

Preventing Absentee Land Ownership in Karanganyar Regency

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Abstract. *Absentee ownership of agricultural land remains a practical challenge because ownership by persons living outside the relevant sub-district may weaken direct cultivation, complicate supervision, and reduce the effectiveness of agrarian reform. This study examines the measures used to prevent absentee land ownership and the obstacles encountered in Karanganyar Regency, with field research focused on Colomadu District. The research uses an empirical legal method with a qualitative, socio-juridical approach. Primary data were obtained from interviews with officials of the Karanganyar Land Office, Colomadu District officials, absentee landowners, and persons involved in agricultural land management, while secondary data were drawn from agrarian legislation and relevant legal literature. The findings show that the Karanganyar Land Office applies strict verification of land-right transfers, public education, self-service land administration, field inspections, inter-agency coordination, and domicile validation through PPAT and land-registration procedures. Major obstacles include weak public awareness, manipulation of domicile information, economic pressure on local farmers, fragmented population and land data, and uneven enforcement. Effective prevention therefore requires integrated digital data, stronger village-level monitoring, consistent PPAT screening, broader legal education, and regulatory adjustment to current mobility and land-market conditions.*

Keywords: *Absentee; Administration; Agrarian; Ownership; Prevention.*

1. Introduction

Indonesia's agrarian system places agricultural land within a broader constitutional and social framework rather than treating ownership as an unlimited private entitlement. The Basic Agrarian Law was designed to ensure that control and use of land contributes to public prosperity, social justice, and productive land management. Within that framework, the prohibition of absentee agricultural land ownership is closely connected with land reform and the principle that agricultural land should, in general, be actively cultivated by the person who holds the right. The thesis identifies this rule as a response to the risk of

landlordism, concentration of agricultural land, and the decline of productivity when owners live far from the land and leave its management entirely to others. This policy objective remains relevant in areas where peri-urban investment places pressure on agricultural land and where the economic capacity of outside buyers is stronger than that of local farmers.¹

The legal concept of absentee ownership refers to agricultural land owned by a person whose residence is outside the sub-district in which the land is located, subject to the qualifications and exceptions recognized by the applicable regulations. Government Regulation Number 224 of 1961 provides a principal implementation rule by requiring owners of agricultural land who reside outside the relevant sub-district to transfer the land within the prescribed period, while Government Regulation Number 41 of 1964 amended and supplemented that framework. The policy follows the idea of land to the tiller, meaning that agricultural land should be connected to active cultivation rather than remote control for speculative or passive purposes. The thesis also notes special arrangements for certain retired civil servants, which demonstrate that the prohibition is not a single absolute formula but a regulatory structure with specific exceptions. The central legal question is therefore not merely whether the owner lives elsewhere, but whether the ownership and use of the land complies with the agrarian rules governing residence, cultivation, transfer, and permitted exceptions.²

The practical problem is visible in Karanganyar Regency, where agricultural land remains economically significant but is increasingly affected by urban expansion, investment, inheritance, and changing patterns of mobility. The thesis reports that Colomadu District was selected as the principal research location because it lies near major urban activity and has experienced purchases of agricultural land by people with greater capital who continue to live in urban areas. This situation creates a gap between the normative design of absentee restrictions and the realities of a modern land market in which roads, digital communication, and commuting make physical distance less burdensome than it was when the original regulations were enacted. At the same time, easier access does not eliminate the policy concerns behind the prohibition, including unequal land control, passive ownership, reduced bargaining power of local farmers, and the possibility that agricultural land becomes a speculative asset rather than a productive resource.

¹Law No. 5 of 1960 concerning the Basic Agrarian Principles, especially Articles 7, 10, and 17; Effendi Perangin, *Agrarian Law in Indonesia: A Study from the Perspective of Legal Practitioners* (Jakarta: CV Rajawali, 2006), p. 122.

²Government Regulation no. 224 of 1961 concerning the Implementation of Land Distribution and Compensation; Government Regulation no. 41 of 1964 amending and supplementing Government Regulation no. 224 of 1961; Government Regulation no. 4 of 1977 concerning Absentee Agricultural Land Ownership for Retired Civil Servants.

These competing considerations make Karanganyar a useful setting for evaluating whether preventive administration still functions effectively.³

The research focuses on two connected problems. The first concerns how the Karanganyar Regency government and Land Office prevent new absentee ownership and control existing indications of absentee land. The second concerns the obstacles faced in implementing those preventive measures and the solutions that can make supervision more effective. The thesis shows that the problem cannot be solved only after an absentee title has already been registered. Prevention depends on screening at the point of transfer, reliable population and land data, the willingness of PPAT to reject transactions that do not satisfy domicile requirements, village-level information, and public understanding of the rule. According to him, effective enforcement requires a combination of preventive and repressive supervision rather than reliance on a single institution or sanction.⁴

The research also uses the theory of legal utility and the theory of supervision to evaluate the findings. Legal utility is relevant because the prohibition is intended to produce concrete social benefits, particularly productive cultivation, wider access to agricultural land, and protection against excessive concentration of land ownership. Supervision theory is relevant because the legal rule will have little effect if institutions cannot detect violations before or after land transfers occur. Preventive supervision operates through verification, domicile screening, land-registration checks, legal counseling, and the refusal of transactions that do not satisfy the requirements. Repressive supervision operates after a violation has been identified through administrative correction, mandatory transfer, land control measures, and other actions permitted by agrarian regulations. Combining these theories allows the study to assess both the social purpose of the rule and the administrative mechanisms used to achieve it.⁵

Against this background, the study aims to analyze the prevention of absentee agricultural land ownership in Karanganyar Regency and to identify the principal obstacles and solutions arising from its implementation. The article retains the empirical findings of the thesis while presenting them in a concise journal structure. The analysis emphasizes administrative prevention, the role of PPAT and the Land Office, inter-agency coordination, public participation, and the need to align long-standing agrarian rules with current social and technological conditions. The research does not treat modernization as a reason to ignore the

³Sinta, Prevention of Absentee Land Ownership in Karanganyar Regency, Master of Notarial Law Thesis, Faculty of Law, Sultan Agung Islamic University, 2026.

⁴Interview with the Head of the Karanganyar Regency Land Office, 4 May 2026; interview with an official of Colomadu District, Karanganyar Regency, 6 May 2026.

⁵Friedman, Legal Theory and Philosophy: Philosophical Idealism and the Problem of Justice, translated by Muhamad Arifin (Jakarta: Rajawali, 1990), p. 111; Yulianta Saputra, Supervisory Functions of the Scope of State Administrative Law (Bandung: Media Sains Indonesia, 2021), pp. 147-161.

prohibitions. Instead, it asks how the original objectives of agrarian justice, active cultivation, and equitable land control can be pursued through more accurate and responsive forms of supervision.

2. Research Methods

This research is empirical legal research using a qualitative socio-juridical approach and a descriptive-analytical design. Field research was conducted in Karanganyar Regency, particularly Colomadu District, because the area combines agricultural land with strong pressure from urban investment and cross-regional ownership. Primary data were obtained through interviews and field information from officials of the Karanganyar Regency Land Office, officials of Colomadu District, absentee landowners, and persons associated with agricultural land management. Secondary data consists of legislation, official documents, books, journal articles, and other materials concerning absentee land, land reform, land registration, and land-right transfers. Data collection used interviews and literature study, while the analysis was conducted qualitatively and comparatively to identify the effectiveness of existing rules, practical barriers, and possible policy improvements.⁶ The legal materials used to evaluate the field findings include Articles 7, 10, and 17 of Law Number 5 of 1960, Government Regulation Number 224 of 1961, Government Regulation Number 41 of 1964, and related agrarian rules. The field interviews are treated as the primary source for understanding how the preventive system actually operates in Karanganyar, while legislation and legal literature are used to assess whether those practices reflect the normative objectives of agrarian law. The analysis also separates preventive control from repressive enforcement so that institutional practices such as domicile verification, PPAT screening, land-registration validation, GTRA coordination, field inspection, and mandatory transfer can be examined according to their different functions. This structure allows the article to preserve the empirical orientation of the thesis rather than replacing local findings with purely doctrinal analysis.

3. Results and Discussion

3.1. Prevention of Absentee Agricultural Land Ownership in Karanganyar Regency

The primary preventive mechanism identified by the research is administrative screening at the moment a land right is transferred or registered. The Karanganyar Land Office verifies the domicile of prospective holders and checks whether the person resides in the sub-district where the agricultural land is located or in an area permitted under the applicable rule. This process is significant because prevention is more effective before a transfer is completed than after ownership has become completely registered and socially entrenched. The role of PPAT is

⁶Soerjono Soekanto, *Introduction to Legal Research* (Jakarta: UI Press, 1999), p. 67; Mukti Fajar and Yulianto Achmad, *Dualism of Normative and Empirical Legal Research* (Yogyakarta: Pustaka Pelajar, 2010); Lexy J. Moleong, *Qualitative Research Methods* (Bandung: Tarsito, 2017), p. 179.

central at this stage because a transfer instrument should not be drawn up where the proposed buyer clearly fails to satisfy the domicile requirement and no legal exception applies. The thesis places therefore PPAT and the Land Office at the administrative entrance to the land market, where documentary verification can prevent the creation of new absentee ownership rather than merely responding to it later.⁷

The legal foundation for that screening remains the Basic Agrarian Law and its implementing regulations. Article 10 of the Basic Agrarian Law requires agricultural land, in principle, to be actively cultivated by the holder, while Government Regulation Number 224 of 1961 and Government Regulation Number 41 of 1964 give more specific effect to the residence-based restrictions associated with absentee ownership. The thesis describes this legal framework as an instrument for preventing the emergence of a landlord system and for maintaining agricultural productivity. In practice, the regulation becomes operational through documents such as identity cards, domicile information, statements concerning absentee status, land-registration records, and the examination of the proposed transaction by PPAT and the Land Office. The effectiveness of the law therefore depends not only on the wording of the regulation but also on the quality of data and institutional willingness to apply the restrictions consistently.⁸

The second preventive mechanism is public education. The Land Office and local government use socialization and legal counseling to explain the prohibition and its consequences to landowners, prospective buyers, village officials, and communities participating in land-registration programs. The thesis records that socialization may take place during PTSL activities, through official online media, and when applicants directly visit the Land Office for land services. This measure is necessary because many transactions involving agricultural land are driven by ordinary economic needs, inheritance, family arrangements, or investment decisions rather than deliberate attempts to violate agrarian policy. Where citizens do not know that a transfer can create prohibited absentee ownership, enforcement that begins only after registration is likely to appear punitive and may not effectively change behavior. Education therefore functions as preventive supervision by reducing violations before formal administrative sanctions become necessary.⁹

The third mechanism is the strengthening of land services and field verification. The thesis refers to self-service land administration and direct location checks by officers of the Land Office, particularly where the actual use of agricultural land

⁷Interview with the Head of the Karanganyar Regency Land Office, 4 May 2026; interview with an official of Colomadu District, 6 May 2026.

⁸Law No. 5 of 1960 concerning the Basic Agrarian Principles; Government Regulation no. 224 of 1961; Government Regulation no. 41 of 1964.

⁹Interview with an official from Colomadu District, Karanganyar Regency, 6 May 2026.

needs to be confirmed. Field verification is important because formal documents do not always reveal who physically controls, cultivates, or benefits from the land. An owner may satisfy a documentary requirement while the actual economic control remains with another person, or a transaction may use a local person's name to conceal financing and control by an outside investor. For this reason, administrative data must be supported by factual monitoring where there are indications of a sham domicile, nominee arrangement, abandoned agricultural land, or inconsistent land use. The combination of document screening and field observation makes preventive control more responsive to the realities of land ownership.¹⁰

Inter-agency coordination also forms part of the preventive structure. The research identifies the Agrarian Reform Task Force as an important forum for connecting the Land Office, local government, village administration, agricultural agencies, and other institutions concerned with land control. Coordination makes it possible to compare information about landholders, taxes, residence, physical possession, and agricultural use rather than relying on a single database. The thesis also highlights the value of community participation through complaints, village monitoring, farmer groups, and PTSL activities. These sources of local information can identify land that appears to be controlled by persons from outside the area or land that has become unproductive. In this sense, supervision is not only vertical, from government to citizens, but also participatory, because local communities can provide early information that formal registration systems may not immediately capture.

The preventive measures can be evaluated through the theory of legal utility. Their value lies in whether they protect the productive and distributive purposes of agricultural land rather than merely increasing administrative formalities. Domicile verification can prevent speculative concentration of land, field checks can help identify non-productive control, and community participation can protect local access to agricultural resources. These outcomes correspond to the thesis's emphasis on maintaining Karanganyar's agricultural function and preventing local farmers from losing productive land to owners whose primary interest is investment. Prevention therefore has a welfare dimension: it seeks to keep agricultural land economically useful, socially connected to local communities, and consistent with the broader agrarian reform objective of equitable control.¹¹

3.2. Obstacles to Prevention and Proposed Solutions

The most immediate obstacle is weak public awareness of the prohibition. Interviews in the thesis indicate that many people do not know that ownership of agricultural land by persons living outside the relevant sub-district may be

¹⁰Interview with the Head of the Karanganyar Regency Land Office, 4 May 2026.

¹¹Eka Rustiana and Kholid Hidayat, "Ownership Rights to Absentee Agricultural Land from the Perspective of Maqashid Syariah," *Jatiswara*, Vol. 37, No. 2 (2022), pp. 125-138.

restricted. This limited understanding affects sellers, buyers, heirs, and even some local administrative actors. As a result, land may be transferred to outside buyers without the parties recognizing the legal consequences until a later registration or certification process exposes the problem. The obstacle is particularly serious in inheritance cases because heirs may live in different cities and receive agricultural land without planning how to comply with the residence or transfer requirements. The research therefore supports broader and more continuous legal education, not only at the Land Office but also through village government, PTSL activities, PPAT offices, and digital public information.¹²

A second obstacle is manipulation of population administration and the use of nominee arrangements. According to the Land Office interview, outside buyers may attempt to create an artificial appearance of compliance by changing administrative domicile without genuinely moving, using another person's name, or separating formal title from actual financial control. These practices weaken a regulatory model that depends heavily on the address recorded in official documents. They also demonstrate why modern enforcement cannot rely on a paper identity card as the only indicator of residence and control. The solution proposed in the thesis is stronger integration between population, land, and tax data, combined with factual verification where inconsistencies appear. A connected system can generate an early warning when an agricultural land applicant has an address outside the permitted area or when land and population records indicate unusual patterns.¹³

Technological and transportation development creates a different type of challenge. The original absentee rules emerged when travel between sub-districts was more difficult and the relationship between residence and direct cultivation was more visible. Today, improved roads, commuting, digital communication, and mechanized agricultural management allow an owner to supervise land from a greater distance than before. The thesis records that this social change has created debate about what it means to cultivate land personally and actively. However, improved mobility does not automatically remove the distributive objectives of the absentee prohibition. The relevant policy question is whether the current geographic criteria remain the best way to prevent passive landlordism and protect local agricultural productivity. This supports the thesis's recommendation that the regulatory framework should be reviewed and updated without abandoning its underlying social purpose.

Economic inequality is another substantial obstacle. Agricultural land in peri-urban areas can attract buyers from cities who have greater purchasing power than local farmers. When farmers need capital, face unstable agricultural income, or receive attractive offers, they may sell land to outside investors despite the policy objective of maintaining local agricultural control. This market pressure cannot be

¹²Interview with an official from Colomadu District, Karanganyar Regency, 6 May 2026.

¹³Interview with the Head of the Karanganyar Regency Land Office, 4 May 2026.

solved only by administrative rejection because the economic incentives that drive the transfer will continue to exist. The thesis therefore connects enforcement with farmer welfare and agrarian reform, including productive access to land, improved access to capital, and redistribution where legally appropriate. From the perspective of legal utility, a prohibition will be more effective when local farmers have a realistic economic capacity to retain or acquire land rather than being expected to resist stronger market forces without institutional support.

Another obstacle is fragmented and incomplete land information. The thesis notes that not all agricultural parcels are fully registered and that population, land, and tax databases are not always synchronized in real time. This condition makes supervision reactive because an absentee pattern may become visible only when an owner applies for registration, transfer, or another formal service. The proposed solution is digital integration among the Land Office, population administration, local tax systems, and village land records. The thesis also recommends a digital village land book and periodic reporting from local administrative units so that changes in physical possession can be detected earlier. Such integration would strengthen preventive supervision because institutions could identify risks before a transaction reaches the final registration stage rather than after a violation has become difficult to reverse.

The thesis also identifies uneven enforcement as a practical weakness. If some transfers are rejected while similar transactions proceed elsewhere without meaningful scrutiny, the preventive value of the rule declines and citizens may seek administrative routes that appear more permissive. Consistency therefore requires common verification standards for PPAT, Land Office officials, and village administrators. Where a transaction clearly creates prohibited absentee ownership, PPAT should refuse to draw up the transfer deed and the Land Office should suspend or refuse registration in accordance with the applicable legal framework. Where ownership has already arisen and violates the rules, repressive measures may require the holder to transfer the land within the statutory period or may trigger other consequences provided by agrarian law. The thesis treats these measures as complementary: preventive screening should reduce the number of violations, while repressive action ensures that deliberate circumvention does not become economically advantageous.¹⁴

The role of PPAT deserves specific emphasis because land transfers are a critical point at which unlawful ownership can be prevented. The thesis explains that PPAT should verify the legal status of the land and the qualifications of the prospective transferee and should refuse to process a sale and purchase where the buyer's domicile would create absentee ownership and no exception applies. This role supports legal certainty because the transfer instrument is not merely a

¹⁴Government Regulation no. 224 of 1961; Government Regulation no. 41 of 1964; Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of BPN No. 18 of 2016 concerning Control of Agricultural Land Tenure.

private record; it is part of the formal mechanism that later supports land registration. Careful PPAT screening also reduces the risk that the Land Office must resolve a problem only after parties have paid the purchase price and treated the transaction as final. The preventive responsibility of PPAT therefore links notarial-land deed practice with the broader public policy of agrarian reform.¹⁵

Public participation is equally important because formal institutions cannot continuously observe every agricultural parcel. Village officials, farmer groups, and neighboring land users are often the first to know whether agricultural land is being cultivated, abandoned, controlled through a nominee, or effectively managed by an owner from outside the area. The thesis therefore treats community reporting as an early-warning system that can complement administrative data. Participation must, however, operate through clear procedures so that reports can be verified and do not become a source of arbitrary interference with legal ownership. A useful model is to combine complaint channels, village monitoring, and Land Office verification, with the Agrarian Reform Task Force acting as a coordinating forum where complex cases involve land control, redistribution, or suspected abandonment.

Taken together, the findings show that effective prevention depends on the interaction of law, administration, technology, and economic policy. The absentee prohibition continues to serve a recognizable agrarian purpose, but the enforcement tools must respond to modern mobility, digital records, urban investment, and sophisticated methods of administrative circumvention. Digital integration can improve detection, but it will not resolve weak public understanding or economic pressure on local farmers. Strong PPAT screening can prevent unlawful transfers, but it must be supported by accurate population data and consistent Land Office practice. Repressive sanctions can deter deliberate violations, but they should not replace early prevention. The most sustainable approach is therefore a layered system that combines clear rules, reliable data, public education, local monitoring, institutional coordination, and economic measures that allow agricultural land to remain productively controlled by those who depend on it.

A closer reading of the preventive system shows that domicile verification should not be treated as a purely clerical requirement. Its function is to connect the formal identity of the prospective right holder with the substantive objective of agricultural land regulation. If officers only compare the address printed on an identity card with the location of the land, the system remains vulnerable to temporary or artificial changes of domicile that do not reflect the owner's actual

¹⁵Budianto and Umar Ma'ruf, "The Presence of Witnesses During Land Sale and Purchase Transactions Before Land Deed Officials (PPAT) in Relation to Government Regulation of the Republic of Indonesia Number 37 of 1998," *Jurnal Akta*, Vol. 4, No. 4 (2017), pp. 689-698; Chintya Agnisya Putri, Farris Nur Sanjaya, and Gunarto, "The Effectiveness of Certificate Checks on Preventing Land Disputes in the Land Rights Transfer Process," *Jurnal Akta*, Vol. 5, No. 1 (2018), pp. 267-274.

residence and relationship with the agricultural parcel. The empirical findings in Karanganyar therefore support a layered verification model. Population data should be compared with land-registration information, village records, tax information, and, where necessary, factual conditions in the field. This approach does not require every transaction to undergo an extensive investigation. It requires additional scrutiny when the available information shows inconsistencies, such as a recent change of address, an owner who cannot be identified by the village administration, or agricultural land that is continuously managed by another person while the registered owner remains outside the area. In this way, administrative verification becomes an instrument of substantive supervision rather than a formal checklist, while still preserving efficiency for ordinary transactions that clearly comply with the applicable requirements.¹⁶

The role of PPAT is equally important because the transfer stage is the point at which prevention can operate with the lowest social and administrative costs. Once a sale has been paid, possession has shifted, and the parties believe that the transaction is complete, a later refusal of registration may generate a new dispute between seller and buyer even though the original purpose of the absentee rule is preventive. Careful screening before the deed is executed can reduce that risk. PPAT should therefore examine the legal status of the agricultural land, the identity and domicile of the prospective transferee, and the existence of any legal exception before preparing the transfer deed. Where the information indicates that the transaction would create prohibited absentee ownership, the parties should receive a clear explanation of the legal consequences and should be directed toward a legal alternative rather than being allowed to proceed on the assumption that registration problems can be solved later. This function places PPAT within the preventive architecture of agrarian administration. It also demonstrates that legal certainty is achieved not only by producing formally valid deeds, but by ensuring that the transactions recorded in the deeds can be legally registered and maintained under the substantive rules governing agricultural land.¹⁷

The empirical findings also show that prevention cannot depend exclusively on the Land Office because absentee ownership is closely connected with population administration and local knowledge. Village and sub-district officials often possess information that does not immediately appear in the national land-registration system, including whether a person actually resides in the area, who cultivates a parcel, whether the land has been abandoned, and whether a transfer is connected with an outside investor. That information becomes especially valuable

¹⁶Interview with the Head of the Karanganyar Regency Land Office, 4 May 2026; interview with an official of Colomadu District, Karanganyar Regency, 6 May 2026.

¹⁷Government Regulation No. 37 of 1998 concerning the Regulation of the Position of Land Deed Officials; Chintya Agnisya Putri, Farris Nur Sanjaya, and Gunarto, "The Effectiveness of Certificate Checks on Preventing Land Disputes in the Land Rights Transfer Process," *Jurnal Akta*, Vol. 5, No. 1 (2018), pp. 267-274.

where formal documents present a compliant address but the factual pattern suggests otherwise. Stronger coordination should therefore create a clear route for local information to reach the Land Office without turning village officials into informal adjudicators of land rights. Their role should be evidentiary and supervisory: recording relevant changes, reporting indications of non-compliance, and supporting factual verification. The final administrative determination remains with the competent land authority. This division of functions can strengthen supervision while reducing the risk of inconsistent local decisions, because community-based information is used as an early-warning mechanism and is then tested through the formal land-administration process.¹⁸

Data integration is therefore not merely a technological recommendation but a legal-administrative requirement for more consistent supervision. A fragmented system allows the same person to appear differently across population, taxation, villages, and land databases, which makes it difficult to determine whether a transaction complies with residence-based restrictions. An integrated system could flag applications involving agricultural land when the applicant's registered domicile falls outside the permitted area, when population records have changed shortly before the transaction, or when village information conflicts with the address submitted to PPAT. Such alerts should not automatically establish a violation because administrative data can contain errors and legal exceptions may apply. They should instead trigger a proportionate verification process. This design would preserve procedural fairness while making supervision more targeted. It would also reduce dependence on complaints submitted after a transaction has occurred. The thesis's recommendation for stronger digital coordination is therefore best understood as a method of moving enforcement from a reactive model toward an anticipatory model in which potential absentee ownership can be identified before registration resulting in a more complicated legal and economic situation.¹⁹

The economic dimension of absentee ownership requires the same degree of attention as administrative compliance. In Colomadu and other areas affected by urban expansion, agricultural land can become attractive to investors because its future value may be associated with residential, commercial, or infrastructure development rather than agricultural production. Local farmers may face a different calculation. They may need immediate capital, receive income that is less predictable than the offered sale price, or have heirs who no longer intend to cultivate the land. Under these conditions, the absentee prohibition operates within a market structure that can continuously reproduce pressure to transfer land to financially stronger outside buyers. Administrative refusal alone may stop

18Yulianta Saputra, *Supervisory Functions in the Scope of State Administrative Law* (Bandung: Media Sains Indonesia, 2021), pp. 147-161; interview with an official of Colomadu District, Karanganyar Regency, May 6, 2026.

19Sinta, *Prevention of Absentee Land Ownership in Karanganyar Regency*, Master of Notarial Law Thesis, Faculty of Law, Sultan Agung Islamic University, 2026.

a particular transaction, but it does not remove the economic reasons behind repeated attempts. The preventive strategy should therefore be connected with agrarian reform and farmer welfare, including access to productive financing, support for cultivation, and land policies that make continued agricultural use economically realistic. This broader approach is consistent with the utility perspective used in the thesis because the social value of the rule depends on whether it contributes to productive and equitable land control rather than simply increasing the number of rejected applications.²⁰

Modern mobility also requires careful interpretation of the relationship between residence and direct cultivation. Improved roads, private transportation, digital communication, and agricultural technology make it possible for some owners to reach or supervise land from outside the sub-district more easily than when the absentee regulations were formulated. This factual change explains why the thesis recommends regulatory evaluation, but it does not by itself eliminate the original concern with concentration of agricultural land and passive ownership. A revised policy should therefore distinguish between technological changes that genuinely support active cultivation and ownership structures that use mobility as an argument for speculative control. The decisive policy question is not simply how many kilometers separate the owner from the land. It is whether the regulatory design still promotes active, productive, and socially responsible agricultural landholding while remaining administratively workable. Any modernization of the rule should preserve clear standards so that PPAT, Land Office officials, village governments, and citizens can predict the legal consequences of a proposed transfer. Reform that only replaces an old geographic criterion with a vague concept of effective control could increase uncertainty and make enforcement more dependent on subjective administrative judgment.²¹

4. Conclusion

The prevention of absentee agricultural land ownership in Karanganyar Regency is carried out through a combination of administrative and field-based measures. The principal mechanisms include strict verification of land-right transfers, domicile checks, the refusal of transactions that do not meet the applicable requirements, public education, self-service land administration, field inspections, inter-agency coordination, GTRA involvement, and community monitoring. These measures reflect both preventive and repressive supervision and seek to preserve the land-reform objective that agricultural land should remain productive and should not become concentrated in the hands of remote owners. The study finds, however, that enforcement remains constrained by limited public awareness,

20Friedman, *Legal Theory and Philosophy: Philosophical Idealism and the Problem of Justice*, translated by Muhamad Arifin (Jakarta: Rajawali, 1990), p. 111; Eka Rustiana and Kholid Hidayat, "Ownership of Absentee Agricultural Land Rights in the Perspective of Maqashid Syariah," *Jatiswara*, Vol. 37, No. 2 (2022), pp. 125-138.

21Law No. 5 of 1960 concerning the Basic Agrarian Principles, especially Article 10; Government Regulation no. 224 of 1961; Government Regulation no. 41 of 1964.

artificial domicile arrangements, nominee practices, incomplete and fragmented data, modern mobility, economic pressure on farmers, and uneven enforcement. Effective prevention therefore requires integrated population and land databases, stronger village-level monitoring, consistent PPAT and Land Office screening, broader legal education, and a review of the regulatory framework so that it responds to current conditions without abandoning the social purpose of agrarian reform. Karanganyar Regency should develop an integrated early-warning system that connects population, land, local tax, and village data so that agricultural land applications involving non-local addresses can be identified before registration is completed. PPAT should consistently refuse deeds that would create unlawful absentee ownership, while the Land Office should apply uniform verification and enforcement standards. Village governments should maintain updated land information and participate in factual monitoring, particularly where ownership records and actual possession differ. Public education should be expanded through PTSL activities, digital media, community meetings, and direct land services so that sellers, buyers, and heirs understand their legal obligations. Finally, regulatory reform should consider contemporary transportation and technology while preserving the objectives of active cultivation, equitable land control, farmer welfare, and the prevention of speculative landlordism.

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