Community Access To Justice And Conflict Resolution
In Aceh And Maluku

Baseline Quantitative Survey of the Mediation and Community Legal Empowerment program in Aceh and Maluku, and the Conflict Resolution and Mediation Training program in Aceh.

DRAFT – October, 2009
Executive Summary

The Mediation and Community Legal Empowerment (MCLE) program is an access to justice program which aims to strengthen and improve fairness of dispute resolution processes and increase public trust in and access to the formal legal system. As a part of the Indonesian Government’s Support for Poor and Disadvantaged Areas project, the MCLE will operate in the provinces of Aceh and Maluku. Quantitative research on access to justice issues was conducted in those provinces as a part of a baseline investigation for a mixed method impact evaluation of the program. Parts of this qualitative research are also being used as a baseline for evaluating a program of Conflict Resolution and Mediation Training (CRT) for local leaders and project facilitators in Aceh.

MCLE and CRT Program Design
The MCLE program aims to achieve the objectives above by establishing a network of community legal aid and mediation posts and conducting awareness raising and empowerment activities. Each participating village will have one man and one woman trained as volunteer paralegals, supported by a full-time paid coordinator at the subdistrict level, and a part-time paid community lawyer at the district level. Mediation training will be provided for respected local figures such as traditional (adat) leaders. The program will train around 384 paralegals in 24 subdistricts over the two provinces. The program will be implemented by one NGO in each of the two provinces, contracted by the Ministry for Disadvantaged Areas.

The two MCLE project provinces, Aceh and Maluku, fall within the ambit of the Support for Poor and Disadvantaged Areas project because they are both remote, located at extreme ends of the archipelago, and both are recovering from serious conflicts which have set back development significantly. Aceh has been further disadvantaged because of the severe loss of life and damage done to infrastructure during the Asian Tsunami of 2004.

The CRT project is operating only in Aceh, and aims to build capacity of communities to manage conflict and mediate disputes, particularly in the context of the government’s PNPM development program and the Helsinki post civil war Memorandum of Understanding. Around 408 village leaders from 100 villages in 20 subdistricts will be trained, along with around 400 PNPM program facilitators in 90 subdistricts.

The Evaluation
This baseline study is part of an evaluation which will use a rigorous combined qualitative and quantitative approach to examine the impacts of an access to justice program on human rights and economic welfare. The MCLE evaluation is based on six key lines of enquiry (detailed in the methodology section) designed to determine improvements for program beneficiaries in terms of economic welfare, enjoyment of rights, safety and security, decrease in corruption, as well as engagement with the state justice sector. From these, a series of detailed questionaries was developed.
The evaluation involves samples from areas which receive each of three treatments. Treatment One comprises village paralegals and subdistrict legal aid posts; Treatment Two has subdistrict legal aid posts only; and Control areas are outside treatment subdistricts (but within the same larger district). Both treatments were employed in Aceh, however due to concerns about sample size and budget, only Treatment One was sampled in Maluku. Within the above constraints, treatment and control locations and samples were assigned based on a combination of randomisation and probability proportional to size sampling, explained in Appendix 1.

The quantitative evaluation comprises this baseline survey, to be followed in around two years by a follow up survey conducted in the same locations, and where possible involving the original households (a “partial panel” design). This will allow longitudinal analysis of changes over time in indicator values within population groups (villages) and in individual households, which will help compensate for initial variation between treatment and control locations.

Three separate survey instruments were administered. The Household Survey comprises a set of questions to gather standard demographic and socioeconomic (welfare) information along with indicators of access to justice, gender equality, perceptions of fairness and corruption in informal dispute resolution and formal justice sector institutions. In the individual component of the Household Survey, half the respondents were male, and half female, allocated randomly among the chosen households. Village leaders both formal and informal, and including women, were asked to participate in a Key Informant Survey which asked similar questions, designed to take advantage of leaders’ enhanced awareness of community issues, but also to determine their point of view as dispute resolution actors. Finally, a Community Survey involving leaders and dispute resolution actors was administered in a group interview setting, allowing for consensus replies to answers, pooling of knowledge and also with the possible benefit of reducing self-interested bias in answers by individual village leaders.

The final chapter of this report analyses the degree of similarity between various baseline measures in treatment and control villages. Overall the randomised selection of locations has succeeded in minimising differences in observable dimensions. Where significant differences have been observed, they can be dealt with during the follow up evaluation by using double differences analysis.

Legal Awareness
The survey found a generally low level of legal awareness, consistent with previous studies elsewhere in Indonesia. Marginalized groups have the lowest levels of legal awareness. When village leaders sought information on behalf of members of their community, they did so mostly from the formal justice sector in Maluku, but mostly from local government figures in Aceh, perhaps reflecting bad experiences with police and prosecutors in Aceh. NGOs including legal and paralegal services were also a source of information in both Aceh (16%) and Maluku (9%), which is a higher figure
than expected from previous studies, and may reflect the active role of civil society in post-conflict and post-disaster situations.

Women’s Rights
Attitudes towards women’s rights depend on the type of right in question. In matters of land ownership and inheritance, the majority believe that land should be owned jointly in matrimony, and that women are entitled to a share of their deceased parent’s estate. This situation is conducive to women exercising their economic rights, especially for unmarried women and divorcees. On the other hand, the majority feel that a husband should have complete authority over his spouse with only a small minority agreeing that the community sometimes has responsibility to intervene in the household matters of others.

Legal Documents
Legal documents are considered a prerequisite to proving or exercising certain rights such as holding private property and accessing government services. The degree to which people possess these documents was surveyed, and findings differed according to several factors including gender, level of education, and remoteness from government centers. In the case of ID cards, almost everyone in Aceh holds a national card for historical reasons relating to the imposition of military rule, while in Maluku the majority do not. Men are more likely than women to hold ID cards, urban dwellers more likely than rural, and highly educated people more likely to possess official ID than people with basic or no education. Similar differences based on gender, remoteness and education were found for birth, marriage and divorce documentation.

Official land certificates can be crucial evidence during ownership disputes, and while the majority in Aceh do possess documentation for their residential and farming land, the reverse is true in Maluku, where only a quarter of people hold written proof of ownership of their agricultural land.

Dispute types
Overall dispute occurrence was found to be higher than otherwise believed from previous studies. Approximately 13% of households in Aceh and 16% in Maluku reporting had been directly involved in a dispute within the past two years. These disputes were most commonly about issues of economic livelihood, particularly aid distribution and land. The next most commonly occurring dispute type involved criminality such as theft and fighting. These findings differ from a previous study in 2006 (Decentralization and Governance Survey) which found criminality to be the most common dispute type. Criminal disputes were found to be more commonly referred eventually to the police rather than settled during local dispute resolution processes.

The ranking of disputes which respondents felt were “of concern to the village” were roughly similar to ranking of disputes actually experienced in Aceh. In Maluku, however, two issues, namely land and fighting, were rated as even greater concern than their ranking in actual frequency of occurrence would suggest.
Disputes are most commonly personal, and occur very close to home. Between 60 to 70 percent of all disputes occurred within the family or within the same village, and only around twenty percent involved external parties such as companies or people from a neighbouring village or from a higher level of government.

Dispute Resolution Actors
A large majority (around 70%) of people attempted to resolve their disputes through direct negotiation with the other party. In approximately half these cases a settlement was achieved. In other cases, or if direct negotiation failed, local officials were the next port of call for most community members experiencing a dispute (around half of all unsettled cases). Police are the next most commonly approached dispute resolution actor, albeit less popular in Aceh. Despite high levels of trust in traditional and religious leaders, they are less commonly called upon to resolve disputes compared to family, local government, and formal justice sector actors.

These patterns emerged clearly when community members were asked where they would seek assistance in a series of hypothetical disputes. In cases where protagonists were from within the same family, people would turn first to family and friends for help, then to village or hamlet officials. A significant number of people would also seek help from religious and traditional leaders. Only if the first two dispute resolution actors from whom they sought assistance proved unable to resolve the dispute would the majority of people turn to the formal justice system – the courts in the case of an inheritance case, or the police in the case of domestic violence. In hypothetical assault, land dispute and corruption cases, all involving outsiders, people would first contact their village leaders, then the formal justice system. The inference is that people would prefer to use local leaders as a referral mechanisms rather than dealing directly with the formal justice system.

Local dispute resolution processes scored well in terms of perceived natural justice (opportunity to hear and be heard) and fairness, with only between a quarter and a third feeling the process was unfair. There is a correspondingly high level (~90%) of satisfaction with the outcome of resolved disputes.

Conflict and Safety
In Aceh, conflict between the community and security forces, village leaders or political parties was not considered to be serious. This was a greater concern in Maluku, where around a third of respondents did consider it a serious problem in their village. Maluku also had more serious concerns about the potential for “horizontal” conflict between villages and ethnic or religious groups. Only a small percent of respondents identified those types of conflicts as ‘serious problems’ in Aceh. Furthermore, almost ninety percent of respondents in Aceh did not feel that the tensions between former independence combatants (GAM) and other villagers were a serious problem, with the exception of Aceh Besar district, where 17% felt it was.
Whereas individuals did not report personally experiencing conflicts relating to enterprises from outside the village, focus group discussions cited them as affecting around ten to twenty percent of villages in Aceh and Maluku, with half of these cases described as having serious impacts. These conflicts, which affected broad community interests, were reported in rural areas, suggesting the enterprises were predominantly involved with natural resources.

These village level focus group discussions reinforced the findings from individual households that conflict over development assistance were common and serious, affecting around a third of all villages, and being considered serious (or worse) in about a third of those cases.

A majority of people in two districts among the most conflict-affected in Aceh expressed some concern that their village might experience violence in the next year, highlighting the importance of continued efforts to strengthen peace and stability in Aceh.

Trust, Fairness and Corruption in Public Institutions
In general, community members have a greater degree of trust in, and confidence that dispute resolution processes and outcomes will be fair, when handled by local institutions compared to the formal justice system or provincial level government offices. Village level officials are more trusted than those one step removed in the government hierarchy, at sub-district level, for example. Only a little over half of respondents in Aceh consider the state court system to have fair processes and outcomes, and public opinion of the courts is little better in Maluku.

Traditional (adat) leaders and institutions are very well trusted overall, but especially by men in Aceh, of whom over ninety percent say they can trust adat leaders. Adat dispute resolution is also perceived the fairest in processes and outcomes, which is interesting given that results cited above show that people rarely take their problems to this forum.

Only a few percent of surveyed community members perceive local level institutions such as traditional and village leaders to be corrupt. Formal institutions, particularly the police, the courts and the land titles office were more likely to be perceived as engaging in petty corruption. The police in Aceh had the highest negative rating of all institutions surveyed. Religious courts were considered the formal justice sector institution least likely to ask for unofficial fees.

Interestingly, public attitudes towards petty corruption are surprisingly permissive, half of Maluku respondents (and a third in Aceh) feeling that it was reasonable for poorly paid public officials to ask for unofficial fees.
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PART I - INTRODUCTION

1. Introduction

This paper reports the methodology and findings of a baseline quantitative study, the first step towards evaluating the impacts of the Mediation and Community Legal Empowerment (MCLE) program in the Indonesian provinces Aceh and Maluku. MCLE is a component of the Support for Poor and Disadvantaged Areas (SPADA) project of the Indonesian Government. The same survey is being used as a baseline for a program of Conflict Resolution and Mediation Training (CRT) for local leaders and project facilitators in Aceh.

The SPADA program is intended to help the government in addressing the problems of governance and poverty in Indonesia’s poorest and conflict-affected provinces. The Government of Indonesia’s planning agency (Bappenas) and the Ministry for Disadvantaged Areas (KDPT) are jointly managing SPADA. The World Bank and the Indonesian Government are planning to rigorously monitor and evaluate the MCLE component of the SPADA project. The impact evaluation of MCLE will feed into policy debates on justice reform and the welfare impacts of providing access to justice to poor communities in the global context. It will also help inform the implementation of the Government of Indonesia’s new National Strategy on Access to Justice, and the scaling up of this approach within PNPM, a nation-wide community empowerment program.

The main goal of the MCLE program, which is described in more detail below, is to increase access to justice for marginalised groups. The MCLE program does this through establishing a network of village-level paralegals and sub district-level community legal aid posts, all supported by a community lawyer in each district. The activities of this network are community legal education; capacity building for informal justice actors; legal aid and complaint handling; and awareness raising of community legal needs and challenges. CRT aims to build the capacity of local leaders and facilitators in post-conflict Aceh by providing them with a comprehensive training program aimed at improving their facilitation, mediation, arbitration and negotiation capacities, and enhancing their understanding of local conflict dynamics.

1.1 Maluku and Aceh: background

The two provinces in this study have in common a tumultuous recent history in which many citizens lost their lives and much physical damage was done to infrastructure. Both are relatively under developed, although Maluku, a province of approximately 700,000 residents, is particularly economically disadvantaged. Aceh, with 4 million residents, suffered the disruption of the Asian Tsunami of 2004, a humanitarian disaster
of massive scale in which around 226,000 Indonesians were killed and much infrastructure destroyed.

Preceding the tsunami, Aceh suffered a violent separatist conflict which took the lives of around 15,000 people. The conflict began in 1976, continuing for thirty years with varying levels of intensity, ending only in 2005 with the signing of the Helsinki Memorandum of Understanding, a peace agreement between the Free Aceh Movement (GAM) and the Indonesian government. Aceh is now concluding a process of post-conflict and post-tsunami rebuilding, which has attracted an influx of domestic and foreign aid, presenting many challenges in administration and distribution. As with many post-conflict regions, there is concern that there is reluctance among former GAM combatants, although formally disbanded, to relinquish power over local politics and resources.

Maluku suffered a sectarian conflict which began in 1999 and claimed several thousand lives before gradually settling down by 2003. The “horizontal” conflict in Maluku was different in many respects to that which Aceh suffered, as well as being shorter in duration. One of the factors in the conflict in Maluku was arguably an abandonment of traditional dispute resolution mechanisms, and the failure of the formal law enforcement and justice system to deal with disputes, leading to a culture of vigilantism, in which people often took sides along ethnic or religious lines. After fighting began in January 1999, Ambon was unofficially divided into Christian and Muslim territories. A key milestone in ending the conflict was the government-sponsored Malino II peace talks in 2002, after which the violence gradually subsided.

1.2 Report outline

Section 1.4 and Appendix 1 explain in detail the methodology used in the quantitative aspect of the MCLE and CRT impact evaluation, of which this quantitative baseline survey is a part.

Section 2 “Impressions of the law” attempts to gauge ordinary people’s knowledge of Indonesian law; their views relating to various key rights including gender issues; and the rate of possession of key legal documents.

Section 3 examines the types of disputes actually experienced by communities and the manner in which those disputes were resolved. This is compared to the disputes types experienced by villages as a whole.

Section 4 “Conflict and Safety” analyses responses to a series of statements designed to measure ordinary people’s perceptions of justice in conflict resolution, and prevalence or fear of violence and theft in their communities.

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Section 5 “Dispute Resolution Actors” examines a series of hypothetical disputes in order that all the individual respondents, the majority of whom had not experienced an actual dispute, had an opportunity to reveal their preferences in seeking legal assistance.

Section 6 “Trust, Fairness and Corruption” evaluates perceptions of justice-related institutions, both formal and informal.

Section 7 “Results of Comparability of Indicators Across Treatment and Control Groups” reports on the degree of similarity between various baseline measures in treatment and control villages.

1.3 Project Descriptions

1.3.1 Mediation and Community Legal Empowerment Program

The MCLE program was designed based on a number of Government and World Bank analytical studies and pilot programs. The program’s main aim is to increase access to justice for rural communities so that they can resolve conflicts and legal problems themselves. This can include access to both formal and informal justice systems. MCLE has a number of specific objectives:

1. Strengthen the capacity of institutions and individuals at community level to resolve disputes in an open, independent and just manner;
2. Assist and facilitate the resolution of disputes involving community-wide interests;
3. Increase public trust in the formal legal system by enhancing community legal awareness and access to the formal system.

To achieve these aims and objectives, MCLE establishes a support network for providing legal aid and empowerment activities. The main focus of activities is at community level. MCLE establishes a network of Community Legal Aid Posts (Posko) at the sub-district-level. The posts will function as a centre for legal information, mediation and complaints handling. ThePosko will be staffed by a full-time facilitator (one person per Posko) and paralegals in selected villages (two per village – one woman and one man). They will work in partnership with local leaders and community figures, including religious leaders, the village head and adat institutions. They will also work with judges, prosecutors and police. The Community Lawyer at the district level will provide technical legal support on a part-time basis.

The main activities are:

- Community Legal Education
- Capacity Building for Informal Justice Actors
- Legal Aid and Complaint Handling Network
- Awareness Raising of Community Legal Needs and Challenges

Bappenas and the Ministry for Disadvantaged Areas (KDPT) are jointly managing the program. KPDT has contracted two NGOs to operate as the Provincial Implementing
Agencies for MCLE, with overall responsibility for implementing the MCLE component. The SPADA NMC Community Legal Empowerment specialist will provide technical support to the Provincial Implementing Agencies.

The project is targeted at four levels (See Table 1 and Figure 1). First, two provinces, Aceh and Maluku, have been chosen because of the level of conflict prevalent there. Within each province, a number of districts or kabupaten (4 in Aceh, 2 in Maluku) have been chosen based on an assessment of the greatest need for the program and demand from local stakeholders. The table below summarizes the program locations in the two provinces.

Table 1 – Program treatments conducted at each administrative level

<table>
<thead>
<tr>
<th>Province</th>
<th>District</th>
<th># Kecamatan (Posko)</th>
<th># Villages</th>
<th># Paralegals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aceh</td>
<td>Aceh Barat</td>
<td>4</td>
<td>32</td>
<td>64</td>
</tr>
<tr>
<td></td>
<td>Aceh Besar</td>
<td>4</td>
<td>32</td>
<td>64</td>
</tr>
<tr>
<td></td>
<td>Aceh Utara</td>
<td>4</td>
<td>32</td>
<td>64</td>
</tr>
<tr>
<td></td>
<td>Pidie</td>
<td>4</td>
<td>32</td>
<td>64</td>
</tr>
<tr>
<td></td>
<td><em>Pidie Jaya</em></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maluku</td>
<td>Maluku Tengah</td>
<td>4</td>
<td>32</td>
<td>64</td>
</tr>
<tr>
<td></td>
<td><em>Seram Bagian Timur</em></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Maluku Tenggara</td>
<td>4</td>
<td>32</td>
<td>64</td>
</tr>
<tr>
<td></td>
<td><em>Kota Tual</em></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total: 2</td>
<td></td>
<td>6</td>
<td>24</td>
<td>192</td>
</tr>
</tbody>
</table>

* These districts have recently split from the district immediately above them in the list. For the purposes of this evaluation, they will be treated as part of the original district.

Below the district (kabupaten) level, there are two levels of targeting where the program was randomly allocated. First, there is the selection of sub-districts (kecamatan) where the posko or community legal post will be located. In Aceh, 4 out of the 11 to 30 kecamatan per kabupaten are chosen (for a total of 16 kecamatan). In Maluku we chose 4 out of the 10 to 19 kecamatan per kabupaten (for a total of 8 kecamatan). Second, only a random selection of villages receives paralegals. In Aceh, this is estimated to be about 8 of 30 villages per kecamatan, for a total of 128 of 728 villages. In Maluku, this proportion is 8 of approximately 10-15 villages per kecamatan, for a total of 64 of approximately 112 villages. Figure 1 provides a graphical illustration of program assignment and impact evaluation design.
### Figure 1 - Program Assignment Design for SPADA MCLE Project (Aceh & Maluku)

<table>
<thead>
<tr>
<th>Admin Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kabupaten/ District (Preselected)</td>
</tr>
<tr>
<td>Stage A: Kecamatan/ Sub District</td>
</tr>
<tr>
<td>Stage B: Desa/ Village</td>
</tr>
</tbody>
</table>

**Stages of Randomization**
- **Stage A:** Random selection process for sub-districts (kecamatan) receiving Poskos and for sub-districts assigned as controls.
- **Stage B:** Random selection process for villages receiving paralegals.

**Evaluation:**
- T1 vs C: Effect of having access to a posko and paralegal versus nothing
- T2 vs C: Effect of having access to only a posko but no paralegal versus nothing

#### 1.3.2 Conflict Resolution Training in Aceh

The CRT program will deliver training to around 408 village leaders from 100 villages in around 20 sub-districts, as well as around 400 PNPM (the Government’s national community development program) facilitators in 90 sub-districts across Aceh. Project facilitators receive a 5 day training course, followed by a 3 day ‘advanced’ course three months later. Village leaders—who may be village heads, women or youth leaders, or village council representatives—receive a similar five day training course. CRT aims to:

- Build and strengthen networks of civil society, PNPM facilitators, and village leaders in support of conflict resolution;
- Enhance the capacity of PNPM facilitators to deal with conflict emerging from the community development and participatory planning processes, and to
enhance the capacity of facilitators to deal with the impacts of post Helsinki MoU tensions on programs;

- Enhance the capacity of PNPM facilitators to mediate a limited range of non-project conflict, in particular those related to other development and reintegration programs;
- Enhance the capacity of village leaders to manage local conflicts through facilitating dialogue, mediating disputes, and negotiating settlements.

The CRT program was developed by the World Bank’s Conflict and Development team, and the training is being implemented by Forum LSM Aceh. Villages for this treatment have been randomly selected within MCLE districts through the same sampling process as MCLE but are separate from T1, T2 or C in Figure 1 above. To avoid problems of attribution, CRT treatment sub-districts differ from those where MCLE is being implemented. The World Bank’s Conflict Team will use this third treatment along with the same MCLE (C) control villages to conduct a separate evaluation.

1.4 MCLE and CRT Impact Evaluation

The Government of Indonesia and the World Bank are planning to rigorously monitor and evaluate the MCLE program. An impact evaluation is being carried out and will examine the welfare impacts of providing access to justice to poor communities. This evaluation is believed to be the first instance of rigorous quantitative and qualitative evidence on the effect of the provision of community level legal services and education on a range of human rights and economic outcomes.

The impact evaluation will examine the effects of MCLE on knowledge of rights, exercise of rights, dispute resolution, reports and resolution of corruption, investment and household consumption. While some of these effects are expected to take longer to manifest than others, there are no clear experiences which tell us what this timeframe is. Thus, to complement the practical solution of conducting multiple follow up surveys we identified the following key questions for the evaluation to answer:

1. Does MCLE increase beneficiaries’ ability to claim rights, enforce rights, and resolve disputes through non-violent means?
2. Does MCLE reduce violent conflict and increase safety and security?
3. Does MCLE improve household welfare in the villages that receive paralegals?
4. Does MCLE increase the reporting of corruption and bribery and decrease these events in the long term?
5. Does MCLE improve individuals’ capacity to engage with the state and the state capacity to respond, particularly in matters involving the resolution of disputes?
6. Does MCLE improve gender relations at the household and community level?
A list of more detailed indicators for the MCLE evaluation is included in Appendix 3.

The survey also allows for a rigorous evaluation of the CRT program. Questions to be answered by the CRT evaluation are as follows:

**PNPM facilitators:**
1. How does CRT affect public satisfaction with and participation in local development meetings, overall satisfaction with PNPM processes, and the outcomes of the processes?
2. How does CRT affect perceptions amongst “winners” and “losers” in the competition for resources engendered by the PNPM process? Does the training result in higher levels of satisfaction, perceptions of fairness, and confidence in the ability to have one’s needs addressed through peaceful political means?
3. How does CRT affect village-level indicators of conflict and violence, in particular development-related conflicts?
4. How does CRT affect the way facilitators do their work and their satisfaction with their role in the conflict resolution process? How do the training programs affect the role facilitators play in the resolution of other conflicts in the community?

**Village leaders:**
1. At the village level, how does conflict resolution training for village leaders affect levels of conflict and violence?
2. How does it affect village’s levels of social capital, satisfaction with village government, participation in village activities, and community perceptions of local dispute resolution mechanisms, justice and security?
3. How does it affect the ways in which these leaders deal with conflicts and community confidence and satisfaction with their participation in the conflict resolution process?
4. At the household level, how does conflict resolution training for village leaders affect the way households deal with conflict?
5. How does it affect household-level perceptions of the way conflict and violence affect and are dealt with in the community?
6. How does it affect household-level perceptions of social capital, satisfaction with village government, participation in village activities, and community perceptions of local dispute resolution mechanisms, justice and security?

**1.4.1 Evaluation Design**

The program evaluation is designed to measure the impact of legal empowerment activities on householders’ knowledge and understanding of law, dispute settlement preferences, and awareness and voice against corruption. At the core of the evaluation there are two measurements: A baseline survey conducted before the program begins,
and a follow up survey conducted after the program has been operating for a period, perhaps around two years. The evaluation methodology is schematically summarized as follows:

**Figure 2 - Evaluation schematic**

<table>
<thead>
<tr>
<th>Treatments</th>
<th>Control</th>
</tr>
</thead>
<tbody>
<tr>
<td>T1: Posko and paralegal</td>
<td>No Posko no paralegal</td>
</tr>
<tr>
<td>T2: Posko only (no paralegal)</td>
<td>88 kecamatan</td>
</tr>
<tr>
<td>Posko: 24 kecamatan</td>
<td></td>
</tr>
<tr>
<td>Paralegals: 192 villages</td>
<td></td>
</tr>
<tr>
<td>Households:</td>
<td></td>
</tr>
<tr>
<td>Aceh: 396 for T1, 390 for T2</td>
<td>Aceh: 396</td>
</tr>
<tr>
<td>Maluku: 420 for T1</td>
<td>Maluku: 450</td>
</tr>
</tbody>
</table>

The baseline analysis allows us to determine if the randomization has resulted in the choice of treatment and control groups which are comparable at the beginning of the program. If they are comparable, an end-of-project analysis is sufficient and no further statistical adjustments are necessary. However, if the treatment and control groups are significantly different, the follow up survey analysis might provide a biased result due to lack of information on the magnitude and direction of change that has occurred in the treatment and the control groups during implementation period. In that case, a difference in difference approach might be useful for a rigorous evaluation and, for that matter, a baseline analysis is essential.

1.4.2 Treatment Assignment

In Aceh, four sub-districts were randomly assigned to the treatment in Aceh Barat, Aceh Besar, Aceh Utara and Pidie. Similarly, in Maluku, four sub-districts were randomly assigned to the treatment in both Maluku Tengah and Maluku Tenggara. The table below summaries the probability of an individual sub-district being chosen in a given district.

**Table 2 - Treatment assignment**

<table>
<thead>
<tr>
<th>Province</th>
<th>District</th>
<th>Sub-District Selected</th>
<th>Sub-District Total</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aceh</td>
<td>Aceh Barat</td>
<td>4</td>
<td>9</td>
<td>44.44%</td>
</tr>
<tr>
<td></td>
<td>Aceh Besar</td>
<td>4</td>
<td>22</td>
<td>18.18%</td>
</tr>
<tr>
<td></td>
<td>Aceh Utara</td>
<td>4</td>
<td>21</td>
<td>19.05%</td>
</tr>
<tr>
<td></td>
<td>Pidie</td>
<td>4</td>
<td>30</td>
<td>13.33%</td>
</tr>
<tr>
<td>Maluku</td>
<td>Maluku Tengah</td>
<td>4</td>
<td>19</td>
<td>21.05%</td>
</tr>
<tr>
<td></td>
<td>Maluku Tenggara</td>
<td>4</td>
<td>13</td>
<td>30.77%</td>
</tr>
</tbody>
</table>

**Total:** 2 | 6 | 24 | 114

---

2 See Valadez and Bamberger 1994, page 261
Following the selection of the sub-district, eight villages were randomly selected within each selected sub-district to receive the paralegal treatment. Therefore, 32 villages should be assigned to receive the paralegal treatment in each district, though some sub-districts do not have a sufficient total number of villages (see Appendix 1).

A note on district border changes: The sampling calculations were conducted based on borders of districts in Aceh and Maluku as they were at the time the MCLE impact evaluation was designed. At that time, the program locations covered four districts in Aceh and two districts in Maluku. Since then, a series of pemekaraan (district splitting) has meant that the following districts have changed:

- Pidie (Aceh) → Pidie and Pidie Jaya;
- Maluku Tengah → Maluku Tengah, Seram Bagian Barat and Seram Bagian Timur;
- Maluku Tenggara → Maluku Tenggara, Kepulauan Aru and Kota Tual

Where this report refers to districts it does so based on the original borders. Reference to Maluku Tengah in this report, for example, is actually reference to three districts as they currently stand. The sample design allows for analysis between geographic areas based on the old borders of districts but is not representative across the new borders.

As previously noted, the survey was conducted in four districts in Aceh and two districts in Maluku. For ease of reference throughout the report reference is made to ‘Aceh’ and ‘Maluku’. Where this is the case, the information is only relevant to the districts where the survey was conducted and can not be assumed to be relevant to other districts in those provinces or the provinces as a whole.

1.4.3 Sample Size

Our own calculations indicate a sample size of 400-450 households per treatment arm (with two treatment arms in Aceh and one treatment arm in Maluku) would be appropriate given the assumptions on expected outcome and intra-household correlation. Due to cost considerations and in consultation with the survey firm, it was decided to opt for 10 households per cluster in Maluku (45 total clusters) and 6 households per cluster in Aceh (66 total clusters).

The MCLE program design has two variations. One set of treatment villages, identified as T1 in Figure 1, receive Posko at the kecamatan level AND paralegals at the village

---

3 In three sub-districts in Aceh, Leupung, Geumpang and Grong Grong, and two sub-districts in Maluku, Tayando Tam and Pulau Dullah Selatan, there are fewer villages than the eight necessary for the program. In these cases, all available villages will be treated. As to the remaining seven villages in Aceh needed for a complete assignment of the 128 total villages, and the five needed for Maluku for a total of 64, they will be chosen in such a way to minimize implementation costs without contaminating the control villages. As they are not randomly selected, they will not be included in the evaluation.

4 A number of villages were excluded from the potential pool of treatment and control sample villages by survey firm as they are not accessible by commercial transportation. Excluded from the sample by the survey firm are the following sub-districts: all of Aru Selatan, all of Aru Tengah (except Benjina, Gardakau, Maririmar, Namara, Papakula, Selibata-Batu and Selilau), all of Pulau-Pulau Aru (except Galai Dubu, Gorar, Jabulenga, Karangguli, Siwalima, Tungu, Tunguwateru, Ujir and Wangel), and all of PP Kur. These villages were not excluded from the assignment of the program because it is government funded and villages cannot be excluded from eligibility based on location.
level (192 villages). The other set of treatment villages (T2) are villages in kecamatan where there are Posko but the village does not receive paralegals (600 villages in Aceh and 48 villages in Maluku). The control group is drawn from villages in the same kabupaten but different kecamatan. These villages will have access to neither paralegals nor Posko. The distribution of sample households across treatment and control groups are presented below. The method used for treatment and control sample selection is provided in Appendix 1.

Table 3 - Distribution of households across treatment and control

<table>
<thead>
<tr>
<th>Province</th>
<th>T1: Posko and paralegals</th>
<th>T2: Posko only</th>
<th>Control</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aceh</td>
<td>390</td>
<td>396</td>
<td>396</td>
</tr>
<tr>
<td>Maluku</td>
<td>420&lt;sup&gt;5&lt;/sup&gt;</td>
<td>--</td>
<td>450</td>
</tr>
</tbody>
</table>

Note: Maluku only has treatment 1: Posko and paralegals.

Comparing T1 or T2 to the control group will allow us to measure the impact of both versions of the program relative to nothing. Comparing T1 to the control group would provide the combined effect of both the Posko and the paralegal. Comparing T1 vs. T2 allows us to measure the effects of having a Posko only relative to having both poskos and paralegals. This additional layer of comparison is useful because providing poskos only is clearly much cheaper.

Evaluating the effect of poskos plus paralegals versus the control (T1 vs C) is the priority for this evaluation, with the comparison of posko and paralegal versus Posko only is conducted only in the cases where we have a sufficient sample of villages in the kecamatan that were selected. Note that in the 4 selected kabupaten in Aceh there are a total of 2700 villages making this analysis feasible in Aceh, but not in Maluku where there are far fewer villages in selected kecamatan.

1.4.4 Sources of Information & Research tools

The quantitative tools and data collection efforts involve six tools. Firstly baseline surveys of households, key informants and communities were conducted between November 2008 and January 2009 at the locations summarised in Table 4 - Sampling Locations. These are to be followed later by a program facilitator survey, newspaper conflict monitoring, and MIS data.

Table 4 - Sampling Locations

<table>
<thead>
<tr>
<th>Province</th>
<th>Districts</th>
<th>Kecamatan</th>
<th>Villages</th>
<th>Village Blocks</th>
<th>HH Surveys</th>
<th>KI Surveys</th>
<th>C Surveys</th>
</tr>
</thead>
</table>

<sup>5</sup> Note: delays due to bad weather conditions resulted in two villages in Maluku Tengah being excluded from the analysis of the baseline data. The villages will be sampled before the program begins and the missing data should be available for inclusion in the endline comparison,
1. Household Survey
The baseline survey was administered to a random sample of households in selected villages/communities. It contains a standard set of demographic and socioeconomic information (household composition, consumption expenditure and housing condition) consistent with the national household survey (Susenas). In addition, the questionnaire also contains questions specifically pertaining to outcome indicators asked of the head of household and/or his/her spouse (violence, crime, dispute resolution experiences, participation in village life, perceptions of safety and dispute resolution, and the like).

Respondents for the individual portions of the household survey questionnaire (Sections F-J) were randomly stratified by gender to ensure that half of the interviews in each village were women and half men. Respondents for Section D of the household survey (consumption) were those “best able to answer”. All of other sections of the household survey were taken using the household head.

The follow-up surveys will be designed to measure changes in outcomes. A "partial panel" design will be considered, where the midterm/endline households are partially a panel of households interviewed in the baseline survey and partially a new cross-section to allow for migration/population shifts in the 2 year interval. In addition, prior to the midterm/end line survey, potentially tracking baseline households that moved out of the village/community will be considered/reviewed, since households who moved who might have differential outcomes (for example, if they moved due to a dispute that could not or was not resolved).

2. Key Informant Survey
The key informant surveys are administered to village authorities (including informal leaders – see Appendix 3 for details on selection criteria). The questionnaire contains demographic and socioeconomic information, as well as questions pertaining to outcome indicators at the individual and village-level (legal knowledge and opinions, perceptions of safety and security, corruption, service delivery, and claim-making).

3. Community Survey
Baseline community surveys are administered to village authorities and informal leaders (see Appendix 2 for selection criteria) using a group interview method. The questionnaire contains questions about village characteristics such as geographical accessibility, information accessibility, access to state institutions, etc., and also the presence of other government and NGO programs, the frequency and type of both individual and community disputes in the village, and community claim-making.

4. Program Facilitator Survey
A baseline survey of paralegals and posko staff are administered to all program staff working at the village-level (paralegals) and kecamatan level (fasko). This survey

<table>
<thead>
<tr>
<th></th>
<th>Aceh</th>
<th>44</th>
<th>238</th>
<th>264</th>
<th>1,584</th>
<th>714</th>
<th>238</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maluku</td>
<td>2</td>
<td>16</td>
<td>68</td>
<td>90</td>
<td>900</td>
<td>204</td>
<td>68</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>6</td>
<td>77</td>
<td>306</td>
<td>354</td>
<td>2,484</td>
<td>918</td>
<td>306</td>
</tr>
</tbody>
</table>
attempts to provide measures of attributes of these individuals that may prove important for project success (e.g. education levels, experience, social connections, legal knowledge).

5. Newspaper Conflict Monitoring
As part of its monitoring and evaluation, the SPADA program will collect data on conflict and crime levels and impacts as reported by local newspapers in all nine SPADA provinces. This data source will be particularly relevant for examining the research questions relating to violent conflict levels, security and safety, and incidence of (reported) corruption.

6. MIS Data
The impact evaluation will also utilize the monitoring data on the program functioning. This will include data on posko activities, paralegal activities, and case handling data. This will also possibly include a small satisfaction survey of posko and/or paralegal users.

1.4.5 Methodology to isolate the impact of the program

To isolate the impact of the program, we will evaluate the changes in treated group after treatment \((I_1 - I_0)\) relative to that of control group throughout the same period of time \((C_1 - C_0)\). The change in the magnitude and direction allows for the identification of influential factors external to the program. It also permits the quantification of changes in the evaluation area caused by these factors occurred in the project and the control groups.\(^6\) The changes in control group are calculated by subtracting the initial condition of the control group \((C_0)\) from the final condition \((C_1)\):

\[
\text{Changes caused by external factors} = C_1 - C_0.
\]

Similarly, besides the program, there may be some external factors in the intervention group \((I)\) as well. As a result, the impact of the program transfers can be estimated by subtracting the effect of changes caused by external factors from the changes in treated group after treatment

\[
\text{Impact of the program transfers} = (I_1 - I_0) - (C_1 - C_0)
\]

By rearranging we get,

\[
\text{Impact of the program transfer} = (I_1 - C_1) - (I_0 - C_0).
\]

However, despite precautions, it is difficult to prevent the contamination due to different local history. The random assignment permits us to determine in advance the probability of obtaining an apparently significant effect for the program when in reality it is due to initial inequalities, biases, or pure chance. To overcome these problems, the surveys are designed to collect information necessary to detect the problem of different local history as much as possible so that the statistical analysis can control for any differences using multivariate analysis, if necessary.

The purpose of the random assignment of sub districts or villages to intervention and control is to ensure that the two groups are similar along both observables and unobservables. Our survey data allows us to verify whether the selection was effective along observable dimensions by comparing households across comparison and treatment groups. Even if differences between groups exist, the evaluation can still measure the impact because we observe these differences in the baseline and can control for them in the analysis by using double differences. Therefore, perfect equality is not a necessary condition for evaluation; it only makes the evaluation less complicated.7

Drawing upon this argument, our baseline analysis provides information on \((I_0-C_0)\). We used 2 different methodologies to calculate the differences. First, we used normalized mean differences between the treatment and control groups. Second, we used Welch’s t-test with assumption of unequal sample size and unequal variance.

The first method to assess overlap is to report the summary statistics for all indicators using normalized difference in indicators’ weighted means by treatment status:

\[
\text{normalize-diff} = \frac{\bar{X}_t - \bar{X}_c}{\sqrt{S_t^2 + S_c^2}}
\]

The advantage of this method is that it can take care of different sample sizes for a comparative study. The second method uses the Welch’s t-test of the following form:

\[
t-value = \frac{\bar{X}_t - \bar{X}_c}{\sqrt{\frac{S_t^2}{N_t} + \frac{S_c^2}{N_c}}}
\]

Essentially, the t-statistic is equal to the normalized difference multiplied by the square root of the sample size. As such, the t-statistic partly reflects the sample size. Given the same standard deviations between the two groups in terms of average indicator values, a larger t-statistic just indicates a larger sample size, and therefore in fact an easier problem in terms of finding credible estimators for average treatment effects. However, a larger t-statistic for the difference between indicators by treatment group does not indicate that the problem of finding credible estimates of the treatment effect is more difficult. In general, a difference in average means bigger than 0.20 standard deviations

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is substantial.\textsuperscript{8} We use both for a robust value of differences which will permit us to decide the comparability of the treatment and comparison groups. Any significant differences across groups strengthen the need for difference in difference methodology for evaluation using longitudinal data.

There are several possibilities for the analysis of longitudinal data collected at different points in time. Two important ones we will use are:

a. Longitudinal analysis of population groups. The basic unit of analysis is the unit of assignment, in this case, the villages for paralegals and kecamatan or sub districts for poskos. For each village, we can estimate the change registered between the baseline and the follow-up measures. Or,

b. Longitudinal analysis of individuals or households. For each individual (or household), we can estimate the change registered between the baseline and the follow-up measures.

The results of the normalized mean difference and t-tests are presented in Section 7 and Appendix 4.

PART II - RESULTS AND DISCUSSION

2. Impressions of the Law

This section analyses communities’ general impressions about the law. Three aspects are looked at. First, questions were asked to gauge communities’ knowledge of Indonesian law across a range of issues. Second, communities were asked to provide their views relating to how their rights should be protected under the law. This analysis includes a focus on how gender issues are perceived at the village level. Third, information was collected on the extent of legal documentation communities possess and how these legal documents are obtained.

Consistent with previous research on these issues, the main findings confirm that legal awareness varies significantly depending on the socio-economic backgrounds of respondents. The less well educated and those living in rural areas are likely to have lower levels of legal awareness. Significant gender differentials exist as well. Legal documentation and, in particular, possession of national ID cards, varies significantly not only across provinces but at the district level. The low level of ID card possession in Maluku Tengah needs to be assessed in more detail to identify both the reasons why these rates are low and the impact, if any, of low rates of possession.

2.1 Legal Knowledge

The level of knowledge about aspects of Indonesian law is low across the districts surveyed. This is consistent with previous surveys conducted on communities’ awareness of law in Indonesia. Communities were asked ten questions on Indonesian law. The questions covered issues directly affecting the lives of villagers including property rights, family law, gender equality, labour and corruption. For each question, respondents were provided with a right and wrong answer and asked to identify which response was consistent with the law.

There is considerable variation between Maluku and the districts covered in Aceh relating to knowledge of the law. As outlined in Figure 3 below, in Maluku, 87.1% of respondents could only answer 1 to 6 out of the ten questions correctly (compared to 62.5% in Aceh). Community members in the districts surveyed in Aceh are more likely to have greater knowledge of the law with 24.5% of respondents answering 7 or more questions correctly, whereas in Maluku only 12.5% were able to answer this number of questions accurately. The exception here is that there is a considerable portion of Acehnese respondents, 13%, who were not able to answer any of the questions correctly. This can probably be attributed to the fact that the questions were asked in

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Indonesian and a similar portion of respondents in Aceh were not able to sufficiently understand Indonesian.  

**Figure 3 Individual Respondents’ and Key Informants’ Knowledge of Law**
understanding is subject to local variations and practical realities. A number of questions touched on gender issues and some analysis of these responses is provided.

Of the seven questions asked, community members responded most strongly on two specific issues. First, community members -in particular in Maluku (85.7%) but also in Aceh- (68.1%) believe that marriage certificates for their daughters are important in order to safeguard their rights. This strong response needs to be juxtaposed with responses provided to other questions relating to gender issues (see Box 1 below). In both provinces, male respondents have a stronger view on this than female respondents.

<table>
<thead>
<tr>
<th>Box 1: Variation in Protecting Women’s Rights</th>
</tr>
</thead>
<tbody>
<tr>
<td>Although a vast majority of community members believe that their daughter’s marriage should be protected through receipt of marriage certificates, the responses are less determinative on other issues relating to women’s rights. A number of the questions touched on gender issues, the responses vary considerably across issues and provinces.</td>
</tr>
<tr>
<td>Consistent with the views on marriage certification, on issues of property ownership in marriage, the majority in both Aceh (55%) and Maluku (60%) believe that land should be jointly registered in the name of both parties. In Maluku, communities are much more likely to believe this than key informants, of whom only 44% believe it should be jointly registered.</td>
</tr>
<tr>
<td>Inheritance issues for women elicit variable responses, highlighting the importance of local customs. In both Aceh (43%) and Maluku (46%) community members believe the amount of support widows are entitled to on the death of their husband should be determined by sons and brothers-in-law. In Aceh, however, a vast majority (70%) believe that daughters are entitled to a portion of their parent’s estate, regardless of whether or not they are married. In Maluku 50% believe they are not entitled because they are under their husband’s care. Interestingly, the views expressed by community members in Maluku are strongly contradicted by key informants where 81% believe daughters have some entitlements.</td>
</tr>
</tbody>
</table>

There is a strong belief in both Maluku and Aceh that communities have a limited role in the relationship between husband and wife (see table below). Over three-quarters of respondents in Maluku (including 73% of women) believe that a man has complete control over his spouse, including on questions of discipline. Key informants in both Maluku (68%) and Aceh (68%) also overwhelmingly agree with this view. Unsurprisingly men were more likely to hold this view than women in both provinces. Interestingly however, Acehnese males (19%) are most likely to believe that communities should play an interventionist role on some occasions.

### Opinions on women’s rights and family issues. Figures are % respondents.

<table>
<thead>
<tr>
<th>For each of the following pairs of statements, which is closest to your view:</th>
<th>Aceh Male</th>
<th>Aceh Female</th>
<th>Aceh Overall</th>
<th>Maluku Male</th>
<th>Maluku Female</th>
<th>Maluku Overall</th>
<th>Key Inform Aceh</th>
<th>Key Inform Maluku</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. A married man has complete authority over his spouse and it is up to his judgment how to discipline his spouse</td>
<td>63.53</td>
<td>46.1</td>
<td>54.78</td>
<td>80.35</td>
<td>72.63</td>
<td>76.58</td>
<td>67.65</td>
<td>68.02</td>
</tr>
<tr>
<td>B. A community sometimes has a responsibility in certain circumstances to intervene in the household matters of others</td>
<td>18.79</td>
<td>15.93</td>
<td>17.35</td>
<td>8.21</td>
<td>15.34</td>
<td>11.69</td>
<td>17.30</td>
<td>13.71</td>
</tr>
<tr>
<td>Don’t know</td>
<td>9.31</td>
<td>24.68</td>
<td>17.03</td>
<td>1.1</td>
<td>1.85</td>
<td>1.46</td>
<td>1.27</td>
<td></td>
</tr>
</tbody>
</table>

These results highlight the large degree of variation on issues affecting women’s rights across the two provinces. Opinions are likely to be strongly influenced by local cultural and customary practices.

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11 Responses “Agree with both” and “Agree with neither” were generally rare and are not included in the discussion.
Second, most respondents (Maluku 72%, Aceh 65%) believe that police have a duty to respect the rights of all, including those suspected of committing crimes. This view is held even more strongly by key informants (Maluku 84%, Aceh 77%). Interestingly, this means that in Maluku, for example, a quarter of respondents still believe police are entitled to use excessive force in apprehending suspects.

Community members are much more ambivalent about the rights of public officials to ask for additional fees. A majority in Maluku (52%) and 36% in Aceh believe that public officials can ask for additional fees as they are not sufficiently well paid. Key informants have similar views (45% in both provinces).

It should be noted that across these rights questions, a considerable number of respondents in Aceh did not provide a specific response (between 15-20% overall depending on the answer). This was particularly the case for Acehnese women (between 22-27%) and probably reflects the fact that these respondents were less likely to understand the questions as they were read in Indonesian (see earlier, footnote 10). This means that the percentage figures for Aceh are considerably lower across the board.

Similarly, education has an influence both on whether or not respondents answered questions and also on how they responded. Using the question on importance of obtaining marriage certificates as an example, in Aceh, 55.2% of people with no schooling and 20.3% of people with only primary schooling answered “don’t know” to the question compared with 2.5% of senior school graduates. This pattern is also apparent in Maluku, where 10.4% of people with no schooling answered “don’t know” compared with 0.3% of senior school graduates. Of those that do answer, 29.3% without schooling in Aceh believe that marriage certificates are necessary, whereas this rises to 80.0% for senior school graduates. Although less pronounced this difference also exists between those who live in urban and rural areas. Of people living in rural areas in Aceh, 11.5% do not believe marriage certificates are necessary whereas this figure decreases to 5.3% for urban areas (the difference in Maluku is 11.1% vs 6.8%).

Respondents in both Aceh and Maluku who correctly answered seven or more out of ten knowledge of law questions from the section above, were generally much more likely to prioritise protection of rights from the opinion questions we have discussed in this section.

2.3 Possession of legal documents

The Commission on Legal Empowerment of the Poor identified the lack of possession of legal documents as a key challenge facing the vast majority of the poor globally. The lack of legal documentation is commonly assumed to increase barriers for the poor

to access government services, including health and education services and make the poor more susceptible to the payment of informal transaction costs when interacting with public officials. Respondents were asked to provide information on their possession of various forms of legal documentation including national identity cards (Kartu Tanda Penduduk or KTP), government marriage and divorce certificates and government birth certificates.

Possession of national ID cards varies significantly not only between Aceh and Maluku but between districts within provinces. The majority of community members in Maluku do not possess national ID cards and, furthermore, have never considered trying to obtain them. Either these people are not trying to access public services, or else other forms of identification such as the old local ID card prove to be sufficient. The variation between provinces on possession of marriage and divorce certificates is less notable, with the majority in both provinces possessing these documents. Where ID cards are not possessed by all, possession varies depending on a person’s gender and education and whether they live in urban or rural areas.

2.3.1 Possession of National ID card (KTP)

As mentioned above, ID cards are considered to be important for the poor in accessing public services such as education and health. Possession of a national ID card varies significantly both at the provincial and district level. The vast majority (96%) of residents in Aceh possess a national ID card. This high figure is expected, given that, during the conflict in Aceh, the Indonesian armed forces (TNI) conducted regular checks to ensure community members possessed valid ID cards, often subjecting those that did not to abuse.

A majority of residents (61%) in Maluku do not possess national ID cards. Factors that affect whether or not a person possesses a national ID card in Maluku include their gender, their education level and the location of their residence. Significantly, the rate of possession of ID cards in Maluku varies substantially at the district level, and by village type. Almost three quarters of urban dwellers in Maluku possess an ID card whereas this figure drops to 26% for those living in rural areas (see Figure 4 below). Perhaps more interestingly, the likelihood of possessing an ID card depends significantly on one’s district of residence, with 71% of residents in Maluku Tenggara possessing cards as opposed to only 29% in Maluku Tengah.

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Figure 4 - ID card possession in Maluku by district and urban/rural area.

As figure 2 below outlines, women in Maluku are much less likely to possess ID cards than men, with 65% of women claiming not to possess a card. Similarly, as education level increases, so does the proportion of people in possession of an ID card, as Figure 6 shows. Despite this positive correlation, it remains that two thirds of people who enrolled in primary school, and over half of people completing senior high school do not hold a national ID card. There is no clear correlation between a respondents consumption levels or age and their likelihood of possessing ID cards.

Respondents who indicated they did not have a national ID card were asked whether they had ever considered trying to obtain one, and if so, why they were unable to do so. Of the people without a national ID card, the majority of Maluku respondents said they had never considered trying to obtain one, with only 9% having attempted to do so. Most respondents who have considered obtaining the card did not recall why they failed.
to follow through (5.7% of total respondents). This leaves only a small proportion of people who were actively prevented by lack of proper documentation (0.15%) or high costs (0.45% by official fees, 0.22% by unofficial fees).

These results highlight several factors. First, variation amongst districts highlights a need for greater understanding of factors affecting whether or not communities have access to national ID cards. One possible explanation could be that this depends on the extent to which the Citizenship Bureau at the district level prioritizes programs to provide access to national ID cards. The national ID card only began to be enforced across the country in 2006. It is possible that distribution initiatives have yet to be systematic in Maluku Tengah, and that many people instead hold the old type of “local” ID cards. Alternatively, it may be related to the remoteness of many villages in Maluku Tengah district, of which only 6.3% are located in urban areas compared to 93.7% in rural areas, compared to Maluku Tenggara where 55.9% of villages are in urban areas.

Second, the lack of interest in obtaining national ID cards for respondents who do not possess them may challenge the underlying assumption that legal documentation is an important prerequisite for access to other services. It may be possible that, in the local context in Maluku, the actual ID cards themselves are not important documents and other forms of identity – perhaps the old local ID – are used in place of these cards. Another explanation may be that in many areas of Maluku, and in particular Maluku Tengah, there is very limited interaction with formal structures and as such these cards hold little importance. This argument is weakened however by the fact that around half of respondents who have engaged with formal institutions to gain a tertiary education still don’t possess national ID cards.

2.3.2 Possession of Government Birth Certificates for Children

As with ID cards, birth certificates were cited as crucial documents during Indonesian public consultations for the international Commission on Legal Empowerment of the Poor. Married respondents were asked whether birth certificates existed for their children, and if not, why not. There were strong differences between different districts in Aceh and Maluku, as shown in Figure 7 below.

In both Maluku and Aceh, children in rural households were twice as likely to be without a birth certificate compared with children in urban areas. Overall, 61% of rural Aceh households and 33% of rural Maluku households did not hold birth certificates for their children.

15 National ID cards are the responsibility of the Dinas Kependudukan at the provincial and district/city level.
16 See Surat Edaran Menteri Dalam Negeri No.470/2166/SJ tanggal 25 Agustus 2005
Of people in both provinces without birth certificates for their children, most (>80%) had not ever considered trying to obtain them. Those that had considered doing so generally did not know why they had not followed through, with just a handful of people who had tried citing fees as the reason they had not succeeded (5% – 6%).

2.3.3 Possession of official Marriage or Divorce Certificate

Government-issued marriage or divorce certificates are considered to be important for asserting legal rights in family law matters. Their possession affects how marriages are terminated and the validity of subsequent marriages, inheritance rights of children and ability to claim alimony and child support from former spouses. Among those who are or have been married, marriage certification is common in both Aceh and Maluku, with 88% of men and 78% of women in Aceh and 75% and 72% in Maluku possessing marriage or divorce certificates.

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As with ID cards, possession of marriage or divorce certificates increases with education level, beginning from a low of 40% of Maluku respondents with no schooling, rising to 95% of respondents with a higher education in both provinces, as depicted in Figure 9 below. This may be due to several factors, not only education bringing an increased understanding of the value of official documentation, but also socio-economic factors and remoteness. Other research conducted on use of religious courts highlights that access and court fees are the main barriers for the poor in formalizing divorces.19

Figure 8 - Possession of marriage and divorce certificates by province and gender

<table>
<thead>
<tr>
<th></th>
<th>Male</th>
<th>Female</th>
<th>Male</th>
<th>Female</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Aceh</td>
<td>Maluku</td>
<td>Aceh</td>
<td>Maluku</td>
</tr>
<tr>
<td>N/A</td>
<td>1.0</td>
<td>2.8</td>
<td>0.1</td>
<td>1.3</td>
</tr>
<tr>
<td>No</td>
<td>11.0</td>
<td>19.7</td>
<td>25.4</td>
<td>26.6</td>
</tr>
<tr>
<td>Yes</td>
<td>88.0</td>
<td>77.5</td>
<td>74.5</td>
<td>72.1</td>
</tr>
</tbody>
</table>

Figure 9 - Possession of marriage or divorce certificates by education level

---

19 Ibid.
Of those who are or have been married, but have not obtained a marriage or divorce certificate, the majority in both Aceh and Maluku felt that they did not need this documentation (Aceh 86.5%, Maluku 62.3%). However, a significant minority in Maluku (8.5% of the total number of respondents or 37.7% of respondents without documentation) had tried to obtain a certificate and failed. In most of these cases (86%) respondents did not know why they had been unsuccessful. Lack of information, fees and lack of proper documentation were rarely used as explanations for why documentation had not been obtained.

2.3.4 Proof of property rights

Written documentation of ownership of land, which can come in several forms— including official government land certificates issued by the National Land Agency (BPN)—can be crucial evidence during disputes over land. If two parties contest ownership of land in court, the party holding government documentation, even if dishonestly obtained, is likely to succeed, often at the expense of families who have been in customary possession of land but who lack written proof.

Written proof of property rights is especially important for marginalized community members such as women and children, partly because it is not unusual for male relatives to attempt to sell property which they do not actually own, or use such property as collateral to take out loans. Under Indonesian law, it is possible for children (for example orphaned children) to hold certificates in their own name. For married couples, it is recommended that women obtain land certificates in their sole name for land which they bring to the marriage (for example that they have inherited) as well as have their name included jointly with their husband’s on certificates for land purchased within marriage.20

Written proof of land ownership varies significantly between Maluku and Aceh. Those who claim to own their own house or farm in Aceh are much more likely to have documentation proving ownership, with 73% having the relevant documentation for their house and 69% having documentation for agricultural land. Only 40% have documentation proving ownership of their house in Maluku whereas this number falls to 25% for farming land. It is not clear whether this is because more land in Maluku is under traditional communal title.

2.4 Legal advice sought by village leaders

Three key informants were interviewed in every village surveyed. In each village, the key informants included the village head, a religious leader and a female village leader. In both Maluku and Aceh, these key informants play an active role in seeking legal information on behalf of villagers. The survey found that 16% of key informants in Aceh and 28% in Maluku had sought legal information over the previous two years and,

in the vast majority of these cases (around 90% for each province), this information was sought mostly on behalf of other community members.

Of key informants who do seek legal information, the majority do so on multiple occasions, as Figure 10 shows.

Figure 10 - Frequency village leaders sought legal information over past two years

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The topics for which information was sought in each province are portrayed in Figure 11 and Figure 12 below. Notably legal issues around land, crime, family and domestic violence are dominant in both provinces. Corruption was a less common although nevertheless important issue for leaders in Aceh (3%) and Maluku (7%).

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Key informants are likely to access information from different sources depending on if they live in Maluku or Aceh. In both provinces, the police were the most common source of information (Maluku 42%, Aceh 26%). The lower popularity of the police in Aceh is possibly due to lingering concerns following the conflict. In Maluku, 70% of key informants would seek information from other formal justice sector actors (police, lawyers, courts and prosecutors), whereas this figure is only 34% in Aceh. The role of
NGOs, paralegals and legal aid organizations is not insignificant in both Maluku (9%) and, in particular, Aceh (15.8%). This figure is significantly higher than previous research on dispute resolution actors indicates. The active roles NGOs and human rights/legal aid organizations have played in both Maluku, post-conflict and Aceh, post-tsunami and the conflict may explain this.

Figure 13 - Sources from whom village leaders sought legal information (as %)

<table>
<thead>
<tr>
<th>Source</th>
<th>Aceh</th>
<th>Maluku</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police</td>
<td>25.8</td>
<td>41.5</td>
</tr>
<tr>
<td>Village Head</td>
<td>9.6</td>
<td>2.1</td>
</tr>
<tr>
<td>Subdistrict Paralegal</td>
<td>19.1</td>
<td>8.5</td>
</tr>
<tr>
<td>Legal Aid</td>
<td>8.6</td>
<td>5.3</td>
</tr>
<tr>
<td>NGO</td>
<td>4.3</td>
<td>2.1</td>
</tr>
<tr>
<td>Lawyer</td>
<td>2.9</td>
<td>7.4</td>
</tr>
<tr>
<td>Court</td>
<td>6.2</td>
<td>5.3</td>
</tr>
<tr>
<td>Prosecutor</td>
<td>0.5</td>
<td>16.0</td>
</tr>
<tr>
<td>Govt Dept</td>
<td>1.9</td>
<td>4.3</td>
</tr>
<tr>
<td>Other</td>
<td>7.7</td>
<td>5.3</td>
</tr>
</tbody>
</table>

See, for example, McLauglin & Perdana, Conflict and Dispute Resolution in Indonesia: New Information from the Governance and Decentralization Survey, Jakarta, forthcoming.
3. Disputes

Types of disputes reported by villagers and the frequency of disputes experienced in Maluku and Aceh in general are consistent with previous research on conflict incidents in Indonesia. Over one in ten families in Maluku and Aceh have directly experienced a dispute over the last two years. The majority of these relate either to economic livelihood issues or criminality. Community leaders report higher dispute incidents than previous research has indicated.

This section assesses the types and frequency of disputes experienced by communities. Statistics gathered from community focus group discussions indicate that dispute incidents in both provinces are higher than previously reported. There are some variations between the types of disputes experienced directly by communities and the types of disputes that are of most concern to communities. Most disputes experienced involved either other family members or individuals from the same village. The section then analyses how disputes are resolved and the role of actors involved. A limited number of disputes in both provinces are likely to result in property damage or personal injury. Overall disputes are resolved relatively quickly and at the local level.

3.1 Dispute frequency and types

The number of disputes experienced across each village was recorded through the community focus groups. Table 5 identifies the percentage of villages that reported different types of disputes over the last two years. Only disputes reported by over 20% of villages in either Aceh or Maluku are listed. Land disputes are most common in both Maluku and Aceh, followed by theft and domestic violence.

Table 5 – Disputes occurring in the village over past two years. Figures shown are percentage of villages in which each dispute type occurred.

<table>
<thead>
<tr>
<th>Dispute type</th>
<th>Aceh %</th>
<th>Maluku %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land ownership/use etc</td>
<td>48%</td>
<td>60%</td>
</tr>
<tr>
<td>Theft</td>
<td>45%</td>
<td>31%</td>
</tr>
<tr>
<td>Domestic Violence</td>
<td>40%</td>
<td>23%</td>
</tr>
<tr>
<td>Fighting</td>
<td>16%</td>
<td>35%</td>
</tr>
<tr>
<td>ID Card</td>
<td>33%</td>
<td>3%</td>
</tr>
<tr>
<td>Distribution of Aid</td>
<td>25%</td>
<td>20%</td>
</tr>
<tr>
<td>Inheritance</td>
<td>23%</td>
<td>20%</td>
</tr>
<tr>
<td>Forestry Disputes</td>
<td>11%</td>
<td>20%</td>
</tr>
</tbody>
</table>

The percentage of disputes reported by community leaders is higher than previous research suggests. The last Governance and Decentralization Survey, an Indonesia-wide survey conducted in 2006, asked respondents a similar question. In that survey, criminality was reported as the most common type of dispute with approximately 16%
of respondents reporting knowledge of an incident in their village in the previous two years. This was followed by land conflict (13%) and family disputes (11%). As noted above, the figures on actual disputes experienced in Maluku and Aceh are based on responses from key community members through focus group discussions. It can be assumed that these respondents are more likely to be aware of the breadth of actual disputes occurring in a village than average villagers. This finding therefore may highlight underreporting that has occurred in previous surveys.

In both Aceh and Maluku, over one in ten households have a member who was personally involved in a dispute over the past two years – 13% and 16% respectively. In both provinces, the most commonly experienced dispute relates to distribution of development aid or other external assistance, for example from the government or a donor agency. This was reported by 3.2% of Aceh households and 4.3% of Maluku households. This was followed by land disputes. Table 6 lists the types of disputes which were experienced at a rate of over one per cent in either province.

Table 6 - Distribution of dispute types personally experienced over past two years, by province. Figures shown are percentage of households directly experiencing the listed dispute type.

<table>
<thead>
<tr>
<th>Dispute type</th>
<th>Aceh %</th>
<th>Maluku %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Distribution of Aid</td>
<td>3.2</td>
<td>4.3</td>
</tr>
<tr>
<td>Land ownership/use etc</td>
<td>3.0</td>
<td>4.5</td>
</tr>
<tr>
<td>Theft</td>
<td>2.0</td>
<td>2.1</td>
</tr>
<tr>
<td>ID cards</td>
<td>1.7</td>
<td>1.7</td>
</tr>
<tr>
<td>Domestic Violence</td>
<td>0.5</td>
<td>2.5</td>
</tr>
<tr>
<td>Loan Repayments</td>
<td>1.5</td>
<td>1.3</td>
</tr>
<tr>
<td>Fighting</td>
<td>0.9</td>
<td>1.7</td>
</tr>
<tr>
<td>Inheritance</td>
<td>1.3</td>
<td>0.6</td>
</tr>
<tr>
<td>Forestry</td>
<td>0.2</td>
<td>1.5</td>
</tr>
</tbody>
</table>

Interestingly, whereas distribution of aid is the most common type of dispute experienced by villagers, it only ranks number five in terms of actual disputes reported by community leaders. This may be linked to the fact that many of these disputes may involve the same community leaders reporting on the disputes and are therefore underreported at this level.

The overall low number of actual disputes reported means that there are few discernable variables relating to who experiences different types of disputes.

3.1.2 Disputes of most concern to the village

There are some differences between types of disputes experienced by respondents and disputes that are of most importance to villages. The survey asked respondents to rank
the disputes that were of most concern to their village, in addition to requesting information about actual experiences with disputes. In Aceh, the three disputes of most concern to villagers replicated those actually experienced. Distribution of aid (18%), theft (17%) and land disputes (16%) were the top three followed by domestic violence (7%). Almost one-quarter of respondents in Aceh had no response.

Figure 14 - Disputes considered most important to the village in Aceh (%)

In Maluku, land was clearly identified as the most significant concern at the village level, with 39% of respondents identifying it as the main concern in the village and 11% as the second most important concern. This was followed by fighting (15%) and disputes involving (fresh) water (7%). Land concerns in Maluku are shared equally by men (36%) and women (42%), whereas in Aceh men are twice as likely to be concerned about land disputes (21%) and women (10%).

Figure 15 - Disputes considered most important to the village in Maluku (%)

Note: “Physical Assault” is where one party attacks another, while “Fight” is where two parties fight between each other.
3.2 Disputants

In between 60 to 70 percent of disputes, both disputants were from the same village. In Aceh, 29.1% of disputes reported involved a family member as the other party, whereas 26.6% involved another person from the same village. In Maluku, these figures were 20.9% and 23.4% respectively. Village governments were also commonly involved in disputes in both Maluku (15.3%) and Aceh (12.8%). Only around twenty percent involved external parties such as companies or people from a neighbouring village or from a higher level of government. Figure 16 below provides information on the different parties involved in disputes.

Figure 16 - Parties involved in disputes: Aceh (left) and Maluku (right)
Local level officials are the first point of contact for the majority of disputes that can not be resolved through direct negotiation. In Aceh, 52.6% of disputes are referred to the village head with another 10% being referred to hamlet heads. Family/friends (7.8%) and the police (6.8%) are the next most popular options. As in Aceh, village leaders are also the most popular actors involved in dispute resolution in Maluku (42.9%). This is followed by the police (15.7%), sub-district heads (12.9%), hamlet heads (12%) and then family/friends (11.6%). No other actors play a noticeable role in resolving disputes in the first instance.

These figures highlight several interesting findings. First, despite the high level of trust expressed in traditional leaders (see section 7), they do not appear to play an active role in the dispute resolution decision making process. In Aceh, they are involved in resolving 5.7% of disputes, similar in number to religious leaders (6%). In Maluku, no disputes were referred to either adat or religious leaders. Second, legal aid posts, paralegals, NGOs and lawyers are not called on to resolve disputes. Community members seek assistance from village level officials, public officials beyond the village level and family/friends in that order. Respondents identified actors who have more decision making power. This may explain why lawyers and NGOs were not identified, as they play more of a consultative role rather than directly resolve disputes.

Few disputes are taken beyond one dispute resolution actor in both Aceh and Maluku. In Aceh of a total of 94 actual disputes reported that were taken to an intermediary, 20 were referred to another party. In Maluku, only 6 of the 55 cases involving an external dispute resolution actor were referred to additional actors. Whereas cases, in the first instance, predominantly involved local level actors, in the second instance formal institutions are more likely to be involved. In Maluku, half of these cases involved the police, with the remainder involving prosecutors and the religious court. In Maluku, 18.8% of cases involved the police, followed by the sub-district head (12.3%). Interestingly, informal, village level actors in Aceh do play a role in the second stage of dispute resolution processes. Almost a quarter of cases involve religious leaders (9.6%), village parliament bodies (8.8%) or traditional leaders (6.5%).

3.3.2 The Dispute Resolution Process

The vast majority of disputes are handled within 30 days by dispute resolution actors. In Maluku, 90.9% of disputes are handled within 30 days of being reported to the relevant dispute resolution actor. In Aceh, 75.8% of disputes are handled within the first 30 days. This does not necessarily indicate that they are resolved by that actor, rather that the actor’s role finishes within this period. The dispute may then either be referred to another actor or left unresolved. Eight disputes in Aceh and three in Maluku have been on-going for longer than one year.

Most disputants felt they had the opportunity to actively participate in the dispute resolution process. In both Aceh (89.5%) and Maluku (83.6%), the vast majority of respondents felt they were provided with an opportunity to state their opinion in dispute resolution processes. Respondents also felt that their views were understood by both
the dispute resolution actor (87.4% Aceh, 94.6% Maluku) and the other party to the dispute (67.4% Aceh, 58.2% Maluku).

Disputants were overall satisfied with the dispute resolution processes but the satisfaction rate wasn’t emphatic. Approximately half of the disputants in both Aceh (51.6%) and Maluku (50.9%) expressed satisfaction with the fairness of the dispute resolution process they were involved in. This was compared to 34.7% in Aceh and 25.5% in Maluku who believed the process was unfair. Only a small percentage of respondents believed the process was either very fair or very unfair.

The resolution rate of disputes in both Aceh and Maluku is not high. In Maluku, 56.4% of disputes were resolved with the assistance of dispute resolution actors in the first instance. The figure is lower in Aceh, with only 43.2% of disputes resolved at this stage. Among the disputes that were resolved, participants expressed a high degree of satisfaction with the final decisions (Aceh 88.1%, Maluku 90.3%). A large portion of these decisions involved a consensus with the decision favouring both parties (Aceh 50%, Maluku 30.1%), otherwise the decisions tended to favour the respondent (Aceh 32.2%, Maluku 49.5%).
4. Conflict and Safety

Household respondents and village leaders were asked to indicate how strongly they agreed with a series of thirteen statements, in order to gain a picture of their perception of conflicts in their communities. Respondents rarely answered with the most emphatic options “very strongly agree” and “strongly agree”, so in the discussion below, these responses are combined with “agree” except where expressly mentioned.

4.1 The key security concerns of communities

4.1.1 Perceptions of justice in conflict outcomes

The first statement was “People with money or power always win in a conflict, even if they are wrong”. Overall, 26% of householders in Aceh and 22% in Maluku agreed that money and power always win. Not surprisingly, the less money or power that people have, the more often they agree with this statement. Ordinary householders were roughly ten percent more likely to agree with this statement than village leaders, who are in a position of power; women (32% Aceh, 26% Maluku) were more likely to agree than men (20% Aceh, 19% Maluku); and Aceh respondents in the lowest consumption quintile agreed (31%) more often than the wealthiest quintile (of whom 19% agreed).

A healthy 80% / 77% of householders in Aceh and Maluku (respectively) agreed that: “Most of the time, people in this village who have a conflict can find someone in the village to help them resolve the dispute”. Interestingly, a slightly smaller (around 4% fewer) proportion of village leaders agreed with this statement, which is surprising given that they are commonly the ones consulted to resolve such disputes. The response of village leaders is also interesting given that village leaders also expressed a high degree of confidence in their ability to resolve disputes (see below).

Only a very small percentage of householders (4% in both provinces) agreed with the negative statement about village leaders that “When a conflict between families or groups occurs, the leaders in this village usually make the situation worse.” Results from these two questions therefore suggest that people are reasonably happy with local-level conflict resolution by village leaders.

4.1.2 Horizontal conflict

There is a striking difference between responses in Maluku and Aceh to questions relating to localized conflict. This reflects the different modes of conflict which have occurred in the recent past. The subsequent four statements were that various types of horizontal conflict (between households; between hamlets; between villages; and between ethnic or religious groups) were a “serious problem” in the village. Only a small percentage of Aceh householders were concerned with these horizontal conflicts (between 6%-7%). This may be because respondents have, in the recent past, been subject to more entrenched conflict between the State and GAM.
By contrast, local level conflicts were perceived as much more important in Maluku, with agreement that there was a problem with conflict between hamlets (32%), villages (36%) and between ethnic or religious groups (35%). The lower perception of serious conflict between households within the village in Maluku (16%) probably reflects the tendency of neighbours to have common ethnic and religious backgrounds, and to stick together during conflict with neighbouring villages.

4.1.3 Aceh: Conflict involving former GAM

The overall majority of household respondents in Aceh (87%) disagreed that conflict between former GAM combatants and other villagers was a serious village problem. Among those that agreed with the statement, there was some variation between districts, as shown in Figure 17. Approximately 17% of Aceh Besar households agreed with the statement, compared with just 3 – 5% in the other three districts.

Figure 17 - Responses by Aceh district to the statement: Conflicts between former GAM combatants and other villagers are a serious problem in this village.

4.1.4 Conflict within the village involving security forces, village leaders and political parties

There are notable variations between how communities in Aceh and Maluku perceive concerns about conflict within the village involving security forces, village leaders and political parties. None of these conflicts rated very highly as a concern in Aceh (7, 6 and 4% respectively). In Maluku, 34% of individual respondents agreed that conflicts involving security forces and other villagers were a serious problem; 22% agreed that political parties were involved in serious conflicts; and 33% agreed that conflicts involving village leaders were a serious problem (in fact village leaders themselves also agreed, 34% in the key informant survey).
4.1.5 Perceptions of personal safety and security of possessions

Two questions were asked in the individual respondent survey to determine whether people felt safe from assault, and whether they felt their household belongings were secure from theft.

**Figure 18 - Perception of personal safety by district.**
Question: If you walked alone at night in this village, what are the chances that you would be the victim of a physical assault?

Note: responses in the table are listed in the same order from top to bottom as they are stacked in the bar chart.

The data in Figure 18 above indicates that, overall, people in the districts studied have a high sense of personal security – over 95% feel that it is unlikely they would be a victim of a physical assault if walking alone at night. The proportion of people who respond emphatically that “there would be almost no chance” of an assault does vary however, both between districts and by gender. Women, particularly in Aceh, are less confident of their personal safety at night than men – 50% felt that an assault, although unlikely, “could happen”, as did 14% of women in Maluku, whereas men were 5-10% less likely to respond in this way.

Urban dwellers were less confident in their personal safety than people living in rural areas, and they were also more worried about the likelihood of theft of their belongings if they left their house for a week. This difference was most pronounced in Maluku, where 29% of urban dwellers were “very worried that expensive things could be damaged or stolen”, compared with 20% of people in rural areas.

4.1.6 Potential for Village Unrest
The household survey asked a question designed to gauge people’s sense of the likelihood of unrest or violence occurring in their village over the coming year. The results are presented per district in Figure 19.

**Figure 19 - Perceptions of political unrest.**  
**Question:** How likely is it that there will be riots or incidents of widespread violence in the next year in this village?  

[Note: responses in the legend are listed in the same order from top to bottom as they are stacked in the bar chart.]

Between the two provinces, people sampled in Maluku province were generally more confident of lack of violence over the next year than people in Aceh – 75% thought violence was unlikely or very unlikely. By contrast, 47.1% in Aceh felt that it was “possible” that widespread violence could affect their village. This figure rises to 54% and 52% for Aceh Utara and Pidie respectively. As these districts were two of the most conflict affected districts in Aceh, this highlights a continued need to build on the security situation and reintegration process in some districts in Aceh.

Generally speaking, although many people are clearly aware of the possibility of violence, only a very few are pessimistic enough to believe it will return to the two provinces. Overall, only around one percent of people in Aceh felt that widespread violence was likely or very likely over the next year, and only 2.8% of people in Maluku. Note that this slightly larger figure in Maluku does not reflect the generally much more optimistic mood of respondents, and may be an artefact relating to the absence of “don’t know” responses recorded in that province.

4.1.7 Village leaders’ conflict resolution styles and confidence
Three questions were posed to village leaders to investigate how they deal with cases of conflict which are brought to them or which occur in their communities. The questions and answers are summarized in Table 7 and Figure 20 below.

Table 7- Village leaders’ confidence in their own conflict resolution skills, by province

<table>
<thead>
<tr>
<th>Statement:</th>
<th>When a person comes to me because of a conflict, I usually refer them to someone else to help them resolve the situation.</th>
<th>I am good at helping community members find solutions to their conflicts.</th>
</tr>
</thead>
<tbody>
<tr>
<td>(%)</td>
<td>Aceh</td>
<td>Maluku</td>
</tr>
<tr>
<td>Strongly agree</td>
<td>9.9</td>
<td>3.1</td>
</tr>
<tr>
<td>Somewhat strongly agree</td>
<td>1.3</td>
<td>0.0</td>
</tr>
<tr>
<td>Agree</td>
<td>43.6</td>
<td>56.4</td>
</tr>
<tr>
<td>Less than agree</td>
<td>16.9</td>
<td>4.6</td>
</tr>
<tr>
<td>Disagree</td>
<td>25.9</td>
<td>34.0</td>
</tr>
<tr>
<td>Strongly disagree</td>
<td>2.5</td>
<td>2.0</td>
</tr>
</tbody>
</table>

Figure 20 - Village leader confidence in determining conflicts, by gender and province.

Question: When a person comes to me because of a conflict, I usually tell them what the solution should be.

When village leaders were asked if they usually referred conflict cases to someone else to resolve, responses were fairly evenly split (in Aceh 55% do, 45% don’t, and in Maluku 60% do, 40% don’t). However, answers to a subsequent question seem to somewhat contradict this, since overall 96% of both Aceh and Maluku village leaders agreed that “When a person comes to me because of a conflict, I usually tell them what the solution should be”. Perhaps many leaders do both, first giving their personal opinion, then referring the case on.
Male leaders were slightly more likely than female leaders to express their opinion on what the solution to a conflict should be; and they were likewise slightly more confident in their ability to help community members find solutions to their conflicts. Nevertheless, 90% of women leaders in both provinces agreed that they were good at helping solve conflicts.

4.1.8 Community Leaders’ opinions on conflict involving government officials, companies, and development efforts

Using focus group discussion methods, a small panel of community leaders were asked to consider three ways in which conflict affects their village. Community leaders were asked how often conflicts occur between people in their village and government officials. A similar percentage of villages in both Aceh (22%) and Maluku (23%) had experienced at least one instance of conflict of this type. In a substantial number of Maluku villages (12%), conflict with government officials was reported as occurring more frequently. This type of conflict was described as having at least a “serious” impact in 19-20% of Aceh and Maluku villages respectively.

Conflicts related to development were reported as having occurred in 21% of Aceh villages surveyed, and 31% of Maluku villages. These were considered to have at least a “serious” impact in 35% of Maluku instances; while in Aceh development conflicts were considered among the most important in terms of impact: 4% of villages reported “very serious” impacts, 12% “somewhat very serious” impacts, and 16% “serious” impacts (totaling 33% of villages). This is consistent with findings earlier in this report that highlight disputes relating to development assistance as being amongst the most common experienced by communities.

The final question posed on conflict asked how often conflicts occurred with outside companies or businesses. External companies or businesses were involved in conflicts in 11% of Aceh villages and 18% of Maluku villages surveyed. The household conflict survey (discussed above) also supports this estimate in Maluku, where 28% of householders agreed that this kind of conflict was “a serious problem” in their village. These figures contrast with the figures on actual disputes experienced by households which failed to identify any disputes involving outside companies. It may be the case that, as these disputes involve broader community interests, they were not reported by villagers as disputes experienced by their household.

In Aceh villages where external businesses were involved in conflict, such disputes were considered “serious” in 30% of cases, “somewhat very serious” in 15% and “very serious” in 4% of cases - in other words, the impact of half the cases was considered serious or worse. Maluku interviews also found a similar 17% of such impacts to be “somewhat very serious”, although the total “serious” or worse cases totalled only 33%. Interestingly, in both Aceh and Maluku, cases involving external businesses were only reported in rural areas. One possible explanation may be that such businesses are involved with natural resources.
5. Dispute Resolution Actors

Community members were asked where they would seek assistance in the event of a series of different types of disputes. These hypothetical questions seek to elicit the views of all respondents, whereas the previous section only built on actual experiences of respondents who been involved in disputes.

Family/friends/neighbours were the most popular option for disputes involving family issues. Where a dispute involves an outside party, village level officials were the most popular option in both Maluku and Aceh. Police are a popular second option where local level officials fail to resolve the dispute in the first instance. This is irrespective of whether or not the dispute is categorized as civil or criminal law in nature. Traditional and religious leaders in both Maluku and Aceh are not a popular choice in resolving disputes, except where those disputes involve family law matters.

Respondents in Aceh were much more likely to not provide a response to the hypotheticals than they were in Maluku. The response ‘don’t know’ ranged from between 9%-22% of responses depending on the question in Aceh, compared to 2%-9% in Maluku.

5.1 Recorded Preferences

5.1.1 Preferences involving criminal assault case

The hypothetical situation posed was as follows:
"Your younger brother was beaten up by a group of youths from a neighbouring village."

The majority of individual household respondents in both Aceh (56%) and Maluku (53%) answered that they would first take this to their village head for assistance. Acehnese males were most likely to do so, 64% favoring this course. Village leaders themselves also felt this to be the most appropriate first choice (Aceh 60%; Maluku 50%). The next most popular place to look for assistance was even closer to home, from either the hamlet head (Aceh: 10%, Maluku: 25%) or a family/friend/neighbour (Aceh: 14%, Maluku: 8%).

Only a small proportion of people would report a crime such as this to the police in the first instance. People in the Aceh districts surveyed are least likely to do so (3%), while in Maluku the police are considered somewhat more helpful in such cases (11%). Women in both Aceh and Maluku are more likely than men to favour the police as their first choice.

Despite being an unpopular choice as first port of call, police are resoundingly the most popular subsequent choice if local leaders fail to resolve the matter. This is true for
individual respondents in both Aceh (38%) and Maluku (62%), as well as village leaders (Aceh 43%; Maluku 59%).

5.1.2 Preferences in an Inheritance case

The hypothetical situation posed was as follows:
“Your father passed away a year ago, and just a month ago one of his brothers arrived back in the village to claim a share of the inheritance.”

In such a case, community members show a strong preference for using immediate networks, whether they be family, friends or neighbours (Aceh 41%, Maluku 39%). This was followed by village heads (Aceh and Maluku 32%). Of the hypothetical cases, this inheritance example attracts the highest go-to score for both “Traditional leader” (4% - 6%) and “Religious leader” (6% - 12%) among Aceh householders and village leaders. In comparison, in Maluku traditional leaders and religious leaders would only be used 3% and 2% of the time respectively.

If the first choice actor failed to resolve the dispute, a significant proportion of village leaders would refer the case to the formal legal system, namely to a religious court (Aceh 8%; Maluku 9%) or to the police (Aceh 11%; Maluku 25%).

5.1.3 Preferences involving Domestic violence case

The hypothetical situation posed was as follows:
“A female friend of yours has been experiencing domestic violence regularly and has asked you for help.”

Family and friends are the most popular first point of contact in this incidence in both Aceh (38%) and Maluku (37%). This is followed by village heads (30% and 22% respectively) and hamlet heads (7% and 14%). Compared to the other hypotheticals, there are also a significant number of people who would prefer to take a domestic violence case to a traditional or religious leader, as either the first or second choice. This is especially pronounced in Maluku, where 13% of householders and 12% of village leaders would initially refer the case to a religious leader. In Aceh, religious leaders are likely to be a significant second-round choice (according to 12% of householders and 13% of village leaders).

Only in the third round, after two other (informal) avenues have been exhausted, do police become the most popular place to refer the case, 32% in Aceh and 31% in Maluku.

5.1.4 Land case

The hypothetical situation posed was as follows:
“Young household is experiencing a land dispute with a household from a neighbouring village.”
Besides the three very popular local options of friends, neighbourhood and village leaders, a substantial proportion of people in Aceh (14% in the second round) would take a land case to a traditional leader for resolution. Despite land disputes being a civil matter, 48% of Maluku householders and 27% of Aceh’s would refer such a case to the police as a second resort. This may indicate that land disputes are also often linked to or may cause other forms of dispute including violence and damage to property.

The state court system only features prominently after two other (informal) avenues have been exhausted. Most village leaders (Aceh 19%; Maluku 32%) would refer a land dispute case to the district court as a third-round choice, after ignoring the courts (5% or less) in the first two rounds.

5.1.5 Corruption case

The hypothetical situation posed to individual respondents (but not to village leaders) was as follows:

“The quality of work performed by a local contractor on a community project is of extremely poor quality.”

The majority of people in Aceh (51%) would report this case to the village head as a first-round choice. This was also the most popular choice in Maluku (47%). Some respondents seemed to recognize that this can be seen as a corruption issue, 15% in Aceh and 26% in Maluku answered that they would report it to the police as a second-round choice.

A substantial number of people in both provinces volunteered that they would report the case in the first instance to the Bureau of Public Works (Dinas Pekerjaan Umum). In Aceh, 7% of people would report to the Reconstruction Committee which was established to help oversee post-tsunami and post-conflict reconstruction efforts.

The number of respondents answering ‘don’t know’ (Aceh 22%, Maluku 9%) was significantly higher compared to other questions. This either indicates that communities are not sure how to react to corruption cases or that they are less likely to act on these types of cases.

5.2 Implications

Community responses distinguish between two different types of cases, those involving family interests and those involving outside parties. Where family matters (inheritance and domestic violence) are involved, communities are more likely to seek the advice of their relatives or friends in the first instance, prior to involving officials. Similarly, the advice of religious and traditional leaders is much more likely to be sought in these types of cases. Cases that involve parties that aren’t related are most likely to be referred to village level officials in the first instance. These cases are rarely likely to involve either religious or traditional leaders.
Community members are reluctant to engage with higher level officials directly (including the police). Even though several of the cases presented involved criminal law matters, community members would still prefer to refer the cases to village authorities. This shows that communities rarely make a distinction between criminal and civil matters when faced with legal issues. Indeed, a previous study has suggested that many people are not conscious of the distinction, and that the choice to take a case to the police is determined more by whether it is perceived to be “serious”, such as murder, rape, robbery or drug cases.23

The fact that communities are more likely to refer matters to the police in the second instance indicates that village level officials play an important role in acting as an intermediary between community members and public officials. This would include deciding on whether or not a case should be referred to the police or other public officials. It also highlights the reluctance of villagers to engage directly with officials beyond the community level.

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6. Institutions: Trust, Fairness and Corruption

This section examines community members’ perceptions of institutions, both formal and non-state. Communities are asked about their degree of trust in a variety of institutions, from the village level to formal justice sector institutions. Similarly, communities are asked to comment on the likelihood of these institutions acting fairly in resolving disputes. Finally, the section examines the extent to which communities perceive these institutions to be corrupt.

The findings re-enforce previous research (The Asia Foundation, 2004) which indicates that communities, in general, have a greater degree of confidence in local level institutions. Communities are more ambivalent about institutions that operate beyond the village, with an increasing number of neutral answers. A notable exception is that religious courts are held in high esteem in both Maluku and Aceh.

6.1 Public Trust in Formal and Non-State Institutions

Individual Respondents’ perceptions of seven justice sector and dispute resolution actors, in terms of trustworthiness and fairness, were recorded using a range of possible responses. Key results are summarized in Table 8, and represented graphically in Figure 21 - Figure 18 below.

Table 8 - Perceptions of trustworthiness and fairness of dispute resolution actors

<table>
<thead>
<tr>
<th></th>
<th>Very positive (a)</th>
<th>Positive (b)</th>
<th>Neutral / Unsure</th>
<th>Negative (c)</th>
<th>Don’t know</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Aceh</td>
<td>Maluku</td>
<td>Aceh</td>
<td>Maluku</td>
<td>Aceh</td>
</tr>
<tr>
<td>Adat Leaders &amp; Institutions Trust</td>
<td>13.5</td>
<td>4.4</td>
<td>73.0</td>
<td>76.4</td>
<td>11.0</td>
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<tr>
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<td>Fairness</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Village Govt Officials Trust</td>
<td>11.4</td>
<td>2.5</td>
<td>70.8</td>
<td>76.1</td>
<td>13.3</td>
</tr>
<tr>
<td></td>
<td>Fairness</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kecamatan Govt Officials Trust</td>
<td>6.2</td>
<td>2.3</td>
<td>65.2</td>
<td>78.3</td>
<td>25.0</td>
</tr>
<tr>
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<td>Trust</td>
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<td>1.9</td>
<td>47.3</td>
<td>74.7</td>
</tr>
<tr>
<td></td>
<td>Fairness</td>
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<td>1.6</td>
<td>39.8</td>
<td>68.4</td>
</tr>
<tr>
<td>State Courts</td>
<td>Trust</td>
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<td>2.7</td>
<td>56.9</td>
<td>73.7</td>
</tr>
<tr>
<td></td>
<td>Fairness</td>
<td>2.1</td>
<td>2.8</td>
<td>53.1</td>
<td>68.9</td>
</tr>
<tr>
<td>Religious Courts</td>
<td>Trust</td>
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<td>3.1</td>
<td>62.8</td>
<td>83.6</td>
</tr>
<tr>
<td></td>
<td>Fairness</td>
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<td>2.4</td>
<td>61.8</td>
<td>78.8</td>
</tr>
<tr>
<td>Land Titles</td>
<td>Trust</td>
<td>3.4</td>
<td>2.2</td>
<td>55.9</td>
<td>76.3</td>
</tr>
</tbody>
</table>
Note: In this table, and subsequent graphs,
(a) “Very positive” indicates: Trust: Strongly agree actor can be trusted; Fairness: Very confident of fair process & outcome.
(b) “Positive” indicates: Trust: Agree actor can be trusted; Fairness: Confident of fair process & outcome. Unofficial Fees: Unlikely unofficial fees required.
(c) “Negative” indicates: Trust: Disagree agree institution can be trusted; Fairness: Not confident of fair process & outcome. Unofficial Fees: Likely unofficial fees required.

6.1.1 Perceptions of Traditional (adat) Leaders or Institutions

Traditional (adat) leaders or institutions are very highly trusted in both Maluku and Aceh. In Aceh, adat is the most highly trusted forum (86.5%) and in Maluku, the second most highly trusted (80.8%). Of all groups, men in Aceh have the greatest degree of trust in adat, 19.2% saying they “strongly agree” that adat leaders and institutions can be trusted, and 72% saying they “agree”. Combined, this indicates 91.2% of men trust this institution. Whilst a smaller proportion of Aceh women (7.9%) “strongly agree” that adat can be trusted, the total proportion who trust in adat is still an impressive 82.4%. Adat dispute resolution also has the highest score of all seven dispute resolution actors for perceived fairness of process and outcomes (Aceh: 84.6%; Maluku: 77.4%).

Despite this, adat leaders in Maluku also have negative ratings that are higher than most other institutions. Although these ratings are only 7% for fairness and 5.9% for trust, they do indicate that opinions about these actors are not universally positive, especially in Maluku.

Figure 21 - Perceptions of Traditional (adat) Leaders or Institutions
6.1.2 Perceptions of local government officials

In a comparison of levels of trust and perceptions of fairness between two levels of local government in Aceh, village level officials generally fare better than subdistrict officials (next in the hierarchy). As Figure 22 and Figure 23 show, more Aceh respondents have strong trust in village level officials (11.4%) than they do in officials at the subdistrict level (6.2%); and they likewise rate village level officials as more fair (79.7%) than subdistrict officials (63.5%). In Maluku, however, a preference is not clear.

Figure 22 - Perceptions of village government officials
6.1.3 Perceptions of formal justice system actors

In a comparison of three institutions from the formal justice sector, people’s preferred dispute resolution actor is clear: the religious court is strongly favored over state courts and the police. As shown in Figure 24 to Figure 26, twelve percent of Aceh respondents very strongly trust the religious court (with a total of 74.9% finding them generally trustworthy), compared with just 3.5% very strongly trusting the police and only 4.4% very strongly trusting the state courts. In Maluku, religious courts are also considered generally trustworthy (86.7%), which is roughly ten percent higher than police (78.2%) or state courts (76.4%).

The police, particularly in Aceh, are most likely to receive negative ratings on issues of trustworthiness (9.5%) and fairness (14.6%). State courts were perceived to be lacking fairness by a substantial number of respondents. Just 55% of respondents in Aceh and 71.7% in Maluku perceive the courts as fair, which compares unfavourably with most other dispute resolution actors except the police.

Figure 24 - Perceptions of police
Figure 25 - Perceptions of State Courts

Figure 26 - Perceptions of Religious / Shar'iyah Courts

6.2 Perceptions on Corruption

Perceptions of petty corruption ("If you were to bring a dispute to this institution, how likely is it that you would have to pay additional 'unofficial fees'?") in the same seven institutions were recorded, and results are summarized in Table 9 below.

Table 9 - Perceptions of corruption of dispute resolution actors
A significant proportion of community members did not provide responses to questions on corruption across all institutions. Community members in Maluku and Aceh were much less likely to comment on corruption issues at the village level, be they relating to adat or village government officials. This ranged from 71.5% of respondents in Maluku not commenting on likelihood of adat leaders requesting a bribe to 48.3% of Aceh respondents when dealing with village government. Across all questions, communities in Maluku were much less likely to comment on corruption than in Aceh.

The high level of non-responses to these questions raise the question of whether villagers are not aware of corrupt practices or that questions relating to corruption are perceived as being threatening. In section 4 above, communities expressed both a low level of concern about corruption cases affecting their villages but also a high level of concern relating to the distribution of aid (1st in Aceh and 4th in Maluku). Similarly, the fact that respondents were much less likely to directly respond to questions on corruption the closer an institution was to those respondents appears counter-intuitive. One would expect that communities would be more aware of corrupt practices that were taking place in their village than at the district level. This may indicate an uneasiness in dealing with these questions and may require more detailed research.

Where community members did respond to the questions, local level institutions were perceived as the least corrupt. Few villagers in Aceh and Maluku had negative impressions of adat leaders (2.2% and 2.8%) or village level officials (3.2% in both provinces). Although villagers in Aceh were more positive about local level actors than other institutions, the difference is less noticeable in Maluku.

Formal justice sector institutions were less likely to be perceived as being clean. The police in Aceh had the highest negative rating of all institutions surveyed (21.9%). This indicates that a significant level of distrust in the police remains in Aceh. State courts in Aceh (11.4%) were the only other institution to have a negative rating above 10%. Religious courts were perceived as being the formal justice sector institution least likely to ask for unofficial fees.
7. Results of Comparability of Indicators Across Treatment and Control Groups

In this section, we present the differences in indicators across treatment and control groups, separately for Aceh and Maluku. Based on the five objectives mentioned above, we use Chart-1 as our list of indicators. We calculate (i) normalized mean and (ii) Welch’s t-test for T1 and T2 separately with reference to the control groups. The results are given below separately for different treatments and different provinces.

Demographic differences (Table 4a and 4b)
Among demographic characteristics, we focus on age and education of the respondents, per capita consumption expenditure of the households and main occupational distribution in the communities. In terms of normalized difference, we find no difference between the treatments and control villages that go beyond the Imbens suggested criteria of 20 percent (see Table 4a and 4b). However, the Welch’s t-test value indicates some significant differences across indicators. From Table 4a we find that, in Aceh, proportion of young respondents (below 30 years of age) is significantly higher in the posko villages. However, there is no significant difference between villages with paralegals and controls. While majority of the respondents from Maluku are within the age group of 30-50 years, the treatment villages have more respondents at the age group between 50 to 70 years.

In educational attainment, we find treatment villages (with posko) in Aceh have a significantly higher proportion of ‘junior high school’ educated respondents. In the control villages, more respondent’s have higher degree or diplomas as compared to posko villages and no paralegals. The villages with paralegals have more primary educated respondents but significantly less higher educated people such as senior high or diplomas. In Maluku, proportion of household heads ‘never been to school’ are significantly more in paralegal villages than control.

Economically, households are more or less similar with no significant difference in per capita consumption expenditure across control and either type of the treatment villages in Aceh. In Maluku on contrary, per capita consumption expenditure is significantly higher in treatment villages.

From Tables 4a and 4b, we also find that villages with only posko and no paralegals have significantly higher proportion of farmers and day laborers as compared to the control villages in Aceh. The control villages have higher proportion of civil servants or drivers. We find similar distribution between villages with paralegals and control in both Aceh and Maluku.

Opinion, knowledge and understanding of law (Table 5a, 5b and 6a, 6b)
To evaluate households’ opinion, knowledge and understanding of law across treatment and control groups, a set of questions, comprised of legal laws and traditional practices,
were asked to the respondents. Table 5a shows that normalized mean differences are low (below 20 standard deviation points) implying no significant differences across treatment and control groups. Even t-values also show no significant differences among majority of the households’ opinion in favouring law. However, we find some cases, particularly in Aceh, where households from treatment villages opine in favour of traditional arrangements over law. Among these, some are notable: (i) additional fees asked by police officials in posko villages is considered agreeable by almost 46 percent of households and it is significantly higher than control villages (35 percent); (ii) about 14-15 percent of households in treatment villages still believe community recognition of marriages are more agreeable as compared to marriage certificate; (iii) married daughters are believed to be not entitled to her father’s estate or (iv) police has right to use force as compared to respect individual rights. For Maluku (see Table 5b), we find no significant differences so far opinion of law is concerned.

As per the knowledge of law (Table 6a and 6b), we find similar results: the normalized differences in households’ knowledge of law across treatment and control villages range between 0 to 16 percentage points in Aceh and 0 to 18 percentage points in Maluku. However, we find some significant differences across control and treatment villages, both in Aceh and Maluku.

Information on disputes (Table 7a and 7b)
We address dispute related differences across control and treatment groups by comparing number of households involved in disputes, incidence of death, injury and property damage related to disputes. In Aceh, we find no differences across posko and control. However, for paralegal villages, significantly less number of households are involved in disputes with administration, family, financial institutions and government. In Maluku, we find some dispute cases with company significantly less in paralegals as compared to controls. We also find that number of family related disputes is significantly more in paralegal villages than control.

Dispute resolution preferences (Table 8a and 8b)
Despite no significant differences across control and treatment villages in terms of normalized mean differences, we find some differences in pattern of dispute resolution preferences. Households from treatment villages (Posko or Paralegals) prefer to involve the village (lurah) head more frequently than the control villages. Interestingly, the households from treatment villages prefer to involve traditional or religious leaders significantly less than the control villages.

Government and corruption
The government and level of corruption have been addressed by evaluating household’s experience and information about corruption, level of trust on institutions and local leaders, level of confidence on those leaders and institutions, households’ perception about the likeliness that officials will request for unofficial or tired money and their willingness to report corruption.
(a) **Level of Trust on institutions/local leaders (Table 9a and 9b)**
In almost all the cases, we find that the households from villages with posko or paralegal in Aceh have significantly less trust on traditional adat leaders, village and kecamatan government officials, police and religious or shariyah court. The normalized mean differences also show this lower levels of trust in treated villages. In most of the cases, the difference is between 13 to 17 standard deviation points. For local level of government, it is more than 20 standard deviation points. In Maluku, we find no significant difference other than the level of trust on state court or religious court.

(b) **Confidence on institutions/local leaders (Table 10a and 10b)**
We find similar responses on household’s confidence on these institutions. Households from villages with posko or paralegals in Aceh have less confidence on them. However, in terms of normalized mean, the differences are well below 20 standard deviation points. Interestingly, we find that households from paralegal villages in Maluku have more confidence on traditional adat leaders than those in the control villages.

(c) **Likelihood that officials will request for money (Table 11a and 11b)**
In majority of the cases, households from treatment and control villages from Aceh show no significant differences in their responses on the likelihood that local leaders or institutions will ask for money to resolve any disputes. In most of the cases, they are either unsure or they have other views. However, in Maluku we find that significantly higher proportion of households from paralegal villages believe that traditional adat leaders, villages government officials, police or the state court will request for money to resolve any dispute.

(d) **Actual request by government officials for tired money (Table 12a and 12b)**
Table 12a for Aceh and Table 12b for Maluku present the normalized mean differences and t-test on official fee or tired money asked by government officials when the households tried to: (i) obtain land ownership or transfer documents; (ii) renew KTP or STNK cards; (iii) obtain letter of recommendation; (iv) register or reenroll a child in school or (v) resolve any dispute with police. Households from treatment villages in Aceh face significantly more fees when they tried to get land ownership document, letter of recommendation. On contrary, the households from control villages face such problem to obtain a STNK card. However, we find no significant differences between the control and treatment villages in Maluku.

(e) **Willingness of households to report corruption (13a and 13b)**
From Tables 13a and 13b, we find that households from the treatment villages (both in Aceh and Maluku) are significantly less reluctant to report any corruption, particularly when: (i) the head of the local health clinic sells medicine illegally; (ii) the village head takes money from any development
fund; (iii) a committee member embezzles funds from community development project or (iv) a police person asks for money for license.

Community conflict and safety (Table 14a and 14b)
These questions present households’ impression about community safety and conflict. In most of the cases, there is no significant difference between the treatment and control villages. However, households from the treatment villages significantly differ in opinion that conflict with other villages, companies/business, security forces or village leaders are sometimes a serious problem in their villages in Aceh. We find no significant differences in Maluku other than few cases like conflict with companies or village leaders.

To summarize, the above mentioned differences are merely some flags that one should keep in mind while evaluating the program’s impacts in the upcoming years. The random assignment of sub districts or villages to intervention and control groups ensures that the two groups are similar along both observables and unobservables. Our survey data and baseline analysis allow us to verify whether the selection was effective along observable dimensions by comparing households across comparison and treatment groups. Despite the differences we mentioned above between these, the evaluation can still accurately measure the impact since we have computed these differences at baseline. The double difference method is particularly important in this case since it can take account for such differences. As mentioned before, perfect equality is not a necessary condition for evaluation; it only makes the evaluation less complicated.
PART III – CONCLUSIONS

8. Conclusions

This baseline quantitative survey was undertaken as part of a detailed impact evaluation of the Mediation and Community Legal Empowerment program, a legal empowerment program being implemented by the Government of Indonesia in Aceh and Maluku provinces. From a technical perspective the results of the baseline survey highlight the similarities across comparison and treatment groups. Where differences exist these have been documented.

Substantively, the baseline provides a wealth of empirical data on access to justice issues in Maluku and Aceh. The data overall re-affirms previous findings in Indonesia about levels of awareness on legal issues, dispute resolution trajectories and roles of formal and informal actors in village level governance structures. This section will briefly highlight several of these findings.

Village decision making structures retain a high degree of confidence and legitimacy. Over three quarters of respondents in both Aceh and Maluku perceive village government officials and traditional leaders as being trustworthy and fair. They are also perceived as being less corrupt, although with the caveat that many respondents preferred not to respond on these issues. Similarly, village leaders overall have confidence in their ability to support community members in resolving disputes and play an active role in seeking legal information on behalf of communities. These perceptions are confirmed by the important role village leaders play in resolving actual disputes reported.

The survey data confirms the correlation between legal empowerment and social indicators. The less well educated, rural communities and women were overall less likely to have information about and access to a range of legal tools. Education levels and rural/urban differentials were determinants of degree of knowledge about a range of legal issues. As a result village leaders play an important role in seeking information on behalf of members of their community. Rates of possession of legal documents differ significantly between Aceh and Maluku. Overall, rural communities, people with lower education levels and women are less likely to possess official legal documents. The only exception to this is the possession of national ID cards in Aceh, which is high across the board, due to historical factors relating to the conflict. As a baseline survey, these findings confirm previous studies on legal empowerment undertaken both in Indonesia and at a more global level. Further work is required to understand the causal relationship between these factors.

Over one in ten households in both Aceh and Maluku have directly experienced a legal dispute within the last two years. These findings are not dissimilar to previous studies undertaken on disputes in Indonesia. Village leaders, however, report a greater number of disputes at the village level than findings from the Governance and Decentralization Survey. This probably highlights a degree of underreporting by normal respondents in
In both Aceh and Maluku disputes relating to land disputes and distribution of development assistance were both identified as the two most common types of disputes. Both of these disputes relate directly to economic livelihoods of communities. Approximately half of actual disputes in Aceh and Maluku are disputes within families or involving individuals from the same village. The significant majority of disputes in both Aceh and Maluku were resolved within 30 days of being reported to the initial dispute resolution actor.

Direct resolution between the parties is the most common means of attempting to resolve disputes in the first instance. Once external assistance is sought, village leaders are by far the most likely actors to be requested to play a role. Other preferences for referral options differ between Aceh and Maluku. A significant percentage of disputes remain unresolved. 57% of disputes in Aceh were not resolved in the first instance. Of this number 60% were left unresolved and the remainder were referred to a third party. In Maluku, 75% of disputes unresolved in the first instance remained that way with only 25% being referred to a third party.

The report also highlights areas that require more detailed analysis in order to be able to understand the implications that underpin some of the findings. Some of these areas are discussed below.

On a number of issues significant variation exists both between Maluku and Aceh and, more importantly, within provinces, across districts. The most striking example of this variation relates to the possession of national identity cards. Whereas there is almost universal possession in Aceh, in Maluku only approximately 40% of citizens have a card. Even within Maluku, communities in Maluku Tenggara are more than twice as likely to have cards than those in Maluku Tengah. Variations also exist across a range of other issues, including types of disputes experienced and considered as important by communities, perceptions on safety and security across districts in Aceh, types of actors (aside from village leaders) involved in resolving disputes, confidence in formal justice sector institutions, in particular the police and likelihood of responding on perceptions of corruption.

These variations across provinces and districts and also the distinct variations that exist between rural and urban communities emphasise the need for more detailed understanding of the complexities related to some of these issues. Quantitative research has its limitations in terms of identifying why such distinctions exist and what the implications are in terms of practical impacts on communities. More detailed ethnographic research is required to support better policy and programmatic planning to address some of the distinctions. Similarly, the distinctions highlight the importance of ensuring that programs are designed to target particular needs of communities and are integrated into the local context.

Both the types of disputes actually reported and the disputes that were identified as being of most importance to communities related directly to community livelihoods. Land and distribution of development assistance were identified as the two most
prevalent types of disputes in both Aceh and Maluku. Local village authorities play a key role in acting as the gatekeepers or referral points between communities and institutions beyond the village domain. The report identifies particular issues where a more detailed understanding of the impacts of these types of disputes and the choices available to communities in resolving these disputes is required.

The relationship between communities and village level leaders is complex. The primary findings from this report indicate a high degree of trust and reliance on local leaders and a degree of village cohesiveness. The report, however, indicates that whereas communities rate distribution of aid as being amongst the two most common types of disputes reported, village leaders only place these disputes at number five on the list. Similarly, a not insignificant number of disputes (15% in Aceh and 13% in Maluku) actually involving village authorities as parties to the dispute. Communities were also substantially less likely to respond to questions on whether or not adat leaders and village government officials were likely to ask for payments in resolving disputes. This either indicates that communities did not know or refused to answer. Whereas local level leaders play an important role in supporting communities, as the initial point of contact on most legal issues, they maintain a degree of control over village dynamics. A more detailed understanding of these power differentials between communities and local level leadership is required.

Finally, the dynamics between local level authorities and adat and religious leaders is worthy of more detailed examination. The report highlights the high degree of legitimacy of adat leaders in both Maluku and Aceh. Despite these findings, adat and religious leaders were rarely identified as key actors in actual disputes reported and hypothetical questions on preferences of dispute resolution actors. Other research in Indonesia has identified the important role these actors play in dispute resolution processes. A more detailed analysis is required to understand the complex nature of their role. A number of hypotheses are possible. Communities may not necessarily differentiate between village government officials and other local leaders at the village level, including adat and religious leaders. There may be a convergence in these positions or alternatively, such officials may hold more than one position, acting as both village or hamlet heads and local adat leaders. In such cases communities would not necessarily distinguish between the titles or roles of leaders in practice when seeking advice on their disputes. Similarly, given the consultative nature of dispute resolution processes in Indonesia, a range of local leaders are engaged in resolving disputes. Communities may prioritize the role of village officials in the resolution of disputes, however adat and religious leaders remain engaged in the process. Alternatively, these local leaders are perceived as having more of a consultative role in dispute mechanisms at the local level rather than a decision making role. Such a scenario may explain their high degree of legitimacy.
Appendix 1 - Treatment Assignment and Sample Selection

MCLE Treatment Sample Selection: The samples for each arm of the evaluation were selected using probability proportional to size \([pps]\) sampling. The samples were not stratified by district or sub-district. In Aceh, out of the universe of 121 possible paralegal treatment villages, \([pps]\) sampling was used to select 66 clusters for the sample. As a village may be selected more than once under \([pps]\) sampling, a total of 66 clusters in 56 villages were selected. Additionally, in Aceh, a sample was selected from the posko-only treatment group. This sample was selected using \([pps]\) sampling from all villages within the sub-districts receiving the program that were not selected into the paralegal treatment group. In the case of posko-only subdistricts, 66 clusters in 66 unique villages were selected.

Following the exclusions in Maluku, there are 32 possible treatment villages in Maluku Tengah and 11 in Maluku Tenggara. Sixteen treatment villages in Maluku Tenggara are excluded. Out of the universe of 43 possible treatment villages, \([pps]\) sampling was used to select 45 clusters in 30 unique villages for the sample. A separate posko-only sample was not selected as there are not a sufficient number of villages. Households within each treatment village are selected using simple random sampling from available village lists. A complete list of villages and populations is attached as an appendix to this note.

Control Sample Selection: Different methods were used to select the control samples in Aceh and Maluku due to the presence of the Conflict Resolution (CRT) program in Aceh and infrastructure considerations in Maluku. The original preferred control sample method was to use \([pps]\) sampling to select villages from the pool of all villages which were not selected for the posko or paralegal treatments. Due to high transportation costs and geographic separation, particularly in Maluku, this design was judged to be unfeasible due to cost.

In Aceh, the alternative employed was to select the control sub-districts from those not assigned to the MCLE or CRT treatment groups. This left two from Aceh Barat and four from each Aceh Besar, Aceh Utara and Pidie. The eligible control sub-districts are Bubon and Woyla Barat in Aceh Barat, Darul Imarah, Darul Kamal, Kruent Barona Jaya, and Suka Makmur in Aceh Besar, Baktiya, Cot Girek, Meurah Mulia, and Paya Bakong in Aceh Utara, and Bandar Baru, Indrajaya, Peukan Baro, and Sakti in Pidie. The villages from these sub-districts form the total pool of villages from which \([pps]\) sampling was used to select control clusters. The 66 selected clusters were in 62 unique villages.

In Maluku, two main concerns prevented the use of the same method: (1) cost due to limited infrastructure, and (2) a lack of a sufficient number of villages. Instead, \([pps]\) sampling was performed at two levels: first at the sub-district then at the village level. This was done to construct a sample that matches the overall population as closely as
possible while remaining within the boundaries of a reasonable budget and avoiding those villages excluded by the survey firm. Therefore a pps sample of eight sub-districts was drawn based on the total population of the villages in both Maluku Tengah and Maluku Tenggara in the sub-districts that were not assigned to receive the MCLE treatment. The sub-districts selected were six in Maluku Tengah (Amahai, Huamual Belakang, Leihitu, Sala Hutu, Seram Barat and Werinama), and two in Maluku Tenggara (Pulau Dullah Utara and Pulau Pulau Aru).

Then, individual villages were sampled from within the above pool selected in the first stage for sampling. From a possible 90 villages (73 in Maluku Tengah and 13 in Maluku Tenggara), 45 clusters were selected in 38 unique villages. By first selecting sub-districts from which the control sample is drawn, costs are decreased by centralizing the locations to which the survey teams will have to travel. This is done, however, at a trade-off of increased sampling error.

Due to the nature of the restrictions placed on the assignment of the treatment by the program design, the treatment and control groups are significantly different in their structure. Because, for example, a far higher percentage of total villages will receive paralegals in the district of Aceh Barat (13% compared to about 5% in the other treatment districts), Aceh Barat will be over-represented in the treatment sample as compared to the population as a whole. The structure of the control weights will also differ between Aceh and Maluku. Because the selection probabilities are known at each level of both the treatment and sample selection process, it will be possible to correct for these differences ex-post using weights. Additionally, the villages that were not selected for the first round of treatment, but also not included in the potential pool for the control sample must be taken into account when making these calculations (see discussion of weights below).

<table>
<thead>
<tr>
<th>Province</th>
<th>District</th>
<th>Sub-District</th>
<th>Villages Selected</th>
<th>Villages to be Selected</th>
<th>Village Total</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aceh</td>
<td>Barat</td>
<td>Arongan Lambalek</td>
<td>8</td>
<td>19</td>
<td>42.11%</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Kaway Xvi</td>
<td>8</td>
<td>63</td>
<td>12.70%</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sama Tiga</td>
<td>8</td>
<td>27</td>
<td>29.63%</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Woyla</td>
<td>8</td>
<td>43</td>
<td>18.60%</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sungai Mas*</td>
<td>8</td>
<td>14</td>
<td>57.14%</td>
<td></td>
</tr>
<tr>
<td>Aceh</td>
<td>Besar</td>
<td>Indrapuri</td>
<td>8</td>
<td>50</td>
<td>16.00%</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lembah Seulawah</td>
<td>8</td>
<td>12</td>
<td>66.67%</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Leupung</td>
<td>5</td>
<td>5</td>
<td>100.00%</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lhoong</td>
<td>8</td>
<td>25</td>
<td>32.00%</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Darussalam*</td>
<td>8</td>
<td>22</td>
<td>36.36%</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Kota Jantho*</td>
<td>8</td>
<td>13</td>
<td>61.54%</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Baitussalam*</td>
<td>8</td>
<td>13</td>
<td>61.54%</td>
<td></td>
</tr>
<tr>
<td>Aceh</td>
<td>Utara</td>
<td>Kuta Makmur</td>
<td>8</td>
<td>49</td>
<td>16.33%</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Nibong</td>
<td>8</td>
<td>19</td>
<td>42.11%</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Samudera</td>
<td>8</td>
<td>39</td>
<td>20.51%</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Tanah Luas</td>
<td>8</td>
<td>55</td>
<td>14.55%</td>
<td></td>
</tr>
</tbody>
</table>
Table 11 - Selected villages from Maluku

<table>
<thead>
<tr>
<th>Province</th>
<th>District</th>
<th>Sub-District</th>
<th>Villages Selected</th>
<th>Villages to be Selected</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maluku Tengah</td>
<td>Banda</td>
<td>10</td>
<td>8</td>
<td>80.00%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pulau Gorom</td>
<td>20</td>
<td>8</td>
<td>40.00%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Saparua</td>
<td>16</td>
<td>8</td>
<td>50.00%</td>
<td></td>
</tr>
<tr>
<td>Maluku Tenggara</td>
<td>Seram Timur</td>
<td>17</td>
<td>8</td>
<td>47.06%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Aru Tengah</td>
<td>45</td>
<td>8</td>
<td>17.78%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pulau Dullah Selatan</td>
<td>5</td>
<td>5</td>
<td>100.00%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>PP Kur</td>
<td>11</td>
<td>8</td>
<td>72.73%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Tayando Tam</td>
<td>6</td>
<td>6</td>
<td>100.00%</td>
<td></td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td></td>
<td><strong>59</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note on Conflict Resolution Training

During the planning stages, the inclusion of a complimentary conflict resolution training [CRT] program in some of the treatment villages was discussed. Due to concerns, however, about limited power to detect additional effects in the sub-sample, and concerns about “noise” in the main evaluation sample, the team decided to separate the two evaluations. The CRT treatment will proceed in sub-districts not included in the MCLE treatment or control groups, but to minimize costs, the CRT evaluation will use the same control villages.

Household Survey Weights

Sampling weights were calculated using the inverse probability of selection, and then scaled by a population adjustment factor. Since the method of selection for the treatment and control differ between Aceh and Maluku, slightly different processes were used to calculate the sampling weights.

Probability of Selection into Posko/Paralegal Treatment (Aceh and Maluku)
The treatment for the main arm of the evaluation was assigned in the same way in both Maluku and Aceh, it can be described by a common formula. Four treatment sub-districts were selected in each Aceh Barat, Aceh Besar, Aceh Utara and Pidie, then eight villages in each chosen sub-district, both using simple random sampling, the probability of selection for any given sub-district \( i \) in each is \( p_{pp} = \frac{4}{n_i} \cdot \frac{8}{m_i} \) where \( n_i \) is the total number of sub-districts in the district, and \( m_i \) is the total number of villages within the sub-district.

**Probability of Selection into the Paralegal Only Treatment (Aceh only)**

In Aceh, the second arm of the evaluation focuses on those villages that have access only to the *posko* services. This group would then include all those villages which are in selected sub-districts, but not in selected paralegal villages. The probability of selection therefore would be \( p_{poo} = \frac{4}{n_i} \cdot \frac{m_i - 8}{m_i} \).

**Probability of Selection into the CRT Treatment (Aceh only)**

Also in Aceh, the third arm of the evaluation is the CRT program, which while be conducted in two sub-districts not selected into the main treatment in Aceh Barat, and then four in each of the other three districts. Ten villages are then selected for participation. Therefore the probability of selection would be \( p_{crt} = \frac{r_i}{n_i - 4} \cdot \frac{10}{m_i} \), where \( r_i \) is the number of sub-districts selected into the program, \( n_i \) is the total number of sub-districts in the district, and \( m_i \) is the total number of villages within the sub-district.

**Probability of Selection into Sample (Aceh only)**

From the universe of the treatment sample for each of the three treatment arm, 66 villages were selected using probability proportional to size (with replacement) sampling. From the selected villages, six households were selected using systematic random sampling (from sampling frame compiled from *karta keluarga* – family cards – at the village level.) The treatment sample is implicitly stratified by district and sub-district. The probability of selection from the universe of the treatment into the treatment sample is
The same process was performed to calculate the probability of selection into the sample in Maluku, except in this case 10 households in each 45 villages were selected (due to high transportation costs). The probability of selection from the universe of the treatment into the treatment sample is

\[ p_i = \frac{45 \cdot v_i \cdot 10 \cdot y_i}{\sum v_i \cdot z_i} \]

where \( v_i \) is the population of the village (in individuals) as recorded in the village lists used to select the sample, \( y_i \) is the number of times the village has been selected into the sample, and \( z_i \) is the number of households in the village as recorded by the karta keluarga listing exercise.

### Sampling Weights for Treatment Sample

Sampling weights for the treatment sample are the inverse probability of selection. The probability of selection is composed of two factors, the probability of selection into the treatment, and the probability of selection from the treatment to the sample. The following table summarizes the probability of selection for each arm of the treatment.

<table>
<thead>
<tr>
<th>Posko/Paralegal (Aceh)</th>
<th>Posko/Paralegal (Maluku)</th>
</tr>
</thead>
<tbody>
<tr>
<td>( w_{pp} = \frac{1}{4 \cdot \frac{m_i}{n_i} \cdot \left( 66 \cdot v_i \cdot \frac{6 \cdot y_i}{\sum v_i \cdot z_i} \right)} )</td>
<td>( w_{pp} = \frac{1}{4 \cdot \frac{m_i}{n_i} \cdot \left( 45 \cdot v_i \cdot \frac{10 \cdot y_i}{\sum v_i \cdot z_i} \right)} )</td>
</tr>
<tr>
<td>Posko Only (Aceh)</td>
<td>CRT (Aceh)</td>
</tr>
</tbody>
</table>

In Aceh, due to the necessity to assign the CRT treatment at the sub-district level, sub-districts for the control sample were chosen using simple random sampling at the same time as the CRT treatment sub-districts were selected. Two sub-districts were selected into the control group in Aceh Barat, and then four in each of the other three districts. From this population, pps sampling was used to select 66 villages into the control sample. The sample was implicitly stratified based on district and sub-district. The formula for selection into the control sample in Aceh is

\[ \frac{1}{4 \cdot \frac{m_i}{n_i} \cdot \left( \sum v_i \cdot \frac{z_i}{z_{\text{total}}} \right)} \]
the number of times the village has been selected into the sample, and $z_i$ is the number of households in the village as recorded by the *karta keluarga* listing exercise.

**Sampling Weights for Control Sample (Maluku)**

In Maluku, there was only one treatment arm, therefore pps sampling could be used at both the sub-district and village levels. In each of the two program districts, 8 sub-districts were selected and in each sub-district, 45 villages were selected. The formula for selection into the control sample in Maluku is

\[
    w_{control} = \frac{1}{\left( \sum_{i} u_i \right) \left( \sum_{i} v_i \cdot z_i \right)} \cdot \left( \frac{8 \cdot u_i}{\sum_{i} u_i} \cdot \frac{45 \cdot v_i \cdot 10 \cdot y_i}{\sum_{i} v_i} \right)
\]

where $u_i$ is the population of the sub-district (in individuals) as recorded in the lists used to select the sample, $n_i$ is the total number of sub-districts in the district, $v_i$ is the population of the village (in individuals) as recorded in the village lists used to select the sample, $y_i$ is the number of times the village has been selected into the sample, and $z_i$ is the number of households in the village as recorded by the *karta keluarga* listing exercise.

**Population Scaling Factors**

Population scaling factors were also added to bring the weighted estimates of population size in line with the original population estimates used to do the sampling. Probability weights are multiplied by the scaling factor to calculate final weights.

<table>
<thead>
<tr>
<th>District</th>
<th>Population (Survey)</th>
<th>Population (PODES 2004)</th>
<th>Scaling Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aceh Barat</td>
<td>77,170</td>
<td>91,416</td>
<td>1.18</td>
</tr>
<tr>
<td>Aceh Besar</td>
<td>144,336</td>
<td>285,784</td>
<td>1.98</td>
</tr>
<tr>
<td>Aceh Utara</td>
<td>264,480</td>
<td>509,443</td>
<td>1.93</td>
</tr>
<tr>
<td>Pidie</td>
<td>308,428</td>
<td>511,372</td>
<td>1.66</td>
</tr>
<tr>
<td>Maluku Tengah</td>
<td>262,056</td>
<td>583,806</td>
<td>2.23</td>
</tr>
<tr>
<td>Maluku Tenggara</td>
<td>62,359</td>
<td>165,410*</td>
<td>2.65</td>
</tr>
</tbody>
</table>

*does not include areas excluded from selection
Appendix 2 - Selection Process for Key Informant Survey and Community Survey

Selection Process for Key Informant Survey:

Three key informant interview should be conducted in each village:

1) One of the key informants must be the Village Head
2) One of the key informants must be a prominent religious figure (the local Imam, priest or other religious leader)
3) At least one key informant must be a woman, who should not be the Village Head’s wife (who is by default the Head of PKK). Often this will be the third key informant, as most often (but not always) the village head and the local religious leader are men. The women should be a prominent and respected women’s leader in the village.

Selection Process for Community Survey (group interview):

The respondents for the Community Survey must include at least one person from each of the following three groups.

1) A prominent and respected women leader in the village. She should not be the Village Head’s wife (who is by default the Head of PKK).
2) The Village Head, or another knowledgeable member of the village government, e.g., the Village Secretary or a member of the village BPD or similar formal decision-making body.
3) A prominent religious figure (the local Imam, priest or other religious leader).

In addition to these 3 persons, the respondents should include someone from each of the following 2 categories:

4) Someone who plays a prominent role in resolving local problems/disputes, particularly if they specialize in certain types of disputes.
5) A local adat leader who continue to play an important role in managing disputes.
## Appendix 3 - Detailed List of Evaluation Indicators

<table>
<thead>
<tr>
<th>No</th>
<th>Indicator</th>
<th>Source of Information</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>Research Question 1: Impact on rights claiming and dispute processing</strong></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Changes in dispute processing preferences (actual and hypothetical)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Percentage decrease in number/type of cases not reported (or preference for not reporting)</td>
<td>HH Survey</td>
</tr>
<tr>
<td></td>
<td>- Increased use of formal legal institutions</td>
<td>KI Survey</td>
</tr>
<tr>
<td>2</td>
<td>Improvements in dispute processing practices</td>
<td>HH Survey</td>
</tr>
<tr>
<td></td>
<td>- Percentage increase in number/type of cases successfully resolved</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Increased level of satisfaction with outcomes</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Decrease in the number of steps required to resolve disputes</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Decrease in the time taken to resolve disputes</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Decrease in the cost of resolving disputes</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Increased collection of compensation agreements</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Substantive improvements in dispute processing practices</td>
<td>Case Study Analysis</td>
</tr>
<tr>
<td></td>
<td>- Increased reference to and consideration of state law (national as well as local)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Increased reference to and consideration of local adat norms and claims</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Decreased levels of discriminatory decision making</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Increased adoption of humane sanctions</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Increased acceptance of the right to appeal, and the right to speak and be heard</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Increased assertion of rights and claims against authorities in beneficiary communities</td>
<td>HH Survey</td>
</tr>
<tr>
<td></td>
<td>- Increased willingness to voice individual concerns and raise community problems</td>
<td>C Survey</td>
</tr>
<tr>
<td></td>
<td>- Increased assertion of legal identity and ownership rights (e.g., ID cards, birth certificates, land certificates)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Increased assertion of community service and development rights (e.g., health services, education services, roads)</td>
<td></td>
</tr>
</tbody>
</table>

## Research Question 2: Impacts on violence, safety and security

<table>
<thead>
<tr>
<th>No</th>
<th>Indicator</th>
<th>Source of Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>Decrease in the number of violent incidents in beneficiary communities</td>
<td>HH Survey</td>
</tr>
<tr>
<td></td>
<td></td>
<td>C Survey</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Newspaper Monitoring</td>
</tr>
<tr>
<td>5</td>
<td>Decrease in the intensity of violent incidents in beneficiary communities</td>
<td>HH Survey</td>
</tr>
<tr>
<td></td>
<td></td>
<td>C Survey</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Newspaper Monitoring</td>
</tr>
<tr>
<td>6</td>
<td>Increased perceptions of safety and security</td>
<td>HH Survey</td>
</tr>
<tr>
<td></td>
<td>- Increased perceptions of personal safety</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Increased perceptions of property security</td>
<td></td>
</tr>
</tbody>
</table>

## Research Question 3: Impacts on welfare

<table>
<thead>
<tr>
<th>No</th>
<th>Indicator</th>
<th>Source of Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Increased household consumption amongst beneficiary communities</td>
<td>HH Survey</td>
</tr>
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2 Increased household investment amongst beneficiary communities (e.g., housing improvements, land investment and improvements)  
3 Increased equality and fairness in the distribution of outcomes in cases involving economic/financial resources  

**Research Question 4: Impacts on corruption and bribery**

7 Decrease in the number of corruption/bribery incidents in beneficiary communities  
8 Changes in dispute processing preferences relating to corruption/bribery in beneficiary communities  
   - Percentage decrease in the acceptance of corruption/bribery  
   - Increased willingness to report corruption/bribery incidents (particularly involving development programs, such as SPADA)  
   - Percentage decrease in unreported incidents of corruption/bribery  
9 Perceived improvements in the processing of corruption/bribery cases in beneficiary communities  
   - Perceived decrease in corruption/bribery due to deterrence  
   - Increased perceptions that corruption/bribery cases would be duly addressed and prosecuted by formal legal institutions  
10 Substantive improvements in the processing of corruption/bribery cases in beneficiary communities  
   - Increased use of formal legal institutions to process corruption/bribery cases  
   - Increased consistency in the interpretation and application of corruption/bribery laws  
   - Decreased levels of political manipulation of case outcomes  
   - Increased satisfaction with outcomes of corruption/bribery cases  
   - Increased enforcement of corruption/bribery cases

**Research Question 5: Impacts on state-society engagement**

11 Increased use of formal legal institutions for dispute processing (see indicator 1 above)  
12 Increased use of formal state institutions to protect legal identity and ownership rights (see indicator s 1 and 4 above)  
13 Increased use of formal state institutions to protect collective service and development rights (see indicator 4 above)  
14 Increased perceptions of trust, fairness and efficiency of formal legal institutions  
   - Police (at various levels), Courts, Prosecutors Office, Lawyers, Land Office, Civil Registry, Camat, etc.  
15 Increased levels of community collective action  
   - Increased participation in village decision making  
   - Increased influence over village decision making  
   - Increased willingness to challenge higher authorities  
   - Increased frequency of community initiated projects  
   - Increased associational activity