



RESEARCH PAPER

## Socioeconomic and Demographic Factors and Access to Legal Assistance in Indonesia

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Received: 20 Nov. 2023, Revised: 19 Jan. 2024, Accepted: 18 Feb. 2024, Published: 31 Mar. 2026

Publisher: The University of Tehran Press.

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### Abstract

Access to legal assistance is still limited in Indonesia. This study aims to investigate the link between socioeconomic and demographic factors and access to legal assistance in Indonesia. Data are drawn from the 2021 National Socioeconomic Survey (SUSENAS). The analysis focuses on individuals aged 15 years and above who have ever experienced a crime and reported it to the police. The dependent variable is whether a person receives legal assistance during and after reporting a crime to the police. Independent variables include gender, age, marital status, education, place of residence (urban/rural), island of residence, and employment status. A binary logistic regression model is employed to examine the effects of the independent variables on the dependent variable. The results indicate that a higher probability of receiving legal assistance is associated with being female, aged 15-29 years, unmarried, having completed senior high school, living in rural areas, residing outside Sumatra, and being employed. The findings highlight the need to improve access to legal assistance, particularly for males, older individuals, married persons, those with little or no formal education, urban dwellers, Sumatran residents, and the unemployed.

**Keywords:** demographic determinants, Indonesia, legal assistance, legal capability, socioeconomic.

**JEL Classification:** K14, K15, O15, Y10.



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**Cite this article:** Rajagukguk, W., Samosir, O. B., & Samosir, P. (2026). Socioeconomic and Demographic Factors and Access to Legal Assistance in Indonesia. *Iranian Economic Review*, 30(1), 84-100.

**Introduction**

Access to law and justice is an integral part of sustainable development goals (SDGs) and inclusive growth. An estimated four billion people worldwide lived outside the protection of the law, primarily due to poverty or marginalization (OECD, 2016). In September 2015, members of the United Nations made an important breakthrough by agreeing to SDG Target 16.3, which aims to "Promote the rule of law at the national and international levels and ensure equal access to justice for all."

In Indonesia, this commitment is reflected in the 2020-2024 National Midterm Development Plan (PP RI, 2020). The plan states that improving access to justice will be achieved by strengthening services for all community groups, including enhancing the quality of legal assistance, improving formal and informal mechanisms, and expanding the affordability of justice services. However, access to legal assistance remains limited for certain community groups. For example, Statistics Indonesia reported that only 16.2% of women who experienced violence received legal assistance in 2019 ([www.bps.go.id](http://www.bps.go.id)). Meanwhile, almost a fifth of the poor did not receive legal assistance (BAPPENAS, 2022).

The potential effects of legal and justice services have been proposed (e.g., Solow, 1956; North, 1991; OECD, 2019). Solow (1956) proposed that economic growth is a positive function of physical capital, human capital, and technological innovation growth. Under the assumption of constant returns to scale and a competitive market, economic output can be related to technological progress and institutional change. Some forms of institutional change are the rule of law, law and order, and property rights. If private property rights are weakly protected, individuals are less likely to invest in physical capital (e.g., business facilities, plants) as such assets are vulnerable to appropriation.

Institutions are the human-devised constraints that structure political, social, and economic interaction, fostering synergies that can drive economic growth (North, 1991). Institutions provide the incentive structure of an economy. Institutions shape the direction of change in an economy towards growth, stagnation, or decline. Economic institutions include the rule of law.

OECD (2019) highlighted that people-focused, effective, and efficient access to justice leads to: increased trust in legal services; cost savings and enhanced productivity within the justice system; and higher client satisfaction. In turn, these outcomes contribute to improved access to education, social benefits, income support, healthcare, and child welfare. Furthermore, they promote housing stability and homelessness prevention, enhance gender equality and reduce domestic

violence, increase employment access and levels, and reduce recidivism while improving victim support. Additionally, these will foster reduced multidimensional inequalities and economic growth.

Several studies have examined the impact and relationship between the rule of law and economic growth (e.g., Smith et al., 2011; Gherghina et al., 2019; Shala, 2019; Glawe and Wagner, 2019; Al-Naser and Hamdan, 2021; Linawati et al., 2021; Nairobi and Kenita, 2021; Stadnyk et al., 2022; Sendra-Pons et al., 2022; Mayboroda and Spirin, 2023). Smith et al. (2011), in a study of New York State, found that community legal aid improved state assistance for low-income residents and reduced the need for federal and local government benefit expenditures. They also found that unmet needs for public legal assistance severely affected vulnerable populations and cost taxpayers millions through increased homelessness, unchecked domestic violence, and exacerbated poverty.

Gherghina et al. (2019) tested the relationship between the rule of law and gross domestic per capita using panel data for 2003–2016 in 11 Central and Eastern European Countries. The study results show that control of corruption, government effectiveness, regulatory quality, rule of law, and voice of accountability positively affected economic growth. There was a direct dependence of economic growth on the rule of law in the former Soviet Union countries in Central and East Asia (Shala, 2019). Using data from 41 countries (2003-2018), the study shows that strengthening the rule of law is crucial for economic transformation.

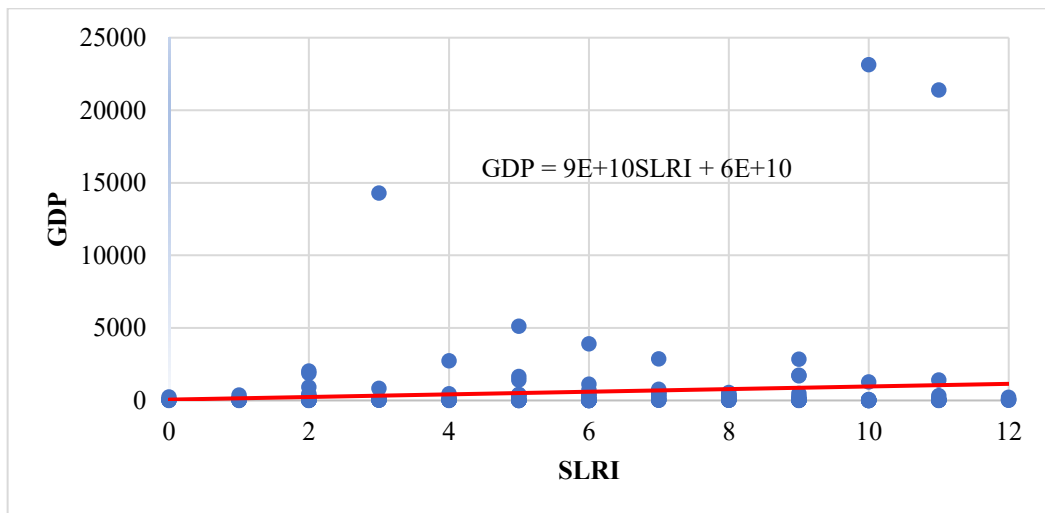
Institutional quality is the key driver of Europe's growth of per capita income. Glawe and Wagner (2019) employed GMM estimation on panel data from 35 European countries for the period 1996-2014. It was found that political stability, rule of law, regulatory quality, and control of corruption positively impacted per capita income growth.

Al-Naser and Hamdan (2021) researched Gulf Cooperation Council (GCC) countries using panel data for 1996-2019. It was found that the variables control of corruption, government effectiveness, regulatory quality, and rule of law significantly impacted GDP growth and GDP per capita growth.

For OIC developing countries, Linawati et al. (2021) found that the rule of law positively influences economic growth and the Human Development Index. Nairobi and Kenita (2021) analyzed the ASEAN Economic Community (AEC) to address investor concerns about regional single-market integration. Using data analysis from 10 ASEAN member countries in 2007-2018, it was found that the rule of law, voice and accountability, foreign direct investment, employment, and initial development had a positive impact on the economy in the region.

Sendra-Pons et al. (2022) proposed that a country's institutional framework plays a crucial role in promoting entrepreneurship, which promotes economic growth. Entrepreneurship occurs when the rule of law is well established. Stadnyk et al. (2022) analyzed the impact of the rule of law, effective public authorities, democratic standards, and anti-corruption policies on economic growth across 25 European countries. Countries with higher Rule of Law Index scores also tended to exhibit higher economic growth, better Corruption Perceptions Index scores (indicating less corruption), and higher Democracy Index scores.

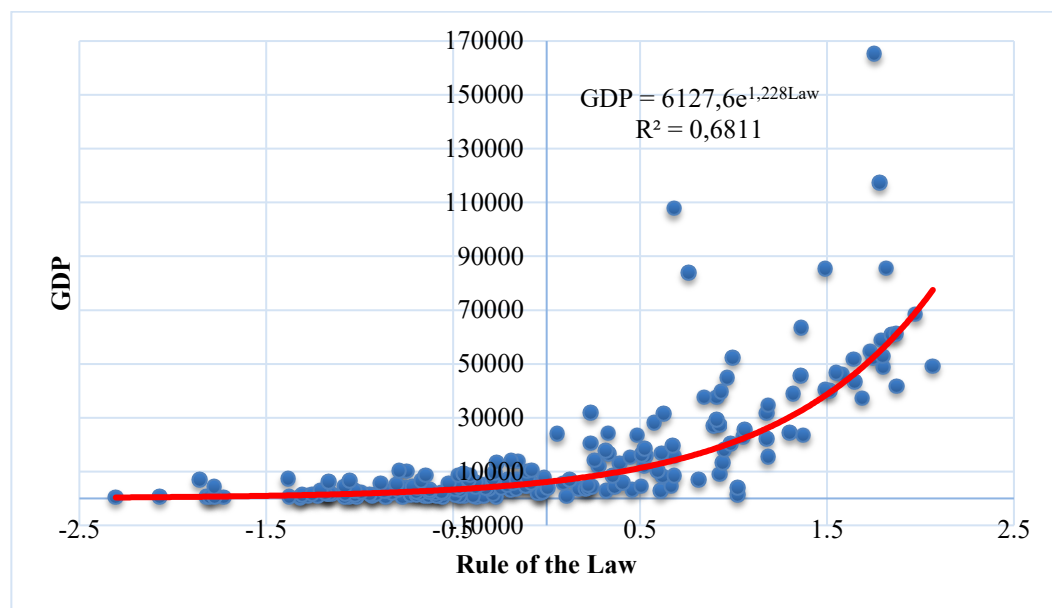
The data from the World Bank (2023) indicate the positive relationships between legal and justice services and economic growth. Figure 1 shows a positive relationship between the Strength of Legal Rights Index (SLRI) and economic growth. A one-point increase in the SLRI was associated with a US\$ 90 billion increase in GDP.



**Figure 1.** Strength of Legal Rights Index and Economic Growth (GDP Current US\$), World Countries, 2019

**Source:** World Bank (2023).

Meanwhile, Figure 2 plots the relationship between the Rule of Law and GDP per capita for 199 countries in 2020, suggesting an exponential trend. The Rule of Law exhibits an exponential association with economic growth. In other words, countries with stronger Rule of Law tend to experience higher levels of economic growth.



**Figure 2.** Rule of the Law and GDP per Capita, World Country, 2020

Source: World Bank (2023).

The important economic impacts of access to legal assistance imply the need to study its determinants. Previous research has proposed a relationship between socioeconomic and demographic factors and access to justice (Schulteis, 2014; OECD, 2016, 2019). Schulteis (2014) argued that access to civil legal aid services is a complex and multi-faceted issue. Accessibility of legal services is influenced by geographical proximity between client and provider, the organizational characteristics of providers, and the characteristics of the potential client population. Determinants related to client characteristics include income, place of residence, race, and English proficiency.

Meanwhile, OECD (2016) elaborated that barriers to obtaining legal justice included, among others, geography, shortages in service delivery, social relations of place, digital divide, and cost. Geographical factors comprised transport and infrastructure challenges and economies of scale. Shortages in service delivery involved career and economic challenges and a lack of diversity in specialization. Social relations of place encompassed community networks for information flow and conflicts of interest. Digital divide factors consisted of barriers to physical access to services, gaps in online activity, socioeconomic factors, and connectivity through social networks. Costs included direct and indirect costs.

The OECD (2019) proposed that some people, such as those with low income and education, are less capable of managing legal problems themselves. Legal

capability is defined as the individual characteristics or skills crucial for effectively solving legal problems. It usually involves competencies across a number of areas, including adequate cognitive, communication, and literacy abilities to successfully seek and obtain legal information or aid (McDonald and People, 2014).

A number of studies on the nexus between socioeconomic and demographic factors and access to legal assistance have been conducted (e.g., UNODC, 2011; Paradies, 2013; Motley and Joe, 2018; Bravemann et al., 2022). UNODC (2011) found that literacy was an important determinant of access to legal assistance. In Africa, literacy skills for conveying legal needs were crucial so that police and law enforcers could help provide legal assistance. Paradies (2013) conducted a study on police legal protection in Australia during 2006-2009. The study found that people of African background were more likely to be stopped by police than other groups, despite having lower crime rates.

Motley and Joe (2018) researched police response and protection after reporting experienced crimes, using 2011 data from the U.S. Bureau of Justice Statistics. They found that the victims of crime who were less likely to receive legal response and protection were those who were black, male, and who had income below \$20,000. Furthermore, Braveman et al. (2020) found disparities in obtaining legal assistance from police in the USA. Racial discrimination exists in police provision of legal assistance. Law enforcement is related to systematic racism and economic opportunities.

Studies on the determinants of access to legal assistance are very limited, particularly in Indonesia. It is partly due to the limited data availability. Therefore, this study generally aims to examine the nexus between socioeconomic and demographic factors and access to legal assistance in Indonesia. The specific objectives are: (i) to examine differentials in access to legal assistance by socioeconomic and demographic factors, and (ii) to assess the association between each factor and access to legal assistance after controlling for other factors. This research was made possible by the availability of national-scale data from Statistics Indonesia's 2021 National Socioeconomic Survey (SUSENAS), which included information on access to legal assistance.

### **Methods and Materials**

The data in this study were obtained from the 2021 National Socioeconomic Survey (SUSENAS). SUSENAS was conducted by Statistics Indonesia in March 2021. The survey included all provinces in Indonesia and was carried out to produce data on socioeconomic and sustainable development at district, province,

and national levels. The analysis focused on individuals aged 15 years and above who had ever experienced a crime and reported it to the police.

The dependent variable was whether a person who ever experienced a crime and reported it to the police received legal protection/assistance during and or after reporting ( $Y = 1$  if yes,  $= 0$  if no). This variable was obtained from question number R904 (Have you ever experienced a crime?), then refined with question R914 (If you experienced a crime, did you report it to the police) and then R915 (When an incident occurred? in the reporting process, did you receive/accompanied by legal assistance?). Meanwhile, the independent variables were socioeconomic and demographic background characteristics of the respondents: gender ( $GENDER=1$  if male,  $=0$  if female), age ( $AGE=0$  if 15-29,  $=1$  if 30-54,  $=2$  if 55+), marital status ( $MARITAL=1$  if married,  $=0$  if not yet married), education ( $EDUCATION=0$  if no schooling/incomplete primary school and complete primary school,  $=1$  if complete junior secondary school,  $=2$  if complete senior secondary school,  $=3$  if complete university), place of residence ( $URBAN=1$  if urban,  $=0$  if rural), island of residence ( $ISLAND=0$  if Sumatra,  $=1$  if Java,  $=2$  if Bali and Nusa Tenggara,  $=3$  if Kalimantan,  $=4$  if Sulawesi,  $=5$  if Maluku and Papua), and work status ( $WORK=1$  if working,  $=0$  if not working).

Data in this study were analyzed using univariate, bivariate, and multivariate analyses. Univariate analysis was used to examine the percentage distribution of respondents' socioeconomic and socio-demographic characteristics. Bivariate analysis was employed to examine differentials in access to legal assistance across socioeconomic and socio-demographic characteristics. Multivariate analysis, specifically binary logistic regression, was utilized to study the association between socioeconomic and socio-demographic factors and access to legal assistance.

The binary logistics model used is as follows:

$$\ln\left(\frac{p}{1-p}\right) = \beta_0 + \beta_1 GENDER + \beta_{21} AGE1 + \beta_{22} AGE2 + \beta_3 MARITAL \\ + \beta_{41} EDUCATION1 + \beta_{42} EDUCATION2 + \beta_{43} EDUCATION3 \\ + \beta_5 URBAN + \beta_{61} ISLAND1 + \beta_{62} ISLAND2 + \beta_{63} ISLAND3 \\ + \beta_{64} ISLAND4 + \beta_{65} ISLAND5 + \beta_7 WORK + \varepsilon$$

$p$  is the probability of receiving legal assistance ( $Y = 1$ ).  $\beta_0$  is the model intercept.  $\beta_k$  is the regression coefficient for the  $k$ -th independent variable,  $k = 1, 2, \dots, 7$ .  $\varepsilon$  is the error term.

A multicollinearity diagnostic test was conducted for all independent variables. In addition, to assess the overall goodness-of-fit, the Hosmer-Lemeshow test and the chi-squared test were also performed (Hosmer et al., 2013). A scalar measure of the goodness of fit test was carried out employing the Nagelkerke determination coefficient ( $R^2$ ).

### Results and Discussion

Of the 2,055,232 respondents who had experienced a crime, 483,206 (23.5%) reported it to the police. Among those who reported to the police, 108,721 (22.5%) received legal protection/assistance in connection with their report (Table 1).

**Table 1.** Respondents who Experienced Crime and Reported it to the Police: Indonesia

Number	Question	Question No.	Frequency
1	Experienced crime	R904	2,055,232
2	Reported to the police	R914	483,206
3	Received legal assistance	R915	108,721

Source: SUSENAS, 2021.

The results of univariate analysis were presented in Table 2. It can be seen that the majority of those who reported to the police were male, aged 30-54 years, married, had completed high school education, lived in rural areas, were domiciled in Java Island, and were employed.

The results of bivariate analysis were given in Table 3. It can be seen that the percentage of those who reported a crime to the police and received legal assistance differed by socioeconomic and demographic background characteristics. The percentage was higher among males (22.6%), individuals aged 30-54 years (23.4%), married individuals (22.6%), those with no formal education or incomplete elementary school (23.7%), residents of rural areas (26.3%), residents of Kalimantan Island (26.8%), and employed individuals (23.0%).

**Table 2.** Percentage Distribution of Respondents by Background Characteristics: Indonesia

Background characteristics	Number of observations	Percentage
<b>Gender</b>		
Male	323.293	66.9
Female	159.913	33.1
<b>Age (years)</b>		
15-29	141.263	29.2
30-54	271.585	56.2
55+	70.583	14.6
<b>Marital status</b>		
Not yet married	102.986	21.3
Married	380.220	78.7
<b>Education</b>		
No schooling/incomplete primary school and complete primary school	122.878	25.4
Complete junior secondary school	87.343	18.1
Complete senior secondary school	193.415	40.0
Complete university	79.571	16.5
<b>Place of residence</b>		
Urban	120.909	25.0
Rural	362.297	75.0
<b>Island of residence</b>		
Sumatera	119.039	24.6
Java	272.297	56.4
Bali and Nusa Tenggara	17.609	3.6
Kalimantan	22.562	4.7
Sulawesi	36.964	7.6
Maluku and Papua	14.736	3.0
<b>Working status</b>		
Working	355.103	73.5
Not working	128.104	26.5
<b>Total</b>	<b>483.206</b>	<b>100.0</b>

Source: SUSENAS, 2021.

The diagnostic test results of multicollinearity indicate that there was no correlation coefficient greater than 0.70. Therefore, there was no evidence of multicollinearity among the independent variables in the model. In addition, the

overall goodness-of-fit test results showed that the model adequately fits the data ( $p < 0.001$ ). Nagelkerke's pseudo- $R^2$  was 0.017, indicating that the model explains 1.7% of the variation in the probability of receiving legal assistance.

**Table 3.** Percentage of Those Who Received Legal Assistance by Background Characteristics: Indonesia

Background characteristics	Received legal assistance		Total (%)
	No (%)	Yes (%)	
<b>Gender</b>			
Male	77.4	22.6	100.0
Female	77.8	22.2	100.0
<b>Age (years)</b>			
15-29	80.4	19.6	100.0
30-54	76.6	23.4	100.0
55+	75.1	24.9	100.0
<b>Marital status</b>			
Not yet married	77.9	22.1	100.0
Married	77.4	22.6	100.0
<b>Education</b>			
No schooling/incomplete primary school and complete primary school	76.3	23.7	100.0
Complete junior secondary school	79.3	20.7	100.0
Complete senior secondary school	77.0	23.0	100.0
Complete university	78.6	21.4	100.0
<b>Place of residence</b>			
Urban	78.8	21.2	100.0
Rural	73.7	26.3	100.0
<b>Island of residence</b>			
Sumatera	81.7	18.3	100.0
Java	76.4	23.6	100.0
Bali and Nusa Tenggara	78.4	21.6	100.0
Kalimantan	73.2	26.8	100.0
Sulawesi	75.0	25.0	100.0
Maluku and Papua	75.6	24.4	100.0
<b>Working status</b>			
Working	77.0	23.0	100.0
Not working	78.8	21.2	100.0
<b>Total</b>	<b>77.5</b>	<b>22.5</b>	<b>100.0</b>

**Source:** SUSENAS, 2021.

The results of multivariate analysis are displayed in Table 4 in terms of the odds ratio of receiving legal assistance, its 95% confidence interval, and the p-value. Statistically, all socioeconomic and demographic variables in the model have significant effects on the probability of receiving legal assistance.

After controlling for other factors, gender influenced access to legal assistance. The odds of receiving legal assistance were 0.96 times lower for male clients compared to female clients (or equivalently, 1.04 times higher for female clients). This finding supports the results of the study by Motley and Joe (2018), which found that male clients had a lower probability of receiving legal assistance. In Indonesia, the higher probability of receiving legal assistance among female clients may be attributed to the cultural tendency of police to respect female clients more. In addition, it can also be caused by gender mainstreaming and women empowerment programs in Indonesia aiming to improve women's protection. Furthermore, it may also be attributed to the fact that Indonesian women today have better awareness of their legal rights, leading them to persistently seek legal assistance until they obtain it.

Holding other factors constant, age affected access to legal assistance. Compared to younger clients aged 15-29 years, the odds of receiving legal assistance were 0.61 times lower for clients aged 30-54 years and 0.88 times lower for clients aged 55 years and above. This finding confirms the importance of this demographic factor on access to legal assistance (OECD, 2019). Higher odds of accessing legal assistance among younger clients might be caused by their stronger persistence and bravery in addressing their rights and pursuing legal assistance.

*Ceteris paribus*, marital status influenced access to legal assistance. The odds of receiving legal assistance were 0.74 times lower for married clients compared to unmarried clients. This result supports the significance of this socioeconomic factor on access to legal assistance (OECD, 2019). Unmarried clients might have more time and fewer considerations when pursuing time-consuming and complicated legal assistance, as they have fewer marital obligations than married clients.

After controlling for other factors, education affected access to legal assistance. Clients with senior high school education had 1.1 times higher odds of receiving legal assistance than clients with lower education. Meanwhile, clients with university education had an odds ratio of 0.97 for receiving legal assistance compared to clients with lower education. This finding confirms the importance of this socioeconomic factor for access to legal assistance (OECD, 2019). Lower-educated clients may have less cognitive, communication, and literacy ability to

effectively seek and obtain legal assistance compared to senior high school-educated clients (McDonald and People, 2014). Contrary to expectations, the lower odds of receiving legal assistance among university-educated clients might be because they are less persistent in pursuing time-consuming and complicated legal assistance than lower-educated clients.

**Table 4.** The odds ratio of receiving legal assistance, 95% confidence interval (CI), and *p*-value of the binary logistic regression of the determinants of legal assistance: Indonesia

Covariates	Odds ratio [95% CI]	<i>p</i> -value
<b>Gender (ref: Female)</b>		
Male	0.964 [0.949 – 0.979]	<0.001
<b>Age (years) (ref: 15-29)</b>		
30-54	0.606 [0.590 – 0.623]	<0.001
55+	0.881 [0.863 – 0.898]	<0.001
<b>Marital status (ref: Not yet Married)</b>		
Married	0.738 [0.721 – 0.756]	<0.001
<b>Education (ref: No schooling/complete primary school)</b>		
Complete junior secondary school	1.006 [0.984 – 1.029]	0.579
Complete senior secondary school	1.097 [1.077 – 1.116]	<0.001
Complete university	0.966 [0.945 – 0.988]	0.002
<b>Place of residence (ref: Rural)</b>		
Urban	0.718 [0.707 – 0.730]	<0.001
<b>Island of residence (ref: Sumatera)</b>		
Java	1.455 [1.430 – 1.481]	<0.001
Bali and Nusa Tenggara	1.166 [1.121 – 1.212]	<0.001
Kalimantan	1.647 [1.593 – 1.703]	<0.001
Sulawesi	1.503 [1.462 – 1.546]	<0.001

Maluku and Papua	1.432 [1.375 – 1.492]	<0.001
<b>Working status (ref: Not working)</b>		
Working	1.099 [1.080 – 1.118]	<0.001
<b>Constant</b>	0.403	<0.001

**Source:** SUSENAS, 2021.

Holding other factors constant, place of residence influenced access to legal assistance. The odds of receiving legal assistance were 0.72 times lower for urban clients compared to rural clients (equivalently, an odds ratio of 1.1 for rural clients). This result confirms the significance of place of residence in accessing legal assistance (OECD, 2016). This could be because rural dwellers were more assertive in conveying and demanding their legal rights to the police. It might also be because legal problems in rural areas were less complex than in urban areas.

*Ceteris paribus*, island of residence affected access to legal assistance. Compared to clients in Sumatra Island, the odds of receiving legal assistance were higher for clients in Java (OR=1.46), Bali and Nusa Tenggara (OR=1.17), Kalimantan (OR=1.65), Sulawesi (OR=1.50), and Maluku and Papua (OR=1.38). Again, this finding supports the importance of region of residence in obtaining legal assistance (OECD, 2016). The higher chance of receiving legal assistance in Java, Bali and Nusa Tenggara, Kalimantan, Sulawesi, and Maluku and Papua might be because clients in these islands were more willing to cooperate with the police throughout the legal process than clients in Sumatra Island.

## Conclusion

The results of this study indicate that fewer than one-fourth of Indonesians who had experienced a crime and reported it to the police received legal assistance. This study also found that access to legal assistance differed by socioeconomic and demographic background characteristics. In addition, the results of this study confirm that socioeconomic and demographic factors were important determinants of access to legal assistance in Indonesia. A higher probability of receiving legal assistance was associated with being female, being aged 15-29 years, being unmarried, having completed senior high school education, being a rural dweller, living outside Sumatra Island, and being employed.

These findings imply that, to fulfill the commitment to justice for all, the Government of Indonesia should improve access to legal assistance, particularly

for those who are male, aged 30 years and above, married, less-educated and highly-educated, urban dwellers, Sumatrans, and unemployed.

This study was limited to a number of socioeconomic and demographic factors influencing access to legal assistance. Future studies should include other factors that may affect the probability of receiving legal assistance, such as police characteristics, which were not available in SUSENAS 2021. However, this limitation is unlikely to significantly affect the results, and this study still contributes to the study of access to legal assistance.

### Statements and Declarations

- Funding: This work does not receive any funding.
- Conflict of interest: The authors declare that there is no conflict of interest.

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