



# Land Mafia Practices in Undermining National Resilience

Agustyarsyah

Sekolah Tinggi Pertanahan Nasional Indonesia dan Pusat Pengembangan Sumber Daya Manusia Kementerian Agraria dan Tata Ruang/  
Badan Pertanahan Nasional Republik Indonesia

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\*Correspondence: Agustyarsyah

Email: [agustyarsyah1108@gmail.com](mailto:agustyarsyah1108@gmail.com)

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**Abstract:** Land mafia practices often involve document forgery, engineered lawsuits in courts to gain land rights, and conspiratorial acts in authentic deeds or informational letters with the involvement of public officials. These practices contradict the principles of economic development that prioritize sustainability, environmental protection, and long-term social welfare. This study aims to identify and analyze land mafia practices and their impacts, which pose a threat to national resilience. The research employs a qualitative method with a case study approach, focusing on exploring the causes and consequences to uncover root problems and hidden issues. The findings highlight two key points: (1) the need for land justice to ensure legal certainty and fairness for society, and (2) the necessity for the state to strengthen its capacity to protect itself from threats across various sectors (*asta gatra*), enabling effective anticipation of land mafia actions that could undermine national resilience.

**Keywords:** Practice, Land Mafia, National Resilience

## Introduction

Land mafia activities often operate as organized crimes employing various illicit modes. One of the most common practices includes forging land documents, engineering lawsuits in courts to claim land rights, and conspiratorial actions in authentic deeds or informational letters involving public officials (Bachriadi & Aspinall, 2023). In response, the President has directed the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN), led by a former Commander of the Indonesian National Armed Forces, to eradicate land mafia activities. These practices have inflicted significant losses on legitimate landowners, especially farmers, who often lose their agricultural fields, livelihoods, and income sources. This impact is particularly devastating for small-scale farmers with limited or no alternative income sources (Moreto & Van Uhm, 2021).

Conflicts between the public and the government have also arisen due to the land mafia's encroachment on social facilities (*fasos*) and public facilities (*fasum*), rendering these facilities ineffective for their intended purposes. Communities have expressed dissatisfaction with government policies and their enforcement (Wirawan et al., 2023). According to data from the Inspector General of the ATR/BPN Ministry, the Anti-Land Mafia Task Force has handled 244 cases over the past four years, with an annual target of resolving 61 cases.

Additionally, the National Consumer Protection Agency (BPKN) reported that in the previous year, 90.3% of the 1,518 complaints received were from victims of land and property fraud by the land mafia (Lutfan, 2022).

Another mode of operation involves repurposing land designated for public or social facilities into residential or business areas. For example, in West Jakarta, legal violations in the issuance of ownership certificates for public facilities spanning  $\pm 3,543$  m<sup>2</sup> in the Citra 3 housing complex were investigated. Such unauthorized conversions diminish the community's quality of life. Social facilities, such as parks, sports fields, and recreational areas, essential for physical and mental well-being, are rendered inaccessible. Public infrastructure, like roads, bridges, and drainage systems, designed to reduce flooding risks and enhance mobility, also becomes compromised (Lutfan, 2022).

The impact of land mafia practices includes the excessive exploitation of natural resources such as water, soil, and minerals. This overexploitation can lead to the depletion of essential resources and disrupt the balance of economic ecosystems (Wirawan, 2020). Fundamentally, such practices contradict the principles of economic development that prioritize sustainability, environmental protection, and long-term social welfare. Based on this background, the goal of this study is to identify and analyze land mafia practices and their impacts, which have the potential to undermine national resilience (Dickie, 2014).

## Methodology

The research employs a qualitative case study method, enabling an in-depth exploration of events, processes, or activities related to land crime practices. This approach is particularly effective for examining cause-and-effect relationships, uncovering root causes, and identifying hidden issues that contribute to the phenomenon (Priya, 2021). By focusing on specific cases, the study captures detailed and contextual insights necessary for understanding the dynamics and impacts of land crimes (Cole, 2024).

The analysis is conducted using the root cause analysis (RCA) approach, specifically employing the "5 Why Analysis" tool developed by Max Ammerman (1998). This tool provides a systematic method to identify and address the fundamental causes of issues (Graham, 2024).

The steps include:

- 1) Identifying the problem by clearly defining and documenting it
- 2) Explaining what happened by collecting detailed information on the sequence of events
- 3) Identifying contributing factors
- 4) Uncovering the root cause through iterative questioning
- 5) Designing and implementing a remedial plan to address the root cause
- 6) Measuring and evaluating the outcomes to ensure the solution's effectiveness (Kandasamy et al., 2022).

To support the research, data is collected from official records, court documents, policy reports, and previous studies on the subject (Wahyu & Supiadi, 2023). This combination of data sources ensures a robust analysis by providing both firsthand evidence and contextual understanding. Overall, the integration of qualitative case study methods with RCA enables the research to systematically examine land crime practices and propose

actionable recommendations to mitigate their impacts and prevent recurrence (Kumakech, 2024).

## Result and Discussion

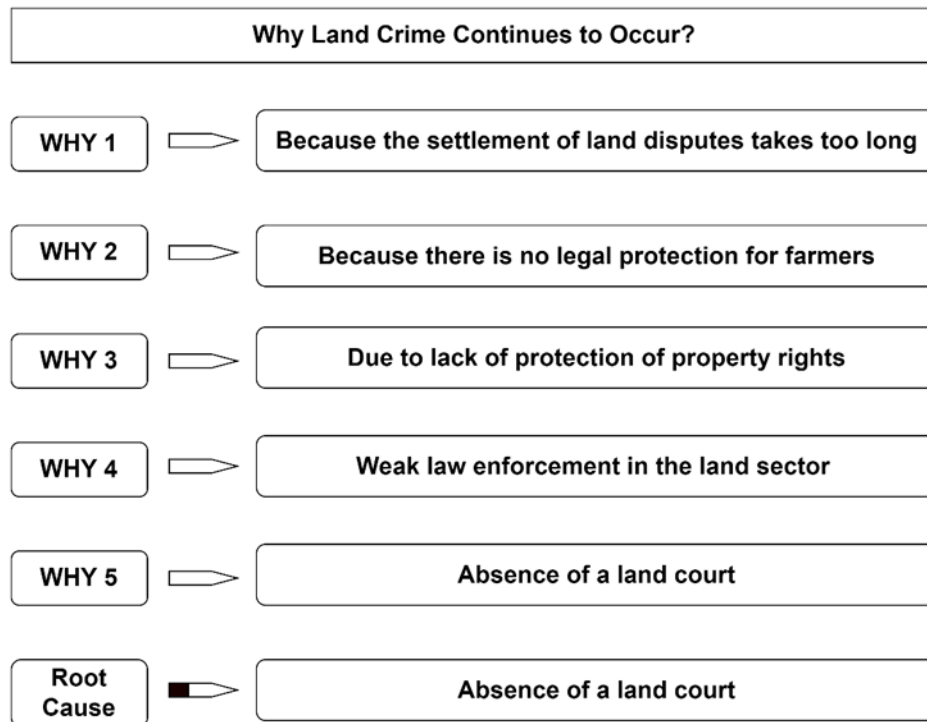
### Land Mafia Practices

Along with the increasing density of urban populations, the demand for housing continues to rise despite the limited availability of land. This drives rapid growth in the property with the increasing density of urban populations, the demand for housing continues to rise despite the limited availability of land. This drives rapid growth in the property business, which is seen as a profitable investment (Gema Perdamaian & Zhai, 2024). However, the increasing volume of property transactions is often not matched by the public's understanding of legal regulations related to ownership and the transfer of property rights. Property is also perceived as a symbol of wealth and success, motivating people to acquire it by various means, including illegal actions such as land mafia practices (Mulyono et al., 2017).

The land mafia in Indonesia represents a form of organized crime involving extortion, corruption, and document manipulation to gain financial profits (Rahman et al., 2024). These groups often target undeveloped or disputed lands, forge documents, and use intimidation to seize property rights. Such practices have severe negative impacts on various aspects, including legal uncertainty, loss of public access to land, economic losses, environmental damage, and social conflict. Data from the Attorney General's Office indicates that land mafia activities caused state losses amounting to IDR 1.4 trillion during the 2020–2022 period (Rahmawaty, 2022).

The consequences of land mafia activities are not limited to harming individuals or legal entities but also weaken legal stability and national development. Land ownership conflicts hinder investments, erode public trust in government institutions such as ATR/BPN, and exacerbate social inequality. Additionally, land monopolization by mafias threatens national resilience by disrupting infrastructure development and strategic economic sectors. Therefore, addressing these practices is crucial to ensuring sustainable development and maintaining national stability (Sinaga, 2022).

Despite the above impacts, efforts to combat the land mafia remain challenging. The Ministry of ATR/BPN continues to implement measures to address these issues, such as enhancing human resource capabilities, embracing digital transformation, and increasing public participation (Hudi Karno Sabowo & Heri Purnomo, 2023). However, the number of land mafia cases continues to rise, necessitating the establishment of specialized land courts as a solution to expedite the resolution of land-related disputes. To identify the root causes of the negative impacts of land mafia practices, the researchers utilized the "5 Why Analysis" method (Kandasamy et al., 2022), repeatedly questioning up to five times until the core problem was revealed. The identification results are as follows in figure 1:



**Figure 1.** Identification results reason impact negative land mafia practices

Based on the identification results above, the root cause of the problem lies in the absence of land justice, which allows the land mafia to exploit the situation for criminal activities. The relationship between the land mafia and land courts is complex, involving various legal and administrative aspects. Land courts play a critical role in enforcing laws related to land administration, offering significant benefits to a country's legal system, particularly in matters of land administration, protection of ownership rights, dispute resolution, and justice for the public, especially in land-related issues. The key benefits of establishing land courts are as follows:

1. **Protection of Ownership Rights:** Land courts ensure the protection of ownership rights, providing legal guarantees that individuals' rights to land will not be arbitrarily revoked.
2. **Dispute Resolution:** Land courts offer formal and legal channels for resolving land ownership disputes among individuals, communities, or business entities, helping to prevent conflicts and disputes that could harm all parties involved.
3. **Equity and Inclusion:** Land courts ensure that the rights of all individuals, including indigenous communities and farmers, are recognized and protected, fostering justice and equality in land access and usage.
4. **Document Verification:** Land courts verify and validate land ownership and related documents, reducing the risks of document forgery and illegal activities related to land.
5. **Deterrence Against Land Mafia:** Land courts act as a barrier against the land mafia by upholding the law and thoroughly examining land ownership claims.

6. **Conducive Legal Environment:** Strong and reliable land courts create a conducive legal environment for sustainable investment and development in the land sector.

Given these benefits, the researchers propose the urgent establishment of land courts in Indonesia. These courts would contribute significantly to law enforcement, protection of individual rights, conflict resolution, and sustainable development in the context of land administration (SIP Law Firm, 2024).

### **Impact to National Resilience**

National resilience is a vital condition that must be realized to ensure the survival and development of a nation. It is a continuous process based on geostrategic thinking, involving the design and formulation of concepts that consider the nation's conditions and Indonesia's geographical constellation. National resilience serves as the main prerequisite for building an advanced and independent nation, driven by a persistent spirit to overcome challenges, obstacles, and disturbances (Mulyono et al., 2017).

The practices of land mafia have the potential to undermine national resilience, particularly when viewed through the lens of the Asta Gatra (eight aspects):

1. *Geographical Features*

Land mafia practices, such as illegal land transfers, can alter geographical boundaries on small and large scales. This leads to changes in land use, restricted community access to natural resources, and environmental degradation.

2. *Natural Resources*

Many land mafia cases involve agricultural land, forests, mines, or plantations. These practices disrupt food security, environmental sustainability, and economic stability, threatening food availability, damaging ecosystems, and exacerbating socio-economic inequality.

3. *Demographics*

Population displacement caused by land mafia activities can alter the demographic structure of affected areas, shifting or replacing communities. Additionally, illegal land sales or ownership transfers can disrupt settlement patterns.

4. *Ideological Dimensions*

Forced land takeovers by land mafia deprive communities of their rightful land ownership, leaving them vulnerable to negative ideologies that can threaten national unity and sovereignty.

5. *Political Dimensions*

Land mafia activities often involve political corruption, such as bribery of government officials or politicians. This undermines the integrity of political systems and erodes public trust in fair and transparent governance.

6. *Economic Dimensions*

The land mafia engages in embezzlement, document forgery, and monopolization of commercial properties, damaging the investment climate, hindering business sector growth, and slowing economic development. This negatively affects the country's competitiveness, job creation, and economic welfare.

7. *Social and Cultural Dimensions*

Land mafia practices disregard social and cultural values, destroying a nation’s cultural heritage. They exploit historical sites, customary lands, or culturally significant areas, transforming them into commercial properties that conflict with the original cultural identity.

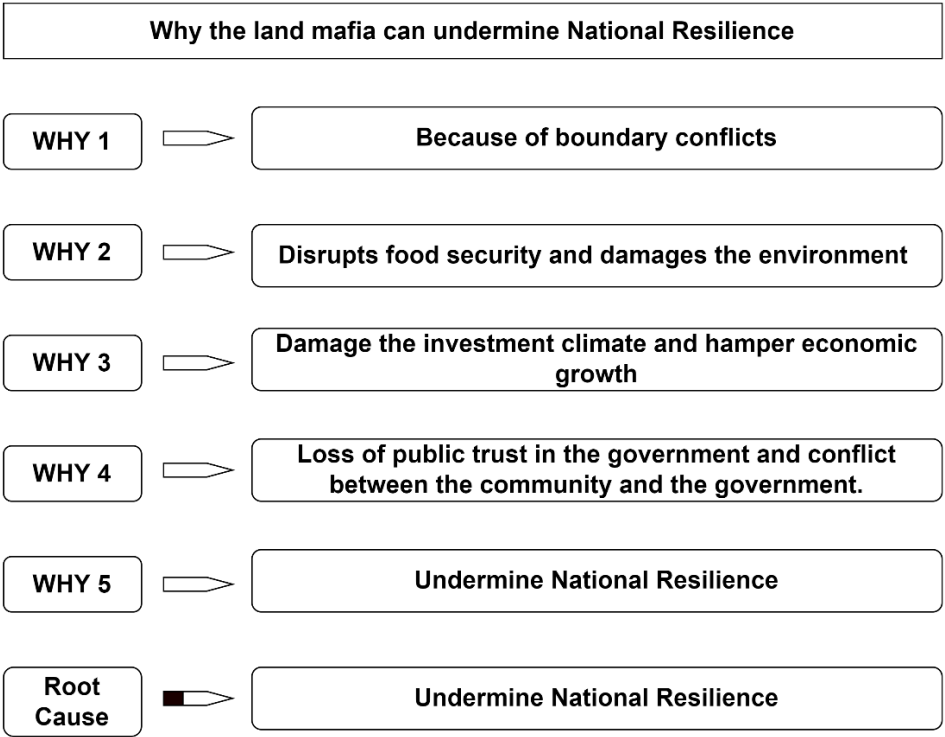
8. *Defense and Security Dimensions*

In strategic terms, land mafia activities can monopolize critical areas such as borders, defense zones, or vital natural resources, posing a threat to national sovereignty. Operating near border areas, land mafia actions may enable smuggling of prohibited goods, illegal migration, or arms trafficking, creating tensions with neighboring countries and risking diplomatic conflicts or war (Ramadani & Harianto, 2022).

Land mafia practices significantly harm national resilience and possess the ability to control strategic areas such as borders, coastal regions, and outermost islands. Their success in manipulating land in these regions poses a serious threat to sovereignty and national security. By controlling border areas, they may facilitate smuggling, disrupt diplomatic relations, and create potential conflict (Wirawan et al., 2024).

Considering these severe impacts, eradicating the land mafia must become a national priority. Collaborative efforts between law enforcement agencies, government institutions, and society are essential to ensure state control over strategic areas, prevent land misuse, and safeguard national sovereignty and security (Bhambra, 2021).

To uncover the root causes behind land mafia practices and their ability to weaken national resilience, a 5 Why Analysis was conducted. This method repeatedly asks “why” five times to identify the core issue. The results of this identification are outlined below figure 2:



**Figure 2.** Identification results reason land mafia objects that can to tear down resilience national



## Conclusion

Based on the findings of the study, it is clear that ensuring legal certainty and justice, particularly for farmers, is essential for protecting public interests and fostering social equity. Land mafia practices have caused significant harm by depriving communities of access to land, particularly agricultural areas such as rice fields, which in turn has led to an increase in poverty among local populations. The land, which should serve public interests—such as for social facilities, parks, or agriculture—has been seized and converted into commercial property. This highlights the urgent need for land justice to safeguard the rights of the public and to ensure equitable access to land for all.

Additionally, the protection of natural resources, the environment, and public rights such as historical sites and cultural heritage is of paramount importance. Land mafia groups frequently target these valuable assets, exploiting them for personal gain, which threatens national resilience and disrupts sustainable development. The ability of the state to defend its territories and protect its resources from exploitation is crucial. Strengthening the state's capacity to manage and safeguard its assets, particularly through effective law enforcement and the implementation of policies aimed at protecting both land and natural resources, is necessary to counteract the detrimental effects of land mafia activities. This is essential not only for national stability but also for ensuring the sustainable development and long-term prosperity of the nation.

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