

PENEGAKAN HUKUM TERHADAP TINDAK PIDANA MAFIA TANAH DI KOTA TANJUNGPINANG

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ABSTRAK

Praktik mafia tanah merupakan salah satu bentuk kejahatan di bidang pertanahan yang semakin berkembang dan memberikan dampak serius terhadap kepastian hukum hak atas tanah. Kejahatan ini dilakukan oleh individu, kelompok, maupun jaringan yang terorganisasi melalui berbagai modus, seperti pemalsuan dokumen, manipulasi data pertanahan, dan penyalahgunaan kewenangan untuk menguasai atau mengalihkan hak atas tanah secara melawan hukum. Di Kota Tanjungpinang, dugaan praktik mafia tanah yang terjadi di Kampung Sido Jasa RT 004 RW 003, Kelurahan Batu IX, Kecamatan Batu IX, menunjukkan bahwa penegakan hukum masih menghadapi berbagai tantangan sehingga diperlukan kajian mengenai efektivitas pelaksanaannya. Penelitian ini bertujuan untuk menganalisis penegakan hukum terhadap tindak pidana mafia tanah di Kota Tanjungpinang serta mengidentifikasi berbagai kendala yang dihadapi aparat penegak hukum dalam proses penanganannya. Penelitian menggunakan metode yuridis empiris dengan pendekatan yang mengkaji implementasi ketentuan hukum dalam praktik melalui observasi, wawancara, dan studi kepustakaan. Data diperoleh dari Kepolisian Resor Tanjungpinang, Kantor ATR/BPN Kota Tanjungpinang, serta masyarakat yang berkaitan dengan objek penelitian, kemudian dianalisis secara kualitatif menggunakan teori penegakan hukum Soerjono Soekanto. Hasil penelitian menunjukkan bahwa penegakan hukum terhadap tindak pidana mafia tanah dilakukan melalui dua pendekatan, yaitu upaya represif (penal) berupa penyelidikan, penyidikan, dan penegakan hukum terhadap pelaku, serta upaya preventif (non-penal) melalui pencegahan, pengawasan administrasi pertanahan, sosialisasi kepada masyarakat, dan koordinasi antara Kepolisian dengan ATR/BPN. Meskipun demikian, efektivitas penegakan hukum masih dipengaruhi oleh berbagai hambatan, antara lain faktor hukum, faktor aparat penegak hukum, keterbatasan sarana dan prasarana, serta rendahnya kesadaran masyarakat dalam menjaga dan mengawasi hak atas tanah yang dimiliki. Oleh karena itu, diperlukan peningkatan sinergi antarinstansi, penguatan sistem administrasi pertanahan, optimalisasi sarana pendukung penegakan hukum, serta peningkatan partisipasi masyarakat agar upaya pencegahan dan pemberantasan mafia tanah dapat dilaksanakan secara lebih efektif sehingga mampu memberikan perlindungan hukum dan kepastian hak atas tanah bagi masyarakat.

Kata kunci : Penegakan Hukum; Mafia Tanah; Tindak Pidana.

LAW ENFORCEMENT CRACKDOWN ON LAND MAFIA CRIMINAL ACTIVITIES IN TANJUNGPINANG CITY

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ABSTRACT

Land mafia practices constitute a form of land-related crime that continues to develop and poses a serious threat to legal certainty over land ownership rights. These crimes are committed by individuals, groups, or organized networks through various methods, including document forgery, manipulation of land administration records, and abuse of authority to unlawfully acquire or transfer land rights. In Tanjungpinang City, the alleged land mafia case in Kampung Sido Jasa, RT 004 RW 003, Batu IX Village, Batu IX District, demonstrates that law enforcement continues to encounter significant challenges, making an evaluation of its implementation essential. This study aims to analyze the enforcement of criminal law against land mafia activities in Tanjungpinang City and to identify the obstacles encountered by law enforcement agencies in handling such cases. This research employed an empirical juridical method by examining the implementation of legal norms in practice through observation, interviews, and library research. The data were collected from the Tanjungpinang Resort Police, the Tanjungpinang Office of the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN), and members of the local community, and were analyzed qualitatively using Soerjono Soekanto's theory of law enforcement. The findings reveal that law enforcement against land mafia crimes has been carried out through two complementary approaches. The first is a repressive (penal) approach involving investigation, criminal inquiry, and legal prosecution of offenders. The second is a preventive (non-penal) approach consisting of crime prevention measures, supervision of land administration, public legal awareness programs, and institutional coordination between the Police and ATR/BPN. Nevertheless, the effectiveness of these measures remains constrained by several factors, including weaknesses in the legal framework, limitations within law enforcement institutions, inadequate facilities and infrastructure, and the relatively low level of public awareness regarding the protection and supervision of land ownership rights. Therefore, stronger inter-agency cooperation, improvement of the land administration system, enhancement of law enforcement resources, and greater public participation are necessary to strengthen the prevention and eradication of land mafia practices while ensuring legal certainty and protection of land rights for the community.

Keywords: Law Enforcement; Land Mafia; Criminal Offense.