

SUNAN KALIJAGA'S LEGACY UNDER THE SHADOW OF MALADMINISTRATION: INSTITUTIONAL CONFLICT IN THE SEMARANG–DEMAK TOLL ROAD PROJECT

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ABSTRACT

The development of toll road infrastructure under Indonesia's National Strategic Project aims to promote economic growth and public welfare. However, land acquisition frequently generates conflicts, particularly involving waqf land. The dispute over the Sunan Kalijaga waqf land in Kadilangu, Demak Regency, reflects institutional fragmentation, overlapping authority, and alleged maladministration in compensation distribution. This study analyzes the conflict dynamics during the land acquisition process for the Semarang–Demak Toll Road and examines how inter-institutional conflicts of interest contributed to institutional disharmony.

This research employs a qualitative case study with socio-legal and historical-juridical approaches. Primary data were collected through field observations, while secondary data were obtained from literature, legal documents, and historical archives. Data were analyzed inductively through data reduction, data presentation, and conclusion drawing.

The findings reveal that the dispute was primarily driven by institutional fragmentation, overlapping authority, and inconsistent government policies in determining the legitimate foundation and nadzir authorized to manage waqf assets and receive compensation. These conditions transformed the dispute into a structural and administrative conflict. Furthermore, conflicts of interest among institutions created institutional disharmony, reflected in differing interpretations of legal authority, institutional representation, and decision-making. As a result, inter-institutional coordination weakened and hindered the effective resolution of the waqf land dispute.

Keywords: Waqf land dispute, institutional disharmony, policy maladministration.

ABSTRAK (BAHASA INDONESIA)

Pembangunan infrastruktur jalan tol sebagai bagian dari Proyek Strategis Nasional bertujuan mendorong pertumbuhan ekonomi dan kesejahteraan masyarakat. Namun, proses pengadaan tanah sering menimbulkan konflik, terutama pada tanah wakaf. Sengketa tanah wakaf Sunan Kalijaga di Kadilangu, Kabupaten Demak, menunjukkan adanya fragmentasi kelembagaan, tumpang tindih kewenangan, serta dugaan maladministrasi dalam penyaluran ganti rugi. Penelitian ini bertujuan menganalisis dinamika konflik pada proses pengadaan tanah Jalan Tol Semarang–Demak serta mengkaji bagaimana konflik kepentingan antarlembaga memengaruhi disharmoni kelembagaan.

Penelitian menggunakan pendekatan kualitatif dengan jenis studi kasus serta didukung pendekatan sosiolegal dan yuridis historis. Data primer diperoleh melalui observasi lapangan, sedangkan data sekunder berasal dari studi pustaka, dokumen hukum, dan arsip sejarah. Analisis data dilakukan secara induktif melalui reduksi data, penyajian data, dan penarikan kesimpulan.

Hasil penelitian menunjukkan bahwa sengketa dipicu oleh fragmentasi kelembagaan, tumpang tindih kewenangan, serta ketidakkonsistenan kebijakan pemerintah dalam menetapkan yayasan dan nadzir yang berwenang mengelola aset wakaf serta menerima ganti rugi. Kondisi tersebut berkembang menjadi konflik struktural dan administratif. Selain itu, konflik kepentingan antarlembaga memunculkan disharmoni kelembagaan yang tercermin dari perbedaan interpretasi mengenai kewenangan hukum, representasi kelembagaan, dan pengambilan keputusan sehingga melemahkan koordinasi antarlembaga serta menghambat penyelesaian sengketa tanah wakaf.

Kata kunci: *Sengketa tanah wakaf, disharmoni kelembagaan, maladministrasi kebijakan.*

INTRODUCTION

BACKGROUND

Infrastructure development has become one of the Indonesian government's priorities through the implementation of National Strategic Projects (NSPs), particularly toll road construction, to promote equitable economic growth and public welfare (Wirabrata, 2019). The implementation of these projects is supported by Presidential Regulation Number 3 of 2016 concerning the Acceleration of National Strategic Projects and Law Number 2 of 2012 concerning Land Acquisition for Development in the Public

Interest. In addition to supporting national competitiveness, infrastructure development is also expected to align with sustainable development principles promoted through the Sustainable Development Goals (SDGs) (Alisjahbana & Murningtyas, 2018; Ministry of PUPR, 2023).

Despite these objectives, land acquisition remains one of the primary obstacles to infrastructure development. Problems frequently arise from compensation mechanisms, incomplete land administration, and differing interpretations regarding land ownership and management, resulting in delays to project implementation

(Sudirman, 2014; Hayati, 2011; Manurung, 2012). One notable example is the dispute over approximately 10 hectares of Sunan Kalijaga waqf land in Kadilangu, Demak Regency, affected by the Semarang–Demak Toll Road Project. The dispute emerged following disagreements concerning the legal foundation entitled to manage the waqf assets and receive compensation, accompanied by allegations of maladministration involving government agencies and the Indonesian Waqf Board (Putra, 2021; Utama, 2022).

Historically, the disputed waqf land originated from grants attributed to Sultan Fatah as recognition of Sunan Kalijaga's contribution to the establishment of the Demak Mosque. Historical records indicate that the waqf once covered a vast area extending from Sayung to Rembang before gradually diminishing over time due to historical and political developments (State Archives, 1883). Consequently, the remaining waqf assets possess not only economic value but also significant historical, religious, and cultural importance.

Legally, both the Sunan Kalidjogo Kadilangu Foundation and the Sunan Kalijaga Kadilangu Foundation possess legal-entity status established through notarial deeds in accordance with prevailing regulations governing foundations (Regulation of the Minister of Law and Human Rights Number 5 of 2014; Ais, 2006). However, differences in institutional establishment, amendments to articles of association, and the appointment of nadzir have generated competing claims over the authority to administer waqf assets, creating uncertainty regarding the party legitimately entitled to receive compensation (Notary Deed Anne Ludvianti, 2017; Notary Deed

Monica Suganda Putri, 2020; Notary Deed Lisawati, 2003).

The dispute was further intensified by internal disagreements among Sunan Kalijaga's heirs concerning the legitimacy of each foundation. Divergent interpretations regarding institutional governance and legal procedures eventually evolved into broader conflicts involving government agencies, ultimately transforming the dispute from an internal organizational disagreement into a complex institutional and administrative conflict (Shahnaz, 2017; Wijaya, 2022).

The dualism between the Sunan Kalidjogo Kadilangu Foundation and the Sunan Kalijaga Kadilangu Foundation subsequently escalated into legal disputes concerning the legitimacy of foundation establishment and management. Differences in the interpretation of legal procedures, particularly regarding amendments to the articles of association and institutional reactivation, resulted in litigation before the courts and prolonged uncertainty over the legal status of each foundation (Notary Deed Habib Adjie, 2020; Wijaya, 2022). The dispute further expanded when disagreements arose over the distribution of compensation for waqf land acquired for the Semarang–Demak Toll Road Project. Although the National Land Agency (BPN) acknowledged one foundation as the legitimate certificate holder, compensation was ultimately disbursed to another foundation, giving rise to allegations of maladministration and administrative inconsistency (Saifudin, 2021; Rahmad, 2023).

The institutional conflict eventually developed into criminal proceedings involving several heirs of Sunan Kalijaga. Court decisions, appeals, and differing interpretations among the parties reflected

that the dispute extended beyond land ownership to encompass issues of institutional legitimacy, legal certainty, and public accountability (Nurhidayanto, 2023; Utama, 2023; Rizqi, 2023; KompasTV, 2023). These developments demonstrate that unresolved administrative disputes over waqf land may evolve into broader legal conflicts involving multiple government institutions and stakeholders.

From a governance perspective, the state has a responsibility to ensure legal certainty, protect citizens' rights, and administer public policies fairly and transparently (Andriyan, 2021; Yuhelson, 2017). In the present case, inconsistencies in government decisions regarding the recognition of the legitimate foundation and nadzir indicate weak inter-institutional coordination, creating opportunities for conflicting interpretations and reducing public trust. Effective public policy should therefore function as an instrument for resolving disputes, preventing abuse of authority, and maintaining institutional harmony (Abdoellah & Rusfiana, 2016; Lemhannas, 2020).

Although previous studies have extensively discussed land acquisition, waqf management, and compensation disputes, limited attention has been given to the institutional dimensions of waqf land conflicts arising from infrastructure development. Existing research generally focuses on legal aspects of land acquisition or waqf administration, while the interaction between institutional fragmentation, conflicts of interest, and policy maladministration remains underexplored. Accordingly, this study examines the dynamics of the conflict between the Sunan Kalijaga foundations during the land

acquisition process for the Semarang–Demak Toll Road and analyzes how inter-institutional conflicts of interest contributed to institutional disharmony in resolving the Sunan Kalijaga waqf land dispute.

RESEARCH METHODS

This study employed a qualitative approach using a case study design to examine the institutional conflict surrounding the Sunan Kalijaga waqf land dispute during the land acquisition process for the Semarang–Demak Toll Road. A qualitative case study enables an in-depth understanding of social phenomena within their real-life context (Creswell, 2019). To strengthen the analysis, the study also adopted socio-legal and historical approaches. The socio-legal approach was used to examine the interaction between legal norms and social realities in the dispute, while the historical approach was applied to trace the development of institutional legitimacy and the historical background of the waqf land (Muhaimin, 2020; Marzuki, 2013).

The research was conducted in Kadilangu Village, Demak Regency, with additional data collected from the Sunan Kalijaga Kadilangu Foundation, the Demak District Court, and the Gedong Pangeran Widjil V Office, as these institutions are directly related to the management, legal process, and historical records of the disputed waqf land. The study used primary and secondary data, with primary data obtained through field observations of social interactions, institutional dynamics, and dispute processes, while secondary data were collected from books, scientific journals, legislation, court decisions, historical archives, and administrative documents. Data were gathered through

observation and documentation and analyzed inductively through data reduction, data display, and conclusion drawing to identify patterns of institutional conflict and explain the factors contributing to institutional disharmony in the waqf land dispute.

DISCUSSION

LITERATURE ANALYSIS OF KADILANGU WAQF LAND DISPUTES: LEGAL DYNAMICS, POLICY RESPONSES, AND BREED DISHARMONY

A. Conflict Dynamics between the Sunan Kalijaga Foundations in Kadilangu during the Land Acquisition Process for the Semarang–Demak Toll Road Project

A-1. Record of the Results of the Demak District Court Case Hearing, "Decision Number 143/Pid.B/2023/PN Dmk"

The institutional conflict surrounding the Sunan Kalijaga waqf land was examined in Decision Number 143/Pid.B/2023/PN Dmk, which involved five defendants charged with jointly inserting false information into authentic deeds and theft. The Public Prosecutor argued that R. Rachmad remained the legitimate founder, wakif, and nadzir of the Sunan Kalijaga Foundation, while the court considered the transfer of waqf land certificates to another foundation as the basis for criminal liability.

The dispute originated from a series of institutional changes. The Sunan Kalidjogo Kadilangu Foundation was established in 1999 and later adjusted to comply with the Foundation Law through the establishment of the Sunan Kalijaga Kadilangu Foundation in 2003 (Lisawati, 2003). During the implementation of the Semarang–Demak

Toll Road Project, disagreements emerged regarding the renewal of the foundation's legal status. Instead of renewing the existing legal entity, Agus Supriyanto established a new Sunan Kalidjogo Kadilangu Foundation in 2017 (Anne Ludviyanti, 2017), followed by another foundation established by R. Rachmad in 2020 (Habib Adjie, 2020). Consequently, four foundations with nearly identical names claimed authority over the same waqf assets.

The conflict escalated when 58 waqf land parcels affected by the toll road project became the subject of compensation. According to the Public Prosecutor, the defendants unlawfully transferred 68 waqf land certificates into the assets of the 2017 foundation through Deed Number 7 of 2020 without a valid foundation meeting, causing alleged state losses of approximately IDR 48 billion. The indictment further stated that the defendants subsequently submitted the certificates to the Demak Land Office as the basis for proposing replacement land, forming the basis of charges under Article 266 paragraph (1) in conjunction with Article 55 paragraph (1) of the Criminal Code and Article 363 paragraph (1) of the Criminal Code.

Conversely, Agus Supriyanto argued that the establishment of the 2017 foundation was intended to ensure compliance with the Foundation Law after the 1999 foundation failed to adjust its articles of association. He maintained that the waqf land certificates were registered under the foundation rather than individual ownership and that the transfer of assets, submission of certificates to the National Land Agency, and proposal for replacement land were undertaken in his capacity as foundation administrator rather than for

personal benefit (Decision Number 143/Pid.B/2023/PN Dmk).

Secondary sources, including media reports, consistently describe the dispute as extending beyond allegations of document forgery to encompass competing claims over institutional legitimacy, waqf asset management, and legal authority (Matalensa News, 2023; Aspirasi Jabar, 2023). These findings indicate that the criminal proceedings were a consequence of a broader institutional conflict rather than an isolated criminal act.

Based on the analysis of Decision Number 143/Pid.B/2023/PN Dmk and field findings, this study concludes that the dispute was fundamentally driven by institutional fragmentation. The establishment of multiple foundations with similar identities generated overlapping claims regarding legal status, authority to manage waqf assets, and entitlement to compensation for land acquisition. Consequently, the criminal proceedings represented the culmination of unresolved institutional, administrative, and legal conflicts involving foundation law, waqf law, land law, administrative law, and criminal law.

A-2. Legal Partialization: Contradictory Criminal Entrapment

A-2.1. National Land Agency: Waqf Land Certificate

The 1999 waqf land certificates identify the wakif and nadzir as the Sunan Kalidjogo Kadilangu Foundation as a legal entity rather than as individuals. However, during the trial, R. Rachmad maintained that he personally held the status of wakif, creating a contradiction between the documentary evidence and the testimony presented before the court. If the waqf was legally vested in

the foundation, authority over the waqf assets should have rested collectively with the foundation's management rather than with a single individual. This interpretation is further supported by a response issued by the Demak District Office of Religious Affairs (KUA) to Drs. R. Krisnaidi, confirming that the nadzir remained the legal entity of the Sunan Kalidjogo Kadilangu Foundation and had never been formally changed. Accordingly, R. Krisnaidi remained part of the registered nadzir despite no longer participating in the foundation's management after 1999. He further testified that Agus Supriyanto had assumed his duties as secretary at R. Rachmad's request, although no official minutes documenting this appointment were available. Regarding the Semarang–Demak Toll Road land acquisition, Krisnaidi also confirmed that the five defendants did not personally receive compensation, as the compensation was ultimately disbursed to the Sunan Kalijaga Kadilangu Foundation established in 2020 through its chairman, R. Kristiawan Saputra.

A-2.2. Problems of the Sunan Kalidjogo Kadilangu Foundation in 2017 (Notary Deed of Anne Ludvianti, S.H., M.Kn.,)

The Public Prosecutor's expert witness, Prof. Dr. Edy Lisdiyono, S.H., M.Hum., testified that the establishment of the Sunan Kalidjogo Kadilangu Foundation in 2017 by parties affiliated with the 2003 foundation was ethically questionable but did not automatically constitute an unlawful act. According to the expert, the establishment of a new foundation or a change of name could not legally transfer waqf assets without approval through a valid foundation meeting.

This opinion contrasts with Agus Supriyanto's testimony that he never authorized the signing of the notarial minuta deed transferring the waqf assets. Several witnesses also stated that discussions with the notary were limited to consultation, raising questions regarding the legality of the administrative process that resulted in the transfer of waqf land certificates.

Furthermore, Ali Sugiyanto, S.HI., M.N., as an expert from the Ministry of Religious Affairs, explained that waqf assets are permanently dedicated for religious and public purposes under Law Number 41 of 2004 on Waqf. However, his interpretation recognizing R. Rachmad as the individual wakif and nadzir contradicts the 1999 waqf certificates, which identify the Sunan Kalidjogo Kadilangu Foundation as the legal entity holding both statuses. He also emphasized that waqf assets cannot be transferred without approval from the Indonesian Waqf Board (BWI), yet compensation for the Semarang–Demak Toll Road project was ultimately paid to the Sunan Kalijaga Kadilangu Foundation established in 2020, indicating inconsistencies in the implementation of waqf administration.

A-2.3. Status of the Sunan Kalijaga Kadilangu Foundation 2020 (Notary Deed of Habib Adjie, SH., M.Hum.)

The Public Prosecutor considered the Sunan Kalidjogo Kadilangu Foundation (1999), the Sunan Kalijaga Kadilangu Foundation (2003), and the Sunan Kalijaga Kadilangu Foundation (2020) as a continuous and legitimate institutional entity. However, this interpretation raises legal concerns because expert witnesses Prof. Dr. Edy Lisdiyono, S.H., M.Hum., and Ali Sugiyanto, S.HI., M.N., emphasized that

changes to a foundation's legal entity do not automatically transfer waqf assets and that any transfer of waqf property requires approval from the Indonesian Waqf Board (BWI).

These issues call into question the legality of granting compensation for the Semarang–Demak Toll Road land acquisition to the Sunan Kalijaga Kadilangu Foundation established in 2020. This position is further supported by an application submitted to the Ministry of Law and Human Rights questioning the legal status of the foundation.

An examination of Notary Deed No. 8 of 2020 further indicates that the Sunan Kalijaga Kadilangu Foundation constituted a newly established legal entity rather than a continuation of the previous foundations. This is reflected in changes to the composition of the founders, the foundation's assets, and its articles of association, as well as allegations of administrative irregularities in the supporting documents used during its establishment. These findings raise substantial legal questions regarding the legitimacy of the foundation's authority to receive compensation for waqf land. If the legal requirements governing the transfer of waqf assets were not fulfilled, the legal basis for the transfer of compensation may be considered invalid (*void ab initio*).

A-2.4 R. Rachmad's Order on the Extension of the Legal Entity of the Sunan Kalijaga Kadilangu Foundation 2003 which was not implemented (Notary Deed Lisawati, S.H)

R. Rachmad's statement that Agus Supriyanto unilaterally discontinued the process of extending the legal entity of the Sunan Kalijaga Kadilangu Foundation

requires further examination. Administrative evidence demonstrates that repeated efforts were made to renew the foundation's legal status through Notary Lisawati, S.H., as reflected in at least 17 applications submitted between 2016 and 2019 (Table 3.5). These records indicate that the renewal process was not intentionally abandoned but encountered procedural and administrative obstacles, including incomplete legal requirements and prolonged delays. Accordingly, the failure to renew the foundation's legal entity cannot be attributed solely to Agus Supriyanto or regarded as an abuse of authority. Instead, it should be understood as the consequence of unresolved administrative and legal deficiencies in the renewal process.

A-2.5 Land Recipients in Lieu of Sunan Kalijaga Waqf

Documentation of the compensation process indicates that the relinquishment of rights over the Sunan Kalijaga waqf land was facilitated by the Demak Regency Government and attended by representatives of the Sunan Kalijaga Kadilangu Foundation, including R. Kristiawan Saputra, R. Agus Riyanto, and R. Rachmad. These records demonstrate that compensation for the Semarang–Demak Toll Road land acquisition was ultimately received by the foundation represented by these parties. Consequently, the Public Prosecutor's allegation of losses amounting to IDR 48 billion requires further scrutiny, as the compensation had in fact been disbursed, thereby weakening the argument that the alleged losses were suffered by R. Rachmad and related parties.

This interpretation is further supported by the testimony of the defendant's expert witness, Dr. Bernard L. Tanya, S.H., M.H.,

who argued that allegations of criminal intent (*mens rea*) must be supported by factual evidence rather than presumption. He further explained that the expiration of a foundation's legal entity due to failure to comply with statutory adjustment requirements may justify the establishment of a new foundation to accommodate its assets. According to the expert, Agus Supriyanto's submission of the waqf land certificates to the Land Procurement Committee (P2T/PPK) was intended to facilitate the land acquisition process, while none of the five defendants personally received compensation. Accordingly, the element of *mens rea* underlying the criminal charges remains debatable.

A-2.6 Abuse of Authority and Formal Defects

The process of relinquishing rights over the Sunan Kalijaga waqf land for the Semarang–Demak Toll Road project raises significant concerns regarding procedural defects and abuse of authority. The documentation indicates that the release of land rights was carried out on 27 May 2022 as part of the compensation process.

The first issue concerns the authority of R. Agus Riyanto, who acted as the representative of the *nadzir*. Based on the organizational structures of the Sunan Kalijaga Kadilangu Foundation in 2003 and 2020, he served as a member of the Board of Trustees rather than the Management Board. Under Law Number 16 of 2001 concerning Foundations, the Board of Trustees does not possess executive authority to represent the foundation in legal actions, as such authority is vested in the Management Board.

The second issue relates to the legal standing of R. Rachmad. Although he served as Chairman of the Board of Trustees in the

2003 foundation, he held no formal position in the 2020 foundation. Nevertheless, both R. Agus Riyanto and R. Rachmad participated in the relinquishment of waqf land rights. This action raises questions regarding compliance with Law Number 41 of 2004 concerning Waqf, which assigns the authority to manage and administer waqf property to the nadzir. These findings indicate potential procedural defects in the execution of the land relinquishment process and highlight inconsistencies in the exercise of institutional authority.

A-2.7 Letter of Request for Change of Nadzir and Imprecision of the Indonesian Waqf Agency (BWI)

Further examination of the transfer of nadzir authority reveals additional procedural irregularities involving the Office of Religious Affairs (KUA) and the Indonesian Waqf Board (BWI). Two issues are particularly significant: the proposal submitted by R. Rachmad to replace the nadzir from the 1999 Sunan Kalidjogo Kadilangu Foundation to the 2003 Sunan Kalijaga Kadilangu Foundation, which effectively removed R. Krisnaidi from the registered nadzir, and the BWI decision approving replacement land for 288 waqf parcels without adjusting for the 58 parcels acquired for the Semarang–Demak Toll Road project.

The request submitted by R. Rachmad also raises questions regarding legal consistency. Although he referred to himself as the wakif of the 1999 foundation, the application was signed on behalf of the 2003 foundation, creating ambiguity regarding the legal subject and the waqf object represented. This inconsistency is further reinforced by evidence showing that R. Agus Riyanto acted as the representative of the

nadzir during the land relinquishment process, while compensation was ultimately transferred to the Sunan Kalijaga Kadilangu Foundation established in 2020.

The BWI decision similarly raises concerns regarding administrative accuracy. Despite 58 waqf land parcels having been released for public infrastructure development, the decision maintained the replacement allocation for all 288 parcels without quantitative adjustment. Moreover, the reliance on a Supreme Court decision as the legal basis for recognizing the 2020 foundation appears questionable because the litigation concerned the dispute between the 2003 and 2017 foundations rather than the legal status of the foundation established in 2020. These findings indicate inconsistencies in institutional decision-making that contributed to the prolonged waqf land dispute.

Analisis basis suara oleh timses Hendi-Ita pada Pilwalkot Semarang tahun 2020 merupakan sebuah identifikasi terhadap kondisi basis suara di Kota Semarang. Analisis yang dilakukan oleh timses Hendi-Ita terbagi

A-2.8 Report of R. Rachmad to the Directorate of Special Criminal Investigation of the Central Java Regional Police (KRIMSUS POLDA JATENG)

Following the relinquishment of waqf land rights and the compensation process, R. Rachmad filed a criminal report with the Directorate of Special Criminal Investigation of the Central Java Regional Police against Agus Supriyanto, Purwo Adhi Nugroho, Mike Santana, Wahyu Sugiantoro, and Arso Budiatno. The investigation concluded that there were indications of theft and the insertion of false information into an authentic deed, leading to the

confiscation of the safe key and Notary Deed No. 7 of 7 April 2020 concerning the transfer of assets of the 2017 Sunan Kalidjogo Kadilangu Foundation.

However, documentary evidence does not fully support the allegation that the defendants had resigned from the 2003 Sunan Kalijaga Kadilangu Foundation before establishing the 2017 foundation. Records of a management meeting in September 2018 and Deed No. 4 of 21 August 2013 indicate that Agus Supriyanto, Wahyu Sugiantoro, and Arso Budiarno remained part of the foundation's management, with no formal evidence of dismissal or resignation.

The confiscation process also raises questions regarding legal consistency. Although the investigation focused on the disputed waqf land certificates, the certificates were later released from the foundation's safe with investigators' permission before the legal dispute had been resolved. Moreover, the certificates remained registered in the name of the Sunan Kalidjogo Kadilangu Foundation established in 1999, where the nadzir consisted of more than one individual. Under the organizational structure of the 2003 foundation, external legal representation should have been exercised by the Management Board rather than the Board of Trustees, raising further questions regarding the legitimacy of representation throughout the criminal proceedings.

B. Institutional Disharmony in the Sunan Kalijaga Waqf Land Dispute: A Conflict of Interest Perspective

The Sunan Kalijaga waqf land dispute in Kadilangu during the construction of the Semarang–Demak Toll Road extends beyond competing claims between

foundations and reflects broader inter-institutional conflicts involving central and local governments, the National Land Agency, land acquisition agencies, and other stakeholders. Although each institution exercised its authority within its legal mandate, differences in interests, interpretations of waqf land status, administrative authority, and infrastructure development priorities created institutional disharmony that weakened coordination and decision-making. Therefore, this study examines how these conflicts of interest shaped inter-institutional relations and contributed to the prolonged resolution of the Sunan Kalijaga waqf land dispute.

B-1. Institutional Disharmony in the Sunan Kalijaga Waqf Land Dispute: A Conflict of Interest Perspective

The Sunan Kalijaga waqf land dispute in Kadilangu during the construction of the Semarang–Demak Toll Road extends beyond disputes between foundations claiming the legitimacy of waqf land management to involve the central government, local governments, the National Land Agency, land acquisition agencies, and other stakeholders in the implementation of the National Strategic Project. Consequently, the dispute is no longer solely a matter of land ownership or legal status but also reflects inter-institutional relations that affect development governance.

Although each institution exercised its authority in accordance with its mandate, differences in interests, interpretations of waqf land status, administrative authority, and infrastructure development priorities created institutional disharmony that influenced coordination, communication, and decision-making. Therefore, this

subchapter examines how conflicts of interest among institutional actors, principal–agent relationships, and governance patterns contributed to institutional disharmony in the Sunan Kalijaga waqf land dispute during the implementation of the Semarang–Demak Toll Road.

B-2. Principal–Agent Relationship in Public Governance

The findings indicate that the Sunan Kalijaga waqf land dispute in Kadilangu was driven not only by differences over the legal status of waqf land but also by competing interests among the institutions involved. Initially confined to the internal conflict of the Sunan Kalijaga Foundation, the dispute expanded into an inter-institutional conflict when the Semarang–Demak Toll Road project required legal certainty regarding the authority to represent waqf assets in the land acquisition and compensation process. Consequently, central and local governments, the National Land Agency, land acquisition agencies, and competing foundations became involved, each pursuing different institutional interests.

The study identifies four principal interests: the 1999 Sunan Kalidjogo Kadilangu Foundation sought to preserve its institutional legitimacy; the 2017 Sunan Kalidjogo Kadilangu Foundation claimed authority over waqf asset management; the government prioritized the timely implementation of the National Strategic Project; and the National Land Agency together with land acquisition institutions emphasized administrative certainty based on legal documents and applicable regulations. These differing orientations created competing claims over legitimacy, authority, and representation, transforming

coordination into institutional competition. This finding supports Peters (2012), who argues that competing institutional interests can undermine institutional independence and coordination. In this case, the interaction between infrastructure development priorities, foundation legitimacy, and government administrative interests not only prolonged the waqf land dispute but also generated institutional disharmony in the implementation of the Semarang–Demak Toll Road. (Peters, 2012).

B-3. Inter-Institutional Coordination and Governance

The findings indicate that inter-institutional coordination was a key factor in the Sunan Kalijaga waqf land dispute during the construction of the Semarang–Demak Toll Road. The involvement of government institutions, the National Land Agency, land acquisition agencies, local governments, foundations, and other stakeholders required integrated coordination. However, differences in authority, interpretations of foundation legality, waqf land management, and institutional representation made the coordination process increasingly complex and affected decision-making.

The study further shows that coordination among institutions was not fully effective because each institution primarily acted according to its sectoral authority and institutional mandate. As a result, communication focused on fulfilling administrative responsibilities rather than developing collaborative solutions, reducing the effectiveness of information exchange, policy synchronization, and governance. These findings suggest that coordination challenges were driven not only by administrative differences but also by competing institutional interests related to

infrastructure development, land administration, and foundation legitimacy. This finding is consistent with Peters (2012), who argues that conflicts of interest can weaken inter-institutional coordination and governance when institutions prioritize their own interests over shared objectives. In the context of this study, these conditions contributed to institutional disharmony during the implementation of the Semarang–Demak Toll Road (Peters, 2012).

B-4. Institutional Impacts of Conflicts of Interest

The findings indicate that conflicts of interest in the Sunan Kalijaga waqf land dispute affected not only inter-institutional relations during the construction of the Semarang–Demak Toll Road but also the broader implementation of institutional governance. The existence of two foundations claiming legitimacy as waqf land managers created administrative uncertainty, requiring government institutions to repeatedly verify legal documents, institutional status, and authorized representatives before making decisions. Consequently, institutional interactions became more complex and prolonged the process of determining legitimate representation.

The study further shows that differences in institutional priorities—between infrastructure development, foundation legitimacy, and administrative compliance—reduced the effectiveness of coordination and decision-making. Although each institution acted within its legal authority, these differing orientations resulted in fragmented coordination, varying interpretations of representation, and weakened institutional harmony. The analysis demonstrates that the principal

consequence of these conflicts was not merely the continuation of the dispute but the emergence of institutional disharmony, reflected in inconsistent perceptions of authority, limited coordination, and less integrated governance. These findings support Peters (2012), who argues that conflicts of interest in the public sector can undermine the objectivity, integrity, and effectiveness of inter-institutional relations. In this case, such conflicts contributed directly to institutional disharmony during the implementation of the Semarang–Demak Toll Road (Peters, 2012).

Based on the overall analysis, institutional disharmony in the Sunan Kalijaga waqf land dispute in Kadilangu emerged from conflicts of interest among institutions with different mandates, authorities, and policy orientations toward the same object. These conflicts were reflected not only in the competing legitimacy claims of the two foundations, but also in the government's focus on accelerating infrastructure development, the administrative interests of the National Land Agency and land acquisition agencies in ensuring legal certainty, and the exercise of authority by each institution according to its institutional mandate. As a result, inter-institutional relations became more complex than ordinary administrative coordination.

This complexity affected coordination, governance, and decision-making throughout the dispute resolution process. Differences in institutional interests hindered the development of a shared understanding of legality, representation, and authority, resulting in fragmented coordination and institutional disharmony during the implementation of the Semarang–Demak Toll Road. These findings support the Conflict of Interest perspective proposed

by Peters (2012), which argues that competing institutional interests can undermine the objectivity of authority, the effectiveness of coordination and governance, and public decision-making.

CONCLUSIONS AND SUGGESTIONS

CONCLUSION

Based on the findings, two conclusions can be drawn;

1. First, the conflict between the Sunan Kalijaga Foundation in Kadilangu during the land acquisition process for the Semarang–Demak Toll Road evolved into a complex structural and administrative dispute. Institutional fragmentation through the establishment of multiple foundations (1999, 2003, 2017, and 2020) created overlapping authority and competing claims over waqf assets, particularly regarding institutional legitimacy, representation, and compensation. The conflict was further intensified by maladministration, institutional inconsistency, unclear legal status of the foundations, and uncertainty regarding nadzir authority, which complicated dispute resolution.
2. Second, conflicts of interest among institutions contributed to institutional disharmony by shaping differences in authority, institutional legitimacy, and policy orientation. The competing interests of foundation management, administrative agencies, and the government's infrastructure objectives weakened coordination, governance, and decision-making throughout the dispute. These findings demonstrate that institutional disharmony resulted not merely from overlapping authority or administrative procedures, but from

conflicts of interest that affected principal–agent relationships and inter-agency collaboration. Therefore, resolving waqf land disputes in strategic infrastructure projects requires not only legal certainty regarding land status and institutional representation but also collaborative governance capable of harmonizing institutional interests, authority, and policy objectives to minimize institutional disharmony.

SUGGESTIONS

Based on the findings, several recommendations are proposed;

1. First, the government and relevant institutions should strengthen collaborative governance in waqf land management within National Strategic Projects by harmonizing institutional policies, establishing integrated verification mechanisms for foundation legality and nadzir authority, and ensuring clear institutional representation before land acquisition decisions are implemented. These measures are expected to reduce conflicts of interest, improve inter-institutional coordination, and enhance legal certainty.
2. Second, the Sunan Kalijaga Foundation and the descendants of Sunan Kalijaga are encouraged to strengthen institutional governance through organizational consolidation and clarification of the foundation's legal legitimacy. Such efforts are expected to prevent future institutional fragmentation, dualism of representation, and overlapping claims over waqf assets.
3. Finally, future research should examine conflicts of interest and institutional

disharmony in waqf land governance through comparative studies across National Strategic Projects or other public infrastructure developments. Such studies may contribute to the development of collaborative governance models that improve inter-institutional coordination and dispute resolution in waqf land administration.

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