

LEGAL POLICY FOR RESOLVING LAND CORRUPTION IN INDONESIA: PROBLEMS AND OPPORTUNITIES

^{i,*}Vani Wirawan, ⁱⁱAjeng Zulaikha Ngatiyah, ⁱⁱⁱVani Novianto, ^{iv}Yeni Widowaty & ^vDeni Setiyawan

ⁱMaster of Islamic Development and Public Policy, Universitas Islam Negeri Sunan Kalijaga, Sleman, Depok 55281, Indonesia

ⁱⁱMaster of Notary, Universitas Gadjah Mada, Sleman, Depok 55281, Indonesia

ⁱⁱⁱMaster of Development Economics, Universitas Gadjah Mada, Sleman, Depok 55281, Indonesia

^{iv}Master of Law, Universitas Muhammadiyah Yogyakarta, Bantul, Kasihan 55183, Indonesia

^vMaster of Law, Universitas Muhammadiyah Gresik, Gresik, Kebomas 61121, Indonesia

*(Corresponding author) vani.wirawan@mail.ugm.ac.id

Article history:

Submission date: 2 December 2024

Received in revised form: 22 January 2025

Acceptance date: 23 March 2025

Available online: 30 April 2026

Keywords:

Resolving, PTSL, corruption, eradication, problems, opportunities

Funding:

This research received no specific grant from any funding agency in the public, commercial, or not-for-profit sectors.

Competing interests:

The author(s) have declared that no competing interests exist.

Cite as:

Wirawan, V., Ngatiyah, A. Z., Novianto, V., Widowaty, Y., & Setiyawan, D. (2026). Legal policy for resolving land corruption in Indonesia: Problems and opportunities. *Malaysian Journal of Syariah and Law*, 14(1), 77-96.
<https://doi.org/10.33102/mjssl.vol14no1.1183>

Ethics approval:

This study did not require ethics approval as it is non-interventional qualitative research based solely on document analysis with no human participants or identifiable personal data involved.



© The authors (2026). This is an Open Access article distributed under the terms of the Creative Commons Attribution (CC BY NC) (<http://creativecommons.org/licenses/by-nc/4.0/>), which permits non-commercial re-use, distribution, and reproduction in any medium, provided the original work is properly cited. For commercial re-use, please contact penberbit@usim.edu.my.

ABSTRACT

Despite the ongoing reform period, Indonesia has not made substantial progress in eradicating corruption, especially in the land sector, where entrenched corrupt practices continue to impede the effective implementation of the Complete Systematic Land Registration Program (PTSL Program). This study aims to identify and propose an improved legal framework to address corruption within the PTSL Program, facilitating the development of laws needed for the future eradication of corruption in the land sector. Employing a descriptive and analytical socio-legal approach, this research seeks to produce alternative legal models that can effectively combat corruption in future implementations of the PTSL Program. The proposed legal construction consists of both external and internal conceptual frameworks, which are essential for developing an effective fraud control plan for national strategic land programs, particularly the PTSL Program. It is imperative for the government to undertake a thorough evaluation, revision, and amendment of the regulatory provisions outlined in the Joint Decree of the Minister of Agrarian Affairs and Spatial Planning/National Land Agency, the Minister of Home Affairs, and the Minister of Villages, Development of Disadvantaged Regions, and Transmigration- Numbers 25/SKB/V/2017, Number 590-3167A of 2017, and Number 34 of 2017- Concerning Financing for the Preparation of Systematic Land Registration (referred to as the Decree of the 3 Ministers or *SKB Tiga Menteri*). Particular attention should be given to the substantive content of the Seventh Dictum. Therefore, it is recommended that the government review, update, or amend the provisions of this Decree, especially those related to the Seventh Dictum, as well as its implementing regulations, including the Regent Regulation on Financing Standards for the Preparation of Complete Systematic Land Registration, which has been issued across all districts and cities. This legal policy will significantly impact law enforcement against corruption in the ongoing PTSL Program within the broader land certification initiative.

Introduction

Indonesia has not made significant progress in eradicating corruption, even in the current reform era (Sunaryo & Nur, 2022). Consequently, a movement for change known as “Legal Reform” has emerged over the past few decades, aiming to restore the integrity of democracy through the purification and strengthening of all aspects of law enforcement (Kusumawati et al., 2020). The fight against corruption has consistently received greater attention than other types of crime, as it is classified as both a special crime and an extraordinary crime (Hidayat et al., 2020). Corruption occurs not only in the infrastructure, economic, and legal sectors but also within the land sector, which remains particularly vulnerable to systemic abuse (Snape, 1999).

In recent years, significant developments have taken place in Indonesia’s land sector, including major changes (Wirawan et al., 2024). One notable change is the management of land asset legalization or land rights certification, aimed at establishing legal certainty in land rights through the Complete Systematic Land Registration Program, commonly known as the PTSL Program. This initiative is part of the National Strategic Program and aligns with the government’s Nawacita Program. The successful implementation of PTSL will contribute to achieving several goals outlined in Nawacita, as the success of asset legalization is integral to this initiative and is implemented through the Strategic Plan (*Renstra*) for systematic land registration (Setkab, 2018).

This PTSL program is a comprehensive initiative to register previously unregistered lands and measure and map lands that have already been registered in villages or similarly designated areas. This marks the first instance of such activity (ATR/BPN, 2018). The program’s goal is to establish legal certainty and protection for land rights, ultimately improving the overall welfare of the community (Putrisasmita, 2023). The rationale for the implementation of this program stems from the government’s ongoing observation that a substantial number of land rights in Indonesia remain uncertified and lack legal certainty (Istiqamah, 2018).

The PTSL Program was initiated in all regions of the Republic of Indonesia in Fiscal Year 2017, with the goal of registering and certifying a total of 126 million land parcels by the year 2025 (Aditya et al., 2020). The implementation schedule targets the registration of 5 million parcels in 2017, 7 million in 2018, 9 million in 2019, and ultimately reach 10 million parcels annually starting in 2025 (Mujiburohman, 2018). According to data from the Land Data and Information Center of the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN) in 2017, only 50,482,072 land parcels had been registered across Indonesia, representing approximately 40.07% of the estimated 126,000,037 parcels nationwide. However, during the implementation of the PTSL Program, various irregularities emerged, leading to instances of corruption. Empirical evidence of these violations is evident in 12 corruption cases that have been adjudicated and have obtained permanent legal force (*in kracht van gewijsde*):

- i. Case Decision No. 138/Pid.sus/TPK/2017/PN. Sby.;
- ii. Case Decision No. 1/Pid.Sus-TPK/2019/PN. Yyk.;
- iii. Case Decision No. 60/Pid.Sus-TPK/2017/PN. Pal.;
- iv. Case Decision No. 43/Pid.SUS-TPK/2018/PN. Ptk.;
- v. Case Decision No. 09/Pid.Sus/TPK/2019/PN. Sby.;
- vi. Case Decision No. 7/Pid.Sus-TPK/2020/PN. Sby.;
- vii. Case Decision No. 34/Pid.Sus-TPK/2018/PN. Tjk.;
- viii. Case Decision No. 35/Pid.Sus-TPK/2018/PN. Tjk.;
- ix. Case Decision No. 50/Pid.Sus-TPK/2018/PN. Sby.;
- x. Case Decision No. 68/Pid.Sus-TPK/2018/PN. Smg.;
- xi. Case Decision No. 80/Pid.Sus/TPK/2019/PN. Sby.; and
- xii. Case Decision No. 2/Pid.Sus-TPK/2019/PN. Smg.

According to data from the official website of the Corruption Eradication Commission (KPK), there were 1,629 corruption cases reported from 2004 to September 11, 2024. The most prevalent type of corruption is gratuity or bribery, accounting for 63.54% of the total cases, which amounts to approximately 1,035 cases. The KPK also handled 394 cases related to the procurement of goods or services. Other notable categories include money laundering (TPPU) with 64 cases, budget abuse with 57 cases, extortion with 38 cases, and licensing-related cases totaling 28. The fewest cases involved obstruction of the KPK process, with only 13 cases reported (KPK, 2024).

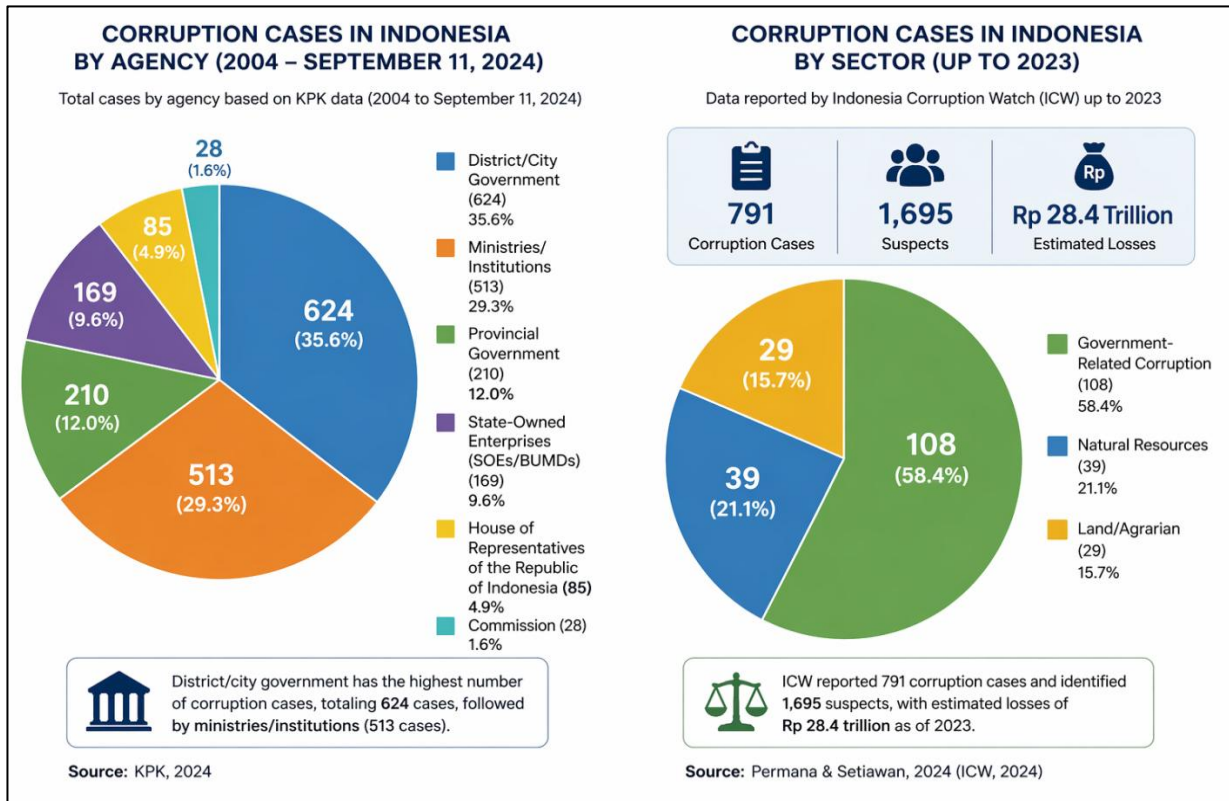


Figure 1. Corruption Cases In Indonesia

Figure 1 shows that in terms of agencies, the district/city government has the highest number of corruption cases, totaling 624 from 2004 to September 11, 2024. Following this are ministries/institutions with 513 cases, the provincial government with 210 cases, state-owned enterprises (SOEs/BUMDs) with 169 cases, the House of Representatives of the Republic of Indonesia with 85 cases, and the commission with 28 cases (KPK, 2024). Meanwhile, Indonesia Corruption Watch (ICW) reported 791 corruption cases and identified a total of 1,695 suspects, with estimated losses of Rp 28.4 trillion as of 2023. Notably, the land/agrarian sector had 29 cases, natural resources had 39 cases, and government-related corruption accounted for 108 cases (Permana & Setiawan, 2024).

The cases that have received permanent legal status highlight that acts of corruption within the PTSL Program may fall under various classifications, including bribery, extortion (which some experts refer to as *pungli*), abuse of office, and gratuity. While several of these cases have been adjudicated with final and binding judgments, more corruption cases related to the PTSL Program will likely emerge in the coming years, progressing through stages from preliminary suspicion and reporting to investigation and formal identification of suspects. This trend suggests the land sector remains highly vulnerable to corrupt practices and criminal misconduct within certain national strategic programs

This research examines the reconstruction of the legal framework aimed at eradicating corruption in the PTSL Program (Wirawan, 2020). During the results and discussion phase, it is essential to use theoretical frameworks to analyze the issues presented in this article. Specifically, social exchange theory, criminal policy theory, and legal change theory are integral to this analysis. Social exchange theory suggests that individuals perceive their social interactions as a type of economic exchange, where they weigh the sacrifices they make against the benefits derived from maintaining those relationships. Criminal policy

theory encompasses society's measured efforts to deter crime and respond to criminal behavior. Legal change theory focuses on the discrepancy between the societal conditions and how they are governed by the law.

The proposed theories include an exploration of PTSL corruption crimes, analyzing the processes involved until solutions are reached. During the results and discussion stage, a balanced application of social exchange theory, criminal policy theory, and legal change theory is utilized, emphasizing qualitative analysis. The first part provides a general overview of criminal acts before narrowing down to specific issues related to PTSL crimes. An accumulative analytical approach integrates all three theories to address the problem.

Corruption in the land sector, particularly in the implementation of the PTSL Program, is a significant legal issue as it involves a program of national importance and reflects on the morality, responsibility, and professionalism of various stakeholders. Based on the foregoing introduction, the central research question can be articulated as: How can the law be reconstructed to establish an ideal framework for eradicating corruption within the PTSL Program, thereby eliminating corrupt practices in the land sector? This inquiry aims to identify prospective legal developments (*ius constituendum*) that could strengthen future anti-corruption efforts in Indonesia's land sector, to gradually reduce corrupt behavior in this area.

Literature Review

The government, through the Ministry of ATR/BPN, which oversees land registration, is currently seeking to expedite land registration through various programs and projects, despite existing limitations. Previous initiatives, including the Land Administration Project (PAP), the Land Management and Political Development Project (LMPDP), and the Adjudication Project, Larasita, as well as the National Agrarian Program (PRONA), have not achieved the intended targets for land registration across Indonesia (Moechthar et al., 2021).

The PTSL Program is designed to ensure legal certainty and protect land ownership. However, its implementation faces several challenges (Mardiyanto, 2022). Corruption remains a significant issue within the PTSL program, manifesting in forms such as gratuities, bribery, illegal levies, extortion, and abuse of authority. These corrupt acts are often perpetrated by members of the PTSL committee, such as village officials, including Village Heads, Hamlet Heads, and RT/RW Heads, as well as residents involved in the committee (Handayani & Yusriyadi, 2019).

Prosecution of corruption within the PTSL program can occur under Law Number 31 of 1999 Concerning the Eradication of Corruption (UUPTPK) and in accordance with the regulations set forth in the Decree of the 3 Ministers, which regulate the implementation and financing of PTSL in each Regency/City Government. In this situation, community participation is essential, as local residents can provide direct supervision and identify signs of corruption in the land sector (Wiyata et al., 2023).

According to criminal law, an action qualifies for criminal penalties if it constitutes a crime and violates established legal regulations (Marzuki et al., 2024; Wirawan, 2021). This means that corruption within the PTSL Program involves elements of *actus reus* and *mens rea* (Tuan Ibrahim et al., 2025; Alias et al., 2025). Furthermore, the financing mechanisms for strategic land programs in Indonesia have not been implemented in accordance with existing laws and regulations, often facilitated by individuals acting with deliberate intent to engage in corrupt practices within land administration.

In legal theory, a fundamental distinction exists between *das sollen*, the normative concept of what the law ought to be, and *das sein*, the empirical reality of how the law actually operates (Wirawan & Ngatiyah, 2023). This discussion highlights the disconnect between *das sein* and *das sollen*. Although the PTSL Program is ideally intended to be executed transparently, accountably, and free of corruption, its actual implementation continues to be plagued by numerous corrupt practices, ultimately harming the public.

Methodology

This study utilizes a socio-legal methodology to conduct a descriptive and analytical examination of land crimes, particularly focusing on corruption within the PTSL Program. By integrating perspectives from both law and social sciences (Rahardjo, 2009), the study aims to identify the most effective legal framework to combat corruption in the PTSL Program. Utilizing a qualitative approach for data analysis (Patton, 2014), this research draws on various literary materials, primary, secondary, and tertiary legal sources. The qualitative data gathered through the literature review are thoroughly analyzed and organized into a legal writing format, addressing the efforts to mitigate corruption in the PTSL Program and aiming to reduce corrupt practices in the land sector. During the data collection process, researchers focus on utilizing socio-legal methods to source information from a variety of legal and social science resources, including credible news outlets, official reports, scientific articles, and literature documents. The data collection is typically organized and abstracted to produce comprehensive information for drawing conclusions. Researchers do not limit their search to specific data sources; instead, they utilize search engines, databases, and the vast information available online as primary tools for literature searches. However, maintaining the validity of the collected data is paramount. Researchers must continually assess the relevance of the information being gathered and compare it with existing research to ensure accurate interpretation and analysis.

Results and Findings

Criminal Acts of Corruption in the Complete Systematic Land Registration (PTSL) Program

Corruption, when deeply entrenched within a state's institutions, inevitably impedes national development (Spyromitros & Panagiotidis, 2022). It exerts a profoundly detrimental impact on state finances and the national economy, thereby obstructing Indonesia's constitutional goal of achieving a just and prosperous society founded upon the principles of Pancasila and the 1945 Constitution of the Republic of Indonesia (NRI 1945 Constitution) (Hamzah, 2015). Corruption not only leads to financial losses for the state (Yustia & Arifin, 2022), but it also generates extensive adverse effects across social, legal, economic, political, security, and cultural spheres (Riyadi et al., 2020). Moreover, corruption erodes democratic values and undermines the moral integrity of the nation. Beyond impoverishing society, it violates the economic and social rights of the people (Alkostar, 2015).

Corruption cases are often classified as white-collar crimes due to their significant social implications (Artello & Albanese, 2020). These crimes are typically perpetrated by individuals in higher positions within society (Kamasa, 2014) and are committed in connection with their professional duties (Edelbacher et al., 2015). The primary distinction between corruption and other types of crimes lies in the socioeconomic status or educational background of the offenders (Mietzner, 2015). However, corruption is not limited to the upper echelons of society; it has also permeated lower socioeconomic groups (Soemanto et al., 2014), affecting individuals across various economic and educational levels (Suryadarma, 2012).

According to the Black Law Dictionary (2010), corruption is defined as an action performed with the intention of gaining an advantage that contradicts one's official responsibilities and the rights of others. It involves individuals in a position of authority or trust who unlawfully exploit their position or status to secure personal benefit for themselves or others, thereby violating their obligations and the rights of others (Garner, 2010). The term "corruption" encompasses a wide range of misconduct (Abraham & Pea, 2020), and includes concepts such as decay, unattractiveness, wickedness, deceit, corruption, unethical behavior, and derogatory language (Hamzah, 1991).

Corruption not only inflicts suffering on many individuals but also constitutes a grave offense that undermines human rights and impedes national progress (Poerwanto et al., 2022). In the realm of criminal law, corruption is considered an international crime characterized by exceptional offenses (Juwita, 2019). As a complex issue, corruption intertwines with various factors, including moral and mental attitudes, lifestyle and cultural challenges, socioeconomic inequality, economic needs and demands, and political and development frameworks (Amhimmid et al., 2022). It is also linked to systemic issues within economic structures, political systems, and cultures, and inadequate supervision in financial and public services (Putra & Linda, 2022).

Corruption typically involves actions taken for the benefit of oneself (Mappatunru, 2021), another individual, or a corporation (Villanueva, 2018), often by exploiting the power, resources, or opportunities afforded by one's position, which can jeopardize state finances or the national economy (Sihombing, 2018). This may include recognizing the authority associated with a public official's role and providing gifts or making promises in return (Wibowo, 2020). The behavior associated with corruption can be understood through social exchange theory, which posits that social relationships are characterized by elements of reward, sacrifice, and mutual benefit (Candra, 2018). This theory illustrates how individuals perceive relationships based on their self-perception: the equilibrium between what they contribute to the relationship and what they withhold; the nature of the relationship; and the potential for improved relationships with others (Umar, 2017).

According to Law Number 31 of 1999, known as the Eradication of Corruption Law (UUPTPK), corruption is defined as any act where individuals unlawfully enrich themselves, benefit others, or advantage a corporation by misusing their authority, opportunities, or resources available to their position. This conduct must result in harm to state finances or the economy (Serbabagus, 2017). Unlawful enrichment, whether for oneself, others, or corporations, is one of three key elements of corruption that can have a detrimental impact on the state's economy (Setiadi, 2018). Perpetrators of corruption include individuals (Setiawan & Jesaja, 2022), corporations, regardless of legal status, including civil servants, members of the Armed Forces of the Republic of Indonesia, and police officers (Arief & Muladi, 1992).

In general, social relationships within society involve individuals and communities that influence each other through interactions characterized by reward, sacrifice, and benefit (Su & Ni, 2021). A reward is what one gains through sacrifice, while sacrifice is what one forgoes; thus, profit is calculated as the reward minus the sacrifice (Mighfar, 2015). Consequently, social behavior can be seen as an exchange between two people based on profit-loss calculations (Cherry, 2023). This dynamic is evident in various patterns of behavior, including those in the workplaces, bureaucracies, romantic relationships, marriages, and friendships (Adams et al., 2011).

Indonesia has enacted a positive law regulating land registration through Article 19 of Law Number 5 of 1960, known as Basic Regulations on Agrarian Principles (UUPA) (Apriani & Bur, 2021). Government Regulation Number 24 of 1997 Concerning Land Registration confirms that land registration must be conducted both systematically and sporadically (Lestario & Erlina, 2022). To expedite this organized land registration initiative, the government launched the PTSL Program, initially regulated by the Regulation of the Minister of ATR/BPN Number 35 of 2016 Concerning the Acceleration of Complete Systematic Land Registration. This Ministerial Regulation, as stated in the Transitional Chapter Article 19, also revoked the National Agrarian Program, commonly referred to as PRONA (Hisbullah et al., 2019). The most recent regulation for PTSL is the Regulation of the Minister of ATR/BPN Number 6 of 2018 Concerning Complete Systematic Land Registration.

The PTSL Program aims to cover all land registration objects within each village across Indonesia (Rahmawati, 2022), ensuring comprehensive information is obtained for all land parcels, both registered and unregistered (Tanri et al., 2020). The classification of land parcels targeted for registration is divided into several clusters (*Klaster/K*), as follows (Aisyah et al., 2020):

- i. K1- Unregistered land parcels that meet the criteria for the issuance of a Land Rights Certificate;
- ii. K2- Land parcels currently involved in court proceedings, preventing the issuance of a Land Rights Certificate;
- iii. K3- Unregistered land parcels that fail to meet the legal or administrative requirements for a Land Rights Certificate; and
- iv. K4- Registered land parcels that have not yet been mapped within the Land Registration Application (*KKP*) system.

Community participation plays a pivotal role in accelerating the practical implementation of the PTSL Program (Wibowo, 2021). This participatory role is explicitly recognized in Article 42, paragraph (1) of the Regulation of the Minister of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN) Number 6 of 2018, which stipulates that the PTSL implementation may occur with community involvement, supported by Land Data Collection Officers. In response, the PTSL Program has been rebranded as *Community Participation-Based PTSL*, or *PTSL + PM*. This change reflects advancements in participatory mapping approaches, particularly by engaging rural communities in providing land data, spatial maps, and more comprehensive geospatial information (Sutisna, 2019).

However, the reality of the PTSL Program is marred by corruption in its implementation, raising questions about the government's commitment to delivering quality public services to the community. One area of concern is the PRONA program, renamed PTSL after 2017, which has faced various practical challenges. Issues include not only the failure to complete land rights certificates for applicants but also criminal legal processes linked to corruption involving village heads, hamlet heads, neighborhood unit leaders, and ordinary citizens involved in PTSL activities (Rahman, 2024).

Table 1. Corruption Cases until 2023 by Sector

No.	Sector	Number of Cases
1.	Government	108
2.	Social Affairs	28
3.	Agrarian	29
4.	Natural Resources	39
5.	Education	59
6.	Other	70

Corruption is predominantly found in the bureaucratic sector, with key players often holding strategic government positions. Such crimes are not limited to high-ranking central officials; they can also involve officials within villages or sub-districts (Yustia & Arifin, 2023). Importantly, corruption can be perpetrated by civil servants and non-civil servants, executing state-authorized duties for the public interest, including those involved in the PTSL Program.

If two pieces of evidence meet the criteria outlined in Article 184, paragraph (1) of the Criminal Procedure Code (KUHP), the criminal legal process regarding corruption cannot simply be halted until a judge reaches a decision in court. Although suspects in PTSL corruption argue that the fees collected were not coercive and were in accordance with applicable regulations, claiming that the fees for land rights certificates were minimal and even refunded (Michael Dinan et al., 2024). The arguments do not halt the case at the police or prosecutor's office. Ultimately, it is the judge who evaluates and decides in court whether the defendant's actions warrant punishment (Aksan & Kusriyah, 2020).

Several factors contribute to corruption within the PTSL Program, both directly and indirectly. Direct factors include the opportunities for committing PTSL corruption, the intentionality driven by the need to implement PTSL, and inadequate honorarium for PTSL committee members. Indirect factors involve insufficient public information about PTSL rules and technical instructions, a lack of financing information for PTSL applications, and weak socialization and supervision from the Ministry of ATR/BPN (Wirawan, 2020).

The factors leading to corruption in the PTSL program are intertwined with the legal system, particularly in terms of legal structure and substance, which significantly influence the mitigation of PTSL corruption. This is rooted in the clarity of legal provisions, such as the UUPTPK (Gunarto et al., 2023), the Decree of the Three Ministers (*SKB Tiga Menteri*), and the Regent Regulation on the Burden of Financing for the Preparation of Complete Systematic Land Registration. The legal structure also includes *Saber Pungli* organization, the police, the prosecutor's office, and the Corruption Courts. However, legal culture plays a crucial role as a fundamental cause of corruption within the program, stemming from a lack of legal awareness in the community, which fosters corrupt behavior among both the public and the public servants (Wirawan, 2020).

The manifestation of corruption practices within the PTSL Program includes illegal levies (*pungutan liar* or *pungli*), abuse of authority for personal gain and benefit, document falsification, and a lack of transparency in the collection and management of funds, all of which lead to financial losses for the state. These corrupt practices arise from systemic weaknesses that create opportunities for exploitation by certain officials or members of the PTSL committee. Such individuals often demand payments exceeding the amounts stipulated by regulations, expedite administrative processes in exchange for bribes, or unlawfully register land parcels not belonging to them for subsequent sale (Prayitno et al., 2024).

Various motives underpin the perpetrators' corrupt conduct within the PTSL program, including extortion, bribery, gratification, abuse of office, criminal participation, and conspiracies. These factors highlight the need for the government to implement stronger corrective measures to improve the PTSL program's framework and reduce opportunities for personal gain, particularly among PTSL committee members (Permanasari & Ngaisah, 2025).

The causes of corruption in the PTSL Program stem from several issues: the opportunity to commit corruption due to insufficient supervision; intent driven by needs during implementation; a lack of detailed public information regarding regulations and technical guidelines for Complete Systematic Land Registration; inadequate legal information about financing applications; weak socialization and supervision from the National Land Agency and Regional Government; and insufficient honorarium/salary for the committee members implementing PTSL Program (Wirawan, 2020).

Moreover, the analysis of factors contributing to corruption in the PTSL Program reveals additional influences, such as legal culture and societal mentalities. These entrenched cultural aspects foster conditions conducive to corruption, including bribery, extortion (often categorized as illegal levies), abuse of office, and gratification; public indifference towards corruption; low public participation in prevention efforts; a lack of understanding about corruption; misconceptions regarding public versus personal spheres; a tendency to prioritize harmony to avoid conflict; and customary practices of giving tokens of appreciation (Wirawan, 2020).

Law enforcement of corruption in the PTSL Program follows a structured process that begins at the pre-adjudication stage, involving the Saber Pungli Team (Illegal Levies Clean-Up Task Force) established in each province. This stage begins with reports from the public regarding corruption crimes in specific areas of the PTSL Program. Following this, the police conduct investigations and inquiries into suspected perpetrators. If sufficient evidence, namely at least two pieces of evidence are gathered, a suspect is identified during the investigation. Once the investigation report (P21) is completed, the case moves forward to the prosecution stage. After the pre-adjudication stage, the next phase is the adjudication or trial stage, which takes place at the Corruption Crime Court in the province where the crime took place. The final stage is the post-adjudication phase, during which law enforcement has made progress in handling corruption cases related to the PTSL program that have received final legal rulings (in *kracht van gewijsde*). These rulings are found across various provinces and involve a wide range of defendants, including village heads, hamlet heads, neighborhood association leaders, and ordinary citizens who served as committee members in PTSL Program activities (Wirawan, 2020)..

Law enforcement related to corruption in the PTSL Program as a *primum remedium*, guided by the General Principles of Good Governance. This approach aims to align with and fulfil the objectives outlined in Article 3 of Law (UU) Number 28 of 1999 Concerning State Administration that is Clean and Free from Corruption, Collusion and Nepotism, as well as Article 10 paragraph (1) of Law Number 30 of 2014 on Government Administration. It incorporates several principles of good governance (AUPB) and emphasizes the theory of authority as a fundamental aspect of national policy to ensure state officials are clean and free from corruption, collusion, and nepotism (KKN). This includes the rights and obligations of state officials, such as the requirement to report and disclose their wealth before and after taking office, and the examination of their assets during their tenure. Additionally, it promotes increased public participation in governance and aims to develop a robust legal framework encompassing legal structure, substance, and culture (Wirawan, 2020).

Reconstructing the Law to Eradicate Corruption in the Complete Systematic Land Registration Program

The intended outcomes of the PTSL Program include: increasing the number of registered land parcels (while establishing a comprehensive large-scale base map policy, supporting national strategic programs, and raising awareness of rights, restrictions, and responsibilities(3R); improving the registration and certification of land parcels (by mapping approximately 20 million unmapped plots out of 46 million registered and certified plots, based on indicative K4 data from 2016); and resolving existing disputes related to land ownership, administrative boundaries, land acquisition, and spatial planning (Wirawan, 2020). However, irregularities have emerged during its implementation, with some individuals exploiting the program for personal gain, constituting acts of corruption (Suyadi, 2023).

Corruption within the PTSL Program is a grave issue that the state must address, given numerous reports and media coverage highlighting the deviant behavior rooted in social relations. The modus operandi of these corrupt practices involves soliciting or collecting funds that exceed the limit established by relevant laws and regulations. Specifically, these are outlined in the Joint Decree of the Minister of Agrarian Affairs and Spatial Planning/National Land Agency, the Minister of Home Affairs, and the Minister of Villages, Development of Disadvantaged Regions, and Transmigration (Decree No. 25/SKB/V/2017, No 590-3167A of 2017, and No 34 of 2017) wwhich governs Financing for the Preparation of Systematic Land Registration or the Decree of the Three Ministers (*SKB Tiga Menteri*). According to this decree, the standard financing allocations for the PTSL Program are categorized by region as follows:

- i. Category I – IDR 450,000 for Papua, West Papua, Maluku, North Maluku, and East Nusa Tenggara;
- ii. Category II – IDR 350,000, for Riau Islands, Bangka Belitung, Central Sulawesi, North Sulawesi, Southeast Sulawesi, and West Nusa Tenggara;
- iii. Category III – IDR 250,000 for Gorontalo, West Sulawesi, South Sulawesi, Central Kalimantan, West Kalimantan, North Sumatra, Aceh, West Sumatra, and East Kalimantan;
- iv. Category IV – IDR 200,000 for Riau, Jambi, South Sumatra, Lampung, Bengkulu, and South Kalimantan; and
- v. Category V – IDR 150,000 for the islands of Java and Bali.

In practice, perpetrators of corruption within the PTSL Program have demanded or collected amounts exceeding those specified in the *SKB Tiga Menteri*. Several cases illustrate this misconduct. First, in the case of Asri Hadiyanto, the Head of Kedunglo Village, the defendant unlawfully collected IDR 700,000 per land parcel, as noted in Decision No. 138/Pid.Sus/TPK/2017/PN Sby, despite the prescribed amount for the Java Region (Category V) being only IDR 150,000. Second, in the case of Supriyono, Head of Cangkring Hamlet, the defendant collected IDR 900,000 per land parcel for PTSL activities, as stated in Decision No. 1/Pid.Sus-TPK/2019/PN Yyk, again exceeding the IDR 150,000 limit for the Java Region (Category V) (Agung, 2024).

Third, in the case of Abdul Said Laguni and Saripah Ahmad (Agung, 2024), who served as the Village Head (*Lurah*) and Sub-District Secretary of Pagimana Village, respectively, the defendants demanded payments ranging from IDR 450,000 to IDR 550,000 per land parcel, as indicated in Decision No. 60/Pid.Sus-TPK/2017/PN Pal, despite the prescribed amount for Central Sulawesi (Category II) being IDR 350,000. Furth, in the case of Mulyati, the Head of Balai Karang Village, the defendant charged PTSL financing fees of IDR 800,000 per land parcel, as documented in Decision No. 43/Pid.Sus-TPK/2018/PN Ptk. while the stipulated limit under the *SKB Tiga Menteri* for the West Kalimantan Region (Category III) was IDR 250,000 (Agung, 2024).

Individuals found responsible for corruption within the implementation of the PTSL Program may face prosecution under Law No. 31 of 1999 in conjunction with Law No. 20 of 2001 on the Eradication of Corruption Crimes. The *SKB Tiga Menteri* is often referenced as a relevant legal framework in these cases. In addition, the principle of *lex specialis* may apply through Regent Regulations (*Peraturan Bupati*), which govern the financing arrangements for the PTSL Program and have been adopted by

various regencies and municipalities across Indonesia. It is also important to note that while the PTSL Program includes a financing mechanism, it is not entirely free of charge; instead, it is designed to be low-cost, with certain expenses borne by the government and others remaining the financial responsibility of the community, as stipulated in the *SKB Tiga Menteri* and relevant local regulations. Based on this framework, the financing structure for PTSL implementation is illustrated in the chart below:

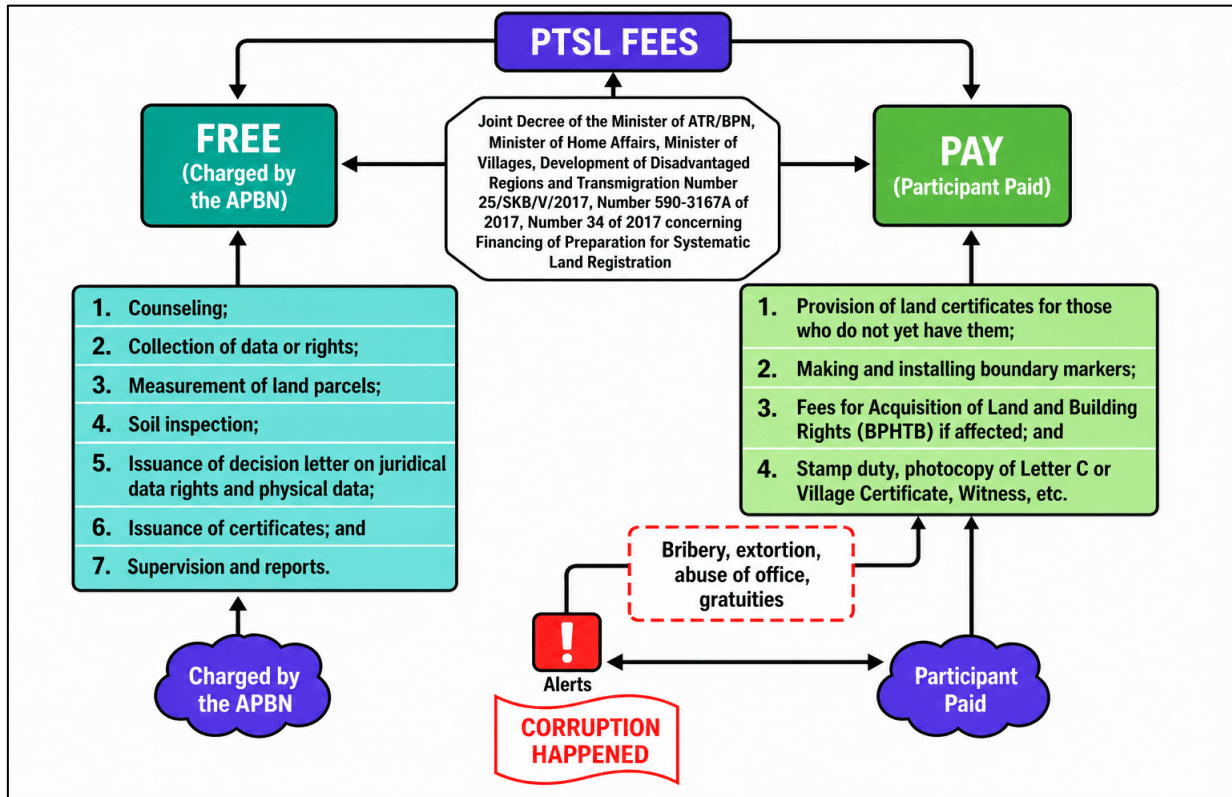


Figure 2. PTSL Financing Scheme

The Figure 2 shows that the costs associated with obtaining land certificates in the PTSL Program are the responsibility of the community. These costs include expenses for stakes, installation of stakes, stamps, transportation, and accommodation for village officers and neighborhood association officers involved in file collection at the land office, and their respective rights holders. Conversely, the costs for land measurement and certificate issuance are covered by the government. The community's financial contributions are adjusted based on their specific needs and interests, such as photocopying and purchasing stamps, while the land office is responsible for conducting measurements and issuing land certificates.

The financing of the PTSL Program as illustrated in the diagram shows a legal construction in the form of a dual financing regime, namely financing charged to the state through the State Budget (APBN) and financing charged to PTSL participants. This construction originates from the Joint Decree of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency, the Minister of Home Affairs, and the Minister of Villages, Development of Disadvantaged Regions and Transmigration in 2017, which explicitly distinguishes between land service fees and land registration preparation fees. Legally, this distinction is intended to ensure the realization of the principles of legal certainty, justice, non-discrimination, and protection of the public from illegal levies in the implementation of the PTSL program.

The chart further shows that all core stages of PTSL are categorized as free services, as they are part of the state's function in administering land management and are fully funded through the state budget (APBN). The stages included in this category comprise outreach activities, collection of legal and ownership data, land measurement, land inspection, determination and issuance of rights decisions, certificate issuance, as well as supervision and reporting. Thus, legally, any form of charge to the public

at these stages constitutes an act contrary to statutory provisions and has the potential to be classified as abuse of power and/or unlawful conduct in office.

On the other hand, the diagram also emphasizes that there are certain cost components that are normatively justified to be charged to PTSL participants, namely costs that are administrative in nature and supportive, and not included in core land services. These costs include providing land certificates for plots that do not yet have documents, making and installing boundary markers, paying Land and Building Acquisition Duty (BPHTB) if applicable, as well as administrative expenses such as stamps, photocopies of Letter C or village certificates, witnesses, and other administrative requirements. However, normatively, these costs should be based on actual needs, implemented transparently, be proportional, and not exceed the provisions set by local governments, so they do not become an excessive burden for the community.

The chart explicitly marks the critical point of corruption in the PTSL process, which is at the relationship between payments by participants and the discretion of the PTSL administrators. It is at this point that various forms of misconduct emerge, such as extortion, abuse of office, and acceptance of gratuities. Legally, these practices arise due to the blurred line between fees that should be free and fees that can be charged to participants, the information asymmetry between officials and the public, weak oversight and accountability mechanisms, and the normalization of informal levies that are often disguised under terms like 'agreement' or 'operational costs'.

From the perspective of criminal law on corruption, deviations in the financing flow of PTSL can be classified as acts of abuse of authority due to position, extortion by state officials, or receiving gratuities related to one's office. Therefore, the practice of collecting fees outside the regulations cannot be viewed merely as an administrative violation, but has the potential to transform into a corruption crime that undermines the fundamental objectives of the PTSL program.

According to Nuridin (2019), the Head of the Sub-Division of Administration at the Land Office of Sleman Regency explained the financing of the PTSL program. The government covers costs such as counseling, juridical data collection, land parcel measurement, rights determination of rights, land registration, and the issuance of certificates and application forms. Meanwhile, the applicants are responsible for expenses like land boundary pegs, stamp duty, management of rights in villages and sub-districts, photocopying documents, and the Land and Building Rights Acquisition Duty (BPHTB). Therefore, not all costs are free; some must be borne by PTSL participants. However, compared to regular registration, PTSL is significantly cheaper (Aditya, 2019). Achmad Fauzan (2018), Head of the Gunung Kidul Regency Land Office, echoed this sentiment, stating that PTSL financing is not entirely free and that applicants often bear costs that the community may not fully understand (Herpri, 2018).

Corruption remains a pervasive issue in Indonesia, necessitating systematic and structural interventions, particularly in land administration and management (Aprilianto, 2020). Effective corruption prevention requires the establishment of comprehensive mechanisms to strengthen the internal control systems of government institutions (Tomsa, 2015). One such mechanism is the Fraud Control Plan (FCP) or Anti-Corruption Program, which is designed to prevent, detect, and address corrupt practices. The FCP seeks to mitigate systemic corruption within public sector organizations by enhancing governance frameworks to align with their specific operational contexts and administrative structures (Utomo, 2008). Rather than relying solely on repressive measures, the FCP adopts a preventive and educational approach, emphasizing proactive risk management over punitive enforcement. It is intended to cultivate an institutional environment equipped with early detection mechanisms capable of identifying and deterring potential corrupt behavior before it occurs (Hart, 2001).

The concept of combating corruption through the FCP is grounded in a preventive and deterrent framework that emphasizes proactive measures prior to the occurrence of corrupt conduct. It not only aims to prevent and deter corruption but also facilitates disclosure and follow-up measures in line with applicable legal and regulatory provisions, reflecting an investigative and compliance-based approach, while empowering public participation in oversight mechanisms. The implementation of FCP across various governmental institutions is expected to significantly reduce corruption in Indonesia, serving as a more effective preventive measure than purely repressive enforcement strategies (Kriyantono et al., 2017). The fundamental objective of the FCP is to establish an institutional framework equipped with early

detection mechanisms to identify and mitigate corrupt practices before they arise. This conceptual structure is illustrated in the chart below:

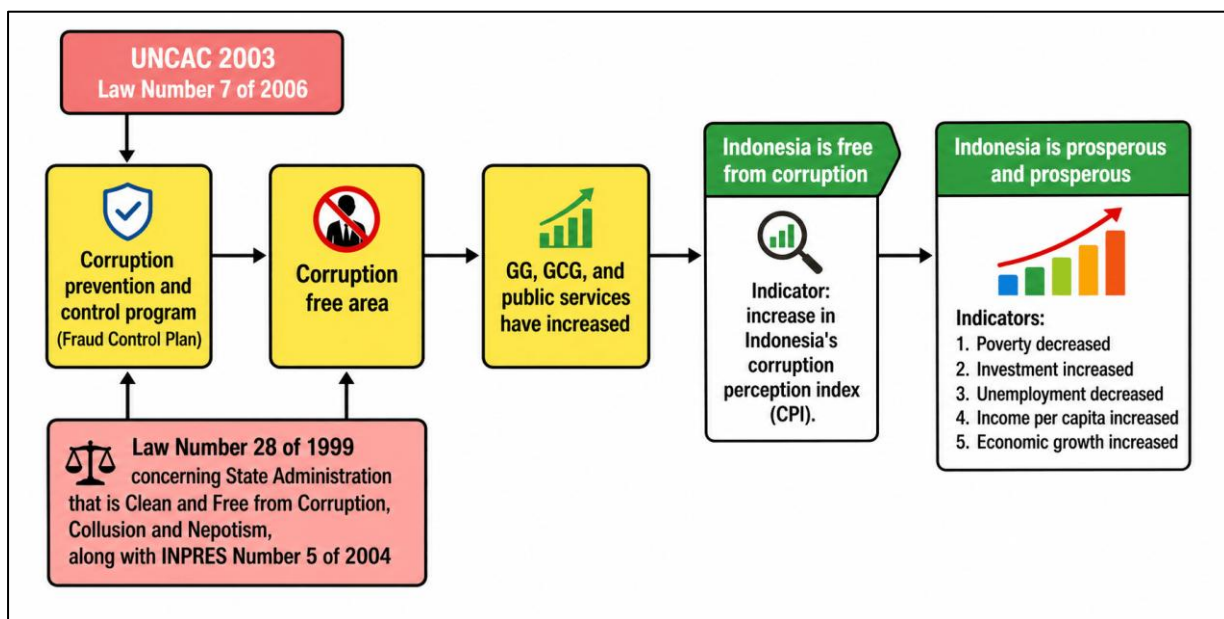


Figure 3. FCP Flow Against Corruption in Indonesia

The Figure 3 illustrates that addressing corruption within the PTSL Program requires more than just repressive measures. The corruption prevention and control program, as mandated in Article 5 of the 2003 UNCAC, is also reflected in Law (UU) Number 28 of 1999 Concerning State Administration that is Clean and Free from Corruption, Collusion and Nepotism, and Presidential Instruction Number 5 of 2004 Concerning the Acceleration of Corruption Eradication. These legal frameworks emphasize that prosecuting corruption should not only involve repression but also include preventive efforts. Thus, to combat corruption in PTSL, it is essential to implement a fraud control plan as a preliminary measure to prevent of corruption within the strategic land program.

These two instruments form the basis for the development of operational policies in the form of the Corruption Prevention and Control Program (Fraud Control Plan). This program serves as a preventive instrument that emphasizes the control of systems, procedures, and the behavior of state apparatus to close gaps that could lead to corrupt practices. The implementation of this corruption prevention and control program is aimed at creating corruption-free zones, characterized by a reduction in corrupt practices within government administration. The establishment of corruption-free zones further encourages the improvement of governance quality (good governance), sound and clean governance (good and clean governance), and the enhancement of public service quality. At this stage, bureaucratic reform becomes an important instrument to ensure that corruption prevention is not only repressive but also institutionalized within the state administrative system.

The improvement of governance and public services is aimed at achieving a corruption-free Indonesia, which in the diagram is measured through the indicator of an increasing Corruption Perceptions Index (CPI) for Indonesia. This indicator reflects the level of public and international community trust in the integrity of the national government and bureaucracy. In other words, the success of corruption prevention is not only assessed through law enforcement but also through perceptions and trust that are formed socially and institutionally.

At the downstream stage, Indonesia's increasingly corruption-free condition is expected to culminate in the ultimate goal of a prosperous and thriving Indonesia. The diagram shows that this prosperity is measured through macro indicators, including a reduction in poverty rates, increased investment, decreased unemployment, higher per capita income, and increased economic growth. Thus, the flow of this diagram emphasizes that eradicating and preventing corruption is not an end in itself, but rather a strategic instrument to achieve fair and sustainable national development.

The national strategic program in the land sector, particularly the PTSL Program, has been vulnerable to corruption, demonstrating that reliance on repressive criminal law enforcement alone is insufficient. Within criminal policy theory, crime control is understood to operate through two complementary approaches: penal policies, which involve the application of criminal law through repressive measures, and non-penal policies, which emphasize preventive, educational, and persuasive efforts (Mulyadi, 2011; Hoefnagels & Arief, 2012; Mulyadi, 2017). Preventive measures, including efforts to shape public attitudes toward crime through education and mass media, constitute crime prevention in the broadest sense and are essential for addressing systemic corruption (Kenedi, 2017). Accordingly, corruption eradication in Indonesia must be pursued in a holistic, integrated, and sustained manner, involving multiple social actors and utilizing legal and institutional mechanisms beyond criminal law norms (Kurniawan et al., 2019; Zaidan, 2016). Based on this theoretical framework, the establishment of an institutional model that prioritizes preventive and educational strategies provides a sound foundation for developing an anti-corruption initiative, such as the FCP, within the implementation of the PTSL Program.

The formulation of an FCP as a preventive and educational measure, grounded in criminal policy theory, constitutes part of the non-penal approach to combating corruption (Aini, 2018; Qasim et al., 2025). Within the UUPTK, the regulation of criminal policy for preventing corruption through non-penal means can be seen in its substantive provisions concerning asset confiscation, revocation of certain rights, restitution or payment of substitute money, and the temporary suspension of a company's operations. The policies outlined in Articles 17, 18, paragraph (1), and 19 of the Law target individuals (in persona) rather than their property, reflecting the personal nature of criminal liability in cases involving criminal forfeiture (Sinaga, 2016).

For the law to effectively serve its purpose, it must function as intended and align with its normative objectives (Yanto, 2020). The law should not be static; instead, it must be dynamic, adapting to the evolving conditions of society (Pech, 2022). Thus, societal and communal developments should always inform the revision or reform of legal norms (Lathif, 2017). Therefore, the revision or amendment of laws and regulations becomes essential to maintaining legal relevance and responsiveness. In his theory of legal change, Thomas C. Dienes argues that formal legal transformation requires the active involvement of institutions, particularly the legislative and judicial branches (Ridwan, 2016).

According to the theory of legal change related to legislative reform (Martitah et al., 2023), the government must seriously consider reviewing several provisions related to the implementation of the PTSL Program. One significant regulation that requires attention is *SKB Tiga Menteri*. This regulation reveals a lack of equity and proportionality in the allocation of financing across various regions.

The lack of fairness in the regulation stipulated in the *SKB Tiga Menteri* is particularly evident in the provisions regarding PTSL financing specified in the Seventh Dictum. The regulation fails to provide a clear specification for the detailed allocation of funds, as cost determination relies solely on aggregated calculations. Generally, financing is allocated in accordance with the First Dictum, which covers expenses for document preparation, permits, and stamp duties, and the operational costs of implementing officers. However, significant discrepancies have emerged in the actual amounts collected to support the implementation of the PTSL Program across various regions. These disparities have, in some cases, led to acts of criminal corruption, as previously discussed, with certain cases reaching the courts and resulting in final and binding judgments (*in kracht van gewijsde*). This issue is closely linked to one of the main causes of corruption in the PTSL Program, namely actions motivated by deliberate intent and/or necessity.

In response to the discrepancies in PTSL financing across provinces, additional regulatory measures have been introduced through various Regent or Mayor Regulations concerning Standards for Charging/Financing the Preparation of Complete Systematic Land Registration. These regulations aim to address situations where the financing stipulated by higher laws and regulations is insufficient due to additional needs such as land boundary markers, stamp duties, office supplies, consumption expenses during program implementation, transportation costs between the village and the PTSL site, and overtime payments for PTSL officers. While total costs can be increased in these cases, such increases must remain within the applicable price standards for goods and services and be determined through a deliberative agreement (*musyawarah mufakat*) among members of the community applicant group participating in the PTSL Program.

The determination of financing standards should be grounded in a comprehensive assessment of on-site conditions. Therefore, it is essential to reconstruct, evaluate, and harmonize the existing laws and regulations governing the implementation of the PTSL Program, particularly concerning the content of the Seventh Dictum of the *SKB Tiga Menteri*. The application of equitable and just legal provisions is expected to extend beyond the PTSL Program to other national strategic land programs in the future. Consequently, an ideal framework for corruption prevention must be developed through the implementation of an FCP within future national land programs, especially the PTSL Program, by incorporating several conceptual approaches, including the following:

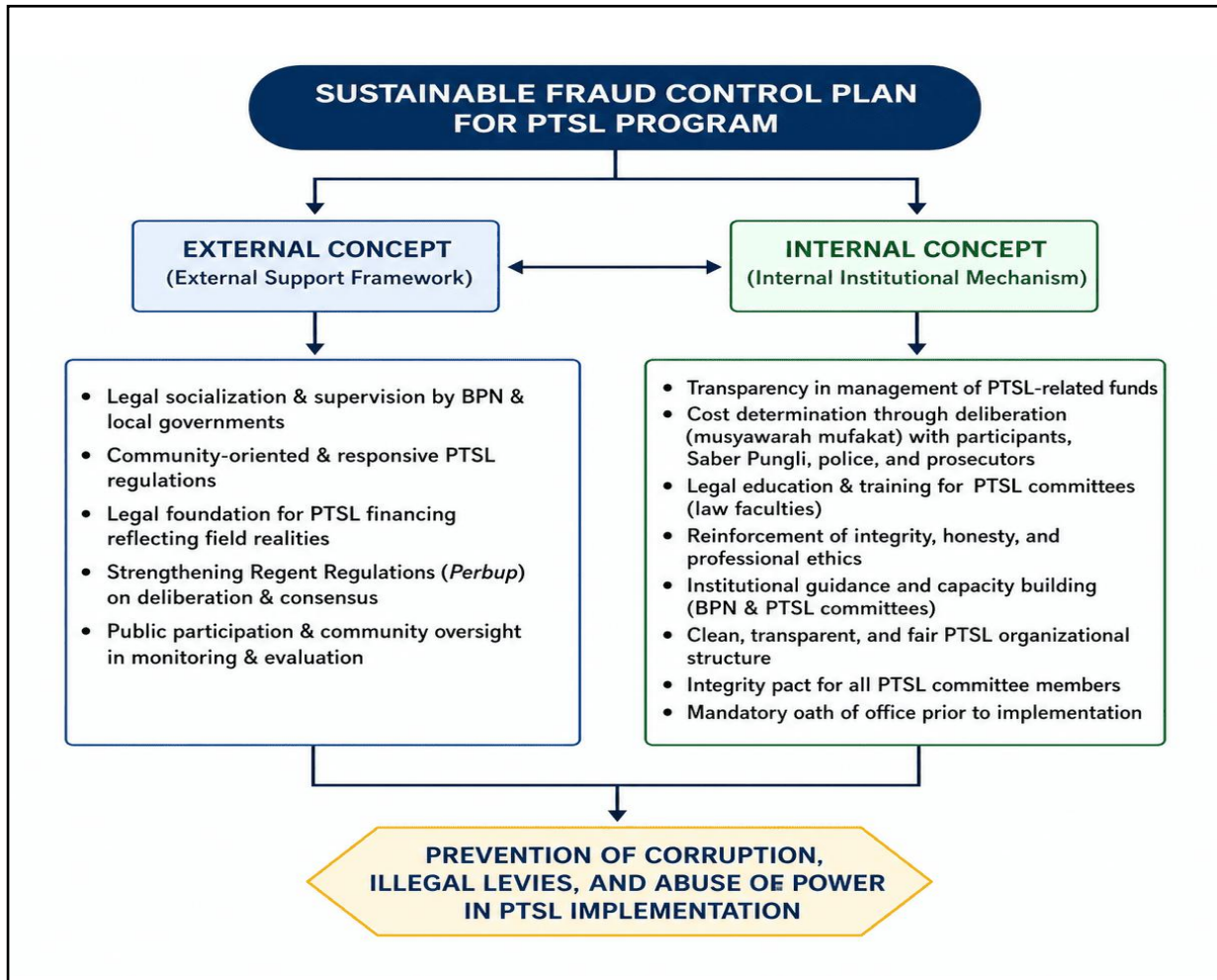


Figure 4. Fraud Control Model for the PTSL Program

Figure 4 shows that the external concept in controlling fraud in the PTSL Program emphasizes support from outside the implementing institutions, namely through strengthening legal socialization and supervision by the National Land Agency (BPN) and local governments, establishing PTSL regulations that are oriented towards community needs, developing a legal basis for financing that is in accordance with real conditions in the field, strengthening the substance of the Regent's Regulation regarding consensus in determining costs, and opening up space for public participation and community oversight in evaluating program implementation. Meanwhile, the internal concept focuses on improving mechanisms within the organization, including transparency in managing participant funds, determining costs through mutual agreements between PTSL participants and related authorities such as the Saber Pungli Task Force, the police, and the prosecutor's office, providing legal education for committees, strengthening integrity, honesty, and professional ethics, improving institutional development for BPN officers and committees, establishing a clean and fair organizational structure, implementing an integrity pact, and requiring an oath of office for all committees before program implementation as a preventive measure against corruption.

External Concept: This refers to the framework of external support mechanisms essential to the implementation of a sustainable fraud control plan for the PTSL Program. These mechanisms include: strengthening legal socialization and supervision by the BPN and local governments over PTSL activities; ensuring that PTSL regulations are community-oriented and responsive to public needs; establishing a legal foundation for PTSL financing that reflects actual field conditions; reinforcing the substantive provisions of Regent Regulations (Peraturan Bupati) concerning deliberation and consensus (*musyawarah mufakat*) in determining financing arrangements; and providing opportunities for public participation and community oversight in the monitoring and evaluation of PTSL implementation.

Internal Concept: This refers to the internal mechanisms and institutional supports required to enhance the integrity and accountability of the PTSL Program. These include: ensuring transparency in the management and utilization of PTSL-related funds for program participants; establishing cost determination procedures through deliberation and agreement between confirmed PTSL participants and relevant authorities, including the Saber Pungli Task Force, the police, and the prosecutor's office; providing legal education and training for PTSL committees in collaboration with law faculties or legal education institutions; reinforcing integrity, honesty, and professional ethics among PTSL implementation committees; enhancing institutional guidance and capacity building for both BPN officials and PTSL committee members; establishing clean, transparent, and fair PTSL organizational structures; implementing and enforcing an integrity pact applicable to all PTSL committee members; and requiring formal oaths of office for PTSL committee members prior to the commencement of program implementation as a preventive measure against corruption.

The Sustainable FCP for the PTSL Program is built on two integrated pillars: the external concept and the internal concept. The external concept focuses on strengthening the regulatory framework, supervision, and public participation through the roles of BPN and local governments, a PTSL regulation that responds to community needs, a realistic legal basis for financing, the strengthening of Regent Regulations based on consensus deliberation, and community oversight mechanisms. Meanwhile, the internal concept focuses on strengthening the integrity and accountability of PTSL organizers through transparent fund management, the determination of costs deliberatively with participants and law enforcement, the enhancement of capacity and legal education for PTSL committees, strengthening ethics and professionalism, establishing a clean and fair organizational structure, and implementing integrity pacts and oaths of office. The synergy of these two concepts is aimed at preventing corruption, illegal levies, and abuse of authority in the implementation of PTSL.

Evaluation and Re-assessment: In light of the *SKB Tiga Menteri*, there is a need to re-examine the rules. Central authorities must not only look at situations at the center but also engage with communities to understand local realities. This approach will inform future reviews of the *SKB Tiga Menteri* and the Regent Regulation on Financing Standards for the Preparation of PTSL, highlighting that community needs for PTSL implementation are often more complex than anticipated. Additionally, the realities on the ground indicate that PTSL implementation still faces numerous challenges, including corruption.

Based on these ideal concepts, the prevention of corruption, supported by the implementation of an FCP, must involve the establishment of orderly land administration and the strengthening of the legal framework in the future. Efforts to streamline land administration should be viewed as part of broader initiatives aimed at enhancing public participation in land governance, particularly in development projects that require transparent access to information and resources related to land ownership, financing, and investment. Furthermore, it is essential to cultivate a service-oriented culture within the land sector to ensure the delivery of public services that are equitable, efficient, accessible, timely, and straightforward, thereby reinforcing both administrative integrity and public trust in land management institutions.

In the future, effective public services and the prevention of maladministration in the implementation of the PTSL Program are expected to be achieved through several strategic measures. First, it is essential to encourage the District/City Land Offices and Local Governments to continuously socialize and evaluate the *SKB Tiga Menteri* regarding the financing of systematic land registration. Second, the Land Offices, in collaboration with the District/City Inspectorates, should provide comprehensive guidance and understanding to village and sub-district officials about the relevant laws and regulations governing PTSL

implementation. Third, village heads or sub-district officials should consult with the Legal Division of the local government or the District Attorney's Office to ensure legal compliance in program execution. These preventive administrative measures aim to significantly reduce instances of maladministration and, consequently, corruption in the land sector.

The eradication of corruption can only be realized by fostering a culture rooted in ethics, integrity, and respect for the rule of law as the supreme authority (Helmina et al., 2024). Corruption must never be tolerated or concealed; shielding it only entrenches the practice, creating a pervasive and resilient culture (Dwiputrianti, 2009). Efforts to combat corruption will remain ineffective without a robust ethical and integrity framework within both government and society. Every citizen has a moral and constitutional responsibility to contribute to the elimination of corrupt practices. Furthermore, the government and all state institutions must establish legal systems, governance mechanisms, and public policies that make corruption structurally impossible and normatively unacceptable, thereby strengthening integrity and institutional stability. Ultimately, eradicating the culture of corruption requires fostering a mindset that perceives public office as a platform for service and integrity, rather than as a means for personal enrichment (Maisonra, 2022).

Orderly land administration and legal order must also be supported by human resources and adequate public service infrastructure. To achieve effective public services and prevent maladministration in the PTSL Program, it is necessary to: first, encourage the BPN at the regency/city level and local government to conduct socialization and evaluation of the *SKB Tiga Menteri* related to financing systematic land registration; second, have the BPN and the Regency/City Inspectorate provide assistance in understanding the laws and regulations related to the PTSL Program at the village/urban village level; third, ensure that the village heads or urban village heads consult with the Legal Section of the local government or the local District Attorney's Office.

Conclusion

Corruption is a systemic crime that undermines national development by damaging state finances, weakening the economy, eroding democratic values, violating economic and social rights, and harming social, legal, political, cultural, and security systems. Traditionally seen as white-collar crime linked to the abuse of authority by those in trusted positions, corruption has increasingly spread across all socioeconomic levels, driven by opportunities, weak oversight, permissive legal cultures, and motivations rooted in personal or collective gain. In Indonesia, corruption is legally defined as the unlawful enrichment of oneself or others through the abuse of authority that results in losses to state finances or the national economy, involving individuals, public officials, and corporations alike. These dynamics are evident in the implementation of the PTSL Program, where corruption manifests through illegal levies, abuse of power, lack of transparency, and collusion among officials and community actors. The persistence of such practices highlights structural, substantive, and cultural weaknesses in governance and law enforcement, underscoring the need for comprehensive anti-corruption strategies that integrate robust legal frameworks, effective institutions, and increased public legal awareness.

Legal reforms to eradicate corruption within the PTSL Program must adopt an integrated approach combining both repressive and preventive strategies in the land sector. Externally, this includes strengthening legal socialization and oversight by BPN and regional governments, ensuring community-oriented regulations, aligning financing rules with field realities, reinforcing regent regulations on fee collection through deliberation and agreement, and expanding public participation in oversight. Internally, reforms emphasize transparency in fee management, determining costs through consensus with participants and law enforcement oversight, providing legal education for PTSL committees, reinforcing integrity and ethical standards, offering institutional coaching, enforcing integrity pacts, and formal oath-taking to prevent corrupt conduct. These measures create a comprehensive anti-corruption framework that requires simultaneous government action to evaluate and revise the *SKB Tiga Menteri* and local financing regulations, ensuring that PTSL achieves its objectives of legal certainty, accountability, equity, and transparency in land registration while enhancing public welfare, economic development, and the prevention of land disputes and conflicts.

References

- Abraham, J., & Pea, A. G. (2020). Can proneness to moral emotions detect corruption? The mediating role of ethical judgment based on unified ethics. *Kasetsart Journal of Social Sciences*, 41(1), 152–159. <https://doi.org/10.1016/j.kjss.2018.07.013>
- Adams, C., Procter, M., & Rowe, M. (2011). Bureaucracy, corruption, and accountability in historical perspective. *International Journal of Public Administration*, 34(11), 697–700. <https://doi.org/10.1080/01900692.2011.598260>
- Aditya, I. (2019, May 14). “Kantor pertanahan Sleman targetkan 30 ribu bidang”. KRJogja. <https://www.krjogja.com/berita-lokal/diy/sleman/kantor-pertanahan-sleman-targetkan-30-ribu-bidang/>
- Aditya, T., Unger, E. M., Berg, C. vd, Bennett, R., Saers, P., Syahid, H. L., Erwan, D., Wits, T., Widjajanti, N., Santosa, P. B., Atunggal, D., Hanafi, I., & Sutejo, D. (2020). Participatory land administration in Indonesia: Quality and usability assessment. *Land*, 9(3), 1–27. <https://doi.org/10.3390/land9030079>
- Agung, M. (2024). “Direktori putusan Mahkamah Agung RI”. Mahkamah Agung RI. <https://putusan3.mahkamahagung.go.id/search.html?q=>
- Aini, Q. (2018). Study of penal and non-penal approach on prevention of corruption in Indonesia. *IJCLS (Indonesian Journal of Criminal Law Studies)*, 3(2), 111–120. <https://doi.org/10.15294/ijcls.v3i2.17170>
- Aisyah, Susmiyati, H. R., & Al-Hidayah, R. (2020). Implementasi asas sederhana pendaftaran tanah sistematis lengkap dalam menjamin hak keperdataan. *Petitum*, 8(2), 131–142. <https://doi.org/10.36090/jh.v8i2.813>
- Aksan, M. A., & Kusriyah, S. (2020). The role of advocates in assisting the accused of the crime of embezzlement of complete systematic land registration fees (PTSL). *Law Development Journal*, 2(3), 353–359. <https://dx.doi.org/10.30659/ldj.2.3.353-359>
- Alkostar, A. (2015). *Korupsi politik di negara modern*. FH UII Press.
- Amhimmid, A., Negasi, M. I., & Al-Toumi, A. M. M. (2022). Reparation recommendation in addressing the legal framework of funds recovery aftermath corruption: A study based on Libyan laws. *Malaysian Journal of Syariah and Law*, 10(1), 99–113. <https://doi.org/10.33102/mjssl.vol10no2.360>
- Apriani, D., & Bur, A. (2021). Kepastian hukum dan perlindungan hukum dalam sistem publikasi pendaftaran tanah di Indonesia. *Jurnal Bina Mulia Hukum*, 5(2), 220–239. <https://doi.org/10.23920/jbmh.v5i2.11>
- Aprilianto, R. (2020). Penyidikan operasi tangkap tangan pungutan liar pendaftaran tanah. *Jurnal Ilmu Kepolisian*, 14(1), 49–64. <https://doi.org/10.35879/jik.v14i1.204>
- Arief, B. N., & Muladi. (1992). *Bunga rampai hukum pidana*. Alumni.
- Artello, K., & Albanese, J. S. (2020). Rising to the surface: The detection of public corruption. *Criminology, Criminal Justice, Law and Society*, 21(1), 74–89. <https://doi.org/10.21428/cb6ab371.a9269513>
- Candra, T. (2018, September 10). “Korupsi dan pertukaran sosial di Indonesia”. Sanglah Institute. <https://www.sanglah-institute.org/2018/09/korupsi-dan-pertukaran-sosial-di.html>
- Cherry, K. (2023, April 10). “Understanding social exchange theory in psychology”. Verywell Mind. <https://www.verywellmind.com/what-is-social-exchange-theory-2795882>
- Dwiputrianti, S. (2009). Memahami strategi pemberantasan korupsi di Indonesia. *Jurnal Ilmu Administrasi: Media Pengembangan Ilmu dan Praktek Administrasi*, 6(3), 256–281. <https://doi.org/10.31113/jia.v6i3.364>
- Edelbacher, M., Kratoski, P. C., & Dobovsek, B. (2015). *Corruption, fraud, organized crime, and the shadow economy*. Routledge Taylor.
- Garner, B. A. (2010). *Black’s law dictionary, abridged*. West, a Thomson Reuters Business.
- Gunarto, G., Nitiyudo, S., Mashdurohatun, A., & Handoko, W. (2023). Ideal regulation of land registration using land certificate as evidence based on legal certainty. *Saudi Journal of Humanities and Social Sciences*, 8(3), 67–71. <https://doi.org/10.36348/sjhss.2023.v08i03.006>
- Hamzah, A. (1991). *Korupsi di Indonesia*. Sinar Grafika.
- Hamzah, A. (2015). *Pemberantasan korupsi: Melalui hukum pidana nasional dan internasional*. Raja Grafindo Persada.

- Handayani, A. A., & Yusriyadi. (2019). Pendaftaran tanah melalui program pendaftaran tanah sistematis lengkap (PTSL). *Notarius*, 12(1), 537–549.
- Hart, N. H. (2001). Anti-corruption strategies in Indonesia. *Bulletin of Indonesian Economic Studies*, 37(1), 65–82. <https://doi.org/10.1080/000749101300046519>
- Herpri. (2018, May 14). “Biaya PTSL tak saklek Rp 150 ribu per bidang”. Radar Jogja. <https://radarjogja.co.id/breaking-news/2018/05/14/biaya-pts1-tak-saklek-rp-150-ribu-per-bidang/>
- Hidayat, S. N., Karjoko, L., & Hermawan, S. (2020). Discourse on legal expression in arrangements of corruption eradication in Indonesia. *Journal of Indonesian Legal Studies*, 5(2), 391–418. <https://doi.org/10.15294/jils.v5i2.40670>
- Hisbullah, R. W., Patittingi, F., & Arisaputra, M. I. (2019). Asas publisitas pada pelaksanaan program nasional agraria dalam rangka mewujudkan efektivitas pelayanan publik. *Al-Azhar Islamic Law Review*, 1(1), 48–63. <https://doi.org/10.37146/v1i1.8>
- Istiqamah. (2018). Tinjauan hukum legalisasi aset melalui pendaftaran tanah sistematis lengkap (PTSL) terhadap kepemilikan tanah. *Jurisprudentie*, 5(1), 226–235. <https://doi.org/10.24252/jurisprudentie.v5i2.5814>
- Juwita, R. (2019). The amendment of anti-corruption law in Indonesia: The contribution to the development of international anti-corruption law. *Asian Yearbook of International Law*, 25, 130–153. https://doi.org/10.1163/9789004501249_007
- Kamasa, F. (2014). Kontraterorisme dan perlindungan hak konstitusi warga negara dalam bidang ekonomi. *Jurnal Konstitusi*, 11(4), 782–804. <https://doi.org/10.31078/jk1149>
- Kenedi, J. (2017). Criminal policy dalam negara hukum Indonesia: Upaya mensejahterakan masyarakat. *AL-IMARAH: Jurnal Pemerintahan dan Politik Islam*, 2(1), 15–26. <https://doi.org/10.29300/imr.v2i1.1026>
- KPK, A. (2024, September 11). “Pemberantasan Korupsi (KPK), jumlah kasus tindak pidana korupsi (TPK) yang ditangani lembaga antikorupsi itu mencapai 1.629 kasus sejak 2004 hingga 11 September 2024”. Komisi Pemberantasan Korupsi. <https://kpk.go.id/id>
- Kriyantono, R., Destrity, N. A., Amrullah, A. A., & Rakhmawati, F. Y. (2017). Management of public relations for supporting the anti-corruption national program in Indonesia. *International Journal of Applied Business and Economic Research*, 15(20), 293–303.
- Kusumawati, I., Supriyono, Atmadja, I. S., Hasanah, E., & Cahyati, S. (2020). The role of law enforcement agencies in the effort of corruption prevention and eradication in the perspective of progressive law in Indonesia. *International Journal of Psychosocial Rehabilitation*, 24(3), 2492–2501. <https://doi.org/10.37200/V24I3/17501>
- Lestario, A., & Erlina. (2022). Sistem pendaftaran tanah yang memberikan perlindungan hukum bagi pemegang sertifikat hak atas tanah di Indonesia. *Notary Law Journal*, 1(1), 1–30. <https://doi.org/10.32801/nolaj.v1i1.1>
- Mahkamah Agung RI. (2024). “Direktori putusan Mahkamah Agung RI”. <https://putusan3.mahkamahagung.go.id/search.html?q=>
- Maisondra. (2022). *Semangat aparaturnya melawan korupsi (Seri manajemen sumber daya manusia aparaturnya)* (Cet. I). Rtujuh Mediaprinting.
- Mappatunru, A. M. D. (2021). Unsur memperkaya dan menguntungkan diri sendiri, orang lain atau korporasi dalam tindak pidana korupsi. *Jurnal Media Hukum*, 9(2), 59–69. <https://doi.org/10.59414/jmh.v9i2.430>
- Mardiyanto, J. (2022). Complete systematic land registration model (PTSL) in acceleration of equal land rights certification. *Baltic Journal of Law & Politics*, 15(7), 1211–1215. <https://doi.org/10.2478/bjlp-2022-007088>
- Martitah, M., Hidayat, A., Anitasari, R. F., Rahman, M. A. M., & Aini, T. R. (2023). Transformation of the legislative system in Indonesia based on the principles of good legislation. *Journal of Indonesian Legal Studies*, 8(2), 545–594. <https://doi.org/10.15294/jils.v8i2.69262>
- Michael Dinan, A., Herlindah, & Arini Jauharoh. (2024). Juridical analysis of the setting of PTSL fees in the context of legal certainty of land rights. *Legal Horizons*, 23(4), 9–19. <https://doi.org/10.54477/lh.25192353.2024.4.pp.9-19>
- Mietzner, M. (2015). Dysfunction by design: Political finance and corruption in Indonesia. *Critical Asian Studies*, 47(4), 587–610. <https://doi.org/10.1080/14672715.2015.1079991>
- Mighfar, S. (2015). Social exchange theory: Telaah konsep George C. Homans tentang teori pertukaran sosial. *Jurnal Lisan Al Hal*, 9(2), 261–185. <https://doi.org/10.35316/lisanalhal.v9i2.98>

- Moechthar, O., Soelistyowati, & Poespasari, E. D. (2021). Legal knowledge related to land registration and electronic certification of land ownership. *Veteran Society: Jurnal Pengabdian Masyarakat*, 2(2), 87–109. <https://doi.org/10.33005/vsj.v2i2.24>
- Mujiburohman, D. A. (2018). Potensi permasalahan pendaftaran tanah sistematis lengkap (PTSL). *Jurnal Agraria dan Pertanahan*, 4(1), 88–101. <https://doi.org/10.31292/jb.v4i1.217>
- Mulyadi, M. (2011). Penanggulangan tindak pidana korupsi dalam perspektif criminal policy: Corruption reduction in criminal policy perspective. *Jurnal Legislasi Indonesia*, 8(2), 217–238. <https://doi.org/10.54629/jli.v8i2.356>
- Patton, M. Q. (2014). *Qualitative research & evaluation methods: Integrating theory and practice*. SAGE Publications.
- Pech, L. (2022). The rule of law as a well-established and well-defined principle of EU law. *Hague Journal on the Rule of Law*, 14, 107–138. <https://doi.org/10.1007/s40803-022-00176-8>
- Permana, S., & Setiawan, M. (2024). Corruption in the education sector in Indonesia: Reality, causes, and solutions. *Integritas: Jurnal Antikorupsi*, 10(2), 249–268. <https://doi.org/10.32697/integritas.v10i2.1326>
- Permanasari, L., & Ngaisah, S. (2025). Problems in the implementation of complete systematic land registration (PTSL) in Jombang Regency. *Journal of Court and Justice*, 4(3), 17–35. <https://doi.org/10.56943/jcj.v4i3.782>
- Poerwanto, H., Setiyono, D. J., & Sunardi. (2022). Corruption as a violation of human rights, economic, social and cultural human rights perspective. *SSRN Electronic Journal*, 5(1), 119–129. <https://doi.org/10.2139/ssrn.4223924>
- Prayitno, A. H., Wahyono, D., & Bagaskoro, M. R. (2024). Abuse of authority by state officials in corruption cases: The case of complete systematic land registration program. *Fiat Justisia: Jurnal Ilmu Hukum*, 18(4), 441–458. <https://doi.org/10.25041/fiatjustisia.v18no4.3865>
- Putra, N. R., & Linda, R. (2022). Corruption in Indonesia: A challenge for social changes. *Integritas: Jurnal Antikorupsi*, 8(1), 13–24. <https://doi.org/10.32697/integritas.v8i1.898>
- Putrisasmita, G. (2023). Kedudukan program pendaftaran tanah sistematis lengkap dalam kerangka reforma agraria untuk mewujudkan kepastian hukum pertanahan di Indonesia. *LITRA: Jurnal Hukum Lingkungan Tata Ruang dan Agraria*, 3(1), 18–36. <https://doi.org/10.23920/litra.v3i1.1466>
- Rahardjo, S. (2009). *Lapisan-lapisan dalam studi hukum*. Bayumedia Publishing.
- Rahman, R. N. (2024). Problems of complete systematic land registration (PTSL) in the process of land registration in Indonesia. *Journal of Law, Politic and Humanities*, 4(5), 1446–1458. <https://doi.org/10.38035/jlph.v4i5.480>
- Rahmawati, N. (2022). Pendaftaran tanah berbasis desa lengkap. *Tunas Agraria*, 5(2), 127–141. <https://doi.org/10.31292/jta.v5i2.177>
- Riyadi, B. S., Wibowo, B. R., & Susanti, V. (2020). Culture of corruption politicians' behavior in parliament and state official during reform government Indonesia (Genealogical study). *International Journal of Criminology and Sociology*, 9, 52–62. <https://doi.org/10.6000/1929-4409.2020.09.06>
- Serbabagus, S. (2017). Unsur dapat merugikan keuangan negara atau perekonomian negara pada pertanggungjawaban tindak pidana korupsi. *Lex Journal: Kajian Hukum & Keadilan*, 1(1), 1–25. <https://doi.org/10.25139/lex.v1i1.239>
- Setiadi, W. (2018). Korupsi di Indonesia penyebab, hambatan, solusi dan regulasi. *Jurnal Legislasi Indonesia*, 15(3), 249–262. <https://doi.org/10.54629/jli.v15i3.234>
- Setiawan, I., & Jesaja, C. P. (2022). Analisis perilaku korupsi aparat pemerintah di Indonesia (Studi pada pengelolaan bantuan sosial di era pandemi Covid-19). *Jurnal Media Birokrasi*, 4(2), 33–50. <https://doi.org/10.33701/jmb.v4i2.2744>
- Setkab. (2018, January 1). “Kementerian ATR/BPN: Jika PTSL berhasil, sebagian Nawacita bisa dibilang berhasil”. Sekretariat Kabinet Republik Indonesia. <https://setkab.go.id/kementerian-atrbpn-jika-ptsl-berhasil-sebagian-nawacita-bisa-dibilang-berhasil/>
- Sihombing, S. O. (2018). Youth perceptions toward corruption and integrity: Indonesian context. *Kasetsart Journal of Social Sciences*, 39(2), 299–304. <https://doi.org/10.1016/j.kjss.2018.03.004>
- Sinaga, J. (2016). *Law enforcement policy in corruption crimes based on a non-penal approach in the context of legal protection for victims* (Doctoral dissertation, University of North Sumatra). USU Repository.

- Snape, F. R. (1999). Corruption, collusion and nepotism in Indonesia. *Third World Quarterly*, 20(3), 589–602. <https://doi.org/10.1080/01436599913703>
- Soemanto, R., Sudarto, & Sudarsana. (2014). Pemahaman masyarakat tentang korupsi. *Yustisia Jurnal Hukum*, 3(1), 80–88. <https://doi.org/10.20961/yustisia.v3i1.10124>
- Spyromitros, E., & Panagiotidis, M. (2022). The impact of corruption on economic growth in developing countries and a comparative analysis of corruption measurement indicators. *Cogent Economics & Finance*, 10(1), 1–30. <https://doi.org/10.1080/23322039.2022.2129368>
- Su, X., & Ni, X. (2021). Corruption in social relations: Bribe-taking, corruptibility, and corruption risks. *Public Administration*, 1(2), 481–499. <https://doi.org/10.1111/padm.12795>
- Suryadarma, D. (2012). How corruption diminishes the effectiveness of public spending on education in Indonesia. *Bulletin of Indonesian Economic Studies*, 48(1), 85–100. <https://doi.org/10.1080/00074918.2012.654485>
- Sutisna, S. (2019). “Posisi pemetaan partisipatif dalam program PTSL berbasis partisipasi Masyarakat”. Jaringan Kerja Pemetaan Partisipatif (JKPP). <https://jkpp.org/posisi-pemetaan-partisipatif-dalam-program-ptsl/>
- Suyadi, Y. (2023). *Menuntaskan Pendaftaran Tanah Sistematis Lengkap (PTSL)* (Cet. II). Sinar Grafika.
- Tanri, A., Turisno, B. E., & Prabandari, A. P. (2020). Kepastian hukum hak atas tanah melalui pendaftaran tanah sistematis lengkap. *Notarius*, 13(2), 777–787. <https://doi.org/10.14710/nts.v13i2.31166>
- Tomsa, D. (2015). Local politics and corruption in Indonesia’s outer islands. *Bijdragen Tot de Taal, Land- en Volkenkunde*, 171(2), 196–219. <https://doi.org/10.1163/22134379-17101005>
- Umar. (2017). Pendekatan social exchange perspektif George C. Homans. *Tajdid: Jurnal Pemikiran Keislaman dan Kemanusiaan*, 1(1), 97–111. <https://doi.org/10.52266/tajdid.v1i1.5>
- Utomo, W. (2008). Fraud control plan: Sebuah solusi. *Paraiatte*, 1(3), 6–7.
- Villanueva, P. A. G. (2018). Institutional change, corruption and e-government transformation in the Philippines: The Benigno Simeon Aquino III administration. *Kasetsart Journal of Social Sciences*, 39(3), 463–471. <https://doi.org/10.1016/j.kjss.2018.07.015>
- Wibowo, A. (2020). Penentuan kriteria unsur penyalahgunaan wewenang dalam perkara tindak pidana korupsi (studi putusan pengadilan). *Jurnal Yuridis*, 7(1), 120–148. <https://doi.org/10.35586/jjur.v7i1.1025>
- Wibowo, H. Y. (2021). Critical review pendaftaran tanah sistematis di Indonesia sampai tahun 2024. *Elipsoida: Jurnal Geodesi dan Geomatika*, 4(2), 65–72. <https://doi.org/10.14710/elipsoida.2021.15156>
- Wirawan, V. (2020). *Tindak pidana korupsi dalam bidang pertanahan di Indonesia (Suatu kajian kritis terhadap program pendaftaran tanah sistematis lengkap)* (Master's thesis, Muhammadiyah University of Yogyakarta).
- Wirawan, V. (2021). Tindak pidana perpajakan dalam pembuatan dan pendaftaran surat keterangan waris. *Jurnal Ilmiah Kebijakan Hukum*, 15(3), 489–508. <https://doi.org/10.30641/kebijakan.2021.V15.489-508>
- Wirawan, V., & Ngatiah, A. Z. (2023). Influence of the land mafia on economic development in Indonesia. *Changjiang Liuyu Ziyuan Yu Huanjing*, 39(2), 1545–1553.
- Wirawan, V., Yusriyadi, Silviana, A., & Widowaty, Y. (2024). Measuring the land mafia in Indonesia: New phenomenon of extraordinary crime. *Novum Jus*, 18(1), 311–353. <https://doi.org/10.14718/NovumJus.2024.18.1.11>
- Wiyata, R. W. S., Yusuf, H., Aprita, S., & Mahfuz, A. L. (2023). Problems of law enforcement against civil servants involved in corruption cases of the complete systematic land program in Palembang city. *International Journal of Politics and Sociology Research*, 11(2), 334–340. <https://doi.org/10.35335/ijopsor.v11i2.165>
- Yanto, O. (2020). *Negara hukum: Kepastian, keadilan dan kemanfaatan hukum (Dalam sistem peradilan pidana Indonesia)* (Cet. I). Pustaka Reka Cipta.
- Yustia, D. A., & Arifin, F. (2022). Bureaucratic reform as an effort to prevent corruption in Indonesia. *Cogent Social Sciences*, 9(1), 1–11. <https://doi.org/10.1080/23311886.2023.2166196>
- Zaidan, M. A. (2016). *Kebijakan kriminal*. Sinar Grafika.