

## *Community-Based Paralegals for Access to Justice in Indonesia: A Strategic Enhancement*

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### Abstract

Legal aid is an essential instrument in the criminal justice system, primarily to protect the human rights of the person who faces a trial. In 2019, The Indonesian Access to Justice Index identified the biggest problem in implementing legal aid: the distribution of lawyers due to the lack of understanding of the right to legal aid. Building on this research, the author found that most Indonesians prefer to seek legal help from non-formal legal assistance, such as family members, friends, and prominent community leaders, rather than formal legal assistance. Therefore, reducing the gap in people's capacity to maximize legal empowerment by increasing the number of paralegals in the Indonesian community is crucial. This article examines how community-based paralegals can significantly empower vulnerable communities and enhance strategic access to justice. Through the lens of social capital theory by Robert D. Putnam, this article argues that community-based paralegals can strengthen bonding social capital by empowering the community from within and reinforcing social ties among its members, and enhance bridging social capital by building external networks and opening access to information and resources that can support community welfare. Again, community-based paralegals offer a vital and effective alternative to traditional lawyers, mainly where legal professionals are scarce and unaffordable.

**Keywords:** Access to Justice, Community-Based Paralegals, Legal, Marginalized Communities



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## I. INTRODUCTION

It is commonly known that justice problems are ubiquitous. Approximately half (49.0%) of people surveyed by the World Justice Project in 2019 experienced a legal issue in the last two years.<sup>1</sup> Up until 2019, it was recorded that more than 5.1 billion people – or approximately two-thirds of the world's population – are not getting the justice they need for both everyday problems and severe injustices, and approximately 1.4 billion people have unmet civil or administrative justice needs.<sup>2</sup> Unfortunately, in these conditions, several findings in various countries show that many people still do not understand how legal issues can be resolved.

In New Zealand, there was high awareness of legal aid (85.0%), but less awareness of community law centers (48.0%)<sup>3</sup>; in Japan, only 53.0% of respondents with a legal problem were aware that the problem had a legal component<sup>4</sup>; in Hong Kong, while there was high awareness of legal aid (81.0–85.0%), there was less awareness of arbitration and mediation services (50.0–51.0%)<sup>5</sup>; and in the UK, around two-thirds of respondents who experienced a legal problem were unaware of their legal rights concerning the problem, and a similar proportion was unaware of the formal legal processes available to deal with their problem.<sup>6</sup> The existence of low legal capacity is then considered to have an impact, one of which is the low desire of the community to resolve the legal problems they face.<sup>7</sup>

The Indonesian Access of Justice Index shows that 38.0% of people who experienced legal problems tend not to solve their legal issues, as 51.0% also thought that the legal problems they encountered were the results of fate or destiny.<sup>8</sup> Besides, 64.0% of the justice seekers decided not to use legal aid to help them resolve their legal problems since they feared the issues would become more complicated or did not know where to seek help.<sup>9</sup> The exact measurement shows that 53.0% of Indonesian people did not know about free legal aid and 24.0% did not understand how to solve their legal problems.<sup>10</sup>

Based on these conditions, a strategy for improving the legal capacity of people facing legal challenges is becoming increasingly necessary. Given the circumstances in Indonesia, the Indonesian Access to Justice Index shows that of the 36.0% of persons

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<sup>1</sup> World Justice Project, 'Global Insights on Access To Justice: Findings from The World Justice Project General Population in 101 Countries' (United States of America, Washington D.C.: World Justice Project, 2019), 6.

<sup>2</sup> World Justice Project, 'Measuring The Justice Gap: A People-Centered Assessment of Unmet Justice Needs Around The World' (United States of America, Washington D.C.: World Justice Project, 2019a), 5.

<sup>3</sup> New Zealand Legal Services Agency and Ignite Research (Firm), 'Report on the 2006 National Survey of Unmet Legal Needs and Access to Services' (New Zealand, Wellington: Legal Services Agency, 2006); C. Coumarelos et al., 'Legal Australia-Wide Survey: Legal Need in Australia' (Australia, Sydney: Law and Justice Foundation, 2012).

<sup>4</sup> Masayuki Murayama, 'Experiences of Problems and Disputing Behavior in Japan', *Meiji Law Journal* 14 (1 January 2007): 1–59; Coumarelos et al., 'Legal Australia-Wide Survey: Legal Need in Australia'.

<sup>5</sup> Coumarelos et al., 'Legal Australia-Wide Survey: Legal Need in Australia'.

<sup>6</sup> Nigel J Balmer et al., *Knowledge, Capability and The Experience of Rights Problems* (United Kingdom, London: Plenet, 2016); Coumarelos et al., 'Legal Australia-Wide Survey: Legal Need in Australia'.

<sup>7</sup> H.M. McDonald and J. People, 'Legal Capability and Inaction for Legal Problems: Knowledge, Stress and Cost.', 41., *Updating Justice Journal* 41, no. June 2014 (2014).

<sup>8</sup> D.A. Wicaksana et al., *Index Of Access to Justice In Indonesia 2019* (Indonesia, Jakarta: Civil Society Consortium for the Index of Access to Justice., 2020).

<sup>9</sup> Wicaksana et al.

<sup>10</sup> Wicaksana et al.

who use legal aid, 88.0% choose non-legal support such as friends, family, local officials, and traditional figures.<sup>11</sup> This condition reflects the inclinations of justice seekers to use non-legal aid to settle their legal concerns. However, related to seeking legal concerns information, justice seekers believe that information from family (31.0%), friends (24.0%), local authorities (16.0%), or community leaders (11.0%) is the most useful.<sup>12</sup>

Meanwhile, other findings in the Indonesian Access to Justice Index also show that 52.0% of justice seekers stated that the legal assistance given is considerably limited as they do not get assistance in drafting legal documents, collecting evidence, or becoming representatives in the legal process.<sup>13</sup> The legal assistance given is limited to providing advice and information. However, this has also highlighted issues in some cases involving vulnerable communities. Obtaining advice and suggestions from non-legal aid does not guarantee that the legal process will be based on human rights. Several cases reveal that in situations of sexual abuse discussed in the family sphere, the solution tends to be that the victim should marry rather than cause disgrace in the family.<sup>14</sup>

Besides, some cases can end with the perpetrator paying a sum of money<sup>15</sup> or threatening the victim<sup>16</sup> so that the victim will not obtain an advantageous legal settlement. There is no denying that there are preferences in a society where people are more comfortable using non-legal assistance as a party that can help. However, to prevent resolutions that violate human rights, comprehensive and sustainable capacity building is needed for parties in society who are often relied on and used as assistants to help justice seekers resolve their legal problems.

Various parties, from government universities to civil society, have worked to increase the community's legal capacity in the last few decades. The concept of increasing legal capacity is then known as legal empowerment. Legal empowerment aims to empower people to 'know, use, and shape the law' to advance their rights to critical public services.<sup>17</sup> To ensure that justice seekers and the general public can access services to resolve legal issues and obtain the justice they need, justice seekers need to understand the legal process. Obtaining these rights is crucial to increasing any community's legal capacity. There is a saying that says, "*rights mean little if those entitled to them are not aware they exist.*"

Furthermore, legal empowerment can also impact policy reforms with a needs-based perspective and encourage better access to justice for all people, including

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<sup>11</sup> Wicaksana et al.

<sup>12</sup> The Hague Institute for Innovation of Law, 'Justice Needs In Indonesia 2014: Problems, Processes And Fairness', <https://www.hiil.org/wp-content/uploads/2018/09/Justice-needs-in-Indonesia.pdf>.

<sup>13</sup> Wicaksana et al., *Index Of Access to Justice In Indonesia 2019*, 110.

<sup>14</sup> B. I. Ashila and M. Maharani, 'Nikahin Ajal': Penanganan Kasus Pemerksaan Dan Kekerasan Seksual Selama Ini Belum Fokus Pada Pemulihan Dan Hak Korban', *The Conversation* (blog), 2021, <https://theconversation.com/nikahin-aja-penanganan-kasus-pemerksaan-dan-kekerasan-seksual-selama-ini-belum-fokus-pada-pemulihan-dan-hak-korban-163011>.

<sup>15</sup> D.A. Wicaksana et al., 'Laporan Studi Kuantitatif Barometer Kesetaraan Gender: Respons Dan Sikap Masyarakat Terhadap Rancangan Undang-Undang Penghapusan Kekerasan Seksual (RUU P-KS) Dan Undang-Undang Nomor 16 Tahun 2019 Tentang Perubahan Undang-Undang Nomor 1 Tahun 1974 Tentang Perkawinan' (Indonesia, Jakarta: International NGO Forum on Indonesian Development, 2020a), 76.

<sup>16</sup> A.R. Siregar and Ihsanuddin, 'Korban Kekerasan Seksual Di Ciputat Diancam Dicekik Jika Melapor', *Kompas*, 2022, <https://megapolitan.kompas.com/read/2022/11/03/11421521/korban-kekerasan-seksual-di-ciputat-diancam-dicekik-jika-melapor?page=all>.

<sup>17</sup> Vivek Maru and Varun Gauri, *Community Paralegals and the Pursuit of Justice* (Cambridge: Cambridge University Press, 2018).

vulnerable groups. One example of the importance of legal empowerment and community paralegal strengthening is the Gender Watch Movement initiated by KAPAL Perempuan.<sup>18</sup> This movement was carried out by empowering women from the grassroots through Women's Schools, which are learning platforms at the village and hamlet or community levels in 6 provinces, nine districts/cities, and 25 villages, which the Regional Government then replicated into 80 villages. The resulting impact was that members of the Women's School had monitored village development and succeeded in pushing for the Women's Special Development Planning Consultation initiative, which had never existed before in the village or district government.

This movement has also succeeded in encouraging the publication of Village Regulations, District Head Circular Letters, and Office Head Circular Letters, integrating the proposals in the District and Village Regional development plans and their budgets; this also includes campaigning for sensitive gender issues such as the elimination of female circumcision, child marriage, domestic violence, and the right to reproductive health. Emphasizing the legal empowerment approach as a practical, sustainable, and inclusive method is crucial for significantly expanding access to justice. This can be achieved by involving grass-roots groups as catalysts for change and socialization, promoting and implementing fair access to justice.

Community-based paralegals are grassroots organizations that have the potential to become catalysts for change. They can function as a substitute for legal representation for communities encountering legal challenges. Since community-based paralegals originate from within their communities, these communities do not need to rely on lawyers predominantly concentrated in major cities. Additionally, community-based paralegals can understand the law because they receive legal education through legal empowerment initiatives managed by the government, universities, and legal aid organizations. Community-based paralegals can be a potential way to improve access to justice in Indonesia.

This article examines how community-based paralegals can enhance access to justice. By reviewing existing literature on access to justice, legal empowerment, and community-based paralegals, the article explores the interconnections among these elements. Furthermore, using social capital analysis, this article investigates how community-based paralegals can improve access to justice.

The methodology employed in this study is a literature review. This approach systematically collects, evaluates, and synthesizes existing research and publications. The literature review method identifies patterns, gaps, and relationships within the current body of knowledge. Sources include peer-reviewed journal articles, books, reports from legal aid organizations, and government publications. By analyzing these sources, the study provides a comprehensive overview of the role of community-based paralegals in enhancing access to justice. It offers insights into practical strategies for their implementation.

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<sup>18</sup> Kapal Perempuan, 'Gender Watch – Mampu Program', 2020, <https://kapalperempuan.org/wp-content/uploads/2020/02/profil-kapal-mampu-feb20.pdf>.

## II. THE RELATIONSHIP BETWEEN ACCESS TO JUSTICE AND LEGAL EMPOWERMENT

Access to justice and legal empowerment represent interconnected concepts and have a shared perspective of recognizing imbalances within the legal context of society.<sup>19</sup> These concepts center on addressing the needs of underprivileged and marginalized communities<sup>20</sup>, who, due to their specific conditions, face challenges in asserting and safeguarding their rights within the legal system due to their particular conditions. Both access to justice and legal empowerment concentrate their efforts on this concern, persistently evolving to surmount it effectively and inspiring us with their adaptability to meet the changing needs of society.

The relationship between access to justice and legal empowerment is mutually binding. Achieving comprehensive access to justice requires a holistic strategy to address socio-economic challenges, particularly in economically disadvantaged countries.<sup>21</sup> Based on these needs, legal empowerment was developed to support access to justice. Across diverse initiatives and policies, legal empowerment is recommended and adopted as a tool or framework for increasing access to justice.<sup>22</sup> Over the past decade and a half, numerous developing countries have adopted legal empowerment as a policy mechanism to facilitate the realization of accessible justice.<sup>23</sup>

Legal empowerment has assumed a progressively vital role throughout its development in efforts to enhance societal well-being. Barendrecht positions legal empowerment as a link between access to justice and economic growth.<sup>24</sup> The augmentation of access to justice for disadvantaged groups through legal empowerment encourages them to be able to defend their rights, thereby increasing their welfare; this concurs with Golub and McQuay's assertion that legal empowerment overcomes the gap between the rule of law and socio-economic development. Through legal empowerment, a potential avenue emerges for enacting institutional reforms, mobilizing the often marginalized public interests and expectations, and facilitating greater participatory and effective engagement of disadvantaged groups in advocating for their interests in development projects through the legal framework.<sup>25</sup>

Even though non-governmental organizations have been carrying out legal empowerment work for decades, the terminology of legal empowerment was in use for the first time in 2001 through a report published by the Asian Foundation for the Asian

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<sup>19</sup> S. Khair, 'Legal Empowerment for Improved Access to Justice: Dominate Discourses', *Hague Journal on the Rule of Law* 28 (2017): 1–20.

<sup>20</sup> Katherine Footer et al., 'A Meta-Narrative Literature Synthesis and Framework to Guide Future Evaluation of Legal Empowerment Interventions', *Health and Human Rights* 20, no. 2 (December 2018): 65–84.

<sup>21</sup> Dave Holness, 'Promoting the Quality of Legal Aid in South Africa through Better Coordination of Service Provision', *Law, Democracy and Development* 25 (2021): 1–23.

<sup>22</sup> Magdalena Sepulveda Carmona and Kate Donald, 'Beyond Legal Empowerment: Improving Access to Justice from the Human Rights Perspective', *The International Journal of Human Rights* 19, no. 3 (1 April 2015): 242–59.

<sup>23</sup> Helen Dancer, 'Power and Rights in the Community: Paralegals as Leaders in Women's Legal Empowerment in Tanzania', *Feminist Legal Studies* 26, no. 1 (1 April 2018): 47–64.

<sup>24</sup> Maurits Barendrecht, 'Legal Aid, Accessible Courts or Legal Information? Three Access to Justice Strategies Compared', *Global Jurist* 11, no. 1 (25 March 2011), <https://doi.org/10.2202/1934-2640.1374>.

<sup>25</sup> S. Golub and K. McQuay, 'Legal Empowerment: Advancing Good Governance and Poverty Reduction' (Law and Policy Reform at the Asian Development Bank, 2000), <https://gsdrc.org/document-library/legal-empowerment-advancing-good-governance-and-poverty-reduction/>.

Development Bank; subsequently, it gained heightened significance in a 2008 report by the Commission on Legal Empowerment of the Poor (CLEP).<sup>26</sup> Since its inception in 2001, the conceptual definition of legal empowerment has evolved to respond to challenges encountered during empowerment implementation and in the pursuit of improved access to justice and poverty alleviation.<sup>27</sup>

Regarding its ongoing evolution, legal empowerment still has the main idea that Golub tries to formulate into four key elements of legal empowerment: 1) “The use of the law.” Distinct from other forms of empowerment, legal empowerment uses the law to increase the bargaining position of disadvantaged groups. The law is not only legislation and court decisions but also encompasses a broader array of regulations, procedures, agreements, and the traditional justice system; 2) “Specifically,” As mentioned earlier, legal empowerment strategies and activities address the needs of disadvantaged groups.

Strategies incorporate legal reforms that aim to advance these marginalized groups' interests; 3) “Strengthen” Legal empowerment is a gradual process to augment the bargaining power of marginalized individuals. Its objective is to equip them with the capability to exert control over various aspects of their lives, including but not limited to income, assets, health, and personal security; 4) “The disadvantaged,” disadvantaged people include the poor, women, minorities, certain castes, criminal accused who are poor, victims of human rights violations, and other groups affected by discrimination and other injustices.<sup>28</sup>

Szilvasi and Saitovic-Jovanovic explained that the foundation of legal empowerment lies within a development paradigm grounded in human rights principles, which holds the view that community powerlessness results from inequality, exclusion, and discrimination.<sup>29</sup> Therefore, efforts are needed to transfer power from conventional legal actors – lawyers, judges, police, and law enforcement officers – to ordinary people to make law meaningful at the local level and increase the agency of disadvantaged groups. These endeavors encompass more than just enhancing legal literacy; they also entail reinforcing individual capabilities to effectively engage with the legal system.

Therefore, legal empowerment is a combination of education and action. Education is the main element in legal empowerment, encompassing the comprehension of rights held by marginalized groups and a grasp of available legal aid resources; this equips these groups with the capacity to harness both formal and informal avenues for accessing justice.<sup>30</sup> However, legal empowerment surpasses the boundaries of education, extending into the realm of practical application. It allows one to implement the bestowed knowledge and competencies, thereby propelling the advancement of their legal concerns.<sup>31</sup> Legal empowerment encompasses safeguarding their rights and endeavors to enhance their well-being. In a more advanced form, legal empowerment builds “critical awareness” of disadvantaged groups, which builds their ability to

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<sup>26</sup> Stephen Golub, ‘What Is Legal Empowerment? An Introduction’, in *Legal Empowerment: Practitioners’ Perspectives*, ed. S. Golub and T. McInerney (Italy, Rome: International Development Law Organization, 2010), 9–18.

<sup>27</sup> Robin Nielsen, ‘Sustaining Legal Empowerment in Initiatives to Support Local Land Rights’, 2012, <https://www.iied.org/sites/default/files/pdfs/migrate/G03513.pdf>.

<sup>28</sup> Golub, ‘What Is Legal Empowerment? An Introduction’.

<sup>29</sup> Marek Szilvasi and Maja Saitovic-Jovanovic, ‘Social Accountability and Legal Empowerment Initiatives’, *Health and Human Rights* 25, no. 1 (June 2023): 67–79.

<sup>30</sup> Khair, ‘Legal Empowerment for Improved Access to Justice: Dominate Discourses’.

<sup>31</sup> Golub and McQuay, ‘Legal Empowerment: Advancing Good Governance and Poverty Reduction’.

understand and think critically about unequal power relations that impact their lives so that they can take action to improve them.<sup>32</sup>

Within the framework of policy, legal empowerment is situated in two capacities: 1) Empowerment Tool: legal empowerment serves as a mechanism or instrument to bolster the agency of marginalized individuals, enabling them to exert heightened influence over the decisions and procedures that shape their existence; 2) Activity to Counteracting Power Disparities, legal empowerment involves activities aimed at mitigating the power discrepancies that hinder the attainment of accessible justice.<sup>33</sup> In line with this, legal empowerment is a process and goal.<sup>34</sup>

Legal empowerment can be described as work or efforts to increase the control of disadvantaged groups over their lives through education and action. Moreover, it includes growing legal knowledge, increasing capacity and self-confidence, and increasing organizational and collaborative abilities. As for the goal, legal empowerment is a form of achievement for disadvantaged people to increase control over their lives through the use of the law.

Community-based paralegals are one of the legal empowerment frameworks considered capable of increasing access to justice sustainably. Carmona and Donald describe community-based paralegals as having the advantage of closing the social gap between the judiciary and communities, especially disadvantaged communities.<sup>35</sup> Community-based paralegals build community legal skills and knowledge through quality paralegal training at the local level.

Furthermore, community-based paralegals contribute to educating people about their rights and build local leaders' involvement in reforming written and unwritten laws at the regional level that are considered discriminatory. In line with this, Nielsen explained that community-based paralegals are a form of long-term and sustainable participation because they build community capacity to deal with their legal problems.<sup>36</sup> Community-based paralegals are legal empowerment that reflects the priority interests of local communities in the local social and political context.

Integrating community-based paralegals into legal empowerment frameworks presents a promising pathway for enhancing access to justice. Mainly to construct a just society for marginalized communities. Moving forward, it is essential to strengthen these initiatives by addressing several key areas. Ensuring that community-based paralegals receive consistent, high-quality training and support will be crucial for maintaining their effectiveness.

Expanding their roles and capacities to address local legal needs and promoting their involvement in legal reform processes will amplify their impact. To maximize the benefits of legal empowerment, policymakers, and stakeholders must prioritize the development of sustainable strategies. Furthermore, reinforcing the link between education and practical application ensures that disadvantaged communities can advocate for their rights and effectively contribute to systemic changes.

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<sup>32</sup> Golub and McQuay.

<sup>33</sup> Dancer, 'Power and Rights in the Community: Paralegals as Leaders in Women's Legal Empowerment in Tanzania'.

<sup>34</sup> Golub and McQuay, 'Legal Empowerment: Advancing Good Governance and Poverty Reduction'.

<sup>35</sup> Carmona and Donald, 'Beyond Legal Empowerment: Improving Access to Justice from the Human Rights Perspective'.

<sup>36</sup> Nielsen, 'Sustaining Legal Empowerment in Initiatives to Support Local Land Rights'.

### III. ROLE OF COMMUNITY-BASED PARALEGALS

The phrase "paralegal" is not widely recognized among Indonesians who seek justice. 74% of respondents, in the main, acknowledged that they had no idea "what is a paralegal?"<sup>37</sup> The term "paralegal" was absent in any Indonesian laws or regulations before the passage of Law Number 16 of 2011 governing legal aid; instead, the community recognized the paralegal's role in providing legal help.<sup>38</sup> The phrase "paralegal" is not widely recognized among Indonesians who seek justice.

The Indonesian Ministry of Law and Human Rights established the rule of the Minister of Law and Human Rights of the Republic of Indonesia Number 3 of 2021 about Paralegals in Legal Aid Provision as a technical rule after being recognized under the Indonesian Legal Aid Law. However, the United Nations Principles and Guidelines was the first international document to acknowledge paralegals' position as providers of legal aid services. The 14th principle requires the state to "acknowledge and promote the role that civil society, universities, lawyers' associations, and other organizations and groups have played in providing legal aid." The recommendations also encourage governments to incorporate paralegals and law students into legal assistance regulations.<sup>39</sup>

First, it is essential to emphasize that a paralegal is not a lawyer. A paralegal with the required credentials and certification is the only one who may assist clients in court or other courts. However, paralegals offer skills that attorneys don't always possess, and they can improve the legal knowledge and experience of the attorneys they collaborate with. Paralegals can provide supplementary skills suited to the local environment, such as acceptance in the community and familiarity with local justice systems.<sup>40</sup> This circumstance gave rise to the phrase "community paralegal."

Legal assistants is the common term used to describe paralegals in Indonesia. However, in the current evolution, a paralegal is defined in various contexts, including grassroots movements and community-oriented scenarios.<sup>41</sup> Paralegals working in the community receive training in basic legal principles, mediation, education, and advocacy techniques. All aim to assist individuals in understanding, applying, and influencing the law.<sup>42</sup> In this instance, "legal empowerment" is another term frequently used to describe their work.<sup>43</sup> Since they typically originate from the communities they serve, community-based paralegals have several benefits over attorneys, prominent among

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<sup>37</sup> S.A. Tardi et al., *Paralegal Bukan "Parabegal": Studi Persepsi Masyarakat Pencari Keadilan Tentang Peran Paralegal Dalam Pemenuhan Akses Keadilan Melalui Bantuan Hukum*. Indonesia, Jakarta: The Indonesian Legal Resource Center. (Indonesia, Jakarta: The Indonesian Legal Resource Center, 2019).

<sup>38</sup> Tardi et al., 6.

<sup>39</sup> A. Komara, S. Dirga, and T. Reffelsen, *Paralegal, Para Penjegal Ketidakadilan: Kumpulan Kisah Penanganan Kasus Paralegal* (Indonesia, Jakarta: Penerbit Lembaga Bantuan Hukum Jakarta, 2020).

<sup>40</sup> Maru and Gauri, *Community Paralegals and the Pursuit of Justice*, 10.

<sup>41</sup> J. Franco, H. Soliman, and Maria Roda Cisneros, 'Community Based Paralegalism in the Philippines : From Social Movements to Democratization' (United States of America, Washington D.C.: World Bank, 2014).

<sup>42</sup> Namati, 'Indonesia Community Paralegals: Recognition & Financing', *Grassrootjusticenetwork.Org* (blog), 2019, <https://grassrootsjusticenetwork.org/wp-content/uploads/2019/04/Indonesia-Community-Paralegal-Research-Brief-Final.pdf>.

<sup>43</sup> Maru and Gauri, *Community Paralegals and the Pursuit of Justice*, 2.



them being their capacity to establish a “relationship of trust”.<sup>44</sup> To emphasize this argument, remember that a community-based paralegal differs from a general paralegal in working without compensation or for profit.<sup>45</sup>

Community-based paralegals generally live in or belong to their community. The community-based paralegal approach is also related to the ‘legal resources approach,’ which focuses on legal knowledge and skills in society, as well as ‘legal development advocacy,’ which focuses on the structural causes of injustice and on community empowerment to address problems.<sup>46</sup> Community paralegals can also be a way out<sup>47</sup>; they can be part of the community that plays the role of legal aid to their community and poor household members in their community through mechanisms provided by their community or by the state.<sup>48</sup>

Community paralegals and their clients usually deal with three types of issues: disputes between people, complaints by people against state agencies, and conflicts between people and private companies. Sometimes, these cases involve justice seekers who often involve groups or entire communities.<sup>49</sup> In Indonesia, for example, paralegals also hold discussions at the village level on topics such as contract law, corruption, the rights of criminal suspects, and law number 23 of 2004 on eliminating domestic violence.<sup>50</sup>

Other studies also show community paralegals positively impact settlement outcomes, litigation satisfaction, and inter-community relations.<sup>51</sup> Reflecting on this, several parties in Indonesia can potentially become community paralegals, such as traditional leaders. The existence of conventional leaders who function as paralegals in providing legal assistance is essentially very likely to continue to be encouraged, given that the qualifications to become a paralegal are not overly stringent.<sup>52</sup> The more significant the function of traditional institutions performed by traditional leaders, the more straightforward the coordination mechanisms between customary courts and formal law enforcement officials such as the police, prosecutor's office, and district courts will be.<sup>53</sup>

A community-based paralegal could be an alternative to a legal representative for a community confronting a legal difficulty. Because the community-based paralegal comes from their community, the community should not rely on lawyers; most lawyers are concentrated in major cities. Furthermore, community-based paralegals can

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<sup>44</sup> International Development Law Organization, ‘Navigating Complex Pathways to Justice: Community Paralegals and Customary and Informal Justice’ (Italy, Rome: International Development Law Organization, 2021), 10.

<sup>45</sup> Franco, Soliman, and Cisnero, ‘Community Based Paralegalism in the Philippines: From Social Movements to Democratization’.

<sup>46</sup> Tardi et al., *Paralegal Bukan “Parabegal”: Studi Persepsi Masyarakat Pencari Keadilan Tentang Peran Paralegal Dalam Pemenuhan Akses Keadilan Melalui Bantuan Hukum Indonesia*, Jakarta: The Indonesian Legal Resource Center., 20.

<sup>47</sup> Franco, Soliman, and Cisnero, ‘Community Based Paralegalism in the Philippines: From Social Movements to Democratization’, 7.

<sup>48</sup> Choky Risda Ramadhan et al., *Legal Needs Survey in Indonesia 2019 (Lampung and South Sulawesi Provinces)*. (Jakarta: Indonesia Judicial Research Society, 2020), <http://ijrs.or.id/wp-content/uploads/2020/12/Buku-Survei-Kebutuhan-Hukum-IJRS.pdf>.

<sup>49</sup> Maru and Gauri, *Community Paralegals and the Pursuit of Justice*.

<sup>50</sup> Maru and Gauri.

<sup>51</sup> Maru and Gauri.

<sup>52</sup> Arfan Faiz Muhlizi, ‘Penguatan Peran Tokoh Adat Sebagai Paralegal Dalam Memberikan Bantuan Hukum’, *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional* 8, no. 1 (15 May 2019): 127–45.

<sup>53</sup> Muhlizi.

understand the law since they receive legal education through legal empowerment initiatives managed by the government, universities, and legal aid organizations.

Legal empowerment aims to help people 'know, use, and create the law' to enhance their access to critical public services.<sup>54</sup> Legal empowerment activities also ensure that justice seekers and the general public have access to services that will help them address legal difficulties and achieve the justice they require. Justice seekers must understand the legal process, the rights that can be obtained, and how to resolve them. As a result of this activity, the community can independently address its legal concerns, represented by individuals who have received legal training and are qualified to serve the community as community-based paralegals.

#### IV. COMMUNITY-BASED PARALEGALS AS SOCIAL CAPITAL TO ACHIEVE ACCESS TO LEGAL AID

Community-based paralegals play an essential role in society, especially for disadvantaged communities, in accessing justice. In their role, community-based paralegals carry out two main tasks: 1) strengthening the community's legal knowledge and skills through community empowerment<sup>55</sup>; 2) establishing connections outside their community to integrate their community into the broader legal community by providing legal aid to their community.<sup>56</sup>

Based on the roles and work of community-based paralegals, they can be considered social capital for the community. Putnam<sup>57</sup> explains that social capital is woven into social institutions, which are productive and used to achieve specific goals. Community-based paralegals exist as a social institution to remove the obstacles to justice that their communities face. They engage in productive work—community empowerment and legal aid—to enable their communities to access justice more effectively and efficiently.

Through Putnam's concept of social capital, we can describe how community-based paralegals function as social capital for their communities. Putnam's concept of social capital is anchored in social institutions, manifested in networks, norms, and trust, which are used to achieve well-being.<sup>58</sup> Trust, norms, and networks are parts of social institutions that enhance society's efficiency in facilitating coordinated actions.<sup>59</sup>

The main advantage of community-based paralegals is their ability to build trust with the communities they serve.<sup>60</sup> Their closeness and understanding of the community's characteristics help them interact in ways that meet the community's

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<sup>54</sup> Maru and Gauri, *Community Paralegals and the Pursuit of Justice*.

<sup>55</sup> Tardi et al., *Paralegal Bukan "Parabegal": Studi Persepsi Masyarakat Pencari Keadilan Tentang Peran Paralegal Dalam Pemenuhan Akses Keadilan Melalui Bantuan Hukum*. Indonesia, Jakarta: The Indonesian Legal Resource Center., 20.

<sup>56</sup> Franco, Soliman, and Cisnero, 'Community Based Paralegalism in the Philippines: From Social Movements to Democratization'; Ramadhan et al., *Legal Needs Survey in Indonesia 2019 (Lampung and South Sulawesi Provinces)*.

<sup>57</sup> Robert D. Putnam, *Making Democracy Work: Civic Traditions in Modern Italy* (Princeton, NJ: Princeton University Press, 1993).

<sup>58</sup> Robert M. Z. Lawang, *Kapital Sosial Dalam Perspektif Sosiologik: Suatu Pengantar* (FISIP UI Press, 2005), 210.

<sup>59</sup> Putnam, *Making Democracy Work: Civic Traditions in Modern Italy*, 167.

<sup>60</sup> International Development Law Organization, 'Navigating Complex Pathways to Justice: Community Paralegals and Customary and Informal Justice', 10.

expectations. Trust in community-based paralegals also develops through norms of reciprocity and grows into relationships where mutual assistance occurs without expecting immediate returns.<sup>61</sup> In Putnam's concept, networks consist of associations structured horizontally and vertically.<sup>62</sup> As legal aid providers, community-based paralegals become part of a broader societal network. Through this network, community-based paralegals build relationships outside their community to provide better access to justice for their community.

Based on the above, community-based paralegals work not only within their communities but also outside of them. This dual role positions community-based paralegals as bonding social capital and bridging social capital. Putnam<sup>63</sup> defines bonding social capital as efforts to strengthen the internal community to overcome various obstacles it faces. Bridging social capital, on the other hand, is used to connect with societies outside the community and ensure the flow of information into the community. Community-based paralegals strengthen their community's bonding social capital through their work in legal empowerment. Meanwhile, community-based paralegals enhance their community's social capital through their legal aid work.

The dual role positions of community-based paralegals strengthen social capital by empowering the community from within and reinforcing social ties among its members. At the same time, they enhance bridging social capital by building external networks and opening access to information and resources that can support the community's well-being. Thus, community paralegals are crucial to legal and social empowerment and to creating a more just and inclusive society.

## V. LEGAL EMPOWERMENT CHALLENGES IN INDONESIA

According to the Indonesian Access to Justice Index, legal aid is one of the crucial criteria in determining public access to justice.<sup>64</sup> Additionally, legal aid is important because it is considered a tool for those needing legal assistance and representation to rectify their unjust experiences.<sup>65</sup> However, various issues exist in implementing access to justice through legal aid. According to the National Legal Aid Conference of Indonesia<sup>66</sup>, implementing legal aid policies in Indonesia still requires improvement to achieve equal access to justice for all. The main issues are the number and distribution of legal aid

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<sup>61</sup> Putnam, *Making Democracy Work: Civic Traditions in Modern Italy*, 10.

<sup>62</sup> Julia Häuberer, *Social Capital Theory: Towards a Methodological Foundation* (VS Verlag für Sozialwissenschaften, 2011).

<sup>63</sup> Putnam, *Making Democracy Work: Civic Traditions in Modern Italy* in Häuberer, *Social Capital Theory: Towards a Methodological Foundation*.

<sup>64</sup> Wicaksana et al., *Index Of Access to Justice In Indonesia 2019*, 31.

<sup>65</sup> American Bar Association, *Penilaian Akses Terhadap Keadilan Untuk Indonesia Provinsi Sulawesi Selatan (Evaluation on Access to Justice for South Sulawesi Province in Indonesia)* (Washington DC: the American Bar Association, 2012), 29.

<sup>66</sup> Larasati Asfinawati, Dio Ashar Wicaksana, and Ratna Batara Munti, 'Rekomendasi Konferensi Nasional Bantuan Hukum: Perluasan Akses Keadilan Melalui Optimalisasi Layanan Bantuan Hukum Yang Berkualitas. Indonesia' (Jakarta: Yayasan Lembaga Bantuan Hukum Indonesia, Indonesia Legal Resources Center, Asosiasi LBH Apik Indonesia, LBH Jakarta, LBH Masyarakat, LBH Apik Jakarta, Masyarakat Pemantau Peradilan Indonesia Fakultas Hukum Universitas Indonesia dan Perhimpunan Bantuan Hukum dan Hak Asasi Manusia Indonesia., 2019).

service providers in Indonesia and the number of clients.<sup>67</sup> The Indonesian Judicial Research Institute<sup>68</sup> also found that most low-income families need legal aid when dealing with legal issues.<sup>69</sup>

The Indonesian Legal Aid Law Number 16/2011 regulates the legal aid organizations that could conduct a legal empowerment program for the Indonesian community, especially for poor people.<sup>70</sup> Furthermore, besides Legal Aid Law Number 16/2011, paralegals can be recognized under the Ministry of Law and Human Rights Regulation Number 3/2021.<sup>71</sup> This law also provides accreditation for Indonesian community-based paralegals because it gives them the legal status to accompany their community during the judicial process.

The regulation defines a paralegal as someone from the community or a legal aid provider who has completed paralegal training. Paralegals do not practice as lawyers and do not assist Legal Aid Recipients in court on their own. Thus, they act in the capacity of someone whose task is limited to “accompanying” people in conflict with the law (the Indonesian term refers to *pendampingan*, and the paralegal acts as the *pendamping*). In Indonesian law, paralegals can come to court and assist with legal cases but not represent the person in conflict with the law like lawyers. Additionally, paralegals are recognized through a certificate confirming they have the required skills to assist people in conflict with the law, such as understanding Indonesian law.

Furthermore, the Indonesian government's policy supports legal empowerment initiatives. This can be seen through budget distribution to support legal aid organizations or those supervised by the Indonesian National Law Development Agency (BPHN). This generous assistance demonstrates the Indonesian government's strong commitment to improving the quality of access to legal services for underprivileged people. In 2021, the BPHN issued the Guidelines for the Implementation of Paralegal Education and Training, numbered PHN-53.HN.04.03, intending to improve the quality and capabilities of paralegals across Indonesia. Recognizing the importance of enhancing paralegals' skills, BPHN emphasizes that thorough education and training in law and related subjects are essential for equipping paralegals to deliver high-quality legal aid.

These guidelines detail how paralegal education and training programs are structured to build the necessary competencies, such as forming paralegal education and training curricula and managing education and training implementation. The programs focus on several key areas: First, they ensure that paralegals develop a deep understanding of the local conditions and various interest groups within the community. This regional insight is crucial for adequate legal support. Second, the training empowers paralegals to help strengthen the community's capacity to advocate for other legally protected human rights. Lastly, the programs aim to hone skills in community advocacy, enabling paralegals to offer defense and support to those in need. Through these comprehensive training efforts, BPHN seeks to enhance the ability of paralegals to make a meaningful impact in their communities.

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<sup>67</sup> Asfinawati, Wicaksana, and Munti.

<sup>68</sup> C.R. Ramadhan et al., ‘Survei Kebutuhan Hukum Di Indonesia Tahun 2019: Wilayah Provinsi Lampung Dan Sulawesi Selatan’ (Indonesia, Jakarta: Indonesia Judicial Research Society, 2020).

<sup>69</sup> Arsa Ilmi Budiarti, Dio Ashar Wicaksana, and Nanda Oktaviani, ‘The Role of Technology in the COVID-19 Pandemic Era: A Lesson Learned from Indonesia in Increasing Access to Legal Aid’, *Journal of Contemporary Sociological Issues* 3, no. 1 (26 February 2023): 1–22, <https://doi.org/10.19184/csi.v3i1.27710>.

<sup>70</sup> ‘Legal Aid Act, Law No. 16 Year 2011’, Pub. L. No. 16 (2011), <https://peraturan.bpk.go.id/Details/39234>.

<sup>71</sup> ‘Paralegals as Provider of Legal Aid Act, Regulation of Ministry of Law and Human Rights No. 3 Year 2021’, Pub. L. No. 3 (2021), <https://peraturan.bpk.go.id/Details/170944/permenkumham-no-3-tahun-2021>.

In implementing legal empowerment activities, there are many challenges to conducting legal empowerment activities in Indonesia. However, the Indonesian government allots a national budget to carry out legal empowerment initiatives, either through the backing of Indonesian legal aid organizations or through activities coordinated by the Indonesian National Law Development Agency. Given the community's requirements, the budget's composition still needs to be improved. The Indonesian government allotted IDR 1.765.046 for each location, according to research by the Indonesian Judicial Research Society.<sup>72</sup> In contrast, the actual cost to the Indonesian Legal Aid Organization for organizing legal empowerment activities was IDR 7.181.774.<sup>73</sup>

In addition to the budget allocation, this budget's mechanism could be more flexible. For example, this budget only allows for one event; however, the ideal legal empowerment activities would require numerous activities because their goal is to increase community capacity. Therefore, rather than deciding on the number of events based on the limiting number, the necessity should be assessed first.<sup>74</sup>

Aside from allocating the budget, the government must expand the objective criteria for the legal empowerment initiatives. A representative of BPHN claims that the general populace has continued to be the target community for legal empowerment initiatives in recent years.<sup>75</sup> It must include vulnerable populations like poor people, women, older people, individuals with disabilities, indigenous people, and others. Additionally, paralegal education and training curricula should include these groups, as the challenges they face and the types of legal problems they face might differ from those of the general population. Therefore, BPHN must acknowledge the differences in issues and gaps in access to justice experienced by vulnerable groups and develop a national strategy to address these issues, which should be shared with paralegals throughout Indonesia as a national standard for paralegal education and training curricula.

Furthermore, the training should include practical components allowing paralegals to engage directly with their communities. This hands-on experience will help paralegals better understand the real-world challenges faced by these groups and apply their knowledge in practical settings. The national strategy should also outline mechanisms for ongoing support and professional development for paralegals, ensuring they remain up-to-date with legal developments and best practices.

The disadvantaged find getting fundamental entitlements like social security and health insurance harder. Moreover, underprivileged populations may also experience discrimination, stigmatization, and legal issues related to their financial situation. This suggests that the vulnerable group will find it more challenging to handle their legal matters because of their socioeconomic situation.<sup>76</sup>

Even if legal empowerment activities increase the paralegal's capacity, disadvantaged populations must overcome obstacles before providing legal services to

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<sup>72</sup> A. I. Budiarti et al., *Kebutuhan Anggaran Bantuan Hukum Yang Berperspektif Kelompok Rentan. Indonesia* (Jakarta: Indonesia Judicial Research Society, Asosiasi LBH APIK Indonesia, Perhimpunan Bantuan Hukum & Hak Asasi Manusia & Yayasan Lembaga Bantuan Hukum Indonesia, 2023).

<sup>73</sup> Budiarti et al.

<sup>74</sup> Budiarti et al.

<sup>75</sup> M. Maharani et al., *Peran Pemberdayaan Hukum Oleh Komunitas Dalam Memperkuat Akses Keadilan Untuk Perempuan Berhadapan Dengan Hukum Di Indonesia: Studi Di Jakarta Dan Yogyakarta* (Indonesia, Jakarta: Indonesia Judicial Research Society, 2023).

<sup>76</sup> A. I. Budiarti et al., 'Laporan Penelitian: Survei Kebutuhan Hukum Bagi Kelompok Rentan 2022' (Indonesia, Jakarta: Indonesia Judicial Research Society, 2023a).

their community. First, even if underprivileged populations have met the requirements to qualify as paralegals under Indonesian law, some paralegals still require legal officials' acknowledgment while assisting crime victims. Even though disadvantaged populations continue to debate what a paralegal is, some legal professionals, such as law enforcement, continue to discuss the legality of paralegals in the judicial process.<sup>77</sup>

A fundamental, well-standard curriculum and module are also necessary to organize legal empowerment for all Indonesian communities. It will be required to guarantee that the results of the legal empowerment initiatives will significantly influence Indonesians' access to justice. According to a person in BPHN, the BPHN is working with some legal aid organizations to develop modules.<sup>78</sup>

Meanwhile, the obstacles faced by community paralegals are also quite diverse. One of them is the finding that law enforcement officials often do not consider the community's paralegal status as the party authorized to assist victims in undergoing legal proceedings. Paralegals usually face challenges due to a lack of public knowledge, especially among law enforcement officers, regarding the existence and role of paralegals. Consequently, Paralegals are frequently questioned about their status and legality, even when they present their assignment letters. It is not uncommon for paralegals, when dealing with law enforcement officers, to be perceived negatively as unauthorized individuals.

National regulations guarantee their status as paralegals and victim assistants as long as they meet the applicable requirements. Problems arise when law enforcement officials ignore the status of paralegals who meet the requirements out of ignorance of the regulations and continue to treat them as if they are not authorized to assist victims.<sup>79</sup> Various legal aid organizations often encounter this, especially when accompanying victims during the reporting and examination stages at the police station. Apart from that, another challenge that is a problem for the paralegal community is also related to the lack of human resources that can support the work and sustainability of legal aid institutions, and the intensity of the number of cases that come in is not commensurate with the number of paralegals as victims' assistants.<sup>80</sup>

In addition, for community paralegals who have a focus on issues related to persons with disabilities, obstacles were also found where law enforcement officers still have difficulties in understanding the conditions of victims who are persons with disabilities. The lack of understanding due to the lack of training for law enforcement in treating disabled victims further complicates communication between paralegals, law enforcement officials, and the victims themselves.<sup>81</sup>

Despite the existence of any form of effective policy in terms of improving community legal competence, the existence of community-based paralegals still confronts several problems. According to the previously stated reason, some legal officials are still unaware of the existence of community-based paralegals. Some continue to believe that community-based paralegals lack legal status to represent their community, even though Indonesian law recognizes the existence of paralegals during the judicial process. Another issue is that budget assistance for legal empowerment activities is still inefficient in terms of people's justice requirements. According to the

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<sup>77</sup> Maharani et al., *Peran Pemberdayaan Hukum Oleh Komunitas Dalam Memperkuat Akses Keadilan Untuk Perempuan Berhadapan Dengan Hukum Di Indonesia: Studi Di Jakarta Dan Yogyakarta*.

<sup>78</sup> Maharani et al.

<sup>79</sup> Maharani et al.

<sup>80</sup> Maharani et al.

<sup>81</sup> Maharani et al.

findings, the budget's content and process still need to be more optimal given the community's needs and inflexible mechanisms for adjusting the community's needs.

Therefore, the Indonesian National Law Development Agency reassesses the budget mechanism for supporting legal empowerment programs. The budget mechanism should be determined based on the demands of the people. Aside from the budget mechanism, the Indonesian National Law Development Agency, as the government's representative, could conduct socialization of Law Number 16/2011 and the Ministry of Law and Human Rights Regulation Number 3/2021 to Indonesian legal officers, as well as encouraging legal enforcement institutions to incorporate an understanding of the existence of paralegals into their curriculum for their officers. This activity aims to ensure acceptance of the paralegal's existence when representing their communities in the judicial system.

Aside from the role of the government, legal aid organizations and civil society organizations play an essential role in ensuring the capacity and existence of community-based paralegals. The findings show that Indonesian legal aid organizations and civil society organizations are critical to providing legal empowerment to their communities. Furthermore, civil society organizations have specific issues related to community needs, such as gender justice and environmental cases. As a result, the legal empowerment initiatives will conform with the community's concerns. Additionally, they are mutually helpful in securing the development of the community-based paralegal through their finance. As a result, the presence of community-based paralegals may be more sustainable.

## VI. LEGAL EMPOWERMENT BEST PRACTICES IN INDONESIA

Aside from the difficulties associated with implementing legal empowerment in Indonesia, some best practices indicate that legal empowerment can produce community-based paralegals. Through an initiative of the National Development Law Agency (BPHN), the Indonesian government provides legal aid at the highest levels of government using the Legal Smart Channel (LSC) program, a virtual/online service application.

Every year, there are around 3,000 questions related to legal issues from the public that BPHN answers through this application. In every opportunity for legal counseling, whether held in shopping centers or schools, BPHN always provides information related to LSC. The LSC application also contains a map of the distribution of legal aid organizations, so this application can be a channel for providing information and contacts for legal aid organizations if legal aid seekers who have consulted through the LSC application need direct assistance from legal aid organizations.<sup>82</sup>

The role of community-based paralegals is also crucial for empowering vulnerable groups, for example, women who are sex workers, who often face criminalization under the pretext of public order. Periodically, LBH Masyarakat holds monthly legal counseling for the sex worker community to understand the law and defend themselves. Meanwhile, in this case, LBH Masyarakat stated that by becoming a community paralegal for their

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<sup>82</sup> Maharani et al.

community, these sex workers, if caught, can advocate for themselves and their community.<sup>83</sup>

LBH APIK Jakarta organizes legal empowerment for women, especially impoverished ones, using the concept of Structural Gender Legal Aid (Bantuan Hukum Gender Struktural/BHGS). BHGS is a concept of legal aid given to women who cannot afford it. It uses a gender perspective and analysis (gender equality) that leads to changes in the structure of society and the legal system (substance, structure, and culture).<sup>84</sup>

In the meantime, LBH APIK Jakarta's adoption of the BHGS concept as a legal aid concept has implications for helping to reform policy. Based on the cases handled, an analysis of case handling identifies good and bad practices found by paralegals in the field. Eventually, the data based on analysis with BHGS lenses becomes a reference for recommendations for policy advocacy at the national and regional levels through policy briefs.<sup>85</sup>

In addition, in civil society organizations working on disability issues, the role of community paralegals is also essential in reaching victims of children and women who are persons with disabilities. Meanwhile, organizations like HWDI have formed the "SETARA" community paralegals. "SETARA" is a community paralegal who is a person with a disability so that every person with a disability who comes to consult about legal needs or asks for legal assistance feels more comfortable and better understood because their conditions are similar.<sup>86</sup> As a part of the vulnerable groups, people with disabilities often face difficulty with legal aid due to obstacles such as ableism and limited access to legal information that persons with disabilities can access.

Civil society organizations in Indonesia (in studies in the Jakarta and Yogyakarta areas) also have a significant role in making legal education and information accessible and easily understood by ordinary people. This ability aligns with one of the pillars of legal empowerment, namely "know the law," which aims to make individuals and communities aware of their rights through understanding the law. Civil society organizations, especially those who work with vulnerable groups such as women, persons with disabilities, and people with HIV/AIDS, have practiced legal empowerment so that the community can build resilience by first knowing the law and their rights, then how to uphold these rights can be done either through legal action and policy reform.<sup>87</sup>

While the initiatives for legal empowerment and community-based paralegals in Indonesia demonstrate significant progress, several aspects require future management to enhance their impact. The Legal Smart Channel (LSC) program and other similar efforts highlight the potential for virtual platforms to disseminate legal information and connect individuals with legal aid. However, to improve effectiveness, there must be a stronger focus on expanding access to these resources, particularly for marginalized groups such as sex workers and individuals with disabilities. Ensuring that community-based paralegals receive continuous training and support will be crucial for sustaining their ability to assist and advocate effectively.

Integrating feedback from field practices into policy reforms is essential for refining legal aid strategies. Organizations like LBH APIK Jakarta and HWDI have shown that legal aid concepts and community-based approaches can influence policy changes and

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<sup>83</sup> Maharani et al.

<sup>84</sup> Maharani et al.

<sup>85</sup> Maharani et al.

<sup>86</sup> Maharani et al.

<sup>87</sup> Maharani et al.



enhance support for vulnerable populations. Future efforts should prioritize strengthening collaborations between civil society organizations and government agencies to ensure that legal education and resources are accessible, inclusive, and tailored to the community's diverse needs. By addressing these areas, Indonesia can continue to advance its legal empowerment initiatives and improve access to justice for all its citizens.

## VII. CONCLUSION

Based on the various explanations in this article above, community-based paralegals are an effective strategy for improving access to justice in Indonesia. Community-based paralegals can address several obstacles communities face in obtaining legal aid, such as the limited number of lawyers in major cities and the lack of legal understanding among the public. Originating from their communities, these paralegals have deep knowledge of the issues faced by their communities and can provide relevant and targeted legal assistance. They receive training through legal empowerment initiatives run by the government, academic institutions, and legal aid organizations, enabling them to comprehend and apply the law in the circumstances demanded by their communities. This positions community-based paralegals at the forefront of providing more inclusive and comprehensive access to justice.

Despite the significant role of community-based paralegals, various challenges need to be addressed to maximize their effectiveness. Many legal officers are still unaware of or do not recognize the legal status of community-based paralegals, and the budget assistance for legal empowerment activities is not yet optimal. Therefore, more significant efforts are needed from the government, through the National Law Development Agency of Indonesia, to review budget mechanisms and conduct socialization regarding the role of community-based paralegals. Additionally, legal aid organizations and civil society must continue to support the development and sustainability of community-based paralegals through legal empowerment that aligns with the community's needs. Thus, community-based paralegals can continue to contribute to creating a more just and inclusive society.

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