

## CRIMINAL COUNTERFEITING DEED AUTHENTIC SHAPED DIPLOMAS BY A NOTARY; FIQH LEGAL PERSPECTIVE JINAYA, INDONESIA

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### ABSTRACT

**Keywords:** forgery; diploma; deed authentic; jarimah ta'zir.

Counterfeiting of diplomas in Indonesia is back lively. Case This is present in some areas and within various shapes. He quoted from Tirto. Id, 873 certificates were produced. A campus-only private sector in Tangerang graduated 145 students. That is, 728 diplomas were issued. Who knows who is entitled to them? Notary Public is officially authorized general For make deed Authentic and owned authority other as meant in Constitution Article 1 number 30 of 2004 concerning Position Notary (UUJN) as has changed become Constitution number 2 of 2014 concerning Position Notary. In matter This determination criminal forgery deed Notary Public Already walking 21 years more in Indonesia. Happen Counterfeiting deed by Notary refer to the Judgment East Jakarta District Court Number 290/ Pid.B /2020/PN Jkt. Tim. Defendant Name Taufik kindly valid and convincing guilty do action criminal Counterfeiting Deed Authentic form criminal prison for 1 (one) year and 6 (six) months. Notary Public do deviation law Notary Public can sentence punishment or penalty form penalty civil, administrative/ code ethics Position Notary Public berdasarkan Constitution position Notary ( UUJN) Article 15 paragraph. Islam recognizes degrees of forgery, The same thing as a liar. That is behavior. The lie is a finger. Finger action fear of crime influences society. Reference beginning istinbath law Ulama's considerations on criminal forgery are Al-Qur'an, Hadith maslahat al-Mursalat, Ulil Amri. This writing will answer Fiqh Law's responses to Jinayah to penalty prison forgery deed notary.



### Introduction

Counterfeiting of diplomas in Indonesia is back lively. Case This is present in some areas and within various shapes. They quoted from Tirto. Id, 873 certificates were produced (Hanafi, Hidayatullah, & Tamjidnor, 2022). A campus-only private sector in Tangerang graduated 145 students. That is, 728 diplomas were issued. Who knows who is entitled to them? Month Last August 2018, in Simeuleu, Aceh, 19 civil servants (PNS) were scattered in various agencies, proven using fake certificates in fulfill condition as state apparatus. One person was fired, temporarily eight mercy others imposed penalty decline class (Sururi, Kuswanjono, & Utomo, 2020).

Several months before, that is, in March 2018, a case certificate forgery was done by one of the willing candidates, the Governor of North Sumatra, Jopinus Ramli Saragih (Rahaditya & Ramzy, 2020). The North Sumatra Integrated Law Enforcement Center Team stipulates it was a suspect Because He was suspected of falsifying the legalization photocopy of his diploma. He considered violating Article 184 Law Number 10 of 2016

concerning elections and finally canceled becoming candidate Governor of North Sumatra (Prayitno, Sari, & Putri, 2019).

The impact of fake diplomas on institutional education, that is, making public instant in reach title academic, make reputation education terrible, so make institution education easily controlled by groups certain to get profit only, as a gap for parties who are not responsible For leaking essential data (Dibie, 2020). Besides, It also has an impact on material losses as well as trust in related names. Credibility companies and institutions are down and need a long time to restore Name Good institution (Emelda, Asrul, & Mappigau, 2014).

Various types follow criminal forgery. One letter follows criminal diploma forgery. Using and making fake diplomas enter into the category of crime forgery. In development, various types follow criminal forgery; forgery letters experience such a development complex. Counterfeiting letters, mail, and even a diploma can be questioned who is the culprit and who is in charge of manufacturing. This notary Public owns a share in making letter mail like the case of certificates authentic (Djarmika, Safa'at, & Noerdajasakti, 2023).

Profession one notary profession vulnerable laws caught trap law. There are not only internal factors, such as self-notary, carelessness, not obeying procedures, No operating ethics profession, and so on (Anavyanto, Maimunah, Yudianto, & Sukmasetya, 2023). Factor others, notary confronted with documents fake ones do not should be, where contain consequence law owner (Rosdiani, 2021).

Making a deed, the Notary Public must fulfill stipulated conditions in Constitution number 2 of 2014 concerning Change Law no. 30 of 2004 about the position of a notary to be able to become a valid proof without leave obligation (Angrayni, 2015). Notary Public against facing or client; a notary must read the deed in front of the client and complete identity facing, make the content deed official as desired by the plaintiff during No Meow law, sign the deed and so on (Lami, 2022).

Reading deed Notary Public in front of facing so appearers and interested parties know and understand substance deed drawn up by a notary who is the wishes of the parties. The notary's role is vital as an official appointed by the state and requested accountability for the deed that has been made. A professional Notary Public is required to obey the rules that apply to the Constitution Position Notary and the subject provision of the Code of Ethics Position Notary.

However, it happened forgery deed by a Notary refer to the Judgment East Jakarta District Court Number 290/ Pid.B /2020/PN Jkt. Tim. Defendant Name Taufik kindly valid and convincing guilty do action criminal Counterfeiting Deed Authentic form criminal prison for 1 (one) year and 6 (six) months. The decision ended, stating that the defendant was still detained Because the guilty did follow criminal Counterfeiting Deed Authentic.

Responding to this, the Notary is an officially authorized general To make the deed Authentic and owned authority other as meant in Constitution Article 1 number 30 of 2004 concerning Position Notary (UUJN) as has changed become Constitution

number 2 of 2014 concerning Position Notary. In matter This determination criminal forgery deed Notary Public Already walking 21 years more in Indonesia.

Constitution position Notary Public state if in operate task position do something violation cause deviation law, Notary Public can sentence punishment or penalty form penalty civil, administrative/ code ethics Position Notary. Rule This is already set in the Constitution Position Related Notary (UUJN). With code ethics, the Position of the Notary is not included in funding sanctions; however, Assembly Supervisor Notary has the authority to punish the Notary.

When a Notary Public follows as well as in forgery identity facing or client, then can subject to penalty criminal Article 264 paragraph 1 (a and b) of the Criminal Code. Chapter the arranges all forms of object forgery behind mark high trust so that aggravates the penalty. Violation Notary Public other in article 266 of the Criminal Code, namely deed oppose law client request Notary Public For made deed with identity fake.

No thorough is the internal factor of the violation code ethics in operate potential of the profession raises error making deed. Factor externally exists in the norm in society Where Notary Public often confronted documents. Accuracy Deed Authentic No only made by a notary, but also officials Maker Land Deed with objective as tool proof legally recognized by law, consisting from proof, proof witnesses, conjectures, confessions and swear.

Indonesian society is majority country Muslim, and all regulation in the country combines positive and Islamic law. As has been written in Al-Qur'an letter Al-Baqoroh paragraph 282 called as verse Al-Mudayyanah, "And let a writer between You write it down with a right. And don't writer reject For write it down as Allah has taught it to him, mother let He wrote "(QS.Al -Baqoroh: 282) ". talking about recommendation write debts, and witness it in front of party trusted third notary. Inside it, there is an emphasis on the necessity to write debt, although A little accompanied by amount and determination time.

For the issuing notary/PPAT deed to be authentic, let us apply fair, aware supervision of Almighty God One. Include inside it condition validity deed with sense healthy and witnessed by witnesses with five senses to get accepted in society as well as considered valid, own provision legal and not can mess up sue authenticity by others. Based on the description above, the researcher lifts the method view problem about Penalty Criminal forgery deed authentic Notary / PPAT perspective Fiqh Jinayah in Islam.

## **Research Methods**

Study This is a study of qualitative research through library research (library research), namely study ingredients written like books, documents, magazines, letters, news, and research related to the study. The researcher was faced with cases and data presented, with source library as well as secondary data.

Study literature (library research), obtain source from many journals and documents notarization, supported with primary data source discussed thesis some penalty criminal notary / PPAT above violation forgery deed in Indonesia. Data analysis used is a method descriptive on completion of something problem. Study This gives views of Islamic Criminal Law or what is known as Fiqh Jinayah in addressing penalty crime charged with forgery and deed notary.

## **Results and Discussion**

### **1. Certificate**

The diploma is something from a competent certificate given to the participant as a confession to performance study and or settlement of something level education organized by the unit accredited education. Fake certificates are passed certificate or Certificate of Learning which is not the origin or counterfeit contents.

A diploma is not just a sheet of information from somebody from an agency. It Can applied as an identity graduation somebody later. Grabbing it with training and learning when taking education will form skills possessed and needed by others.

The degree has benefits in education, as the condition continues level education next, as event proof intellect someone, as well theorem or proof identity performance someone. Obtaining a general diploma is an honor, which usually will get a title education and can be said to be a class scholar. Besides, That diploma is also a provider field work For evaluating the credibility of someone who is A confession legitimate from the country.

The impact of the diploma is applied positively for students or students who will obtain diverse, capable knowledge and experience from personality they are riper to face the world of work later. Ability academics owned by students are recorded in a diploma, so students who pass and get a proper diploma memorize, analyze, and solve problems using instrumental logic later.

Another thing is diploma forgery, cunning diploma forgery interest specific Where is threatened criminal act law criminal and civil law by the state. The use of fake diplomas also harms many deceived parties. Certificate forgery only profitable self Alone or others with method oppose the law and can at risk to credibility institution the.

### **2. Notary / Officer Maker Land Deed (PPAT)**

#### **a. Notary Public As Profession and Professional**

The term notary originated from the word " notary," i.e., the name given to the Romans. His job run work was written then. Another opinion says that the Name Notary Public originates from the word " nota literary, "meaning sign (Letter brand or character) denotes something words. One role that influences identity and life sovereignty is the role of a notary. Authority Notary Public containing proper ownership form of Indonesian society deed Authentic, wrong something movement help binding law incident humanity needed role in operating trust with honestly bound in a written form deed.

One incident violation Notary Public as described, forgery deed by Notary refer to the Judgment East Jakarta District Court Number 290/ Pid.B /2020/PN Jkt. Tim. Defendant Name Taufik kindly valid and convincing guilty do action criminal Counterfeiting Deed Authentic form criminal prison for 1 (one) year and 6 (six) months. The decision ended, stating the defendant was still detained Because the guilty did follow criminal Counterfeiting Deed Authentic. Incidents, in comparison with authority proper notary, carry trust professionally without There is tyranny inside.

Notary Public described as every chart depicted run function social, responsible as well as have integrity and good morals, as well as uphold tall nobility and dignity position. It is not only arranged in the Constitution Position notary but also in the code ethics profession Notary / PPAT, which oversees social morality. Profession Notary Public This is based on moral values, so his job must be based on obligation, fine himself, not depend on others or depending on the destination or achieved results.

Professional ethics Notary Public is social, moral support, act on base determination, conscious obligation For uphold mark tall ethics profession. Create idealism practice profession, Work No For look for advantage, but subserve to fellow. This reflection is critical to morality and helps look for orientation norms and values existing notary.

Making a deed Notary Public based on code ethics is something that demands guidance, moral guidelines, or decency, something profession that is structured and binds the members who carry it out profession inside. A deed notary can be sided with one the comer to him, so deed No becomes heavy next to that only benefits one party just as Article 17 of the Law Position Notary.

Regulation Notary Public in operate his job expected output deed to facing or client No lost content, like the identity of the parties, conditions a witness, who do and do not can become witness, place position notary, provisions about paid leave notary and others. If any negligence notary on deed authentic said, deed authentic will lose its authenticity and only apply as a deed under hand. For the aggrieved party on negligence, the Notary Public can submit a change to make a loss to the concerned notary.

### **3. Duties and Authorities Notary / PPAT**

#### **b. Task tree**

Task tree Notary Public is make deeds authentic. As for the deed, authentic according to Article 1870 of the Civil Code, it was given to the parties who made it something perfect. Here, a notary needs to see the Constitution Notary Public given authority create tool perfect proof, which means is stated in deed authentic in essence considered Correct throughout No There is proof otherwise.

Article 1874 Civil Code, the notary on duty registers letters underhand into the book unique (warmerken), then authorizes letters underhand (Legalization). Task Notary Public gives counseling law to the public concerning making deeds. Principal notary Public operates his job must give service to all parties for the sake of the interest of all parties facilitated indeed authentic.

In the formulation of the deed authentic, the notary must be capable of formulating the desire or the actions of the parties to in deed authentic with notice provision applicable law, Then constant connection law between the parties in the form written and a specific format, so that can realize law between subjects law characteristic civil. That is so the Notary Public can prevent problems or disputes, Creating disputes between the parties.

#### **4. Authority Notary / PPAT**

Article 15, paragraph 1 UUJN confirms that one authority, Notary Public, makes the deed the same general. Chapter This explains strength proof from deed meaning notary tasks and positions Notary Public formulate desire or action from the parties into the deed authentic with, pay attention rule applicable law. Authority Notary Public following Article 15 of the Law Position Notary (UUJN) is;

Article 15, paragraph 2 UUJN, regulates the authority of a unique Notary Public To do action law; for example, authorize a sign hand and set certainty date letter underhand with register it in the something book notable notary. Besides that, what becomes authority special for the Notary Public is to make an original Copy from letters underhand in the form of a loaded copy description as depicted in the letter concerned, including approval compatibility between photocopy with letter original.

Article 15, paragraph 3 UUJN, states that Notary Public have other regulated authorities in legislation. If a Notary Public does action outside authority that has determined, then deed Notary Public the No tie in a manner law or No can be carried out. Those who feel harmed by action Notary Public can be sued in a manner civil to court country.

Authority Notary Public To make deed authentic all deeds, agreements, and stipulations as outlined in Article 15 Paragraph 1 of Law number 2 of 2014, company Constitution number 30 of 2004, which is necessary to get attention about deeds, agreements, and stipulations that must be made by Notary Public namely; 1) If so That wanted by them or interested parties, 2) If by law general matter the must state indeed authentic.

#### **5. Deed Authentic**

##### **c. Understanding Deed Authentic**

A deed authentic according to provision Article 1868 of the Civil Code is something inside a deed specified from law by law made by or face to face employees ruling general For That in a place Where it he made. Article 165 HIR explains the authentic meaning, namely; “Letters made by or in front of employee ruling general make it, make it happen sufficient evidence for second split parties and experts his legacy, embody sufficient evidence for second split parties and experts his heir as well as everyone who got right thereof that is about all thing, that one in a voice that and also about the listed in letter That as announcement course, but that one Then That only just being told That direct in touch with a tree indeed that .”

Deed Notary Public as a deed is made words in front of an Employee General or Designated party based on law; a notary is one of them. A Deed Notary made before the

employee is usually called a deed of the parties. Here, the employee, one of the Notary Public characteristics, is passive in the sense of waiting until He is treated by other parties to do a deed. So, notary No with himself without called make a deed. Nor is the deed of the parties only containing information from the parties solely only, but also contains information from Notary Public That alone.

Kindly juridical deed authentic No will have strength tool proof if following chapter 1869 Civil Code; a) Deed the No legitimate or No fulfill condition formal as deed authentic or also known as deed Authentic, because That No can be treated as deed authentic, b) However such deed, has mark strength as a deed under hand with condition apala deed That signed by the parties.

#### **6. Counterfeiting Deed Authentic**

Counterfeiting is a crime in it contains element circumstances untruth or false on something, something something That looked from outside as if Correct exists that is indeed contrary to actuality. Viewed from a corner from a criminal law perspective with the formal aspect of manufacture deed authenticated by a notary, parties investigator, prosecutor general, and the judge will enter Notary Public after doing action law ;

1. Make letter counterfeit / forged and use letter counterfeit/falsified ( article 263 paragraph ( 1) and (2) of the Criminal Code)
2. Do forgery ( Article 264 of the Criminal Code)
3. Ordered includes information false in deed authentic (Article 2666 Criminal Code)
4. Do, order do, which also as well as commit (Article 55 Jo. Article 263 paragraph (1) and (2) or 264 or 266 of the Criminal Code)
5. Help make letter counterfeit / or forged and use letter fake/falsified (Article 56 paragraph (1) and (2) Jo. Article 263 paragraph (1) and (2) or 264 or 266 of the Criminal Code)

A fake letter is deed change with the method, however, by people who are not entitled to A letter which resulted in part or whole contents be another or different with a content letter back. No look is with change That Then contents become right if deed change is done by people who do not entitle, then forgery letter That happened.

Based on Jurisprudence Supreme Court of the Republic of Indonesia, a false letter is a letter containing contrary to truth, Good about sign his hands nor about contents, up to a piece letter That Good entirely relevant part with sign his hand just or related with contents, by false has made as if originating from people who only written under letter the. (Verdict Supreme Court No. 2050 K/ Pid /2009).

Gap problem Article 263 of the Criminal Code does not explain the difference between making a letter false and a falsified letter, so it happens to blur the norm. For do enforcement law to Notary Public to deed forged authentic or possible forgery become tool evidence.

#### **6. Penalty Criminal Notary Public**

The Notary Public can say do deed oppose a law in Criminal Law context also violates code ethics and UUJN, so condition punishment becomes stronger. If No is accompanied by a violation of code ethics or even justified by UUJN, then it may

matter. This can abolish characteristics opposing the law, something deed with something reason justification.

If a Notary Public deviates from A deed that raises something case criminal, the Notary Public must criminally take responsibility. Generally, responsibility is interpreted as circumstances must bear, carry responsibility, bear all something, can sue, blamed, sued, and so on by regulation applicable law.

Theory accountability law needed For can explain the connection between responsibility relevant notary with authority Notary Public based on Constitution Position Notary (UUJN) No. 2 of 2014 concerning change on Constitution number 30 of 2004 concerning Position Notary. Authority is one of them is creating possible evidence giving certainty law for the parties, then becoming something offensive or must be held accountable in a manner personal or individual.

He made a penalty. This is, as a consequence, detrimental behavior in society and according to the legal order, where matters must avoided. If violation of a notary is, then a penalty for the existing crime in the Criminal Code, with notes that punishment to Notary Public can be done with Limitations as follows;

1. There is action law from the Notary Public to aspect outward, formal, and material in deed, which with deliberate and complete awareness, too planned that need to be made That has agreed with the proponents For do something action criminal.
2. There is an action law from the Notary Public in making deed No following Constitution Position Notary and Code of Ethics Notary Public

With That penalty, criminal Notary Public can do throughout limitations the violated, that is, besides fulfilling the formula that violation in Constitution Position Notary (UUJN) No. 2 of 2014 concerning change on Constitution number 30 of 2004 concerning Position Notary, Code of Ethics Notary Public must fulfill stated formula in the Criminal Code.

Related to truth material on the deed authentically, if done without caution so that endangers the community and or raises loss well done with on purpose nor no and deed the threatened or fulfill elements criminal, then the Notary Public must take responsibility need them in a manner criminal. The usual article used For demand Notary Public in implementation task position is governing articles about following criminal forgery letter, that is, Articles 263, 264, and Article 266 of the Criminal Code.

In short, forgery is a characteristic letter authenticated by a notary referring to Article 264 Paragraph 1 of the Criminal Code. Inside it, there is provision forgery against a Deed Authentic, Letter Sero or Debt or Certificate Sero or Debt and one association, foundation, corporation or airlines and more document other possessive authentic. Article 264, paragraph 1 contains weighting from offense forgery letter state Criminal The maximum imprisonment is eight years. Criminal Counterfeiting Deed Notary Public for eight years here it is material study sees Islam as the majority religion in Indonesia. As for goals, the researcher is to expose Criminal Law research Counterfeiting Notary running in Indonesia. To give his view provides alignment arguments Criminal according to Fiqh Legal Perspective Jinayah.



### 1. Fiqh Jinayah ( Islamic Criminal Law)

Enforcers' law, especially the judges, know the guidelines of the Constitution based on drop verdict, that is Article 4 (1) Law. No. 14/1970 jo. UU no. 4/2004 that Justice done "For the sake of justice Based on Supreme Divinity Esa." As the Al-Qur'an states:

1. "When You punish him between humans (Bainannas), then judge with fair" (QS. An- Nisa: 58)
2. "Stand up for truth and justice even on you, your mother's father, or in a close friend your relatives" (QS. An- Nisa: 135)
3. "O you who believe be You enforcer justice, be God's witness though to yourself Alone ory to Mother father and your relatives. If the accused is rich or poor, then Allah knows better his benefit. So don't You follow weather lust Because you want to deviate from the truth? And if You rotate back or reluctant become witness, then know Allah is great thorough to all what are you do it" (QS. An- Nisa: 135)

Application law for Indonesian society, including Islamic law (law fiqh), a system of punishment based on the Qur'an and the Sunnah of the Prophet for perpetrators following criminals. Islamic Criminal Law views forgery, also called Tazyif, meaning forgery inside law Islam, including in the category Trick Trick.

Counterfeiting is a deed somebody To get profit through a deed that is reprehensible, not honest, and deceptive. Trick trick interpreted Al-Makir said, that is The same as fraud according to legal terminology. The word likened to fraud has a plan or meaning, trick trick. As written \_ in the Al-Qur'an letter An- Nahl paragraph 116;

وَلَا تَقُولُوا لِمَا تَصِفُ أَلْسِنَتُكُمُ الْكَذِبَ هَذَا حَلَلٌ وَهَذَا حَرَامٌ لِّتَقْتِ رُؤَا عَلَى اللَّهِ الْكَذِبَ إِنَّ الَّذِينَ يَفْتَرُونَ عَلَى اللَّهِ الْكَذِبَ لَا يُفْلِحُونَ (النحل : 116)

" And Don't You say to what your tongue calls out in a manner lie " this is lawful, and this is unlawful" for making it up lie against God. Truly people who make it up lie against God is not lucky".

The verse of the Qur'an states, Forgery is trick planned trick. Islam recognizes that degree is The same as a liar, a behavioral lie. Counterfeiting letter (deed authentic such as KTP, KK, and other certificates) is set in the Qur'an based on a number prohibition verse in a manner firm For No do lie (Al-Kadzab).

Counterfeiting also included fraud and deception. Islam forbids his people to trick and deceive in various things, though in operation sell buy and various type nauseous between human. Because fraud is something, where is the persecution? Putting something not in place. Counterfeiting also includes deed hypocrite that exists cheat on him attached quarter rate hypocrite. as The hadith of the Prophet narrated by Imam Bukhari, which reads:

Meaning: Abdullah Ibn Amr, that the prophet Muhammad has said: "There are four matter, whoever there is characteristic it, then He truly a hypocrite and whoever is in himself one from properties such, then own character hypocrisy until He releases it, i.e., trusted He treason, if promised He denies, if speak He lie, if agree He No accompanies and if debate He apply the cheat."

Islam forbids all types forms of fraud and phishing, including deed forgery letters, because a deed is something tyranny. The one with This Act to right man in a way it does not right, so Allah forbids man to apply tyrannical to fellow humans. In Islam, a violating act of shari'ah is a threat called Fingers. Whereas in law, positive violation acts of statutory regulations and harming others is called follow crime (event criminal and delict). Finger Can also said to follow criminals.

Jarimah Hudud divided into 7 types jarimah, among others: Jarimah Zina, Jarimah Qadzaf, Jarimah Syarb Al- Khamr , Jarimah Theft , Finger Hirabah , Jarimah Riddah , Jarimah Rebellion . However, forgery deed, other than Jarimah Hudud. Fraud classified in Jarimah Ta'zir. This, as base punishment fraud, can be subject to penalty Ta'zir.

## 2. Counterfeiting ( Jarimah Ta'zir )

Ta'zir is a sentence imposed on the base judge's discretion according to Islamic teachings. Not determined by the Qur'an and hadith, but rather Criminal ta'zir submitted to the judge decided following benefit humans as for the base law in the Qur'an, which emphasizes record-keeping agreement and behavior deed law witnessed by both split parties; in Indonesia, the same case with expert witness.

## 3. Criminal Basis Exile in Jinayah

Criminal counterfeiting in force in Indonesia today is exile, based Ijtima Ulama, istinbath law jurisprudence jinayah, madhhab Shafi'i distance exile between city origin with city his disposal or his exile is distance journey Qashar. Qashar distance taken at least two mashallah / 16 farsakh (48 miles) / 4 braid / 2-day trip. In determining standard distance according to size, there are several opinions: Distance 80.64 km (8 km over 640 m).

Likened fraud has a plan or, meaning, a trick. As written in the Al-Qur'an letter An- Nahl paragraph 116 ;

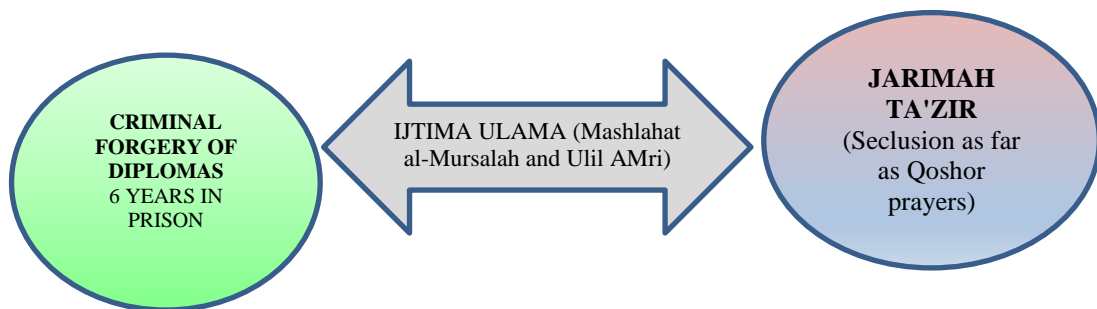
وَلَا تَقُولُوا لِمَا تَصِفُ أَلْسِنَتُكُمُ الْكَذِبَ هَذَا حَلَلٌ وَهَذَا حَرَامٌ لِنَقْتِ رُؤَا عَلَى اللَّهِ الْكَذِبَ إِنَّ الَّذِينَ يَفْتَرُونَ عَلَى اللَّهِ الْكَذِبَ لَا يُفْلِحُونَ (النحل: 116)

" And Don't You say to what your tongue calls out in a manner lie " this is lawful, and this is unlawful" for making it up lie against God. Truly people who make it up lie against God is not lucky".

Islam recognizes that degree is The same as a liar, which is a behavior lie. In short, punishment exile This dropped to perpetrator Worried fingers can negatively

influence society. With exiled perpetrators, they will spared from influence. Moreover, there are places of exile set by the Ulama.

See form various scams type form, Al-Qur'an, Hadith and Acts Khulafa Ar-Rashidin on as reference beginning istinbath law criminal forgery, although criminal This description No thorough in the Koran. Scholars' Considerations in considering ongoing criminal law in Indonesia, referring to Maslahat al-Mursalah, Ulil Amri.



## Conclusion

The impact of fake diplomas on institutional education makes the public instantly reach title academic, makes reputation education terrible, and makes institutional education easily controlled by groups certain to get profit only, as a gap for parties who are not responsible For leaking essential data. Besides, It also has an impact on material losses as well as trust in related names. \_ Credibility companies, as well as institutions that are down and in, need a long time to restore Name Good institutions the

Counterfeiting deed Authentic Notary Public to facing or client, got subject to penalty criminal Article 264 paragraph 1 (a and b) of the Criminal Code, which states 1-year sentence forgery deed notary. Counterfeiting, according to Islam, is something trick or smuggling is also an invented lie. Islam forbids all types forms of fraud and phishing, including deed forgery letters, because a deed is something tyranny.

At the time of Caliph Umar Bin Khattab, there was holder trust in the office Baitu -l-Mal did stamp forgery, the actions taken by Caliph Umar were punishment ta'zir in the form whip and exile from residence that is far away from me like when time interval pray Qoshor. See various scams \_ type forms, Al-Qur'an, Hadith, and Acts Khulafa Ar-Rashidin as reference. Scholars' Considerations in criminal law that runs in Indonesia, looking at maslahat al-Mursalah, Ulil Amri.

### **Bibliography**

- Anavyanto, Arazka Firdaus, Maimunah, Maimunah, Yudianto, Muhammad Resa Arif, & Sukmasetya, Pristi. (2023). EfficientNetV2M for Image Classification of Tomato Leaf Diseases. *PIKSEL: Penelitian Ilmu Komputer Sistem Embedded and Logic*, 11(1), 55–76.
- Angrayni, Lysa. (2015). Hukum Pidana Dalam Perspektif Islam Dan Perbandingannya Dengan Hukum Pidana Di Indonesia. *Hukum Islam*, 15(1), 46–60.
- Dibie, Rejoice Chijindu. (2020). Design and Implementation of an E-Learning System.
- Djatkika, Prija, Safa'at, Rachmad, & Noerdajasakti, Setiawan. (2023). Comparison Of The Judicial Forgiveness (Rechterlijk Pardon) Between Civil Law System And Islamic Law System (Finding The Formulation Of The Principle Of Rechterlijk Pardon In Indonesian Criminal Law). *International Journal of Educational Review, Law And Social Sciences (IJERLAS)*, 3(4), 1198–1210.
- Emelda, Andi, Asrul, Laode, & Mappigau, Palmarudi. (2014). An analysis of competitiveness and government policies impact on development of cocoa farming in Indonesia. *Asian Journal of Agriculture and Rural Development*, 4(393-2016–23930), 30–35.
- Hanafi, Hanafi, Hidayatullah, Hidayatullah, & Tamjidnor, Tamjidnor. (2022). Domestic Violence: Comparison between Islamic Law and Domestic Violence. *International Journal of Social Science, Education, Communication and Economics (SINOMICS JOURNAL)*, 1(1), 1–8.
- Lami, Muhammad Dliyaul. (2022). Ancaman Penjatuhan Hukuman Pemiskinan Terhadap Pelaku Tipikor di Indonesia Sebagai Upaya Preventif Ditinjau dari Perspektif Fiqh Jinayah. *UIN KH Achmad Siddiq Jember*.
- Prayitno, Gunawan, Sari, Nindya, & Putri, Ike Karwinto. (2019). Social capital in poverty alleviation through PRO-POOR tourism concept in slum area (case study: Kelurahan jodipan, Malang City). *GEOMATE Journal*, 16(55), 131–137.
- Rahaditya, R., & Ramzy, Muhamad Javier. (2020). Responsibilities of Illegal Workers Supplier For Migrant Workers Restitution (Decree Number 2710/Special Crime/2018 Tangerang District Court). *The 2nd Tarumanagara International Conference on the Applications of Social Sciences and Humanities (TICASH 2020)*, 658–666. Atlantis Press.
- Rosdiani, Dilla. (2021). Tinjauan Hukum Terhadap Tindak Pidana Pemalsuan Ijazah Dan Surat Keterangan Hasil Ujian Nasional Sebagai Akta Otentik Yang Berdampak Bagi Lembaga Pendidikan Di Indonesia Dihubungkan Dengan Undang-Undang Nomor 20 Tahun 2003 Tentang Sistem Pendidikan Nasional Junto Pasal 264 Kitab Undang-Undang Hukum Pidana. *Universitas Komputer Indonesia*.

Criminal Counterfeiting Deed Authentic Shaped Diplomas By A Notary; Fiqh Legal Perspective Jinaya, Indonesia

Sururi, Ahmad, Kuswanjono, Arqom, & Utomo, Agus Himmawan. (2020). Ecological sufism concepts in the thought of Seyyed Hossein Nasr. *Research, Society and Development*, 9(10), e5769108611–e5769108611.