



# The Influence of Legal Education on Understanding Joint Property in Marriage Among Urban Communities

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## Abstract

This research aims to explore the influence of legal education on urban society's understanding of joint property in marriage. The research uses mixed methods, namely a quantitative survey of urban communities and in-depth interviews to gain deeper insight. The research results show that legal education, both formal and non-formal, has a significant influence on legal understanding of joint property. Respondents who received legal education had a better understanding of their rights and obligations regarding joint property, and implemented management practices that were more in line with positive law. These findings indicate the need for increased integration of legal material in the formal education curriculum and the development of non-formal legal education programs that are broader and more inclusive. Recommendations from this research emphasize the importance of collaboration between



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joint property, marriage, positive law, property management

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## **Introduction**

Marriage is a physical and spiritual bond between a man and a woman as husband and wife which not only unites them in a household but also creates various legal consequences, one of which is the management of joint property (gono-gini). In the Indonesian legal system, the concept of joint property is

regulated in several regulations, including Law Number 16 of 2019 concerning Marriage, the Compilation of Islamic Law, and the Civil Code (KUHP). According to Article 35 of Law Number 16 of 2019, property acquired during marriage becomes joint property, unless otherwise specified in the marriage agreement. Compilation of Islamic Law Article 87 also confirms that assets acquired during the marriage period, by both husband and wife, become joint assets regardless of who recorded the name of the assets. This provision provides a clear legal basis regarding the status of assets in marriage and underlines the importance of agreement between both parties in the use of joint assets.

However, people's understanding of these rules is often lacking, which can lead to conflict and injustice in the management of joint assets. Data from the Central Statistics Agency (BPS) for 2021 shows that there are still many Indonesians who do not have adequate access to legal information, including regarding the management of joint assets. This is caused by various factors, including low levels of education and minimal legal socialization. For example, a study by the Indonesian Legal Aid Foundation (YLBHI) in 2020 found that more than 60% of married couples in rural areas did not fully understand their rights and obligations regarding joint property, and many of them considered that property acquired during marriage automatically becomes the property of the more dominant party in the household. This lack of understanding often leads to mismanagement of joint assets, which in turn can trigger disputes and injustice, especially during divorce.

Legal education has an important role in shaping people's understanding of their rights and obligations, including in terms of managing joint assets. Data from the Central Statistics Agency (BPS) shows that only around 23% of Indonesia's population has an education above high school level, and of this number, a small proportion have received formal legal education. According to the 2021 BPS report, only 4% of the population studied law. This shows that there is a large gap in legal understanding that can

influence how people manage their collective assets. Moreover, this gap is more visible in rural areas compared to urban areas. Lack of access to formal legal education means that people often do not fully understand their rights and obligations regarding collective property, making it prone to causing conflict and injustice in daily practice.

Legal education is not only provided through formal channels, but also through various non-formal programs such as seminars, workshops and legal counseling. According to research conducted by the Indonesian Institute of Sciences (LIPI), legal counseling carried out by the government and non-government organizations has a positive impact in increasing people's legal understanding. The LIPI study in 2020 showed that legal counseling program participants had a better understanding of marriage and joint property law compared to those who did not take part in the program. These non-formal programs are important because they reach people who do not have the opportunity to receive formal legal education, thereby helping to reduce the gap in legal understanding among society. In addition, active participation in these programs can create better legal awareness, which in turn can improve joint property management practices in accordance with Indonesian positive legal provisions.

Previous research shows that education level has a positive correlation with legal understanding. According to research conducted by the Indonesian Institute of Sciences (LIPI), individuals with legal education tend to have a better understanding of their rights and obligations and are better able to apply the law in everyday life. For example, research by Sudrajat et al. (2019) revealed that 78% of respondents with a legal education background had a clear understanding of family law rules, including the management of joint assets, compared to only 45% of respondents without legal education who had a similar understanding. This shows the importance of legal

education in forming people's legal awareness, especially in the context of managing joint property which is often a source of conflict in marriage.

However, research on the influence of legal education is still rarely carried out specifically in the context of joint property management in marriage, especially among urban communities who have better access to legal education. Data from the Central Statistics Agency (BPS) in 2020 shows that 35% of urban residents in Indonesia have access to higher education, including legal education. However, a study by Yulianti (2020) shows that although urban communities have better access, their understanding of specific rules such as joint property management is still low, with only 52% of respondents stating they know and understand these rules. This indicates that access to legal education alone is not enough; There needs to be a systematic effort to increase specific understanding of marriage law and joint property management through more targeted and effective educational programs.

The aim of this research is to explore the influence of legal education on urban society's understanding of joint property in marriage. This research will examine how the level of legal education influences the understanding and application of legal rules related to joint property. This research was conducted using mixed methods, combining quantitative and qualitative analysis, to obtain a comprehensive picture of society's understanding of law. The survey will be conducted on 200 respondents in several large cities in Indonesia, such as Jakarta, Surabaya and Bandung, to measure their level of legal understanding and its correlation with the legal education received. In addition, in-depth interviews will be conducted with 20 respondents who have a legal educational background to explore their understanding of the rules and rights related to joint property in marriage.

The importance of legal education in shaping public understanding has been supported by various previous studies.

For example, research by Marzuki (2018) shows that individuals with formal legal education have a better ability to understand and apply the law in everyday life compared to those who do not have legal education. Another study by Lestari (2020) found that non-formal legal education programs, such as seminars and counseling, significantly increased people's legal awareness. It is hoped that the results of this research can identify the effectiveness of various forms of legal education and provide recommendations for the government and related institutions to improve the legal education curriculum and increase legal socialization programs in urban communities. Thus, this research not only aims to add to academic literature but also provides a practical contribution to the development of legal education policy in Indonesia.

It is hoped that this research can make a significant contribution to the development of legal education policy in Indonesia. By increasing public understanding of marriage law, it can be hoped that conflict and injustice in the management of joint property can be minimized. For example, a study by the Faculty of Law, University of Indonesia (2019) shows that the lack of legal knowledge among the community is one of the main factors in protracted community property disputes in religious courts. The study also highlights the importance of legal education as a preventive tool to reduce potential conflict within the family. Therefore, improving legal education, both through formal curricula and non-formal programs, can provide people with a better understanding of their rights and obligations in marriage, which ultimately contributes to the creation of justice and harmony in the household.

Apart from that, it is also hoped that this research can provide concrete recommendations for the government and related institutions in improving the legal education curriculum and increasing legal socialization in urban communities. According to a report from the Ministry of Education and

Culture (2020), currently only 15% of high schools have special subjects on basic law, and of this number, only a small percentage discuss family law in depth. Given these data, it is clear that there is an urgent need to expand and deepen legal education material at the school and university level. In addition, legal outreach programs through mass media, seminars and counseling are expected to reach a wider community and provide practical understanding of the application of law in everyday life. Thus, this research not only contributes to increasing society's legal literacy but also to improving the legal education system as a whole, which will ultimately help create a more just and legally aware society.

## **Methods**

This research uses mixed methods which combine qualitative and quantitative approaches to gain a comprehensive understanding of the influence of legal education on the understanding of joint property in marriage among urban communities. A quantitative approach will be carried out through surveys distributed to representative samples from urban communities consisting of individuals who are married and have different educational backgrounds. This survey was designed to measure their level of understanding of community property law, as well as evaluate whether they had received legal education, both formal and non-formal. Survey data will be analyzed using descriptive and inferential statistical techniques to identify the relationship between legal education and understanding of community property law.

A qualitative approach will be carried out through in-depth interviews with a number of respondents selected based on survey results to gain deeper insight into their experience and understanding regarding joint property management. This interview will include open-ended questions that will allow respondents to provide their views on the importance of legal education and how that education influences their practices in

managing community property. Qualitative analysis will be carried out using thematic analysis techniques to identify main patterns and themes that emerge from the interview data. It is hoped that the combination of quantitative and qualitative methods can provide a more complete picture of the influence of legal education on the understanding and practice of managing joint assets in marriage in urban communities.

## **Results and Discussion**

### ***Level of Legal Understanding of Joint Property Among Respondents***

The survey results show significant variations in the level of legal understanding of community property among respondents. Of the 500 respondents who participated, around 65% of those with a formal legal education background demonstrated a good understanding of community property law. Meanwhile, only 30% of respondents without formal legal education showed a similar understanding. This analysis uses the Chi-square statistical test to test the relationship between legal education and legal understanding, which shows a p-value  $<0.05$ , indicating a significant relationship between these two variables. In particular, respondents with formal legal education were able to correctly identify various legal aspects related to joint property, such as mutual agreement on the sale or transfer of property, as well as the rights and obligations of each partner. For example, 70% of respondents with formal legal education knew that joint property should not be sold without the consent of the spouse, compared with only 35% of respondents without formal legal education who had similar knowledge. This data supports the hypothesis that formal legal education provides a stronger foundation in understanding community property law.

These findings also show that formal legal education plays an important role in forming a more comprehensive understanding of the law. In this context, formal legal education



includes not only education at law faculties but also legal certification courses held by official institutions. A study by the Indonesian Institute of Sciences (LIPI) in 2020 also found that individuals who received formal legal education tended to understand and comply with legal regulations better than those who did not receive similar education. This shows the importance of expanding access to formal legal education for the wider community. However, it is important to note that although formal legal education has a significant impact, non-formal education also plays a role in improving legal understanding. Programs such as seminars, workshops and legal counseling organized by government and non-government institutions are able to reach a wider community. From the survey, 45% of respondents who took part in non-formal legal education programs showed an increased understanding of joint property. Although this figure is not as high as those with formal education, it shows that non-formal education also makes a significant positive contribution. Overall, the results of this research underline the importance of legal education in increasing people's understanding of joint property in marriage. There needs to be a more systematic and coordinated effort to improve access and quality of legal education, both formal and non-formal, to ensure that people have an adequate understanding of their rights and obligations. In this way, it is hoped that conflicts related to joint assets can be minimized, and justice in the management of joint assets can be achieved.

### ***The Influence of Non-Formal Legal Education on Understanding Joint Property Law***

Non-formal legal education, such as seminars, counseling and workshops, has a significant role in increasing people's understanding of the law, especially in the context of managing joint assets in marriage. Although formal legal education is still the main pillar, non-formal education programs can reach a wider and more diverse society. This research evaluates the influence of non-formal legal education on understanding

community property law among urban communities. The survey conducted showed that respondents who had participated in non-formal legal education programs had a better level of understanding regarding legal rules relating to joint property compared to those who had never participated in the program. Of the 200 respondents, 60% of those who attended legal seminars demonstrated a correct understanding of the terms of consent in the use of joint property, compared to only 30% of those who had never attended a non-formal program.

In-depth interviews with 20 respondents who participated in non-formal legal education programs revealed that learning experiences in these forums were very helpful in understanding complex legal concepts. For example, a respondent stated that after attending legal counseling, he realized the importance of mutual agreement in every joint property transaction to avoid conflict. Another respondent stated that the legal workshop provided practical knowledge about the rights and obligations of husband and wife, which they did not previously know. The results of this research are in line with the findings of various previous studies which emphasize the importance of non-formal legal education in strengthening people's legal literacy. For example, a study by the Department of Education and Culture (2020) found that non-formal education programs significantly increased legal awareness in participating communities. Non-formal education not only provides theoretical understanding but also practical examples that are relevant to everyday life, making it easier to apply. These findings indicate that non-formal legal education can be an effective tool for increasing people's legal understanding of joint property in marriage. Therefore, there needs to be more intensive efforts from the government and related institutions to expand non-formal legal education programs. In addition, the integration of information technology in non-formal education programs can help reach a wider audience. For example, legal

counseling via online platforms can be accessed by people who cannot attend face-to-face seminars. Thus, increasing non-formal legal education programs will contribute to increasing community legal literacy and, ultimately, reducing conflicts in the management of joint assets in marriage.

***Perceptions and Practices of Shared Property Management among Urban Communities***

The results of this study indicate that there are significant differences in the perceptions and practices of joint property management between individuals who have a good understanding of the law and those who do not. Of the 200 respondents surveyed, as many as 75% of those who had a legal education background or had attended formal and non-formal legal education programs demonstrated joint property management practices that were in accordance with positive law. They reported that they always consulted with their partner before carrying out transactions involving joint property, such as selling or giving away assets. Further data analysis revealed that among respondents who had no legal education, only 35% followed the same practice. Most of this group tend to view joint property as personal property that they can manage without their partner's consent. This creates an imbalance in the management of joint assets and is often a source of conflict within the household. In-depth interviews with several respondents from this group showed that they felt they lacked information about legal obligations regarding joint property and often relied on social norms that were not always in accordance with positive law.

A strong perception about the importance of consultation and mutual agreement in managing joint assets was also found among respondents who had received legal education. They are more aware of the legal consequences of unilateral actions and understand that mutual consent not only prevents conflict but also protects the interests of both parties in a marriage. These respondents also demonstrated a better understanding of their

rights and responsibilities in safeguarding shared property, which contributed to more harmonious and fair relationships. In-depth interview data revealed several cases where a lack of legal understanding led to serious problems. One case that is often raised is about the sale of large assets such as a house or land without the consent of the partner. In some instances, these actions lead to distrust and division within the household. On the other hand, respondents who understand legal rules tend to be more open in communication regarding joint assets, which ultimately strengthens trust and cooperation between husband and wife. This research highlights the importance of legal education in shaping perceptions and practices of managing joint assets in accordance with positive law. Adequate legal education not only increases individuals' awareness of their rights and obligations but also promotes fair and transparent practices within the household. Thus, increasing access and quality of legal education can be an effective step in reducing conflict and creating harmony in the management of collective assets among urban communities.

### ***Obstacles in Legal Education and Community Legal Understanding***

This research reveals that one of the main obstacles in urban society's understanding of joint property in marriage is the lack of access to legal education, both formal and non-formal. Based on the results of a survey conducted on 300 respondents, it was found that only 20% of them had received formal legal education, such as law courses at universities. Meanwhile, 35% of respondents admitted to having attended non-formal legal education programs, such as seminars or legal counseling. However, the majority of respondents, namely 45%, had never received any form of legal education. Further analysis shows that this lack of access to legal education is more dominant among respondents with lower educational and economic backgrounds. Respondents with an education level below high school and a

family income below the minimum wage tend to have very limited access to legal education programs. Data shows that of 135 respondents with less than high school education, only 5% had attended legal education programs, both formal and non-formal. In contrast, of the 75 respondents who had a bachelor's degree or more, 60% admitted to having received formal legal education and 40% had attended non-formal legal education programs.

This access barrier is not only related to economic and educational factors, but is also influenced by the lack of information regarding available legal education programs. Many respondents admitted that they were not aware of any legal education programs organized by the government or non-government organizations. Apart from that, limited time and location for implementing these programs often becomes an obstacle for urban communities who are busy with routine work and daily life. This shows the need for a more effective strategy in disseminating information about legal education and counseling programs to the wider community. To overcome this obstacle, research recommends several strategic steps. First, the integration of basic legal material in the formal education curriculum at the secondary school level could be a significant first step. In this way, students can gain a basic understanding of law, including family law, from an early age. Second, the government and related institutions must be more proactive in organizing non-formal legal education programs that are easily accessible to all levels of society. Legal education in strategic places such as shopping centers, markets and other public areas can increase community participation. In addition, the use of digital and social media as legal education platforms can expand the reach and increase the effectiveness of legal education programs. Given the high penetration of the internet and social media among urban communities, legal education campaigns through short videos, infographics and webinars can be an effective way to increase legal understanding. Through

collaborative efforts between the government, educational institutions and civil society organizations, it is hoped that a wider and deeper increase in legal awareness can be achieved among urban communities, which will ultimately support the creation of justice and order in the management of joint assets in marriage.

### ***Recommendations for Legal Education Policy Development***

Analysis of data from the survey shows that only 35% of respondents who have access to formal legal education properly understand the rules regarding joint property in marriage. Meanwhile, 50% of respondents who participated in non-formal legal education programs had sufficient understanding of this topic. These data indicate an urgent need to expand and deepen legal education at all levels of education as well as through wider non-formal programs. This research recommends increasing the integration of legal material in the formal education curriculum at secondary school and college levels. Only 15% of high schools in Indonesia currently have special subjects on basic law, and of these, material on family law including joint property is only discussed briefly (Ministry of Education and Culture, 2020). Adding comprehensive family law material to the curriculum can provide a strong foundation for students to understand their rights and obligations in marriage, which in turn will reduce the potential for future conflict.

Non-formal legal education programs, such as seminars, workshops and legal counseling, have proven effective in increasing people's legal understanding. Data shows that 50% of respondents who took part in this program had sufficient understanding of joint assets. Therefore, the government and related institutions must increase the frequency and quality of non-formal legal education programs. Collaboration with civil society organizations and mass media can help reach a wider audience and ensure that legal information is delivered in a way that is easy to understand and relevant to local needs. The main

obstacle identified in this research is the lack of access to legal education, especially among people with low educational backgrounds and lower middle economic backgrounds. The government should consider providing subsidies or incentives for individuals and communities who want to take part in legal education programs. In addition, legal education programs must be disseminated to underserved areas, including rural and urban areas with high levels of poverty.

To implement these recommendations, close collaboration between government, educational institutions and civil society organizations is needed. Governments can set policies and provide resources, while educational institutions can develop and teach comprehensive legal curricula. Civil society organizations can act as connectors, organize non-formal education programs, and ensure that legal information reaches all levels of society. This collaboration will ensure that every individual has an equal opportunity to understand their rights and obligations under marriage law, which will ultimately create a more just and harmonious society. By implementing these strategies, it is hoped that public understanding of joint property law will increase, reduce conflict, and strengthen justice in the management of marital assets. This research confirms that good legal education is not only beneficial for individuals, but also has a broad positive impact on social stability and justice in society.

### **Conclusion**

This research shows that legal education has a significant influence on urban society's understanding of joint property in marriage. Data analysis shows that individuals who received formal and non-formal legal education have a better understanding of their rights and obligations regarding community property compared to those who do not have legal education. This emphasizes the importance of deeper integration of legal material in the formal education curriculum as well as increasing non-formal legal education programs to reach various levels of society.

This research recommendation emphasizes the need for collaboration between government, educational institutions, and civil society organizations to improve legal education curricula and increase the accessibility of legal education programs. By increasing legal understanding in society, it is hoped that conflicts related to joint assets can be minimized and justice in the management of marital assets can be realized. Comprehensive and inclusive legal education will create a society that is more legally aware, so that it is able to maintain social harmony and stability in the long term.

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