makes letter indictment in term maximum period of 7 (seven) days".

Article 71 reads :

- 1) In terms of The Public Prosecutor stopped Prosecution Because fall authority demanding, the Public Prosecutor poured out termination Prosecution in letter provisions.
- 2) The fall authority Prosecution as referred to in paragraph (1) if :
 - a. there is Decision The court that has get strength law still to Defendant on the same thing ;
 - b. expired ;
 - c. Defendant die ;
 - d. withdrawal of the Complaint for action criminal complaint ;
 - e. Defendant pay maximum criminal fine on action criminal offenses that only threatened with criminal the biggest fine category II;
 - f. Defendant pay maximum criminal fine category IV above action the criminal penalties that are threatened with criminal imprisonment for a maximum of 1 (one) year or criminal the biggest fine category III;
 - g. achievement settlement case through mechanism Justice Restorative ; or h. given amnesty or abolition.
- 3) Content of letter provisions as referred to in paragraph (1) shall be notified to Suspect and if Suspect detained, mandatory quick released.
- 4) Copy of letter provisions as referred to in paragraph (1) is mandatory delivered to The suspect, his family, or Advocate, official House state prisoners, investigators, and judges.

Strategic role This reinforced by the provisions Constitution The prosecutor's office confirmed that the Public Prosecutor has duties and functions For demand, carry out decision the court that has powerful law remain, and do inspection additions and coordination with investigator use ensure completeness and quality file case (Article 1 and Article 30 of the Prosecutor's Office Law). With Thus, the arrangement normative This confirm legitimacy institutional prosecutor as actor central holding control substantive to direction and quality enforcement law criminal.

Strengthening the position of the Public Prosecutor in a way conceptual adopt doctrine *dominus litis*, which emphasizes that prosecutor general No just executor prosecution, but controller the entire judicial process criminal, responsible answer on continuity, consistency, and integration between stages matter. Draft This rooted in practice law criminal Europe Continental, especially Dutch, which placed prosecutor as actor central control direction of criminal proceedings in a way comprehensive. In the Indonesian context, the doctrine This aim For reduce fragmentation authority between apparatus enforcer law, prevent abuse discretion investigators, and ensure quality indictment as well as the trial process, so objective system justice criminal, good from side law material and procedural, can achieved.

In a way theoretically, *dominus litis* can be analyzed through two perspectives: theory of law and modern criminal law proposed by Herbert L. Packer, namely *crime control model* and *due process model*. *Crime control model* emphasizes effectiveness and control of the enforcement process of law with the objective main thing to do criminal handled in a way fast, systematic and systematic, while *the due process model* emphasizes protection of basic rights of suspects and defendants, guarantee principle presumption not guilty, right on defense, and prohibition of abuse of authority by the law enforcement authorities. In the implementation of the 2025 Criminal Procedure Code, *dominus litis* functions as a gauge measuring balance between these two models: The Public Prosecutor is given authority substantive for control direction matter, but authority must be executed with accountability, transparency, and consistency uphold principle of legality as well as protection of basic rights of humans, so that no shift system of justice criminal to orientation sheer *crime control* emphasizes speed and effectiveness without supervision.

Benchmark measuring *dominus litis* in the 2025 Criminal Procedure Code can be seen from a number of aspects normative and practical. First, the existence of prosecutor in every stage of investigation and inquiry for give directions strategic and assessing completeness of file case (Articles 58–59), as following :

Article 58 reads : "*Handling every action criminal implemented by Investigator with involving Public Prosecutor with method coordinate in accordance with respective authorities in framework system justice criminal integrated*".

Article 59 reads :

- 1) *Coordination between Investigators and Public Prosecutors in handling every action criminal as intended in Article 58 is carried out in a way equal, mutual complement each other and support.*
- 2) *Coordination between Investigators and Public Prosecutors begin from delivery letter announcement the beginning Investigations sent by Investigators to Public Prosecutor.*
- 3) *Coordination between Investigators and Public Prosecutors can be done with use means technology information.*
- 4) *Coordination as referred to in paragraph (2) is carried out before and after results Investigation sent Investigator to Public Prosecutor and must be poured in News.*
- 5) *Coordination carried out after results Investigation sent Investigator to Public Prosecutor, only can be done 1 (one) time in every matter.*
- 6) *Opinion Public Prosecutor in study file case covering formal aspects and material aspects.*
- 7) *Announcement complete file case filed Investigators, be poured in letter notification signed by the head of the district attorney as guarantor answer Prosecution in the relevant jurisdiction.*
- 8) *In terms of file case stated complete as referred to in paragraph (7), the Investigator deliver Suspects and items proof to Public Prosecutor for done Prosecution.*

Second, authority arrange and determine content of indictment as instrument control quality of the prosecution process (Articles 67–71), as following :

Article 67 reads :

- 1) *The Public Prosecutor demanded case action crimes that occur in area the law in accordance with provision Constitution.*
- 2) *In terms of certain circumstances, the Public Prosecutor may demand case action criminal offences outside area law as referred to in paragraph (1).*
- 3) *For carry out Prosecution external matters area law as referred to in paragraph (21), the Public Prosecutor must get letter appointment temporary from the Attorney General as a regional prosecutor law Prosecution implemented.*

Article 68 reads : " *The Public Prosecutor in carry out duties, functions and authorities beyond or violate provision regulation legislation or code ethics subject to sanctions administrative, sanctions ethics, or sanctions criminal in accordance with provision regulation legislation* ".

Article 69 states : " *The Public Prosecutor has the authority do Prosecution to Defendant in area the law and delegate case to competent district court Judgement* ".

Article 70 reads : "*In matter The Public Prosecutor is of the opinion that from results Investigation can done Prosecution, the Public Prosecutor makes letter indictment in term maximum period of 7 (seven) days*".

Article 71 reads :

- 1) *In terms of The Public Prosecutor stopped Prosecution Because fall authority demanding, the Public Prosecutor poured out termination Prosecution in letter provisions.*
- 2) *The fall authority Prosecution as referred to in paragraph (l) if :*
 - a. *there is Decision The court that has get strength law still to Defendant on the same thing ;*
 - b. *expired ;*
 - c. *Defendant die ;*
 - d. *withdrawal of the Complaint for action criminal complaint ;*
 - e. *Defendant pay maximum criminal fine on action criminal offenses that only threatened with criminal the biggest fine category II;*
 - f. *Defendant pay maximum criminal fine category IV above action the criminal penalties that are threatened with criminal imprisonment for a maximum of 1 (one) year or criminal the biggest fine category III;*
 - g. *achievement settlement case through mechanism Justice Restorative ; or h. given amnesty or abolition.*
- 3) *Content of letter provisions as referred to in paragraph (1) shall be notified to Suspect and if Suspect detained, mandatory quick released.*
- 4) *Copy of letter provisions as referred to in paragraph (l) is mandatory delivered to The suspect, his family, or Advocate, official House state prisoners, investigators, and judges.*

Third, the mechanism coordination and supervision between investigators and prosecutors who are obliged done in a way periodic, so that the way case still in harmony with need proof, interest enforcement law, and objectives justice substantive. Fourth, the ability prosecutor For assess and take decision related termination prosecution or investigation addition in accordance principle legality and principles *due process*.

In addition, the application of dominus litis is also related with principle *objective bindendheid*, which confirms that the authority of the Public Prosecutor must executed with coordination, accountability, and not nature absolute. Doctrine law Indonesian criminal law, as put forward by Andi Hamzah, Barda Nawawi Arief, Van Bemmelen, and Muladi, emphasizing that dominus litis is mechanism control system justice criminal in a way integrative, which combines aspect procedural, substantive, and institutional, so that the judicial process criminal can walk consistent, accountable, effective, and consistent with justice. With Thus, the 2025 Criminal Procedure Code establishes framework law that allows the Public Prosecutor to act as *master of the case*, balancing effectiveness enforcement law, protection right basic humans, and the principles of the rule of law.

Implementation of the Role of the Public Prosecutor as *Dominus Litis* In Case Action General Crimes According to Constitution Number 20 of 2025 concerning the Criminal Procedure Code

Implementation the role of the Public Prosecutor as *dominus litis* in practice handling case action criminal general demand integration principles complex laws, including principles the law that becomes foundation of the rule of law, mechanism *checks and balances* theory law modern criminal law, principles *due process of law*, and protection right basic human beings. The National Criminal Procedure Code (Law No. 20 of 2025) provides legitimacy normative for prosecutor For supervise and control the way investigation, inquiry, prosecution, trial, until execution decision court, so that every stages of the criminal process walk in a way consistent, accountable, and aligned with objective law substantive.

In a way conceptual, doctrinal *dominus litis* placing the Public Prosecutor as actor central responsible answer on continuity and consistency handling matter. Within the framework this, prosecutor No only just implementer prosecution, but also controller direction of the enforcement process law, including supervision quality file case, investigation strategy, coordination between apparatus enforcer law, and determination direction indictment in a way comprehensive. Mechanism This at a time ensure principle *checks and balances* between investigators, prosecutors and judges, so that No happen concentration power that can threaten right suspects and defendants.

In perspective theory law criminal, implementation of *dominus litis* can analyzed through balance between *the crime control* and *due process* models proposed by Herbert L. Packer. The *crime control model* emphasize effectiveness and process control for take action crime in a way fast and systematic, while *the due process* model emphasize protection right basic principles presumption not guilty, right on defense and prohibition abuse authority. The 2025 Criminal Procedure Code places the Public Prosecutor in position For balance these two models : prosecutor own authority substantive For control direction case in a way comprehensive, but still must subject to the mechanism supervision normative, principle legality and protection of human rights.

The position of the Public Prosecutor as *dominus litis* seen clear in every stages of the criminal process. At this stage investigation, prosecutor give directions strategic and supervision For ensure investigator do steps beginning in a way correct and appropriate law. At this stage investigation, prosecutor supervise completeness evidence and coordination with investigator For minimize error procedural. Next, at the stage prosecution, prosecutor compile complete indictment, controlling evidentiary strategies, as well ensure case Ready processed in court (Articles 67–71 of the 2025 Criminal Procedure Code), as following :

Article 67 reads :

- 1) *The Public Prosecutor demanded case action crimes that occur in area the law in accordance with provision Constitution.*
- 2) *In terms of certain circumstances, the Public Prosecutor may demand case action criminal offences area law as referred to in paragraph (1).*
- 3) *For carry out Prosecution external matters area law as referred to in paragraph (21), the Public Prosecutor must get letter appointment temporary from the Attorney General as a regional prosecutor law Prosecution implemented.*

Article 68 reads : "*The Public Prosecutor in carry out duties, functions and authorities beyond or violate provision regulation legislation or code ethics subject to sanctions administrative, sanctions ethics, or sanctions criminal in accordance with provision regulation legislation*".

Article 69 states : "*The Public Prosecutor has the authority do Prosecution to Defendant in area the law and delegate case to competent district court Judgement*".

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 - b. *expired ;*
 - c. *Defendant die ;*
 - d. *withdrawal of the Complaint for action criminal complaint ;*
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 - f. *Defendant pay maximum criminal fine category IV above action the criminal penalties that are threatened with criminal imprisonment for a maximum of 1 (one) year or criminal the biggest fine category III;*
 - g. *achievement settlement case through mechanism Justice Restorative ; or h. given amnesty or abolition.*
- 5) *Content of letter provisions as referred to in paragraph (1) shall be notified to Suspect and if Suspect detained, mandatory quick released.*
- 6) *Copy of letter provisions as referred to in paragraph (1) is mandatory delivered to The suspect, his family, or Advocate, official House state prisoners, investigators, and judges.*

During trial, prosecutor functioning as prosecutor at a time case strategy guard so that the judge's decision is appropriate with evidence and applicable law, while guard right defendant. Finally, at the stage execution, prosecutor ensure final decision law still implemented with legal and appropriate procedures principle justice substantive.

With Thus, dominus litis in the 2025 Criminal Procedure Code plays a role as mechanism control system justice integrated criminal law, integrating aspect law material, procedural, and institutional, so that enforcement law can walk effective, consistent, accountable, and at the same time still protect right basic human. Measure measuring success the application of dominus litis lies in the extent to which the Public Prosecutor is able to operate its authority in each stages in a way professional, in tune with principles of the rule of law, principles *due process of law*, and theory law modern criminal law.

Strengthening the authority of the Public Prosecutor (JPU) in Constitution Number 20 of 2025 concerning the Criminal Procedure Code (National Criminal Procedure Code) is shift fundamental in design relation authority between apparatus enforcer law. Changes This confirm return doctrine *dominus litis*, namely the principle that places prosecutor as controller case criminal, good in determine eligibility prosecution and in ensure effectiveness evidence in court.

In the previous Criminal Procedure Code, the relationship between investigator police and prosecutors built on base separation relative function firm. Police responsible answer on investigation and inquiry, while prosecutor operate function study file case before prosecution. This model Still reflected in Article 28 of Law No. 20 of 2025 concerning the Criminal Procedure Code, which states that investigation is authority investigator.

Article 28 reads :

- 1) *Suspects and/ or witnesses who are summoned must come in front Investigator.*

- 2) *In terms of The suspect and/or witness did not come, Investigator call very Again with request help to authorized official For bring Suspects and/or Witnesses to Investigator.*

However, the provisions This emphasized and at the same time supplemented by Article 30 paragraph (2), reads :

- 1) *Inspection to someone who is suspected do action criminal recorded with use camera supervisor during inspection ongoing.*
- 2) *Recording camera supervisor as referred to in paragraph (1) is carried out For interest Investigation, Prosecution, Defense to Suspect or The accused and in examination in court court on Judge's request.*

Which then give authority to prosecutor For do coordination and supervision to investigation since stage beginning.

Arrangement the in line with theory *integrated criminal justice system*, which views system justice criminal as One unity of interconnected processes depends. Muladi emphasized that without strong coordination between subsystem, enforcement law criminal will walk partial and not effective. In the context of This, Article 31 of Law No. 20 of 2025 concerning the Criminal Procedure Code regulates that coordination between investigators and prosecutors aim For ensure harmony between direction investigation and evidence strategy in court, so that case No failed at stage prosecution.

However Thus, the expansion authority prosecutor the cause problem theoretical related distribution power. When the prosecutor acts as party prosecutors in court also have role significant in direct investigation, appeared potential inequality authority and conflict interests. This is the more relevant If associated with Article 42 of Law No. 20 of 2025 concerning the Criminal Procedure Code, which provides authority to prosecutor For return file unresolved matters complete accompanied by mandatory instructions filled investigator before file stated complete (P-21).

With implementation Article 43 paragraph (1), which states that investigator must follow up instruction prosecutor in term time certain, the boundary between authority investigators and prosecutors become more flexible. From the perspective crime control model ala Herbert L. Packer, arrangement This potential increase efficiency and success prosecution Because prosecutor can ensure since beginning that tool evidence collected relevant and adequate. However, the dominance efficiency without balancing adequate is also risky shift orientation justice criminal from protection right individual.

From the corner view due process of law, expansion authority prosecutor must controlled in a way strict. Article 5 of Law No. 20 of 2025 concerning the Criminal Procedure Code specifically explicit confirm principle protection right basic human, presumption No guilt, and equality before law. In addition, Article 9 regulates that every action apparatus enforcer law in the investigation and prosecution process must done in a way proportional, accountable, and able tested in a way law. Provisions This intended as balance to strengthening the authority of the Public Prosecutor so as not to develop become excessive dominance.

Implications change authority is also related direct with system proof. Article 146 of Law No. 20 of 2025 concerning the Criminal Procedure Code emphasizes that tool proof must obtained in a way valid and invalid violate rights suspect. Involvement prosecutor since stage investigation, as arranged in Article 30 and Article 31, potentially increase quality proof Because prosecutor can direct investigator For fulfil standard evidence in court. However, on the other hand, there is risk emergence pressure structural to investigator and suspect if mechanism supervision No walk effective.

From the perspective policy law criminal law, the National Criminal Procedure Code reform aims to increase effectiveness system justice criminal with reduce overlapping overlap authority. However, Article 274 of Law No. 20 of 2025 concerning the Criminal Procedure Code, which regulates mechanism evaluation and supervision implementation criminal procedure law, shows that former Constitution realize importance

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control to implementation authority said. Evaluation periodically become instrument important For ensure that strengthening role prosecutor No sacrifice principle *due process of law* and protection right basic man.

With Thus, the arrangement the authority of the Public Prosecutor in Law No. 20 of 2025 concerning the Criminal Procedure Code represents synthesis between doctrine *dominus litis*, theory integrated criminal justice system, and principles *due process of law*. Challenge mainly lies in the implementation norms the in a way consistent, proportional, and supervised in a way effective so that the objectives of criminal procedural law reform are achieved truly achieved.

New Criminal Procedure Code (Law No. 20 of 2025) brings change fundamental to design the authority of the Public Prosecutor. In the Old Criminal Procedure Code, the prosecutor more functioning as implementer incoming prosecution to realm trial after investigation finished, so that his role tend reactive and limited to the stage trial. On the other hand, the New Criminal Procedure Code put prosecutor as actor the central involved since stage beginning investigation, prosecution, up to execution decision. Changes This reflect transformation structural in system justice Indonesian criminal law, from the separation model functional differentiation towards a control model case (*dominus litis*) in framework system justice criminal integrated (integrated criminal justice system).

In a way theoretical, placement prosecutor as *dominus litis* reflect view classic about role prosecutor as a representative of a country that has not quite enough answer full For uphold law in a way effective. According to Scharpf (1978), the system modern law faces dilemma between concentration authority For effectiveness and need supervision For guard right individual. In the context of this, strengthening authority prosecutor allows more coordination Good between investigation, prosecution, and execution, but also has the potential create risk domination power single that can reduce checks and balances control.

Packer (1968) distinguishes two system models justice criminal law : crime control model and *due process* model. New Criminal Procedure Code, with strengthening authority prosecutor, more approach principle crime control, which emphasizes efficiency enforcement law and prevention crime through role proactive prosecutors. However, Packer emphasized that the dominance of this model must balanced with mechanism supervision and protection right basic, so that the principles *due process* still awake.

Finnis (2011) and thinkers law modern natural law emphasize that every concentration power must limited by norms clear laws and mechanisms accountability, so that rights subject law No compromised. In perspective This is the New Criminal Procedure Code must integrate principle *due process of law*, access to fair trial, and supervision external and internal to prosecutor For guard legitimacy system justice criminal.

With Thus, the reform of the authority of the Public Prosecutor in the New Criminal Procedure Code present opportunities and challenges at once. In one side, role proactive prosecutor can increase efficiency and coordination in enforcement law ; on the other hand, concentration authority demand strengthening mechanism supervision and protection right basic humans so that the system still fair and accountable. This approach show that modernization law criminal No only question effectiveness, but also balance between state power and protection individual.

4. Conclusion

Arrangement the authority of the Public Prosecutor as *Dominus Litis* in Constitution Number 20 of 2025, marking shift paradigmatic in system justice Indonesian criminal law, from the separation model rigid authority going to more systems integrative, coordinative, and effectiveness - oriented enforcement just law. The Public Prosecutor does not Again just functioning as the suing party at trial, but own role strategic as controller direction case since stage pre-trial until implementation decision court through authority

coordination, supervision to investigation and inquiry, as well as compilation file indictment. Implementation the role of the Public Prosecutor as *dominus litis* in case action criminal general according to the 2025 Criminal Procedure Code, it is emphasized strengthening authority normative and practical prosecutor since stage investigation until execution. The prosecutor plays a role No only as prosecutor, but also the process controller who ensures consistency, coordination, and quality handling case. Concept *dominus litis* balance principle *crime control* and *due process*, at the same time integrate principles of the rule of law, mechanisms *checks and balances*, as well as protection right basic human. With Thus, the 2025 Criminal Procedure Code presents framework law that allows system justice criminal more effective, accountable and fair, as long as strengthening the prosecutor's authority remains accompanied by supervision normative and protection rights suspects and defendants.

5. References

- Amiruddin, & Asikin, Z. (2018). *Pengantar metode penelitian hukum*. Jakarta: RajaGrafindo Persada.
- Andi Hamzah. (1984). *Pengantar hukum acara pidana Indonesia*. Jakarta: Ghalia Indonesia.
- Andi Hamzah. (2007). *Jaksa di dalam sistem peradilan pidana*. Jakarta: Sinar Grafika.
- Andi Hamzah. (2019). *Hukum acara pidana Indonesia*. Jakarta: Sinar Grafika.
- Amin, I. (2024). *Penggunaan pendekatan integrated criminal justice system dalam penanggulangan tindak pidana narkoba*. Jurnal Kompilasi Hukum, 9(1)
- Arief, B. N. (2008). *Bunga rampai kebijakan hukum pidana*. Jakarta: Kencana.
- Arief, B. N. (2010). *Masalah penegakan hukum dan kebijakan hukum pidana*. Bandung: Citra Aditya Bakti.
- Arief, B. N. (2014). *Filsafat hukum pidana dan sistem peradilan*. Bandung: Citra Aditya Bakti.
- Finnis, J. (2011). *Natural law and natural rights* (2nd ed.). Oxford: Oxford University Press.
- Fernando, Z. J. (2021). *Due Process of Law dalam Penanggulangan Tindak Pidana di Indonesia*. *Majalah Keadilan*, 21(1)
- Hadjon, P. M. (2007). *Perlindungan hukum bagi rakyat di Indonesia*. Surabaya: Peradaban.
- Hadjon, P. M. (2012). *Sistem peradilan pidana Indonesia: Kajian teoritis dan praktis*. Jakarta: Rajawali Pers.
- Ibrahim, J. (2012). *Teori dan metodologi penelitian hukum normatif*. Malang: Bayumedia Publishing.
- Laputigar, R., Suhadi, S., & Rodiyah, R. (2024). Integrating due process into the enforcement framework of criminal law politics. *Indonesian Journal of Criminal Law Studies*, 9(1).
- Marzuki, P. M. (2017). *Penelitian hukum*. Jakarta: Kencana.
- Muladi. (1995). *Kapita selekta sistem peradilan pidana*. Semarang: Badan Penerbit UNDIP.
- Muladi. (2002). Hak asasi manusia dan sistem peradilan pidana. In *HAM dan reformasi hukum di Indonesia* (pp. xx-xx). Jakarta: BPHN.
- Packer, H. L. (1968). *The limits of the criminal sanction*. Stanford: Stanford University Press.
- Packer, H. L. (1964). Two models of the criminal process. *University of Pennsylvania Law Review*, 113(1), 8-16.
- Rahardjo, S. (2006). *Ilmu hukum*. Bandung: Citra Aditya Bakti.
- Rahardjo, S. (2007). *Hukum dan hak asasi manusia*. Jakarta: PT RajaGrafindo Persada.
- Scharpf, F. W. (1978). *Interorganizational policy studies: Issues, concepts, and perspectives*. London: Sage Publications.
- Soekanto, S., & Mamudji, S. (2014). *Penelitian hukum normatif: Suatu tinjauan singkat*. Jakarta: RajaGrafindo Persada.
- Setyadi, H. B., Mursyid, A., & Wulandari, C. (2025). The development of the principle of dominus litis as a foundation for ethics and professionalism in prosecution at the prosecutor's office. *Jurnal Ilmu Sosial dan Humaniora*.

- Waskito, A. B. (2018). *Implementasi sistem peradilan pidana dalam perspektif integrasi*. Jurnal Daulat Hukum, 1(1), 287–304
- Van Bemmelen, J. M. (1957). *Strafvordering: Leerboek van het Nederlandse strafprocesrecht, Deel I*. Den Haag: Martinus Nijhoff.
- Van Bemmelen, J. M. (1965). *Het Nederlands strafprocesrecht*. Haarlem: De Erven F. Bohn.
- Van Bemmelen, J. M. (1977a). *Strafvordering: Leerboek van het Nederlandse strafprocesrecht*. Zwolle: W.E.J. Tjeenk Willink.
- Van Bemmelen, J. M., & van Veen, J. (1977b). *Strafvordering: Leerboek van het Nederlandse strafprocesrecht*. Zwolle: W.E.J. Tjeenk Willink.