



Qualitative Experiences of Civil Law in Unequal Tenancy: Emotional and Moral Dimensions of Legal Duty among Urban Renters in Indonesia

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ABSTRACT

In urban Indonesia, rental agreements often reflect asymmetrical legal relationships that disadvantage tenants, especially those with limited economic means or legal literacy. This study investigates how civil obligations embedded in such contracts are perceived and internalized by urban tenants facing rental injustice. Employing Interpretative Phenomenological Analysis (IPA), the research explores the emotional and moral dimensions of legal compliance among ten adult tenants (aged 25–50) residing in Jakarta and Bandung who have encountered perceived inequality in their housing contracts. Participants were recruited through purposive sampling based on their lived experience of unresolved rental disputes and reported feelings of legal disempowerment.

Findings reveal that tenants' experiences of legal obligation are not governed solely by contractual norms but are shaped by fear, resignation, social dependency, and moral renegotiation. Four key themes emerged: legal powerlessness, silent compliance, informal renegotiation, and the normalization of injustice. These themes highlight the subjective burden of fulfilling civil duties under conditions of legal imbalance, suggesting that tenants' engagement with law is affectively and socially constructed rather than procedurally neutral.

This study contributes to a richer understanding of legal consciousness by emphasizing the lived reality of civil obligations. It challenges the conventional perception of legal enforcement as a rational process, calling instead for tenant-centered legal reforms that recognize emotional harm and social vulnerability. The findings underscore the need for more empathetic and context-sensitive approaches in contract law, particularly within socioeconomically strained urban settings.



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INTRODUCTION

In contemporary urban societies, rental housing has become a fundamental component of residential life, particularly among lower- and middle-income populations (Calboli, 2024; Yadav et al., 2025). The legal relationships established between landlords and tenants through rental contracts are governed by civil law frameworks that are expected to ensure fairness, reciprocity, and legal certainty (Diz-Mellado et al., 2023). However, the practical realities of these agreements often diverge from the principles envisioned in legal doctrines. In many urban contexts, especially within developing countries such as Indonesia, tenants frequently enter into rental agreements under conditions marked by asymmetry of power, limited legal literacy, and socio-economic vulnerability.

The civil obligation embedded in rental contracts—especially when perceived as unjust or unbalanced—has profound implications not only for legal compliance but also for individuals' sense of justice, autonomy, and dignity (Bereza & Bieniak, 2024; Nakatani, 2024). These obligations are not experienced in a vacuum; they unfold within a web of personal, social, and cultural meanings. For many tenants, fulfilling such obligations involves more than simply adhering to written clauses—it requires navigating emotional distress, economic limitations, and ethical dilemmas. The lived reality of these legal engagements often remains underrepresented in dominant legal discourses, which tend to prioritize normative and doctrinal analyses over human experiences.

Given this disjuncture between legal formalism and lived experience, there is a critical need to explore how individuals perceive, interpret, and give meaning to their legal obligations under rental contracts (Shebaita, 2025; Shunnaq et al., 2025). This need becomes especially urgent in contexts where civil obligations intersect with social inequality and institutional constraints. Phenomenology offers a valuable pathway for such exploration by emphasizing the subjective dimension of human experience. Through this lens, the phenomenon of legal obligation is not merely an abstract legal construct but a lived encounter that demands deeper understanding grounded in tenants' personal narratives and socio-cultural contexts.

Research focusing on individuals' experiences within legal frameworks—particularly in relation to perceived injustice in civil obligations—has increasingly gained scholarly attention (Greeff, 2024; Napolitano, 2024). The subjective dimension of legal consciousness, especially among marginalized tenants, offers crucial insights into how law is lived, contested, and internalized beyond formal statutes. Studies such as (Doyle et al., 2024) have begun to illuminate how civil law obligations are not merely applied but experienced, often shaped by psychological vulnerability, socio-economic status, and cultural expectations. These works underscore the need to understand the law not only as a system of rules but also as a field of lived experience.

Despite growing interest in this domain, methodological challenges persist (Hershkoff & Littlestone-Luria, 2025; Holness, 2024). Much of the existing literature remains rooted in doctrinal or positivist paradigms, relying on normative legal analysis or statistical data that fail to capture the richness and complexity of individual narratives. Quantitative approaches, while useful in identifying patterns, are limited in their ability to uncover the layered meanings embedded in personal experiences of legal injustice. Furthermore, qualitative studies in this field often lack the depth required to grasp the existential implications of civil obligations as perceived by those directly affected.

These limitations underscore a significant gap in methodological adequacy (Alias & Azmi, 2024; Vostoupal et al., 2024). Without approaches that privilege subjective meaning, many prior investigations risk overlooking the very essence of the phenomenon in question. As a result, traditional legal and socio-legal research methods are often ill-equipped to reveal the nuanced, emotionally laden, and morally complex experiences that shape how tenants understand and respond to legal obligations in real-world contexts. This calls for the adoption of interpretative phenomenological inquiry—a methodological stance uniquely suited to accessing the lived meanings behind legal engagements and obligations.

Conventional responses to tenant–landlord imbalances in urban rental agreements have largely relied on practical legal solutions such as dispute resolution mechanisms, policy reform proposals, or standardized contract enforcement (Baggio et al., 2020). While these approaches are functionally necessary, they primarily address the external structures of the legal process and often neglect the internal, lived realities of those bound by such agreements. Legal remedies, in this context, are formulated on normative assumptions rather than experiential understanding, resulting in frameworks that may fail to resonate with the day-to-day struggles of tenants.

This focus on structural remedies presents a fundamental limitation: it inadequately captures the emotional and moral complexities of how individuals experience civil obligations under perceived injustice (Busch, 2024; Dehdashti, 2025). Most existing research in this area remains oriented toward objectivity, generalizability, and legal codification, thereby overlooking the nuanced, context-bound meanings that individuals assign to their legal circumstances. As noted by (Dubreucq, 2021), such approaches risk reducing tenants' experiences to procedural outcomes, excluding the interpretive and subjective dimensions essential for a fuller understanding of legal engagement.

To address this gap, an alternative approach is required—one that centers the voices of those directly affected and prioritizes the exploration of meaning (D. Kim & Nolette, 2024; Zaman et al., 2024). Interpretative phenomenology offers a methodological framework capable of capturing the essence of tenants' legal consciousness in ways that normative or empirical legal studies cannot. By focusing on subjective interpretation and lived experience, this approach allows for a more holistic

and human-centered investigation into how legal obligations are understood, internalized, and emotionally negotiated within unequal rental relationships.

Several studies have explored how individuals experience legal processes, particularly in situations involving vulnerability or imbalance of power. Research by (Dubreucq, 2021) highlighted how tenants interpret legal rules through everyday struggle, while (Fakhfakh et al., 2023) examined the cultural framing of legal obligations in urban housing. These works support the view that legal meaning is shaped by lived reality, not solely by written codes. However, much of the existing research has relied on normative or structural analysis rather than deep engagement with subjective experience. The current study builds on these insights by placing the tenant's voice at the center of inquiry.

To uncover the essence of tenants' experiences with unfair rental obligations, this study adopts an interpretative phenomenological approach (Asherson et al., 2019). This method is chosen to explore how individuals make sense of their legal obligations and the emotional meanings tied to them (Al-Nsour, 2024; Chami & Khater, 2025). It allows for a holistic understanding of how legal contracts are lived, not just applied. In doing so, the study directly addresses the gap identified earlier: the need to understand how obligations are internalized and negotiated in unjust conditions. Through this lens, the study reveals meanings that remain hidden in doctrinal or policy-driven research.

This article is structured into six sections. The introduction outlines the research background, gap, and rationale (Qarri & Kadi, 2024; Trireksani et al., 2024). The following section explains the socio-legal context of tenancy and unfair contractual relationships in Indonesia. The method section describes the phenomenological design, participant selection, data collection, and analysis process. The results present the emergent themes supported by direct participant quotes. Finally, the discussion interprets the findings within theoretical and practical frameworks, leading to conclusions and implications for future research and policy.

RESEARCH METHODS

Study Design

This research employed an interpretative phenomenological approach to explore tenants' lived experiences in fulfilling legal obligations under perceived unfair rental agreements in urban Indonesia. Phenomenology, as a qualitative design, focuses on understanding how individuals make sense of particular phenomena through their subjective experiences (D.-H. Kim et al., 2023). The interpretative (Heideggerian) strand of phenomenology was adopted to uncover not only descriptive accounts but also the contextual and existential meanings participants attributed to their legal experiences. This approach was deemed appropriate given its alignment with the research aim of unveiling the nuanced psychological and moral dimensions of legal obligation as lived in everyday urban tenancy.

Participants

Participants in this study were adult tenants residing in urban rental housing within Indonesia who had experienced legal obligations under rental contracts perceived as imbalanced or unjust. Selection followed a purposive sampling strategy to ensure the inclusion of individuals whose lived experiences were central to the phenomenon under investigation. Inclusion criteria comprised: (a) tenants aged between 21 and 55, (b) having rented a property under a formal written agreement within the past three years, and (c) self-reporting at least one experience of perceived unfairness or legal conflict within the rental arrangement. Exclusion criteria involved participants with ongoing unresolved litigation to avoid ethical complications. A total of ten participants (six female and four male), with an average age of 34.7 years, participated in the study (Maurer et al., 2023). Most had educational backgrounds ranging from high school to undergraduate degrees and were employed in informal or lower-middle income sectors, contextualizing their socio-legal vulnerability.

Data Collection

Data were collected through in-depth, semi-structured interviews conducted face-to-face in private settings chosen by the participants. Interviews were guided by an interview protocol designed to elicit detailed narratives about the participants' legal experiences, emotional responses, and meaning-making processes related to rental contracts. Each interview lasted between 45 and 90 minutes and was audio-recorded with prior consent. Field notes were taken to capture non-verbal cues and environmental context. Data collection was carried out in Bahasa Indonesia and later transcribed verbatim for analysis. To ensure participant comfort and confidentiality, interviews were conducted in neutral locations such as community centers or participants' homes, depending on their preference.

Data Analysis

Data were analyzed using Interpretative Phenomenological Analysis (IPA), which emphasizes idiographic examination before thematic generalization (Rizvi et al., 2024). The analytic process involved multiple stages: reading and re-reading transcripts for familiarization, initial noting and open coding of meaning units, identification of emergent themes, and clustering these themes across cases to derive higher-order patterns. Analysis was conducted manually and supported by the use of qualitative data analysis software (NVivo) to facilitate organization and traceability of themes. The analytic process was iterative and reflexive, aimed at capturing the essence of participants' lived legal experiences without imposing external conceptual frameworks prematurely.

Ethical Considerations

Ethical approval was obtained from the appropriate institutional ethics committee prior to data collection. Participants were provided with clear and comprehensive information about the purpose, process, and confidentiality of the study. Written informed consent was secured from all participants before interviews commenced. Anonymity was maintained through the use of pseudonyms and the omission of any identifying details in the reporting of findings. The study adhered to international ethical standards for research involving human subjects, including the principles outlined in the Declaration of Helsinki.

RESULTS

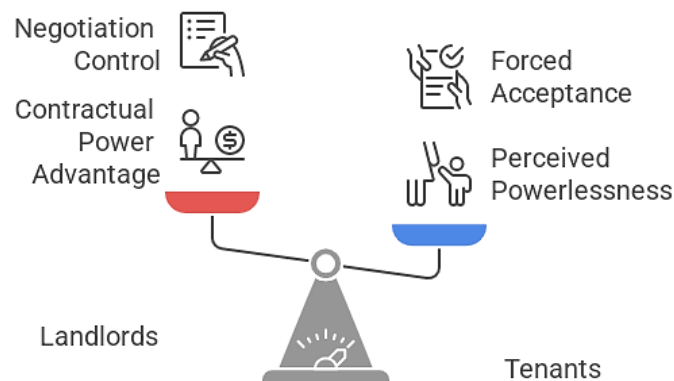
Enduring the Weight of Imbalance – Experiencing Legal Powerlessness

Participants consistently described feelings of being powerless when confronted with contract clauses that heavily favored landlords. This imbalance was perceived not merely as a legal matter, but as a deeply personal injustice that shaped their everyday realities.

“I knew the contract was unfair, but I had no choice. If I questioned it, they would rent to someone else.” (Participant 4)

For many tenants, the absence of negotiating power meant silently accepting terms they did not understand or felt coerced into. Legal obligations became a form of submission rather than mutual agreement, reinforcing their perception of systemic inequality within civil contractual relationships.

Contractual Imbalance in Landlord-Tenant Relationships



Silent Compliance – Navigating Obligations Through Resignation

A prevalent emotional state was one of resignation. Participants complied with their legal obligations, even when they were clearly burdensome or unreasonable, out of fear of eviction or retaliation. Compliance stemmed from necessity rather than trust in legal fairness.

“I just kept paying—even though it didn’t feel right. I didn’t want trouble. I needed a place to live.” (Participant 1)

This theme underscores how civil law obligations, in practice, are often performed within emotional landscapes marked by anxiety and lack of recourse, especially for individuals without legal literacy or access to representation.

Negotiating Justice Informally – Seeking Fairness Outside Legal Mechanisms

Despite formal agreements, some tenants attempted to renegotiate unfair terms informally. These micro-negotiations reflected an adaptive strategy, seeking to restore dignity and assert agency in the absence of institutional support.

“When the rent increased suddenly, I begged for a delay. I couldn’t challenge the contract legally, but I pleaded personally.” (Participant 6)

This illustrates how participants sought relational over legal justice, reflecting a disconnect between formal legal obligations and the socio-cultural realities in which those obligations are enacted.

Internalizing the Legal Order – Acceptance and Rationalization

Several participants began to internalize the legal burden as part of a broader societal norm. This cognitive reframing often included rationalizations that positioned their suffering as an unavoidable aspect of urban tenancy.

“Maybe it’s just how things work here. Everyone I know has gone through the same thing.” (Participant 2)

Such normalization reveals how the civil legal structure influences not just behavior, but perception—creating a reality where unequal agreements are not only common but expected.

Across all themes, a central essence emerged: the experience of legal obligation under rental contracts is deeply relational, emotionally charged, and influenced by social inequality. Tenants do not merely “fulfill” obligations—they negotiate them emotionally, morally, and socially. These findings illuminate how legal consciousness among urban tenants is shaped not by doctrine, but by lived experience, creating critical insight into how civil obligations operate in everyday life.

DISCUSSION

The findings of this study reveal that tenants' experiences of legal obligation under unfair rental agreements are shaped by complex emotional, social, and interpretative processes (Tian et al., 2021). These lived experiences highlight a central essence: legal compliance, in such contexts, is not merely a contractual act but a negotiated expression of vulnerability, resignation, and adaptive morality. This conclusion responds directly to the core research question regarding how individuals internalize and make meaning of civil obligations that are perceived as unjust.

These findings provide a phenomenological answer to the research problem by uncovering the deep personal and ethical negotiations that tenants undergo in fulfilling civil obligations (Chakroun & Ben Amar, 2025; Lupoi & Graziadéi, 2025). The results show that tenants experience legal powerlessness, silent compliance, informal justice-seeking, and eventual normalization of legal inequality as part of their daily lives (Traver et al., 2024). This contributes a new layer of understanding to the field of civil law by positioning legal obligation as a lived phenomenon rather than a merely codified one. The uniqueness of this contribution lies in its interpretive depth—it brings

forth the voices of those directly affected, offering a rich, experiential account that traditional legal approaches have overlooked.

The results align with and expand upon prior research. (Traver et al., 2024) emphasized tenants' legal consciousness as shaped by daily struggles, which this study corroborates by detailing how powerlessness is experienced and rationalized. Likewise, (Xu et al., 2023) explored cultural perceptions of justice within legal transactions, which this research complements by showing how tenants engage in informal strategies to renegotiate perceived unfairness. However, while prior work has acknowledged structural inequality, this study adds to the discourse by illustrating the existential weight of obligation and how tenants construct moral justifications within legally binding yet unjust contexts. These insights not only confirm but deepen the theoretical understanding of how legal systems are lived from below.

The implications of these findings are significant both academically and practically (Mizher & Alabid, 2024; Varga, 2025). From a social and cultural standpoint, the study underscores how civil law is not merely an abstract system but a lived structure that profoundly influences personal agency and moral reasoning. The experiences of tenants reveal the emotional and psychological costs of legal compliance when justice is perceived to be absent. These insights suggest that policymakers, legal practitioners, and housing authorities must consider the human impact of contract enforcement, particularly among vulnerable populations (Yang et al., 2021). By recognizing legal obligations as interpretive and relational experiences, civil law systems can move toward more empathetic and context-sensitive frameworks.

While the study provides in-depth insights, certain limitations must be acknowledged. The use of purposive sampling and the relatively small number of participants limit the generalizability of the findings to broader populations (Al-Billeh & Issa, 2022). Additionally, the data reflect the socio-cultural and legal context of urban Indonesia, which may not fully apply to different legal environments or cultural settings. The interpretative nature of phenomenology, while rich in depth, also introduces subjectivity, which must be managed through rigorous procedures such as member checking and audit trails. These limitations, however, do not undermine the value of the insights gained but rather contextualize their scope and invite further exploration.

Future research could build on these findings by examining similar experiences in diverse legal and socio-economic contexts (Gosch, 2025; Tajti Thaythy, 2024). Comparative studies across regions or legal systems may uncover whether the emotional and moral dimensions of legal obligation are consistent or culturally specific. Additionally, incorporating longitudinal methods could illuminate how tenants' perceptions evolve over time, especially in response to legal reform or economic shifts (Andvig et al., 2021). This study opens the door for a broader phenomenological inquiry into how law is lived, not only in housing but in other domains where power asymmetries and contractual obligations intersect.

CONCLUSION

This study explored how urban tenants in Indonesia experience and interpret legal obligations under unfair rental agreements. The findings revealed that legal compliance is shaped by feelings of powerlessness, emotional resignation, informal negotiation, and eventual normalization of unjust conditions. These insights address a critical gap in the literature by highlighting the lived, subjective dimensions of civil obligations that are often overlooked in doctrinal or empirical legal research. The use of interpretative phenomenological analysis allowed for a deeper understanding of how tenants internalize and give meaning to legal injustice. This research contributes to a more human-centered perspective in civil law and offers practical implications for legal policy and contract design. Future studies may expand this inquiry across different legal systems or explore how these experiences evolve over time in response to legal reform or social change.

CONFLICT OF INTEREST

The authors declare that there is no conflict of interest regarding the publication of this article. All funding and institutional affiliations have been disclosed transparently, and the research was conducted independently without any influence from the funding body.

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