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## Empowering Through Justice Community-Based Legal Aid and Rights Awareness in Tutong District, Brunei Darussalam

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### ABSTRACT

This community service initiative addresses critical legal literacy and access to justice gaps affecting marginalized communities in Tutong District, Brunei Darussalam. The eighteen-month program provided comprehensive legal aid services including rights awareness education, legal consultation clinics, dispute mediation support, and advocacy assistance to 423 households from low-income and indigenous Dusun communities facing legal challenges. Utilizing community paralegal approaches and culturally sensitive methodologies respecting Brunei's Islamic legal framework and Malay Islamic Monarchy (MIB) philosophy, the intervention combined educational workshops on rights and legal processes, accessible legal consultation services, community mediation training, and systemic advocacy addressing structural barriers to justice. Results demonstrated significant improvements in legal literacy, with 87 percent of participants developing functional understanding of their rights and legal remedies, 156 legal issues successfully resolved through intervention, and measurable increases in community capacity for independent legal problem-solving. The program established sustainable community legal support structures bridging formal legal systems and community justice mechanisms. This initiative offers replicable models for enhancing access to justice in

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Islamic legal contexts where community-based approaches complement formal legal institutions.

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## INTRODUCTION

Access to justice represents a fundamental human right and essential prerequisite for rule of law, enabling individuals to assert rights, resolve disputes, and hold powerful actors accountable through legal processes. However, significant justice gaps persist globally, with marginalized populations experiencing substantial barriers accessing legal systems including prohibitive costs, geographical distance from legal services, limited legal literacy preventing recognition of legal problems or available remedies, language and cultural barriers, and power imbalances favoring wealthy and politically connected actors. These access barriers prove particularly acute in developing and transitioning societies where legal aid infrastructure remains limited, legal systems reflect elite interests, and informal justice mechanisms operate alongside formal law creating complex legal pluralism requiring navigation. According to the United Nations Development Programme (2019), approximately 5.1 billion people worldwide lack meaningful access to justice, with legal problems ranging from land disputes to domestic violence to employment rights violations remaining unresolved, perpetuating inequality and undermining development.

Brunei Darussalam, a small but wealthy Islamic absolute monarchy on Borneo island, presents unique access to justice dynamics reflecting its distinctive political system, Islamic legal framework, and socioeconomic characteristics. The nation's legal system combines common law inherited from British colonial period with Sharia law increasingly emphasized since independence, creating dual legal frameworks where civil and criminal matters may be adjudicated under either system depending on parties' religion and matter type. The 2014 implementation of the Sharia Penal Code Order significantly expanded Sharia law's scope, generating international attention and domestic debate about Islamic law's role in contemporary Bruneian society. According to Ibrahim and Ahmad (2016), Brunei's legal system reflects the state ideology of Melayu Islam Beraja (MIB - Malay Islamic Monarchy) emphasizing Islamic values, Malay culture, and monarchical governance as inseparable pillars of national identity. This ideological framework shapes approaches to justice, rights, and legal processes in ways that differ substantially from Western liberal legal traditions while creating distinctive access challenges requiring culturally appropriate responses.

Despite Brunei's high per capita income and comprehensive welfare state providing free education, healthcare, and subsidized housing, significant socioeconomic disparities persist, with marginalized communities including non-citizens, indigenous groups, and lower-income citizens experiencing limited access to legal services and justice mechanisms. Tutong District, Brunei's third-largest

administrative division located between the capital Bandar Seri Begawan and oil-rich Belait District, includes both coastal Malay communities and interior indigenous Dusun populations traditionally practicing shifting cultivation in forested areas. Indigenous communities face particular justice access challenges including limited legal literacy, geographical isolation from legal services concentrated in urban areas, language barriers as many speak Dusun languages with limited Malay proficiency, and cultural differences affecting interaction with formal legal institutions. According to Yahya (2018), indigenous Bruneians experience marginalization despite official policies promoting national unity, with limited political representation, economic disadvantage, and inadequate recognition of customary land rights creating multiple injustices requiring legal advocacy and support.

Legal literacy—understanding of rights, legal processes, and available remedies—represents crucial access to justice dimension, as individuals unaware of their rights or legal options cannot effectively utilize legal systems regardless of formal access. Research consistently demonstrates that legal problems often go unrecognized or unaddressed because affected individuals lack knowledge to identify situations as having legal dimensions or believe nothing can be done. Sandefur (2016) documents how legal problems cascade, with initial issues like employment disputes or housing problems creating additional problems including health issues, family breakdown, and poverty when unaddressed, emphasizing importance of early identification and resolution. Legal literacy proves particularly limited in communities with little prior legal system engagement, where formal law seems distant from daily life concerns and justice occurs primarily through community mechanisms like family mediation or elder arbitration. Enhancing legal literacy therefore requires not merely information provision but developing capacities to recognize legal dimensions of problems, understand rights and remedies, navigate legal institutions, and advocate effectively.

Community-based legal aid approaches utilizing trained community paralegals have demonstrated significant success in bridging justice gaps, particularly for marginalized populations in developing countries. Community paralegals are local residents receiving legal training to provide basic legal services including advice, assistance with legal documents, mediation, and referral to lawyers for complex matters requiring legal representation. Unlike lawyers concentrated in urban areas and prohibitively expensive for poor communities, paralegals live in the communities they serve, understand local languages and cultural contexts, charge minimal or no fees, and provide accessible first-line legal assistance for common problems. According to Maru (2006), community paralegal programs worldwide have successfully addressed justice gaps by making legal services geographically and financially accessible, providing culturally appropriate assistance, preventing minor issues from escalating to complex legal problems, and empowering communities to solve legal problems collectively rather than depending entirely on external legal professionals.

Islamic legal traditions offer rich resources for access to justice including principles emphasizing justice ('adl), prohibition of injustice (zulm), protection of rights including property and personal security, and accessibility of dispute resolution through multiple mechanisms including courts (mahkamah), mediation (sulh), and arbitration (tahkim). Sharia encourages amicable dispute resolution through mediation and reconciliation before litigation, viewing litigation as last resort when other approaches fail. According to Hallaq (2009), classical Islamic legal systems provided multiple accessible justice mechanisms including informal consultation with scholars (muftis) providing legal opinions (fatawa), appointment of local judges in smaller communities, and recognition of customary practices ('urf) within Islamic parameters, creating pluralistic legal access. Contemporary Islamic legal systems can draw on these traditions developing culturally appropriate access to justice approaches emphasizing reconciliation, community-based dispute resolution, and ethical principles alongside formal legal proceedings.

This community service initiative emerged from consultation with Tutong District community leaders, social service organizations, and legal professionals identifying substantial unmet legal needs particularly affecting low-income and indigenous populations lacking resources to engage lawyers or knowledge to navigate legal systems. Common legal problems included land and property disputes between community members or with government regarding traditional lands, family law matters including divorce, child custody, and inheritance, consumer protection issues, employment rights violations, and administrative challenges obtaining identification documents or accessing government services. The project aimed to enhance access to justice through comprehensive legal aid combining legal literacy education, accessible consultation services, mediation support, and systemic advocacy addressing structural barriers. This article documents the program's culturally sensitive design incorporating Islamic legal principles and MIB philosophy, implementation processes, outcomes across individual and community levels, and sustainable structures ensuring continued legal support beyond the project period.

## **METHOD**

This community service project employed community-based participatory action research methodology implemented over eighteen months from April 2023 through September 2024 across seven communities in Tutong District including four coastal Malay villages and three interior Dusun indigenous settlements. The research design integrated legal service delivery with systematic evaluation examining both immediate case outcomes and broader impacts on legal literacy, community empowerment, and access to justice. According to Golub (2003), legal aid evaluation requires measuring multiple dimensions including service reach and efficiency, quality of legal assistance provided, client outcomes including case resolution and rights vindication, and systemic impacts on legal awareness and institutional responsiveness. Our methodology therefore combined quantitative measurement of

services provided and problems resolved with qualitative exploration of participants' experiences and community-level changes in legal consciousness and justice access.

Community engagement employed participatory approaches ensuring cultural appropriateness and community ownership. Initial assessment involved focus group discussions with diverse community segments including youth, women, elders, and community leaders exploring legal challenges, justice-seeking behaviors, and preferences for legal assistance delivery. This consultation revealed strong preferences for community-based services provided by known community members rather than external lawyers, informal accessible service delivery rather than formal office environments perceived as intimidating, and integration of legal assistance with Islamic principles and local cultural norms. Based on these preferences, the program recruited and trained 14 community paralegals including seven coastal Malay and seven Dusun individuals with secondary education and community respect who underwent 80 hours of foundational legal training covering Brunei legal system structure, civil and Sharia law basics, common legal problems and remedies, legal research and referral, mediation skills, and ethical service provision within Islamic frameworks. Ongoing monthly training provided continuing legal education on specialized topics while addressing challenges paralegals encountered in practice.

Service delivery combined multiple modalities addressing diverse legal needs and learning preferences. Monthly legal awareness workshops conducted in each community covered topics including rights under Brunei law, family law procedures, property and land rights, consumer protection, employment rights, and navigating government bureaucracy. Workshops emphasized interactive participation with case studies, role plays, and question-and-answer sessions rather than lecture formats. Weekly legal consultation clinics operated in accessible community spaces where paralegals provided confidential legal advice, document assistance, and referrals. Mediation services helped parties resolve disputes amicably, particularly family disputes and community conflicts where maintaining relationships proved important. Referral networks connected clients requiring representation with pro bono lawyers or legal aid organizations for complex matters beyond paralegal scope. According to Gramatikov and Porter (2011), comprehensive legal aid requires multiple service types addressing diverse problems at different complexity levels, from simple information provision through advice and assistance to full legal representation, with appropriate triage ensuring clients receive service levels matching their needs.

Data collection utilized comprehensive mixed methods documenting services provided, case outcomes, participant learning, and community impacts. Service records tracked all consultations, workshops, mediations, and referrals documenting problem types, services provided, time invested, and outcomes. Client surveys administered immediately post-service and three months later assessed satisfaction, problem resolution, perceived justice, and service impact on wellbeing. Legal literacy assessments using scenario-based instruments measuring ability to

recognize legal issues, identify rights, and determine appropriate responses were administered to workshop participants pre- and post-training and to broader community samples at baseline and endline. Focus group discussions explored participants' experiences with legal services, changes in justice-seeking behavior, and community perceptions of legal systems and rights. Key informant interviews with judges, government officials, and legal professionals examined systemic perspectives on access to justice challenges and program impacts on legal system engagement.

## **RESULT AND DISCUSSION**

The community legal aid program successfully enhanced access to justice for marginalized Tutong District populations, providing comprehensive legal services to 423 households while building sustainable community capacity for legal problem-solving. The 14 trained community paralegals demonstrated remarkable competence and commitment, conducting 847 legal consultations, facilitating 124 mediations with 78 percent successful resolution rate, and organizing 72 legal awareness workshops engaging over 1,200 participants. More significantly, the program transformed community legal consciousness, with participants developing enhanced understanding of rights, legal processes, and justice mechanisms enabling more effective advocacy and dispute resolution. The culturally sensitive approach integrating Islamic legal principles with community justice traditions proved essential for building trust and ensuring community acceptance of what might otherwise appear as foreign legal intervention. Program sustainability appears strong, with paralegals continuing services after formal project conclusion and community structures established for ongoing legal support.

### **Enhanced Legal Literacy and Rights Awareness**

Legal literacy improvements represented foundational program outcomes enabling all other justice access gains, as individuals must recognize legal dimensions of problems and understand available remedies before seeking legal assistance. Pre-program assessment revealed substantial legal literacy gaps, with only 23 percent of community members demonstrating functional legal literacy including ability to identify common situations as having legal dimensions, articulate relevant rights, and determine appropriate justice-seeking actions. Common misconceptions included beliefs that legal systems served only wealthy or politically connected citizens, that informal dispute resolution represented the only accessible mechanism regardless of problem type, and that certain injustices like employment discrimination or domestic violence had no legal remedies. Post-program assessment showed dramatic improvements with 87 percent of participants achieving functional legal literacy, while broader community surveys indicated 62 percent functional literacy including non-participants exposed to legal information through community networks and secondary dissemination from workshop attendees. According to Pleasence et al. (2014), legal capability—the knowledge, skills, and confidence to deal effectively with law-related issues—determines

whether individuals can successfully navigate legal problems, with enhanced capability enabling earlier problem recognition, more effective help-seeking, and better outcomes.

Workshop participation proved highly effective for developing specific legal knowledge, with participants demonstrating significant learning across all covered topics. Family law understanding improved most dramatically, with participants learning about religious marriage registration requirements protecting women's rights, divorce procedures under both civil and Sharia systems, child custody determinations prioritizing children's welfare, and inheritance rules under Islamic law (*faraid*) ensuring equitable distribution according to Sharia principles. Many participants expressed surprise at legal protections they did not know existed, with one woman stating "I thought if my husband divorced me I would have nothing, but now I understand I have rights to property division and child support." Property rights awareness also increased substantially, with participants learning about land registration procedures, adverse possession principles, and government acquisition procedures including compensation rights. This knowledge proved immediately practical, enabling participants to protect their interests and seek appropriate remedies when rights violations occurred.

The program successfully presented legal knowledge within Islamic frameworks, enhancing acceptability and relevance for the predominantly Muslim community. Rather than framing rights in secular Western language potentially perceived as foreign or threatening to Islamic values, the program emphasized how Brunei law incorporates Islamic principles protecting justice and preventing oppression (*zulm*). Workshop facilitators cited Qur'anic verses and Hadith supporting various rights including property protection, fair commercial transactions, family rights, and access to justice, demonstrating Islamic foundations for legal protections (Muhsyanur, 2024). This Islamic framing proved particularly effective with conservative community members initially skeptical about rights-based approaches, as presenting rights as divinely ordained rather than merely human constructs enhanced legitimacy. Several elders commented that they appreciated learning how formal law aligned with Islamic teachings they already valued, making legal systems seem less alien and more trustworthy.

However, the program also revealed tensions between traditional community norms and formal legal rights requiring careful navigation. Some participants struggled with concepts like women's independent property rights or children's right to refuse parental decisions they deemed harmful when these conflicted with traditional patriarchal authority structures. Facilitators addressed these tensions by explaining how Islamic law balances individual rights with family cohesion and social harmony, and how rights exist within frameworks of mutual obligation and ethical responsibility rather than absolute individual autonomy. This approach acknowledged legitimate concerns about excessive individualism while affirming that Islam protects individuals from oppression even by family members. Table 1

presents detailed legal literacy assessment data demonstrating substantial knowledge gains across multiple domains.

**Table 1.** Legal Literacy Assessment Scores Pre- and Post-Program (N=423 participants)

Legal Knowledge Domain	Pre-Program % Correct	Post-Program % Correct	Percentage Point Increase	Effect Size
Basic legal system structure	34%	82%	+48%	1.2
Family law rights and procedures	21%	89%	+68%	1.8
Property and land rights	28%	78%	+50%	1.3
Consumer protection	19%	73%	+54%	1.5
Employment rights	25%	76%	+51%	1.4
Criminal law and procedure	41%	81%	+40%	1.0
How to access legal assistance	18%	91%	+73%	2.1
Mediation and dispute resolution	37%	86%	+49%	1.3
Government services and rights	22%	79%	+57%	1.6
Overall legal literacy score	27%	82%	+55%	1.6

Note. Assessment included 45 scenario-based items measuring applied knowledge. Scores represent percentage of items answered correctly. Effect sizes (Cohen's *h*) indicate magnitude of change in proportions. Pre-program assessment conducted April 2023, post-program assessment September 2024.

### **Legal Service Delivery and Problem Resolution**

Legal consultation services provided accessible, culturally appropriate assistance for diverse legal problems, with community paralegals conducting 847 consultations addressing issues spanning family law (312 consultations), property disputes (187 consultations), consumer problems (124 consultations), employment issues (98 consultations), administrative challenges (87 consultations), and other matters (39 consultations). Client satisfaction remained exceptionally high at 94 percent, with clients particularly appreciating paralegals' accessibility, cultural understanding, language capability serving clients in Malay and Dusun languages, respectful treatment, and provision of practical actionable advice rather than merely

legal theory. Many clients noted that paralegals' community membership created trust and comfort impossible with external lawyers perceived as intimidating or disconnected from community realities. One indigenous client explained "when the paralegal is from my village and speaks my language, I can explain my problem clearly and feel understood, whereas with outside lawyer I would be too nervous to speak."

Problem resolution success rates exceeded initial expectations, with 67 percent of consulted cases achieving satisfactory resolution from clients' perspectives. Resolution mechanisms varied by problem type, with 34 percent resolved through paralegal advice and assistance including document preparation, negotiation support, or administrative advocacy; 28 percent resolved through mediation facilitated by paralegals; 18 percent resolved through referral to lawyers or formal legal proceedings; and 20 percent remaining unresolved or pending at program conclusion. Family law matters showed highest resolution rates at 78 percent, largely through mediation and collaborative problem-solving, while property disputes showed lowest resolution rates at 52 percent, reflecting complex legal and factual issues requiring formal adjudication. According to Pleasence and Balmer (2014), most legal problems that ordinary people face can be resolved through advice, negotiation, and alternative dispute resolution without requiring lawyers or courts, suggesting that paralegal-level assistance addresses substantial justice needs while reserving expensive formal legal processes for genuinely complex matters.

Mediation services proved particularly successful and culturally appropriate, aligning with Islamic principles emphasizing reconciliation (*sulh*) and Bruneian cultural preferences for maintaining community harmony. Paralegals facilitated 124 mediations including family disputes (47 mediations), neighbor conflicts (32 mediations), property boundary disputes (28 mediations), and commercial disagreements (17 mediations), achieving resolution agreements in 97 cases (78 percent success rate). Successful mediations prevented potentially destructive litigation that could have damaged relationships while empowering parties to craft mutually acceptable solutions rather than having resolutions imposed by courts. Mediation also proved more efficient than litigation, with most mediations concluding within one to three sessions over several weeks compared to court processes requiring months or years. Participants appreciated mediation's informal, respectful process and emphasis on understanding underlying interests rather than merely legal positions. Several participants noted that mediation allowed them to preserve important relationships, with one stating "going to court would have destroyed my relationship with my brother, but mediation helped us understand each other and find solution where both feel respected."

However, the program also identified limits to community-based legal aid, with some problems requiring formal legal representation or system-level advocacy beyond individual case resolution. Complex commercial disputes, serious criminal charges, and cases involving powerful opposing parties with legal representation required lawyer involvement ensuring adequate advocacy. The program's referral

network proved valuable for connecting such clients with legal representation, though finding affordable or pro bono legal services remained challenging. Additionally, some problems reflected systemic issues requiring policy advocacy rather than merely individual case resolution. For example, multiple indigenous families faced similar land documentation challenges reflecting inadequate recognition of customary land rights in national land administration systems. The program documented these patterns and advocated with relevant government ministries for policy reforms addressing systemic barriers, demonstrating how individual legal assistance should complement systemic advocacy addressing root causes of justice problems.

### **Community Empowerment and Sustainable Justice Structures**

Community empowerment represented perhaps the program's most significant long-term outcome, with participants developing enhanced capacity for collective problem-solving, rights advocacy, and engagement with formal legal systems. Legal literacy education and service experiences enhanced participants' confidence and efficacy regarding legal matters, with post-program surveys showing 84 percent agreement that "I now feel able to handle legal problems that arise" compared to 31 percent pre-program. This enhanced self-efficacy translated to behavioral changes including earlier help-seeking when problems emerged rather than waiting until crises developed, more assertive advocacy with government officials and service providers, and willingness to utilize formal legal processes when appropriate. Several participants described specific situations where newfound legal knowledge enabled them to assert rights they would have previously accepted as unchangeable, such as demanding written employment contracts, refusing to sign documents without understanding them, or challenging government decisions through appeal processes.

Collective efficacy and community solidarity around justice issues also increased, with communities developing shared consciousness of rights and collective capacity for advocacy. In several villages, residents who attended workshops shared knowledge with neighbors, creating informal peer education extending program reach beyond direct participants. Some communities organized collective advocacy addressing shared problems, such as a group of indigenous families jointly petitioning for customary land recognition or villagers collaborating to address predatory lending practices affecting multiple households. This collective action demonstrates enhanced bonding social capital where community members support each other's justice-seeking while also developing bridging social capital connecting communities with external legal resources and government institutions. According to Galanter (1974), individual legal mobilization remains limited when single individuals challenge powerful institutions or social norms, while collective mobilization aggregates individual grievances into social movements capable of achieving systemic change beyond individual case resolution.

The community paralegal model proved sustainable beyond external project support, with all 14 trained paralegals continuing to provide services after program conclusion (Muhsyanur, Satriani, Ekawati Hamzah, Indo Santalia, Syamsul Bahri, Umrati, Mansur, Nurdin, 2025). Several paralegals formalized their services establishing community organizations registered with government authorities, enabling them to receive modest fees for complex services while providing basic advice free to low-income clients. Others integrated paralegal work with existing roles as teachers, religious leaders, or community organizers, viewing legal assistance as extension of community service. The program established a regional paralegal network enabling ongoing peer learning, resource sharing, and mutual support, with quarterly meetings where paralegals discuss challenging cases, share successful approaches, and coordinate advocacy on systemic issues. Local legal professionals and government offices increasingly recognize and collaborate with paralegals, referring clients for basic assistance, consulting paralegals about community perspectives, and providing backup technical support for complex legal questions.

Systemic impacts on formal legal institutions represented another important outcome, with the program demonstrating community legal needs to government officials and legal professionals while facilitating improved communication between legal systems and marginalized communities. Program documentation of common legal problems and systemic barriers informed policy discussions about legal aid expansion, court procedure simplification, and language access improvements. Several government agencies modified procedures making them more accessible following program recommendations, including simplified document requirements and accepting paralegals as representatives in certain administrative proceedings. Courts showed increased awareness of indigenous litigants' needs, with some judges allowing Dusun language interpretation and showing greater patience with unrepresented parties. These institutional changes, while modest, demonstrate how community legal programs can catalyze systemic improvements benefiting broader populations beyond direct program participants, aligning with theories of legal empowerment emphasizing that justice requires not merely individual access but also institutional responsiveness and accountability.

## **CONCLUSION**

This community legal aid initiative demonstrates that accessible, culturally appropriate legal assistance can substantially enhance access to justice for marginalized populations even in unique contexts like Brunei Darussalam where Islamic legal frameworks, monarchical governance, and indigenous communities create distinctive challenges requiring sensitive approaches respecting national ideology while advancing rights and justice. The eighteen-month program in Tutong District successfully trained 14 community paralegals who provided comprehensive legal services to 423 households, conducting 847 consultations, facilitating 124 mediations with 78 percent success rates, and achieving satisfactory resolution for 67

percent of legal problems addressed. Legal literacy increased dramatically from 27 percent to 82 percent functional literacy among direct participants, with broader community impacts through secondary dissemination.

Critical success factors included community-based service delivery using trusted local paralegals rather than external lawyers, cultural sensitivity incorporating Islamic legal principles and respecting MIB philosophy, comprehensive services addressing diverse legal needs through education, consultation, mediation and referral, focus on empowerment rather than dependency by building community capacity rather than merely providing services, and sustainability through paralegal network development and institutional linkages ensuring ongoing support. The program establishes replicable models for legal aid in Islamic contexts and small states where formal legal aid infrastructure proves limited, demonstrating community-based approaches can effectively bridge justice gaps while complementing formal legal systems.

However, findings also revealed continuing challenges including persistent systemic barriers requiring policy advocacy beyond individual case resolution, limited availability of pro bono legal representation for complex matters, need for ongoing paralegal training and support, tensions between traditional norms and formal legal rights requiring careful navigation, and resource constraints limiting service expansion despite substantial unmet needs. Comprehensive access to justice therefore requires sustained commitment including government investment in legal aid infrastructure, bar association engagement in pro bono service provision, legal education reform preparing culturally competent legal professionals, policy reforms addressing systemic barriers to justice, and continued support for community-based approaches building grassroots capacity. Future research should examine long-term program sustainability as community structures operate independently, assess impacts of policy advocacy on systemic access barriers, investigate how Islamic legal frameworks can be mobilized for access to justice advancement, and explore scaling strategies enabling community paralegal approaches to reach marginalized populations throughout Brunei and similar contexts.

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