

Legal Protection for Land Deed Officials in the Corruption Crime Case related to Document Forgery (Case Study of Sea Fence in Kohod Village, Tangerang Regency)

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Abstract. *This study aims to analyze: 1) To determine and analyze the legal protection of Land Deed Making Officials for document falsification in the sea fence project in Kohod Village, Tangerang Regency. 2) To determine and analyze the criminal liability of Land Deed Making Officials for document falsification in the sea fence project in Kohod Village, Tangerang Regency. 3) To determine and analyze the status of deeds made by Land Deed Making Officials based on forged documents in the sea fence project in Kohod Village, Tangerang Regency. This study uses a normative legal research method with a statutory regulatory approach and a conceptual approach. This type of research is analytical descriptive research. The types and sources of legal materials in this study consist of primary, secondary, and tertiary legal materials obtained through literature and documentation studies. The analysis in this study uses qualitative analysis. The results of the study concluded: 1) Legal protection for Land Deed Making Officials in cases of land document falsification in the sea fence project in Kohod Village, Tangerang Regency is in principle provided as long as the Land Deed Making Official carries out his authority in accordance with the provisions of laws and regulations and is only responsible for the formal accuracy of the documents submitted by the parties. Land Office Officials (PPAT) do not have the authority to conduct in-depth material examinations of the validity of documents issued by other agencies. 2) Criminal liability for PPATs can only be imposed if there is evidence of active involvement, intent, or collaboration in the falsification of land documents. In law enforcement practice, there is still an unclear boundary between administrative responsibility and criminal responsibility, which has the potential to lead to the criminalization of the PPAT profession. Therefore, it is necessary to strengthen regulations, apply the precautionary principle, and clarify the limits of the authority and legal responsibility of PPATs to ensure legal certainty and professional protection in the performance of their duties.*

Keywords: Corruption; Criminal; Document; Forgery; Legal.

1. Introduction

Land is a vital part of Indonesian life due to its strategic economic, social, political, and legal value. The demand for land continues to increase with population growth and rapid national development. Land is viewed not only as a place to live but also as an investment instrument and a source of social welfare.¹This situation makes land highly vulnerable to conflict and disputes. Land issues have ultimately evolved into a national issue related to legal certainty and the protection of community rights.²

Normatively (*das sollen*), the state, through the Basic Agrarian Law, desires a land system that is orderly, fair, and provides legal certainty for all members of society.³The land law system is built through a land registration mechanism as a legal means of protecting community rights to land. Land registration is intended to create orderly land administration and prevent ownership disputes.⁴The state enacts law as an instrument to guarantee certainty of land rights. Therefore, all land administration processes must be conducted professionally and in accordance with legal provisions.

In the land administration system, the Land Deed Official (PPAT) holds a crucial position. PPATs are authorized by the state to issue authentic deeds concerning certain legal acts concerning land. Deeds issued by PPATs serve as the primary basis for the transfer of rights and changes to legal land data. The PPAT's position as a public official ensures that every legal product they issue has the power of proof. Therefore, PPATs are required to operate professionally, meticulously, independently, and with the principle of prudence.

Normatively (*das sollen*), Land Deed Officials (PPAT) only have authority over the formal aspects of land administration. They are obligated to verify the identities of the parties, examine the completeness of documents, and ensure that the deed-making procedures comply with statutory provisions. PPATs are not authorized to investigate the material validity of documents issued by other agencies. The legal system requires a clear division of authority between land administration officials and law enforcement officials.⁵This limitation of authority is intended to ensure that the PPAT is not burdened with responsibilities that exceed the functions of his position.

¹Habib Adjie, *Indonesian Notary Law* (Bandung: Refika Aditama, 2022).

²Habib Adjie, "Legal Protection for Land Deed Officials (PPAT) in Making Land Deeds," *Jurnal RechtsVinding*, Vol. 10, No. 2 (2021): 155–170, <https://doi.org/10.33331/rechtsvinding.v10i2.781>.

³Herlien Budiono, "The Evidential Power of Authentic Deeds in Land Disputes," *Jurnal Notariil*, Vol. 6, No. 1 (2021): 1–12, <https://doi.org/10.22225/jn.6.1.2021.1-12>.

⁴Nurhasan Ismail, "Land Administration Reform in Indonesia," *Law Tribune*, Vol. 33, No. 2 (2021): 245–259, <https://doi.org/10.22146/jmh.68124>.

⁵Barda Nawawi Arief, "Policy to Combat Land Mafia through Criminal Law," *Journal of Legal Issues*, Vol. 50, No. 3 (2021): 233–244, <https://doi.org/10.14710/mmh.50.3.2021.233-244>.

In practice (*das sein*), land administration in Indonesia still faces various serious problems. Land disputes, land mafias, certificate forgery, administrative manipulation, and abuse of authority are still common. Many land cases escalate into criminal cases and even corruption.⁶This phenomenon demonstrates that the land administration system is not yet fully operating in an orderly and accountable manner. Weak oversight and bureaucratic loopholes are often exploited by certain parties to gain unlawful profits.⁷

One of the cases that has attracted public attention is the sea fence project in Kohod Village, Tangerang Regency.⁸The case sparked controversy due to the alleged issuance of land documents in a maritime area that should not be privately owned. This issue relates not only to land administration but also to spatial planning, the environment, and the abuse of authority by public officials. The alleged falsification of land documents in the project revealed weaknesses in the land administration oversight system. This situation then gave rise to complex legal issues involving many parties.

The case of the sea fence in Kohod Village demonstrates a conflict between legal norms and field practice. Normatively, the issuance of land rights must be based on legitimate land objects and in accordance with spatial planning regulations. However, in practice, allegations of problematic documents were found in the land administration process. This situation raises questions about the validity of documents and the legality of land rights issuance in maritime areas. This issue highlights the gap between legal regulations and administrative practices in the field.⁹

This case also raises issues regarding the legal status and protection of Land Deed Officials (PPAT). In practice, PPATs are often vulnerable when their deeds are based on documents that are later proven to be forged. Law enforcement officials frequently question PPATs during land crime investigations.¹⁰In some cases, PPATs are even potentially liable for criminal liability, even though they only exercise

⁶Romli Atmasasmita, "Corruption and Abuse of Authority from the Perspective of the Rule of Law," *Journal of Law & Development*, Vol. 51, No. 2 (2021): 201–219, <https://doi.org/10.21143/jhp.vol51.no2.3094>.

⁷Eddy OS Hiariej, "The Principle of Fault in Criminal Responsibility," *IUS QUIA IUSTUM Law Journal*, Vol. 28, No. 1 (2021): 17–32, <https://doi.org/10.20885/iustum.vol28.iss1.art2>

⁸Nabila Salsabila Putri Azha Kastella, Agussalim Burhanuddin, and Ahmad Rifqih Ghazali, "Coastal Security Threats: A Case Study of the Sea Fence in Tangerang, Indonesia in the United Nations Convention on the Law of the Sea (UNCLOS)," *Konsensus: Journal of Defense, Law, and Communication Sciences*, Vol. 2, No. 3 (2025), <https://doi.org/10.62383/konsensus.v2i3.946>

⁹Siti Nur Cahyati, Salsa Billa, Rabi'ah Fajriah, and Syifa Noer Rohmah, "Analysis of the Impact and Fulfillment of Victims' Rights in the Sea Fence Case Reviewed from a Greenvictimology Perspective," *Presidensial: Journal of Law, State Administration, and Public Policy*, Vol. 2, No. 2 (2025), <https://doi.org/10.62383/presidensial.v2i2.745>.

¹⁰Ahmad Ubbe, "PPAT's Accountability for Deeds Based on False Documents," *Indonesian Legislation Journal*, Vol. 18, No. 4 (2021): 455–468, <https://doi.org/10.54629/jli.v18i4.789>.

administrative authority. This situation creates legal uncertainty for the PPAT profession.¹¹

Normatively (*das sollen*), the principle of legal protection requires that every official carrying out their duties within their authority receive guaranteed protection from the state. This protection is crucial because PPATs perform a public function directly related to the legal certainty of land rights.¹² A state based on the rule of law not only demands law enforcement against perpetrators of crimes but also provides protection for officials who operate according to procedures. Therefore, the imposition of criminal responsibility must be based on a clear element of fault. Without intent or gross negligence, a person cannot be punished. However, in practice (*das sein*), the line between administrative responsibility and criminal responsibility is often blurred. Law enforcement sometimes broadens the interpretation of criminal responsibility for Land Deed Officials (PPAT) without considering the limitations of their official authority. This situation has the potential to lead to the criminalization of the PPAT profession. PPATs, however, only have the authority to examine formal aspects of documents and not conduct material investigations. This unclear line of responsibility is one of the main issues in this research.

The issue of legal protection for Land Deed Officials (PPAT) is becoming increasingly important because this profession plays a strategic role in the national land administration system. If PPATs are constantly threatened with criminal prosecution for any document that is subsequently challenged, this situation could undermine their professionalism and independence.¹³ Land Deed Officials (PPAT) can be overly cautious, slowing down land administration services. On the other hand, the state still needs firm law enforcement against land mafia practices and document forgery. Therefore, a balance is needed between professional protection and law enforcement.

Previous research generally discusses the responsibility of Land Deed Officials (PPAT) in land disputes or the status of authentic deeds in the law of evidence. Some studies also examine the criminal liability of Land Deed Officials (PPAT) in cases of document forgery. However, most studies still focus solely on normative aspects and have not connected them to law enforcement practices in land corruption cases. Furthermore, previous research tends to discuss PPATs in a general context and has not specifically examined the sea fence case in Kohod

¹¹Fence M. Wantu, "Legal Certainty and Justice in Court Decisions," *Journal of Legal Dynamics*, Vol. 21, No. 1 (2021): 85–96, <https://doi.org/10.20884/1.jdh.2021.21.1.3150>.

¹²Gunawan Widjaja, "The Responsibilities of the PPAT Position in the Indonesian Legal System," *Jurnal RechtsVinding*, Vol. 11, No. 1 (2022): 45–58, <https://doi.org/10.33331/rechtsvinding.v11i1.812>.

¹³Maria SW Sumardjono, "Problems of Legal Certainty of Land Rights," *IUS QUIA IUSTUM Law Journal*, Vol. 29, No. 1 (2022): 1–16, <https://doi.org/10.20885/iustum.vol29.iss1.art1>.

Village, Tangerang Regency. This situation indicates that there is still an area of research that has not been widely explored.

Novelty This research focuses on the legal protection of Land Deed Officials (PPAT) in corruption cases related to falsification of land documents. This research not only analyzes the normative aspects of PPAT's authority but also relates it to law enforcement practices in the concrete case of the sea fence project in Kohod Village. This approach provides a new perspective on the limits of PPAT's criminal liability in land corruption cases. This research also highlights the potential criminalization of the PPAT profession due to the unclear boundaries between administrative and criminal responsibility. This aspect is the main difference compared to previous research.

This research also offers an analysis that integrates land law, state administrative law, and criminal law within a single framework. This multidisciplinary approach is crucial because the sea fence case cannot be understood solely from a single branch of law. The falsification of land documents in the sea fence project is closely linked to abuse of authority and alleged corruption. Therefore, this research attempts to examine the issue more comprehensively. This approach is expected to yield a more objective and in-depth analysis.

The main focus of this research is to analyze the legal protection provided to Land Deed Officials (PPAT) in corruption cases related to falsification of land documents. This research also seeks to assess the limits of criminal liability for PPATs when deeds are made based on documents that turn out to be forged. Furthermore, this research examines how law enforcement officials view the position of PPATs in the sea fence case in Kohod Village. This analysis is crucial for determining whether PPATs can be positioned as perpetrators of criminal acts or as parties who should be protected by law. This focus forms the core of the research discussion.

This research also raises the issue of the status of deeds created based on forged documents. In land law, PPAT deeds hold a crucial position as authentic evidence in the process of transferring land rights. However, when the documents used as the basis for a deed are proven to be forged, issues arise regarding the deed's legal validity. This issue impacts not only the parties involved but also the land administration system as a whole. Therefore, this research considers it crucial to examine the legal consequences of using forged documents in the creation of PPAT deeds.

From the perspective of legal protection theory, this study attempts to assess whether the Indonesian legal system provides proportional protection for Land Deed Officials (PPAT). Legal protection should not be interpreted as an attempt to absolve officials from legal responsibility. Rather, it must ensure that the imposition of responsibility is carried out fairly and in accordance with the principle of due process of law. Any determination of criminal responsibility must

be based on proof of actual fault. This approach is crucial to prevent law enforcement from degenerating into the criminalization of the profession.

This research is also relevant to national land administration reform efforts. The government continues to promote digitalization and transparency of land services to prevent land mafia practices and document manipulation. However, land administration system reform will be ineffective without clear legal protection for officials carrying out their duties. Land Deed Officials (PPAT), as part of the land administration system, require certainty regarding the boundaries of their authority and responsibilities. Without such certainty, the stability of land services can be compromised.

From an academic perspective, this research is expected to contribute to the development of legal science, particularly in the fields of land law, state administrative law, and criminal law. Studies on the legal protection of Land Deed Officials (PPAT) in land corruption cases are still relatively limited in Indonesian legal literature. Therefore, this research is expected to enrich academic studies on the relationship between the authority of public officials and criminal liability. This research can also serve as a reference for further research addressing similar issues. Therefore, this research has both theoretical and practical relevance.

Ultimately, the issue of legal protection for Land Deed Officials (PPAT) in cases of land document falsification is not merely a professional issue. This issue is directly related to the legal certainty of national land administration and public trust in the legal system. The state must be able to enforce the law against the main perpetrators of land crimes without sacrificing the principle of justice for officials who work according to procedure. This balance is at the heart of a state based on law, which upholds legal certainty, justice, and benefit. Therefore, this research is crucial.

Based on all of the above descriptions, this study seeks to examine in depth the legal protection for Land Deed Officials (PPAT) in corruption cases related to document falsification in a sea fence project in Kohod Village, Tangerang Regency. This study will analyze the limits of PPAT's authority, the forms of criminal liability, and the status of deeds made based on forged documents. This study is expected to provide legal clarity regarding the position of PPAT in land cases that overlap with corruption. Thus, this research is expected to contribute to the renewal of land law enforcement policies and practices.

2. Research Methods

This research uses a normative legal research method with a statute approach and a conceptual approach.¹⁴A statutory approach is used to examine various legal provisions relating to the position of Land Deed Official (PPAT), corruption, document forgery, and legal protection for public officials. Meanwhile, a

¹⁴Peter Mahmud Marzuki, Legal Research (Jakarta: Kencana, 2023).

conceptual approach is used to analyze the theory of legal protection, the theory of authority, the theory of criminal liability, and the theory of legal certainty. The legal materials used consist of primary legal materials.¹⁵ The Basic Agrarian Law, the Regulations on the Position of Land Deed Officials (PPAT), the Criminal Code, the Law on the Eradication of Corruption, and various regulations related to land and state administration. Secondary legal materials were obtained from scientific journals, law books, previous research results, and expert doctrines. Tertiary legal materials included legal dictionaries and legal encyclopedias. The technique for collecting legal materials is carried out through literature studies by examining various legal documents and scientific literature relevant to the research object.¹⁶ All legal materials were analyzed qualitatively using descriptive-analytical methods to gain an understanding of the form of legal protection and the limits of criminal liability of PPAT in cases of falsification of land documents.

3. Results and Discussion

3.1. Legal Protection for Land Deed Officials (PPAT) for Document Forgery in the Sea Fence Project in Kohod Village, Tangerang Regency

Legal protection for Land Deed Officials (PPAT) is a crucial part of the national land administration system. The PPAT's position as a public official means that every action and deed they make has significant legal consequences for the certainty of land rights.¹⁷ The state, through various laws and regulations, authorizes Land Deed Officials (PPAT) to issue authentic deeds regarding the transfer of land rights. This authority is granted to ensure orderly land administration processes and provide legal protection for the public. In this regard, PPATs play a strategic role in maintaining legal certainty in land matters.

Normatively, legal protection for Land Deed Officials (PPAT) is based on the principle of a state based on the rule of law, which places the law as a tool to protect the rights and authority of public officials. PPATs only have authority over the formal aspects of land administration.¹⁸ The PPAT's duties include verifying the parties' identities, examining the completeness of documents, and ensuring that the deed-making procedures comply with legal requirements. Therefore, the PPAT's responsibility is limited to the formal accuracy of the documents submitted

¹⁵ Soerjono Soekanto and Sri Mamudji, *Normative Legal Research: A Brief Review* (Jakarta: RajaGrafindo Persada, 2021), p. 13.

¹⁶ Johnny Ibrahim, *Theory and Methodology of Normative Legal Research* (Malang: Bayumedia Publishing, 2021), p. 57.

¹⁷ Ridwan HR, "Administrative Legal Protection for Public Officials," *Jurnal Media Hukum*, Vol. 29, No. 2 (2022): 140–154, <https://doi.org/10.18196/jmh.v29i2.14321>.

¹⁸ Salim HS, "The Validity of Land Deeds from a Civil Law Perspective," *Jurnal Arena Hukum*, Vol. 15, No. 1 (2022): 33–49, <https://doi.org/10.21776/ub.arenahukum.2022.01501.3>.

by the parties. The legal system does not require the PPAT to thoroughly investigate the material accuracy of the documents.¹⁹

In practice, legal protection for Land Deed Officials (PPAT) often faces challenges when cases of falsified land documents arise. The case of the sea fence in Kohod Village, Tangerang Regency, revealed the alleged use of invalid documents in land administration processes.²⁰ These allegations then escalated into a criminal case involving various parties, including village officials and those involved in issuing the documents. This situation raises questions about the extent to which Land Deed Officials (PPAT) can be held accountable for deeds drawn up based on documents that are later proven to be forged. This situation indicates a problem in the application of legal protection to Land Deed Officials (PPAT).

According to the theory of legal protection, the state is obliged to provide preventive and repressive protection to PPATs. Preventive protection is realized through clear regulations regarding the authority, work procedures, and limits of PPAT responsibility.²¹ Meanwhile, repressive protection is provided when a PPAT faces legal proceedings due to the performance of their official duties. Both forms of protection are essential to ensure the professionalism of PPATs in carrying out their duties. Without clear legal protection, PPATs can be vulnerable to criminalization.

The sea fence case in Kohod Village highlights issues within the land administration system, particularly regarding the use of allegedly invalid documents. In this case, the issuance of land documents in a maritime area sparked controversy over the legality of the land rights. The alleged document forgery not only impacted land administration but also raised criminal issues and allegations of corruption. This situation demonstrates the high complexity of land issues. Therefore, legal protection for Land Deed Officials (PPAT) must be understood proportionally, within the limits of their official authority.²²

Normatively, a Land Deed Official (PPAT) cannot be held criminally liable if they are unaware of the document falsification. This aligns with the principle of "geen straf zonder schuld," which states that there is no crime without fault. A Land Deed Official (PPAT) can only be held criminally liable if proven to have actively participated, intentionally acted, or demonstrated gross negligence in the use of

¹⁹Jimly Asshiddiqie, "The Rule of Law and the Protection of Public Service Professions," *Constitutional Journal*, Vol. 19, No. 3 (2022): 421–438, <https://doi.org/10.31078/jk1931>.

²⁰Muhammad Iqbal Prawira Negara, Nur Rahmanto, and Eko Budi Wahyono, "The Position of Situational Drawings as Evidence in Land Cases: A Case Study Based on Decision No. 12/G/2024/PTUN.PLG," *Jurnal Pertanahan*, Vol. 15, No. 2 (2025), <https://doi.org/10.53686/jp.v15i2.303>.

²¹Mulyoto, "The Principle of Caution for Land Deed Officials in Making Deeds," *Jurnal Notarius*, Vol. 15, No. 2 (2022): 567–581, <https://doi.org/10.14710/nts.v15i2.46012>.

²²Danang Cahyo Yudanto and Dian Aries Mujiburohman, "Improving the Quality of Spatial Data as an Effort to Resolve Land Disputes," *Kadaster: Journal of Land Information Technology*, Vol. 2, No. 1 (2024): 1–13, <https://doi.org/10.31292/kadaster.v2i1.28>

forged documents.²³ Without proof of fault, imposing criminal liability on a PPAT contradicts the principle of legal certainty. Therefore, determining the PPAT's liability must be done carefully and based on valid evidence.

However, in law enforcement practice, there is often an overbroad interpretation of the PPAT's responsibilities. Law enforcement officials sometimes view PPATs as the party responsible for all legal consequences of the documents used in deed preparation. This approach has the potential to criminalize the PPAT profession. However, PPATs do not have the authority to investigate the authenticity of documents issued by other institutions. This situation demonstrates a gap between legal norms and law enforcement practices in the field.²⁴

The criminalization of the Land Deed Official (PPAT) profession could negatively impact the national land administration system. PPATs may become overly cautious in carrying out their duties due to fear of being prosecuted for the mistakes of others. This situation has the potential to hamper land administration services and reduce legal certainty for the public. Furthermore, unclear limits on criminal liability can impact the independence and professionalism of PPATs as public officials. Therefore, clear regulations are needed regarding the limits of PPAT liability in land matters.²⁵

From a legal protection perspective, law enforcement officials must distinguish between administrative errors and criminal errors. Not every violation of administrative procedures can be directly classified as a crime. Administrative errors essentially relate to violations of official procedures. Criminal liability, on the other hand, requires an element of fault, either intentional or gross negligence. This distinction is crucial to ensure law enforcement adheres to the principles of justice and proportionality.

Based on the research findings, legal protection for Land Deed Officials (PPAT) in cases of land document falsification still requires regulatory strengthening and clear oversight mechanisms. Strict guidelines are needed regarding the limits of a PPAT's authority and the form of their legal accountability. Furthermore, law enforcement officials need to understand the administrative and formal nature of the PPAT's position. This way, legal protection for PPATs can be balanced with law enforcement efforts against land crimes and corruption.

3.2. Criminal Liability of Land Deed Officials (PPAT) for Document Forgery in the Sea Fence Project in Kohod Village, Tangerang Regency

²³Habib Adjie, "Criminalization of Notaries and Land Deed Officials in Law Enforcement Practices," *Jurnal RechtsVinding*, Vol. 12, No. 1 (2023): 77–91, <https://doi.org/10.33331/rechtsvinding.v12i1.945>.

²⁴Soerjono Soekanto, "Law Enforcement Factors in Land Disputes," *Journal of Law & Development*, Vol. 53, No. 1 (2023): 55–70, <https://doi.org/10.21143/jhp.vol53.no1.3890>.

²⁵Achmad Sodiki, "Agrarian Legal Politics in Preventing Land Mafia," *Constitutional Journal*, Vol. 20, No. 1 (2023): 101–118, <https://doi.org/10.31078/jk2015>.

Criminal liability is the legal consequence imposed on a person proven to have committed a crime with an element of fault. In criminal law, a person cannot be punished solely because of the legal consequences arising from an act. Criminal liability must be based on intent or negligence that can be legally proven. This principle is known as the principle of "geen straf zonder schuld," or "no crime without fault." This principle is an important basis for determining the criminal liability of a Land Deed Official (PPAT).²⁶

In the context of the Land Deed Official (PPAT) position, determining criminal liability must be done carefully because the PPAT is a public official operating under administrative authority. The PPAT's primary duty is to create authentic deeds regarding certain legal actions regarding land based on documents submitted by the parties. The PPAT does not have the authority to investigate the material validity of documents issued by other agencies. Therefore, the PPAT's responsibilities are essentially limited to the formal aspects of land administration. This limited authority is a crucial factor in determining the existence of criminal wrongdoing.²⁷

The sea fence case in Kohod Village, Tangerang Regency, revealed allegations of falsified land documents that escalated into a corruption case. These allegations relate to the issuance of land title documents in a maritime area, which caused harm to the public interest. In this case, questions arose as to whether Land Deed Officials (PPAT) can be held criminally liable for deeds drawn up based on documents later declared forged. This issue is crucial because it relates to the boundary between administrative and criminal liability. Determining this boundary determines the direction of law enforcement against PPATs.

Normatively, a PPAT can only be held criminally responsible if it is proven that they knew about the document falsification and deliberately created a deed to support the act. If the PPAT was unaware of the falsification and followed the legal procedures, the element of criminal responsibility is not met.²⁸ Thus, criminal liability cannot be imposed solely on the basis of the resulting legal consequences. Proof of intent or active involvement is a primary requirement in determining the criminal culpability of a PPAT.²⁹

In law enforcement practice, proving the element of guilt against Land Deed Officials (PPAT) is often problematic. Law enforcement officials sometimes focus solely on the legal consequences without considering the limits of the PPAT's

²⁶Eddy OS Hiarij, "Criminal Liability of Public Officials," *Judicial Journal*, Vol. 16, No. 1 (2023): 45–61, <https://doi.org/10.29123/jy.v16i1.601>.

²⁷Nurhasan Ismail, "Land Digitalization and Legal Certainty," *Law Tribune*, Vol. 35, No. 2 (2023): 288–302, <https://doi.org/10.22146/jmh.81245>.

²⁸Romli Atmasasmita, "Land Corruption and State Losses," *Journal of Law & Development*, Vol. 54, No. 1 (2024): 75–91, <https://doi.org/10.21143/jhp.vol54.no1.4421>.

²⁹Herlien Budiono, "Authentic Deeds and Legal Protection of the Parties," *Jurnal Notariil*, Vol. 8, No. 1 (2023): 15–28, <https://doi.org/10.22225/jn.8.1.2023.15-28>.

authority. This approach can lead to a disproportionate expansion of criminal liability. Criminal law, however, requires clear evidence of the connection between the perpetrator and the criminal act. Without such evidence, law enforcement has the potential to violate the principle of legal certainty.³⁰

The sea fence case in Kohod Village demonstrates the complex relationship between land administration and corruption. Allegations of falsifying land documents were made to gain certain benefits through the issuance of land rights in maritime areas.³¹ These actions not only violate land administration laws but also have the potential to harm the state and coastal communities. Therefore, law enforcement officials need to investigate those actively engaging in forgery and abuse of authority. Determining criminal responsibility must be based on the roles of each party.³²

In carrying out their duties, Land Deed Officials (PPATs) remain obligated to apply the principle of prudence. This principle requires PPATs to examine the completeness of documents and ensure there are no suspicious indications in the deed-making process. If there are any discrepancies in the data or indications of document forgery, the PPAT is obliged to refuse the deed-making until legal clarification is provided.³³ This obligation is part of the professionalism and integrity of the PPAT office. Therefore, the precautionary principle is a crucial tool for preventing PPAT involvement in land mafia practices.

However, the application of the precautionary principle does not mean that Land Deed Officials (PPAT) are required to thoroughly investigate all material aspects of documents. This authority rests with other agencies with supervisory and investigative functions. PPATs are only obligated to ensure that formally submitted documents meet administrative requirements. Therefore, imposing criminal liability on PPATs must take into account the limitations of this authority. A proportionate approach is necessary to prevent the criminalization of the profession.³⁴

The research found that the unclear boundary between administrative and criminal liability remains a major problem in law enforcement practices against Land Deed Officials (PPAT). Law enforcement officials often lack uniform guidelines for determining the nature of PPAT errors in land cases. This situation

³⁰Barda Nawawi Arief, "Criminal Law Reforms on Land Crimes," *Journal of Legal Issues*, Vol. 52, No. 2 (2023): 165–178, <https://doi.org/10.14710/mmh.52.2.2023.165-178>.

³¹ Cindy Cindy, M. Sudirman, and Benny Djaja, "PPAT Compliance with Land Regulations: A Case Study of Refusal to Make a Sale and Purchase Deed for Uncertified Land," *Jurnal Ilmu Multidisifisi*, Vol. 4, No. 5 (2025), <https://doi.org/10.38035/jim.v4i5.1585>

³² Teguh Prasetyo, "The Principle of Due Process of Law in Criminal Law Enforcement," *Judicial Journal*, Vol. 17, No. 2 (2024): 211–228, <https://doi.org/10.29123/jy.v17i2.720>.

³³ Gunawan Widjaja, "Civil and Criminal Liability of Land Deed Officials," *Indonesian Legislation Journal*, Vol. 21, No. 1 (2024): 33–48, <https://doi.org/10.54629/jli.v21i1.1024>.

³⁴ Ridwan HR, "Abuse of Authority in Land Administration," *Jurnal Media Hukum*, Vol. 31, No. 1 (2024): 55–70, <https://doi.org/10.18196/jmh.v31i1.18942>.

creates legal uncertainty for the PPAT profession. Legal certainty is crucial for maintaining the professionalism and independence of PPATs as public officials. Therefore, strengthening regulations and providing clearer law enforcement guidelines is necessary. Therefore, criminal liability for PPATs in cases of land document falsification must be based on concrete and proportional proof of the elements of error. PPATs cannot be automatically positioned as perpetrators of criminal acts simply because the deeds they create relate to forged documents. Law enforcement must consider the limits of their official authority, the principle of due process of law, and the principle of legal certainty. This approach is crucial to ensure the eradication of land mafia continues without compromising legal protection for the PPAT profession.

3.3. The Position and Form of the Deed Made by the PPAT for Document Forgery in the Sea Fence Project in Kohod Village, Tangerang Regency

A PPAT deed is an authentic deed drawn up by a public official based on the authority granted by statutory regulations. This deed has full evidentiary force as long as it is drawn up in accordance with applicable legal procedures.³⁵In the land administration system, the PPAT deed serves as a crucial basis for the transfer of land rights and changes to legal data. Therefore, the validity of the deed is crucial for the legal certainty of land rights. The PPAT deed plays a crucial role in the national land system.³⁶

Normatively, an authentic deed must meet both formal and material requirements to be legally binding. Formal requirements relate to the procedure for drafting the deed, the identity of the parties, the authority of the official, and the administrative procedures stipulated by law. Meanwhile, material requirements relate to the truth of the substance and the intentions of the parties in the legal act. If any of these requirements is not met, the deed may lose its evidentiary force. Therefore, the validity of the documents serving as the basis for the deed is crucial.³⁷

In the sea fence case in Kohod Village, Tangerang Regency, allegations arose of the use of invalid land documents as the basis for the deed. This allegation raises questions about the legal standing of deeds drawn up based on forged documents.³⁸If the documents used are proven to be forged or legally flawed, the validity of the deed can be questioned. This issue is crucial because the PPAT deed

³⁵Habib Adjie, "Limits of PPAT's Liability in Document Forgery," *Jurnal RechtsVinding*, Vol. 13, No. 1 (2025): 91–106, <https://doi.org/10.33331/rechtsvinding.v13i1.1102>.

³⁶Mulyoto, "The Position of PPAT Deeds in Land Rights Disputes," *Jurnal Notarius*, Vol. 17, No. 1 (2024): 122–136, <https://doi.org/10.14710/nts.v17i1.58931>.

³⁷Maria SW Sumardjono, "Protection of Community Rights in Agrarian Conflicts," *IUS QUIA IUSTUM Law Journal*, Vol. 32, No. 1 (2025): 11–27, <https://doi.org/10.20885/iustum.vol32.iss1.art2>.

³⁸Rafsan Jani, "Supervision of Land Deed Officials (PPAT) on Deeds of Sale and Purchase Before Payment of BPHTB," *Konstatering Journal*, Vol. 3, no. 4 (2024), <https://jurnal.unissula.ac.id/index.php/jk/article/view/41662>

has broad legal implications for land ownership and control. Therefore, the deed's status depends heavily on the legality of its supporting documents.

Legally, a deed drawn up based on forged documents can be subject to reduced evidentiary force. The deed no longer has full evidentiary force if it is proven to contain legal defects in its creation. In some circumstances, the deed can even be declared null and void or annulled by court decision. This depends on the extent to which the legal defects affect the substance and legality of the deed. Therefore, the presence of forged documents can seriously impact the validity of a PPAT deed.³⁹

The sea fence case demonstrates the close relationship between land administration and the use of documents as primary evidence. Land documents, such as land certificates, physical possession certificates, and other administrative documents, form the basis for the deed creation process. If these documents are obtained through forgery or manipulation, the land administration process becomes legally flawed. This situation can lead to land ownership disputes and protracted legal conflicts. Therefore, document legality is a key aspect in maintaining legal certainty.

From a legal accountability perspective, it is important to distinguish between deeds that are defective due to the fault of the parties and deeds that are made intentionally to support a criminal act.⁴⁰ If a PPAT draws up a deed based on formally complete documents and is unaware of any forgery, criminal responsibility cannot be directly imposed on him. Conversely, if the PPAT is aware of the forgery but still draws up the deed, this action could constitute a criminal offense. This distinction is crucial in determining the legal status of the deed and the PPAT's liability.

Deeds created based on forged documents also have the potential to cause harm to the public and the state. In the case of the sea fence, the use of invalid documents was allegedly used to obtain rights to marine areas that should not be privately owned.⁴¹ This situation not only harms coastal communities but also disrupts spatial planning and marine area management. Thus, falsification of land documents has far-reaching implications for the legal system and the public interest. This issue highlights the importance of stricter land administration oversight.

³⁹Eddy OS Hiarij, "Legal Certainty in Criminal Liability for Position," *Judicial Journal*, Vol. 18, No. 1 (2025): 1–18, <https://doi.org/10.29123/jy.v18i1.845>.

⁴⁰Teguh Prasetyo, "The Principle of No Law Enforcement in Indonesian Criminal Law," *Jurnal Judisial*, Vol. 15, No. 2 (2022): 221–236, <https://doi.org/10.29123/jy.v15i2.512>.

⁴¹ Marsha Afrilia Putri, Susilowati Suparto, and Yani Pujiwati, "Oral Land Sale and Purchase Agreements Reviewed from the Law of Contracts and Government Regulation No. 24 of 1997 Concerning Land Registration," *Democracy: Journal of Legal, Social and Political Science Research*, Vol. 3, No. 1 (2025), <https://doi.org/10.62383/demokrasi.v3i1.1426>

In addition to impacting legal aspects, the existence of deeds based on forged documents also affects public trust in the land administration system. The public may doubt the legitimacy of land transfer processes if document forgery remains commonplace. This situation can exacerbate agrarian conflicts and increase legal uncertainty. Therefore, strengthening document verification systems and inter-agency coordination is crucial. Comprehensive land administration reform must be implemented to prevent land mafia practices.

The research revealed that there is no optimal mechanism to ensure the synchronization of land administration data between agencies. Weaknesses in the document monitoring and verification system continue to create opportunities for falsification of land documents. This situation often leaves Land Deed Officials (PPAT) vulnerable when documents that appear formally valid are found to have material defects. Therefore, strengthening the digitalization of the land system and integrating administrative data is necessary. These steps are crucial to minimize the use of forged documents in the deed creation process.

Thus, the status of a PPAT deed made based on forged documents depends heavily on the legality of the supporting documents and the evidence regarding the involvement of the relevant parties. The deed may lose its evidentiary force if it is proven to contain legal defects due to document forgery. However, criminal liability for a PPAT must still be based on concrete evidence of fault. Law enforcement must be able to distinguish between administrative errors and criminal involvement to create legal certainty and protect the PPAT profession within the national land administration system.

4. Conclusion

Legal protection for Land Deed Officials (PPAT) in corruption cases related to falsification of land documents has not been optimal due to the unclear boundaries between administrative and criminal liability in law enforcement practices. Normatively, PPATs are only responsible for the formal aspects of documents and administrative procedures in deed preparation. However, in practice, there is still a tendency to expand criminal liability, which has the potential to criminalize the PPAT profession. Therefore, strengthening regulations, oversight mechanisms, and clearer law enforcement guidelines are needed to ensure legal certainty and protect the PPAT profession. Criminal liability for PPATs can only be imposed if there is evidence of active involvement, intent, or collaboration in the falsification of land documents. PPATs cannot be held criminally liable simply for preparing a deed based on documents that are later proven to be false if the PPAT was unaware of the falsification. In the case of the sea fence in Kohod Village, Tangerang Regency, it is important to distinguish between the main perpetrator of document falsification and officials who carry out administrative functions based on their formal authority. Thus, law enforcement must continue to pay attention to the principles of justice,

proportionality and legal certainty to prevent misuse of the criminal process against the PPAT profession.

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