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Editor's Address:
The Law Policy Strategy Agency, Ministry of Law of the Republic of Indonesia
Jl. HR. Rasuna Said Kav. 4-5, 7th Floor, Kuningan, Jakarta Selatan
Telephone: (021) 2525015, Facsimile: (021) 2526438

Email:
balitbangkumham@gmail.com

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ADVERTORIAL

Thanks to Allah SWT, the De Jure Legal Research Journal published by the Legal Policy Strategy Agency of the Ministry of Law of the Republic of Indonesia in collaboration with the Indonesian Legal Research Association can be republished Volume 25 Number 2 July 2025.

The publication of the De Jure Legal Research Journal Volume 25 Number 2 July 2025 contains 5 (five) articles from various research institutions in Indonesia or academic community. To improve the legal and legislative system, significant improvements to government strategic policies are needed. In connection with this, the editor of the De Jure Research Journal Volume 25 Number 2 July 2025 raised articles including the role of aalco in transnational crime asset recovery: a legal perspective on asia-africa cooperation; implementation of legislation formulation policy in the drafting of village regulations in purworejo regency, central java province;realizing reality justice in child custody decisions through an interconnected systems approach; model of punishment based on economic loss value in crowdfunding philanthropy action; politics of land grabbing: the silent death of emancipation in agrarian law. Through these writings, they can contribute ideas that can become reference material in fulfilling the sense of justice and legal protection in society.

We would like to express our thanks to the authors who have trusted the De Jure Legal Research Journal to publish their work. We would also like to express our thanks to peer reviewers who was willing to help, research and correct the author's writings in this publication.

Finally, we would like to express our gratitude to the Head of the Legal Policy Strategy Agency, Ministry of Law of the Republic of Indonesia, and the Association of Indonesian Legal Researchers who have agreed to publish this De Jure Legal Research Journal.

Editor:

Jakarta, July 2025

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Carissa Amanda Siswanto, Nafis Dwi Kartiko

The Role of AALCO in Transnational Crime Asset Recovery: A Legal Perspective on Asia-Africa Cooperation

The De Jure Legal Research Journal Volume 25, Number 2, July 2025, Page 67-84

The Asia-African Legal Consultative Organization (AALCO), as an intergovernmental organization in Asia and Africa, possesses significant potential to facilitate cooperation among member states in combating transnational crimes and recovering assets. The objective of this study is to explore and analyze the role of the Asia-African Legal Consultative Organization (AALCO) in the international legal framework governing asset recovery of assets arising from criminal activities. The research method used is normative-dogmatic juridical with statutory, conceptual, and comparative approaches. This research uses primary legal sources, such as laws and international treaties, as well as secondary legal sources, such as journals, articles, books, and comments on judges' decisions. The findings of this study indicate that AALCO has an important role in facilitating cooperation among its member states for the recovery of assets derived from criminal activities. AALCO has developed mechanisms such as conventions and guidelines to guide member states in asset recovery. However, this research also found limitations, such as the lack of harmonization of laws among the member states and limited institutional capacity in some states. In addition, there are still challenges in cross-jurisdictional coordination and a lack of public awareness on the importance of asset recovery. In light of these findings, this research recommends AALCO to strengthen a uniform legal framework and improve training and capacity building for law enforcement. In addition, AALCO also needs to strengthen information networks among member states and build partnerships with international organizations. By implementing these recommendations, AALCO can be more effective in supporting efforts to recover assets derived from criminal conducts in the Asia and Africa region.

Keywords: AALCO; Asset Recovery; Crime

Heni Susila Wardoyo

Implementation of Legislation Formulation Policy in The Drafting of Village Regulations in Purworejo Regency, Central Java Province

The De Jure Legal Research Journal Volume 25, Number 2, July 2025, Page 85-102

This study examines the implementation of legislation formulation policy in the drafting of Village Regulations (Perdes) in Purworejo Regency, Central Java Province, with a focus on the involvement of Legislative Drafters (Perancang Peraturan Perundang-undangan or PUU). Purworejo Regency was chosen because it presents complex dynamics of village development and serves as a case study to illustrate the implementation gap between national, regional, and village-level policies in the context of village regulations. Although Article 98 of Law Number 12 of 2011 mandates the participation of drafters at every stage of regulation drafting, implementing regulations such as the Ministry of Home Affairs Regulation (Permendagri) Number 111 of 2014 have yet to accommodate this provision. This research adopts an empirical legal approach using qualitative methods and Grindle's policy implementation theory as the main analytical framework, encompassing the dimensions of content of policy and context of implementation. Data were collected through interviews with nine key actors from the village to the national level and document analysis. The findings reveal that the policy implementation, such as the lack of clarity in regulatory objectives, limited technical resources, and poor legal substance quality, stems from the absence of PUU drafters. Moreover, institutional fragmentation, inadequate regulatory support, and restricted access to structured legal assistance further hinder the policy implementation. The Strengths, Opportunities, Aspirations, and Results (SOAR) approach was employed to formulate an optimal strategy. Three-phase strategies are proposed: development of a digital platform for PUU drafter engagement (short term), revision of Permendagri 111/2014 (medium term), and amendment of Law Number 12 of 2011 (long term). The core conclusion of this study is that the systemic involvement of Legislative Drafters (PUU) is essential to optimize the implementation of legislation drafting policy at the village level.

Keywords: Implementation Strategy; Legislative Drafter; Legislation; Village Regulation

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M. Beni Kurniawan

Realizing Reality Justice in Child Custody Decisions through an Interconnected Systems Approach

The De Jure Legal Research Journal Volume 25, Number 2, July 2025, Page 103-114

Child custody disputes are one of the absolute authorities of religious courts. In 2023 there were 1526 (one thousand five hundred and twenty six) cases of child custody disputes examined and decided by all religious courts in Indonesia. The problem is that even though the court has given a decision that is legally binding on the child custody holder, the reality is that many of the religious court decisions are not heeded by the losing party due to several factors, including hiding the child, taking the child away, or inciting the child, which has an impact on the non-executionability of the child custody decision. Departing from this problem, this paper formulates the problem of how legal regulations in Indonesia regulate child custody and how the application of the interconnection system in carrying out child custody decisions. This paper applies normative juridical research methods by examining related legal documents as the main source of reference. the author's findings that for the realization of reality justice in child custody decisions, the Court can adopt an inter-connection system by involving relevant to prevent non-executable decisions.

Keywords: reality justice; child custody; system interconnection.

Deli Bunga Saravistha, I Nyoman Gede Surya Mataram

Model of Punishment Based on Economic Loss Value In Crowdfunding Philanthropy Action

The De Jure Legal Research Journal Volume 25, Number 2, July 2025, Page 115-132

Crowdfunding, have become increasingly popular since the onset of the Covid era and have become a new social phenomenon until now. This is marked by the emergence of various donation collection platforms in Indonesia, making Indonesia the most generous country according to the Charities Aid Foundation World Giving Index 2021 survey. The regulation that serves as the basis for this activity is Law Number 9 of 1961 and Government Regulation Number 29 of 1980. Numerous cases with various methods of operation have begun to surface; however, regrettably, they fall short of the community's expectations, particularly those of well-meaning donors who are concerned about humanitarian issues. This study aims to create a more effective legal regulatory model by examining situations from a new perspective that incorporates economic characteristics. The subjects of this research are crowdfunding actors, donors, and other related parties.. The research method used is the normative research method with the help of Responsive Law Theory as an analytical tool. With a punishment model based on the value of economic loss and also implemented based on the principle of restorative justice, the research findings provide a more responsive resolution mechanism that does not undermine the authority of criminal law and views the legal system as not immune to the influence of other subsystems, including the economic subsystem. It is suggested that laws that are no longer effective in reaching social media-based crowdfunding patterns which not only spread swiftly but may also transcend national boundaries be renewed.

Keywords: crowdfunding, penal model, loss value

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Rofi Wahanisa, Syahwal, Eko Mukminto

Politics of Land Grabbing: The Silent Death of Emancipation in Agrarian Law

The De Jure Legal Research Journal Volume 25, Number 2, July 2025, Page 133-150

In the midst of Indonesia's ongoing wave of development, agrarian conflicts that manifest in land grabbing have become increasingly prominent, despite frequently lacking clear legal justification. This study critically examines the role of law in facilitating and grabbing and interrogates the mechanism through which legal frameworks come to serve such a function. It addresses a significant gap in the scholarly discourse concerningthe legal dimensions of land dispossession. Employing a non-doctrinal approach, this research draws upon an extensive literature studies, regulatory analysis, and judicial decision reviews. The findings reveal that land grabbing in Indonesia is not merely driven by informal practices or extralegal coercion. Rather, it is frequently facilitated through legal instruments, most notably within the framework of National Strategic Projects (PSN). These projects demonstrate how the law is mobilized to legitimize dispossession, masking structural violence behind the veneer of legality. In this context, the emancipatory vision of Indonesian agrarian law faces systemic erosion. Rather than fading passively, it is actively dismantled under the influence of neoliberal imperatives embedded in post-1997 policy reforms. Ultimately, this study shows that law is not a neutral arbiter in agrarian conflict, but a powerful tool of accumulation by dispossession.

Keywords: agrarian conflict; land grabbing; legal policy; neoliberalism