

# LEGAL EMPOWERMENT



BUKU 1

STRENGTHENING COMMUNITY  
ACCESS TO JUSTICE



# **LEGAL EMPOWERMENT:**

**STRENGTHENING COMMUNITY  
ACCESS TO JUSTICE**

**INDONESIA JUDICIAL RESEARCH SOCIETY  
AND PEKKA FOUNDATION (PEKKA - WOMEN  
HEADED-FAMILY EMPOWERMENT)  
2025**



**LEGAL EMPOWERMENT: STRENGTHENING  
COMMUNITY ACCESS TO JUSTICE**

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## PREFACE

### INDONESIA JUDICIAL RESEARCH SOCIETY (IIRS)

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As a policy research and advocacy institution, Indonesia Judicial Research Society (IIRS) has contributed in various efforts to expand community access to justice in Indonesia through establishment, implementation and evaluation of evidence-based legal policies. During its journey, IIRS has realized that endeavors to expand and enhance community access to justice shall not only be limited to the issuance of legal products and policies, but also through public capacity building in understanding, using, and shaping the law in the community. This condition is derived from the underlying issue that public inability to resolve legal problems diminishes access to fulfillment of basic rights, including economic opportunities, poverty trap, and undermines human potentials in inclusive development.

With those issues in mind, in 2024, IIRS through supports entrusted by the Legal Empowerment Fund - the Fund for Global Human Rights (LEF) proposed an initiative to organize legal empowerment activities for communities. This activity was successfully implemented in Jangkar Village, Bangkalan Regency, East Java through partnership between IIRS and PEKKA which has experiences in empowering community paralegals and women headed families.

This activity is divided into 3 (three) stages, namely planning of activities, implementation of activities, and documenting of activities. To disseminate information relating to those activities, we wrap the implementation of the whole activities in 2 (two) Books, Book I which contains assessment study on legal empowerment needs, including reports and documentation of legal empowerment activities and Book II which contains legal empowerment modules.

In **Book I: Legal Empowerment: Strengthening Community Access to Justice**, we attempt to portray series of legal empowerment activities organized by IIRS and PEKKA which contain assessment of legal needs, legal problems, public ability in using the law, public perception of legal process, comparative study on legal empowerment activities, and documentation of legal empowerment activities.

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We would like to give our warmest regards to LEF that has supported the entire stages of legal empowerment activities. We would also like to express our gratitude to all hard work exhibited by researchers of IJRS and PEKKA in organizing these activities. We sincerely hope this publication may serve as a reference to organize legal empowerment activities and yield benefits to the greater public in strengthening community access to justice.

Jakarta, 4 November 2024

**Arsa Ilmi Budiarti, S.Sos.**

Executive Director of IJRS

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## PREFACE

### PEKKA FOUNDATION (PEKKA - WOMEN HEADED- FAMILY EMPOWERMENT)

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This book incorporates a mutual collaboration between PEKKA and IJRS that has intimately developed within the past two years. Since 2001, PEKKA has developed a longstanding history in organizing and empowering women headed families in more than 1,700 villages, including in legal empowerment sector. That longstanding history serves as a cornerstone for learning and empirical knowledge sources that may be integrated to legal-needs-based studies which remain as IJRS's focus, to support policy reform that upgrades community access to justice.

When IJRS proposed a plan to develop a community legal development program as a key approach to enhance access to justice, we warmly welcomed that initiative. We are honored to share PEKKA's experiences in upgrading roles of community paralegals in women headed families, especially in learning, using, and disseminating the law to the community in the event of realizing access to justice. This collaboration was then put into motion through community legal empowerment needs survey held in a region organized by PEKKA in Bangkalan, East Java.

Results of the survey in Bangkalan unveil social reality and legal challenges faced by a marginalized community, especially women headed families. Survey respondents, who are mostly women with low education level, demonstrate minimal level of legal understanding. Most of them did not know their legal rights, while the majority of them encountered legal problems relating to social security which was not properly accommodated. This obstacle was exacerbated by structural factors, such as poor economic condition, unsupportive bureaucracy, and a perception that legal problems are predestined. This survey also shows that the majority of residents did not resolve their legal problems, either due to lack of information or costly process.

Through this collaboration, PEKKA and IJRS not only assessing legal needs, but also devising a contextual and responsive empowerment strategy. This endeavor includes community legal capacity building through paralegal trainings, increasing legal awareness, and evidence-based advocacy. This

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book shall serve as a vital documentation of that experience and offer an approach that may be adopted to expand access to justice for marginalized communities.

PEKKA gives our highest regards to various parties that make this mapping and assessment of legal empowerment needs possible, including the publication of this book. We hope that this book may serve as a reference for public legal empowerment experts and serve as a reference in policymaking that upgrades access to justice and legal protection, especially for marginalized communities.

We also express our gratitude to IJRS for this collaboration. We hope that this collaboration may generate a comprehensive legal empowerment approach, which guarantees marginalized communities to have access to justice, and strengthens a more inclusive and effective legal empowerment strategy, in accordance with challenges faced by communities.

We would also like to invite readers to give inputs and suggestions to this book's limitations, and share ideas and strategies to expand legal empowerment to enhance access to justice and legal protection for the greater public, especially for marginalized communities.

Jakarta, 24 December 2024

**Fitria Villa Sahara**

Co-Director of PEKKA



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# CHAPTER I

## INTRODUCTION





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## A. Background

Each day, reality shows that all individuals in this world cannot escape from countless forms of problems relating to justice.<sup>1</sup> The Legal Empowerment Commission of the United Nations estimates that 4 billion of people live outside the scope of legal protection.<sup>2</sup> Referring to the situation in Indonesia, especially according to the 2021 Access to Justice Index, it shows that the majority of the public encounter numerous legal problems. Some of them include criminality issues (54.4%), issues relating to family and children (32.6%), social security issues (27.5%), issues relating to commercial consumers and land/environment (24.3%), and issues relating to nationality and civil administration (21.4%).<sup>3</sup> Such finding is consistent with findings from the 2022 Legal Needs Survey for Vulnerable Groups which discovers that the majority of problems encountered by vulnerable groups<sup>4</sup> include criminality (42.7%), loans (36.8%), gender-based violence (31.0%), issues relating to public services (29.2%), and issues relating to consumers (25.9%).<sup>5</sup>

In addition, the 2021 Access to Justice Index unveils that the majority of people who encounter legal problems consider their problems are predestined by fate (36.9%), family or personal matters (35.0%), financial difficulties (27.9%), bureaucratic inefficiencies (22.0%), and community-related matters (12.1%).<sup>6</sup> Such findings indicate that the culture of the majority of the public in Indonesia view legal problem as natural part

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<sup>1</sup> Ebenezer Durojaye, Gladys Mirugi-Mukundi and Oluwafunmilola Adeniyi, "Legal Empowerment as A Tool for Engendering Access to Justice in South Africa," *International Journal of Discrimination and the Law* 20, no. 4 (November 2020), p. 225, <https://doi.org/10.1177/1358229120969602>.

<sup>2</sup> Laura Goodwin and Vivek Maru, "What Do We Know about Legal Empowerment? Mapping the Evidence," *Hague Journal on the Rule of Law* 9 (2017): p. 158, <https://doi.org/10.1007/s40803-016-0047-5>.

<sup>3</sup> Bappenas and MaPPI FHUI, Indeks Akses terhadap Keadilan di Indonesia Tahun 2021,(2023), hlm. 23 <https://mappifhui.org/wp-content/uploads/2023/09/Indeks-Akses-Terhadap-Keadilan-di-Indonesia-Tahun-2021.pdf>.

<sup>4</sup> The scope of vulnerable groups in that research includes Women, Children, Persons with Disabilities, Elderlies, Poor Groups, Adat Communities, and Various Genders & Sexual Minorities.

<sup>5</sup> Arsa Ilmi Budiarti et al., *Survei Kebutuhan Hukum Kelompok Rentan Tahun 2022* (Jakarta: IJRS, 2022), p. 103. [https://ijrs.or.id/wp-content/uploads/2023/03/FINAL\\_Survei-Kebutuhan-Hukum-bagi-Kelompok-Rentan.pdf](https://ijrs.or.id/wp-content/uploads/2023/03/FINAL_Survei-Kebutuhan-Hukum-bagi-Kelompok-Rentan.pdf)

<sup>6</sup> Bappenas and MaPPI FHUI, Indeks Akses terhadap Keadilan di Indonesia 2021, p. 23.

of life rather than as systemic issues.<sup>7</sup> Moreover, 65.6% of the public that encounter legal problems choose to not hire legal counsel. The main reasons for this include concerns about a lengthy and complicated legal process (33.0%), legal process would be costly (17.7%), and uncertainty of achieving satisfactory results (11.2%).<sup>8</sup> Those assumptions actually correlate to low level of public accessibility. This accessibility issue is supported with findings that only a small part of the public is aware of the availability of free legal aid (36.7%), even there are members of the public who completely have no knowledge of it at all (31.2%).<sup>9</sup> This condition resonates with data collected from the 2019 Access to Justice Index. The majority (53.0%) of justice seekers do not know the availability of free legal aid. The same condition also occurs in newest findings in the 2022 Legal Needs Survey for Vulnerable Groups with 67.6% of vulnerable residents do not have any knowledge of free legal aid. That figure is supported with other findings from the same Survey that 85.2% of vulnerable residents have never received any information relating to legal aid.

Such situation certainly may hinder community access to justice. The Organisation for Economic Co-operation and Development (OECD) underlines that ‘inability to resolve legal problems may diminish access to economic opportunity, reinforce the poverty trap and undermine human potential and inclusive development’.<sup>10</sup> This condition is exacerbated by many experiences of marginalized groups, including women, children, persons with disabilities, underprivileged communities and youths.<sup>11</sup> This condition is also in line with findings by Nanima and Durojaye where the majority of marginalized groups are women that lack of access to justice in informal residence or rural areas.<sup>12</sup> In addition, in the majority of developing nations, women that seek justice face complex challenges in patriarchal environment.<sup>13</sup> This condition contradicts with the fact that, by law, the Indonesian Constitution guarantees that all individuals have the right to

<sup>7</sup> Arsa Ilmi Budiarti, et al. (2022). *Survei Kebutuhan Hukum Kelompok Rentan bagi Kelompok Rentan Tahun 2022*, p. 159.

<sup>8</sup> Bappenas and MaPPI FHUI, *Indeks Akses terhadap Keadilan di Indonesia 2021*, p. 44.

<sup>9</sup> Bappenas and MaPPI FHUI, *Indeks Akses terhadap Keadilan di Indonesia 2021*, p. 65 .

<sup>10</sup> Organisation for Economic Co-operation and Development (OECD), *Towards Inclusive Growth – Access to Justice: Supporting People-Focused Justice Services* (Paris: OECD, 2016), quoted in Durojaye, Mukundi and Adeniyi, “Legal Empowerment as A Tool for Engendering Access to Justice in South Africa,” p. 225.

<sup>11</sup> For further reference, see Pascoe Pleasence, (2016), *Legal Need and Legal Needs Surveys: A Background Paper*, Sussex: Pascoe Pleasence Ltd.

<sup>12</sup> Nanima and Durojaye (2019).

<sup>13</sup> Durojaye, Mukundi and Adeniyi, “Legal Empowerment as A Tool for Engendering Access to Justice in South Africa,” p. 225.

recognition, guarantee, protection and fair legal certainty, as well as equality before the law.<sup>14</sup> Hence, special efforts are needed to overcome obstacles to community access to justice in the event of implementing the legal pact incorporated in the Indonesian Constitution, especially enhance access to justice for women that requires a multifaceted.<sup>15</sup>

Access to justice is very vital not only as a human rights principle, but also to ascertain sustainable changes and development. This context is incorporated in the global agenda of Sustainable Development Goals (SDGs) endorsed by the United Nations. In Goal 16, namely promoting a peaceful and inclusive community for sustainable development by providing access to justice for all and establishing effective, accountable, and inclusive institutions on every level.<sup>16</sup> In the context of Indonesia, in the 2020-2024 National Medium-Term Development Plan (*Rencana Pembangunan Jangka Menengah Nasional – RPJMN*), the Government also includes strategies to enhance access to justice through community legal empowerment strategies in the form of public capacity building to understand the law and access justice, as well as public capacity building to actively participate in exhausting mechanisms and services provided by and for the public to achieve legal certainty.<sup>17</sup> Moreover, the Government also adopts a strategic approach through the 2016-2019 Access to Justice National Strategy (*Strategi Nasional Akses terhadap Keadilan – SNAK*). Strategy 1 introduces strengthening access to justice in service and fulfillment of basic rights, performed through upgrading accessibility of public services to basic services, temporary social services, social protection and legal empowerment for members of the public with special vulnerability such as residents, children, and women who reside in rural areas, with disabilities, and those that require special protection such as victims of violence, minority groups, indigenous law communities (*masyarakat hukum adat*).<sup>18</sup>

<sup>14</sup> Indonesia, *The 1945 Indonesian Constitution*, Art. 28D paragraph (1).

<sup>15</sup> Durojaye, Mukundi and Adeniyi, "Legal Empowerment as A Tool for Engendering Access to Justice in South Africa," p. 225.

<sup>16</sup> "The 17 Goals - Sustainable Development Goals," United Nations, accessed on 2 May 2024, <https://sdgs.un.org/goals>.

<sup>17</sup> Indonesia, Regulation of the President on the 2020-2024 National Medium-Term Development Plan, Regulation of the President No. 18 of 2020, Appendix I, p. VIII. 16.

<sup>18</sup> Ministry of National Development Planning /BAPPENAS RI, *Strategi Nasional Akses Pada Keadilan (SNAK) 2016-2019* (Jakarta: BAPPENAS RI, 2016), p. 64, [https://www.undp.org/sites/g/files/zskgke326/files/migration/id/3f9f36c18c8c67dbaf8f3bf6\\_4f67ec89de0f3865537bd844257d3f799e76aa6c.pdf](https://www.undp.org/sites/g/files/zskgke326/files/migration/id/3f9f36c18c8c67dbaf8f3bf6_4f67ec89de0f3865537bd844257d3f799e76aa6c.pdf).

Deriving from the above explanation, the key approach in the past decades to enhance access to justice is legal empowerment.<sup>19</sup> Legal empowerment functions as an important means to dismantle structural inequality and development obstacles in the community.<sup>20</sup> Besides, legal empowerment also serves as a tool to ascertain social acts of marginalized groups to realize better social justice level in the community<sup>21</sup> and as an effort to build public capacity to know and use the law.<sup>22</sup>

Legal empowerment efforts performed by state actors are implemented through public legal counseling programs. Those programs are mostly carried out by the Ministry of Law and Human Rights through the National Law Development Agency (*Badan Pembinaan Hukum Nasional* – BPHN) in accordance with its duties and functions, namely through the programs called travelling legal counseling (*penyuluhan hukum keliling*) and development of legally aware villages (*pembinaan desa sadar hukum*).<sup>23</sup> Meanwhile, as for non-state actors, one of legal empowerment models performed by PEKKA is by employing several strategies, including capacity building of PEKKA's community paralegals that is eventually capable of producing trained PEKKA's community paralegals and this strategy is referred by many village government and public figures. PEKKA's community paralegals have become the community's backbone in handling various issues in the community.<sup>24</sup>

In light of the above explanation, Indonesia Judicial Research Society (IJS) deems the organization of legal empowerment to village residents to be important. IJS with PEKKA have carried out legal empowerment activities that aim to make community members know the law and use the law to protect their rights. One of main focuses of this activity is to ascertain that residents have the knowledge and skills to face legal challenges encountered by their community. In addition, residents are also encouraged

<sup>19</sup> Imane Chaara, Jean-Benoît Falisse and Julien Moriceau, "Does legal aid improve access to justice in 'fragile' settings? Evidence from Burundi," *Journal of Peace Research* 59, no. 6 (April 2022), p. 881, <https://doi.org/10.1177/00223433211055633>.

<sup>20</sup> Durojaye, Mukundi and Adeniyi, "Legal Empowerment as A Tool for Engendering Access to Justice in South Africa," p. 233.

<sup>21</sup> Durojaye, Mukundi and Adeniyi, "Legal Empowerment as A Tool for Engendering Access to Justice in South Africa," p. 233.

<sup>22</sup> Stephen Golub, "Beyond the Rule of Law Orthodoxy: The Legal Empowerment Initiative," p. 10-11, as quoted in Goodwin and Maru, "What Do We Know about Legal Empowerment?," p. 160.

<sup>23</sup> BAPPENAS RI, SNAK 2016-2019, p. 74-75.

<sup>24</sup> Marsha Maharani et.al, *The Role of Legal Empowerment in Strengthening Women's Access to Justice in Indonesia*, (Jakarta: Indonesia Judicial Research Society, 2023), pp. 75-76, <https://ijrs.or.id/wp-content/uploads/2024/03/The-Role-of-Legal-Empowerment-by-the-Community-in-Strengthening-Access-to-Justice-for-Women-in-Conflict-with-the-Law-in-Indonesia.pdf>.



to take active role in helping others in resolving legal problems, thus, an empowered and independent community that is capable of tackling justice issues may be realized.

This empowerment process consists several stages. The first step is to perform assessment and initial survey to understand the level of community's legal comprehension and identify legal empowerment needs that match their conditions and problems.

The next step is to reinforce partnership with PEKKA to prepare a legal empowerment guideline that focuses on legal education for community members. This guideline is prepared based on assessment results, hence, its learning contents and methodologies are adjusted to community needs and specific conditions. This process produces a Book titled "*Legal Empowerment Guideline: Building Capacity of Village Residents through Learning, Using, and Disseminating the Law to Realize Access to Justice*". The entire stages and implementation of legal empowerment activities are documented in writing in the form of a legal empowerment report that is prepared to provide a comprehensive illustration of the organization of legal empowerment. The publication of this report depicts legal needs assessment process through implementation and documentation of legal empowerment activities. This report is made to ensure the availability of a comprehensive documentation, accountability process, and to serve as a learning and reference material for future legal empowerment activities.

## B. References of Legal Empowerment Experiences

This section presents a comparison of legal empowerment experiences performed by communities in Indonesia and overseas. In the context of legal empowerment experiences performed overseas, examples presented below encompass experiences from Asian Development Bank (ADB) in Bangladesh, Themis in Brazil, and Fundación CONSTRUIR in Bolivia. As for the context of legal empowerment experiences in Indonesian communities, examples presented below encompass experiences from Saya Perempuan Anti Korupsi (SPAK) in Yogyakarta, UNNES KKN Team in Semarang, HuMa, PEKKA, and Saya Perempuan Anti Korupsi (SPAK), and Lingkar Belajar untuk Perempuan (LiBu) in Sulawesi Tenggara.

## a. Legal Empowerment for Women and Disadvantaged Groups: Empowerment by Asian Development Bank (ADB) in Bangladesh

The Asian Development Bank (ADB) is an international financial institution that is committed to eradicate poverty in Asia and Pacific regions. One of the most effective tools used by ADB to decrease poverty is through legal empowerment. The definition of legal empowerment constructed by ADB is the ability of women and disadvantaged groups to use legal and administrative process and structure to access resources, services, and opportunities.<sup>25</sup>

In light of the above definition, the project's team aims to provide practical skills and confidence for project's beneficiaries to empower themselves in the future. This activity expects women and disadvantaged groups to implement those skills to protect their legal rights and claim benefits from development programs. The new definition constructed by ADB differs from the definition of legal empowerment in the 2001 ADB legal empowerment study, namely "the use of law to increase the control that disadvantaged populations exercise over their lives". The definition employed by the 2001 ADB tends to underpin the provision of information of legal rights or legal aid.<sup>26</sup>

The legal empowerment project by ADB was performed in three developing nations: Bangladesh, Indonesia and Pakistan, involving The Asia Foundation (TAF). This project adopts monitoring and evaluation methodology to measure legal empowerment impacts. This methodology studies the correlation between four mutually-reinforcing legal empowerment components: confidence, knowledge, strategies, and outcomes. In order to measure effectiveness of legal empowerment intervention in these four sectors, ADB prepares a Monitoring & Evaluation (M&E) protocol.<sup>27</sup>

In legal empowerment experiences performed in Bangladesh, the empowerment aims to build capacity of women and disadvantaged groups to participate in the establishment of a sustainable stakeholder-based

<sup>25</sup> Asian Development Bank (ADB) and The Asia Foundation (TAF), *Legal Empowerment for Women and Disadvantaged Groups*, (Filipina: Asian Development Bank, 2009), p. 9, <https://www.adb.org/sites/default/files/publication/29170/legal-empowerment.pdf>.

<sup>26</sup> ADB and TAF, *Legal Empowerment for Women and Disadvantaged Groups*, p. 20.

<sup>27</sup> ADB and TAF, *Legal Empowerment for Women and Disadvantaged Groups*, p. 21.

water-resources management system.<sup>28</sup> The host project is The Second Small-Scale Water Resources Development Sector Project (SSSWRDSP), which supports poverty eradication efforts performed by the Bangladesh Government by increasing sustainable agricultural and fishery production. Furthermore, the primary local partnership for this project is Ain O Shalish Kendra (ASK), which since 1986 has become the primary provider and human rights activist in Bangladesh. The beneficiary of this project is the Water Management Cooperative Association (WMCA), which is responsible for managing water infrastructures developed from the SSSWRDSP project.

This project was performed in Mymensingh District<sup>29</sup>, that according to the basic survey conducted in the preliminary stage of the project, the survey found an unevenly distributed knowledge levels between members of WMCA concerning their general rights as citizens and their rights and responsibilities as WMCA members.<sup>30</sup> As an effort to overcome this obstacle, trainings, legal awareness forums, and issue-based drama presentations were held.

Trainings focus on human rights, gender, family law, combating violence against women, mediation, and operation of village courts. Legal awareness forums focus on increase in awareness of participants on procedures and available resources to access justice. Issue-based drama presentation activities – popular theater, target accessible issues and involve audiences in participative dialogues in line with the plot. This drama presentation addresses various issues, including violation of rights, unlawful *shalish* (mediation), wife beating, oral divorce, illegal water management, and early marriage.<sup>31</sup>

This project generates several positive outcomes, including: (i) residents in villages where intervention programs were conducted show a much better understanding on maintenance fees relating to certain water infrastructures and their eligibility to join local WMCA compared to residents in villages in the controlling regency; (ii) better return of loans (micro credits) because more members pay their loans back; (iii) contribution to enhance knowledge and protection of women rights; (iv) and others.<sup>32</sup>

<sup>28</sup> ADB and TAF, Legal Empowerment for Women and Disadvantaged Groups, p. 25.

<sup>29</sup> The Mymensingh District is a district in Bangladesh situated in the Mymensingh division on the norther part of that country. If compared to Indonesia, this district is equal to a regency, while the division is equal to a province.

<sup>30</sup> ADB and TAF, Legal Empowerment for Women and Disadvantaged Groups, p. 14.

<sup>31</sup> ADB and TAF, Legal Empowerment for Women and Disadvantaged Groups, pp. 14-15.

<sup>32</sup> ADB and TAF, Legal Empowerment for Women and Disadvantaged Groups, p. 16.

## b. Themis, Brazil, 2017: Domestic Violence and Popular Legal Promotor Support Network in Restinga Area

Themis is an organization that has the mission of defending women's rights and democratizing access to justice in three core sectors: gender-based violence, economic and social rights, and right to safe abortion.<sup>33</sup> One of strategies employed to achieve such mission is through popular and feminist perspective in legal education, especially through "Promotoras Legales Populares." (Popular Legal Promoters or PLP).

Themis performs women empowerment as PLP, with the aim of PLP promoting women rights in their communities by using feminist and gender perspectives, filing lawsuits against violations of women's rights, performing social control over special services of protecting women in situations of violence, among other activities.<sup>34</sup> This method of empowerment is proven to be effective in combating disinformation on women's rights. In addition, such method also expands knowledge received by women as a means to expand access to justice.<sup>35</sup>

One of projects involving PLP's works is "PLP App 2.0", namely an app that operates as a 'panic button' for women in situations of violence. This project was initiated by Themis and Geledés Instituto de la Mujer Negra and a result of partnership agreement between civil society, District Court, Public Security Secretariat, and Military Police. This project aims to increase the effectiveness of preventive measures to reduce murders of women and other extreme acts of aggression due to domestic and family violence. This program also provides residential network, exchange of information with leaders of women community, and offering express connection to police in emergency conditions.<sup>36</sup>

Through this PLP 2.0 app, the police receive all information on protection measures, name and location of the relevant woman, and name of the suspect. The notification is also sent to the nearest PLP to perform certain measures, such as accompanying the woman to the police station, responding legal problems, and encouraging the woman to continue seeking life free from violence. Aside from functioning as a mechanism to prevent and hinder aggression against women, other positive outcomes generated include:

<sup>33</sup> "Legal Empowerment Experiences from Latin America," NAMATI, accessed on 29 April 2023, p. 20, <https://namati.org/resources/legal-empowerment-experiences-latin-america/>.

<sup>34</sup> "Legal Empowerment Experiences from Latin America," NAMATI, p. 21.

<sup>35</sup> "Legal Empowerment Experiences from Latin America," NAMATI, p. 22.

<sup>36</sup> "Legal Empowerment Experiences from Latin America," NAMATI, p. 22.

accelerated police response in call center, showing the precise location where emergency situation occurs, saving public spending, and others.<sup>37</sup>

### c. Fundación CONSTRUIR, Bolivia, 2017: Defenders of Organization Community for Right to Live Free from Violence

Fundacion CONSTRUIR is a non-profit Bolivian civil society organization focusing on research, rights empowerment, communication, consultation, monitoring and social advocacy. The goal of this organization is to reinforce access to justice and effective guardianship of basic rights of vulnerable groups, especially women, adat communities, campesino communities, those that are deprived from their freedom, children and teenagers. Fundacion CONSTRUIR performs legal empowerment as a means to reinforce community leadership in vulnerable situations. Communities that receive legal empowerment from Fundacion CONSTRUIR, after understanding their rights and use of legal means for enforcement, they act as agents of change in their surrounding and communities.<sup>38</sup>

The focus of legal empowerment issues performed by Fundacion CONSTRUIR is eradication of any forms of violence against women. For example, the Fundacion CONSTRUIR's project called "Community Defenders and Access to Plural Justice" in four villages in Bolivia<sup>39</sup>. This project acknowledges the role of community promoters (*promotoras comunitarias*) focusing on promoting supports for victims of violence with groups or network of women who have survived or they who currently attempt to overcome violence.<sup>40</sup>

One of experiences from such project is, for instance, in the case of "Victoria Lopes: From Sexual Violence to Community Defenders who Fight Any Forms of Gender-Based Violence", in the Mizque Municipality in the state of Cochabamba.<sup>41</sup> In this project, the approach was initiated from workshops and interviews with primary sectors, namely *campesino* federation<sup>42</sup> and women leaders, with the purpose of developing a strategic alliance. Through this method, an alliance was collectively developed with

<sup>37</sup> "Legal Empowerment Experiences from Latin America," NAMATI, pp. 25-26.

<sup>38</sup> "Legal Empowerment Experiences from Latin America," NAMATI, p. 5.

<sup>39</sup> Four rural cities in Bolivia in question are Mizque (Cochabamba State), San Buenaventura (La Paz State), Challapata (Oruro State) and Muyupampa (Chuquisaca State).

<sup>40</sup> "Legal Empowerment Experiences from Latin America," NAMATI, p. 7.

<sup>41</sup> "Legal Empowerment Experiences from Latin America," NAMATI, p. 8.

<sup>42</sup> Campesino Federation is a farmers' labor unions that form themselves under a federation or organization.



Federación de Mujeres Campesinas Bartolina Sisa (Campesino Women Federation from Bartolina Sisa), that had an initiative of establishing Red de Defensoras Comunitarias (Community Defenders Network).<sup>43</sup>

In the workshop approach, the strategies employed are “learning by doing” and “training of trainers (TOT)”. Empowerment materials are adjusted to special needs of the Mizque Municipality. In that program, community defenders as participants receive information of violence against women, their rights, enforcement means, and participation and advocacy strategies.<sup>44</sup>

Those community defenders then devise approach plans that adopt the orientation of: (i) development of training workshops; (ii) supports for women victims in the process of filing reports and legal processing of their cases; (iii) establishment of a working network with city providers and judiciary sector; (iv) registration of violence cases in remote areas; (v) advocacy process to increase budget and policies to respond violence against women.<sup>45</sup> That action plan is implemented on several key actors through several approaches, including sensitivity workshops, awareness campaigns, and social dialogues.

There are several noteworthy outcomes from the empowerment project, among others:<sup>46</sup>

- a. Community defenders receive supports from Sub Central de Campesinos de Mizque
- b. Community defenders become a support arm of institutions focusing on violence cases
- c. Community defenders convey their voice to processes of intercultural dialogue
- d. Community defenders manage to promote development and signing of a protocol for action and coordination in situations of violence against women, with the participation by judges, health sector, municipal government, Sub Central de Campesinos de Mizque, police, Public Ministry, and the Women Federation of Bartolina Sisa
- e. Community defenders are able to make breakthrough to make victims of violence to be encouraged to make reports
- f. Community defenders are able to secure budget increase to combat violence against women, inter-agency coordination to improve provided services, and supports from regional government for sustainability of jobs

<sup>43</sup> “Legal Empowerment Experiences from Latin America,” NAMATI, p. 8.

<sup>44</sup> “Legal Empowerment Experiences from Latin America,” NAMATI, p. 8.

<sup>45</sup> “Legal Empowerment Experiences from Latin America,” NAMATI, p. 8.

<sup>46</sup> “Legal Empowerment Experiences from Latin America,” NAMATI, pp. 10-12.

- g. and others (including creating an environment of trust among women and community defenders that also acts as a key factor in preventing and combating violence)

#### d. Women Empowerment through I am an Anti-Corruption Woman (Saya Perempuan Anti Korupsi – SPAK) Movement in Yogyakarta

I am an Anti-Corruption Woman (Saya Perempuan Anti Korupsi - SPAK) is a women organization established by the Corruption Eradication Commission (Komisi Pemberantasan Korupsi – KPK) that coordinates women as Anti-Corruption activists. SPAK performs legal empowerment to make women empowered in corruption cases. Empowerment is defined as a mechanism used by humans, organizations, and communities to gain control over their own lives.<sup>47</sup> The empowerment performed by SPAK adopts the people centered development perspective that is centralistic and global.<sup>48</sup> The purpose of this SPAK Movement is to empower women in the context of anti-corruption. The objective of such empowerment is to make women have control, participation, access, critical awareness and welfare, so they and their family may be prevented from corruptive acts.<sup>49</sup>

Empowerment levels and process performed by SPAK in light of the purpose of the empowerment above are as follows:<sup>50</sup>

No.	Empowerment Levels	Empowerment Measures	Remarks
1.	Power	Actors have an active role in the development relating to their performance, are involved in family productive economy and able to control themselves and their family from corruptive acts.	The highest level of empowerment, where individuals are able to control themselves (making decisions and accessing welfare),

<sup>47</sup> Muryanti, Tri Muryani, and Anggi Candra Lestari, "Pemberdayaan Perempuan Melalui Gerakan Saya Perempuan Antikorupsi (SPAK) di Yogyakarta," *Musāwa* 17, no. 1 (January 2018): p. 87, <https://dx.doi.org/10.14421/musawa.1.171.86-94>

<sup>48</sup> Muryanti, Muryani and Lestari, "Pemberdayaan Perempuan Melalui Gerakan Saya Perempuan Antikorupsi (SPAK) di Yogyakarta," p. 87.

<sup>49</sup> Muryanti, Muryani and Lestari, "Pemberdayaan Perempuan Melalui Gerakan Saya Perempuan Antikorupsi (SPAK) di Yogyakarta," p. 88.

<sup>50</sup> Analysis of primary data, see Muryanti, Muryani, and Lestari, "Pemberdayaan Perempuan Melalui Gerakan SPAK di Yogyakarta," pp. 92-93.

No.	Empowerment Levels	Empowerment Measures	Remarks
			and where preventive measures against corruption are implemented.
2.	Participation	Actors have a role in anti-corruption education and prevention.	Actors may make decisions for themselves.
3.	Awareness	Actors are aware that by implementing measures to prevent corrupt acts, they may have structural and cultural impacts within the scope of bureaucracy and community order.	Self-awareness in actors regarding the issues they face reveals that these are structural problems.
4.	Access	Corruption prevention actions performed by actors yield positive impacts on both the actors and their work environment. On a larger scale, these actions help ensure that funds intended for the general public are not reduced.	Actors gain benefits or access to obtain resources.
5.	Welfare	Actors have the opportunity to obtain their rights as citizens (for instance, access to education/health) without experiencing any disturbance or threats from other actors within the system.	Fulfillment of actors' needs, beyond mere basic needs.

In general, there are 2 (two) SPAK programs, namely Training of Trainers (TOT) and dissemination of Anti-Corruption education. *Firstly*, every performance of ToT is carried out for 3 (three) days, covering activities of explaining types of corruption offenses, facilitation ability and introduction to dissemination supporting tools, and simulation of dissemination, all held in sequential order.<sup>51</sup> *Secondly*, Anti-Corruption education dissemination activities are only performed once a year through talkshow, seminar, and campaign through anti-Corruption games. Besides, the dissemination is also performed by using engaging visuals, pamphlets, videos, t-shirts or games that are aimed to spark Anti-Corruption spirit.

<sup>51</sup> Muryanti, Muryani, and Lestari, "Pemberdayaan Perempuan Melalui Gerakan SPAK di Yogyakarta," p. 89.

Anti-Corruption dissemination methods that are featured by SPAK include creative games, among others, as follows:<sup>52</sup>

- a. *Arisan*<sup>53</sup> (Social Gatherings), targeting adult women;<sup>54</sup>
- b. *Majo* (*Main Jodoh/Matchmaking Game*)<sup>55</sup> and *Put-Put LK* (*Putar-Putar Lawan Korupsi/Going Around Combating Corruption*)<sup>56</sup>, targeting the general public, including university students, youths, and others;
- c. *Semai* (*Sembilan Nilai/Nine Values*)<sup>57</sup>, targeting kindergarten and elementary school children; and
- d. *Trata* (*Transparan, Akuntabel dan Tepat Guna/Transparent, Accountable and Efficient*)<sup>58</sup>, targeting village residents in relation to village funds.

Lastly, the success of the empowerment activities performed by SPAK is measured on both micro and macro scale. On a micro scale, the level of success refers to the family's ability to educate their children and prevent them from engaging in corrupt activities. On a macro scale, the level of success is reflected in the relatively low corruption index in Yogyakarta region compared to other regions in Indonesia.

<sup>52</sup> Muryanti, Muryani, and Lestari, "Pemberdayaan Perempuan Melalui Gerakan SPAK di Yogyakarta," p. 90.

<sup>53</sup> *Arisan* is a game using a paper media containing questions.

<sup>54</sup> We only found information that the background of women that participated the empowerment performed by SPAK are those who are housewives. For the complete information, see Muryanti, Muryani, and Lestari, "Pemberdayaan Perempuan Melalui Gerakan SPAK di Yogyakarta," p. 90.

<sup>55</sup> *Majo* (*Main Jodoh*) is a game that aims to make participants know various corruptive acts and community's role in eradicating them. This *Majo* consists of a board game, white card (containing a situation) and red card (containing a question). For the complete information, see Muryanti, Muryani, and Lestari, "Pemberdayaan Perempuan Melalui Gerakan SPAK di Yogyakarta," p. 90.

<sup>56</sup> *Put-Put LK* (*Putar-Putar Lawan Korupsi*) is a game by spinning a needle on a board game until it points to a question on that board game. For the complete information, see Famelia Wibawanti, "Peranan Gerakan Saya Perempuan Anti Korupsi dalam Mencegah Tindak Pidana Korupsi Pengelolaan Dana Desa di Desa Rejosari Kecamatan Semin Kabupaten Gunungkidul," *Jurnal Pendidikan Kewarganegaraan dan Hukum* 9, no. 3 (2020): p. 252, <https://journal.student.uny.ac.id/ojs/index.php/civics/article/download/17263/16664>.

<sup>57</sup> *Semai* (*Sembilan Nilai*) is a game that teaches nine moral values to children in order to grow anti-corruption attitude or behavior from early ages, accompanied with examples of daily behaviors. For the complete information, see Wibawanti, "Peranan Gerakan SPAK dalam Mencegah Tindak Pidana Korupsi Pengelolaan Dana Desa," p. 251.

<sup>58</sup> *Trata* (*Transparan, Akuntabel dan Tepat Guna*) is a game similar to any other game performed by SPAK, but it specifically addresses village funds. For the complete information, see Wibawanti, "Peranan Gerakan SPAK dalam Mencegah Tindak Pidana Korupsi Pengelolaan Dana Desa," p. 252.

## e. Community Empowerment in Establishing Women and Children Friendly Villages in Bandungan District, Semarang by UNNES KKN Team

In Community Service Program (Kuliah Kerja Nyata – KKN) program held by State University of Semarang (Universitas Negeri Semarang - UNNES) KKN Team, one of programs of such Team is performing community empowerment by establishing Children and Women Friendly Villages/Sub-Districts<sup>59</sup>. Such activity refers to the development of a village/sub-district that integrates commitments and resources from the village/sub-district government by involving community and business sector on district level in the event of advancing, protecting, fulfilling and respecting rights of children and women.<sup>60</sup>

The definition of community empowerment in this KKN program derives from Noor's presentation explaining community empowerment as an economic development concept that summarizes community values to construct a new development paradigm that focuses on community, participative, empowerment and sustainability.<sup>61</sup> The goal of this empowerment is to encourage larger community participation in their own activities.<sup>62</sup> In this program, the community acts as a subject (an agent or participant that acts) that moves collectively in order to achieve independence, such as developing creative potentials, controlling their own environment and resources. Hence, the community may be able to solve their problems independently and participate in determining political process on state level.

The community empowerment work program performed by UNNES KKN Team was conducted in 3 (three) stages, namely preparation, implementation, and evaluation. Firstly, the preparation stage was performed through location survey, analysis of problems, and coordination with Bandungan District. Data collection was performed through interviews and documentation. Secondly, the implementation stage was performed within 45 days using 2 (two)

<sup>59</sup> Sarno Setiawan et.al., "Community Empowerment on Establishment of Friendly-Village for Women and Children: Series of Agendas on Legal Protection and Community Empowerment in Bandungan Sub-District, Bandungan District, Semarang Regency," *Indonesian Journal of Advocacy and Legal Services* 1, no. 1(September, 2019): p. 6, <https://doi.org/10.15294/ijals.v1i1.33756>.

<sup>60</sup> Setiawan et al., "Community Empowerment on Establishment of Friendly-Village for Women and Children," p. 6.

<sup>61</sup> Munawar Noor, "Pemberdayaan Masyarakat," *Jurnal Ilmiah CIVIS* 1, no. 2 (Juli 2011): p. 94, <https://doi.org/10.26877/civis.v1i2/Juli.591>.

<sup>62</sup> Noor, "Pemberdayaan Masyarakat," p. 94.



methods, namely lectures and practices. Programs that were performed include RUMPI (Rumah Pintar/Smart House), SOPER CINTA (Sosialisasi Perempuan Meraih Mimpi dan Cita-cita/Socialization of Women Reaching Their Dreams and Goals), LOTUS (Lomba 17 Agustus/Independence Day Competition), SENJA (Senam Jumat Sehat/Healthy Friday Exercise), KUNCI (Kreasi Sabun Cuci/Laundry Detergent Creation), Minggu Bersih (Sunday Green), Dissemination of Sex Education, POSBANKUM (Pusat Bantuan Hukum/Legal Aid Center), Dissemination of Legal Protection Information for Women and Children, and Dissemination of Child Protection Information on anti-bullying by targeting elementary school students.

Thirdly, the evaluation stage was performed to address results achieved from the implementation of work programs. This stage was performed by employing the Participatory Rural Appraisal (PRA) method. This PRA method, based on community involvement in all activities as the principle of community learning. By using this method, external parties act as facilitators and community members as actors.<sup>63</sup>

Through empowerment activities that were performed, there are several results achieved, including: (i) increase in knowledge of children on sexual education that may be used as self-defense; (ii) increase in knowledge of children on the danger of performing bullying; (iii) resolution of legal problems encountered by community members; (iv) community legal awareness on offenses, such as domestic violence; (v) and others.

#### **f. Legal Empowerment by Community-and-Ecology-Based Legal Reform Association (Perkumpulan Pembaharuan Hukum yang Berbasis Masyarakat dan Ekologis – HuMa)**

HuMa is a legal reform association that promotes a community-based legal system based on human rights, justice, cultural diversity and ecological preservation. HuMa defines the law as a social order system that not only consists of the legal system on state level, but also other types of legal systems, including adat law that lives in the community. There are 6 (six) legal reform initiative pillars adopted by HuMa, as follows:<sup>64</sup>

1. Answering empirical issues brought by the most marginalized community in socio-political-economical process and those who are colonized by cultural power on local level;

<sup>63</sup> Noor, "Pemberdayaan Masyarakat," p. 97.

<sup>64</sup> "Pembaharuan Hukum," HuMa, accessed on 3 May 2024, <https://www.huma.or.id/p/pembaharuan-hukum>.

2. Putting marginalized adat and local community as subjects that perform legal reform on local level;
3. Not submitting to agenda introduced by other power outside of community interests; Aiming to elevate human dignity and honor through respect to human rights;
4. Siding to critical legal reviews that are able to solve dogmatic and theoretical dead ends to answer empirical issues faced by counselled community;
5. Promoting legal pluralism as a means to achieve respect to cultural diversity as an inherent part of respect to human rights; and
6. Encouraging democratization through various state instruments, including interpretation and implementation of ideal values of the Indonesian constitution as incorporated in the preamble of the 1945 Constitution.

Critical Legal Education (*Pendidikan Hukum Kritis* – PHK) is an instrument developed by HuMa to build community capacity and Community Legal Counsellors (*Pendamping Hukum Rakyat* – PHR) in understanding situations, including dismantling “false consciousness” constructed by the authority.<sup>65</sup> On conceptual level, PHK combine critical education method and critical legal theory.<sup>66</sup> PHK consist of anyone and does not discriminate against any group, all individuals may join this capacity building.<sup>67</sup>

Legal empowerment activities performed by HuMa include, among others, reinforcing and instituting PHR,<sup>68</sup> especially those who are bachelors of law. Constitution and reinforcement of PHR are performed through trainings, which materials encompass legal pluralism, critical legal education, and analysis and organizational skills.<sup>69</sup>

HuMa also develops PHR using the *Sekolah Lapang* (Field School) method. This approach is frequently used to build capacity of activists from partnering organizations to be able to fight for validation of adat forests.<sup>70</sup> Through *Sekolah Lapang*, HuMa performs legal empowerment activities in relation to state schemes which are wished to be achieved to reinstate their sovereignty, accompanying legal reform for the community

<sup>65</sup> Abdul Manan, *Hukum untuk Rakyat: 20 Tahun Perjalanan HuMa Mengarusutamakan Hukum Rakyat* (Jakarta: Perkumpulan HuMa, 2022), p. 20.

<sup>66</sup> Manan, *Hukum untuk Rakyat*, p. 20.

<sup>67</sup> An interview with Agung Wibowo, Executive Coordinator of HuMa on 18 July 2023.

<sup>68</sup> Manan, *Hukum untuk Rakyat*, p. 20.

<sup>69</sup> Manan, *Hukum untuk Rakyat*, p. 20.

<sup>70</sup> Manan, *Hukum untuk Rakyat*, p. 42.

and addressing basics of critical legal education and theories implemented through classes.

Approach and empowerment carried out by HuMa are transactive approach method that puts emphasis on dialogues among individuals in non-formal context. The transactive approach adopted is bottom-up, meaning that this approach upholds programs by considering community aspiration from the bottom level. The process is commenced by encouraging community to identify needs that are directly experienced with the aim of creating a participative planning. That process may be perceived from the activity of sitting down to have a dialogue and learning the Indonesian national legal system.<sup>71</sup>

### g. PEKKA

Since 2005, PEKKA has developed legal empowerment to women headed families that are counselled by PEKKA. This legal empowerment initiative was triggered by injustice condition experienced by women headed families in relation to legal problems and access to justice, among others, women's rights after divorce, marriage legality, and others. Deriving from those issues, legal empowerment is used as a way out by PEKKA as an approach to give understanding of rights owned by women, and in-depth understanding relating to legal problems and issues faced by them. This condition aims to broaden women's opportunities to reach access to justice. The legal empowerment approach adopted by PEKKA focuses on 3 (three) processes, namely awareness on rights, legal capacity building, and legal comprehension.

When performing legal empowerment, PEKKA has 4 (four) empowerment strategies, namely:

#### 1. Critical Awareness on Women's Rights

In this strategy, PEKKA enters into partnership with PEKKA Union Federation on national level and PEKKA Union on regency/city level. Together, PEKKA aims to construct critical awareness on injustice condition suffered by women caused by gender inequality which has been internalized in the community's social structure. This critical awareness requires efforts to shift women's views to see problems they are facing. Afterwards, building awareness to "act" to perform an intervention, attempt to fix the system that becomes the root cause.

<sup>71</sup> An interview with Agung Wibowo, Executive Coordinator of HuMa on 18 July 2023.

## 2. Capacity Building

In this strategy, PEKKA attempts to build capacity through legal empowerment namely by giving skills to women headed families to act as PEKKA's community paralegals. PEKKA's community paralegals consist of three levels. Firstly, Junior-Level Community Paralegals, namely those who had just received trainings and have initiated dissemination of legal empowerment in the community. Secondly, Senior-Level Community Paralegals, namely those who have started to counsel non-litigation cases and have not intensively interacted with law enforcers. Thirdly, Expert-Level Community Paralegals are those who have counselled cases directly in court, as a part of legal aid.

Aside from activities as community paralegals, PEKKA also performs other capacity building through established community forums. One of them is village women forum which targets women in general to build legal information knowledge capacity. In addition, there is also empowered children forum to provide understanding and reinforcement to teenagers concerning their rights.

## 3. Reinforcement of Organizational Network

In this strategy, PEKKA aims to strengthen its organizational network to address legal challenges it encounters. The reinforcement of organizational network is achieved through partnership with various organizations in each region. These partnerships are further strengthened by developing a stakeholder forum on every regional level, starting from village to regency, and up to the national level. The commitment and supports of all stakeholders are expected to enhance strategic problem resolution.

## 4. Policy Advocacy and Efforts to Transform Social System

In this strategy, PEKKA attempts to perform policy advocacy and transformation of social system that function as long-term empowerment agenda. At this stage, PEKKA not only implements legal empowerment pillar in the form of "know the law" and "use the law", but also "shape the law" that enforces justice for them. This effort is carried out by performing advocacy that aims to produce new policies and regulations that protect women's rights.

## h. SPAK and Study Circle for Women (Libu Perempuan)

Study Circle (*Lingkar Belajar - Libu*) is an organization located in Sulawesi Tengah and has been accredited as a Legal Aid Organization (*Organisasi Bantuan Hukum – OBH*) under the support of the National Law Development Agency (*Badan Pembinaan Hukum Nasional – BPHN*). In addition, individually, Libu members are also involved in the I am an Anti-Corruption Woman (*Saya Perempuan Anti Korupsi – SPAK*) movement. As an OBH, Libu performs legal empowerment that takes form as non-litigation legal aid. In this context, legal issues that are addressed are broad, ranging from access to legal aid, sexual violence/domestic violence, child marriage, up to land dispute. On the other hand, Libu members also perform empowerment to women for accountability and transparency issues because they are involved as SPAK agents.<sup>72</sup>

The purpose of legal empowerment carried out by Libu is to assist marginalized communities in accessing justice and developing legal capabilities, enabling them to fight for their rights legally. More specifically, Libu is considered successful when clients who were initially not familiar with the law or were victims, after receiving legal empowerment, become independent and even able to help others. Nevertheless, Libu also involves individuals that play a prominent role in the community, such as indigenous (*adat*) chiefs, village chiefs, members of Village Deliberation Council (*Badan Permusyawaratan Desa - BPD*), etc. Against those groups, the purpose of Libu is to receive supports in clarifying misleading understanding in the community, including amending policies that are considered to not siding with marginalized communities. For instance, in sexual violence cases, many of them were settled through *adat* way, meaning that they were settled without any legal process being performed and restitution for victims. The *adat* settlement, because it does not take restitution for victims into account, is considered to harm victims and perpetuate violence. As a consequence, Libu then involves prominent *adat* figures in empowerment activities to reinforce a victim-protection perspective, aiming to ensure that justice is achieved on a larger scale for the community.<sup>73</sup>

<sup>72</sup> Interview with Dewi Rana Amir, the Director of Perkumpulan LiBu Perempuan in Sulawesi Tengah on 20 July 2023

<sup>73</sup> Interview with Dewi Rana Amir, the Director of Perkumpulan LiBu Perempuan in Sulawesi Tengah on 20 July 2023

Libu emphasizes the importance of using effective methods to achieve the goal of legal empowerment. When carrying out legal empowerment, Libu avoids activities that are merely ceremonial, which are often performed by the government. Libu considers the “one-time” empowerment method to be ineffective.<sup>74</sup> In the legal empowerment program, Libu focuses on efforts to build individual independence and collective awareness. Hence, the determination of issues is also associated with legal problems that are frequently encountered by the community. The expected outcome is the community performs activities that match their legal needs.

Furthermore, Libu’s duty is to raise awareness that rights owned by the community need to be worked on collectively. That duty is performed by using a simple method that is able to be understood by common community members. One of the examples is by using games created by SPAK to introduce the anti-corruption concept to the public. Those games are then followed by devising a joint strategy in fighting for communal rights. For instance, developing a collaboration with certain institutions or coordinating with local figures.

Lastly, Libu also highlights that adat institutions may act as supporting partners. However, those adat institutions may also counterintuitively be an obstacle when fighting for certain issues. For instance, in the context of land disputes, involvement of adat figures is crucial in presenting respected figures. However, in sexual violence issue, there is an experience where the case was settled through adat way or the victim was forced to be married to the offender without considering the victim’s interests.

<sup>74</sup> An interview with Dewi Rana Amir, the Director of Perkumpulan LiBu Perempuan in Sulawesi Tengah on 20 July 2023



# CHAPTER II

MAPPING OF  
LEGAL NEEDS  
FOR COMMUNITY  
EMPOWERMENT



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## A. Methodology for Mapping of Legal Needs for Community Empowerment

When access to justice is defined as the community's ability to resolve legal problems and exercise their rights in accordance with human rights principles, legal needs remain as an existing variable when the required community's legal capability to resolve legal problems is not optimal.<sup>75</sup> Legal needs will be unfulfilled if legal problems are not resolved properly due to unavailability of legal support needed to maximize possessed legal capability. In other words, if legal needs are unfulfilled, access to justice shall be non-existent. Hence, to ensure access to justice is achieved, legal needs that exist in the community in the context of justice seekers must be identified.

Reviewing legal needs in the community may be performed through, among others, assessment of legal needs. The assessment of legal needs serves as a comprehensive tool to explore an individual's experience when facing legal problems from the perspective of a person who directly experiences it, not from administrative data provided by certain institutions or relevant agencies that play a role in resolution of community legal problems. The assessment of legal needs begins with examining the severity of legal problems encountered, the behavior of community members when faced with legal problems, the impacts from the resolution of these issues, and the legal capability in facing the problems throughout the entire process.<sup>76</sup> Therefore, comprehensive information may be collected in relation to responses from justice seekers to legal problems, available aid and others.<sup>77</sup> According to these conditions relating to the implementation of community legal empowerment activities, IJRS and PEKKA will conduct an assessment of legal needs at the preliminary stage to map community legal need, ensuring that the implementation of legal empowerment may be adjusted to existing legal needs in the community.

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<sup>75</sup> Organization for Economic Co-operation and Development (OECD), *Access to Justice and Legal Need Survey*, (OSF: 2018), p. 22

<sup>76</sup> Choky Risda Ramadhan et al., "Survei Kebutuhan Hukum di Lampung dan Sulawesi Selatan 2020," p. 24, as quoted in Arsa Ilmi, et al., "Survei Kebutuhan Hukum Kelompok Rentan Tahun 2022," p. 17.

<sup>77</sup> OECD, *Access to Justice and Legal Need Survey*, p. 32.



There are two methods available for assessing needs to map the implementation of legal empowerment activities, namely:

### 1. Interviews



When selecting interviewees, we select various interviewees to obtain myriad perspectives. All interviewees in this study are located in Indonesia and they are selected from representatives of state actors, namely the National Law Development Agency (*Badan Pembinaan Hukum Nasional – BPHN*) and non-state actors, namely Civil Society Organizations (*Organisasi Masyarakat Sipil – OMS*), including HuMa, PEKKA and SPAK.

BPHN was selected because, as addressed in Regulation of the Minister of Law and Human Rights of the Republic of Indonesia No. 41 of 2021 (*Permenkumham 41/2021*), BPHN assumes the duty of performing national law development, including providing legal counselling and legal aid. In addition, for needs of information relating to community empowerment, BPHN also implements Legally-Aware Villages/Legally-Aware Sub-Districts program which encompasses villages or sub-districts that have been developed or due to their own efforts, they satisfy criteria as Legally-Aware Villages. The Legally-Aware Villages program aims to establish legally-aware groups within communities, with an expectation that those groups may act as agents of change acting as paralegals that are capable of performing legal awareness development in local sub-districts or regions and collaborate with legal counsellors that are registered at the Ministry of Law and Human Rights.

PEKKA, SPAK, and HuMa were selected as representatives from civil society organizations because all three of them have experiences in performing legal empowerment to grass roots. Based on those experiences, it is expected that information and data relating to community empowerment may be more comprehensive.

### 2. Community Surveys



The assessment of legal needs on empowerment participant candidates was performed by considering several factors from demographic and socio-economic aspects, where targeted participants were village residents with the proportion of women and men who have an economic status below or equivalent to the Provincial Minimum Wage

(Upah Minimum Provinsi – UMP) and varied education levels. Before performing the assessment of legal needs, we carried out an informal direct approach to communication purpose and objectives of the assessment of legal needs. This assessment was carried out using a measurement tool in the form of fill-in forms or questionnaires containing several scopes of questions, including demographics, types of problems encountered, behavioral pattern in resolving problems, impacts from the problems, community's legal capability, and community's perception of legal process.

## B. Interview Process and Results

### 1. Mapping of Community Legal Empowerment Needs by I am an Anti-Corruption Woman (Saya Perempuan Anti Korupsi – SPAK) Movement – Study Circle for Women in Sulawesi Tenggara (Libu Perempuan)

When mapping community legal empowerment needs, SPAK – Libu Perempuan initially identified the most recent problems that burden the local community. For instance, problems faced by women in the surrounding of mining areas, climate change issues, such as impacts suffered by the community due to rising sea level, and violence-based extremism, including terrorism.<sup>78</sup>

Moreover, SPAK – Libu Perempuan also emphasized the importance of identifying potential resistance from the local community concerning an issue. Due to massive mining escalation in Morowali, this condition has also triggered conflicts between local workers and foreign workers.<sup>79</sup>

When giving legal empowerment, SPAK – Libu Perempuan stressed the importance of understanding the context of legal empowerment participants. SPAK has developed gaming tools to facilitate training and empowerment process for the surrounding community. For instance, MAJO (Main Jodoh/Pairing Game), a simple game to know various corruptive

<sup>78</sup> An interview with Dewi Rana Amir, the Director of Perkumpulan LiBu Perempuan in Sulawesi Tengah on 20 July 2023.

<sup>79</sup> An interview with Dewi Rana Amir, the Director of Perkumpulan LiBu Perempuan in Sulawesi Tengah on 20 July 2023.

acts and community role in eradicating them.<sup>80</sup> MAJO is divided into two types, namely Senior MAJO and Junior MAJO, depending on the context of ages of participants and those two games have the same gaming kits with difference in contents.<sup>81</sup> Aside from Junior MAJO, if participants are dominated by youngsters, the gaming method will be performed using arisan game. Meanwhile, if participants are mostly village chiefs, SPAK will process the game by referring to Law No. 6 of 2014 on Villages (Village Law).<sup>82</sup> Interviewees also described benefits of giving contents through games:

***“Games (arranged by) SPAK truly help us in the field, because they can lighten the mood while learning the context (of corruptive prevention) in serious setting.”***  
(From the interview with the Director of Perkumpulan Libu Perempuan in Sulawesi Tengah, 1 November 2022.)

In addition to using materials from BPHN when giving legal empowerment, SPAK also emphasizes the importance of elaborating further those materials to be easily digested within the context of local community, who often are not fluent in the Indonesian language.<sup>83</sup> Aside from elaboration, materials are also reprocessed to make community members able to understand the relationship between presented materials with the context of problems in their region, to make the empowerment to be contextual.<sup>84</sup>

## 2. Mapping of Community Legal Needs by PEKKA

Identifying the targets of legal empowerment targets is crucial, as it directly influences the content and materials prepared for the legal empowerment activities. Furthermore, by defining the recipients of legal empowerment activities, this approach facilitates the identification of the specific challenges

<sup>80</sup> Wibawanti, “Peranan Gerakan Saya Perempuan Anti Korupsi dalam Mencegah Tindak Pidana Korupsi Pengelolaan Dana Desa di Desa Rejosari Kecamatan Semin Kabupaten Gunungkidul,” p. 252.

<sup>81</sup> Wibawanti, “Peranan Gerakan SPAK dalam Mencegah Tindak Pidana Korupsi Pengelolaan Dana Desa,” p. 252.

<sup>82</sup> An interview with Dewi Rana Amir, the Director of Perkumpulan LiBu Perempuan in Sulawesi Tengah on 20 July 2023.

<sup>83</sup> An interview with Dewi Rana Amir, the Director of Perkumpulan LiBu Perempuan in Sulawesi Tengah on 20 July 2023.

<sup>84</sup> An interview with Dewi Rana Amir, the Director of Perkumpulan LiBu Perempuan in Sulawesi Tengah on 20 July 2023.



they face. PEKKA, from the initial stage, has determined targets of the legal empowerment, namely women-headed families and women classified as marginalized groups.<sup>85</sup>

PEKKA also emphasized the importance of partnering with other institutions when giving legal empowerment. For instance, if there are target groups for training and community legal empowerment, PEKKA already have organized community groups as target recipients, but no resources available to give training and legal empowerment, a partnership may be orchestrated with agencies that provide training and legal empowerment, but they do not have their own community organizations.<sup>86</sup> Hence, this partnership and collaboration serve as a solution to this condition.

For example, PEKKA in 2020 reached 87 regencies across 20 provinces in Indonesia, establishing more than 3,000 PEKKA Unions in villages with over n 75,000 members.<sup>87</sup> These PEKKA Unions have been organized, but they require legal training and legal empowerment to support organizational works.<sup>88</sup> Even though their resources are limited, especially financing, members of PEKKA Unions frequently perform voluntary community works:

**“These village women forums are not based on projects that must be funded. So, even though there is no funding available, those women (members of PEKKA Unions) still continue to perform their duties voluntarily.”** (From the interview with the Co-Director of PEKKA, 19 July 2023.)

Nonetheless, partnerships and collaborations with other institutions are still vital in the event of building the capacity of PEKKA Unions members, for example, by entering into partnership with institutions that possess funds to establish training guidelines and provide training and legal empowerment to target recipients.<sup>89</sup> The interviewee expressed that PEKKA cannot give facilitations at any time. Therefore, as a strategy to tackle this problem, regions that require training and legal empowerment are directed to benefits from capacity-building programs through partnerships and collaborations established with other institutions.<sup>90</sup>

<sup>85</sup> An interview with Fitria Villa Sahara, the Co-Director of PEKKA on 19 July 2023.

<sup>86</sup> An interview with Fitria Villa Sahara, the Co-Director of PEKKA on 19 July 2023.

<sup>87</sup> “Tentang Kami,” Federasi PEKKA, accessed on 2 May 2024, <https://federasipekka.or.id/>.

<sup>88</sup> An interview with Fitria Villa Sahara, the Co-Director of PEKKA on 19 July 2023.

<sup>89</sup> An interview with Fitria Villa Sahara, the Co-Director of PEKKA on 19 July 2023.

<sup>90</sup> An interview with Fitria Villa Sahara, the Co-Director of PEKKA on 19 July 2023.

### 3. Mapping of Community Legal Needs by Community-and-Ecology-Based Legal Reform Association (*Perkumpulan Pembaharuan Hukum yang Berbasis Masyarakat dan Ekologis* - HuMa)

When mapping community legal empowerment needs, HuMa through Sekolah Lapang employs the following three stages:<sup>91</sup>

#### 1. Assessment Stage

HuMa has assessment forms and HuMa's staff, alongside village residents and counsels consisting of HuMa's partners, act as parties that perform that assessment. The assessment performed uses a specific theme related to needs currently being studied. The interviewee expressed that HuMa performs a specific assessment to explore gender perspectives or matters relating to persons with disabilities as legal subjects within the adat legal framework. This specific exploration is needed to identify community's attitude toward those two topics.

#### 2. Class Learning Stage

After the assessment was concluded, HuMa's team will study it for 7-10 days to delve into assessment results. The team will study theoretical contents at this stage.

#### 3. Field Study Stage

At the final stage, after assessment and theoretical study in class are finished, HuMa's team will conduct field visit to the researched community for 1 (one) up to 3 (three) months.

As a strategy to maintain a good relationship with the studied community, HuMa also mentioned that the needs assessment method will be performed informally. For instance, the assessment is carried out through conversation conducted while drinking coffee with community residents that are set as empowerment targets.<sup>92</sup> HuMa also encourages participation of all village residents during field studies, for instance, borrowing a school stage as a discussion hall while sitting on the floor, if possible.<sup>93</sup> Accommodation of needs through village funds and distribution of financial costs must also

<sup>91</sup> An interview with Agung Wibowo, Executive Coordinator of HuMa on 18 July 2023.

<sup>92</sup> An interview with Agung Wibowo, Executive Coordinator of HuMa on 18 July 2023.

<sup>93</sup> An interview with Agung Wibowo, Executive Coordinator of HuMa on 18 July 2023.

be discussed collectively until reaching an agreement.<sup>94</sup>

HuMa's scope of work, which is closely related to legal pluralism, cannot be separated from the context of training and legal empowerment provided. Originating from the conducted assessment, HuMa adjusts the materials to parties that receive training and legal empowerment. In addition, HuMa will also determine speakers in trainings and legal empowerment from contextual perspective:

**"It is important for researchers from Jakarta or other HuMa's partners to understand the local adat law... It is important to listen the adat law from elderly figures, because youngsters usually do not really understand the adat law."** (From the interview with the Executive Coordinator of HuMa, 18 July 2023.)

Referring to assessment results, HuMa also held a learning session from the local community. For instance, learning to manage the environment to preserve the nature and ecological sustainability.<sup>95</sup> This activity was then incorporated as a part of training and empowerment curriculum that may be shared with other regions.

#### 4. Mapping of Community Legal Needs by BPHN

BPHN mentioned that assessment of needs is important to be performed as a consideration for giving community legal empowerment. In addition to completing the database, assessment of needs can also provide a more comprehensive context for data collected from civil, criminal and administrative disputes.<sup>96</sup> The assessment of needs may also show projection of needs from every region, ranging from Provincial level up to Regency/City level.<sup>97</sup>

Currently, BPHN also has a new legal empowerment method, namely BPHN Mengasuh<sup>98</sup>. This program is triggered by concerns about juvenile

<sup>94</sup> An interview with Agung Wibowo, Executive Coordinator of HuMa on 18 July 2023.

<sup>95</sup> An interview with Agung Wibowo, Executive Coordinator of HuMa on 18 July 2023.

<sup>96</sup> An interview with Masan Nurpian, an Associate Expert of Legal Counselor at BPHN on 25 July 2023.

<sup>97</sup> An interview with Masan Nurpian, an Associate Expert of Legal Counselor at BPHN on 25 July 2023.

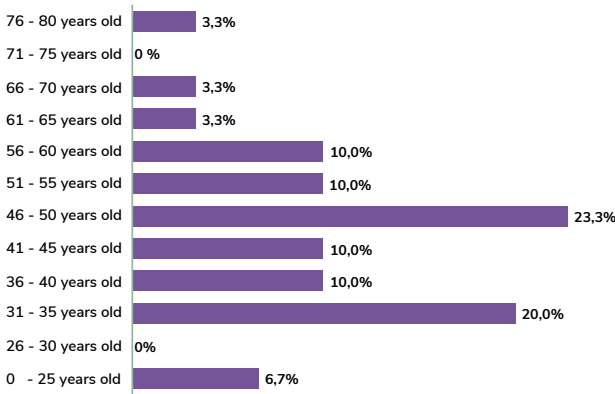
<sup>98</sup> BPHN Mengasuh is a legal education program initiated by BPHN to address juvenile delinquency by providing legal guidance to students at elementary, junior high, and high school levels. The program aims to enhance students' understanding of the law and instill Indonesia's foundational philosophy, thereby preventing behaviors that could lead to legal issues.

cases involving teenagers and school students that frequently occurred recently.<sup>99</sup> Hence, BPHN deems the existence of a legal education program for school students to be important, as social media monitoring has revealed case of violence where both offenders and victims are minors.<sup>100</sup>

### C. Process and Results of Community Surveys

Below are the results of the community survey based on data collection conducted by IJRS and PEKKA, in Jangkar Village, Bangkalan, Madura in October 2023. The survey was conducted by involving 30 respondents to provide a minimum estimate of existing community legal empowerment needs in the village. According to the data collection process and method, results of this survey only illustrate the condition of residents in Jangkar Village. The selection of subject of this research was based on coordination with PEKKA which identified a region that rarely receives legal empowerment activities.

Figure 2.1 Ages of Respondents | n = 30



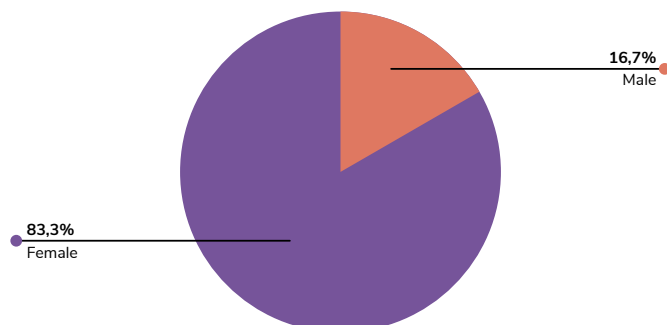
Respondents of this survey fall under age groups ranging from 24 to 80 years old. In reference to such age groups, the majority of respondents fall under the age group of 46-50 years old (23.3%) and the second highest is the age group of 31-35 years old (20.0%). It can be inferred that respondents

<sup>99</sup> "BPHN Mulai Sosialisasikan Program BPHN Mengasuh," BPHN, accessed on 2 May 2024, <https://bphn.go.id/publikasi/berita/2023031607480116/bphn-mulai-sosialisasikan-program-bphn-mengasuh>.

<sup>100</sup> An interview with Masan Nurpian, an Associate Expert of Legal Counselor at BPHN on 25 July 2023.

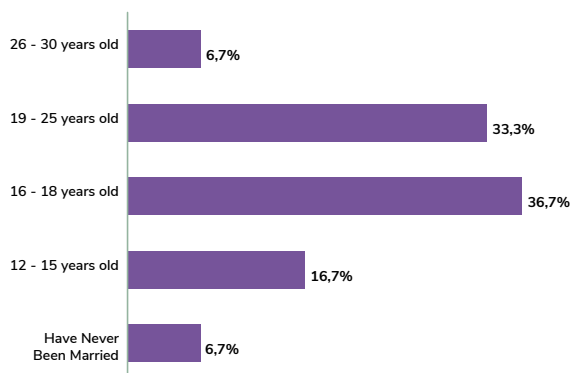
of this legal needs assessment are dominated by elderly (46 years old or above). Female respondents dominate this survey at 83.3% compared to male respondents, who account for only 16.7%.

**Figure 2.2 Sex of Respondents | n = 30**



The results of this assessment also reveal the marital status of the respondents, with the majority (93.3%) having been married at least once. In relation to the age at first marriage, 53.3% of respondents married while they were still minors. Out of 16.7% respondents who have ever been married once before, they married when they were 15 years old or younger.<sup>101</sup> This situation highlights the prevalence of child marriage, particularly among late adults (in the age group of 40 – 60 years old) and elderly (above 60 years old) residents in respondents' area.

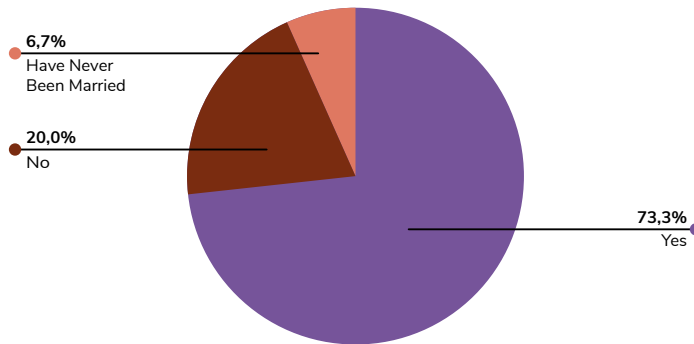
**Figure 2.3 Ages of Respondents when They First Married | n = 30**



<sup>101</sup> Marriage age threshold according to the law is 19 years old for men and women, see Indonesia, Law on the Amendment to Law Number 1 of 1974 on Marriages, Law No. 16 of 2019, State Gazette.2019/No.186, Supplement to the State Gazette No.6401, Art. 7 Paragraph (1).

Additionally, 20% of respondents do not possess any marriage documents, despite the fact that marriage documentation is a fundamental requirement for residency administrative records. The lack of marriage documentation for residents leads to several issues, including: 1) uncertainty of assets ownership, affecting the ability to generate family income and opportunities to own collateral for loans; 2) becoming an obstacle to gain access to government aid for underprivileged communities; 3) becoming an obstacle to secure birth certificates for their children; 4) becoming vulnerable to encountering inheritance disputes for children from a marriages without being validated by state documents.<sup>102</sup>

**Figure 2.4 Ownership of Marriage Documents | n = 30**



Respondents of the legal needs assessment possess relatively low education levels, with 26.7% of them have never received formal education and the majority being only elementary school graduates (46.7%). Low education levels of respondents share similarity with fairly low economic conditions of respondents, with the majority of respondents generate monthly income of Rp1,000,000 or less(63.3%). This income is far below the 2023 average monthly salary of workers in Indonesia, which stands at Rp2,668,900, moreover, is even lower than the national average of income generated by the lowest education level (have never received formal education) at Rp1,233,900.<sup>103</sup> In addition, 30% of respondents

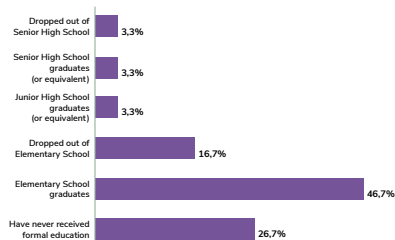
<sup>102</sup> Cate Sumner and Santi Kusumaningrum, (2014), Studi Dasar AIPJ tentang Identitas Hukum: Jutaan Orang Tanpa Identitas Hukum di Indonesia, DFAT, PEKKA and PUSKAPA UI. p. 60, [https://puskapa.org/assets/uploads/2019/09/FA\\_baseline\\_report\\_bahasa\\_FINAL.pdf](https://puskapa.org/assets/uploads/2019/09/FA_baseline_report_bahasa_FINAL.pdf)

<sup>103</sup> Workers are referred to labors/employees, freelancers in agriculture and freelancers in non-agriculture sectors. See BPS (2023), Indikator Kesejahteraan Rakyat, Volume 52, Badan Pusat Statistik, p. 120

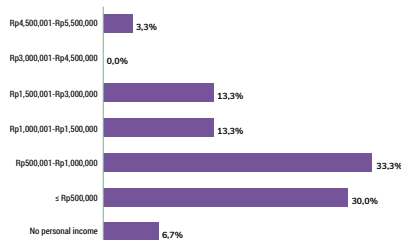


only generate income of Rp500,000 or below, and this income is below the poverty level of Bangkalan Regency in 2023 at Rp503,207 per capita/ per month.<sup>104</sup>

**Figure 2.5 Education of Respondents**  
| n = 30

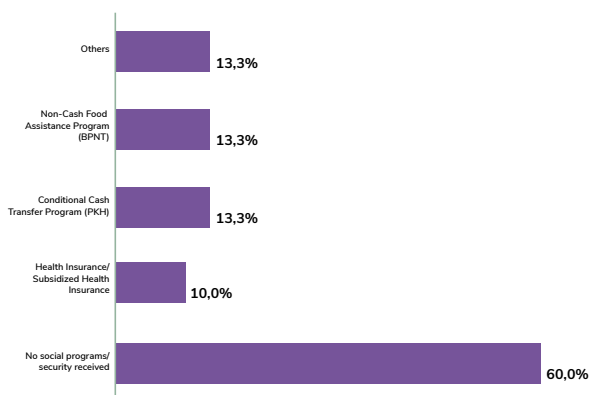


**Figure 2.6 Income of Respondents (Monthly)** | n = 30



Such low levels of education and economic conditions are not supported by government welfare programs. Findings show that 60% of respondents do not receive any social programs/security. According to demographic findings from this needs assessment, it can be identified that respondents are in socially and economically vulnerable condition.

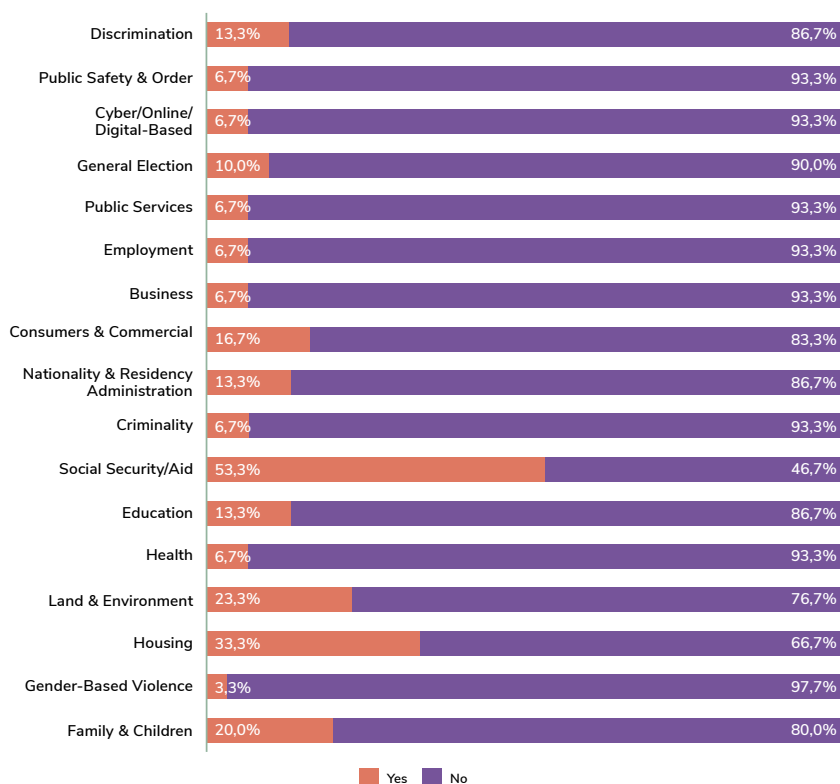
**Figure 2.7 Social Security Programs Received by Respondents** | n = 30



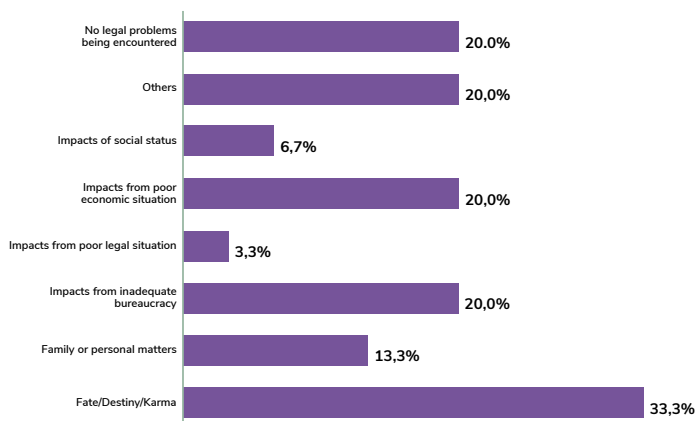
<sup>104</sup> BPS, (2023), Data dan Informasi Kemiskinan Kabupaten/Kota tahun 2023, Volume 15, Badan Pusat Statistik, p. 19

## a. Legal Problems

Figure 2.8 Legal Problems Encountered by Respondents | n = 30



According to the results of the legal needs assessment, although most respondents do not currently face legal problems, the majority of those who do encounter issues related to social security/aid at 53.3%. That finding corresponds with demographic characteristics of respondents that are categorized as poor, yet only a handful of them benefit from social aid security programs. Hence, many respondents perceive themselves as victims of legal problems that they are facing. Besides, the **Figure 2.8** above shows all types of legal problems that have ever been encountered by respondents, but those incidents are not equally experienced by all respondents.

**Figure 2.9 Root Causes | n = 30**

According to the public perception of residents, the primary perceived cause of legal problems that they currently face is fate/destiny/karma, with 33.3% of respondents sharing that idea. Nonetheless, there are some of them that consider legal problems that they are currently facing caused by broken structural conditions, namely due to poor economic situation (20% of respondents provide this answer) and due to inadequate bureaucracy (20% of respondents provide this answer).

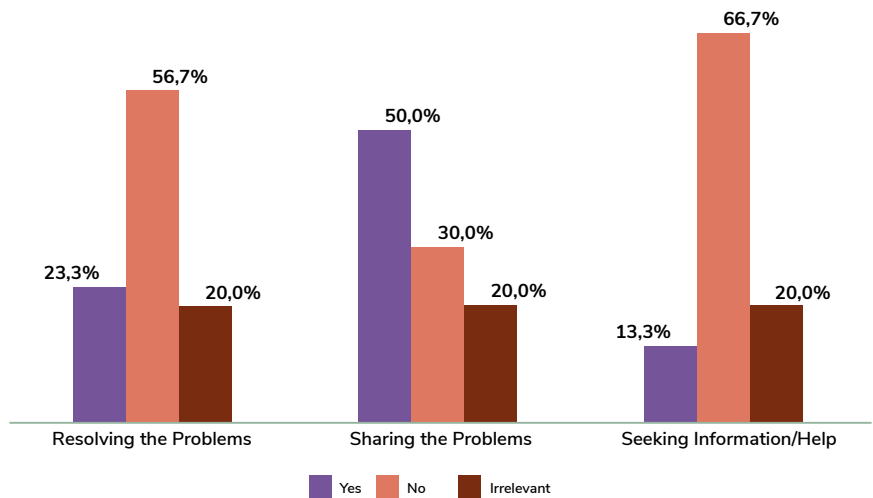
## **b. Behavior Patterns of Resolving Legal Problems**

This section describes factors affecting behaviors of residents when encountering legal problems. In general, behaviors of residents responding legal problems may be divided into two large groups, namely *resolving the problems* or *not resolving the legal problems*. This division of behaviors aims to assess the level of legal awareness of residents. In the context of fulfillment of access to justice, the behavior of *resolving the problems* indicates that those residents possess proper legal awareness, and it will be easier for them to access justice. In contrast, unavailability/minimum access to justice is, among others, characterized by residents that tend to be afraid, uninformed, and hesitant to pursue legal mechanisms to resolve

their issues, either due to lack of financial resources, limited access to lawyers, or insufficient information.<sup>105</sup>

In this research, we attempt to measure these variables by interviewing 30 (thirty) respondents in the vicinity of the location where the legal empowerment will be given. Results show that the majority of residents (56.7%) do not resolve legal problems encountered by them.<sup>106</sup>

Figure 2.10 Ways Respondents Responding to Legal Problems | n = 30

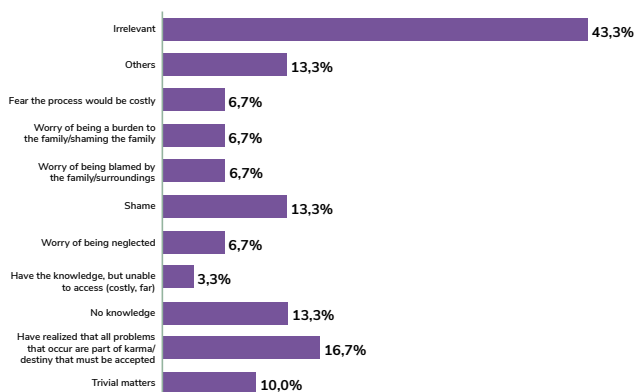


As depicted in **Figure 2.11** below, residents refrain from resolving their legal problems due to several factors, both internal and external. Internal factors relate to the perception that is completely controlled by each individual to problems encountered. Those classified as internal factors include: seeing problems as karma (16.7%), feelings of shame (13.3%), trivial matters (10%).<sup>107</sup> Meanwhile, external factors relate to perceptions influenced by parties other than the individual, including: lack of knowledge on how to resolve the problems (13.3%), fear of being a burden to or blamed by the family (6.7% and 6.7%), and concern that the process would be costly or inaccessible (6.7% and 3.3%).

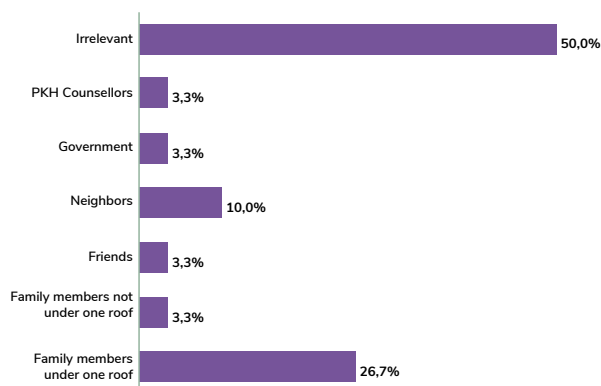
<sup>105</sup> "Legal Literacy and Legal Awareness Programme (LLLP)," Department of Justice, Ministry of Law and Justice, Government of India, accessed on 9 February 2024 <https://doj.gov.in/legal-literacy-and-legal-awareness-programme-lllp/>.

<sup>106</sup> Figure 2.10

<sup>107</sup> Figure 2.11

**Figure 2.11 Reasons of Not Resolving the Problems | n = 30**

Afterward, we also delve into follow-ups carried out by residents to legal problems encountered. In this context, we divide them into two groups or categories of follow-ups, namely *sharing the problems* and *seeking information/help*. That grouping does not have any correlation to behaviors of residents that were previously addressed, in other words even if respondents stated that they do not resolve the problems as their answer, they are still inquired regarding follow-ups to legal problems encountered by them. Interestingly, half of respondents (50%) choose to share their problems<sup>108</sup> and parties that are most likely visited by residents to share the issues are immediate family members who live under one roof (26.7%).<sup>109</sup>

**Figure 2.12 Parties Shared with the Problems | n = 30**

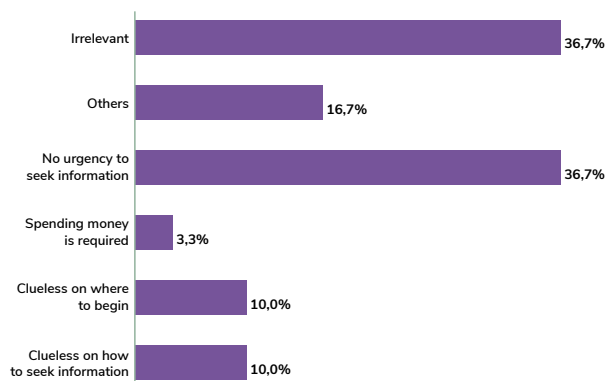
In general, the behavior of *sharing the problems* is also followed with the act of *seeking information/help*. However, only a handful of respondents

<sup>108</sup> Figure 2.10

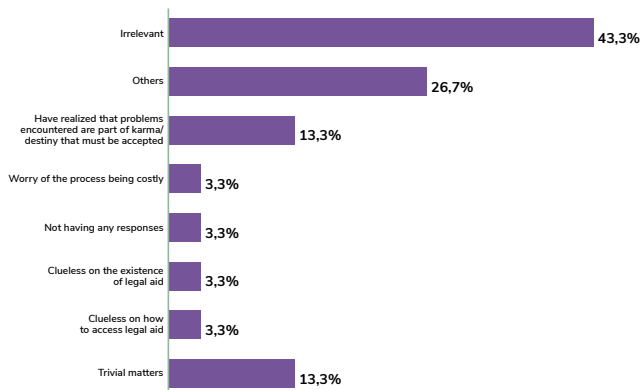
<sup>109</sup> Figure 2.12

that did so (13.3%).<sup>110</sup> That condition is generally caused by several reasons. There are also respondents that refrain from seeking information, generally it is because of a view that they do not require to seek any information (36.7%)<sup>111</sup>. Meanwhile, as for respondents that do not seek any help, it is generally caused by a view that problems encountered are part of karma/destiny that must be accepted or because they are trivial matters (13.3% and 13.3%)<sup>112</sup>.

**Figure 2.13 Reasons for Not Seeking Information | n = 30**



**Figure 2.14. Reasons for Not Seeking Help | n = 30**



When connected to the concept of legal empowerment, these data suggest that the level of community legal empowerment in the surveyed

<sup>110</sup> Figure 2.10

<sup>111</sup> Figure 2.13

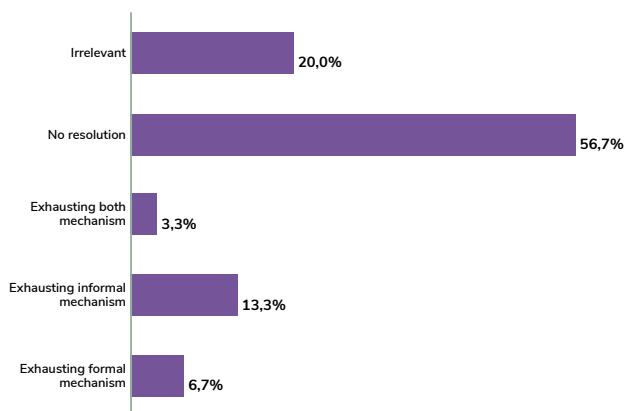
<sup>112</sup> Figure 2.14



area is still classified as low. Residents tend to refrain from resolving their legal problems, either due to internal or external factors. Ideally, residents know their rights (know the law) and are at least capable of seeking information to obtain legal aid in order to resolve their legal problems (use the law).<sup>113</sup> Moreover, residents are expected to contribute to shaping the legal mechanism to match needs of local residents (shape the law).<sup>114</sup>

On the other hand, several respondents (23.3%) have experiences in accessing justice through legal resolution institutions/mechanisms.<sup>115</sup> These experiences are then categorized into two, namely through informal and informal mechanisms. In this context, informal mechanisms—whether used alone or in combination with formal mechanisms (13.3% and 3.3%)—still preferred by residents instead of merely exhausting the formal mechanism (6.7%).<sup>116</sup> Regardless of end results<sup>117</sup>, these data show that there are obstacles to access justice for residents that wish to resolve their own legal problems. Several obstacles mentioned by residents include, among others, costly expenses, long-winding process, unreachable access, and inconvenience/unsuitable timeframes.<sup>118</sup>

**Figure 2.15 Ways Resolving the Problems | n = 30**



<sup>113</sup> Matthew Burnett and Pascal Soboll, *Making The Law Work for People: A Handbook on Legal Empowerment and Inclusive Innovation* (United States of America: Open Society Justice Initiative and The Lab, 2021), p. 5

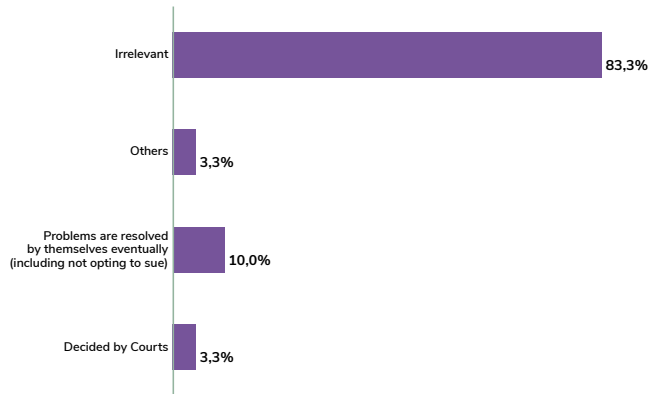
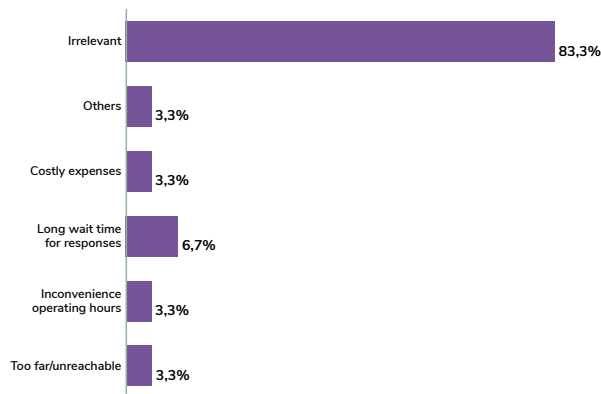
<sup>114</sup> Burnett and Soboll, *Making The Law Work for People*, p.5

<sup>115</sup> Figure 2.10

<sup>116</sup> Figure 2.15

<sup>117</sup> Figure 2.16

<sup>118</sup> Figure 2.17

**Figure 2.16 End Results of Resolution Process | n = 30****Figure 2.17. Obstacles to Seeking Help | n = 30**

According to behavior patterns presented above, it may be inferred that the majority of residents are lay persons that do not know the law. Although there are residents who have experiences in resolving legal problems, either through formal or informal mechanisms, their process still faces obstacles.

Hence, legal awareness of laypeople must be enhanced.<sup>119</sup> It may be started from improving legal knowledge level of residents. Knowledge relating to regulations serves as one of the minimum indicators of legal awareness. Nevertheless, legal knowledge alone is insufficient to raise legal awareness. Residents who only possess knowledge of regulations as part of their legal awareness cannot be taken for granted of complying with those regulations, because they merely possess knowledge of regulations without understanding functions and benefits of those regulations. These

<sup>119</sup> Soerjono Soekanto, "Membudayakan Hukum dalam Masyarakat," *Jurnal Hukum & Pembangunan* 7. no. 5 (1977): hlm. 333, <http://dx.doi.org/10.21143/jhp.vol7.no5.730>.

factors contribute basic compliance, a positive attitude toward regulations, and behaviors that are in line with expectations of lawmakers.<sup>120</sup>

### c. Impacts from Encountered Legal Problems

Results of this assessment show that 30 respondents that encounter legal problems as depicted in **Figure 2.8** suffered from impacts caused by those legal problems. As shown by data in **Figure 2.18** and **Table 2.1**, the majority of respondents (43.3%) suffered from mental impact.<sup>121</sup> That impact is suffered by most respondents that encounter problems relating to their access to social security/aid or those who encounter family & children issues, at 13% respectively. For instance, one family and children problem that is frequently found in the community is divorce. The divorce legal process affects mental condition of those who are involved. For example, they feel guilt, shame, and worry.<sup>122</sup> Meanwhile, legal problems related to social security/aid, such as uneven distribution of social aid, results in mental impact in the form of community anxiety.<sup>123</sup>

The second-highest impacts suffered by respondents are social and economic impacts, each sharing the same value of 20.0%. The highest social impact suffered by 13.3% of respondents is the inability to continue their education or dropping out of school. The highest economic impact suffered by respondents is paying expenses to access medical treatment, and court, mediation fees, or other administrative fees at 10.0% respectively. Those social and economic impacts are also mostly endured by respondents that encounter problems relating to social security/aid and family & children, at 7% respectively.

The remaining 16.7% of respondents claimed that they suffered from physical impacts in the form of health deterioration or physical illnesses. Respondents that suffered from physical impact were primarily those facing

<sup>120</sup> Soerjono Soekanto, "Kesadaran Hukum dan Kepatuhan Hukum," *Jurnal Hukum & Pembangunan* 7, no. 6 (1977): p. 465, <https://scholarhub.ui.ac.id/jhp/vol7/iss6/6/>.

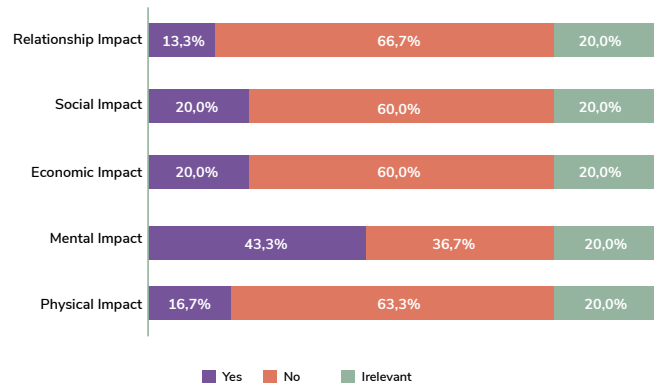
<sup>121</sup> Out of 43,3 respondents that experienced physical impacts, 30.0% of them experienced worries/concerns, and 20.0% of respondents suffered from trauma, moreover, there are respondents that suffered from drug and alcohol addiction, albeit they only make up for 3.3%.

<sup>122</sup> Julia Eva Putri et al., "Konsep Self Esteem pada Wanita Dewasa Awal yang Mengalami Perceraian," *Jurnal EDUCATION* 8, no. 1 (2022): p. 21, <http://dx.doi.org/10.29210/1202221495>.

<sup>123</sup> Dheandra Ayu Rizkiani Shakina et al., "Respon Masyarakat Terhadap Bantuan Pemerintah Selama Covis-19 di Kabupaten Berau," *ULIL ALBAB: Jurnal Ilmiah Multidisiplin* 2, no. 7 (June 2023): p. 3211, <https://doi.org/10.56799/jim.v2i7.1897>.

family and children problems, namely at 7%, and 3% of them respectively are respondents that experience problems relating to discrimination, social security/aid, and criminality. Finally, respondents also explained the existence of an impact to interpersonal relationships in the form of threats from offenders and harm to the relationship, each at 6.7%. Respondents that suffered from that relationship impact were primarily those who had previously faced family and children problems, namely 10% of respondents, and 3% of respondents encountered issues related to discrimination.

**Figure 2.18 Impacts Suffered by Respondents from Encountered Legal Problems | n = 30**



**Table 2.1 Problems and Impacts Experienced**

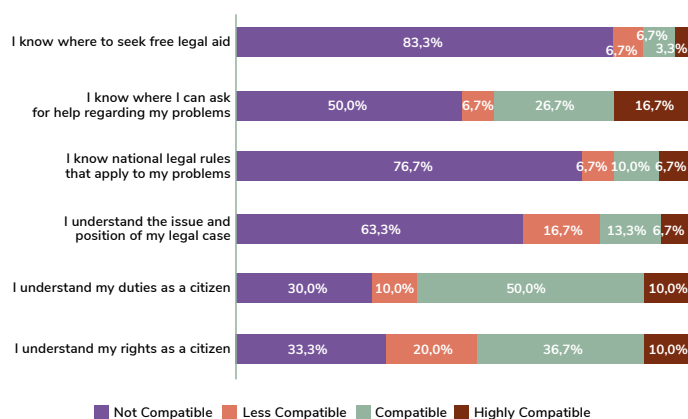
Problems	Physical Impact	Mental Impact	Economic Impact	Social Impact	Relationship Impact
Family & Children	7%	13%	7%	7%	10%
Consumers & Commercial	0%	3%	0%	0%	0%
Discrimination	3%	3%	3%	3%	3%
Gender-Based Violence	0%	3%	0%	0%	0%
Housing	0%	0%	0%	3%	0%
Health	0%	3%	0%	0%	0%
Social Security/Aid	3%	13%	7%	7%	0%
Criminality	3%	3%	3%	0%	0%

The results of this assessment successfully collected data or information regarding the availability of services, compensation or restitution obtained by respondents that suffered from their legal problems. All respondents that suffered from mental, social, economic, and relationship impacts did not receive any services, compensation or restitution in any forms. Assessment results only obtain information that 16.7% of respondents that suffered from physical impact, 6.7% of them received services to medical treatment in the form of outpatient treatment, while the remaining 10.0% did not receive any services, compensation, or restitution in any forms.

#### d. Community's Legal Capability

When measuring the community's legal capability, we assess it by dividing the measurement of the capability based on three (3) factors, namely: 1) Legal Knowledge and Comprehension; 2) Ability to Understand Legal Services and Process; and 3) Ability to Exhaust and/or Undergo Legal Process.

**Figure 2.19 Legal Knowledge and Comprehension | n = 30**

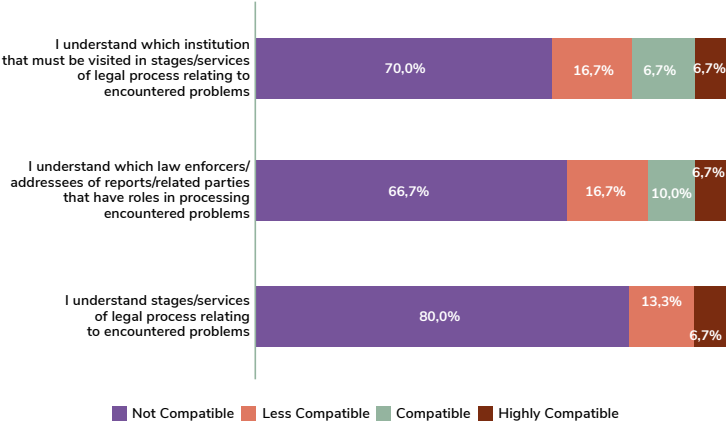


Firstly, the assessment shows that the community's **Legal Knowledge and Comprehension** is still considered low. Although 50% of residents in Jangkar Village understand their duties as citizens, only 36.7% understand their rights as citizens. According to our observations and interviews, many residents in Jangkar Village that do not know functions of the Social Security Agency (Badan Penyelenggara Jaminan Sosial – BPJS) and do

not possess a National Health Security-Indonesian Health Card (*Jaminan Kesehatan Nasional-Kartu Indonesia Sehat – JKN-KIS*) that may be used to obtain free medical treatment at community health centers (*pusat kesehatan masyarakat – puskesmas*) and hospitals.<sup>124</sup>

In addition, in relation to community’s comprehension of legal problems as portrayed in **Figure 2.19**, the community’s ability is also considered extremely low. This condition is shown by survey data that **more than 50%** of residents do not have any knowledge of free legal aid and how to access it. Furthermore, respondents do not have any knowledge that when encountering legal problems, they may seek help. They do not understand laws and regulations concerning their legal problems and do not realize that problems that they are facing are legal problems.

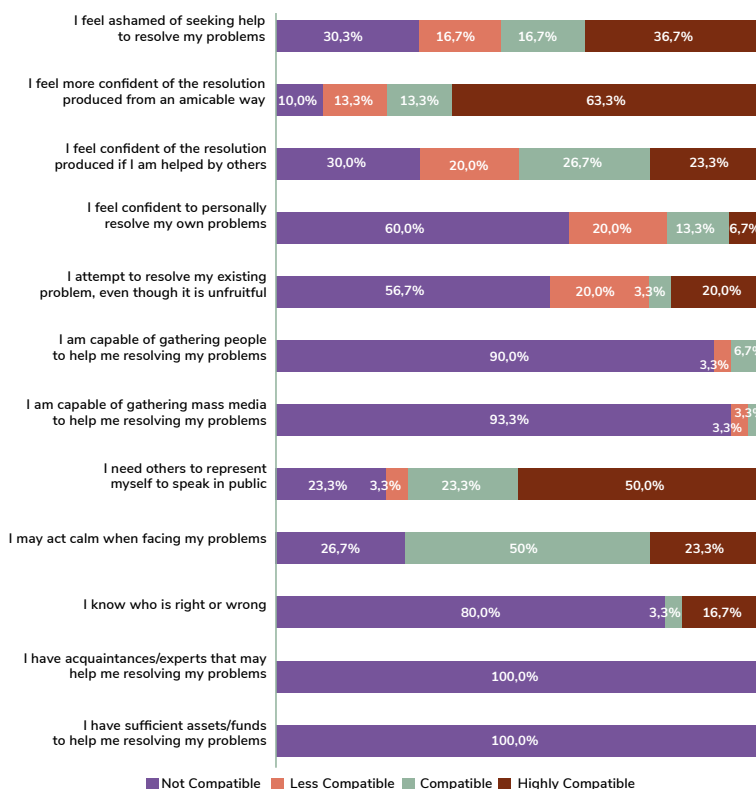
**Figure 2.20 Ability to Understand Legal Services and Process | n = 30**



Secondly, assessment results indicate that the level of community’s **Ability to Understand Legal Services and Process** is still considered to be very poor. Specifically, 70% of respondents in Jangkar Village were unable to understand institutions involved in legal services and processes (for example, the Police, the Prosecutor’s Office and Court). Assessment results also show that 66.7% of respondents were unable to identify law enforcers that have roles in legal process. Moreover, 80% or the majority of residents also do not understand stages and services of legal process relating to their legal problems.

<sup>124</sup> Notes of the survey conducted in Jangkar Village between 23-26 October 2023.

Figure 2.21 Ability to Exhaust/Undergo Legal Process | n = 30



Thirdly, in terms of **Ability to Exhaust and/or Undergo Legal Process**, assessment results specify that:

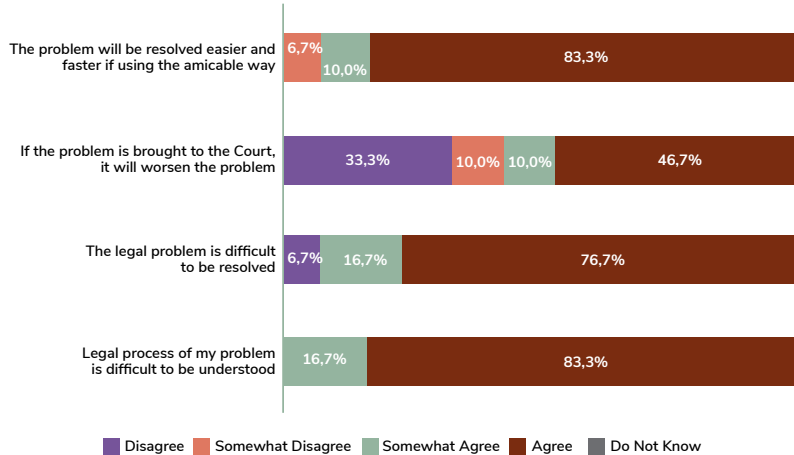
- 100% or all residents do not have any acquaintances that may help them resolving their legal problems. Additionally, all residents lack the assets or funds needed to resolve their issues from a financial standpoint.;
- When conflicts or problems occur in their region, 80% or the majority of residents do not know which party is right or wrong in a dispute;
- 50% or half of residents stated that they are capable of acting calm when facing legal problems. The remaining 50% stated that they need others to represent them when speaking in public, such as filing reports to the police.
- In conditions relating to involvement of people or mass media, more than 90% of residents claimed that they were unable to gather masses to help resolving their problems. In addition, they also mentioned that they were unable to gather mass media to resolve their problems.



- Assessment results indicate that 56.7% of residents made no efforts in resolving their problems. This figure matches with findings that 60% of residents are not confident in resolving their own problems. Meanwhile, 63.3% of respondents prefer to resolve their problems through an amicable, family-based approach. Other findings from the assessment also show varying distribution of attitudes on whether residents are ashamed when asking for help to resolve their problems or not. According to assessment findings, 36.7% of respondents confessed that they were ashamed and 30.0% confessed that they were not ashamed of seeking help.

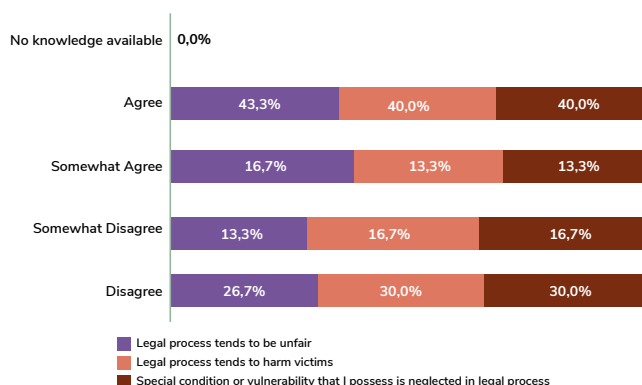
e. Perception of Legal Process

Figure 2.22 Perception of Complexity of Legal Process | n = 30



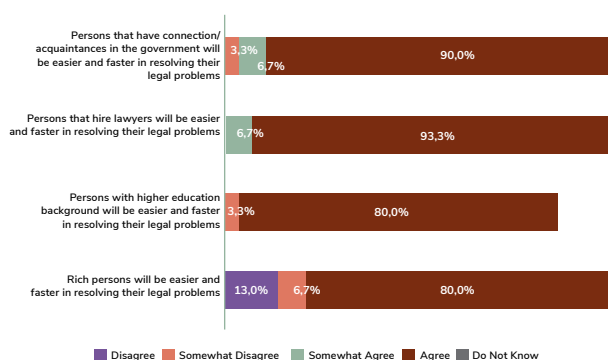
According to **Figure 2.22**, results of assessment involving 30 residents demonstrate that the majority of residents consider legal process to be complex. This view may be extracted from survey findings that 83.3% of respondents agree that problems will be easier to be resolved using the amicable way, 83.3% agree that the legal process experienced by them is difficult, and 76.7% agree that legal problems are generally difficult to be resolved. Even more, 46.7% of respondents agree that if problems are brought to the Court, it will worsen the situation.

**Figure 2.23 Perception of Justice in Legal Process | n = 30**



This assessment also analyzes public perception relating to the existence of justice in the legal process. According to **Figure 2.23**, 43.3% of residents believe that the legal process tends to be unfair, the remaining 40.0% claim that the legal process tends to harm victims. Additionally, 40.0% of respondents deem that their condition or vulnerability tends to be neglected in the legal process.

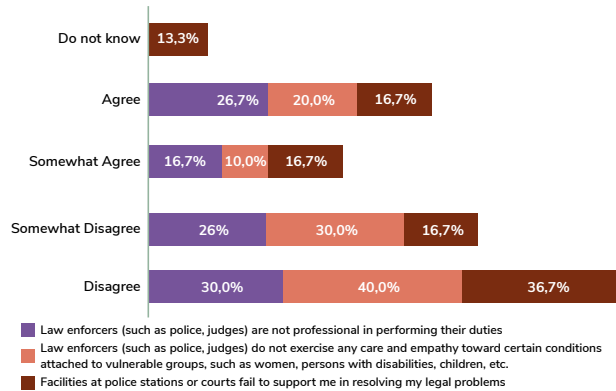
**Figure 2.24 Perception of Ownership of Resources and Its Effect to Legal Process | n = 30**



The figure above illustrates the assessment results relating to perception of ownership of resources and its effect on the legal process. **Figure 2.24 shows** that the majority of residents “agree” that ownership of resources highly affects the legal process that they undergo. The majority of residents or 93.3% believe that hiring lawyers will be easier and faster in resolving

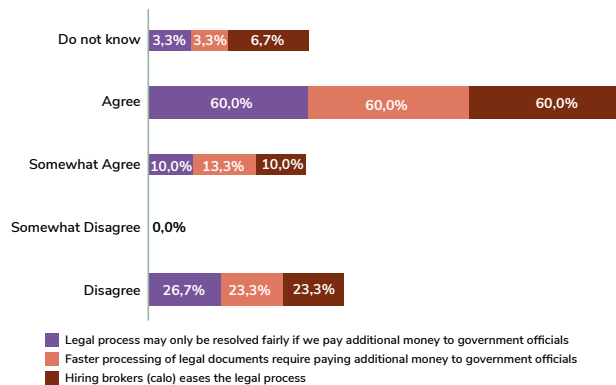
legal problems, 90.0% consider that having connection or acquaintances in the government may make them easier in resolving problems, and 80.0% think that having a higher education background and more financial resources will make them easier and faster in resolving problems.

**Figure 2.25 Perception of Judicial Institutions | n = 30**



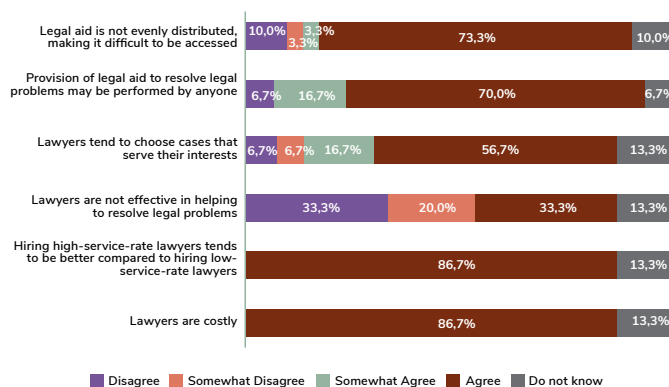
Assessment results also illustrate public perceptions of judicial institutions. According to **Figure 2.25**, the majority of residents tend to have a positive perception of judicial institutions. This condition may be viewed from a fact that 40.0% of residents disagree that Law Enforcers (Aparat Penegak Hukum – APH) do not exercise any care and empathy to vulnerable groups, 36.7% of residents disagree that facilities at Police Stations or Courts fail to support them in resolving problems. Moreover, 36.7% of respondents disagree that APH are unprofessional in performing their duties.

**Figure 2.26 Perception of Bribery Practices in Legal Process | n = 30**



Assessment results provided above explain public perception relating to bribery practices in the legal process. According to **Figure 2.26**, the majority of residents (60.0%) agree that the legal process may only be resolved fairly if they pay additional money to government officials, or additional money is required to be paid to government officials when processing legal documents. Additionally, residents also believe that hiring brokers (calo) may ease the legal process.

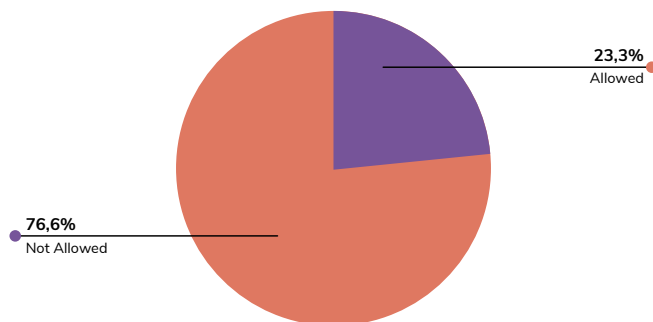
**Figure 2.27 Perception of Legal Aid | n = 30**



Assessment results also unveil the perception of legal aid that remains as duties and responsibility of the state and constitute part of constitutional rights of every citizen. According to **Figure 2.27**, the majority of respondents (86.7%) agree that lawyers are costly. Out of 86.7% respondents, they view high-service-rate lawyers tend to be better compared to low-service-rate lawyers. Furthermore, 73.3% of residents argue that legal aid is not evenly distributed, making it difficult to access, 70.0% of residents also agree that provision of legal aid may be performed by anyone, and 56.7% of residents believe lawyers tend to select cases that serve their interests “to choose cases that serve their interests”. Meanwhile, opinions are divided regarding whether lawyers are ineffective in helping to resolve legal problems, 33.3% of residents agree to that statement, but another 33.3% of residents disagree to that statement.

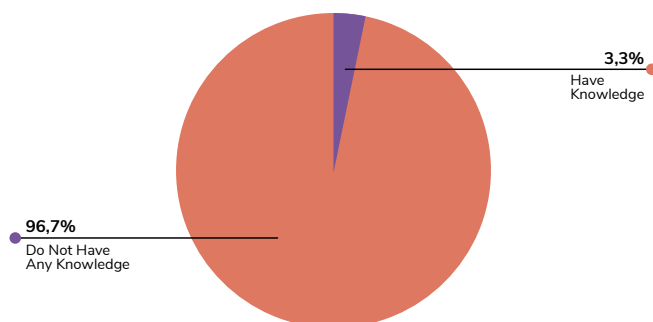
## f. The Need for Legal Awareness Improvement

**Figure 2.28 Views on Child Marriage that Children under 19 Years Old May Marry | n = 30**



The assessment also measures community's knowledge and comprehension of an issue. One of them is relating to child marriage. Assessment results show that the majority of residents (76.7%) believe that children under 19 years old are prohibited from performing a marriage.

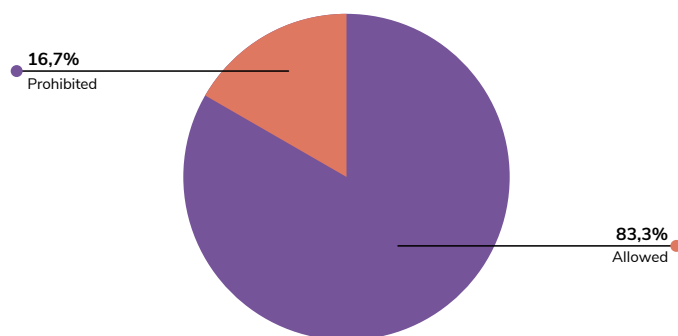
**Figure 2.29 Knowledge Relating to Concept of Marriage Dispensation | n = 30**



Although assessment results in **Figure 2.28** show an ideal condition, according to **Figure 2.29**, the majority of residents (96.7%) do not have any clue relating to marriage dispensation<sup>125</sup>. Only 3.3% of them know the term.

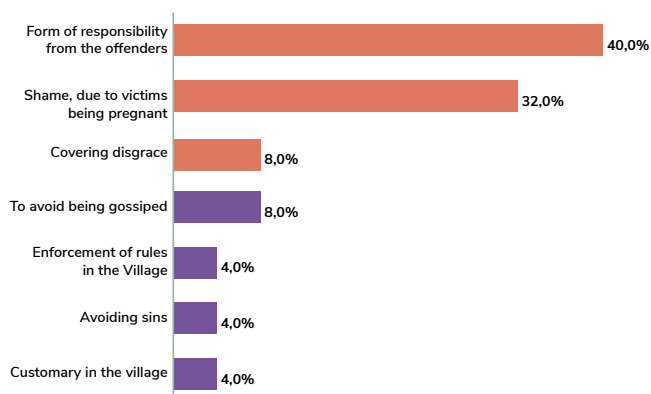
<sup>125</sup> In Indonesia, a marriage dispensation is a legal authorization granted by the court allowing individuals under the minimum legal marriage age of 19 to marry. This dispensation is sought by parents or guardians.

**Figure 2.30 Views on Sexual Violence Victims May be Married to the Offenders | n = 30**



Aside from the issue of child marriage, as previously discussed, knowledge relating to sexual violence was also measured in this assessment. Assessment results show that the majority of residents (83.3%) agree or allow sexual violence victims to be married to the offenders.

**Figure 2.31 Reasons Allowing Sexual Violence Victims to be Married to the Offenders**

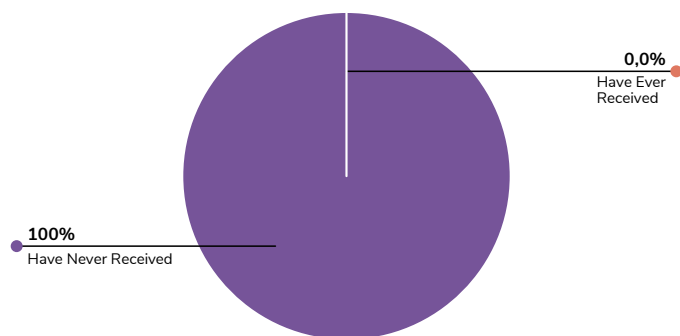


Results of this assessment manage to identify reasons of residents allowing sexual violence victims to be married to the offenders. According to **Figure 2.31**, the majority of residents (40.0%) believe that marriage is a form of responsibility from the offenders. Meanwhile, 32.0% of respondents consider sexual violence victims are allowed to be married to the offenders due to shame because victims are already pregnant. Around 8.0% of

respondents state that marriage aims to cover any disgrace and to avoid being gossiped by the surroundings.

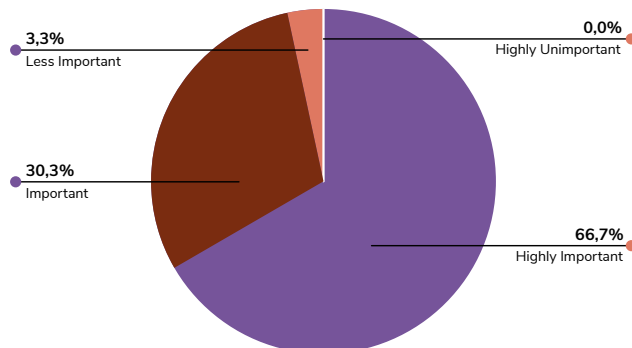
#### g. Experiences and Knowledge of Dissemination of Legal Aid Information

**Figure 2.32 Receiving Legal Aid Dissemination of Information or Counselling | n = 30**



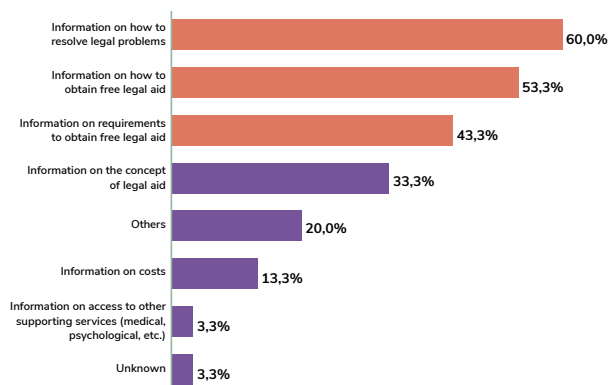
Assessment results above show experiences of receiving legal aid dissemination of information or counselling. **Figure 2.32** concludes that all respondents (100%) have never ever received any legal aid dissemination of information or counselling.

**Figure 2.33 Views on Importance of Legal Aid Dissemination of Information or Counselling | n = 30**



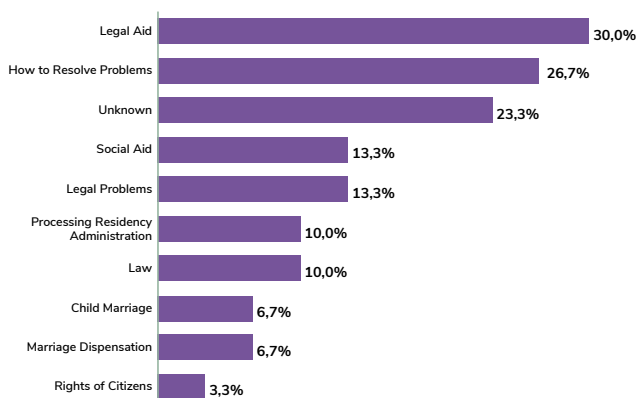
As depicted in Figure 2.32, all respondents expressed that they did not have any experiences of receiving legal aid dissemination of information. However, the majority (66.7%) of respondents consider that legal aid dissemination of information is highly important.

**Figure 2.34 Information Needed in Legal Aid Dissemination of Information | n = 30**



Forms or contents of information needed in legal aid dissemination of information vary. The majority of respondents (60.0%) believe that they need information on how to resolve legal problems. Furthermore, 53.3% of respondents need information on how to receive free legal aid. Meanwhile, 43.3% of respondents stated that they need information on the requirements to obtain free legal aid.

**Figure 2.35 Issues/Matters/Learning Wished to be Known and Needed if There is Any Legal Empowerment | n = 30**





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This assessment also aims to map issues or learning need that should be identified when performing legal empowerment in Jangkar Village. According to **Figure 2.35**, the majority of residents wish to know or need learnings relating to legal aid (30.0%), how to resolve problems (26.7%), social aid and legal problems (13.3%).

# CHAPTER III

COMMUNITY LEGAL  
EMPOWERMENT  
EXPERIENCE IN  
JANGKAR VILLAGE



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## A. Urgency of Community Legal Empowerment

Various legal problems outlined in the previous section stress the importance of legal empowerment efforts for the community. A tendency that the community views legal problems as part of fate/destiny as opposed to an integrity of systematic factors and inadequate bureaucracy condition is caused by a lack of knowledge of the community concerning the legal root cause itself. Results of legal needs assessment involving residents in Jangkar Village, Bangkalan, East Javar as described above show high vulnerability of the community to various legal problems, including unavailability of residency administrative documents, difficulty in accessing social security/aid, child marriage, sexual violence, domestic violence, and others. This condition is exacerbated by poor economic background and limited education of the community, resulting in the majority of residents having difficulty in accessing legal aid and failing to find a way out to resolve encountered legal problems.

Findings on legal problems and needs according to assessment results above need to be followed-up by a serious approach to make community access to justice achievable. Legal empowerment aims to build capacity of individuals and the community, especially marginalized groups, through enhancing knowledge, skills to use, and shape the law.<sup>126</sup> This context closely relates to access to justice, where legal empowerment functions as a means to reach broader justice.<sup>127</sup> By knowing the law, individuals or the community may take more effective actions in enforcing their rights and seek solutions to their problems. In the context of legal empowerment, capacity building to be involved in the legal system should be the core of that process.

Legal empowerment is frequently associated with capacity building efforts for disadvantaged groups for them to take control over their lives. This process aims to provide skills and knowledge needed to participate in evaluating the judiciary system, demand rights, and seek justice against

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<sup>126</sup> Ebenezer Durojaye, Gladys Mirugi-Mukundi, and Oluwafunmilola Adeniyi, (2020), Legal empowerment as a tool for engendering access to justice in South Africa, *International Journal of Discrimination and the Law*, 20(4), 224-244, <https://doi.org/10.1177/1358229120969602>, pp. 232 - 233

<sup>127</sup> Vivek Maru, (2010), Access to Justice and Legal Empowerment: A Review of World Bank Practice, *Hague J Rule Law* 2, 259-281, <https://doi.org/10.1017/S1876404510200076>,



violations experienced by them.<sup>128</sup> In the long term, legal empowerment not only raises awareness and upgrades individual capacity, but also brings changes to the social structure that hinders access to justice for those who are marginalized.

Through community legal empowerment, the first stage will involve enhancing the legal knowledge and understanding of residents. This will enable them to recognize their basic rights as citizens and the efforts required to access those rights. In addition, those residents may also identify types of legal problems encountered and how to access legal aid services and resolution procedures. Enhance of community's knowledge through legal empowerment certainly will reinforce community's resilience in responding and resolving encountered legal problems. Based on such a premise, legal empowerment should be an answer to challenges of legal problems identified in this study.

## B. Legal Empowerment Framework Designed by IJRS and PEKKA

### 1. Definition and Purposes of Empowerment

From the details of legal empowerment experiences performed by several communities in Chapter I, it may be understood that the term legal empowerment is identical to expanding knowledge, ability to use the law, reinforcing leadership, gaining power, initiating community participation, becoming an agent of change, and becoming independent and empowered individuals and communities.

It may also be inferred that experiences from those communities above are efforts to build 3 legal empowerment pillars. Quoting from the book titled "Making the Law Work for People: A Handbook on Legal Empowerment and Inclusive Innovation", three pillars of individual and community acts in legal empowerment include know law, use law and shape law.<sup>129</sup>

<sup>128</sup> Ineke van de Meene and Benjamin van Rooij, (2008), Access to Justice and Legal Empowerment : Making the Poor Central in Legal Development Cooperation, Leiden University Press, pp. 9 -12

<sup>129</sup> Burnett and Soboll, *Making The Law Work for People*, p. 4.



Below is the explanation of 3 (three) legal empowerment pillars:<sup>130</sup>

**a. Know law**

The know-law pillar is intended to make individuals and the community know their rights, and be able to understand how the judiciary system works and how they can use the law in the event of enforcing their rights and accessing restitution if they encounter legal problems.

**b. Use law**

The use-law pillar is intended to make the law to be able to be used or utilized. In the context of legal empowerment, use law is defined as an ability to use or utilize the law by paralegals, advocates, lawyers and other parties (for example, counsellors of victims) or even individuals that experience injustice and problems to provide aid and counselling, both to themselves and their own community.

**c. Shape law**

The shape-law pillar puts legal empowerment into a systemic transformation. For instance, monitoring and evaluation, changes from discriminative policies into inclusive policies or establishment of evidence-based policies that cater community needs in the event of protecting rights of individuals and the community, both through litigation and strategic advocacy.

Therefore, legal empowerment serves as both an approach and result from the implementation of those 3 (three) pillars. As an approach, legal empowerment is intended to enhance legal knowledge of individuals and the community and design a better path to justice.<sup>131</sup> As a result, individuals and the community are capable of using the law to advance their interests and rights.<sup>132</sup> Therefore, legal empowerment aims to advance equality, rights, and justice by providing assistance to individuals and the community to make them capable of knowing, using, and shaping the law that will generate impacts to themselves and their community.<sup>133</sup>

According to those matters, by considering empowerment experiences performed by communities and results of the assessment of community

<sup>130</sup> Burnett and Soboll, *Making The Law Work for People*, p. 5.

<sup>131</sup> Burnett and Soboll, *Making The Law Work for People*, p. 5.

<sup>132</sup> Burnett and Soboll, *Making The Law Work for People*, p. 5.

<sup>133</sup> Burnett and Soboll, *Making The Law Work for People*, p. 5.

needs, IJRS and PEKKA devise a definition for legal empowerment, namely “an approach or mechanism to build community’s capacity relating to legal knowledge, so they may be empowered and independent in implementing their legal knowledge in actual situations to guarantee access to justice and protection of human rights”.<sup>134</sup>



IJRS and PEKKA devise a definition for legal empowerment, namely “an approach or mechanism to build community’s capacity relating to legal knowledge, so they may be empowered and independent in implementing their legal knowledge in actual situations to guarantee access to justice and protection of human rights”.

Purposes of the empowerment intended in this study are as follows:<sup>135</sup>

- a. Community members may know and implement the law to achieve access to justice and interests of human rights protection;
- b. Community members may be empowered and independent in encountering and resolving their legal problems and/or other persons in their community; and
- c. Community members may actively and collectively with their own community empower each other in order to achieve access to justice and protection of human rights.

Quoting an opinion from Goodwin and Maru, the most common legal empowerment strategies used are legal literacy, community mobilization and public advocacy.<sup>136</sup> This legal empowerment also employs popular education, organization, participative researches, data collection, storytelling strategy and narrative to reinforce and present individual and community experiences that suffer from violation of rights and encounter obstacles when accessing justice.<sup>137</sup>

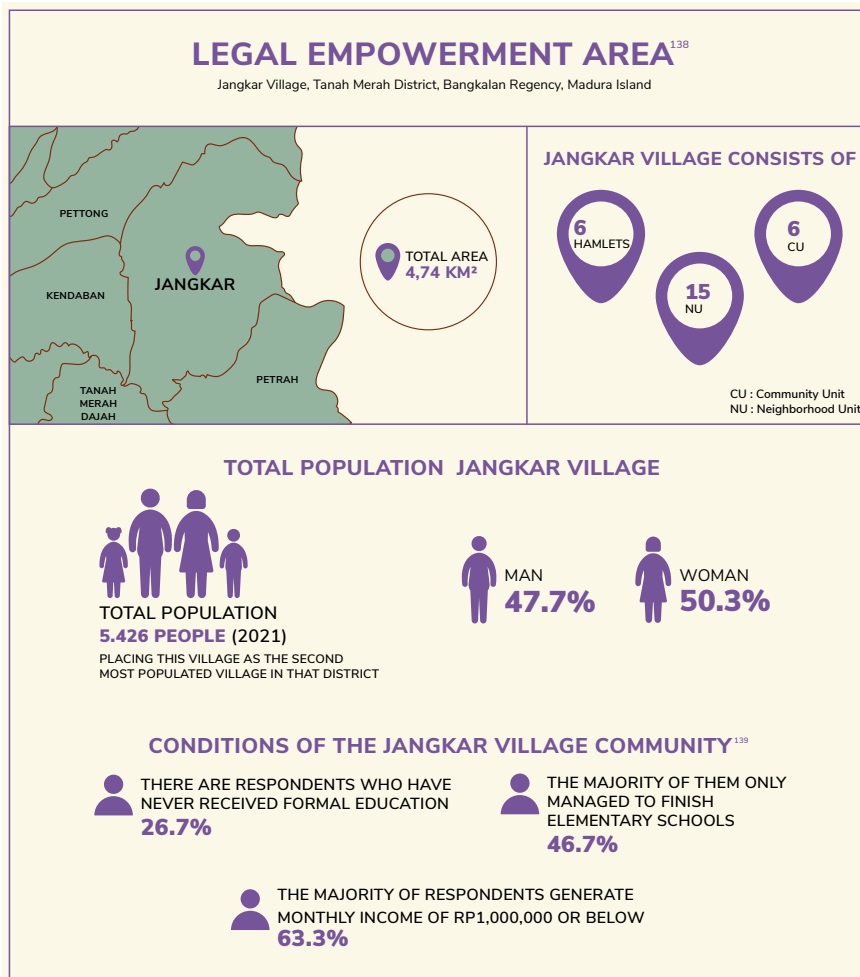
<sup>134</sup> The definition of legal empowerment is formulated by the writers to be later used as a reference in performing legal empowerment.

<sup>135</sup> Purposes of this legal empowerment are crafted by the writers to be later used as a reference in performing legal empowerment.

<sup>136</sup> Goodwin and Maru, “What Do We Know about Legal Empowerment?” pp. 169-170.

<sup>137</sup> Burnett and Soboll, *Making The Law Work for People*, p. 5.

## 2. Determination of Legal Empowerment Area



The selection of Jangkar Village is based on the community's situation and the area's lack of legal empowerment. This choice is also supported by an assessment from IJRS and PEKKA which highlights, three key issues: a low awareness of citizens' basic rights and how to address legal problems, limited knowledge of access to justice and legal aid services, and signs of gender-based violence, particularly against women and girls.

<sup>138</sup> BPS, Kecamatan Tanah Merah dalam Angka 2023, BPS of Bangkalan Regency

<sup>139</sup> *Ibid.*





Three key issues: a low awareness of citizens' basic rights and how to address legal problems, limited knowledge of access to justice and legal aid services, and signs of gender-based violence, particularly against women and girls.”

The assessment points out that 53.3% of respondents encounter legal problems when accessing social security, with 60% of respondents not receiving social security, such as Non-Cash Food Aid (Bantuan Pangan Non-Tunai – BPNT), Family Hope Program (Program Keluarga Harapan – PKH) and Health BPJS. With that condition, the majority of residents of Jangkar Village refrain from resolving legal problems and seeking information or help relating to their existing legal problems. This situation demonstrates the need for education relating to citizens' basic rights and how to resolve legal problems, aside from social security, it is also discovered that other legal problems that frequently occur are problems relating to land and environment, housing and problems relating to family and children.

In the context of a lack of knowledge about access to justice and legal aid services, the residents of Jangkar Village often exhibit poor behavior when it comes to addressing legal issues. Most do not seek information or assistance when facing legal problems and fail to resolve these issues effectively. Therefore, the assessment emphasizes the community's need for a better understanding of how to access justice, overcome prejudices related to legal process and receive education about free legal aid services.

Furthermore, the assessment also shows a prevalence of gender-based violence, especially against women and girls. The assessment reveals that 36.7% of respondents married for the first time when they were 16-18 years old, showing the widespread occurrence of child marriage. Additionally, 20% of married respondents do not possess any marriage documents, suggesting that their marriages were either not registered or were conducted according to religious practices (nikah siri) without state validation.

### 3. Determination of Legal Empowerment Participants and Themes

Participants in the legal empowerment activities in Jangkar Village, Bangkalan, East Java, were selected based on the results of a legal needs assessment. The assessment shows that the gender distribution of the surveyed residents is as follows: 83.3% female and 16.7% male. The majority of these residents (46.7%) have only completed elementary school. Based on these findings, we identified 31 participants for the legal empowerment activities, consisting of 26 women and 5 men. All participants were selected based on the criterion that they possess at least basic literacy skills (reading and writing).



Based on these findings, we identified 31 participants for the legal empowerment activities, consisting of 26 women and 5 men. All participants were selected based on the criterion that they possess at least basic literacy skills (reading and writing).

Furthermore, in terms of determining legal empowerment themes, we also refer to results of the legal needs assessment, the majority of residents of Jangkar Village who were surveyed encounter problems relating to social security (53.3%), housing (33.3%), land & environment (23.3%), and family and children (20.0%). Moreover, the legal needs assessment reveals the community's perspectives on sexual violence offenses and child marriage. The findings indicate that 83.3% of respondents support the idea that offenders should marry their victims as a form of responsibility for the sexual violence. Also, 23.3% of residents believe that children under 19 years old may marry.

Besides, the majority of residents also hold a perception that legal problems are difficult to be resolved (76.7%) and legal aid is not evenly distributed, making it difficult to be accessed (73.3%). Hence, according to those assessment results, we divide discussion themes in these legal empowerment activities into three thematic focuses, namely:

1. Citizens' basic rights, legal problems, and legal aid;

2. Gender and violence against women, including sexual violence and domestic violence;
3. Child marriage and its relation to sexual and reproductive health.

## C. Planning of Legal Empowerment Activities

The process of planning legal empowerment activities starts from identifying and ascertaining the legal empowerment to match community needs. To ascertain this, collaboration and analysis of conditions in the community through mapping of needs had been performed. The planning of activities is performed by formulating the concept of activities, mapping of stakeholders, and establishment of a timeline, flow, and stages of activities. Stages of planning of activities are explained below.

### Literature Study

Literature study is performed to collect information relating to experiences and best practices of legal empowerment. The information collected may be used as references for the implementation of legal empowerment. Through literature study, the process of legal empowerment planning will be easier to be performed, in terms of the following:

1. Identifying legal aspects that require empowerment;
2. Focusing on aspects that have never been adequately highlighted to make the legal empowerment more effective and relevant;
3. Exploring various approaches and methods that have been implemented in various contexts;
4. Assisting in knowing and selecting legal empowerment targets; and
5. Providing strong theoretical foundation to legal empowerment programs.

### Discussion and Brainstorming of Legal Empowerment Ideas Based on Past Best Practices

Not only performing literature study, to see success stories in performing legal empowerment, we also engage in discussions with several civil society organizations, namely the Community-and-Ecology-Based Legal Reform Association (*Perkumpulan Pembaharuan Hukum yang Berbasis Masyarakat dan Ekologis - HuMa*), PEKKA, and the Study Circle (*Lingkar Belajar*) that is

a wing of I am an Anti-Corruption Woman (*Saya Perempuan Anti Korupsi* - SPAK), which focus on legal empowerment in several different issues. A discussion was also organized with the National Law Development Agency (*Badan Pembinaan Hukum Nasional* – BPHN) as the state agency authorized to provide legal counselling.

### Joint Collaboration with PEKKA



Departing from mapping of best practices for implementing legal empowerment to ensure legal empowerment activities to be performed properly and give impacts, IJRS then entered into a collaboration with PEKKA. PEKKA (Empowerment of Women Headed Family/*Pemberdayaan Perempuan Kepala Keluarga*) is a civil society organization in Indonesia established to empower women, especially women headed families, in various aspects of life, including legal, economic, and social aspects. PEKKA performs various legal empowerment initiatives, among others, enhancing women's access to legal information and services, legal counselling for women encountering legal problems, and capacity building for women to be empowered in their own community. Through participative approach, PEKKA involves women headed families in various trainings and legal literacy programs to increase their legal awareness, to make them more prepared in facing various existing legal challenges. Experiences of PEKKA are valuable capital in the collaboration between IJRS and PEKKA to establish partnership capable of reinforcing women's capability on village community level to understand and advocate their legal rights, and contribute to achievement of more inclusive justice for all.



The mapping of the community's condition through the legal needs assessment aims to identify and understand the specific community legal needs in Jangkar Village. This activity was conducted prior to implementing legal empowerment in the area. The assessment process involved data collection through surveys using questionnaires, which allows for a comprehensive understanding of the legal issues faced by the community. There are several aspects considered in this legal needs assessment, among others:

- A. Demography of Residents of Jangkar Village, Bangkalan, East Java;
- B. Encountered Legal Problems;
- C. Behavior Patterns in Resolving Legal Problems;
- D. Impacts from Legal Problems;
- E. Community's Legal Capability;
- F. Perception of Legal Process; and
- G. Needs of Community in Jangkar Village to Enhance Legal Awareness.

Based on the results of this assessment, the legal empowerment initiatives can be designed effectively. The assessment provides valuable insights that enable us to build the community's capacity in addressing everyday legal issues, enhance their understanding of legal rights, and strengthen their ability to access available legal services. This approach is crucial to ensure that legal empowerment efforts align with the actual needs

and existing potential issues within Jangkar Village. As a result, the legal empowerment initiatives are expected to create positive and sustainable impacts, reinforcing legal awareness at the village level.

## D. Overview: Legal Empowerment in Jangkar Village

IIRS and PEKKA performs legal empowerment on the theme of “Legal Empowerment: Strengthening Community Access to Justice” in Jangkar Village, Tanah Merah District, Bangkalan Regency, and East Java Province on 23-25 July 2024. To ensure empowerment activities performed smoothly and safely, there are several strategies that need to be considered, including:



### Strategy #1 Involving community members

These legal empowerment activities involve 31 residents originating from Jangkar Village, consisting of 5 adult males and 26 adult females. All community members involved have basic abilities of reading and writing. Hence, they were able to actively participate in the entire series of legal empowerment activities guided by facilitators.



**5 ADULT MALES**



**26 ADULT FEMALES**

### Strategy #2 Maintaining privacy and convenience of community members

In this legal empowerment, we and community members agree on several important matters, such as consent for documentation. Documentation of activities is certainly needed, not only for media publication purpose, but also as reflection, learning materials, and as a proof of activities being transparent and impactful. Nevertheless, to maintain privacy and convenience of community members, we uphold ethics and protection of data privacy of community members by providing and explaining contents of the 'Documentation and Publication Form'.



The documentation in this book has been approved by Community Members through the Documentation and Publication Form

### Strategy #3 Giving agreement to the learning contract

Since there are needs of establishing a learning guideline during empowerment activities, we and community members agree on learning commitment points incorporated in a 'learning contract'. Besides serving as a basic guideline to make learning activities organized orderly, this learning contract is also expected capable of growing learning motivation and active participation of involved community members.



### LEARNING CONTRACT

1. Empowerment activities shall be performed on time and orderly
2. Community members are expected to actively participate in activities
3. Community members are expected to join the entire series of activities until the end
4. Community members are expected to give mutual respect to each other
5. Community members are not allowed to use handphones during activities, unless in urgent conditions
6. Empowerment materials provided shall be simple and understandable
7. Trigger warning: if community members are not comfortable and triggered, community members may contact the activity organizers to receive supports, safe space and rest.

#### Strategy #4 Choosing materials and speakers according to needs

When entering the core activity, we give legal empowerment by performing a learning process based on thematic issues according to existing needs, and presenting relevant speakers in accordance with determined thematic issues. Based on available resources and results of the assessment of needs in Jangkar Village which was previously conducted, this legal empowerment sets 3 primary thematic issues, namely:

### 3 PRIMARY THEMATIC ISSUES



1. Citizens' Basic Rights, Legal Problems, and Legal Aid



2. Gender-Based Violence: Sexual Violence and Domestic Violence



3. Child Marriage and Its Correlation to Sexual and Reproductive Health

#### Strategy #5 Implementing participative learning method

During the learning process, we attempt to use and/or implement participative learning methods designed to actively involve community

members in the learning process, encourage participation, collaboration, and critical thinking. We combine various methods, such as small group discussion, problem-based learning, case study, brainstorming, games, pre-test and post-test, and presentation.



#### **Strategy #6 Establishing commitments through signing of joint commitments**

After a 3-day series of learning process was concluded, the legal empowerment activities were closed by the signing of a 'Joint Commitment Charter'

### Joint Commitment Charter

Protection of Citizens' Rights and Access to Justice for Community

On this day, Thursday, 25 July 2024, located in Jangkar Village, Bangkalan Regency, East Javar, we as representatives of institutions are committed to:

1. Guarantee protection of citizens' rights in accordance with mandates in the 1945 Indonesian Constitution and prevailing Laws and Regulations;
2. Prevent any forms of gender-based violence, provide protection to victims and their family, and ensure fulfillment of victims' rights; and
3. Encourage prevention of child marriage.

By signing this charter, we are committed to cooperate with full integrity, mutual respect, and responsibility to achieve common goals.

The signing of this Joint Commitment Charter involves several actors, among others:

- Chief of Jangkar Village
- Head of PPPA Sector of KBPPPA Unit of Bangkalan Regency
- Program Manager for Gender Equality, Disability and Social Inclusion of IJRS
- Co-Director of PEKKA



In addition to us, as the organizers of legal empowerment activities committed to the fulfilling of human rights, the signing of the Joint Commitment Charter also involves the Chief of Jangkar Village and representatives from the Regional Government. It is expected that, the Chief of Jangkar Village and the Head of the PPPA Sector of the KBPPPA Unit of Bangkalan Regency will represent the Regional Government, which plays a strategic role in recognizing and supporting sustainable empowerment activities, to ensure the achievement of empowerment goals. Additionally, their involvement is also expected to boost confidence and establish deeper coordination and communication between community members with the local government, both at the village and regency/city levels.

Efforts of involving those actors were performed to receive supports and recognition that are in line with the term called ‘political buy-in’. The buy-in, according to the Cambridge Dictionary, is defined as the fact of agreeing, accepting, or supporting something that another person suggests or does.<sup>140</sup> In political context, political buy-in may show supports or commitments from political stakeholders, such as government actors and lawmakers, to give political supports or influence to a plan, strategy, policy, or program. To obtain political supports, various methods may be performed, including formal/informal meetings with stakeholders, joint commitments/charters, public awareness campaigns, establishment of coalitions involving stakeholders, policymaking, and others.

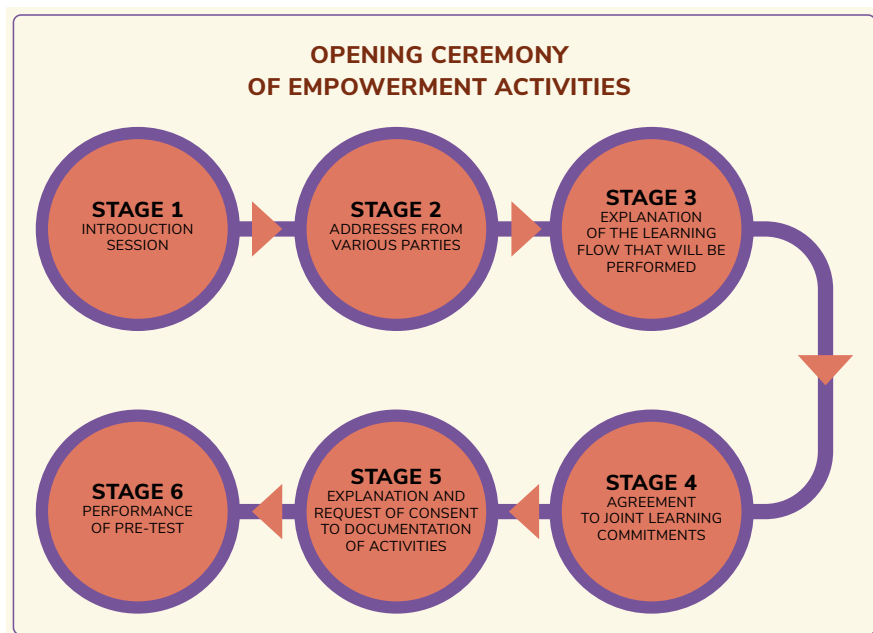
Due to limited available resources, we realized efforts to obtain those political supports in the form of signing of a Joint Commitment. Hence, the signing of this Joint Commitment serves as a legitimization of supports from various actors involved and guarantee to sustainability of community empowerment efforts. Aside from opening access and broader supports, we expect that the Joint Commitment may be a trigger and reminder for relevant stakeholders, both community actors and government actors, to cooperate with full integrity, mutual respect, and responsibility in order to achieve common goals, especially in terms of fulfillment of citizens’ rights and reinforcing community access to justice.

<sup>140</sup> Buy-in, Cambridge Dictionary, accessed on 9 December 2024, <https://dictionary.cambridge.org/dictionary/english/buy-in>.

## E. Legal Empowerment Learning Dynamics

### 1. Legal Empowerment: Knowing Citizens' Basic Rights, Legal Problems, and Legal Aid Services

On the first day of empowerment activities, a series of opening ceremony was performed before jumping to core materials. This opening ceremony involves several matters, namely:



1. Introduction session, aimed to create a knowing-each-other atmosphere between facilitators and community members, create a comfortable mood, and open space for community members to share their expectations from these activities. This stage may serve as a foundation to create a harmonious relationship during those activities, making community members being involved.
2. Addresses from various parties, including the Village Chief, represented by the Village Treasurer, Program Manager of IJRS who is in charge for Gender Equality, Disability, and Social Inclusion (GEDSI), and Co-Director of PEKKA. This reinforces the legitimization of these activities and shows collaboration and commitments from various parties to support community legal empowerment in Jangkar Village.

3. Explanation of the learning flow that will be performed. This stage is designated to provide a comprehensive description of stages of activities to be performed. This explanation helps community members to understand purposes of the program, stages that must be followed, and benefits that will be gained.
4. Agreement to joint learning commitments. These commitments include an agreement to rules and ethics that support a conducive learning mood. The existence of this agreement makes community members to be more attached to actively participate and respect the learning process.
5. Explanation and request of consent to documentation of activities. This stage is performed to ensure the process of taking photos or videos to be performed in transparent manner and with respect to privacy rights of community members. This context is vital to maintain documentation ethics and create safe and convenient feelings for community members. The consent that was given voluntarily shows that these activities were performed by upholding principles that respect individual rights.
6. Performance of pre-test, as the most crucial initial step to evaluation in order to measure the level of understanding of community members before activities were performed. These data demonstrate an initial estimation that will be compared to post-test results to assess effectiveness of activities.



During the introduction session, all community members were requested to put name tags, and facilitators selected 3 (three) community members to step forward to convey their expectations from enrolling in this series of legal empowerment. Conveying expectations by community members is important

to give a direct context of expectations of community members to perform legal empowerment. In addition, this process helps to establish a closer relationship between facilitators and community members, and creates a mutual trust atmosphere to support open communication. By communicating expectations, community members felt more appreciated and it encouraged active participation. Expectations conveyed also give an opportunity to adjust materials, strategies, or more relevant approaches, for instance, by adding more materials or designing solutions that answer specific problems in Jangkar Village. Hence, activities may be more responsive and beneficial to community members.

Expectations from community members include:

- Gaining new knowledge relating to law, considering that all this time, the law understood by community members is religious law. Hence, through this legal empowerment, community members expected to understand legal essentials and their use in daily lives.
- Resolving legal problems. Community members realized that in daily lives, there are legal problems that are difficult to be resolved by community members, such as problems relating to divorce, inheritance, and land. Hence, by joining these activities, community members expected to gain new knowledge that may be used to resolve those legal problems.
- Networking. Community members expected that by participating in legal empowerment activities, community members may have new relations with facilitators and speakers for the purpose of resolving legal problems in the future.



After concluding the introduction and opening session, it was followed by a presentation of core materials. On the first day, the first material presented was Citizens' Basic Rights and various Legal Problems that are frequently encountered. Exploration of Citizens' Rights by referring to rights addressed in the 1945 Indonesian Constitution. Introducing citizens' rights under the 1945 Indonesian Constitution is important to make community members understand the primary legal basis that ensures welfare, justice, and protection for all citizens. This understanding helps community members to identify their position as citizens that have the right to demand accountability from the government. In addition, these basic rights are also connected with legal problems to encourage critical awareness of community members on legal violations encountered by them due to non-fulfillment or no protection of those rights by the state, even though those rights are guaranteed by the constitution.<sup>141</sup>

This session was opened by throwing critical questions. Those burning questions are important to be thrown to community members to incite curiosity and start interactive discussions. Through burning questions, community members are invited to think critically and connect their experiences or knowledge with materials that will be presented. There are two critical questions thrown:

- 1.) What is defined as citizens' basic rights?
- 2.) Mention one type or form of citizens' basic rights!



<sup>141</sup> Further detailed explanation of materials and learning mechanisms of Citizens' Basic Rights and various Legal Problems are available in Book 2 Legal Empowerment Guideline: Building Capacity of Village Residents through Learning, Using and Disseminating the Law to Realize Access to Justice, IJRS 2024.



Burning questions thrown to community members were responded by around 6 community members, and then verified by using the katahukum.id platform.

This opportunity was also used to introduce the katahukum.id platform to the community.

KataHukum.id serves as an effective learning tool during these empowerment activities because that platform provides legal information wrapped in simple, engaging, and relevant way that aligns with the community's needs. Through features such as infographics that explain citizens' basic rights, and legal issues that are closely related to daily lives, KataHukum.id helps community members understand legal concepts that are often perceived as complex. The platform also helps community members in accessing valid and trusted legal references, ensuring that they not only gain knowledge during the activities, but they can also have resources that are able to be used to raise legal awareness within their community.

Although community members were not able to fully define citizens' basic rights correctly, they were able to identify various forms of basic rights that they possess. Based in this reflection, new knowledge about the legal and constitutional aspects of citizens' basic rights were provided. The goal of this approach was to raise awareness of community members that issues related to the fulfillment of basic rights are legal problems that require attention.

This understanding was also accompanied by an explanation that the welfare and living standards of a community are closely related to legal problems. For instance, unresolved legal problems are frequently considered as "fate", causing residents to avoid seeking solutions due to lack of knowledge about the importance of accessing legal aid. By recognizing that problems they face are actually legal problems and that legal solutions are available, community members are expected to realize the importance of advocating for their basic rights through the legal process. This momentum marks the initial step to increase their participation in seeking justice and improving welfare.



To further understand citizens' basic rights, a group discussion was performed by identifying which citizens' basic rights that have been fulfilled and which citizens' basic rights that are needed."

To further understand citizens' basic rights, a group discussion was performed by identifying **which citizens' basic rights that have been fulfilled and which citizens' basic rights that are needed**. This process encourages community members to reflect on their actual condition, therefore, they will be able to understand how far their rights as citizens have been fulfilled by the state. This identification also helps mapping urgent needs in their community. By using the group discussion method, it enables community members to share perspectives and experiences, resulting in more enriched and inclusive comprehension. This method also creates a collaborative atmosphere, where community members are able to learn from one another, builds collective awareness, and boosts active participation. This discussion process resulted in:

1. Citizens' basic rights that are considered to have been fulfilled according to community members, among others, residency documents such as birth certificates and Residency Identity Cards (Kartu Tanda Penduduk – KTP), social aid, education aid, and medical services through BPJS.
2. Citizens' basic rights that are considered to have not been fulfilled according to community members, among others, adequate jobs and wages, social aid that has not been evenly distributed, and legal aid when they encounter legal problems.

After giving an understanding of citizens' basic rights, the session was followed by discussion on legal problems. This session started with a burning question thrown to community members, namely **“what is a legal problem?”**, and then every community member was asked to identify one form of legal problem that they know of. Answers from community members were then jointly verified using the katahukum.id platform.

Forms of legal problems mentioned by community members:



The next step was a group discussion that aims to explore legal problems encountered by residents of Jangkar Village. During this discussion, community members were invited to reflect on various legal problems in their surroundings, that perhaps, all this time, they have not realized those are legal problems. Through this process, community members were able to identify that residents of Jangkar Village experience legal problems, including:

1. Legal problems in the form of domestic violence;
2. Legal problems in the form of sexual violence;
3. Legal problems in the form of child marriage;
4. Legal problems in the form of theft and fraud;
5. Legal problems in relation to administration and residency, such as not possessing land certificates; and
6. Legal problems in the form of corruption.



During this discussion, community members were invited to reflect on various legal problems in their surroundings, that perhaps, all this time, they have not realized those are legal problems.”

The final stage of giving materials relating to Citizens’ Basic Rights and Legal Problems was a presentation given by the Director of Legal Aid Organization of Surabaya, Abdul Wachid Habibullah, S.H., M.H. In addition, the Director of Legal Aid Organization of Surabaya also presented Legal Aid materials after the group discussion addressing that matter was concluded. A speaker from Legal Aid Organization of Surabaya was chosen because this organization has vast experiences in fighting for citizens’ rights and giving legal aid to residents. Besides, the location of Legal Aid Organization of Surabaya that is near to Jangkar Village provides easy access and supports the relevance of discussion within local context. The comprehension of the speaker on issues in local communities, and ability of the speaker in explaining using local terms enable the speaker to assist community members in reflecting their condition, resulting in a more applicative and in-depth discussion.

The last session functions as a verification of results of discussions performed previously and simultaneously opens a question-and-answer

session. Through the question-and-answer, community members may ask questions and clarify matters that have not been fully addressed during the discussion. During the question-and-answer process, the attention of community members to the right of community members as underprivileged communities to receive social aid was imminent. Community members questioned why not all community members received social aid during the Covid-19 pandemic and social security programs provided by the government. The speaker then explained that the government employs certain standards and criteria to determine targeted beneficiaries of social aid to underprivileged residents or families.

The second learning material on the first day was Knowing and Identifying Legal Aid Access and Services. This second learning material aims to provide basic understanding that **free legal aid** may be requested for all legal problems. The learning method started with group discussion and then presentation of materials and verification by the speaker.

During the group discussion, every group was asked to analyze a case, and then answered specific questions relating to the case. Cases given to community members are legal problems that exist in their surroundings, as identified beforehand through the pre-empowerment survey. After the analysis process was concluded, each group presented results of their discussion and their answers in front of all community members.



During the group discussion, every group was asked to analyze a case, and then answered specific questions relating to the case. Cases given to community members are legal problems that exist in their surroundings, as identified beforehand through the pre-empowerment survey.”

#### Case 1: A Legal Problem Relating to Social Security/Social Aid

This case study is designed to give an understanding of practical steps in resolving legal problems relating to access to social aid to community members. This case highlights a situation of a freelance worker who lives in economic hardship, but they have not received social aid which they

are actually entitled to it. Through this case study, community members are provoked to analyze steps to be taken by that worker, starting from choosing correct types of social aid, up to filing aid applications and facing the possibility of refusal. This issue was selected as part of case study considering that according to findings from the legal needs assessment, many community members complained about problems relating to social aid. Hence, this case study was given to enable community members to identify vital processes to obtain rights to social aid, and understand roles of legal aid institutions in giving supports for underprivileged residents.

### **Case 2: A Legal Problem Relating to Land**

This case study aims to give an understanding of the land dispute resolution process through non-litigation and litigation methods to community members. This case illustrates a farmer whose land was unlawfully sold to a third party after the land was put as collateral. Through this case study, community members learned steps that may be taken by that farmer to regain their land, either through mediation or conciliation by involving a mediator from village apparatus or local residents, or through filing a lawsuit to court. Community members understood the importance of using legal aid services when facing complex land disputes, and how to choose the most appropriate dispute resolution method. The purpose of this case study is to enable community members to identify legal rights over a land and understand land dispute resolution processes available in legal frameworks. This case study was given based on assessment results that show many residents of Jangkar Village have the potential of encountering problems relating to land legality.

### **Case 3: A Legal Problem Relating to Domestic Violence**

This case study is designed to introduce legal steps that may be taken by community members when handling domestic violence. This case illustrates a woman experiencing physical and verbal abuses from her husband for years. Through this case study, community members were asked to identify correct and incorrect options when facing a domestic violence situation. Community members learned the importance of seeking legal aid, reporting the incident to the authority, and seeking supports from legal aid institutions and the community. The purpose of this case study is to give an understanding to community members relating to rights of domestic violence victims and various steps that may be taken to self-protect, including the importance of involving law enforcers and

seeking protection. This case study responds assessment findings that there are several domestic violence cases in Jangkar Village that were neglected by the community.

#### **Case 4: A Legal Problem Relating to Child Marriage**

This case study is designed to give an understanding to community members of negative impacts from child marriage and steps that may be taken to receive legal aid. This case illustrates a relationship between an adult male and a 15-year-old girl, who eventually married due to pregnancy out of wedlock. The girl experienced many difficulties, ranging from physical, economic, and mental difficulties due to that marriage, including bleeding during childbirth, without receiving adequate living, and difficulties in processing important documents such as birth certificates. Through this case study, community members learned various negative impacts from child marriage, such as health risks, loss of education opportunity, and legal and economic hardship. Community members also recognized the importance of girls as victims of child marriage to receive legal aid, such as reporting their cases to Legal Aid Institutions, processing divorce, requesting for legal protection, and gaining access to social security for themselves and their children. This case study aims to raise awareness of community members on the importance of preventing child marriage and helping victims of child marriage through available legal remedies. This case study is vital because, according to assessment results, half of respondents in Jangkar Village were married when they were minors.

After conducting the discussion process, the activity was continued with presentation of materials and verification relating to legal aid and legal aid access. Those materials were presented by the Director of Legal Aid Organization of Surabaya. The question-and-answer session was participated with great enthusiasm, where community members explored information on how to overcome problems through legal aid and how to access such aid, although there were some obstacles that they encountered. The speaker also explained that legal aid is not only designated for poor residents, but also for other various vulnerable groups. Several vulnerable groups existing in Jangkar Village are women and girls. Legal aid plays a pivotal role for vulnerable groups such as women and girls because they

often encounter greater injustice due to weak social, economic, and legal positions. Women, for instance, frequently become victims of violence, discrimination, or exploitation, while children are vulnerable to abandonment, violence, or exploitation. Many of them did not realize the rights that they possess or they did not know how to fight for them. Legal aid gives access to those groups to understand their rights, receive protection, and seek justice through legal system.

After presentation of materials, verification, and question-and-answer sessions were concluded, the empowerment activities for the first day were ended with provision of information concerning planned activities for the second day. Community members were also reminded to be committed and attend the second-day session. The stress on the importance of attendance aims to ensure sustainability of learning on the next day.

## 2. Legal Empowerment: Understanding Sexual Violence and Domestic Violence as Forms of Gender-Based Violence

On the second day of legal empowerment activities, the thematic issue presented was “Sexual Violence and Domestic Violence as Forms of Gender-Based Violence”. The learning session started with reflection of the first-day learning process on issues relating to “citizens’ basic rights, legal problems and legal aid”.

Points of Reflection:
<ul style="list-style-type: none"> <li>• Acceptance, awareness and comprehension of community members relating to the importance of understanding their basic rights as citizens</li> <li>• Ability to know and identify an incident as a legal problem</li> <li>• Ability of residents to know various legal aid services and how to access legal aid</li> </ul>

To trigger discussion at the early stage of learning, we attempted to throw questions to community members:

***“In what condition that community members feel they are empowered or in power? Who are usually more empowered and in power, women or men?”***

Using the problem-based learning, the majority of community members responded that ‘men tend to have more power and be empowered’. The following are responses from community members relating to empowerment condition of a person (by taking gender into account):

Female community members	Male community members
<ul style="list-style-type: none"> <li>• Generating and/or possessing money</li> <li>• Healthy body</li> <li>• When performing house chores (sweeping, mopping, cooking in the kitchen)</li> <li>• And others.</li> </ul>	<ul style="list-style-type: none"> <li>• Generating and/or possessing money</li> <li>• Healthy body</li> <li>• When working in the field</li> <li>• Performing sexual activities</li> <li>• And others.</li> </ul>

The discussion process was held very actively and intensely, and there was a heated debate. As listed in the table of responses above, we may infer impacts from patriarchy and public construction that have put rigid roles between men and women. The patriarchy also puts men in a higher and more powerful position, as concluded from responses provided by community members who view that domestic household works are women’s duties.

Furthermore, to give further comprehension on the power dimension that affects women’s lives, community members learned to identify a problem through a case study of ‘Surti’s Life’. As information, the ‘Surti’s Life’ case study is not an individual case, rather an amalgamation of several incidents discovered by members of Pekka Unions in several regions. Nevertheless, several incidents depicted in the Surti’s Life case study are also found in the assessment of needs conducted by us in the area where the empowerment is performed, such as occurrence of child marriage and domestic violence.

#### SURTI’S LIFE

Surti is the second child of 4 children. She is the only girl in her family. Her parents were very poor and they worked as workers in the farm owned by Mr. Marbun, a landlord in her village. After graduated from elementary school, Surti wished to pursue her education in junior high school, following her older brother. However, her father prohibited Surti from pursuing her education further due to the condition that junior high school was only available in a Regency City and the education costs were high.



Moreover, since Surti is a girl, there is no need for her to pursue higher education because eventually, Surti will serve as a housewife who only cooks at home. Besides, Surti still have 2 younger brothers who need school more because they are males. Surti cried and begged her parents to allow her to go to school. Out of pity, Surti's Mother persuaded her husband to allow Surti to go to school, but he slapped her and barked that as the head of the family, he had made a decision and all family members must adhere to that decision.

After no longer in school, aside from working on household affairs such as cooking and washing, Surti also helps her parents as farm workers. One day, Mr. Marbun visited the field to examine the harvests. When Surti passed him by, Mr. Marbun groped Surti's breasts. Surti was very frightened and with tears down her cheeks, Surti told her father, but her father only forced Surti to be patient and let that go because Mr. Marbun is the farm owner who helps them for the past years. If they complain, their source of income would be ceased.

At the age of 14 years old, Surti's Father decided to marry Surti to a 26-year-old male named Sarman to relieve their family's burden. Moreover, Sarman gave a pretty hefty amount of Dowry. Since Surti was still a minor, Surti's father asked the Village Chief to issue a Residency Identity Card showing that Surti has reached 18 years old. By paying a sum of money, within 1 day, Surti's Residency Identity Card was ready. The marriage registry official was suspicious because the bride looked so young, but because Surti's father had given a sum of money, the official continued performing the marriage.

After marriage, Surti and Sarman lived under one roof with Sarman's parents. Without clear reasons, Sarman frequently beats and yells at Surti using explicit words. When Surti told her parents in law, they were angry and commanded that if Surti was beaten, it must be because Surti was not capable of serving her husband. Surti was suggested to learn cooking and make up to make Sarman stays in love with Surti. Although Surti has followed the advice given by her parents in law, Sarman continues beating Surti. Even when Surti was pregnant, instead of loving Surti more, Sarman beats and yells at Surti more often. Neighbors who often heard Surti's cries were silent and uttered that it was domestic affairs between Surti and Sarman, therefore, they stayed out of it.

One day, after had enough of her husband's abusive conduct, Surti went to her parents' house. However, her parents ordered Surti to go

back to her parents-in-law's house because after marriage, Surti has become the responsibility of her husband, and it is only natural if Sarman "teaches" his wife. Desperately, Surti then visited a religious figure and requested him to advise her husband. However, the religious figure suggested Surti to obey her husband because a disobeyed wife is a sinner. Afraid of being a sinner, Surti finally came back to her husband's house.

After Surti came back to Sarman's house, Sarman's attitude did not change. His torture continues. One day, when Sarman was angry, he kicked Surti's stomach who was 5-months pregnant. Surti then had a miscarriage and her baby died on the way to the community health center, which was located 15 km away from their village, due to bleeding.

In the next 3 months, Surti was pregnant again. Since she has experienced a miscarriage, she protected her pregnancy although she endured domestic violence from her husband. At 6 years of marriage, Surti and Sarman had 4 children. At 8 years of marriage, Surti divorced her husband because she had enough of her husband's abusive conduct.

With limited education and finance, Surti sold food door-to-door by taking products from her neighbors. Surti sold those food after finishing all household chores and made sure her second and third children had been sent away to her mother, the oldest child was in the first grade of elementary school and she carried her fourth child around with her when she sold those food.

This condition was carried out by Surti for years and 12 years have passed since her divorce. With limited income, Surti was able to put her first child in school until the first child finished senior high school and that child has worked for 1 year helping Surti and her younger siblings with their education.

Problem identification and solving of 'Surti's Life' was performed using the '**Spider-Web Game**' method. This game serves as a learning medium for community members to collectively discuss an event that has intersectional legal problems.

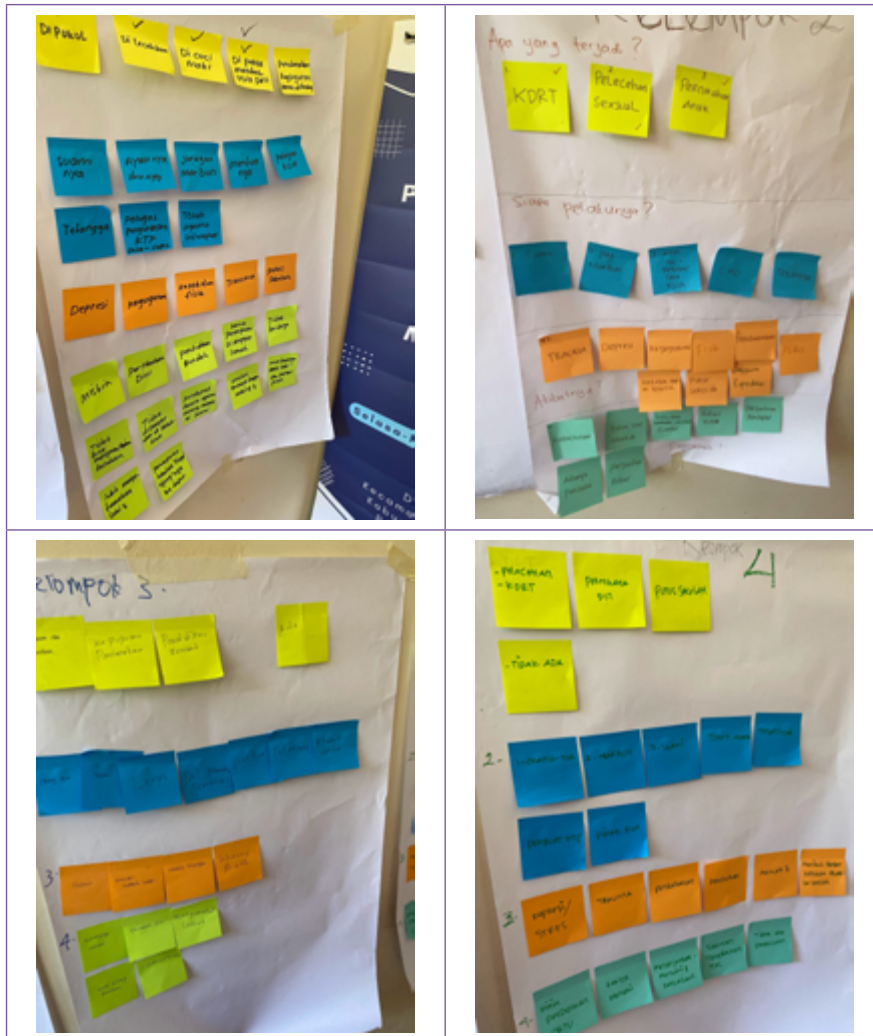


### Spider-Web Game

- By wrapping raffia strings around the victim, community members learned to identify and reflect forms of legal problems that occur, what are causes of and impacts from those legal problems, who are actors that cause those legal problems, and how community members feel when they realize the condition of the victim who encounters legal problems.
- After the problem identification process, community members then released the raffia strings wrapped around the victim by identifying which measures that may be taken to help the victim addressing legal problems that she encountered, including reflecting feelings of community members if they managed to help the victim.

🏠 Problem identification and solving of ‘Surti’s Life’ was performed using the **‘Spider-Web Game’** method. This game serves as a learning medium for community members to collectively discuss an event that has intersectional legal problems.

The problem solving through the case-study method combined with the gaming method went wonderfully. Community members answered every question in the discussion in orderly and critical manners, up to the point they were able to solve the problems. Afterwards, to further elevate understanding of community members relating to the 'Surti's Life' case study, community members continued the discussion through a small discussion group method. Community members were divided into 4 (four) groups to answer and present discussion results and the same questions given during the spider-web game.



Below is the compilation of discussion results of those 4 (four) groups:

What are problems encountered by Surti?	Who are the actors?
<ul style="list-style-type: none"> <li>- Physical violence (beaten, kicked)</li> <li>- Domestic violence</li> <li>- Sexual abuse</li> <li>- Miscarriage/bleeding</li> <li>- Low education</li> <li>- Forced early-age marriage</li> <li>- Civil Residency and Registry Officials</li> </ul>	<ul style="list-style-type: none"> <li>- Parents</li> <li>- Husband</li> <li>- Religious Affairs Office (Kantor Urusan Agama – KUA)</li> <li>- Mr. Marbun</li> <li>- Parents in law</li> <li>- Neighbors</li> <li>- Village Apparatus</li> <li>- Local religious figures</li> </ul>
What impacts suffered by Surti?	What are the triggers?
<ul style="list-style-type: none"> <li>- Depression</li> <li>- Disturbed mental health</li> <li>- Mental stress</li> <li>- Must earn a living for herself</li> <li>- Physical and mental illnesses</li> <li>- Trauma</li> <li>- Interrupted formal education</li> <li>- Reproductive problems</li> </ul>	<ul style="list-style-type: none"> <li>- Surti is a woman</li> <li>- Economic hardship</li> <li>- Low education</li> <li>- Early-age marriage</li> <li>- Not ready for a marriage</li> <li>- Vulnerable community</li> <li>- Power relation</li> <li>- Contentions</li> <li>- Women are considered to be weak</li> <li>- Vulnerability of women</li> <li>- Being dismissed and blamed</li> <li>- There is a religious view believing that 'wives must serve her husbands'</li> <li>- Detached domestic affairs (privacy/domestic)</li> <li>- Patriarchy</li> <li>- Low education level of parents</li> <li>- Economic and power gaps</li> </ul>

From that case study, we reflect that community members, with all those limitations, were evidently able to identify and map important points of a case. Through that case study, we also understand how reflection of

community members of the Surti's Life case study relates to reality of life in the community, especially relating to cases that occurred and/or are occurring within the fabric of community members.

After discussing through case study, game and small group discussion methods, community members that participated in empowerment activities then received enrichment of materials to reinforce their comprehension of basic concepts and problems, including how to respond to problems that occur. Through this enrichment of materials, the legal empowerment is expected to not only be theoretical, but it can also be implemented properly by community members in practical contexts in their community.

The enrichment of materials provided adopts the theme "Sexual Violence and Domestic Violence as Forms of Gender-Based Violence", where we invited a competent speaker, namely Fitria Villa Sahara S.IP, M.Comdev as the Co-Director of PEKKA. We chose Fitira Villa Sahara as the speaker because she is a community development and gender specialist, and she has more than 20-year experience as facilitator, trainer and consultant of women empowerment and reinforcement of community organizations.<sup>142</sup> Those experience and capacity possessed by the speaker certainly make presentation of materials to be easy.

Through lecture, presentation, verification and question-and-answer methods, the speaker engaged in discussions with community members relating to understanding of gender-based violence, forms of gender injustice, including forms of gender-based violence, and transformation framework in power dimension.



<sup>142</sup> "Personel PEKKA", [pekka.or.id](https://pekka.or.id), accessed on 19 November 2024, <https://pekka.or.id/personel/fitria-villa-saharas-ip-m-comdev/>.

Before presenting the materials, the speaker provided a disclaimer that the learning process might introduce terms and concepts that may be unfamiliar to the community members, such as gender, subordination, marginalization, and others. The speaker emphasized that these terms and concepts might have already occurred, or may still be occurring, in the community, but the members may not have recognized them due to a lack of awareness. To ensure clarity, the speaker used simple language and provided contextual examples relevant to the community's everyday experiences.

In order to initiate the discussion, the speaker delivered preliminary central points relating to gender injustice. The speaker explained that gender injustice refers to discriminatory treatment and actions directed at a person based on their gender. In the context of Indonesian society, there are several common forms of gender injustice, including negative labeling, the double burden, subordination, marginalization, discrimination, and violence.

Gender injustice in the form of 'violence' remained the primary focus of this legal empowerment discussion. The speaker introduced the term 'gender-based violence' which is defined as violence directed at a person based on their gender or violence that disproportionately affects individuals of a specific gender. To make the concept more understandable, the speaker provided case examples of gender-based violence, including violence that occurs in domestic settings, sexual violence (such as rape and sexual assault), child marriage, human trafficking, female genital mutilation, and online gender-based violence.

One of the most influential factors triggering gender-based violence is the power gap between women and men. As reflected in the responses from the community members at the beginning, the majority of them argued that men are more powerful and empowered. This power gap begins within the household and extends to the highest levels of political decision-making. Hence, to achieve a transformation and to break the power gap, the speaker identified at least there are 3 (three) power dimensions that may be intervened, including: value order power that originates from norms, values, or beliefs held by the community; formal power legitimized by prevailing rules or laws in institutions or organizations; and informal power acquired through social influence, personal relation, or informal network.

During the in-depth session, we noted several discussions developed among community members, especially relating to perception of roles of women and men in the community, including:



## 1. The Role of Working Women

Although the majority of women in Jangkar Village work as farmers and actively participate in managing the farms alongside men, there is a perception that women's work is less physically demanding than men's. Male community members argued that their works are more tiring, especially in terms of managing farms, and other works that are usually performed by men, such as construction workers, pose bigger risks.

In the context of the agrarian community in Jangkar Village, the roles of both women and men are equally important in managing farmland, which serves as the primary source of income. Tasks such as clearing the land, breaking up the soil, planting seeds, irrigating the land periodically, fertilizing the soil, pest control, and harvesting involve contributions from both genders.

However, a narration that diminishes women's role on farmland still persists, despite the fact that the majority of female community members reject the claim made by some male community members that their contributions are less significant.

## 2. The Double Burden of Women and Unpaid Care Work

Based on our observation from the previous discussion, there is a tendency among men to dismiss women's contributions, which are closely tied to the phenomenon of the double burden and unpaid care work. This double burden refers to the situation where women must work outside the home as breadwinners while also being responsible for domestic chores, such as maintaining the household and caring for children. This creates additional pressure for women, which is often not commensurate with the contributions made by men in similar contexts.

Female community members shared their experiences regarding gender roles that are often not done by men, such as the intensive maintenance of the household and the care of family members, including children, husbands, and the elderly. The majority of female community members also expressed that their work does not end when they return home from managing the farmland, as they still have household chores to attend to.

This situation highlights the lack of appreciation for the unpaid care work performed by women, as this work does not generate any income. One of the reasons for the minimal appreciation of women's care work is the social expectation that women must be responsible for caring for the family and maintaining the household. The stereotype of "women as caretakers" reinforces the view that women should prioritize family responsibilities, which in turn strengthens the stereotype that men are the "breadwinners"



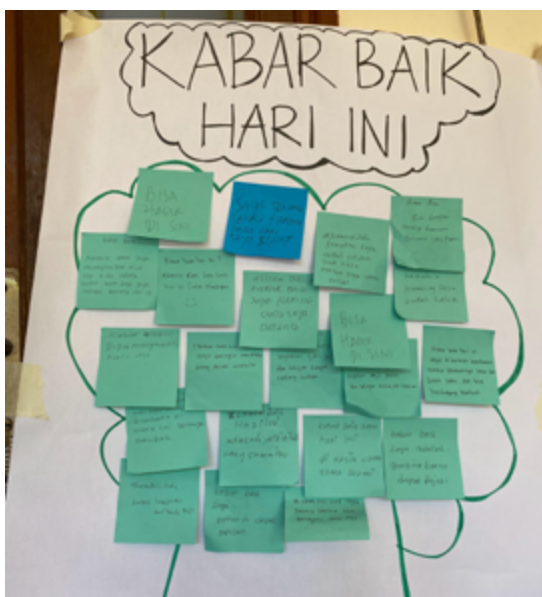
and women are household caretakers. Additionally, in many cultures, the role of caring for the family is seen as an obligation that falls to women. This belief is deeply embedded in the socialization process, where girls are taught to take on caregiving roles, while boys are encouraged to pursue education and work.

### 3. Legal Empowerment: Understanding Child Marriage and Its Relation to Sexual and Reproductive Health

On the third day of the legal empowerment activities, the thematic issue was **“Child Marriage and Its Relation to Sexual and Reproductive Health.”** Before starting the learning session on this theme, we, along with the empowerment community members, held a reflection session to share “today’s good news” from each community member.

As part of the reflection session, we drew a tree as a platform for empowerment community members to place their sticky notes, each containing “today’s good news.” This tree was intended to symbolize growth, with every piece of good news shared helping to foster encouragement and generate positive energy to support the implementation of the legal empowerment activities on the third day.

Reflection Session: Today’s Good News



From this reflection session, below are several “good news” shared by empowerment community members in the reflection session:

### Reflection Session: Today's Good News

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>• Glad to be here</li> <li>• I am very happy because I am healthy today</li> <li>• Alhamdulillah, yesterday I got a call from the village and my parent in law has recovered</li> <li>• Able to learn about law with IJRS and PEKKA</li> <li>• Yesterday, my child scored 100 and that is good news for me as a mother</li> <li>• Yesterday, my leg hurt and today it is better</li> <li>• Alhamdulillah, today's good news is my grandchildren have arrived</li> <li>• Yesterday, my goat gave birth</li> <li>• Today's good news is I am able to attend today's activity</li> </ul> | <ul style="list-style-type: none"> <li>• Today's good news is I am glad to gain money from this event</li> <li>• Able to join activities from IJRS and PEKKA, learning many things about law</li> <li>• Able to learn about legal problems</li> <li>• I have recovered, because previously, my husband and I were sick and we can resume our trading activities</li> <li>• Today's good news is I was given some money by my mother</li> <li>• Today, I was given some money by my husband</li> <li>• Glad because I gain fortune</li> <li>• Alhamdulillah, I get a clothing alteration order</li> <li>• Good news that yesterday, I won a rotating savings group (<i>arisan</i>)</li> </ul> |
|--|--|

After the reflection session, the activities were followed by a learning session on impacts of child marriage to girls' sexual and reproductive health. This session started with several discussion burning questions that aim to explore preliminary knowledge of empowerment community members concerning the learning theme. Through that discussion, we mapped answers provided by empowerment community members to further identify their preliminary understanding.



By mapping the preliminary understanding of empowerment community members, we were also able to explore their experiences relating to child marriage. Results of the mapping of understanding of community members will be used as further discussion materials to be addressed together with the Speaker.

Question 1: When a Person is Categorized as a “Child” and an “Adult”?	
Responses from Community Members Relating to the Concept of a Child	Responses from Community Members Relating to the Concept of an Adult
Have not hit puberty ( <i>baligh</i> )	Someone who is independent and has mature thinking
A child is when he/she is 7 years old	Someone who is capable of leading
At the age of 7 years old	Someone who is ready to perform marriage
A child is someone < 18 years old	When a child has reached 17 years old
After being born from his/her mother's womb	Adulthood is when someone has reached 20 years old

From responses provided by empowerment community members to the first question, it may be inferred in the table above that the preliminary understanding of community members is relatively well that they were able to distinguish definition and/or distinctive criteria between a child and an adult.

Question 2: What do You Know about Child Marriage?
Responses from Empowerment Community Members
Marriage performed before a child is ready from mental and age perspectives
Marriage before 18 years old
Marriage of minor children due to being forced by their parents
When a marriage is performed on a child that is under 18 years old
Early-age marriage performed by those who are minors and do not possess Residency Identity Card
Children married under 19 years old

Subsequently, responses from empowerment community members to the second question show better preliminary understanding in identifying the definition or description of child marriage. The majority of community members understood that child marriage involves an element of coercion and involves minors. However, this correct understanding cannot be generalized to all community members in Jangkar Village, as child marriage practices or the marriage of minors are still common in the area.

Question 3: What do You Know about Reproductive Health?
Responses from Empowerment Community Members
Genital's health
Womb's readiness to inseminate
Biological process inseminated by orgasm to produce offspring
Irregular menstruation indicates serious problems in the womb
Health of mothers and children

Furthermore, answers from empowerment community members to the third question relating to reproductive health demonstrate a misconception in their preliminary understanding, although there are few of them that knew the concept of reproductive health defined as (1) readiness of womb to inseminate, (2) biological process inseminated by orgasm to produce offspring, and (3) health of mothers and children. This misconception will be our reflection materials to enhance comprehension of empowerment community members that reproductive health not only relates to procreation (ability to produce offspring), but also encompasses broader aspects relating to reproductive system.

After assessing the preliminary knowledge of community members, a pattern emerged showing varied levels of understanding. Several community members possessed basic knowledge, while others require further understanding. To enhance the understanding regarding the categorization between children and adults, as well as the relationship between child marriage and reproductive health, a session was held featuring materials titled **"Child Marriage and Reproductive Health,"** presented by Eni Farihatin, S.Ag., M.Pd.I from Indonesian Women Clergy Congress Network (*Jaringan Kongres Ulama Perempuan Indonesia - KUPI*).

The speaker was chosen from KUPI because the organization is a social movement strongly dedicated to solidarity, advocacy and the promotion of women's rights through its fatwas child marriage. Furthermore, Eni Farihatin serves as an Administrator for *Fatayat Nahdlatul Ulama* of Bangkalan Branch, an organization actively advocating for the rights of women and children, particularly on marriage issues within the Bangkalan area. Her deep understanding of child marriage issues in the local community, along with her ability to clearly explain the subject using familiar local terms, significantly supported the empowerment of community members.



Eni Farihatin began the session by introducing the concept of reproductive health and connecting it to the phenomenon of child marriage, which remains prevalent in various regions, particularly rural areas. She emphasized that child marriage severely impacts reproductive health, both physically and mentally, especially among girls who are not biologically and emotionally ready. During her presentation, the speaker also explained medical risks faced by girls that marry at early age, such as pregnancy complication, risks of giving birth to underweight children, and increased maternal and infant mortality rates.

In addition, the speaker emphasized the mental health aspects of child marriage, noting that children who marry at an early age often experience significant social and psychological pressure. In this context, Eni Farihatin emphasized the importance of the role of parents in protecting their children, as mandated in Islamic teachings. She explained that Islam places significant responsibility on parents to care for and safeguard their

children, and therefore, encouraging underage marriage directly contradicts this protective role.

An interesting aspect of this session was the speaker's use of the local Madura language. This approach was highly appreciated by community members because it made the materials easier to understand. By using the local language, participants felt closer and more connected to the issues discussed, creating an interactive and enthusiastic atmosphere for discussion. Several community members responded positively, especially regarding the relevance of the presented materials to conditions in Jangkar Village. Many participants raised questions about the direct impacts of child marriage and sought advice on practical steps that could be taken to prevent this practice within their community.



After the interactive discussion session with the Speaker, empowerment community members were then involved in a group game that aims to re-polish their understanding from the previous session. This game was divided into three groups, focusing on important issues such as child marriage and reproductive health. We have prepared 10 questions, and each group must answer them through the mechanism of “first come, first serve,” creating an engaging and lively learning atmosphere.

An interesting observation during the group activity was the highly dynamic nature of discussions. Community members eagerly exchanged ideas and perspectives to ensure the accuracy of their answers. Solidarity among community members was very clearly visible, they did not merely compete to win but supported one another to achieve a common goal. This enthusiasm was evident in their cooperative approach, demonstrating

that the session functioned not only as a competition but also as a way to strengthen collective knowledge..

The majority of community members answered several questions correctly, but two specific questions required further clarification and enrichment: (1) the age categorization of a child and (2) the minimum legal age for marriage under Indonesian law.. Finally, Ggroup 1 managed to answer all questions and be the winner, which was achieved through solid cooperation and intense discussion among team members.

Quizzes	Responses
What ages are categorized as children according to Indonesian regulations?	Under 18 years old
What qualities need to be possessed by someone who has reached majority?	Mature thinking and reproduction
Marriage is?	A bond between a man and woman through an agreement according to their beliefs and biological relationship is validated
Minimum age threshold to marry under the Indonesian Law?	19 years old
Causes of child marriage?	Lack of knowledge concerning health risks posed by child marriage
Which are included as impacts from child marriage?	Miscarriage, premature birth, stunting
Who are more likely to undergo child marriage?	Girls
Which are classified as impacts from marriage to reproductive health?	Bleeding
What measures may be taken to prevent child marriage?	Awareness and dissemination of information on risks of child marriage

## F. Results of Development of Knowledge and Comprehension of Participants

To assess the initial and final levels of knowledge and comprehension among participants during the legal empowerment activity in Jangkar Village, we

employed a pre-test and post-test method using identical questions. The pre-test results provided baseline data, which were then compared with post-test outcomes to evaluate improvements or changes in participants' understanding following the empowerment sessions.

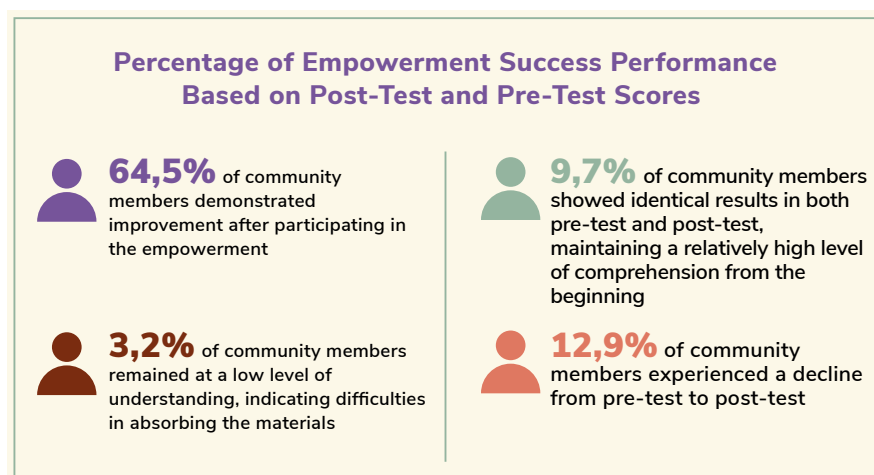
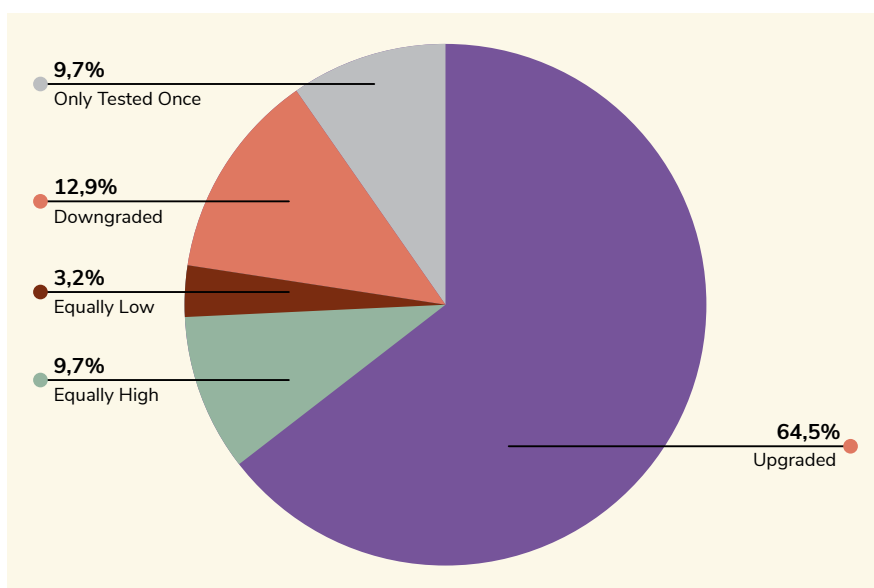
We formulated 10 specific questions based on defined variables, carefully designed to cover key aspects related to the materials presented throughout the empowerment activities.

<b>Citizens' basic rights</b>
<ol style="list-style-type: none"> <li>1. Knowledge of citizens' basic rights</li> <li>2. Guarantee of citizens' rights under the constitution</li> <li>3. Types of citizens' rights</li> </ol>
<b>Legal Problems</b>
<ol style="list-style-type: none"> <li>4. Definition of legal problems</li> <li>5. Forms of legal problems</li> <li>6. Steps to resolve legal problems</li> </ol>
<b>Legal Aid</b>
<ol style="list-style-type: none"> <li>7. Definition of legal aid</li> </ol>
<b>Gender-Based Violence</b>
<ol style="list-style-type: none"> <li>8. Marriage of sexual violence victims to the offenders</li> <li>9. Steps to resolve domestic violence cases</li> </ol>
<b>Child Marriage</b>
<ol style="list-style-type: none"> <li>10. Consent to child marriage</li> </ol>



## 1. General Description of Pre-Test and Post-Test Results

Figure 3.1 Empowerment Success Performance Based on Post-Test and Pre-Test Scores (N = 31 community members)



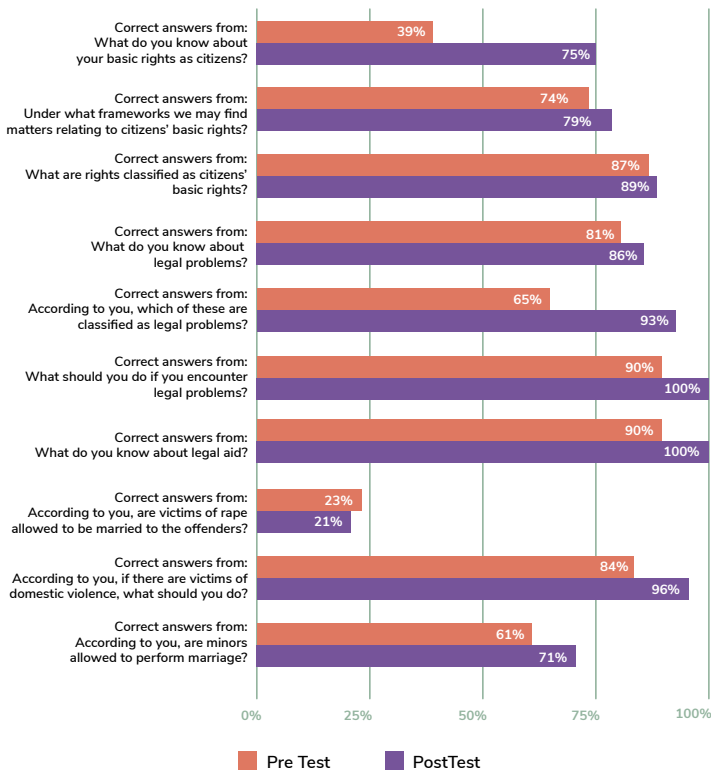
According to the graph above, pre-test and post-test results indicate a significant improvement in comprehension among community members. Specifically, 64.5% of community members demonstrated improvement after participating in the empowerment. This reflects that the empowerment materials and methods are generally effective in enhancing community

members' knowledge regarding the presented legal issues. This improvement serves as a positive indicator that the empowerment successfully reinforces community members' legal understanding.

Additionally, 9.7% of community members showed identical results in both pre-test and post-test, maintaining a relatively high level of comprehension from the beginning. This suggests that a small portion of community members already possessed robust knowledge prior to participation. However, 3.2% of community members remained at a low level of understanding, indicating difficulties in absorbing the materials. Consequently, a specific method or approach may be required to effectively reach this group.

The results also highlight that 12.9% of community members experienced a decline from pre-test to post-test. This decline may be due to various factors, including difficulty in understanding presented materials or individual conditions affecting their focus during empowerment activities. This issue should be included in the evaluation to address aspects that may still be ineffective in the empowerment process.

**Figure 3.2 Different Rates of Correct Answers between Pre-Test and Post-Test for Every Question/Variable**



From the above graph, the following may be inferred:

**1. Question:** *“What do you know about your basic rights as citizens?”*

In the pre-test, there were 39% of community members who answered correctly, and in the post-test, 75% of community members answered correctly. Hence, there is an upgrade of comprehension from empowerment community members relating to this question.

**2. Question:** *“Under what frameworks we may find matters relating to citizens' basic rights?”*

In the pre-test, there were 74% of community members who answered correctly, and in the post-test, 79% of community members answered correctly. There is an upgrade in comprehension of community members relating to this question.

**3. Question:** *“What are rights classified as citizens' basic rights?”*

In the pre-test, there were 87% of community members who answered correctly, and in the post-test, 89% of community members answered correctly. There is an upgrade in comprehension of community members relating to this question.

**4. Question:** *“What do you know about legal problems?”*

In the pre-test, there were 81% of community members who answered correctly, and in the post-test, 86% of community members answered correctly. There is an upgrade in comprehension of community members relating to this question.

**5. Question:** *“According to you, which of these are classified as legal problems?”*

In the pre-test, there were 65% of community members who answered correctly, and in the post-test, 93% of community members answered correctly. There is quite a dramatic upgrade in comprehension of community members relating to this question.

**6. Question:** *“What should you do if you encounter legal problems?”*

In the pre-test, there were 90% of community members who answered correctly, and in the post-test, 100% of community members answered correctly. All community members finally understand measures that should be taken if they encounter legal problems.

**7. Question:** *“What do you know about legal aid?”*

In the pre-test, there were 90% of community members who answered correctly, and in the post-test, 100% of community members answered correctly. Comprehension of all community members relating to legal aid increases.

**8. Question:** *“According to you, are victims of rape allowed to be married to the offenders?”*

In the pre-test, there were 23% of community members who answered correctly, and in the post-test, 21% of community members answered correctly. There is a downgrade in comprehension of community members relating to this question.

**9. Question:** *“According to you, if there are victims of domestic violence, what should you do?”*

In the pre-test, there were 84% of community members who answered correctly, and in the post-test, 96% of community members answered correctly. Comprehension of community members relating to measures taken in relation to victims of domestic violence increases.

**10. Question:** *“According to you, are minors allowed to perform marriage?”*

In the pre-test, there were 61% of community members who answered correctly, and in the post-test, 71% of community members answered correctly. There is an upgrade in comprehension of community members relating child marriage issue.

From a helicopter view, pre-test and post-test results demonstrate variations in the percentages of correct answers submitted by community members for each question. The question with the highest percentage of correct answers in the post-test is, “What rights are classified as citizens’ basic rights?,” with 89% correct, a slight improvement from the already high pre-test percentage of 87%. This indicates that community members already possessed foundational knowledge related to citizens’ rights before the empowerment program began. However, such knowledge remains basic and requires reinforcement through encouraging community members to reflect on how effectively their rights have been guaranteed and fulfilled.

Another question initially demonstrating a lower percentage of correct answers, such as a deeper understanding of citizens' basic rights (39% pre-test), showed a significant increase in the post-test (75%). The question with the greatest improvement relates to legal problems frequently occurring in the community, increasing substantially from 65% in the pre-test to 93% in the post-test, marking a significant 28% increase. These results indicate that the empowerment program has generated positive impacts in enhancing community members' knowledge on topics previously not well understood.

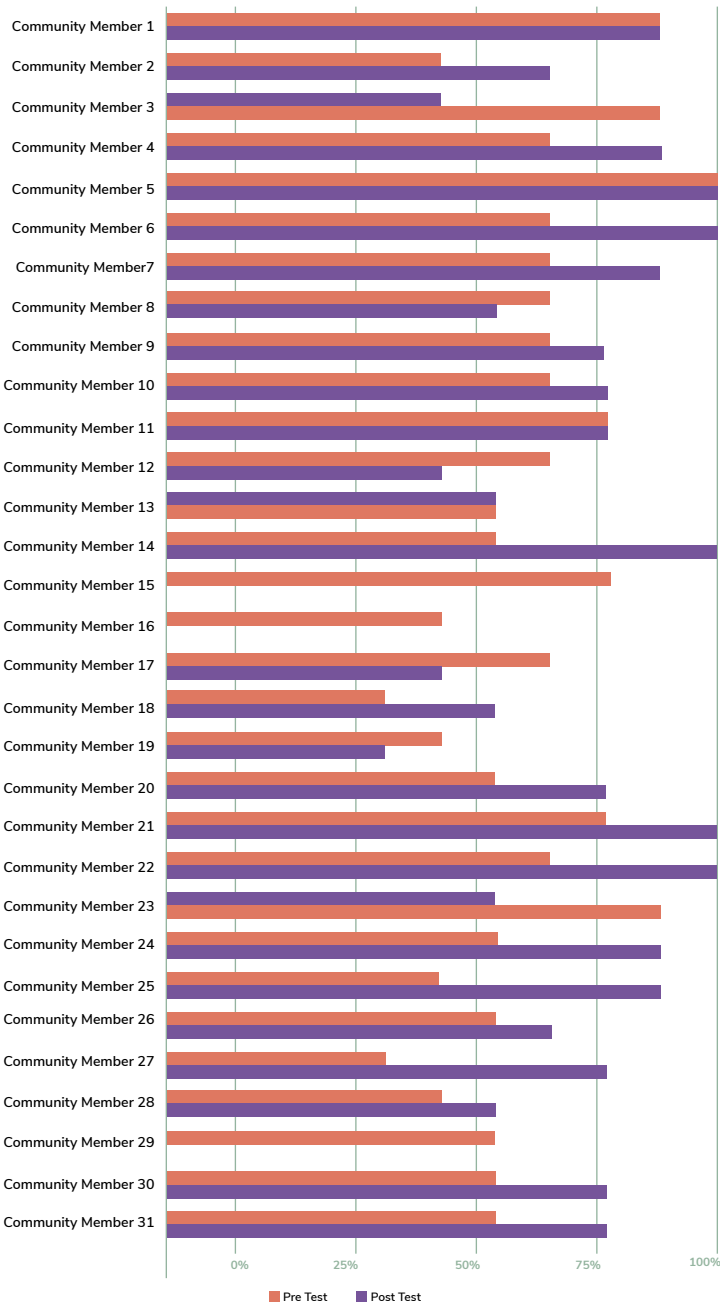
Questions regarding measures that should be taken if encountering legal problems and knowledge of legal aid achieved the highest post-test results, each reaching 100%, an increase from the original 90% in the pre-test. This suggests that community members participating in the empowerment program clearly understand necessary actions related to legal issues.

**The question with the lowest percentage of correct answers in the post-test is whether victims of rape are allowed to marry their offenders, with only 21% answering correctly, a decrease from 23% in the pre-test. This result demonstrates that empowerment has not effectively addressed this issue.** The finding highlights the need for reinforcement in various aspects, including learning materials, methodologies, and presentation styles during empowerment activities, to correct understanding regarding sensitive topics. Additionally, community perspectives are often influenced by deeply rooted cultural values that consider marriage a solution to uphold dignity, despite contradicting human rights principles. Changing these values cannot be accomplished through limited exposure to information; instead, it requires a more sustained empowerment approach. Nevertheless, a more detailed study or review of this issue is necessary to develop a more precise empowerment strategy.

**Overall, questions relating to general knowledge and legal rights of citizens show significant improvement, while comprehension regarding sensitive topics, such as the marriage of rape victims to offenders, remains low despite empowerment activities being conducted.**

## 2. Illustration of Pre-Test and Post-Test Results of Every Community Member

**Figure 3.3 of Knowledge and Comprehension Progress of Every Legal Empowerment Community Member in Jangkar Village from Pre-Test and Post-Test Results**



### Community Members with Positive Progress (Increasing):

- The majority of community members have an increase in scores after the post-test, showing an enhancement of their knowledge relating to materials. Community members such as Community Member 3, Community Member 14, and Community Member 27, they show a significant increase in scores (40 points), indicating effective learning between the pre-test and post-test sessions.
- Significant progress is also spotted from community members such as Community Member 6, Community Member 22, and Community Member 23, with a 30-point increase. This demonstrates that even though they likely had a quite good initial understanding, there is a more in-depth absorption of the materials after additional learning or empowerment activities.

### Community Members with Consistent Score (Equally High or Equally Low):

- Community members such as Community Member 1 and Community Member 5 obtained the same score both in the pre-test and post-test, with high scores at 90 and 100, respectively. This condition indicates that they already had sturdy knowledge from the beginning, and materials in the post-test do not pose an issue to them. On the other hand, community members such as Community Member 13 maintained a low score (60), showing that although the community member participated in the post-test, no significant improvement was evident from the aspect of comprehension of materials. This may serve as an indicator that the learning method used in legal empowerment requires a different approach.

### Community Members with Decrease in Scores:

- Community members such as Member 8, Member 12, and Member 17 experienced decreases in their scores, by 10 and 20 points, respectively. This decline may indicate several factors, including challenges in maintaining concentration or difficulties in comprehension. In addition, community members in the empowerment process tend to hold to paradigms or perspectives that they have understood, believed, or built for so long. This condition happens because these perspectives were shaped through experiences, knowledge, and

beliefs that are deeply rooted. Hence, materials provided within a relatively short time, only several hours or within three days, are impossible to quickly shift perspectives of community members.

- It is important to acknowledge that shifting perspectives, especially relating to empowerment of individuals or groups, is a gradual and ongoing process. Legal empowerment is not something that may be measured or achieved in a one-time intervention. To observe meaningful results, the empowerment process requires extended time and consistent commitment from all parties involved.. Consequently, the immediate outcomes or level of success from an empowerment program cannot be conclusively measured directly after its completion. Empowerment is a sustainable and transformative process that requires patience, time, and strong commitment. Additionally, consistent follow-up actions and sustained support are essential, providing community members with ongoing opportunities to develop and apply new perspectives in their daily lives.

#### Community Members that were Only Tested Once:

- Community members such as Community Member 15 and Community Member 16 were tested only once; therefore, it is difficult to evaluate their progress. This may have been due to their absence or other factors that prevented them from attending both sessions. These data highlight the importance of full attendance in order to obtain a comprehensive picture of community members' development in legal empowerment.



# CHAPTER IV

CLOSING



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## A. Reflection: Legal Empowerment Challenges and Evaluation

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### 1. Challenges

During the empowerment process that took place for 3 (three) days, there were several challenges (limitations) experienced by facilitators, speakers, and community members, including:

#### a. Area

The empowerment area is located in Jangkar Village, Tanah Merah District, Bangkalan Regency, East Java. The distance from Bangkalan City to this Village is approximately 2.5 hours of travel with inadequate road access. The majority of road to the village was rocky, narrow, and unpaved, and the location cannot be accessed using public transportation. This condition poses a separate challenge in planning logistics of activities.

#### b. Number of Community Members

Limited resources, both in terms of budget and facilitator availability, required us to restrict participation to 31 persons, consisting of 26 women and 5 men. In addition, most men work outside of Jangkar Village, making it impossible for them to participate in activities. The selection of topics that closely relate to women issues, such as domestic violence, child marriage, and sexual violence, also serves as a consideration to include male community members in slow and limited manners. This approach proved effective within the local context, where women typically do not dominate interactions during empowerment activities. By having fewer male participants, female community members felt more comfortable engaging actively, and the topics discussed became increasingly relevant to their experiences.

#### c. Language

All community members speak the local Madura language in their daily conversation. Hence, the ability of community members in using Indonesian language is fairly limited. This language barrier affects



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the ability of community members to participate actively, either when they listen to presentations or when they give opinions. In addition, this limitation also affects the ability of community members to receive comprehensive understanding from legal empowerment activities.

**d. Age**

Several empowerment community members are elderly. This fact affects the activeness of community members during activities. Elderly community members tend to be more passive during the process of discussing and giving opinions.

**e. Education Background**

The majority of community members have never received elementary school and middle school education. Consequently, their abilities in reading, writing, and understanding materials are relatively limited.

**f. Segregation Among Community Members**

During legal empowerment activities, community members were seated separately by gender due to cultural practices and customs in Jangkar Village.. As a result, interaction between men and women was very limited. This segregation noticeably impacted communication patterns among participants, with female community members tending to become more passive when male participants expressed their opinions. This situation influenced the discussion dynamics and reduced active participation level during the activities.

**g. Conducive Atmosphere for Community Members**

During the performance of legal empowerment, IJRS and PEKKA faced difficulties in maintaining conducive atmosphere for community members. Several community members, especially male community members frequently performed non-relevant activities such as chatting or smoking. However, our ability to directly address this behavior was limited, as we lacked the authority to instruct community members due to our status as visitors.

This situation also reduced opportunities for female participants to actively contribute. When male participants dominated the environment by displaying inattentive behaviors, female community members tended to become more passive. This hindered the empowerment objectives, which aimed to foster equal participation among all community members.

#### **h. Difficulty in Voicing Opinions**

In several legal empowerment sessions, some community members experienced difficulties expressing opinions due to the presence of village government authorities or elderly figures participating in the activities. These difficulties were more pronounced among community members because individuals with higher social status created reluctance and fear about sharing opinions. This condition hampers active participation, particularly among community members whose views differ from those held by village officials.

#### **i. Participation of Government Agencies**

During the initial planning stage, IJRS and PEKKA mapped potential government stakeholders to involve in legal empowerment activities. One identified stakeholder was the Regional Office of the Ministry of Law and Human Rights (Kantor Wilayah Kementerian Hukum dan HAM – Kanwil Kumham) of East Java Province. The involvement of Kanwil Kumham is crucial, as this agency has the authority to conduct traveling legal counseling in regional areas and manage legally-aware villages. Additionally, Kanwil Kumham's participation is expected to facilitate collaboration between the government and civil society organizations, enhance community legal knowledge toward empowered and legally-aware communities, and provide opportunities to share best practices in conducting legal empowerment activities. Representatives from Kanwil Kumham of East Java Province were invited to directly participate in legal empowerment activities in Bangkalan Village; however, they were unable to attend.

#### **j. Funding Supports**

The implementation of legal empowerment in regional areas such as Jangkar Village requires extra effort. The remote location of activities made it difficult for teams from IJRS and PEKKA to survey the area. The majority of the activity budget was allocated to operational costs, transportation, accommodation, and mobility to the location. Therefore, it is crucial to secure sufficient funding sources to ensure that legal empowerment activities are carried out smoothly and sustainably. Additionally, close collaboration with various networks is essential to maintain the sustainability of the legal empowerment program. Evaluation of resource mobilization remains key to determining the long-term and sustainable continuation of this program.

## 2. Lesson Learned

Based on the challenges described above, IJRS and PEKKA outline several learning points from the concluded legal empowerment activities, as follows:

### a. Diverse Age Representatives of Community Members

Participation from village leadership elements, along with female and male representatives from diverse age groups in Jangkar Village, contributes to the inclusive implementation of legal empowerment activities. These activities involve 31 community members from evenly distributed age groups, reflecting intergenerational inclusivity.

### b. Limited Participation of Male Community Members and Increased Interaction Among Female Community Members

Empowerment activities conducted in Jangkar Village were successful despite an imbalance in gender distribution among community members; out of 31 community members, 26 were women and only 5 were men. This situation further supported success, as women—who tend to be more submissive—could participate freely. These empowerment activities emphasized the importance for women to understand their rights while gradually fostering inclusive comprehension among male community members.

Relevant topics addressed during these activities, such as domestic violence, child marriage, and sexual violence, created an inclusive space to enhance gender awareness. Additionally, the limited number of male participants reduced the potential for male dominance during discussions, encouraging women to actively contribute. Ultimately, these empowerment activities not only empowered women but also served as an initial step toward gradually transforming gender perceptions within the local community.

### c. Integrating Cultural, Social, and Religious Values into Empowerment Activities in Jangkar Village

Residents of Jangkar Village firmly uphold social, cultural and religious values. Hence, a socio-religious approach is essential in addressing sensitive topics such as domestic violence and child marriage. The speakers applied this approach to present sensitive materials in an accessible manner, enabling residents to understand that protecting

women and children aligns with the religious teachings they practice daily. By connecting these issues to familiar religious and cultural principles, the approach demonstrated clearly that local values support gender equality and child protection. Additionally, this strategy created opportunities for dialogue, strengthening efforts toward inclusive and sustainable community change.

**d. Technical Aspects of Presenting Legal Empowerment Materials**

During legal empowerment activities, IIRS and PEKKA learned that technical aspects of material presentation are crucial and significantly impactful. Given the limited knowledge level of community members, the materials and their presentation must be simplified and delivered effectively, ensuring clarity without becoming overly complex or time-consuming. Nonetheless, essential information must remain accurately conveyed.

On the other hand, we acknowledged that legal empowerment activities cannot transform community perspectives within a short period. Therefore, sustained efforts, including continuous empowerment initiatives, are essential to support community members in internalizing empowerment values effectively over time.

## **B. Importance of Publishing Legal Empowerment Process**

The entire series of legal empowerment activities conducted has been comprehensively documented in this book as a form of accountability and to disseminate best practices and lesson learned to other parties planning similar activities. This book provides detailed descriptions of each activity stage, clearly outlining how the legal empowerment training was implemented, identifying involved parties, and highlighting achieved outcomes. This information also serves as an evaluation tool to enhance future implementations of legal empowerment approaches.

Additionally, the publication of these legal empowerment activities supports the essential pillar of legal empowerment, particularly in the “know law” aspect. By disseminating this information widely to the public, including communities outside of Jangkar Village, people can become informed and gain an understanding of activities relevant to improve their

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welfare. This publication inspires communities and expands their knowledge regarding their basic rights and pathways for accessing justice. The focus on “know law” underscores that legal knowledge is a crucial initial step for empowering communities to use the law effectively for their benefit.

This publication aims to serve as a reference for other regions, especially those sharing similar characteristics with Jangkar Village, to undertake comparable activities and accelerate the dissemination of legal knowledge to broader communities. It also facilitates networking and encourages support from various stakeholders interested in legal and justice issues.

Furthermore, the publication is expected to increase public awareness regarding the importance of legal knowledge. When communities experience positive outcomes from these published programs, they will be more motivated to participate in similar activities or utilize available legal services. Thus, this publication serves not only as an informational resource but also as a catalyst for broader social transformation toward establishing legally aware communities.



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