



The Effect of Bribery Practices on Legal Security and Investor Protection in the Property Sector

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| Abstract | <p>The Meikarta project, one of Indonesia's largest property developments initiated by PT Lippo Cikarang Tbk, was envisioned as a modern independent city but has become a major source of legal disputes and financial losses. The project encountered systemic legal issues, including licensing violations, spatial planning inconsistencies, and bribery involving local government officials. These irregularities led to stalled construction, failure to deliver promised housing units, and a significant decline in public trust toward property developers. This study examines the legal implications of bribery in the property licensing process and its impact on legal certainty and investor protection. Using a normative legal research method, the study applies statutory, conceptual, and case-based approaches to analyze regulations governing property development and anti-corruption enforcement in Indonesia. The findings reveal that bribery is not merely an ethical or criminal violation but a structural factor contributing to project failure. It undermines legal certainty, weakens investor protection, and erodes public confidence in the property sector. Consequently, corrupt practices in licensing processes pose a serious threat to the stability and credibility of property investments in Indonesia.</p> |
| Keywords | <i>Meikarta, corruption, bribery, licensing, losses</i> |

INTRODUCTION

Failure to provide protection to investors and consumers has become a ticking time bomb during rampant property investment. In recent years, the public has been treated to a variety of large projects that have never been completed, causing financial losses and creating legal uncertainty for the parties involved. This situation shows how fragile the

current protection system is, where hopes of profit and progress turn into long disputes and mass disappointment. The high interest of the Indonesian people in the property sector makes this issue even more urgent to get serious attention.

Meanwhile, the property sector itself has long been positioned as one of the backbones of the economy, both at the national and global levels. From housing commercial property. Investment in this field often considered stable and promising. However, there have been worrying symptoms. The imbalance between investment growth and legal protection, coupled with weak supervision and often non-transparent business practices, makes the sector increasingly vulnerable. In such a situation, caution is a must not only for investors and consumers, but also for the state as a regulator and protector of public interests. Without adequate anticipatory measures, it is not impossible that problematic projects will continue to emerge and cause wider losses in the future (Nurza, 2024). One of the problems that has surfaced in investment in the property sector is the case of the Meikarta project initiated by PT Lippo Cikarang Tbk. This project was initially projected as a large-scale development, with the vision of building a new city in the Cikarang area. The city was designed with a modern concept, sophisticated network systems, and cutting-edge international technology, claiming to be one of the most beautiful and complete cities in Southeast Asia (Patrick Winson Salim, Clayment Claudio Jap, 2020). However, since its launch and massive promotion in 2016, this ambitious project has faced serious problems. These range from land-related civil disputes, allegations of bribery in the licensing process, to bankruptcy suits by vendors. In addition, pressure also came from consumers who demanded accountability because the promised apartment units were never built (Aprilia 23). Indeed, in connection with the Meikarta project, according to Article 55 paragraph (1) KUHPidana, Lippo employees were proven to have committed bribery against the Regent of Bekasi Regency. Bekasi for the period 2017-2022 and the Head of the PUPR Department of Bekasi Regency, the Head of the Fire Department of the Bekasi Regency Government Bekasi Regency, Head of the Investment and One-Stop Integrated Services Agency (DPMPTSP) of Bekasi Regency and the Head of the Public Works and Spatial Planning Office of Bekasi Regency. The act of bribery aims to obtain a full building permit (Aswin & Prasakti, 2020). According to Angelina in her research, the Meikarta project is suspected to have violated the provisions of Article 1320 of the Civil Code (KUHPdata) which regulates the legal requirements of an agreement. The alleged violation arises because there are indications of coercion or fraud in the process of forming an agreement, as well as uncertainty about the object being promised, which can legally cause the agreement to be invalid. The validity of the agreement is an important element in determining the rights and obligations of the parties, especially in the context of the Meikarta project, which is colored by various reports regarding legal uncertainty, lack of information transparency, alleged misrepresentation, and violations of consumer rights (Angelina Dewi Permatasari, Larasati Rahmadhani & Muhammad Naufal Ramadhan, 2025). Furthermore, Sofian related this case to the doctrine of Fraudulent Misrepresentation, which is an action or series of actions that are intentionally carried out to cover up or not disclose material facts that should be conveyed to other parties. In the Meikarta case, the perpetrators allegedly did not provide complete information and tended to hide important facts related to the project offered. Such actions have the potential to cause losses to parties who should receive information in a correct and transparent manner, both in short and long term. The doctrine of Fraudulent Misrepresentation itself is widely applied in the



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realm of contract law and consumer protection, but in its development, it has also begun to be used in criminal law, especially when the act meets the elements of fraud (Sofian, 2017). The Meikarta case clearly highlights how acts of bribery or corruption can fundamentally undermine the success of a property investment. Bribery in licensing, as alleged in the Meikarta project, not only creates legal uncertainty and substantial financial risk for investors and consumers but also tarnishes the integrity of the property market. Bribery can speed up processes that should involve rigorous reviews, ignore feasibility standards, and raise unresolved land or environmental issues.

This study uses normative legal research methods with legal, conceptual, and case-based approaches to examine the legal consequences of bribery practices in the property sector. The study relies on primary legal materials, including Indonesian investment law, spatial planning regulations, property development regulations, and anti-corruption laws, as well as secondary legal materials such as scholarly articles, court decisions, and authoritative legal commentaries relevant to property licensing and investor protection. The legal materials are analyzed through systematic interpretation, legal reasoning, and doctrinal analysis to identify normative inconsistencies, gaps in law enforcement, and weaknesses in oversight mechanisms. This method allows for a structured assessment of how bribery undermines legal certainty and investor protection, while also offering normative recommendations to strengthen regulatory compliance and law enforcement in property investment.

As a result, property investments that start with sweet promises can turn into stalled projects, prolonged disputes and loss of public trust. This issue is crucial given that the property sector is one of the drivers of the economy, and the existence of corrupt practices can hinder the flow of investment, harm consumers, and create an unhealthy business environment. In this research, the focus will be on how bribery or corruption affects the success of property investment, taking the Meikarta case as the main study. Although several studies have reviewed civil law aspects related to agreements and consumer protection in the Meikarta case, as well as media framing analysis, a gap that has not been explored much in depth is the specific impact of bribery practices on the sustainability and profitability of the property investment itself, including its criminal law implications. The following are several studies discussing similar topics that are considered state of the art and can be used as a comparison regarding things that have not been discussed in previous studies. A. Noor's research entitled *Corruption in the Acquisition of Land for the Benefit of Private Developers*. (Noor, 2022) This study examines corruption that occurs when land is acquired for development projects, especially property projects, from the initial stage until the land is ready for construction. In principle, corruption is related to large property projects, including the practice of bribery and the transfer of land rights for the benefit of private developers. M. Amiati's research entitled *Private Sector Bribery as a Corruption Crime for Legal Certainty in Indonesia*. (Amiati, 2024) Analyzes the urgency of categorizing the act of giving, offering, or accepting bribes that occur between private actors, without having to directly involve public officials, but have an impact on business processes, business competition, or legal certainty. This is a criminal act of corruption in Indonesia within the national legal framework. This study is relevant to the

discussion of how weak bribery practices are regulated and how this impacts legal certainty and legal effectiveness in the investment/property sector. Joachim S. Stassart, Flávia Mendes de Almeida Collaço, et al. with a study entitled Hijacking legality: Corruption and property creation in Brazil's frontiers.(Stassart et al., 2025) This study emphasizes corrupt practices that can change and weaken the legal process, thereby damaging legal certainty which is a prerequisite for investors seeking protection in long-term investments.

This research aims to fill that gap by analyzing how acts of bribery, from the start of permitting to project implementation, can lead to investment failure, financial loss, and damage the reputation of developers, as well as how the Indonesian legal system responds to corruption crimes in the context of large-scale property projects. This research is conducted using a qualitative method through a normative juridical approach, which focuses on the review of laws and regulations, legal teachings, and applicable legal principles. In this approach, data collection techniques can be in the form of analysis of court decisions and certain case studies to trace how the law is applied in concrete situations. In addition, library materials such as books, journals, and other written legal sources are the main references to explore in depth the understanding of legal concepts, developing theories, and relevant regulatory dynamics (Angelina Dewi Permatasari , Larasati Rahmadhani & Muhammad Naufal Ramadhan, 2025).

ANALYSIS & DISCUSSION

The Meikarta Project and Parties Involved

Meikarta project is a mega property project initiated by PT Lippo Cikarang Tbk, a subsidiary of the Lippo Group, designed as a modern self-sufficient city in the Cikarang area, Bekasi, West Java. This project was initially seen as one of the largest and most ambitious property investments in Indonesia. With an investment value claimed to reach hundreds of trillions of rupiah, this project develops the concept of a “smart city” with development targets that include modern infrastructure such as apartments, shopping centers, office buildings, hospitals, and other supporting facilities. However, from the beginning of its implementation, this project has faced licensing issues that do not comply with the spatial planning regulations in West Java. In 2018, a bribery case emerged involving several officials from Bekasi Regency, and it was found that the bribe aimed to expedite the licensing process of this project. The officials involved are the Regent of Bekasi Regency named Neneng Hassanah Yasin, along with several officials from the Public Works and Spatial Planning Office, who were also implicated in the alleged bribery that led to their arrest by the Corruption Eradication Commission (KPK). The involvement of these public officials indicates an abuse of authority in a process that should have been transparent. This resulted in the halt of construction and created legal uncertainty that directly affected buyers and investors who had deposited funds but had not yet received their units. Not only the officials, but also the vendors and contractors are affected because they do not receive payment for the work they have done, which ultimately drives them to take legal action. The developers are also facing lawsuits from several unpaid vendors, which eventually led to a bankruptcy lawsuit that further worsened the situation. To maintain business continuity, one of the steps taken is to Rp1.48 trillion. (Yanuar, 2024). Over time, many consumers chose to report this issue to the relevant government agencies because they felt aggrieved due to the delayed delivery of the units they had paid for a long time

ago. The legal representatives of the victims stated that many consumers feel aggrieved due to the lack of information from the developers regarding the legal status of the project.

In global project contexts, corruption has been shown to substantially undermine not only the pace of development but also the very foundations of legal security upon which investor confidence rests. Empirical research on infrastructure and real estate projects demonstrates that corrupt environments distort governance mechanisms, increase uncertainty, and erode the predictability that investors require to commit long-term capital. For megaprojects, where complexity and public-private interactions are high, corruption manifests as delays, cost overruns, and contractual disputes, which collectively weaken legal protections and jeopardize the rights of stakeholders who rely on transparent enforcement of agreements. Such findings align with broader project management literature showing that corruption worsens performance outcomes and increases risk for investors by eroding institutional integrity and contractual certainty. (Locatelli et al., 2017)

Spatial Planning Dispute and the Prolonged Problems of the Meikarta Project

Problems began to arise when the Meikarta project was widely marketed in 2017. At that time, the project had already attracted attention because it did not obtain all the necessary permits, especially those related to spatial planning compliance, causing the West Java provincial government to refuse to continue the project. The peak occurred in November 2018 when the Corruption Eradication Commission conducted a Hand Catch Operation (OTT) and arrested several officials related to the bribery case. (Aprilia, 2023). Since then, the construction process has been hindered, even nearly coming to a complete halt. For investors, this situation is very detrimental because they not only face uncertainty in capital return but also lose the prospect of profits from the unrealized project. Not only does it impact the financial side, but many consumers also experience emotional pressure. Until several years later, this issue has not found a resolution. In fact, in 2023, dozens of lawsuits against the developer were filed by various parties.

The main issue with the Meikarta project occurred in Bekasi Regency, the project location and the place where local authorities issued construction permits. In this region, there are allegations of bribery to several officials so that the licensing process can be expedited, even though it does not yet comply with the regulations in force at the provincial level. This discrepancy has led to the emergence of conflicts between the local government and the provincial government (Laksono, 2022). In fact, geographically, the project location in the South Cikarang area is strategic because it is situated in a rapidly developing industrial zone with great potential as a center for modern economy and housing. However, unfortunately, this potential cannot be optimally utilized due to spatial planning issues and permits that contradict regional zoning policies.

According to the building permit issued by the Bekasi Regency Government through the Integrated Licensing Service Agency (BPPT) Number: 987/1238/IMB/BPPT/2016, the construction of the Meikarta project covers an area of 84.3 hectares. The fact on the ground is that its construction violates the permit regulations issued by the Bekasi Regency Government, as it exceeds the specified permit. The granting of the permit with that area is in accordance with the spatial planning plan of the Bekasi Regency area 2018/2019. This

provision was violated by the Meikarta project because the area of land that was encroached upon was 416.7 hectares, as the Meikarta development plan will reach 500 hectares. Development actions that are not in accordance with the function of the area clearly violate the regulations. Based on areas designated for cultivation, the construction of the Meikarta project damages farmland and agricultural areas. The land where the project development is in three villages has many green areas and agriculture. The Meikarta project violates regulations regarding cultivation areas. According to the Regional Regulation (Perda) of Bekasi Regency No. 12 of 2011, which regulates the management of the Spatial Planning of Bekasi Regency, Article 45 paragraph (2) regarding the change of area function can only be done a maximum of 25% of the designated area. The Meikarta project in this case violates the provisions, as it changes the function of the industrial area located in Serang Village into a residential area, changing agricultural areas into residential areas, and altering the function of protected forests in Sukaresmi Village into residential areas. Because the development of Meikarta with a total land area of 500 hectares requires a large amount of land acquisition, it does not rule out the possibility of land use change (Aswin & Prasakti, 2020).

Based on that, Meikarta in the construction did not obtain the permit for environmental impact analysis, contrary to the Regional Regulation (Perda) of Bekasi Regency No. 12 of 2011 which regulates the management of the Regional Spatial Plan of the Bekasi Regency area. Article 36 states that every business activity is required to have an AMDAL. If this requirement is not met, then the party will receive a prison sentence of at least 1 year and at most 3 years, and a fine of at least 1 billion and at most 3 billion. According to Law No. 1 of 2011 on Housing and Settlement Areas, the Meikarta project violates the granted area permit. The construction provisions violate the function of spatial utilization. The change in function of that area can have a significant impact on the established regional spatial planning. Based on Law No. 20 Year 2001 concerning Criminal Acts of Corruption, the Meikarta project not only violates Bekasi Regency Regional Regulation No. 12 of 2011 on regional spatial planning, but also violates Law No. 20 of 2001 concerning Corruption Crimes. Specifically violating Article 55 paragraph (1) KUHPidana, a person who participates or is involved in bribery and corruption, then the perpetrators of bribery and corruption will be held accountable (Aswin & Prasakti, 2020).

Reasons Why the Meikarta Project Failed to Become a Profitable Investment

The failure of Meikarta as a profitable property investment was caused by various factors such as licensing issues, corruption, and poor project management. Incomplete permits and deviations from the spatial planning have weakened the legal basis for development. This condition is exacerbated by corrupt practices that increase operational costs and slow down the official licensing process. Irregularities in project management are also a major cause of failure (Putri, 2025). The large scale of the project, which includes more than 250,000 apartment units, demands very careful planning and resource management. However, in reality, this project is running without thorough risk assessment. Delays in payments to third parties resulted in legal lawsuits that increasingly pressured the developer's position. As a result of all these issues, public trust in the project and the developer sharply declined, and the project that initially offered great hope turned into a source of financial loss (Yanuar, 2024).



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In addition to regulatory and corruption-related obstacles, the failure of the Meikarta Project to become a profitable investment was also driven by structural weaknesses in governance and risk management. The project was initiated with an aggressive expansion strategy that was not supported by adequate legal due diligence, particularly in relation to land acquisition, spatial planning compliance, and licensing certainty. This created significant legal uncertainty, which in turn eroded investor confidence and limited access to sustainable financing. Furthermore, weak internal controls and the absence of an effective compliance framework allowed unethical practices to persist without early detection or correction. When these governance failures were later exposed through law enforcement actions, the resulting reputational damage, project delays, and financial sanctions collectively undermined the project's economic viability and long-term profitability.

Corruption Affects the Progress of Projects and the Fate of Investors on Meikarta's Case

Initially, bribes were often used as a means to speed up complex licensing processes, such as Land Use Designation Permits (IIPT), Investment Principle Permits, Environmental Permits, Building Permits (IMB), and Bekasi District's Detailed Spatial Plan (RDTR). Developers give bribes so that bureaucrats overlook shortcomings or speed up processes that should take a long time. However, when this bribery practice is uncovered, as in the Meikarta case, the licensing process that was supposed to run smoothly is completely hampered. Projects can be stalled, developers get into legal trouble, and investors lose trust. This not only causes huge financial losses for developers and investors, but also creates legal uncertainty that discourages other potential investors from investing. Bribery introduces unpredictable risks, whereas investors seek a stable, transparent and predictable market. If licensing and regulatory processes can be manipulated through bribery, this will reduce the attractiveness of investing in the property sector as the legal and reputational risks become too high. Corporations found to be involved in bribery may be subject to substantial fines, administrative sanctions, and even license revocation. In the Meikarta case, although the corporation was not charged with a formal crime, the financial and operational consequences were still substantial. PT Mahkota Sentosa Utama (PT MSU) was even sued for bankruptcy by two of its vendors, with the issuance of Homologation Decision No. 328/Pdt.Sus-PKPU/2020/PN.Niaga Central Jakarta on December 18, 2020. This is in line with Article 20 paragraph (1) of Law Number 20 of 2001 concerning Amendments to Law 31 of 1999 concerning the Crime of Corruption (TPK Law), which states that prosecution and criminal sanctions can be carried out against corporations or their management if the crime of corruption is committed by or on behalf of a corporation, with the principal punishment that can be imposed on the corporation is only the maximum fine plus 1/3 (Undang-Undang Republik Indonesia Nomor 20 Tahun 2001 Tentang Perubahan Atas Undang-Undang Nomor 31 Tahun 1999 Tentang Pemberantasan Tindak Pidana Korupsi, Pasal 20 Ayat 1, 2001). Scandals also damage the image of corporations in the eyes of the public, consumers, and business partners. Public trust that has been eroded is difficult to rebuild, causing a decline in sales and difficulty in obtaining funding in the future. This damage to the corporation's reputation lingers, even if the directors involved are punished.

The international empirical evidence suggests that when corruption weakens governance structures, private investment suffers as legal safeguards for property rights and contractual enforcement become less reliable. Cross-sectional studies indicate that improvements in rule of law and reductions in corruption are directly correlated with increased private investment, underlining the intrinsic link between legal certainty and investor protection. Where bribery practices persist, the unpredictability of regulatory frameworks and enforcement not only raises transaction costs but also reshapes investors' perceptions of risk, leading to hesitancy or withdrawal of capital from property markets that might otherwise have been attractive. This deterioration of trust ultimately harms ordinary investors and diminishes the potential for sustainable development in affected jurisdictions. (Abdulai et al., 2024)

The cost of bribes incurred by developers to secure permits or land will ultimately be passed on to consumers through increased property prices, Consumers end up paying more for properties that should be more affordable. In addition, bribery can lead to manipulation of property prices, where certain parties gain an unfair advantage. This makes the property market unhealthy, with prices that do not reflect true market value, making it vulnerable to property bubbles and financial crises when corrupt actors withdraw their funds. It also makes it harder for the average buyer to own a home.

Scholarly examinations of the Meikarta case reveal that the corruption scandal did more than merely tarnish reputations, it materially disrupted project delivery and eroded investor trust. Legal research shows that the bribery and permit irregularities linked to Meikarta have been a significant cause of construction delays and unmet contractual obligations to buyers, particularly in pre-project selling arrangements where apartments were marketed before completion. Studies analysing consumer rights in Indonesia have highlighted that delays in handover and uncertainty over legal compliance have left buyers in a vulnerable position, bearing risks that were neither anticipated nor fairly allocated by developers and regulators alike. This legal uncertainty, underpinned by corrupt practices, transforms what should be a predictable business venture into a landscape of anxiety for ordinary investors and consumers. (Therik & Gultom, 2023)

The bribery case related to the Meikarta project license directly caused significant delays in construction. As a result of the legal proceedings that ensnared several company officials and executives, the project did not proceed as scheduled, leaving consumers unable to obtain their rights according to the agreement with the developer. This also triggered uncertainty in the delivery of units to buyers and led to refund demands from consumers. Corruption in the form of bribery for permits caused the project to proceed without full compliance with positive legal provisions, especially those related to administrative and construction permits. (Hermawan et al., 2020).

As a result, the sale and purchase agreement between the developer and the consumer may be considered null and void, causing legal losses to both parties. Investors and consumers who have purchased units through the pre-project sales scheme have not received the units in accordance with the agreement. Most of them end up having to go through advocacy and negotiation channels, such as through the DPR, to get a refund. The refund process is slow, and not all investors receive full assurance of their refund (Nanda & Sulastri, 2023). Bribery that leads to licensing or legal issues can cause property projects to be halted midway or delayed for a very long time, as happened in the Meikarta case.

Consumers who had paid down payments or installments did not get the promised units as scheduled. Their right to acquire the property on time was taken away, and they were stuck in an uncertain situation, often with no certainty as to when or if the project would resume. Their invested funds are "locked up" and they may not be able to use them to purchase another property. Bribery can also involve getting building inspectors or supervisory officials to overlook the use of low-quality building materials or unqualified construction standards. Corrupt developers tend to cut costs at the expense of quality. As a result, consumers end up with properties that are of poor quality, prone to damage, or even unsafe to live in. This not only hurts consumers financially but can also jeopardize their safety (Wawan Suyatmiko, Adnan Topan Husodo & Nicola, 2023). In addition, bribery is often related to a lack of transparency. Developers involved in bribery may present inaccurate or misleading information to consumers regarding the status of permits, construction schedules, or promised amenities. Consumers are victimized by fraud because they make purchasing decisions based on misinformation, and their right to honest and accurate information is violated.

Therefore, corruption and bribery weaken institutions are supposed to protect consumers, such as licensing boards, development inspectors, and law enforcement officials. When officials who are supposed to supervise have been bribed, supervision becomes lax and violations can occur without detection. Law No. 8/1999 on Consumer Protection (UUPK), which is supposed to provide a legal basis for consumers to claim their rights, is hampered in its effectiveness by corruption. (Undang-Undang Republik Indonesia Nomor 8 Tahun 1999 Tentang Perlindungan Konsumen, 1999). When consumers are harmed by bribery, they must resort to legal channels to seek justice. However, this process can be lengthy, expensive and exhausting. A corrupt environment can also make it difficult for consumers to obtain fair rulings if the judicial system is also affected. Consumer protections provided by laws or regulatory bodies become ineffective if complaint and dispute resolution mechanisms do not function properly due to the influence of bribery. Bribery thrives in an environment that is not transparent. Lack of accountability in the licensing process and oversight of property projects allows bribery to go undetected. This means consumers have no way of knowing whether a project has gone through all the correct legal procedures or whether any "shortcuts" were taken through bribery.

CONCLUSION

The Meikarta case clearly shows how corruption, especially in the form of bribery, has a direct impact on the failure of property investment. Bribery practices carried out to speed up the licensing process actually backfire when uncovered, causing projects to stall, legal conflicts to arise, and loss of public trust. This problem is exacerbated by violations of spatial planning regulations, land use that does not comply with permits, and a lack of transparency from developers. As a result, consumers who have paid for units do not get their rights, while investors lose because the project fails to run. In addition to financial losses, the developer's reputation is destroyed and supervision of the project becomes ineffective because the institution that should protect the public interest is also dragged

into corruption. From here, it can be concluded that without strict law enforcement and clean governance, the property sector, which should be an economic driver, could instead become a source of crisis that harms many parties.

Given the complexity of this problem, concrete steps are needed from the government and policy makers to strengthen the supervision and law enforcement mechanisms in the property sector. One important suggestion is to tighten the licensing process through digitalization of the system and cross-agency supervision so that bribery practices can be minimized. On the other hand, education for the public about their legal rights as consumers also needs to be improved. In addition, firmness in prosecuting perpetrators of corruption in this sector must be accompanied by maximum protection for victims, so that public trust in property investment can recover and grow.

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