

ACCESS TO JUSTICE FOR COASTAL COMMUNITIES AFFECTED BY RECLAMATION PROJECTS IN INDONESIA

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ABSTRACT

Coastal reclamation projects have become an important component of Indonesia's infrastructure and urban development agenda. However, these projects frequently generate social, environmental, and legal challenges for coastal communities whose livelihoods depend on marine and coastal resources. This study analyzes access to justice for coastal communities affected by reclamation projects in Indonesia through a sociolegal perspective. Employing qualitative sociolegal methods, the research examines the extent to which affected communities can participate in decision-making processes and seek remedies for perceived harms. The findings reveal that access to justice is often constrained by limited legal knowledge, unequal bargaining power, procedural complexities, and restricted access to legal representation. Environmental impact assessments and public consultation mechanisms frequently fail to provide meaningful participation opportunities for local residents. As a result, communities encounter difficulties in protecting their economic interests, cultural identity, and environmental rights. The study further demonstrates that legal frameworks governing reclamation projects contain important procedural safeguards, yet their implementation remains inconsistent across different regions. Strengthening community participation, legal aid services, and transparency in development planning can significantly improve access to justice outcomes. The research argues that sociolegal approaches are necessary to understand the broader social impacts of reclamation policies beyond formal legal compliance. The study concludes that ensuring equitable access to justice requires integrating human rights principles, environmental governance, and community empowerment into coastal development policies. Such measures are essential for achieving sustainable development while safeguarding the rights and welfare of affected coastal populations.

KEYWORDS *Access to Justice, Coastal Communities, Reclamation Projects, Environmental Governance, Sociolegal Studies*

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I. INTRODUCTION

Coastal reclamation has become an increasingly significant component of Indonesia's infrastructure development and urban expansion strategies. As a maritime country with extensive coastal areas, Indonesia has promoted reclamation projects as instruments for economic growth, urban modernization, transportation development, tourism expansion, and land availability enhancement in densely populated regions. Major reclamation initiatives in cities such as Jakarta, Bali, and other coastal areas reflect broader national development objectives aimed at strengthening economic competitiveness and improving urban infrastructure. However, these projects have also generated complex sociolegal challenges, particularly for coastal communities whose livelihoods, cultural practices, and social identities are closely connected to marine and coastal ecosystems (Bennett et al. 2019; Fabinyi 2018).

Coastal communities frequently experience coastal spaces not merely as economic resources but as social and cultural environments that sustain collective identities and community relationships. Small-scale fishers, traditional marine resource users, and other coastal residents often depend upon access to coastal ecosystems for income generation, food security, and cultural practices. Consequently, changes in coastal landscapes caused by reclamation may produce consequences extending beyond environmental degradation, affecting patterns of livelihood, social organization, and community resilience. From a sociolegal perspective, these impacts demonstrate that development projects are not only technical or economic interventions but also processes that redistribute rights, resources, and decision-making power among different social actors (Escobar 2008; Peluso and Lund 2011).

The central challenge emerging from reclamation projects concerns the unequal relationship between state-led development agendas and the legal interests

of affected communities. While reclamation projects are generally justified through arguments of economic growth, public infrastructure improvement, and urban development, affected communities frequently experience limited influence over planning decisions that directly affect their lives. This tension reflects broader debates within development studies regarding the relationship between economic modernization and social justice. Development initiatives may comply with formal regulatory requirements while simultaneously producing social inequalities when affected communities lack meaningful opportunities to participate in decision-making processes (Sen 1999; Fraser 2009).

These concerns are particularly relevant within the framework of access to justice. Access to justice extends beyond the ability to bring disputes before courts; it encompasses the broader capacity of individuals and communities to participate effectively in legal processes, understand their rights, influence decisions affecting their interests, and obtain appropriate remedies when harms occur (Cappelletti and Garth 1978). Contemporary sociolegal scholarship emphasizes that access to justice involves both formal and substantive dimensions, including institutional accessibility, procedural fairness, recognition of vulnerable groups, and the empowerment of communities to assert their legal claims (Galanter 1974; Sandefur 2008). In the context of coastal reclamation, access to justice therefore requires examining not only whether legal procedures exist but also whether coastal communities can meaningfully utilize those procedures.

Environmental governance frameworks increasingly recognize public participation as a fundamental element of legitimate environmental decision-making. International environmental principles, including those reflected in the Aarhus Convention and broader environmental democracy literature, emphasize access to environmental information, participation in decision-making, and access to remedies as essential components of environmental justice (Lee and Abbot 2003; Mason 2018). These principles are particularly important for communities affected by large-scale development projects because environmental decisions often involve complex technical assessments and significant power asymmetries between government authorities, private developers, and local residents. Without meaningful participation, environmental approval mechanisms may become procedural exercises that satisfy formal legal requirements without addressing substantive community concerns (Arnstein 1969; Newig and Rose 2020).

Indonesia's legal framework contains several mechanisms intended to regulate environmental protection, spatial planning, and public participation in development projects. Environmental Impact Assessments (*Analisis Mengenai Dampak Lingkungan* or AMDAL), spatial planning regulations, and coastal management policies provide formal procedures through which environmental consequences and community interests should be considered. However, sociolegal research demonstrates that the existence of legal safeguards does not necessarily guarantee effective protection of community rights. The implementation of legal procedures is influenced by institutional capacity, political interests, economic power relations, and the ability of communities to access legal resources (Bedner 2010; Butt 2014). Consequently, the effectiveness of environmental governance depends not only on regulatory design but also on how legal institutions operate within broader social and political contexts.

Existing studies on coastal reclamation have largely examined environmental impacts, economic consequences, or urban development strategies. Environmental research has documented changes in coastal ecosystems, marine biodiversity, and ecological vulnerability resulting from reclamation activities (Elliott and Cutts 2004; Temmerman et al. 2013). Meanwhile, urban development studies have focused on land expansion, infrastructure planning, and economic transformation in coastal cities. Although these perspectives provide important insights, comparatively limited attention has been given to the question of access to justice: how affected coastal communities understand their rights, participate in decision-making, challenge development outcomes, and seek remedies for social and environmental harms.

This gap is significant because coastal reclamation disputes represent not only conflicts over environmental resources but also conflicts concerning legal recognition, political participation, and social justice. Communities may experience multiple barriers when attempting to protect their interests, including limited legal knowledge, unequal bargaining power, procedural complexity, insufficient access to legal assistance, and limited influence within formal planning processes. These barriers illustrate what environmental justice scholars identify as structural inequalities in which vulnerable communities often bear disproportionate burdens of development while receiving limited opportunities to participate in decisions that shape their futures (Schlosberg 2007; Walker 2012).

Accordingly, this study examines access to justice for coastal communities affected by reclamation projects in Indonesia through a sociolegal perspective. It addresses three central questions: (1) how reclamation projects affect the legal and social conditions of coastal communities; (2) what barriers limit community access to justice in reclamation-related decision-making and dispute resolution; and (3) how environmental governance frameworks can be strengthened to promote more equitable outcomes. Rather than examining reclamation solely as a regulatory issue, this study argues that coastal development must be understood as a sociolegal process involving the interaction between law, environmental governance, political authority, and community empowerment.

Methodologically, this research employs qualitative sociolegal analysis by examining legal frameworks, policy documents, academic literature, and studies concerning coastal reclamation and environmental governance in Indonesia. The analysis focuses on the relationship between formal legal mechanisms and the lived experiences of affected communities, emphasizing the gap between legal recognition and practical access to justice. Through this approach, the study contributes to broader debates on environmental justice and development governance by demonstrating that sustainable coastal development requires not only regulatory compliance but also meaningful community participation, legal empowerment, and institutional accountability.

II. RECLAMATION PROJECTS AND THE TRANSFORMATION OF COASTAL SOCIAL RELATIONS

Coastal reclamation projects represent more than physical transformations of maritime spaces; they constitute broader processes of socio-spatial restructuring that alter relationships between communities, natural resources, and governance

institutions. Reclamation changes the physical boundaries between land and sea while simultaneously reshaping patterns of access, ownership, livelihood opportunities, and social relationships among coastal populations. From a sociolegal perspective, coastal development projects should therefore be understood as processes through which legal rights and social resources are redistributed among different actors, including government institutions, private developers, and local communities (Harvey 2003; Peluso and Lund 2011). The transformation of coastal areas reflects not only environmental modification but also changes in the social and legal arrangements that determine who can access, use, and benefit from coastal resources.

For many coastal communities in Indonesia, marine and coastal environments represent essential foundations of economic survival and social identity. Small-scale fisheries, coastal agriculture, aquaculture, and marine-based informal economies have historically developed through long-term interactions between communities and their surrounding ecosystems. These relationships are not limited to economic activities but also include cultural practices, collective knowledge systems, and social institutions governing resource use. Scholars of political ecology emphasize that local communities often possess historically developed forms of environmental knowledge and resource management practices that are embedded within specific ecological contexts (Berkes 2018; Escobar 2008). Consequently, interventions that alter coastal ecosystems may disrupt not only economic activities but also established social relationships and cultural meanings attached to coastal spaces.

The introduction of large-scale reclamation projects frequently produces changes in access to coastal resources. Areas previously used for fishing routes, boat movement, fish breeding grounds, or community-based economic activities may become restricted due to construction zones, new spatial arrangements, or changes in coastal ecosystems. Such transformations create questions regarding the distribution of environmental benefits and burdens. Environmental justice scholarship emphasizes that development projects often generate unequal outcomes because vulnerable communities may experience the greatest negative impacts while receiving limited benefits from economic development initiatives (Schlosberg 2007; Walker 2012). In this context, reclamation projects raise fundamental questions about whose interests are prioritized in coastal development decisions and whose voices are included in determining the future use of coastal spaces.

The transformation of coastal spaces also affects community livelihoods by altering economic security and social resilience. Small-scale fishers, in particular, are highly dependent on predictable access to marine environments and may experience declining income when fishing areas become reduced, degraded, or inaccessible. Unlike larger commercial actors with greater financial resources and mobility, small-scale coastal communities often lack alternative employment opportunities and face difficulties adapting to rapid environmental and economic changes (Bennett et al. 2019). These vulnerabilities demonstrate that the consequences of reclamation are not evenly distributed; instead, they are mediated by existing social inequalities, economic capacities, and institutional recognition.

From a legal perspective, these livelihood transformations reveal tensions between formal property and development regimes and community-based

relationships with coastal resources. Coastal communities often rely on customary practices, historical occupation, and informal recognition of resource access, while state development policies generally operate through formal systems of spatial planning, licensing, and administrative regulation. This difference reflects broader debates within legal pluralism regarding the coexistence of multiple normative systems within the same social environment (Griffiths 1986; Merry 1988). Communities may possess socially recognized claims to coastal spaces even when these claims are not fully reflected within formal legal frameworks. Consequently, disputes surrounding reclamation frequently involve not only environmental concerns but also competing understandings of rights, ownership, and legitimate resource use.

The transformation of coastal social relations is further intensified by unequal power relationships among stakeholders involved in reclamation projects. Government authorities and private developers typically possess greater financial resources, technical expertise, and institutional access compared with local communities. This imbalance affects the ability of communities to influence planning decisions, negotiate compensation, or challenge development outcomes. Sociolegal scholars have long emphasized that legal rights alone do not guarantee effective protection unless individuals and communities possess the social, economic, and institutional capacity to exercise those rights (Galanter 1974; Sandefur 2008). Therefore, examining coastal justice requires attention not only to the existence of legal procedures but also to the distribution of power that determines whether communities can meaningfully participate in those procedures.

Environmental Impact Assessment (AMDAL) procedures illustrate this tension between formal recognition and practical participation. In principle, environmental assessment mechanisms are designed to identify potential impacts, incorporate public concerns, and support informed decision-making. However, meaningful participation requires more than providing opportunities for communities to attend meetings or submit comments. Participation must involve genuine influence over decisions, access to relevant information, and recognition of community knowledge and interests (Arnstein 1969; Newig and Rose 2020). When consultation processes occur after major decisions have already been determined, affected communities may perceive participation as symbolic rather than substantive. Such situations create a gap between procedural compliance and meaningful access to justice.

The cultural dimension of coastal transformation is equally significant. Coastal communities often maintain collective identities connected to fishing traditions, maritime knowledge, religious practices, and intergenerational relationships with coastal environments. Reclamation projects may therefore generate forms of cultural disruption that cannot be measured solely through economic indicators. Environmental justice scholars argue that justice requires not only fair distribution of resources but also recognition of the identities, experiences, and knowledge systems of affected communities (Fraser 2009; Schlosberg 2007). Failure to recognize these cultural dimensions may deepen social tensions because communities experience development projects not only as economic disruptions but also as challenges to their collective identity and social continuity.

The sociolegal implications of these transformations are significant because they demonstrate that coastal reclamation disputes involve multiple dimensions of

justice simultaneously. They involve questions of distributive justice concerning the allocation of benefits and burdens, procedural justice concerning participation in decision-making, and recognition justice concerning respect for community identities and knowledge systems (Fraser 2009; Walker 2012). Therefore, assessing access to justice for coastal communities requires an analytical framework that moves beyond narrow legal compliance and examines how development policies affect the ability of communities to protect their interests within changing social and environmental conditions.

Reclamation projects reveal the complex relationship between development, law, and community rights in Indonesia's coastal regions. While reclamation may contribute to economic growth and infrastructure expansion, its legitimacy depends upon whether affected communities are meaningfully included in decision-making processes and whether their social, economic, and environmental rights are adequately protected. Understanding these transformations provides the foundation for analyzing the specific barriers that coastal communities encounter when seeking access to justice, which will be examined in the following section.

III. ACCESS TO JUSTICE AND LEGAL CHALLENGES FOR COASTAL COMMUNITIES

Access to justice has become a central concept in understanding the relationship between vulnerable communities and development decision-making processes. Traditionally, access to justice was understood primarily as the ability of individuals to bring disputes before courts and obtain legal remedies. However, contemporary sociolegal scholarship has expanded this concept by emphasizing that justice requires more than formal institutional availability. Communities must possess meaningful opportunities to understand their rights, participate in decision-making processes, influence outcomes, and obtain effective remedies when their interests are affected (Cappelletti and Garth 1978; Sandefur 2008). In the context of coastal reclamation projects, access to justice therefore involves examining whether affected communities can effectively engage with environmental governance systems and challenge decisions that influence their livelihoods, environments, and social identities.

The experience of coastal communities in Indonesia demonstrates that formal recognition of participation rights does not automatically produce meaningful access to justice. Although environmental and spatial planning regulations provide mechanisms for public involvement, affected communities often encounter institutional, informational, and socioeconomic barriers that limit their ability to exercise these rights effectively. Sociolegal analysis reveals that the gap between legal rights and practical access is frequently shaped by unequal power relations between communities, government authorities, and private developers (Galanter 1974; Bedner 2010). Communities may formally possess procedural rights while lacking the resources, expertise, or institutional support necessary to transform those rights into meaningful influence over development decisions.

A. Procedural Justice and Public Participation

Public participation represents one of the most important dimensions of access to justice in environmental governance. Environmental decision-making processes directly affect communities that depend upon natural resources, making their involvement essential for ensuring legitimate and accountable development outcomes. Environmental justice scholars emphasize that procedural justice requires more than simply allowing communities to attend consultation meetings; it requires meaningful participation in which affected groups have access to information, opportunities to express concerns, and genuine influence over decisions (Arnstein 1969; Schlosberg 2007). Without these elements, participation mechanisms risk becoming symbolic procedures that provide the appearance of inclusion without substantially changing decision-making outcomes.

In Indonesia, Environmental Impact Assessment (*Analisis Mengenai Dampak Lingkungan* or AMDAL) serves as a primary mechanism for evaluating environmental consequences and incorporating public perspectives into development planning. Ideally, AMDAL functions as a deliberative process through which scientific assessments, government considerations, developer interests, and community experiences are integrated into environmental decision-making. However, the effectiveness of AMDAL depends heavily on implementation practices, institutional transparency, and the quality of public engagement. Studies on environmental governance indicate that environmental assessment procedures in many developing contexts frequently face challenges related to limited community involvement, technical complexity, and unequal access to decision-making arenas (Newig and Rose 2020; Lee and Abbot 2003).

For coastal communities affected by reclamation, participation barriers often emerge from differences in knowledge, resources, and institutional capacity. Environmental assessment documents typically contain technical information regarding ecological impacts, spatial planning, and economic projections that may be difficult for local residents to interpret without professional assistance. As a result, communities may participate in consultation processes without fully understanding the potential long-term consequences of proposed projects. This creates an imbalance between actors who possess technical expertise and institutional resources and communities whose knowledge is primarily based on direct experience with coastal environments (Berkes 2018; Escobar 2008). The exclusion of local ecological knowledge may weaken the quality of environmental decision-making because community experiences regarding resource use and environmental change are insufficiently incorporated.

The timing and structure of consultation processes also significantly influence the quality of participation. Meaningful participation requires that communities become involved during the early stages of project planning when alternative options remain available. However, when consultation occurs after major development decisions have already been established, participation may function primarily as a mechanism for legitimizing predetermined outcomes rather than facilitating genuine deliberation (Arnstein 1969). This condition reflects what Arnstein describes as the difference between participation and tokenism, where formal opportunities for involvement exist but communities possess limited capacity to influence substantive decisions. In reclamation disputes, such

procedural limitations contribute to perceptions that development processes prioritize economic and political interests over community concerns.

Furthermore, procedural justice requires recognition of diverse forms of community knowledge and experience. Coastal communities often possess detailed knowledge regarding marine ecosystems, fishing patterns, seasonal changes, and environmental risks developed through long-term interaction with coastal environments. However, formal environmental governance systems frequently privilege scientific and technical expertise over local knowledge systems. Environmental justice scholars argue that such exclusion represents a failure of recognition justice because affected communities are treated primarily as beneficiaries or obstacles of development rather than as legitimate knowledge holders and rights-bearing actors (Fraser 2009; Schlosberg 2007). Incorporating community knowledge into reclamation planning is therefore not only an environmental consideration but also a matter of legal and social recognition.

The procedural challenges faced by coastal communities demonstrate that access to justice requires institutional mechanisms capable of transforming participation from a formal requirement into a meaningful democratic process. Improving participation requires greater transparency in environmental decision-making, accessible information, independent facilitation, and institutional mechanisms that allow community concerns to influence project outcomes. Without these safeguards, environmental governance systems may continue to reproduce existing inequalities by providing greater opportunities for powerful actors to shape development decisions while limiting the influence of vulnerable coastal populations (Walker 2012; Sandefur 2008).

B. Legal Awareness and Access to Information

A second major barrier to access to justice concerns the ability of coastal communities to obtain, understand, and utilize legal information. Legal awareness is an essential component of empowerment because individuals and communities cannot effectively claim rights that they do not understand or recognize. Sociolegal scholars have emphasized that legal consciousness influences how people perceive legal institutions, interpret their entitlements, and decide whether to pursue available remedies (Ewick and Silbey 1998). In the context of reclamation projects, limited legal awareness may prevent coastal communities from fully engaging with environmental procedures, challenging administrative decisions, or negotiating compensation and mitigation measures.

Although Indonesian environmental regulations provide mechanisms for public involvement and access to environmental information, practical accessibility remains a significant challenge. Legal documents, environmental assessments, licensing procedures, and spatial planning regulations are often complex and require specialized knowledge to interpret. Communities affected by reclamation may therefore depend heavily on external actors, including non-governmental organizations, academics, journalists, or legal aid organizations, to understand their legal position. This dependency demonstrates that access to justice is influenced not only by the existence of legal rights but also by the availability of institutional support that enables communities to exercise those rights effectively (Galanter 1974; Sandefur 2008).

Information asymmetry is particularly significant in development disputes because government agencies and private developers typically possess greater access to technical studies, legal expertise, and administrative resources. Communities, by contrast, may encounter difficulties obtaining timely information regarding project plans, environmental impacts, licensing decisions, and potential legal remedies. Such asymmetry affects the ability of communities to participate effectively because meaningful participation requires informed participation. Without adequate information, consultation processes may become unequal exchanges in which communities respond to decisions rather than actively shaping them (Newig and Rose 2020; Lee and Abbot 2003).

Therefore, strengthening access to justice for coastal communities requires not only expanding formal participation opportunities but also improving legal literacy, environmental information accessibility, and community legal empowerment. Access to information functions as a foundation for all other forms of participation because communities cannot effectively negotiate, challenge, or seek remedies without knowledge of relevant legal frameworks and institutional procedures (Mason 2018). In this sense, legal empowerment represents a crucial strategy for reducing inequality between development actors and affected communities.

C. Access to Legal Representation and Remedies

The ability of coastal communities to obtain effective remedies represents the final but essential dimension of access to justice. While participation and legal awareness are important foundations, communities affected by reclamation projects must also possess practical opportunities to challenge harmful decisions, seek compensation, and obtain appropriate forms of restoration when environmental or socioeconomic harms occur. Access to remedies therefore involves not only the availability of legal procedures but also the capacity of communities to navigate complex institutional systems and overcome structural barriers that limit their ability to pursue claims (Cappelletti and Garth 1978; Sandefur 2008). In sociolegal perspective, the effectiveness of legal remedies depends on the relationship between formal legal institutions and the social conditions that determine whether vulnerable groups can meaningfully utilize them.

For coastal communities affected by reclamation, pursuing legal remedies is often difficult because environmental disputes typically involve complex factual, technical, and regulatory issues. Challenging a reclamation project may require communities to demonstrate environmental harm, procedural violations, inadequate consultation, or inconsistencies with spatial planning regulations. These processes frequently require specialized legal and technical knowledge that exceeds the capacity of many local communities. As a result, formal legal mechanisms may exist in theory while remaining practically inaccessible to those most affected by development decisions (Galanter 1974; Bedner 2010). This gap between legal availability and practical usability represents one of the central concerns within contemporary access to justice scholarship.

The complexity of environmental disputes creates significant dependence on legal intermediaries, including lawyers, environmental organizations, academic

institutions, and civil society groups. These actors often provide essential assistance by translating technical information, preparing legal arguments, representing community interests, and facilitating negotiations with government authorities or private developers. The role of such intermediaries demonstrates that access to justice is not merely an individual capacity but also a collective and institutional process supported by broader networks of legal empowerment (Sandefur 2008; Epp 1998). In many environmental conflicts, communities achieve greater legal recognition when they are able to mobilize external expertise and organizational support.

However, access to legal representation remains uneven. Many coastal communities face financial limitations that restrict their ability to hire legal professionals or conduct prolonged legal proceedings. Environmental disputes may require years of administrative appeals or litigation, creating substantial economic burdens for communities whose livelihoods are already affected by declining access to coastal resources. This situation creates an imbalance between local residents and economically powerful actors, particularly private developers who possess greater financial capacity and institutional resources. Galanter's (1974) analysis of unequal access to justice remains relevant in this context, as repeat institutional actors often possess strategic advantages over individuals or communities confronting legal disputes for the first time.

Legal complexity further contributes to barriers faced by coastal communities. Environmental and development-related disputes frequently involve multiple areas of law, including environmental regulation, administrative law, spatial planning, land rights, and coastal management. The fragmented nature of regulatory frameworks may create uncertainty regarding available legal pathways and responsible institutions. Communities may struggle to determine whether disputes should be addressed through administrative objections, judicial review, environmental claims, negotiation processes, or other mechanisms. Such procedural complexity can discourage communities from pursuing legal action, particularly when expected outcomes appear uncertain or inaccessible (Bedner 2010; Butt 2014).

Alternative dispute resolution mechanisms may provide additional pathways for resolving conflicts between coastal communities, government institutions, and developers. Mediation, negotiation, and collaborative governance approaches can create opportunities for dialogue and mutually acceptable solutions, particularly where long-term relationships among stakeholders must be maintained. Environmental conflict scholars emphasize that participatory and collaborative approaches may be more effective than purely adversarial litigation in addressing complex resource disputes because they allow multiple interests and forms of knowledge to be considered (Susskind and Cruikshank 2006; Ostrom 1990). However, alternative mechanisms must be designed carefully to avoid reproducing existing power inequalities. Negotiation cannot be considered genuinely fair when communities participate without sufficient information, legal support, or bargaining capacity.

The availability of legal aid represents another crucial factor in improving access to justice for affected coastal communities. Legal aid institutions can reduce inequality by providing representation, legal education, and assistance in navigating administrative and judicial processes. In Indonesia, legal aid

organizations have played significant roles in supporting communities involved in environmental and development conflicts. Nevertheless, the demand for legal assistance frequently exceeds available resources, particularly in regions where professional legal services and civil society organizations remain limited. Strengthening legal aid infrastructure is therefore essential for ensuring that vulnerable communities are not excluded from justice systems due to economic or institutional constraints (Epp 1998; Sandefur 2008).

Beyond individual remedies, access to justice in environmental disputes also requires recognition of collective and community-based rights. Coastal communities often experience harms collectively because reclamation projects affect shared ecosystems, traditional livelihoods, and communal spaces. Traditional legal frameworks that focus primarily on individual claims may therefore inadequately address the collective dimensions of environmental harm. Environmental justice scholarship emphasizes that justice requires recognition of communities as collective actors whose relationships with environments and resources deserve legal protection (Schlosberg 2007; Fraser 2009). This perspective is particularly important in Indonesia, where many coastal communities maintain social and cultural relationships with marine environments that extend beyond individual economic interests.

The challenges surrounding legal representation and remedies reveal that improving access to justice requires institutional reform beyond expanding formal legal procedures. Effective justice outcomes depend upon reducing power inequalities, strengthening community legal capacity, improving access to environmental information, and developing responsive dispute resolution mechanisms. A sociolegal approach demonstrates that legal systems cannot be evaluated solely by the existence of statutes, courts, or administrative procedures; they must also be assessed according to whether vulnerable communities can realistically use these institutions to protect their rights and interests (Cotterrell 1992; Banakar and Travers 2005).

Coastal communities affected by reclamation projects face access to justice challenges that are multidimensional. Limited participation, inadequate legal awareness, unequal access to representation, and procedural barriers collectively constrain their ability to influence development decisions and obtain remedies. These challenges demonstrate that environmental justice requires more than regulatory compliance; it requires institutional arrangements that empower communities as active participants in governance. The following section examines how Indonesia's environmental governance framework addresses these challenges and explores the relationship between regulatory structures, community rights, and environmental justice.

IV. ENVIRONMENTAL GOVERNANCE AND COMMUNITY RIGHTS

Environmental governance provides the institutional framework through which states regulate the relationship between development activities, natural resources, and community interests. In the context of coastal reclamation, environmental governance is particularly significant because reclamation projects involve complex interactions between economic development objectives, ecological

protection, and the rights of communities dependent on coastal resources. A sociolegal perspective emphasizes that environmental governance cannot be understood solely as a system of formal regulations; rather, it represents an arena where different actors negotiate authority, knowledge, interests, and competing visions of development (Lemos and Agrawal 2006; Biermann and Pattberg 2012). Therefore, the effectiveness of coastal governance depends not only on the existence of legal frameworks but also on the extent to which these frameworks recognize and protect the rights of affected communities.

A. Regulatory Framework of Coastal Reclamation in Indonesia

Indonesia has developed a comprehensive legal framework governing environmental protection, coastal management, and development activities. The regulation of reclamation projects involves multiple legal instruments, including environmental protection law, spatial planning regulations, coastal zone management policies, and administrative licensing mechanisms. These frameworks aim to balance economic development with ecological sustainability by requiring environmental assessments, spatial conformity evaluations, and public participation procedures. At the normative level, Indonesian environmental law recognizes that environmental protection is closely connected with human rights, including the right to a healthy environment and the right to participate in environmental decision-making (Bedner 2010; Butt 2014).

A central mechanism in regulating reclamation projects is the Environmental Impact Assessment (*Analisis Mengenai Dampak Lingkungan* or AMDAL). AMDAL functions as a preventive governance instrument designed to identify potential environmental impacts before development activities are implemented. Through environmental assessments, authorities are expected to evaluate ecological risks, mitigation measures, and community concerns associated with proposed projects. In theory, AMDAL reflects the principle of preventive environmental governance by ensuring that development decisions incorporate environmental considerations from the planning stage (Lee and Abbot 2003; Mason 2018). However, the effectiveness of AMDAL depends significantly on implementation practices, institutional independence, and the meaningful involvement of affected communities.

The existence of AMDAL procedures demonstrates an important shift from purely administrative approval toward participatory environmental governance. Nevertheless, sociolegal analysis reveals that procedural mechanisms may produce limited justice outcomes when they operate primarily as technical requirements rather than democratic decision-making processes. Environmental assessments often rely heavily on expert knowledge and bureaucratic procedures, while community experiences and local ecological knowledge may receive insufficient recognition. As a result, environmental governance may become dominated by technical and administrative rationalities that marginalize the perspectives of communities directly experiencing environmental changes (Fischer 2000; Escobar 2008).

Coastal reclamation regulation also involves spatial planning mechanisms that determine how coastal areas are allocated and transformed. Spatial planning decisions have significant implications because they define legitimate forms of

land and resource use while potentially restricting existing community practices. From a legal pluralism perspective, spatial planning frameworks may conflict with informal or customary understandings of coastal access developed through long-term community practices (Griffiths 1986; Merry 1988). This tension illustrates that coastal governance involves not only regulatory coordination but also negotiation between formal state authority and socially embedded systems of resource management.

Furthermore, Indonesia's coastal governance framework recognizes the importance of community involvement in managing coastal resources. The legal recognition of coastal communities reflects broader international developments emphasizing participation, sustainability, and community-based resource management. However, the effectiveness of these protections depends on institutional capacity and political commitment. Where communities lack information, organizational support, or legal representation, formal recognition may not translate into substantive protection. This demonstrates the broader sociolegal principle that rights require institutional conditions that enable their practical exercise (Galanter 1974; Epp 1998).

The regulatory challenges surrounding reclamation projects therefore reveal a recurring tension between legal formalism and substantive justice. A legally compliant development process does not necessarily guarantee socially legitimate outcomes. Projects may satisfy licensing requirements while still producing significant social disruption for vulnerable communities. This distinction between legality and legitimacy is central to sociolegal analysis because it highlights the importance of examining how law operates within unequal social contexts rather than focusing only on the existence of formal rules (Cotterrell 1992; Banakar and Travers 2005).

B. Environmental Justice Perspective

Environmental justice provides an important analytical framework for understanding the unequal consequences of coastal reclamation projects. Unlike traditional environmental approaches that focus primarily on ecological protection, environmental justice emphasizes the relationship between environmental harm, social inequality, political participation, and recognition of vulnerable communities. It argues that environmental decisions must be evaluated through multiple dimensions, including the distribution of environmental benefits and burdens, fairness of decision-making processes, and recognition of affected communities' identities and knowledge systems (Schlosberg 2007; Walker 2012).

The first dimension, distributive justice, concerns how the benefits and burdens of reclamation projects are allocated among different social groups. Development projects are often justified through promises of economic growth, employment opportunities, and improved infrastructure. However, the benefits of reclamation may be concentrated among investors, urban populations, or commercial actors, while coastal communities may experience reduced access to fishing areas, environmental degradation, and livelihood disruption. This unequal distribution raises fundamental questions regarding who benefits from development and who bears its social and environmental costs (Walker 2012; Fraser 2009).

The second dimension, procedural justice, concerns whether affected communities have meaningful opportunities to participate in decisions that affect their lives. As discussed previously, participation must extend beyond formal consultation toward genuine involvement in shaping development outcomes. Environmental justice scholars argue that democratic legitimacy requires affected communities to have both voice and influence within decision-making processes (Arnstein 1969; Schlosberg 2007). In reclamation projects, procedural justice requires transparent access to information, inclusive consultation mechanisms, and institutional responsiveness to community concerns.

The third dimension, recognition justice, emphasizes the importance of acknowledging the identities, experiences, and knowledge systems of affected communities. Coastal communities are not merely groups experiencing economic impacts; they are social communities with historical relationships, cultural practices, and environmental knowledge connected to coastal spaces. Failure to recognize these dimensions may result in policies that treat communities as obstacles to development rather than legitimate participants in environmental governance (Fraser 2009; Escobar 2008). Recognition justice therefore requires development policies to respect the social and cultural significance of coastal environments.

Applying environmental justice theory to Indonesian reclamation projects reveals that access to justice is fundamentally connected to questions of power and recognition. Communities may possess formal rights under environmental regulations, yet those rights remain limited if decision-making systems continue to privilege economically and politically powerful actors. Environmental justice therefore expands the analysis beyond legal procedures by examining how social structures influence the ability of communities to protect their interests (Schlosberg 2007; Walker 2012).

C. Community Empowerment and Participatory Governance

Strengthening access to justice for coastal communities requires a governance approach that places community empowerment at the center of environmental decision-making. Participatory governance emphasizes that sustainable resource management depends upon collaboration among government institutions, private actors, experts, and local communities. Rather than viewing communities as passive recipients of development policies, participatory approaches recognize them as active partners with valuable knowledge and legitimate interests (Ostrom 1990; Lemos and Agrawal 2006).

Community empowerment involves more than providing information or consultation opportunities. It requires strengthening communities' capacity to organize, understand legal frameworks, negotiate with powerful actors, and participate effectively in governance processes. Legal empowerment scholarship highlights that disadvantaged groups achieve greater protection when they possess both formal rights and practical capabilities to exercise those rights (Epp 1998; Sandefur 2008). In the context of coastal reclamation, empowerment may involve legal assistance, environmental education, community monitoring mechanisms, and institutional support for collective action.

Collaborative governance models provide potential pathways for reconciling development objectives with community rights. These models emphasize dialogue, shared decision-making, and continuous engagement among stakeholders rather than one-directional administrative control. However, collaboration must be supported by institutional safeguards that address unequal bargaining power. Without such safeguards, participatory processes may reproduce existing inequalities by allowing more powerful actors to dominate negotiations (Ansell and Gash 2008; Newig and Rose 2020).

Environmental governance for coastal reclamation requires a shift from a purely regulatory approach toward a justice-oriented governance model. Such a model recognizes that sustainable development cannot be achieved through environmental compliance alone but requires meaningful community participation, equitable distribution of benefits and burdens, and recognition of local knowledge systems. Strengthening these dimensions is essential for ensuring that coastal development contributes not only to economic growth but also to social legitimacy and environmental sustainability.

V. TOWARD A SOCIOLEGAL FRAMEWORK FOR COASTAL JUSTICE IN INDONESIA

The analysis of coastal reclamation projects in Indonesia demonstrates the limitations of approaches that examine development conflicts solely through environmental regulation or economic evaluation. Although legal frameworks provide important mechanisms for environmental protection and public participation, the practical experiences of coastal communities reveal that access to justice is shaped by broader social, institutional, and political conditions. A sociolegal perspective therefore requires an analytical framework that explains how development policies, legal structures, community capacities, and environmental justice principles interact in determining whether affected communities can effectively protect their interests. This article proposes the concept of a Community-Centered Coastal Justice Framework as an approach to understanding and strengthening access to justice for communities affected by reclamation projects.

The framework is based on the assumption that coastal justice emerges through the interaction of five interconnected dimensions: (1) development decision-making structures, (2) community legal vulnerability, (3) access to justice mechanisms, (4) environmental justice principles, and (5) participatory coastal governance. These dimensions demonstrate that justice outcomes are not produced solely by legal rules but by the relationship between formal institutions and the social conditions that determine whether communities can exercise their rights. This approach reflects broader sociolegal arguments that law operates within social contexts where power relations, institutional practices, and cultural meanings influence the effectiveness of legal protections (Cotterrell 1992; Banakar and Travers 2005).

The first dimension concerns development decision-making structures. Coastal reclamation projects are typically initiated through state planning processes involving government agencies, investors, and technical experts. These processes often prioritize economic development objectives, infrastructure expansion, and

urban growth. While such objectives may contribute to national and regional development, they may also create tensions when decisions are made without sufficient consideration of community interests. The framework therefore emphasizes that coastal justice begins with examining how development priorities are established, whose interests are represented, and how affected communities are positioned within planning processes (Harvey 2003; Fraser 2009). Development legitimacy depends not only on economic outcomes but also on the fairness and inclusiveness of decision-making structures.

The second dimension involves community legal vulnerability. Coastal communities affected by reclamation often experience multiple forms of vulnerability, including economic dependence on marine resources, limited access to legal knowledge, weak institutional representation, and unequal bargaining power compared with government authorities and private developers. Vulnerability in this context does not merely refer to socioeconomic disadvantage; it reflects the structural conditions that limit communities' ability to exercise legal rights effectively. Sociolegal scholarship demonstrates that formal equality before the law may coexist with substantive inequality when certain groups lack the resources necessary to utilize legal institutions (Galanter 1974; Sandefur 2008). Recognizing legal vulnerability is therefore essential for designing justice mechanisms that respond to unequal social realities.

The third dimension concerns access to justice mechanisms. The framework conceptualizes access to justice as a continuous process involving recognition, participation, representation, and remedy. Recognition refers to whether communities are acknowledged as legitimate rights holders with valuable knowledge and interests. Participation concerns whether communities can meaningfully influence decisions affecting their lives. Representation involves access to legal assistance and institutional support, while remedy concerns the availability of effective responses when harm occurs. This multidimensional understanding extends traditional approaches that define access to justice primarily through court accessibility and emphasizes the broader conditions necessary for communities to achieve fair outcomes (Cappelletti and Garth 1978; Epp 1998).

The fourth dimension incorporates environmental justice principles as the normative foundation of coastal governance. Environmental justice requires attention to three interconnected forms of justice: distributive justice, procedural justice, and recognition justice. Distributive justice examines how the benefits and burdens of reclamation projects are allocated; procedural justice evaluates the fairness of decision-making processes; and recognition justice emphasizes respect for community identities, knowledge systems, and cultural relationships with coastal environments (Schlosberg 2007; Walker 2012). Integrating these dimensions prevents coastal governance from reducing environmental protection to technical management alone and instead places questions of equality, participation, and social legitimacy at the center of development decisions.

The fifth dimension concerns participatory coastal governance. Sustainable coastal management requires institutional arrangements that enable continuous collaboration between communities, government institutions, researchers, and private actors. Participatory governance recognizes that local communities possess valuable environmental knowledge and practical experience that can improve decision-making quality. However, participation must be supported by institutional

mechanisms that address power inequalities and provide communities with meaningful influence rather than symbolic involvement (Arnstein 1969; Ansell and Gash 2008). Community participation becomes a form of governance capacity when it enables communities to actively shape policies rather than merely respond to decisions made by others.

The relationship between these five dimensions can be illustrated as shown on Figure 1. The framework (Figure 1) highlights that access to justice is not an isolated legal issue but an outcome produced through interactions among development policies, institutional structures, and community capacities. Reclamation projects become socially legitimate when affected communities are not merely considered as subjects of regulation but recognized as active participants in shaping coastal futures. Such an approach challenges conventional development models that prioritize administrative efficiency and economic growth while treating social impacts as secondary concerns.

FIGURE 1. The Framework of Participatory Coastal Governance

Source: Adopted from various sources, edited and modified by the Authors



The Community-Centered Coastal Justice Framework also contributes to broader sociolegal debates regarding law and development in emerging economies. Existing approaches to environmental governance often emphasize regulatory effectiveness, institutional capacity, or ecological sustainability. While these dimensions remain important, this framework demonstrates that environmental governance must also consider the ability of communities to claim rights and influence decisions. In this sense, access to justice functions as a bridge connecting environmental governance with democratic participation and social empowerment (Sen 1999; Schlosberg 2007).

Furthermore, the framework contributes to understanding legal pluralism in coastal governance. Coastal communities frequently operate within overlapping normative systems involving state regulations, customary practices, livelihood traditions, and community-based resource management arrangements. Reclamation conflicts therefore involve not only disagreements over development outcomes but also conflicts between different understandings of legitimate relationships with coastal spaces. Recognizing these plural legal realities allows governance institutions to develop more inclusive approaches that integrate formal legal requirements with locally embedded knowledge and practices (Griffiths 1986; Merry 1988).

The Community-Centered Coastal Justice Framework suggests that sustainable coastal development requires a transformation in how reclamation projects are conceptualized and governed. Justice cannot be achieved merely by ensuring regulatory compliance; it requires institutions capable of addressing unequal power relations, strengthening community capacities, and creating meaningful opportunities for participation. By placing communities at the center of environmental governance, Indonesia's coastal development policies can move toward a more equitable model that balances economic aspirations with environmental protection and social justice.

VI. CONCLUSION

This study demonstrates that access to justice for coastal communities affected by reclamation projects in Indonesia is not determined solely by the availability of formal legal mechanisms but by the broader social, institutional, and political conditions that shape communities' ability to exercise their rights. Coastal reclamation represents not only an environmental and infrastructure intervention but also a process of social and legal transformation that redistributes access to resources, decision-making authority, and development benefits. The findings reveal that coastal communities frequently encounter multiple barriers to justice, including limited participation in environmental decision-making, unequal access to legal information, inadequate legal representation, and difficulties in obtaining effective remedies. These challenges illustrate the gap between formal legal recognition and substantive justice, demonstrating the importance of examining development projects through a sociolegal perspective that considers power relations, community vulnerability, and institutional capacity (Cappelletti and Garth 1978; Galanter 1974; Sandefur 2008).

This article contributes to sociolegal scholarship by proposing the Community-Centered Coastal Justice Framework, which conceptualizes access to justice as an interconnected process involving recognition, participation, representation, and remedy within environmental governance. The framework demonstrates that equitable coastal development requires more than regulatory compliance; it requires governance structures that acknowledge communities as rights-bearing actors with legitimate knowledge, interests, and cultural relationships with coastal environments. By integrating access to justice theory with environmental justice perspectives, the study expands existing analyses of coastal development by showing that justice outcomes depend on the interaction between legal institutions, community empowerment, and participatory governance. This approach highlights that sustainable development is achieved not only through environmental protection and economic planning but also through the creation of inclusive decision-making processes that address distributive, procedural, and recognition dimensions of justice (Schlosberg 2007; Walker 2012; Fraser 2009).

The findings have important implications for environmental governance and coastal development policy in Indonesia. Strengthening access to justice requires institutional reforms that improve transparency, expand meaningful public participation, enhance legal aid and community legal literacy, and ensure that environmental assessment procedures incorporate local knowledge and community

perspectives. Future research should further investigate how different coastal communities negotiate development pressures, legal institutions, and environmental changes across diverse regional contexts. Ultimately, the legitimacy and sustainability of reclamation policies depend on the ability of governance institutions to balance economic development objectives with the protection of community rights. A justice-oriented approach to coastal development is therefore essential for ensuring that Indonesia's maritime transformation proceeds in a manner that is environmentally sustainable, socially inclusive, and legally legitimate.

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