

Advocacy and Justice in the Digital Era: Contemporary Challenges and Innovations in Indonesian Legal Services

Aprila Niravita, Asmarani Ramli, Windiahsari, Muhammad Adymas
Hikal Fikri

Faculty of Law, Universitas Negeri Semarang, Indonesia
Editors Indonesian Journal of Advocacy and Legal Services

✉ Corresponding email: aprilaniravita@mail.unnes.ac.id

Abstract

This editorial introduces the key themes in the *Indonesian Journal of Advocacy and Legal Services Volume 8 Issue 1 (2026)*, titled "*Legal Advocacy and Justice Innovation*." The ten articles in this edition examine diverse topics including civic education and legal literacy, consumer protection in digital transactions, anti-bullying education, comparative antitrust law, labor rights for home-based workers, data protection in AI chatbots, constitutional election reform, legal aid effectiveness, university legal documentation governance, and state-owned enterprise transformation. Drawing on case studies from Indonesia, Malaysia, Singapore, Uzbekistan, Russia, the Netherlands, the European Union, Japan, Estonia, Australia, the United Kingdom, India, and South Africa, the issue provides comparative insights into evolving legal practices across multiple jurisdictions. The edition highlights persistent challenges such as unequal access to justice,

regulatory fragmentation, governance deficits, and the tension between technological innovation and legal protection. Emphasizing interdisciplinary and socio-legal approaches, this edition contributes to advancing advocacy as a tool for legal empowerment, institutional reform, and social justice in Indonesia's rapidly transforming legal landscape.

Keywords

Legal Advocacy, Justice Innovation, Digital Era Challenges, Legal Protection, Socio-Legal Studies.

The evolving landscape of advocacy and legal services in Indonesia reflects broader global trends toward legal empowerment, institutional accountability, and the integration of technology into legal practice. The practice of law in Indonesia operates at the intersection of tradition and modernity, where legal institutions must navigate deeply rooted cultural norms, legal pluralism, and the legacy of colonial legal structures that have long shaped access to justice.¹ At the same time, the rapid proliferation of digital technologies, the expansion of the platform economy, and the growing demands for transparency and accountability are reshaping the legal landscape in fundamental ways.² This edition of the Indonesian Journal of Advocacy and Legal Services addresses the theme "Legal Advocacy and Justice Innovation," examining how legal frameworks and advocacy practices are adapting to these intersecting pressures.

The concept of legal advocacy has evolved considerably beyond its traditional association with courtroom litigation and formal legal aid. Contemporary advocacy encompasses a broad range of activities,

¹ Daniel S. Lev, *Legal Evolution and Political Authority in Indonesia: Selected Essays* (The Hague: Kluwer Law International, 2000), 13–20.

² Tim Lindsey and Simon Butt, *Indonesian Law* (Oxford: Oxford University Press, 2018), 1–25.

including legal literacy campaigns, community-based paralegal programs, policy advocacy, and the strategic use of technology to expand access to legal information.³ This expansion reflects a growing recognition that access to justice cannot be achieved through legal institutions alone; it requires sustained engagement with communities, educational institutions, and civil society organizations. The contributions in this edition reflect this broadened understanding, examining advocacy practices in diverse settings ranging from schools and universities to digital platforms and corporate governance structures.

A fundamental concern that unites the articles in this edition is the question of legal protection for vulnerable groups. Whether addressing the rights of home-based workers, children exposed to bullying, consumers navigating digital transactions, or poor communities struggling to access legal aid, the contributions highlight the structural barriers that prevent marginalized groups from realizing their legal rights.⁴ Addressing these barriers requires not only legal reform but also sustained investment in legal education, community empowerment, and institutional capacity-building.

The governance of public institutions emerges as another central theme in this edition. The articles examine how institutional governance shapes access to justice and public trust, highlighting the importance of robust accountability mechanisms, independent oversight, and sustained institutional commitment to reform.⁵ This concern with institutional reform reflects broader debates in Indonesian legal scholarship about the relationship between law,

³ Sulistyowati Irianto et al., *Kajian Sosio-Legal* (Denpasar: Pustaka Larasan; Jakarta: UI, Leiden, Groningen, 2012), 1–15.

⁴ Adriaan Bedner, "Indonesian Legal Scholarship and Jurisprudence as an Obstacle for Transplanting Legal Institutions," *Hague Journal on the Rule of Law* 5, no. 2 (2013): 253–273.

⁵ The Asia Foundation, "Law and Justice in Indonesia," accessed June 29, 2026, <https://asiafoundation.org/programs/governance/access-to-justice/law-and-justice-in-indonesia/>.

politics, and development, particularly the role of law as an instrument of social change and national development.⁶ Scholars such as Mochtar Kusumaatmadja have long emphasized that law must be understood not merely as a set of rules but as a tool for engineering social transformation.⁷

The ten articles in this edition collectively contribute to a growing body of scholarship that positions legal advocacy as a dynamic and multifaceted practice, essential for navigating the complexities of contemporary governance. The studies demonstrate that effective legal protection requires not only robust statutes and institutions but also active advocacy, accessible legal services, sustained legal education, and a commitment to accountability that is substantive rather than symbolic.⁸ This perspective aligns with the broader constitutional vision of Indonesia as a state based on law (*negara hukum*), where the constitution serves as the foundation for governance and the protection of citizens' rights.⁹

The first article, authored by Sukron et al. examines the strengthening of legal literacy and democratic citizenship through an advocacy-based approach in civic education. Their empirical research in the former Kedu region of Central Java reveals that while 47% of respondents are at the cognitive awareness stage—understanding their rights in theory—only 20% are willing to pursue formal legal channels. This gap narrows significantly only when civic education is accompanied by experiential learning such as village mediation simulations, public service case discussions, and direct administrative support. Their findings highlight that functional legal literacy is not

⁶ Hikmahanto Juwana, "Penegakan Hukum dalam Kajian Law and Development," *Jurnal Hukum dan Pembangunan* 36, no. 1 (2006): 1–15.

⁷ Mochtar Kusumaatmadja, *Konsep-Konsep Hukum dalam Pembangunan* (Bandung: Alumni, 2002), 1–15.

⁸ Jimly Asshiddiqie, *Gagasan Negara Hukum Indonesia* (Jakarta: Sekretariat Jenderal dan Kepaniteraan Mahkamah Konstitusi RI, 2006), 25–40.

⁹ Mahfud MD, *Membangun Politik Hukum, Menegakkan Konstitusi* (Jakarta: Pustaka LP3ES, 2011), 50–65.

merely about acquiring knowledge but about breaking the cycle of fear rooted in failed collective experiences, requiring post-education support as a mandatory, not optional, component of legal empowerment.

The second article, authored by Dian et al., examines legal advocacy for balanced protection of jastip business actors, addressing the growing phenomenon of personal shopping services conducted through social media platforms and marketplaces. The research demonstrates that jastip agreements occupy a hybrid position—fitting neatly into neither nominate nor innominate contract classifications—and that existing consumer protection laws, while affording some rights, disproportionately burden business actors with moral hazard risks. The study proposes that electronic contracts be optimized as preventive regulatory instruments and that comparative learning from Malaysia and Singapore inform the development of adaptive regulations. The absence of specific regulations creates an imbalance in legal protection, particularly for business actors who empirically bear disproportionate risks.

The third article, authored by Agung et al., addresses the issue of child protection and bullying prevention through the innovative educational media developed in the study on ANTIC (Anti-Bullying Cards). Based on data from the Indonesian National Police's Criminal Investigation Center indicating that elementary school students constitute the largest group of bullying victims (26%), the research develops a card-based educational medium translated from criminal law norms into concrete, visual, and age-appropriate learning experiences. The study's contribution lies not merely in creating an anti-bullying tool but in demonstrating how criminal law literacy can be introduced to children through preventive and educational approaches rather than punitive ones. The validation results—an overall feasibility score of 84.09%—suggest that the prototype is promising, though further classroom implementation and evaluation

are needed.

The fourth article, authored by Dwi et al., offers a comparative perspective on antitrust law and legal advocacy in Indonesia, Uzbekistan, and Russia. Their study reveals that while Indonesia has developed a comprehensive legal framework through Law No. 5 of 1999, its enforcement remains inconsistent due to institutional limitations and judicial resistance. Uzbekistan has adopted modern competition principles in its 2012 Competition Law, but enforcement is hindered by state dominance in the economy. Russia possesses a mature regulatory framework and a powerful Federal Antimonopoly Service (FAS), though enforcement often reflects political considerations. The study highlights how legal advocacy and professional legal services significantly influence compliance in each context, contributing to comparative competition law scholarship by demonstrating the interplay between regulation, enforcement, and advocacy in shaping effective competition regimes.

The fifth article, authored by Ratih et al., examines labor rights through the lens of home-based workers, a group that has grown significantly in Indonesia yet remains largely invisible in the formal legal framework. The study identifies that approximately 19 million Indonesians work from home, yet they face persistent challenges including the absence of written employment contracts, substandard wages, excessive working hours, and lack of social security coverage. By comparing Indonesia's regulatory approach with the Netherlands—the fourth country to ratify ILO Convention No. 177 on Home Work—the article demonstrates that Indonesia's legal framework remains inadequate to protect these workers. The research recommends strengthening legal awareness, developing more accessible information media, and enhancing institutional capacity to ensure home-based workers receive the rights and protections to which they are entitled.

The sixth article, authored by Marianne et al., examines the

paradox of consent in the collection of sensitive data by AI chatbots, comparing Indonesia's Personal Data Protection Law with the EU GDPR. Their analysis reveals that while the two regulations share foundational data protection principles, the PDP Law lacks necessary specificity regarding the definition and processing of sensitive data, risk assessment mechanisms, and the authority of supervisory bodies. The study demonstrates how regulatory gaps hinder the PDP Law's ability to effectively govern AI-based environments and establish accountability for data controllers and processors. It proposes necessary reforms, including more robust governance mechanisms, strengthened administrative oversight, and industry-specific guidelines to ensure uniform enforcement.

The seventh article, authored by Anom et al., addresses constitutional governance and electoral reform through their study on Constitutional Court Decision No. 135/PUU-XXII/2024, which mandated the separation of national and regional elections beginning in 2029. The analysis critically examines this decision as a form of constitutional engineering, identifying both its potential to strengthen governability and regional democratic focus, and its risks as a practice of "constitutional change by stealth" that could undermine the five-year election principle and democratic legitimacy if not carefully regulated. The study contributes to theoretical debates on constitutional interpretation and institutional accountability in Indonesia's presidential system.

The eighth article, authored by Suteki et al., explores the justice gap for poor communities in a study on legal aid effectiveness. Drawing on empirical research in Bogor and Pontianak, the article reveals that despite the comprehensive normative framework established by Law No. 16 of 2011 on Legal Aid, implementation remains plagued by inadequate legal communication, flawed funding mechanisms, and insufficient institutional capacity. The study documents that many poor communities remain unaware of their

entitlement to free legal aid, while legal aid organizations struggle with a reimbursement system that transfers financial risk onto under-resourced institutions. The article proposes strategies including strengthening outreach through community institutions, reforming the funding mechanism toward advance-disbursement models, and shifting monitoring and evaluation frameworks from measuring outputs to measuring outcomes.

The ninth article, authored by Bayangsari et al., examines the governance of legal documentation and information in Indonesian universities through the lens of the Legal Documentation and Information Network (JDIH). The research identifies that of approximately 400 JDIH repositories in universities, only 18 have websites integrated with the National JDIH system. The study proposes a reform model that includes establishing specialized legal services units, formulating rector regulations on JDIH governance, strengthening collaboration with national JDIH managers, and integrating university JDIH systems into the national network. The comparative reference to Australia's Tertiary Education Quality and Standards Agency (TEQSA) and the Higher Education Standards Framework provides valuable insights for Indonesia's reform efforts.

The tenth article, authored by Aldehita et al., examines the evolving position of state-owned enterprises (BUMN) in Indonesia's transforming economy. Their analysis highlights a paradox: while BUMN continue to drive infrastructure expansion, energy provision, and financial intermediation, they also generate fiscal vulnerabilities through inefficiency, rent-seeking practices, and governance deficits. Drawing on developmental state theory, principal-agent theory, and the resource-based view of the firm, the study argues that Indonesia's economic sustainability depends on reorienting BUMN from state-centric instruments toward engines of innovation, competitiveness, and public value creation. The article situates this transformation within the broader framework of the Sustainable Development Goals

(SDGs), particularly SDG 8 (Decent Work and Economic Growth), SDG 9 (Industry, Innovation, and Infrastructure), and SDG 16 (Peace, Justice, and Strong Institutions).

Taken together, these ten articles illuminate the diverse and interconnected challenges facing legal advocacy in contemporary Indonesia. They reveal that the effectiveness of legal frameworks depends not only on the quality of legislation but also on the capacity of institutions to enforce it, the willingness of citizens to engage with it, and the commitment of advocates to defend it. The studies also demonstrate that legal advocacy is not a one-dimensional activity but a multifaceted practice that requires engagement with education, technology, governance, and social justice.

The comparative perspectives offered in this edition are particularly valuable, as they situate Indonesia's experiences within broader global debates on legal reform and institutional change. By examining practices in Malaysia, Singapore, Uzbekistan, Russia, the Netherlands, the European Union, Japan, Estonia, Australia, the United Kingdom, India, and South Africa, the articles provide insights that transcend national boundaries and contribute to a more nuanced understanding of how legal systems evolve in response to common challenges. These comparative analyses reveal both the universality of certain legal problems—such as the tension between efficiency and equity, or the challenge of regulating new technologies—and the specificity of local responses shaped by distinct historical, political, and cultural contexts.

The edition also underscores the importance of interdisciplinary approaches to legal scholarship. The articles draw on insights from political economy, educational theory, criminology, and public administration, reflecting a recognition that legal problems cannot be adequately addressed through doctrinal analysis alone. This interdisciplinary orientation is essential for understanding the complex social, economic, and political forces that shape legal outcomes and for

developing effective strategies for legal reform.

Moreover, the contributions highlight the critical role of legal education in shaping the future of advocacy. Several articles emphasize the need for pedagogical approaches that move beyond rote memorization of legal norms toward experiential learning, critical thinking, and community engagement. The integration of clinical legal education, social justice pedagogy, and interdisciplinary collaboration is presented as indispensable for preparing future lawyers to meet the complexities of modern legal practice. This aligns with broader calls for legal education reform in Indonesia and beyond, which emphasize the importance of training lawyers not only as technicians but as agents of social change.

The theme of institutional accountability runs throughout the edition, reflecting a recognition that legal frameworks are only as effective as the institutions that implement them. Whether examining the governance of state-owned enterprises, the management of legal documentation in universities, or the provision of legal aid services, the articles emphasize the importance of transparency, independent oversight, and sustained institutional commitment to reform. They also reveal the dangers of symbolic compliance, where legal reforms are adopted in form but not in substance, perpetuating the illusion of accountability while leaving structural problems unaddressed.

Finally, the edition reflects a commitment to social justice as a core value of legal advocacy. The articles consistently emphasize the importance of protecting vulnerable groups, expanding access to justice, and addressing the structural inequalities that perpetuate legal exclusion. This commitment is evident in the focus on home-based workers, poor communities, children, and consumers, all of whom are disproportionately affected by legal gaps and enforcement failures. The contributions argue that legal advocacy must be oriented toward empowerment, not merely representation, and must address the root causes of injustice rather than merely its symptoms.

In publishing this thematic issue, we aim to contribute to a robust and reflective conversation on the future of legal advocacy and legal services in Indonesia and the region. We thank the contributing authors for their insightful work, and we hope that the dialogues initiated here will extend beyond the pages of this journal—into classrooms, courtrooms, legislative chambers, and communities in need of legal voice and protection. We also express our gratitude to the reviewers for their invaluable feedback and to the editorial team for their dedication in bringing this edition to publication. As Indonesia continues its journey of legal and democratic development, the role of advocacy and legal services in protecting rights and advancing justice will only grow in importance. We invite scholars, practitioners, and policymakers to engage with the ideas presented here and to contribute to the ongoing work of building a more just, equitable, and legally empowered society.

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