



Legal Politics Integrated Law Enforcement Center in The Concept of the Election Criminal Justice System in the Covid Pandemic

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ABSTRACT

The Center of Integrated Law Enforcement which is known as the "Sentra Gakkumdu" is a concrete manifestation of escort and supervision of the implementation of the General Election. The handling of alleged election crime violations has different work procedures, procedural law, and time limits, so that a one-stop handling pattern is established through Sentra Gakkumdu, which consists of elements of the Election Supervisory Body (Bawaslu), the Indonesian National Police and the Indonesian Attorney's Office. This article aims to analyze the Gakkumdu Center in the Concept of the Election Criminal Justice System During the Covid-19 Pandemic. The methods used normative juridical research, with a statute approach, a comparative approach, and a conceptual approach. The results showed that based on the different handling patterns in the Gakkumdu Center, it should be included in a stronger legal basis through special legislation regarding the Election Criminal Justice System, which regulates formal law and material law, and regulates the expansion of the Integrated Criminal Justice System consists of components of Sentra Gakkumdu, components of the Judiciary Institution, and components of the Penal Institution. This aims to accelerate the interconnection between individuals and institutions in the handling of alleged election crime violations in a more comprehensive manner. Specially during the Covid-19 pandemic, there are many modifications to the procedural law for handling election crimes through an online system so that this situation deserves to be formulated in a regulation equivalent to law as a basis for future law enforcement. This article was compiled using normative juridical research methods through the Statute Approach, Comparative Approach and Conceptual Approach, which aims to critically examine the Legal Politics of Integrated Law Enforcement Centers in the Concept of the Election Criminal Justice System during the Covid-19 Pandemic.



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Introduction

Indonesia is a state of law (*rechstaat*), not a state of mere power (*machstaat*), so all things must be based on law. The characteristics of the rule of law include the protection of human rights, the rule of law, the separation and distribution of state power, and an independent judiciary (Rosyada, 2000). The separation and division of state power as one of the characteristics of the rule of law is a manifestation of the theory of popular sovereignty as

coined by adherents of natural law teachings such as John Locke, JJ Rousseau, Montesque, and Immanuel Kant who generally state that power needs to be limited by dividing or separating state power into legislative, executive, and judicial or popularly known as the trias politica theory (Hufron & Hadi, 2015).

Limiting the power and authority of the trias politica institution must be carried out in a balanced manner and mutual monitoring (*checks and balances*), as well as providing a fairly broad guarantee in terms of respect, protection, and fulfillment of human rights and The rights of citizens, which in its development have limited power, have experienced variant conceptions, one of which is the existence of general elections (elections) (Fajar, 2006). Elections in Indonesia have been carried out democratically by means of direct elections by the people of their representatives in both the executive and legislative institutions. This is a form of actualization of the sound of Article 1 paragraph (2) of the 1945 Constitution of the Republic of Indonesia which stipulates that sovereignty rests with the people and is implemented according to the Constitution.

In the context of the implementation of the General Election, it is necessary to monitor, anticipate, and regulate in such a way as to find solutions to the relatively diverse potential problems of election law. Based on the variants of the types of elections held, each of the provisions that govern them, hereinafter referred to as election laws, are:

- a. Law of the Republic of Indonesia Number 1 of 2015 concerning the Stipulation of Perppu Number 1 of 2014 concerning the Election of Governors, Regents, and Mayors to become Laws, as has been amended several times, most recently by Law of the Republic of Indonesia Number 10 of 2016 concerning the Second Amendment to Law Number 1 of 2015 regarding the stipulation of Perppu Number 1 of 2014 concerning the Election of Governors, Regents, and Mayors into law, which then due to the corona virus disease 2019 (covid-19) pandemic in 2020, Law of the Republic of Indonesia Number 6 of 2020 concerning the stipulation of Perppu Number 2 of 2020 was promulgated. 2020 concerning the Third Amendment to Law Number 1 of 2015 concerning the Stipulation of Perppu Number 1 of 2014 concerning the Election of Governors, Regents, and Mayors to become Laws;
- b. Law of the Republic of Indonesia Number 7 of 2017 concerning General Elections, which is a reflection of Law of the Republic of Indonesia Number 42 of 2008 concerning General Elections for President and Vice President, Law of the Republic of Indonesia Number 8 of 2012 concerning General Elections of Members of DPRD, DPD, and DPRD, and Law of the Republic of Indonesia Number 15 of 2011 concerning the Implementation of General Elections.

The election law is actually not included in the type of criminal law category purely, but only in the form of administrative law with criminal sanctions. The use of criminal law in the election law is solely as an embodiment to enforce the norms in the administrative law. The electoral criminal procedure law used in the election law has several parts of the norm that are different from the main criminal procedure law contained in the Republic of Indonesia Law Number 8 of 1981 concerning the Criminal Procedure Code (KUHP). These differences, among others, lie in the implementing components, handling flow, and time limits.

Furthermore, in order to facilitate interconnection between individuals and institutions that handle election crimes in the executive realm, an Integrated Law Enforcement Center is formed which is familiarly called the Gakkumdu Center, which consists of elements of the Election Supervisory Body (Bawaslu), the Police, and the Prosecutor's Office. The Gakkumdu Center is a concrete form of guarding and supervising the implementation of elections in the early stages. At first glance, the implementing elements of the Gakkumdu Center are similar to the Corruption Eradication Commission (KPK) in which there are elements of investigators and public prosecutors under one roof, only the difference is that the Gakkumdu Center is added to by elements of election organizers in it.

The establishment of the Gakkumdu Center cannot be separated from its main goal, namely the effectiveness of work to equalize perceptions and understanding in the pattern of handling election crimes. The consequences of the establishment of the Gakkumdu Center in the settlement of election crimes have essentially expanded the components of the previously existing Integrated Criminal Justice System, so that the complete implementing component in the electoral criminal procedure law consists of the Election Supervisory Body (Bawaslu), the Police, and the Attorney General's Office, which are members of the General Elections Supervisory Agency. in the Gakkumdu Center, Courts, and Correctional Institutions, as well as advocates/lawyers as balancing and motivating factors.

Coupled with the COVID-19 emergency status, it has had an impact on crises in all aspects of life, including the legal aspect. Formal criminal law which is the basis of procedural law in handling criminal cases is in an emergency situation whose provisions are widely distorted and modified because it is adapted to the circumstances. Legal jargon that is always glorified becomes powerless in dealing with emergencies, and the hierarchy of laws and regulations can no longer function optimally in abnormal situations, so that on some of the problems mentioned above the author is interested in studying further in an article entitled Political Law Integrated Law Enforcement Center in the Concept of the Election Criminal Justice System during the Covid-19 Pandemic.

Methodology

The research method used in this paper uses a normative juridical research type, with a problem approach that is used through a statute approach, a comparative approach, and a conceptual approach. The sources of legal materials used are primary legal materials in the form of related laws and regulations, secondary legal materials in the form of books on law, and non-legal materials in the form of books outside the law. In relation to the method of analysis of legal materials used in this paper, the deductive method is used, namely starting from basic principles and then presenting the object to be studied, in other words, from general principles to specific principles (Marzuki, 2011).

Results and Discussion

Specificity in Law Enforcement of Election Crimes

To the best of the author's knowledge, the journal entitled "*Integrated Law Enforcement Centers in the Concept of the Electoral Criminal Justice System during the Covid-19 Pandemic*", in

particular, has never existed before, previously published journals related to the Integrated Law Enforcement Centers (Gakkumdu), among others:

- a. Journal of Ius Constituendum Semarang University, Vol. 5 No.2 of 2020, "*Election Crimes and Pilkada by the Integrated Law Enforcement Center*", by Muhammad Junaidi, the aim to be achieved from the journal is a review of the capacity of the Gakkumdu Center, mainly by considering the institutional philosophical capacity between institutions in the Center Gakkumdu so that the role of Bawaslu must become a central institution in the Gakkumdu institution so that the nuances of synchronization harmonization which is certainly a weakness in the implementation of the 2019 Election can be minimized through centralized coordination by Bawaslu.
- b. Journal of Law, Faculty of Law, University of Riau: Vol. 9, No. 1, February (2020), "*Handling of General Election Crimes by the Integrated Law Enforcement Center (GAKKUMDU)*", by Hasrul Fitriyadi, et al., the aim to be achieved from the journal is to find out about the handling of General Election Crimes by the Law Enforcement Center Integrated (Gakkumdu) and to find out what factors are obstacles for Gakkumdu in the process of handling General Election Crimes.

The enactment of the election law has had major implications in shifting several important substances in the pattern of law enforcement for criminal acts in general. The specifics of law enforcement for election crimes can be seen at least from 3 (three) important aspects, namely the material criminal law aspect, the formal criminal law aspect, and the implementing component aspect.

1. *The Material Criminal Law Aspect*

Basically, the term election crime has the same terminology and is part of the general understanding of crime. Crime comes from a term in Dutch law, namely strafbaarfeit. There are also those who call it a delict which comes from the Latin delictum. Simons explained that strafbaarfeit is an act or action that is threatened with criminality by law, is against the law and is carried out by someone who is capable of being responsible (Hamzah, 1994).

The definition of the term election crime is a specification of the definition of a criminal act in general, which means that the act is only related to criminal acts that occur in the administration of elections, or related to the implementation of the stages of the election, as a form of unlawful acts against the election law. In short, it can also be understood if an election crime is a violation of an obligation, in which case the violation is threatened with criminal sanctions in the election law (Santoso, 2006).

Regarding the type, election crimes consist of crimes and violations, which have been regulated in detail in Article 117 to Article 198A of Law No. 1 of 2015 concerning Stipulation of Perppu No. 1 of 2014 concerning Election of Governors, Regents, and Mayors into Law. , as has been amended several times, most recently by Law of the Republic of Indonesia Number 10 of 2016, and also in Article 488 to Article 554 of Law of the Republic of Indonesia Number 7 of 2017 concerning General Elections.

Material criminal law contains rules that stipulate or formulate actions that can be punished, the conditions for being sentenced to a crime, and provisions regarding criminal

sanctions. In general, the regulation of material criminal law is contained in the codification book of the Criminal Code (KUHP). However, in its development the Criminal Code is no longer able to accommodate all the provisions of material criminal law that develops in society, so then there are many laws outside the Criminal Code which regulate their own material criminal law as part of one of the embodiments of the *lex specialis derogat legi generali* and *lex posterior derogat legi priori*.

The same is true of election laws. In general, the distinctive character of material criminal law in the election law can be seen in the specifications of the legal subject, its *modus operandi*, and its criminal sanctions. The provisions for offenses are also specific only in the context of elections, with variants of offenses whose substance is completely new which only exists in the election law, or clauses which are a reflection of the substance of general crimes which are then used as election offenses, as in Article 179 RI Law Number 1 of 2015 concerning Stipulation of Perppu Number 1 of 2014 concerning the Election of Governors, Regents, and Mayors to become Laws, relating to letter falsification which is a reflection of the provisions of Article 263 of the Criminal Code.

2. The Formal Criminal Law Aspect

Formal criminal law regulates the guidelines for law enforcers in implementing the provisions of material criminal law, better known as criminal procedural law, which is generally regulated in the Criminal Procedure Code (KUHAP). In line with material criminal law, in its development the Criminal Procedure Code is no longer able to regulate all provisions of the criminal procedure law for law enforcers, so that again there are many laws that regulate some of the formal criminal law themselves, including the election law.

Law enforcement is an attempt to make the ideas of legal certainty, social benefits and justice a reality. The process of realizing these ideas is the essence of law enforcement (Raharjo, 2005). Law enforcement is a duty of law enforcement officers, and because of the duty, it is a categorical obligation and an absolute obligation, so that. do not know the terms with conditions. Tasks are tasks, must be carried out (Tanya, 2001).

Law enforcement efforts in the realm of criminal law run in a system called the criminal justice system. The term is used to indicate the working mechanism in crime prevention by using a basic systems approach. The criminal justice system, also known as the criminal justice process, starts from the process of investigation/investigation, prosecution, and examination before the court, and ends with the execution of a crime in a correctional institution (Atmasasmita, 1996). Muladi (1995) further states that the criminal justice system is a judicial network that uses criminal law as its main means, both material criminal law, formal criminal law, and criminal law enforcement.

The criminal justice system in general, always involves sub-systems within their respective scopes starting from the institutions of the Police, Prosecutors, Courts, and Corrections, as well as Advocates / Lawyers as a counterweight showed the Figure 1 below:

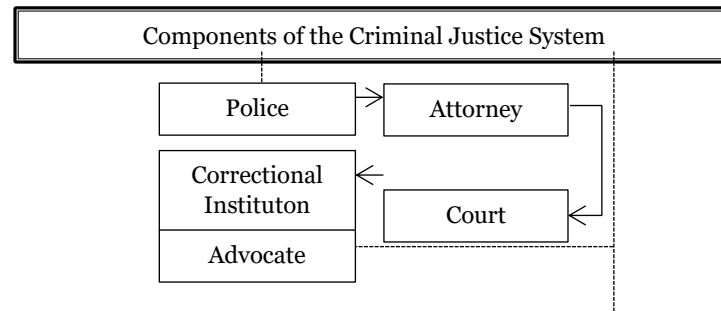


Figure 1. The criminal justice system in general

Meanwhile, in the context of law enforcement for election crimes, in accordance with the provisions of the election law, in addition to the sub-systems mentioned above, an election management institution, namely the Election Supervisory Body (Bawaslu) is also inserted as one part of the sub-system. On this basis, the pattern of handling has changed, which was initially started by the Police as the recipient of reports or complaints, to the Election Supervisory Body (Bawaslu) as the starting point for receiving reports or findings, as can be described as follows Figure 2:

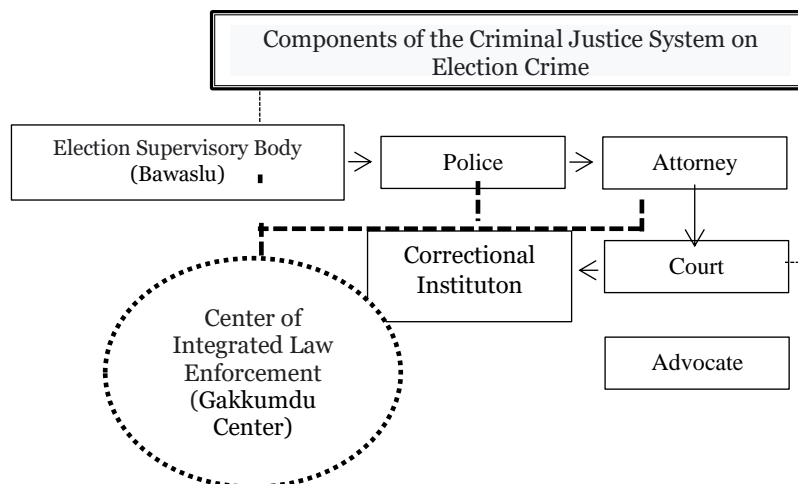


Figure 2. Variant of changes in components and workflows in the series of criminal justice systems in general

Based on this, it can be seen that there has been a variant of changes in components and workflows in the series of criminal justice systems in general, which in the criminal justice system for election crimes, there is another system that is integrated in a bound network in the form of Sentra Gakkumdu which is systemized in the realm of reporting, /finding, investigation/investigation, prosecution, and execution. Based on the provisions in the electoral criminal procedure law, it can be seen that the special characters in the formal criminal law handling election criminal cases are as follows:

- a. Relatively short time limit, namely: maximum 5 (five) days investigation, maximum 14 (fourteen) day investigation, maximum 3 (three) days examination of files by the public prosecutor, maximum 3 (three) days of returning files from investigators to public prosecutor three) days, the transfer of the case to the District Court is a maximum of 5 (five) days, the trial time is a maximum of 7 (seven) days, the time

for appeal and an appeal memory is a maximum of 3 (three) days, and the execution is a maximum of 3 (three) days;

- b. There is no implicit termination of the investigation, because the opportunity to terminate the report/finding only exists during the investigation stage;
- c. There is no back and forth between the Investigator and the Public Prosecutor, because the return of case files is only limited to 1 (one) time. The return of this case file may very rarely be done because in the previous Gakkumdu Center it had to be discussed and explained first between the investigator and the Public Prosecutor;
- d. There is no further legal action after the appeal;

3. *The Implementing Component Aspect.*

It is known that the implementing components of the criminal justice system in general are the Police, Prosecutors, Courts, and Correctional Institutions, plus advocates / lawyers. However, in the criminal justice system for election crimes, there is 1 (one) more implementing component that is inserted, namely Bawaslu from the election organizers element. Substantially, Bawaslu does not have special authority in the process of investigation, investigation, prosecution, and execution of election crime cases. However, the placement of Bawaslu as the party that receives reports/findings of alleged election crimes, as well as the existence of Bawaslu's authority to request information or clarifications, as well as the inclusion of Bawaslu as part of the Gakkumdu Center in each stage of the electoral criminal process makes Bawaslu an inseparable part of the components. implementer of the criminal justice system on election crimes.

In addition, another specificity of the implementing component aspect is also seen in judges who examine and adjudicate cases of election crimes, namely the modification in the form of the formation of a Special Assembly as a panel of judges who handle election criminal cases with certain conditions and qualifications based on the Supreme Court Regulations. Another specificity that is most visible is of course the meeting point as an interconnected network system between 3 (three) components of implementing the criminal justice system for election crimes, namely Bawaslu, the Police, and the Prosecutor's Office under one roof called the Integrated Law Enforcement Center (Gakkumdu).

The Gakkumdu Center in the Concept of the Election Criminal Justice System During the Covid-19 Pandemic

The Gakkumdu Center has a very important position in law enforcement for election crimes. The activities of the Gakkumdu Center almost dominate all parts of the flow of the criminal justice system in election crimes. Since the report/finding stage, Sentra Gakkumdu has worked with the initial leadership, namely Bawaslu, with the assistance and assistance of Police Investigators and Prosecutors. Then in the investigation stage, the Gakkumdu Center is also tied to each other with the main mover being the Police, monitored by the Prosecutor and Bawaslu. Furthermore, at the prosecution and execution stages, the main command of the Gakkumdu Center turned to the Prosecutor's Office with copies to the Police and Bawaslu investigators. So that from the beginning to the end of the flow of law enforcement for election crimes, the Gakkumdu Center always plays a role in interrelation with each other with the leading sectors taking turns.

The Gakkumdu Center is one of the concrete manifestations of overseeing the electoral process, which is an integration of election management institutions, investigative institutions, and prosecution agencies that work in one mindset and attitude. This certainly provides opportunities for more effective and efficient work patterns, although later it will allow monitoring between institutions in the context of official checks and balances to be slightly reduced. In general, the position of Sentra Gakkumdu in the flow of the criminal justice system for election crimes is almost similar to the position of the KPK in the flow of the criminal justice system on corruption. Although it is known that the legal position of the KPK is much stronger because it exists as a state institution (Article 3 of the Republic of Indonesia Law Number 30 of 2002 concerning the Corruption Eradication Commission), than Gakkumdu which is only a center.

The formal criminal law contained in 2 (two) election laws does not really show the important role of the Gakkumdu Center. The election law seems to only regulate criminal procedural law related to the acceleration of the deadline, and changes to the deadline for when an election criminal case becomes *inkracht van gewijsde*. Regarding the authority of each implementing element, namely Bawaslu, the Police, and the Prosecutor's Office, the criminal procedural law in the election law also seems to only partially regulate it. Even the regulation regarding the Gakkumdu Center in the election law is only contained in one article, namely Article 152 of the RI Law Number 1 of 2015 concerning the Stipulation of Perppu Number 1 of 2014 concerning the Election of Governors, Regents, and Mayors into Law, as has been amended several times lastly with the Law of the Republic of Indonesia Number 10 of 2016 concerning the Second Amendment to Law Number 1 of 2015 concerning the Stipulation of Perppu Number 1 of 2014 concerning the Election of Governors, Regents, and Mayors into Law, and two articles in Article 486-487 of Law Number 7 of the Republic of Indonesia 2017 concerning General Elections.

The role of Bawaslu, the Police, and the Prosecutor's Office as a network in the new Gakkumdu Center can be seen clearly and firmly in the Joint Regulation of the Chairperson of the General Elections Supervisory Agency of the Republic of Indonesia, the Chief of the Indonesian National Police, and the Attorney General of the Republic of Indonesia, Number 14 of 2016, Number 01 of 2016, Number 013/JA/11/2016 concerning Integrated Law Enforcement Center in the Election of Governor and Deputy Governor, Regent and Deputy Regent, and Mayor and Deputy Mayor, and in Bawaslu Regulation Number 9 of 2018 concerning Integrated Law Enforcement Center.

When viewed in fact, the arrangement is not only about the relationship pattern and working procedure of the Gakkumdu Center, but also has touched on the formal criminal law level, because in these clauses the mechanism for handling election crimes has been explicitly regulated which shifts several provisions of the criminal procedure law explicitly. In addition, the activities of the Gakkumdu Center have also opened up official boundaries between investigators and public prosecutors.

Table 1. Specificity and Synergy of the Gakkumdu Center in Criminal Procedure Law on Election Crimes

Article	Activities
Article 15 paragraph (1) to paragraph (6)	Reports/Findings received by Bawaslu accompanied by Investigators and Prosecutors
Article 16 paragraph (1)	Bawaslu, Investigators, and Prosecutors conduct the First Discussion within 1x24 hours after the report/finding
Article 17	Bawaslu conducts a Violation Study with a request for information/clarification accompanied by Investigators and Prosecutors
Article 15 paragraph (7)	Bawaslu issues an Assignment Order (Sprint.Tug) to carry out the Investigation
Article 15 paragraph (8)	Investigator issues an Investigation Warrant (Sprint.Lid)
Article 17 paragraph (6)	Investigations by Police Investigators are accompanied and monitored by the Prosecutor
Article 19	Bawaslu, Investigators, and Prosecutors conduct a Second Discussion regarding the fulfillment of elements within a maximum of 5 days after the report/ finding. If it meets the elements, it will proceed to the investigation stage, if not then the handling of the report/finding is stopped
Article 20	The Plenary Meeting increases the handling of cases to the investigation stage, or the case is terminated
Article 21 paragraph (1)(2)(3)	Investigators issue an Investigation Order (Sprint.Dik) and a Notice of Investigation Commencement (SPDP) on the same day
Article 21 paragraph (4)	Investigation maximum 14 days from the report/finding
Article 21 paragraph (5)	Investigation by Polri Investigators accompanied and monitored by the Prosecutor
Article 22	The third discussion was attended by Investigators, Prosecutors, and Bawaslu, to conclude the delegation of cases to the Prosecutor
Article 23 paragraph (1)	Submission of case files by Investigators to Prosecutors is a maximum of 14 days from the report/findings
Article 23 paragraph (2)	P-18 and P-19 by the Prosecutor a maximum of 3 days from receipt of the file
Article 23 paragraph (3)	Investigators complete the Prosecutor's instructions a maximum of 3 days from P-18 and P-19
Article 23 paragraph (4)	P-18 and P-19 only valid once
Article 23 paragraph (5)	Submission and return of files is done at the Gakkumdu Center
Article 24	Submission of Phase II, namely sending the suspect and evidence from the investigator to the Prosecutor
Article 25 paragraph (1)	Delegation of cases from the Public Prosecutor to the District Court for a maximum of 5 days
Article 25 paragraph (5)	The Public Prosecutor's indictment letter was copied to investigators and Bawaslu as the Gakkumdu Center
Article 26 paragraph (2)(3)	The results of the Court's Decision are submitted to the Gakkumdu Center, then a discussion is carried out to take a stand

Article 26 paragraph (5)	The appeal by the Public Prosecutor is a maximum of 3 days after the verdict is read
Article 27	The prosecutor executes a maximum of 3 days after the decision is received, and can be accompanied by investigators and Bawaslu

Based on the explanation above, it can be seen that the Gakkumdu Center plays a major role in resolving election crimes. Sentra Gakkumdu is seen as a mini system within a larger system in the form of a criminal justice system for election crimes. The existence of the Gakkumdu Center as a component that is seen as a system has fulfilled the characteristics of the system itself, namely:

- a. There are parts that are part of the system;
- b. The existence of interrelation (connection), mutually influence the existing parts;
- c. The existence of an integrated entity that makes an entity (unique and different);
- d. There is a direction to achieve certain goals;
- e. Goals that give meaning to the existence of the system.

However, the central and strategic position of Sentra Gakkumdu as a system is not accommodated with a stronger legal basis in the hierarchy of laws and regulations. This is because the Gakkumdu Center is only delegated by the election law to a Joint Regulation of the Chairperson of Bawaslu, the National Police Chief, and the Attorney General. Substantially, Article 8 paragraph (2) of the Law of the Republic of Indonesia Number 12 of 2011 concerning the Establishment of Legislation provides an opportunity for the delegation of these arrangements. However, the content material regulated in the Joint Regulations is essentially regulating the Formal Criminal Law (Criminal Procedure Law) in a criminal justice system. Based on the above description as a form of strengthening and appreciation for the existence of the Gakkumdu Center, whose activities dominate almost all law enforcement activities for election crimes in Indonesia, it is not an exaggeration if the regulation on criminal procedure laws regarding elections involving the Gakkumdu Center is regulated in a statutory regulation which is equivalent to the KUHAP concept of the Law on the Election Criminal Justice System.

This urgency is compounded by the current Covid-19 pandemic. The series of components of the integrated criminal justice system are facing extraordinary conditions that require an unusual flow of handling. The appeal to reduce physical contact by working from home (WFH) with the hashtag #at home cannot be fully carried out by technical actors of the criminal justice system. One solution, namely the stages of handling criminal cases with a conventional face-to-face system, has been modified to face-to-face digitally through the e-court system. The parties who were originally in one sacred place in the courtroom of the Court Office became separated in their respective offices.

The parties are then brought together in a meeting application-based network system in a teleconference utilizing current internet technology. Devices such as web cameras, speakers/microphones, monitors, and PCs/laptops are mandatory tools in an online session. Of course, this is an innovative solution that must be appreciated in the midst of the current Covid-19 emergency. Now almost all over Indonesia, online hearings (e-trials)

have been held for handling criminal cases, both general crimes and special crimes, including election trials and examinations in the pre-trial stage.

The response to the Covid-19 emergency situation has made the flow of law enforcement relatively chaotic, so that each agency issues internal regulations regarding the handling of criminal cases in Covid-19 emergency situations. The Ministry of Law and Human Rights as the parent of the State Detention Center (Rutan) has issued a regulation to temporarily stop the acceptance of new prisoners, which of course will have a domino effect in law enforcement that is currently or will work either in the Police or at the Prosecutor's Office. This is followed by internal regulations issued by the Prosecutor's Office or the Police that prioritize the coordination of delaying the stages of the handling process or the transfer of types of detainees. And the Supreme Court has also issued a rule regarding the implementation of the trial via teleconference.

The internal regulations which are then used as the basis for this footing aim to provide protection of human rights and ensure the accuracy of the duration of handling law enforcement in the midst of a crisis situation. This has indirectly shifted several provisions of the Criminal Procedure Code regulated in the law. Basically, internal regulations only bind internal institutions to their lower ranks, but do not necessarily bind to other agencies. Modification of inter-institutional binding, among others, is carried out by making a Memorandum of Understanding (MoU) between the parties in the components of an integrated criminal justice system.

In principle the hierarchy of laws and regulations, of course, this method is not ideal to use because it is contrary to the principle of *lex superior derogat legi inferior*, namely that high laws will override lower laws. This emergency situation of law enforcement modification in the Covid-19 emergency period should provide lessons for adherents of the civil law system about the importance of exception articles in procedural law equivalent to laws governing extraordinary circumstances. A normal situation in the midst of a crisis must have been established since the legislation was formulated. This is what makes it feasible to reformulate the Election Criminal Justice System during the COVID-19 pandemic, especially regarding Gakkumdu in a statutory regulation equivalent to law as criminal law politics in the future.

Conclusion

The specifics of the electoral criminal procedure law in the election law do not include in detail the role of the Gakkumdu Center in the enforcement of election law, even though when viewed more comprehensively the role and position of the Gakkumdu Center has shifted the pattern of criminal procedure law in general and formed a separate criminal procedure law regarding elections. The Gakkumdu Center is a center for law enforcement activities for election crimes that are formed at the central, provincial, district/city, and overseas levels. Being a mini system in a large system, as well as removing official barriers between election organizers and law enforcers in handling election crimes, and the effectiveness of work patterns make the Gakkumdu Center worthy of being used as a role model for ideal law enforcement in the future. now. However, the dominance of the

Gakkumdu Center in law enforcement for election crimes is not comparable to its arrangement in the hierarchy of laws and regulations. Moreover, during the Covid-19 pandemic, there have been many modifications to the criminal procedure law so that the regulation of the Gakkumdu Center must be further strengthened, not only in the form of a statutory regulation equivalent to a ministerial or agency/agency, but rather in the form of a draft law on the system. The Election Criminal Court also regulates special circumstances, such as during the COVID-19 pandemic.

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