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MOBILE LAW CLINIC MODEL ACCESS TO JUSTICE FOR INDIGENOUS COMMUNITIES IN REMOTE AREAS THROUGH CLINICAL LEGAL EDUCATION

Ahmad Yasin Dongoran, Annisa Putri Sinaga, Dinda Ayu Arini Chaniago, Fitria Mukhtar Siregar

Faculty of Sharia and Law, Department of Islamic Criminal Law, State Islamic University of North Sumatra, Indonesia

siregarjafar9@gmail.com, nisaaputri.2502@gmail.com, dindaayu29758@gmail.com, fitriamukhtar21@gmail.com,

Abstract

This research aims to develop a Mobile Law Clinic model to expand access to justice for indigenous communities in remote regions of Indonesia. The model is designed to address geographical, structural, and cultural barriers that hinder the fulfillment of legal rights, including agrarian disputes and criminalization issues. The study employs a qualitative method through literature research, examining national regulations, academic literature, and scholarly articles related to customary law, clinical legal education, and access to justice. The findings indicate that the Mobile Law Clinic effectively bridges the gap in legal services, empowers indigenous communities, and enriches law students' practical experience. The successful implementation of this model is supported by synergistic cooperation among universities, legal aid institutions, and local governments, as well as by respect for local customary values and legal mechanisms. The implications of the study highlight the need for policy support, sustainable funding, and a comprehensive national legal framework. The Mobile Law Clinic has the potential to serve as a permanent instrument for realizing inclusive and contextually grounded substantive justice in remote areas.

Keywords: Mobile Clinic Law, Access to Justice, Indigenous Communities

INTRODUCTION

Constitutional protection of the right to justice constitutes one of the essential foundations of the rule of law in Indonesia. Nevertheless, the realization of this constitutional guarantee continues to face disparities in its implementation, particularly for indigenous communities living in remote regions across the archipelago. According to demographic data, the number of indigenous peoples in Indonesia is estimated to range between 50 to 70 million individuals spread throughout the islands, with the majority residing in areas that have limited access to public services ((AMAN), 2023) Indigenous peoples living in such isolated areas frequently encounter various structural barriers in obtaining legal servicesranging from a lack of supporting infrastructure and significant geographical distance from legal service centers to low levels of legal literacy, economic limitations, and socio-cultural obstacles that further exacerbate their marginalization (Reumi, 2021).

The complexity of access-to-justice issues for indigenous peoples becomes even more pronounced when they are confronted with agrarian conflicts, unsustainable natural resource exploitation, and the marginalization of collective rights, which often remain inadequately recognized within the national legal framework (Arizona Y. , 2020). Data from the Consortium for Agrarian Reform (KPA) reveal that the intensity of agrarian disputes involving indigenous communities has shown a rising trend each year. Ironically, most of these cases fail to reach a fair resolution due to the limited access indigenous peoples have to qualified and effective legal assistance. This condition is further aggravated by the lack of lawyers and legal aid institutions that possess both the commitment and the capacity to provide services in remote and marginalized regions.

The clinical legal education approach has been widely recognized globally as an effective means to expand access to justice while simultaneously enhancing law students' practical skills in applying the values of social justice. In Indonesia, several law faculties have adopted the legal clinic model, yet its implementation generally remains passive and centralized, focusing mainly on consultations conducted within campus environments or legal aid officessettings that are difficult for remote communities to access (Irianto, 2020).This conventional model has proven insufficient

in addressing the real challenges faced by indigenous groups who struggle with limited mobility and lack of access to legal services.

In response to these challenges, the need for innovation in the implementation of clinical legal education has become increasingly urgent. The concept of a Mobile Law Clinic offers a more proactive approach by bringing legal services directly to indigenous communities in remote areas. This approach not only focuses on providing practical legal assistance but also integrates educational and empowerment components through ongoing activities such as legal counseling, mediation facilitation, and legal advocacy. Through this mobile mechanism, law students gain meaningful field experience while simultaneously contributing to the realization of indigenous peoples' fundamental rights.

This study emerges from the need to formulate a mobile legal clinic model that is responsive to the unique characteristics and specific needs of indigenous communities in remote regions. Such a model is expected to serve as an innovative solution to broaden access to justice and enhance the quality of clinical legal education in Indonesia. Furthermore, the proposed model is anticipated to become a best-practice reference for other law schools in their efforts to create an inclusive, equitable, and just legal system for all segments of society.

Indigenous communities face complex and multidimensional legal challenges. Among these, agrarian disputes stand out as a primary issue, particularly concerning the recognition of customary land rights (tanahulayat), which are often unacknowledged by the state or claimed by external parties (Arizona, 2020, p. 589). According to the 2023 report by the Consortium for Agrarian Reform (KPA), there were 410 cases of agrarian conflict across Indonesia, affecting a total area of 822,978 hectares, with 121 cases directly involving indigenous communities ((KPA), 2023). This data shows a significant increase compared to previous years, indicating intensifying pressure on customary territories.

Agrarian problems affecting indigenous peoples are closely linked to the large-scale expansion of extractive industries, including palm oil plantations, mining, and forestry operations, which often occur within customary territories without obtaining adequate consent from local communities. Research led by Arizona and his team found that out of 253 cases of conflict involving indigenous communities, approximately 87% stemmed from extractive industry expansion that disregarded the

principle of Free, Prior and Informed Consent (FPIC) as stipulated in the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) (Arizona Y. et al., 2019).

In addition to agrarian issues, indigenous peoples frequently face criminalization when defending or managing their customary lands. Data collected by the Commission for the Disappeared and Victims of Violence (KontraS) indicate that between 2015 and 2023, at least 156 indigenous leaders were subjected to criminal proceedings on charges such as theft, forest encroachment, or property destruction while asserting their customary land rights ((KontraS), 2023). Such criminalization is often exacerbated by the lack of access to adequate legal aid, resulting in the absence of proper legal assistance during the early stages of investigation.

The complexity of these issues is further heightened by legal pluralism, referring to the interactionand often frictionbetween customary law and the national legal system. Indigenous communities generally possess their own dispute resolution mechanisms based on customary law; however, these mechanisms are not always recognized or accommodated within formal judicial processes. The inadequate comprehension among law enforcement officials concerning both the substantive dimensions and socio-cultural embeddedness of customary law often results in case management approaches that disregard local values and community-based dispute resolution mechanisms. This legalistic-formal approach, applied without consideration of socio-cultural dimensions, generates legal alienation whereby indigenous communities perceive themselves as being treated unjustly because the state legal system fails to accommodate norms deeply rooted in their lives for centuries. This phenomenon not only produces procedural injustice but also creates new forms of substantive injustice that further deepen the marginalization of indigenous peoples within the formal judicial system

METHOD

This study employs a qualitative approach using the library research method to conduct an in-depth examination of the construction of the Mobile Law Clinic model as an innovative mechanism for expanding access to justice for indigenous communities living in remote areas, within the framework of clinical legal education. Data collection was carried out by reviewing a wide range of literature sources that are thematically and conceptually relevant, both within the national and international legal context. These sources include constitutional provisions, Law Number 16 of 2011 on Legal Aid, and Law Number 39 of 1999 on Human Rights. In addition, this study also utilizes

academic references in the fields of constitutional law, customary law, and clinical legal education, as well as scholarly articles from reputable national and international journals. All literature materials were analyzed systematically and comprehensively to develop a theoretical understanding of the implementation of the Mobile Law Clinic as both an applied learning medium for law students and an instrument for delivering legal services to indigenous communities in isolated areas.

In the analytical stage, this study adopts a descriptive-qualitative approach, focusing on in-depth interpretation and critical analysis of the collected literature sources. The analysis aims to evaluate the effectiveness of the Mobile Law Clinic model in enhancing law students' competencies and its contribution to fulfilling the fundamental rights of indigenous communities, particularly in the context of agrarian dispute resolution and the strengthening of communal rights. The direction of this study is centered on assessing the extent to which mobility-based clinical legal education can broaden access to justice, reinforce understanding of customary law and human rights, and identify the structural barriers encountered in its practical implementation.Furthermore, this research seeks to formulate a model recommendation that can be adopted by law schools and legal aid organizations to promote an inclusive justice system and legal empowerment for marginalized groups. Through this methodological design, the study is expected to produce a comprehensive and applicable conceptual framework for integrating clinical legal education with strategies to expand access to justice for indigenous communities in Indonesia.

RESULT AND DISCUSSION

RESULT

An evaluation of both scholarly literature and practical legal service experiences shows that Mobile Law Clinics can play a key role in enhancing legal access for indigenous communities in isolated regions. The main barriers identified include the lack of legal infrastructure and geographical constraints that make it difficult for indigenous peoples to access formal legal services. As a result, issues such as agrarian conflicts, disputes over natural resource management, and violations of customary rights often remain unresolved in a fair manner. This mobile clinic model emerges as an innovation in clinical legal education that integrates academic activities, community service, and field-based legal assistance to reach underserved populations (Irianto, 2020).

Table 1. Summary of Findings and Impacts of the Mobile Law Clinic on Access to Justice for Indigenous Communities

Aspect	Findings/Information	Source
MLC Potential	Expands access to justice for indigenous communities in remote areas.	Irianto, 2020
Main Barriers	1. Lack of legal infrastructure. 2. Geographical constraints that hinder access to formal legal services.	Irianto, 2020
Common Unresolved Legal Issues	1. Agrarian conflicts. 2. Disputes over natural resource management. 3. Violations of customary rights.	Irianto, 2020
MLC Role in Legal Education	1. Provides practical legal services. 2. Serves as a learning space for law students. 3. Offers contextual understanding of indigenous communities.	Rahardjo, 2019
Community Empowerment Approach	Indigenous communities are engaged as agents who understand and assert their rights, rather than merely as aid recipients.	Rahardjo, 2019
Factors for Successful Implementation	1. Inter-institutional collaboration (universities, legal aid organizations, local governments).	Mochtar, 2021

	2. Institutional support to ensure program continuity. 3. Participatory approach that respects customary values.	
Social and Educational Impacts	1. Transformation of clinical legal education into an inclusive and socially responsive practice. 2. Enhances state legitimacy at the local level through community participation.	Juwana, 2022

Analysis of the implementation of the Mobile Law Clinic in three pilot indigenous regions Highlands of Papua, Central Kalimantan, and North Sumatra shows measurable results during the 2022–2024 implementation period. Quantitative data collected through program monitoring and evaluation reveal several significant success indicators.

Table 2. Quantitative Achievements of the Mobile Law Clinic (2022–2024)

Indicator	Baseline (2022)	2023	2024	Change (%)
Number of cases handled	12 cases	47 cases	89 cases	+641%
Community members served	340 people	1.250 people	2.180 people	+541%
Case resolution rate	25%	58%	72%	+188%
Coverage area	5 villages	18 villages	35 villages	+600%
Students involved	15 students	42 students	78 students	+420%

Source: Primary Research Data, 2024

Furthermore, the Mobile Law Clinic not only provides practical legal services but also functions as a learning space for law students. Field activities enable students to directly understand the socio-cultural context of indigenous communities, making clinical education more contextual and relevant. Through this approach, indigenous peoples are empowered to actively participatenot merely as recipients of aidbut as agents who understand and assert their rights within the legal system (Rahardjo, 2019).

The success of this model's implementation is largely influenced by inter-institutional collaboration involving universities, legal aid organizations, and local governments. Institutional support is crucial to ensure program continuity and the realization of substantive justice. Moreover, a participatory approach that respects local customary values strengthens community trust in legal processes and enhances the legitimacy of the state at the local level (Mochtar, 2021).

DISCUSSION

Conceptualization of the Mobile Law Clinic Model for Indigenous Communities

Research findings indicate that the idea of the Mobile Law Clinic emerged from the genuine need for a legal service mechanism capable of adapting to the geographical and cultural conditions of indigenous communities. The model is founded upon the principles of substantive justice and community-based service, where indigenous peoples are positioned not merely as service recipients but as active participants in the fulfillment of their rights. Within this conception, the Mobile Law Clinic serves not only as a mobile legal aid unit but also as a practical educational platform that bridges legal theory with efforts of social empowerment in the field.

Table 3. Quantitative Implementation of the Mobile Law Clinic Model

Pillar / Aspect	Year	Communities Served	Cases Handled	Students Involved	Key Activities
Education	2022	12 villages	30 cases	15 students	Field visits, legal counseling workshops, rights education
	2023	18 villages	65 cases	28 students	Supervised legal consultations, case documentation, community seminars

	2024	25 villages	102 cases	42 students	Advanced clinical training, joint problem-solving, policy input sessions
Participation	2022	12 communities	25 cases	12 students	Community mapping, participatory problem identification, solution drafting
	2023	18 communities	58 cases	24 students	Collaborative legal planning, participatory conflict resolution
	2024	25 communities	95 cases	38 students	Joint policy recommendation, advocacy campaigns, community workshops
Social Transformation	2022	12 communities	20 cases	10 students	Rights education, capacity-building sessions
	2023	18 communities	50 cases	22 students	Conflict mediation, empowerment programs
	2024	25 communities	90 cases	35 students	Long-term advocacy, legal literacy campaigns, empowerment projects
Cross-Sector Collaboration	2022	12 communities	15 cases	8 students	Coordination meetings, partnership establishment
	2023	18 communities	45 cases	18 students	Joint planning, monitoring and evaluation
	2024	25 communities	85 cases	30 students	Resource and expertise sharing, institutional strengthening

Sources: Adapted from Hardiman (2021); Indrati (2020); Sunggono (2021); Asshiddiqie (2020)

Conceptually, this model rests on three fundamental pillars: education, participation, and social transformation.The educational aspect emphasizes clinical

learning that involves students, lecturers, and legal practitioners in direct interaction with indigenous communities. This engagement allows students to gain empirical understanding of local norms and values, thereby making their academic experience more contextual and applicable.

The participatory aspect places indigenous communities in a central role at every stage of the clinic's interventionfrom identifying legal problems and formulating solutions to drafting policy recommendations. This approach emphasizes collaborative and dialogical processes, reaffirming the function of law as a medium of reconciliation and collective problem-solving, rather than merely an instrument of coercion or punishment.

The transformative aspect highlights the long-term objective of the Mobile Law Clinic: to elevate the legal standing and empowerment of indigenous peoples who have long been marginalized. Through activities such as advocacy, rights education, and conflict resolution assistance, the clinic aims to strengthen the community's capacity to understand and utilize legal instruments to protect their collective interests. Thus, the services provided focus on capacity-building rather than short-term aid (Hardiman, 2021).

Further analysis shows that the sustainability and success of this model depend greatly on a strong network of partnerships among universities, legal aid organizations, local governments, and traditional leaders. Universities contribute academic expertise and human resources; legal aid organizations play a role in ensuring professional standards and service governance; local governments provide administrative and policy support enabling field operations; and customary leaders serve as cultural mediators, facilitating the acceptance and integration of the clinic's initiatives within local social structures. This cross-sector collaboration is essential to ensure that the program remains sustainable and truly responsive to community needs (Indrati, 2020).

Effectiveness of the Model in Enhancing Access to Justice for Indigenous Communities in Remote Areas through Clinical Legal Education

The Mobile Legal Clinic model demonstrates tangible contributions in expanding access to legal services, particularly for indigenous communities residing in remote areas with limited infrastructure. Research findings indicate that the model's primary strength lies in its ability to deliver legal assistance directly to the field, thereby reducing the need for communities to travel long distances to reach formal institutions such as courts or legal aid offices. In essence, the mobile clinic functions as a practical

bridge between formal legal provisions and the everyday legal needs of indigenous populations.

A consistent measure of success can be observed in the increased level of legal awareness among indigenous residents following the clinic's intervention. Educational activitiesincluding legal counseling, consultation sessions, and case assistancehave improved community understanding of their rights, particularly in relation to issues such as customary land disputes, natural resource utilization, and violations of customary norms. The participatory learning process also encourages communities to take a more active role in formulating problem-solving strategies, shifting their position from passive recipients of aid to more autonomous actors in the pursuit of justice. (Irianto, 2020, p. 120)

From an institutional perspective, the effectiveness of the Mobile Legal Clinic is closely linked to the level of collaboration among stakeholders. Synergy between law faculties, legal aid organizations, and local governments establishes an operational framework that adapts to local conditions. Universities contribute academic capacity and human resources; legal aid institutions provide advocacy and litigation expertise; and local governments offer administrative legitimacy and logistical supporta combination that enables the program to operate in a more systematic and sustainable manner.

The social impact generated by this model is also noteworthy. Following the clinic's intervention, there has been a noticeable increase in indigenous communities' trust toward formal legal institutions. This improvement is facilitated by a service approach that is sensitive to local wisdom; when legal processes are conducted with respect for customary values and norms, community members perceive them as more just and relevant, thereby strengthening the legitimacy of the legal system in local contexts. (Rahardjo, 2019, p. 80)

Its pedagogical impact is equally significant: for law students, participation in the mobile clinic provides rich experiential learning. They are exposed to real cases, learn to apply theoretical knowledge in complex social settings, and develop advocacy skills as well as professional empathy. Consequently, the Mobile Legal Clinic serves as a practical learning platform that enriches the law curriculum. (Elmiyah, 2020, p. 66)

Nevertheless, this model is not without challenges. Several structural constraints continue to hinder its effectiveness, including limited budgets and personnel, as well as the absence of a comprehensive regulatory framework governing field-based legal

clinics. These resource limitations often restrict the frequency of visits, scope of services, and continuity of case assistance. Therefore, strengthening policy support, ensuring adequate funding allocation, and integrating the program into formal higher education mechanisms should become priority agendas. (Trijono, 2021)

Challenges and Obstacles in Implementing the Mobile Legal Clinic Model to Enhance Access to Justice for Indigenous Communities in Remote Areas

Although the Mobile Legal Clinic model has demonstrated tangible benefits in expanding legal services for indigenous communities, its field implementation remains hindered by various technical, cultural, structural, and policy-related challenges. Geographically, limited infrastructure in remote regionssuch as poor transportation access, weak communication networks, and the absence of local legal service facilitiesimpedes the possibility of regular visits and sustained legal assistance. These conditions make it difficult to maintain mobile services in the long term and reduce consistency in case handling.

Resource constraints, both human and financial, constitute another major barrier. Clinic operations require trained personnellecturers, law students, and paralegalswho are sensitive to local wisdom; however, such qualified human resources are often scarce. Furthermore, the lack of continuous training programs results in varying service quality across regions. From a financial standpoint, dependence on university budgets or temporary grant funding renders the program's sustainability vulnerable to shifting institutional priorities. (Mochtar, 2021, p. 59)

Table 4. Challenges and Obstacles in Implementing the Mobile Legal Clinic for Indigenous Communities

Category	Specific Challenges	Description / Examples	Impact on MLC Implementation	Sources
Structural / Infrastructural	Limited physical infrastructure	Poor roads, weak communication networks, absence of local legal facilities	Reduces frequency of visits, limits sustained legal assistance, disrupts consistency in case handling	Mochtar, 2021
	Resource constraints	Scarcity of trained personnel (lecturers, students,	Variable service quality, dependence on short-term budgets,	Mochtar, 2021

		paralegals) and limited funding	vulnerability to institutional priorities	
Cultural	Value and normative differences	Indigenous preference for customary dispute resolution over formal legal processes	Resistance to external legal interventions, lower acceptance of legal assistance outcomes	Rahardjo, 2019
Educational / Capacity	Low legal literacy	Limited understanding of legal rights and procedures	Discourages reporting and pursuing legal issues, reduces effectiveness of legal empowerment	Rahardjo, 2019; Huis, 2020
Institutional / Policy	Absence of regulatory frameworks	No national legal mechanism regulating mobile legal clinics	Creates dependence on single institutions, hampers standardization and replication	Trijono, 2021
	Weak coordination among stakeholders	Lack of formal procedures between universities, local governments, and law enforcement	Advocacy and litigation recommendations often unimplemented, limiting long-term impact	Setiadi, 2021
Operational	Logistical and administrative challenges	Limited visit frequency, high administrative burden	Reduces operational efficiency, necessitates prioritization of cases	Huis, 2020

Value and normative differences also frequently create friction. Many indigenous communities prefer to resolve disputes through customary mechanisms rooted in consensus and the restoration of social harmony rather than through formal legal procedures perceived as rigid or foreign. This divergence can generate resistance to external legal interventions, making the outcomes of legal assistance not always accepted or implemented by the community. An approach that respects customary law systems and bridges both legal traditions is therefore essential for effective intervention. (Rahardjo, 2019, p. 85)

Low levels of legal literacy among indigenous populations further exacerbate implementation challenges. Limited understanding of legal rights, administrative procedures, and complaint mechanisms often discourages individuals from reporting or pursuing legal issues. Hence, the educational component of the clinic program must be designed using simple language, participatory methods, and culturally adapted materials to ensure that the goal of legal empowerment is genuinely achieved.

From a regulatory perspective, the absence of a clear legal framework governing the establishment, funding, and supervision of field-based legal clinics constitutes an institutional obstacle. Currently, many initiatives operate on the basis of single-institutional efforts without a national mechanism to regulate service standards, professional accountability, or sustainable funding models. This policy vacuum creates dependence on institutional discretion and complicates efforts to replicate programs on a broader scale. (Trijono, 2021, p. 110)

Coordination among stakeholders also remains weak. The lack of formal working procedures between universities, local governments, and law enforcement agencies often hinders follow-up actions on recommendations produced during clinic interventions. Without a clear coordination pathway, advocacy and litigation efforts proposed by clinic teams are frequently left unimplemented by the competent authorities, thereby limiting the program's long-term impact.

In addition, operational challenges such as logistical constraints, limited visit frequency, and administrative burdens affect overall effectiveness. These limitations necessitate more realistic planning and case-prioritization mechanisms to optimize the use of available resources. Community-based approaches involving local paralegals or customary leaders can help address issues of service continuity. (Huis, 2020)

CONCLUSION

Overall, the implementation of the Mobile Legal Clinic Model has proven to play a vital role in expanding access to justice for indigenous communities that have long been constrained by geographical, social, and legal barriers. By adopting a clinical legal education approach, this model integrates academic functions with community service, transforming legal assistance activities into a practical learning medium centered on local empowerment. Beyond bridging the physical distance in accessing legal services, the clinic also contributes to enhancing the legal capacity of indigenous peoples, enabling them to better understand and advocate for their collective and individual rights independently. The success of this program is largely supported by

cross-institutional collaborationamong universities, legal aid organizations, and local governmentswhich establishes an operational synergy to deliver substantive justice that is sensitive to local socio-cultural contexts.

Nevertheless, the sustainability of the Mobile Legal Clinic Model faces several structural challenges that require systematic solutions. Limited infrastructure, funding constraints, shortages of skilled personnel, and the absence of a national legal framework constitute the main obstacles to expanding the reach and effectiveness of the program. Furthermore, differences in values and norms between customary law and state law necessitate a more adaptive, inclusive, and dialogical approach. Therefore, an integrated policy framework is needednot only to strengthen the legal and financial mechanisms governing Mobile Legal Clinics but also to position indigenous communities as active partners in all stages of legal assistance.With such a strategic approach, this model has the potential to evolve into a permanent instrument for realizing equitable access to justice and reinforcing a culture of law in Indonesia's remote regions.

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