

# Principles of Affirmative Action In Providing Legal Aid For The Poor

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## ABSTRACT

The provision of legal aid for the poor is part of fulfilling the constitutional right to access to justice as guaranteed by the Indonesian legal system. This study aims to analyze the provision of legal aid in Batu City through collaborative practices between the local government and Legal Aid Institutions/Legal Aid Organizations (LBH/OBH) domiciled outside the region, and to examine the application of the affirmative action principle in ensuring access to justice for the poor. This study uses a socio-legal method, which examines law not only as a norm, but also as a social practice occurring in society. The results show that collaboration with LBH/OBH from outside the region is a pragmatic solution to the lack of accredited legal aid institutions in Batu City, thus ensuring legal aid services remain accessible to the public. However, this practice raises legal issues due to disharmony between Regional Regulations and Mayoral Regulations that regulate domicile requirements for legal aid providers. In this context, the application of the affirmative action principle becomes relevant as an approach to addressing structural limitations and ensuring the fulfillment of substantive justice. This policy reflects a bias towards poor communities by providing broader access to legal services, despite administrative barriers. Therefore, it is necessary to harmonize regulations, strengthen institutions, and develop local LBH/OBH to create a more effective, inclusive, and sustainable legal aid system.

**Keywords:** Legal Aid, Affirmative Action, Access to Justice, Poor Communities, Batu City.

## 1. INTRODUCTION

The provision of legal aid is essentially a manifestation of the constitutional norms guaranteed in Article 28D paragraph (1) of the 1945 Constitution of the Republic of Indonesia, which affirms that everyone has the right to recognition, guarantees, protection, and fair legal certainty, as well as to receive equal treatment before the law. This provision implies that the state has an active obligation to ensure that access to justice is fulfilled for all citizens without exception. In this context, legal aid is not only seen as a form of public service, but as a constitutional right that must be fulfilled by the state as part of its responsibility to protect human rights. (Harahap, 2016)

Fulfilling the right to legal aid becomes increasingly important when linked to the social conditions of Indonesian society, which still show economic disparities. Poor communities are often in a vulnerable position when facing legal issues, both due to limited legal knowledge and an inability to access adequate legal services. Therefore, the existence of legal aid is a crucial instrument in ensuring that disadvantaged groups can still obtain justice appropriately and proportionally. In the national legal system, legal aid is specifically regulated through Law Number 16 of 2011 concerning Legal Aid, which provides a legal basis for the state to provide structured

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and integrated legal aid services. This law emphasizes that legal aid is provided free of charge to the poor, so that there are no longer economic barriers preventing someone from obtaining legal representation. Thus, the principle of equality before the law can be realized in the practice of legal administration in Indonesia. (Ministry of Law and Human Rights, 2023)

The success of legal aid provision is largely determined by the role of Legal Aid Institutions or Legal Aid Organizations (LBHs) as the primary implementers in the field. These institutions serve as a bridge between the community and the justice system, particularly for groups without direct access to legal services. Through various programs, LBHs/OBHs not only provide assistance in the legal process but also play a role in increasing public legal awareness. In addition to providing litigation services, LBHs/OBHs are also active in non-litigation activities such as legal counseling, mediation, and community empowerment. These activities aim to increase the public's understanding of the law so that they can recognize and fight for their rights independently. Thus, the role of LBHs/OBHs is not only curative but also preventive in preventing legal problems in the community. (Marzuki, 2017)

In carrying out these functions, LBH/OBH is supported by paralegals who have a direct relationship with the community. Paralegals serve as an extension of the institution, providing non-litigation legal education and assistance. The presence of paralegals is crucial, particularly in reaching grassroots communities who are often excluded from formal legal services. Advocates also play a strategic role in the provision of legal aid, particularly in litigation proceedings. Advocates are responsible for developing defense strategies and ensuring that clients' rights are optimally protected. Synergy between advocates and paralegals within LBH/OBH is key to creating comprehensive and effective legal aid services. (Nasihuddin et al., 2024)

All legal aid activities conducted by LBH/OBH must, in principle, be accountable to the state as a form of public accountability. Therefore, a continuous evaluation mechanism is necessary to ensure that the services provided are truly high-quality and on-target. This evaluation is crucial for identifying various obstacles and needs encountered in the provision of legal aid. To ensure service quality, the government, through the National Legal Development Agency (BPHN), periodically conducts verification and accreditation processes for LBH/OBH. This process aims to ensure that institutions providing legal aid meet established standards. With this mechanism, it is hoped that the legal aid services provided to the public will be of guaranteed quality. (Nasution et al., 2024)

Based on accreditation data for the 2025–2027 period, hundreds of LBH/OBH have passed verification and accreditation as legal aid providers in Indonesia. In East Java Province alone, the number of accredited LBH/OBH has reached dozens of institutions spread across various regions. This indicates that quantitatively, the availability of legal aid institutions is quite adequate.

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However, the uneven distribution of LBH/OBH across regions creates its own problems, especially for regions without accredited legal aid institutions. This condition limits access to legal aid for communities in these areas. Therefore, policies are needed to bridge this gap to ensure continued access to justice. (Rahardjo, 2009)

Batu City is one of the regions that currently does not have an accredited Legal Aid Institution (LBH/OBH) to provide legal aid. This situation presents a challenge for the local government in fulfilling its obligation to provide legal aid services to the poor. To address this, the Batu City Government has established a partnership with LBH/OBH in Malang City and Malang Regency. This collaboration is a pragmatic effort to ensure that legal aid services continue to be provided to the community. Through this partnership, Batu City residents can continue to access legal services through both litigation and non-litigation processes. However, this policy raises legal issues. (Rhode, 2004)

This problem arose due to a discrepancy between the collaborative practices and the provisions of the Batu Mayor's Regulation, which stipulates that legal aid providers must have an office or secretariat within Batu City. This provision implicitly limits the scope of LBH/OBH from outside the region to provide legal aid services in Batu City. (Simanjuntak, 2025)

On the other hand, the Batu City Regional Regulation, which serves as a higher legal basis, does not regulate these location restrictions. This difference in regulations indicates a disharmony of norms between the Regional Regulation and the Mayor's Regulation. This situation has the potential to create legal uncertainty in the provision of legal aid in the region. This lack of synchronization of norms becomes an obstacle to realizing access to justice for the poor in Batu City. If the provisions in the Mayor's Regulation are strictly implemented, the community could potentially lose access to legal aid services. This certainly contradicts the principle of protecting human rights and the state's obligation to guarantee access to justice. In this context, an affirmative action approach becomes relevant as a solution to this problem. Affirmative action can be understood as a special policy aimed at providing differential treatment to certain groups in order to achieve substantive equality. In this case, this policy can be implemented to provide space for LBH/OBH from outside the region to continue providing legal aid services in Batu City. (Soekanto, 1983)

The application of affirmative action principles in the provision of legal aid is expected to overcome the structural limitations faced by regions that do not yet have accredited LBH/OBH. Thus, the poor can still gain access to legal services without being hampered by formalistic administrative aspects. This approach is also in line with the principle of substantive justice, which emphasizes fair outcomes, not merely formal equality. Based on this description, this study is important to examine how the affirmative action principle is applied in the provision of legal aid

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for the poor in Batu City, particularly in the context of existing regulatory disharmony. This study is expected to contribute to the development of more inclusive and equitable legal policies, as well as provide recommendations for local governments in improving existing regulations to achieve legal certainty and access to justice for all. (Sumarsih, 2022)

## 2. RESEARCH METHODS

This research is a sociolegal legal research with a sociological juridical approach. Through this approach, the research was conducted by conducting direct field research to observe and understand the real conditions of the implementation of legal aid, both in the form of litigation and non-litigation, including the legal and non-legal obstacles faced in its implementation. The location of the research and data collection in this research was determined at the Legal Section of the Batu City Regional Secretariat based on the characteristics of empirical legal research (socio-legal), which views law not only as a set of written rules (law in the books), but also as institutional practices (law in action) manifested through the actions and policies of government organs in exercising public authority. The data sources used consist of primary data and secondary data. Primary data sources were obtained directly from sources in the field while secondary data consisted of legal literature, books, scientific journals, and expert opinions. Data collection techniques were carried out through Interview techniques were carried out to gather information related to the implementation of legal aid policies, including the legal and non-legal obstacles faced by the Batu City Government in providing litigation and non-litigation legal aid for the underprivileged. Technical Data Analysis Through evaluative analysis, researchers provide academic assessments and justifications for empirical findings obtained in the field, in order to assess whether the hypothesis or legal theory construction proposed can be accepted or rejected, based on the suitability between normative provisions, factual conditions, and the surrounding social context. (Abdurrahman, 2009).

## 3. RESULTS AND DISCUSSION

### **Provision of Legal Aid for the Poor in Batu City in the Practice of Cooperation between the Batu City Government and LBH/OBH (**

#### 1. Overview of Legal Aid Provision in Batu City

The provision of legal aid for the poor in Batu City is essentially implemented as a form of implementation of the state's obligation to guarantee access to justice. The Batu City Government has regulated this through Batu City Regional Regulation Number 1 of 2020 concerning Legal Aid and Batu City Mayor Regulation Number 39 of 2020 as its implementing guidelines. These two



regulations serve as the normative basis for the provision of legal aid, both in litigation and non-litigation forms. However, in practice, there are significant structural limitations, namely the absence of Legal Aid Institutions or Legal Aid Organizations (LBH/OBH) domiciled in Batu City and verified and accredited by the National Legal Development Agency (BPHN) for the 2025–2027 period. This condition leaves the Batu City Government without local partners who meet the formal requirements to provide legal aid. To overcome this limitation, the Batu City Government then collaborated with LBH/OBH domiciled in Malang City and Malang Regency. This collaboration is a pragmatic measure to ensure that the poor in Batu City continue to receive optimal legal aid services. Therefore, in reality, legal aid services in Batu City continue to operate even without the support of local LBH/OBH. (Cappelletti & Garth, 1978)

## 2. Collaborative Practices with LBH/OBH Outside Batu City

The collaboration between the Batu City Government and Legal Aid Institutions (LBH/OBH) outside Batu City is implemented through a mechanism of appointing institutions that have been verified and accredited by the National Legal Aid Agency (BPHN). In practice, there are seven LBH/OBHs that collaborate with the Batu City Government to provide legal aid services to the poor. The services provided include litigation and non-litigation legal aid. In the context of litigation, LBH/OBHs provide assistance to clients in the judicial process, particularly at the Malang District Court, which has jurisdiction over Batu City. This assistance includes the preparation of legal documents, defense in court, and other necessary legal efforts. Meanwhile, in the non-litigation context, LBH/OBHs carry out various activities such as legal counseling, legal consultation, mediation, and community empowerment. The Batu City Government has even allocated village/sub-district areas as legal counseling locations tailored to each LBH/OBH. This demonstrates systematic planning in the implementation of the non-litigation legal aid program. In terms of implementation, this collaboration can be said to be quite effective in reaching the community. Poor residents in Batu City still have access to legal services even though the legal aid providers are located outside the administrative area of Batu City. Thus, the substantive objective of providing legal aid is still achieved. (Fuller, 1964)

## 3. Legal Issues in the Provision of Legal Aid

Although the collaboration has been effective in practice, there are fundamental legal issues. These issues arise from a lack of synchronization between the Batu City Regional Regulation and the Batu Mayor's Regulation regarding the requirements for legal aid providers. Batu Mayoral Regulation Number 39 of 2020 requires that LBH/OBH that can provide legal aid must have a permanent office or secretariat in Batu City. This provision explicitly limits the scope of legal aid providers to institutions domiciled in Batu City. On the other hand, Batu City Regional Regulation Number 1 of 2020 does not contain such a limitation. The Regional Regulation only

requires that legal aid providers must have a permanent office or secretariat without specifying a specific location. This difference in regulations creates disharmony in norms that have implications for legal uncertainty. Theoretically, based on the principle of the hierarchy of laws and regulations as stipulated in Law Number 12 of 2011, the Mayor's Regulation as an implementing regulation must not conflict with the Regional Regulation. Therefore, the provisions in the Mayor's Regulation that limit the locations of LBH/OBH can be considered inconsistent with higher norms. (Harahap, 2016)

#### 4. Analysis of the Principles of Access to Justice and Equality Before the Law

In the Indonesian marriage legal system, divorce is essentially positioned as a last resort (*ultimum remedium*) that can only be taken when all possibilities to maintain the integrity of the household can no longer be realized. This principle is reflected in the provisions of Article 39 paragraph (1) of Law Number 1 of 1974 concerning Marriage, which states that divorce can only be carried out before a court hearing after efforts for reconciliation have failed. Furthermore, Article 39 paragraph (2) requires that there be sufficient reasons that the husband and wife will not be able to live in harmony as husband and wife. In Indonesia, the principle of access to justice is closely related to the constitutionally guaranteed principle of equality before the law. This principle demands that every individual be treated equally before the law without discrimination. However, formal equality is often not in line with substantive equality. Poor communities are in fact in an unequal position when dealing with the law due to limited resources, knowledge, and access to professional assistance. (Marzuki, 2017).

In the context of Batu City, this situation is further complicated by the lack of accredited LBH/OBH in the area. If the provisions of the Mayor's Regulation requiring local domicile are rigidly enforced, the poor will lose access to legal aid. This demonstrates that the formalistic application of norms has the potential to hinder the realization of substantive justice. Furthermore, a formalistic approach to law enforcement often ignores the sociological dimensions underlying the existence of these norms. Law should not only be understood as a normative text, but also as a means to achieve social justice. Therefore, in certain situations, a progressive interpretation of legal norms is necessary to ensure that their primary objectives are achieved. The practice of cooperation between the Batu City Government and LBH/OBH outside the region can be understood as a form of adaptation to existing structural limitations. Although formally not fully compliant with administrative provisions, this practice reflects a concrete effort to achieve access to justice. Thus, an approach that prioritizes substantive justice is relevant in this context. (Nasihuddin et al., 2024).

Furthermore, the principle of equality before the law must be understood dynamically, meaning it not only provides equal treatment but also considers the different circumstances of each individual. In this regard, poor communities require special treatment to achieve equality with

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other community groups. Without specific intervention, disparities in access to justice will persist. Therefore, an analysis of the provision of legal aid in Batu City demonstrates the need to balance compliance with formal norms with the achievement of substantive justice. An overly rigid approach to regulation has the potential to hinder the primary goal of the law itself, which is to provide justice for all. (Nasution et al., 2024)

#### 5. The Application of Affirmative Action Principles and Their Implications for Regional Legal Policy

The principle of affirmative action is essentially a policy that provides special treatment to certain disadvantaged groups in order to achieve fairer equality. This concept developed in legal studies and public policy as a response to structural inequalities that cannot be resolved solely through formal equality approaches. From a modern justice perspective, treating everyone equally does not necessarily result in justice, especially when there are differences in social, economic, and access to resources. Ronald Dworkin's thinking emphasizes that justice is not only related to equal treatment but also the fair distribution of resources according to each individual's needs. In this context, affirmative action is an important instrument for realizing distributive justice, particularly for poor communities with limited access to legal services. Therefore, legal aid policies must be designed not only based on the principle of formal equality but also considering the real needs of the community. (Rhode, 2004).

In the provision of legal aid in Batu City, the application of the affirmative action principle can be seen through the cooperation policy between the Batu City Government and LBH/OBH domiciled outside the region. This policy is a form of adaptation to structural limitations, namely the absence of accredited LBH/OBH based in Batu City. By opening up space for institutions from outside the region, the local government strives to ensure that poor communities can still obtain optimal legal aid services. This approach demonstrates that the local government is not solely oriented towards compliance with administrative norms, but also pays attention to the substantive needs of the community. In this case, affirmative action serves as a bridge between regulatory limitations and demands for social justice. This policy can be seen as a progressive step that places the interests of the community as the top priority in the provision of legal aid. (Simanjuntak, 2025).

Furthermore, the application of affirmative action in this context is not only aimed at the community as beneficiaries, but also at LBH/OBH as service providers. By providing opportunities for institutions from outside the region to participate, local governments indirectly expand the reach of legal aid services. This is crucial given the limited number and distribution of accredited LBH/OBH at the national level. However, the implementation of affirmative action must also be carried out proportionally and based on real needs. This policy must not create new injustices or ignore the principles of good governance. Therefore, cooperation with LBH/OBH from outside the

region must remain based on a transparent and accountable selection mechanism and comply with the standards established by the National Legal Development Agency. (Soekanto, 1983)

Furthermore, it is important to understand that affirmative action is not a permanent solution, but rather a temporary measure to address existing gaps. In the long term, local governments remain responsible for building local capacity in providing legal aid. This can be achieved through facilitating the establishment of new LBH/OBH institutions, improving the quality of human resources in the legal field, and collaborating with universities and civil society organizations. From a progressive legal perspective, as argued by Satjipto Rahardjo, the law must be able to adapt to community needs and not become bogged down in rigid formalities. The application of affirmative action in the provision of legal aid in Batu City reflects this spirit, where the law is used as a means to achieve substantive justice, not simply as an administrative regulatory tool. (Sumarsih, 2022).

The implications of applying this principle to regional legal policy are significant, particularly in terms of regulatory harmonization. The disharmony between the Regional Regulation and the Mayor's Regulation governing the domicile requirements for LBH/OBH institutions indicates weaknesses in policy formulation. Therefore, a revision of the Mayor's Regulation is necessary to align it with the Regional Regulation and broader legal principles. This regulatory adjustment aims not only to eliminate normative conflicts but also to provide legal certainty for all parties involved in the provision of legal aid. With harmonized regulations, regional governments can implement policies more effectively and measurably, without raising doubts about legality. (Waluyo, 2002).

Furthermore, policy implications also encompass institutional aspects, where local governments need to strengthen their coordination and oversight systems for partner LBH/OBH institutions. Continuous monitoring and evaluation are crucial to ensure that the legal aid services provided are truly high-quality and on-target. This also aligns with the principle of accountability in governance. Furthermore, the integration of legal aid policies with other regional development programs is also crucial. Legal aid cannot be separated from poverty alleviation efforts and improving community welfare. Therefore, a holistic and cross-sectoral approach is key to increasing the effectiveness of legal aid policies. Therefore, the application of affirmative action principles in the provision of legal aid in Batu City not only serves as a solution to existing limitations but also provides a new direction in the formulation of more inclusive and responsive regional legal policies. This policy demonstrates that the law can function dynamically in responding to community needs while maintaining the principles of justice and legal certainty. (Abdurrahman, 2009)

**The Application of Affirmative Action Principles in the Provision of Legal Aid in Batu City to Ensure Access to Justice for the Poor**

The application of the affirmative action principle in the provision of legal aid is essentially a concrete manifestation of the state's responsibility to ensure the fulfillment of citizens' constitutional rights to justice. In a state based on the rule of law, justice is not only defined as formal equality before the law, but also as substantive equality that takes into account the social and economic conditions of the community. In this context, the poor are a group that is structurally unequal before the law, thus requiring special intervention from the state through affirmative policies. (Arifin, 2019).

Normatively, the right to legal aid is guaranteed in various laws and regulations, which emphasize that the state is obliged to provide free legal aid services to the poor. However, the implementation of this normative guarantee is not always optimal, especially in regions with limited resources, both in terms of institutions and legal professionals. Batu City is one example of a region facing this situation, where there are no accredited Legal Aid Institutions or Legal Aid Organizations (LBH/OBH) domiciled in the region. In this situation, the Batu City Government took policy steps by establishing cooperation with LBH/OBHs domiciled outside the region, particularly in Malang City and Malang Regency. This policy can be understood as a form of application of the principle of affirmative action, where the local government provides special treatment to overcome existing structural limitations. By opening access to institutions from outside the region, the government seeks to ensure that the poor can still obtain adequate legal aid services. (Asshiddiqie, 2015).

The concept of affirmative action itself stems from the understanding that equal treatment does not always result in equal justice. In this regard, Ronald Dworkin's thinking emphasizes that justice must consider the fair distribution of resources according to the needs of each individual. Therefore, providing special treatment to certain groups, such as the poor, is a legitimate and necessary step in achieving more substantive justice. The application of this principle in Batu City can be seen in the flexibility of the local government's policies. Although administratively there are provisions that limit the domicile of LBH/OBH, the government still allows institutions from outside the region to participate in the provision of legal aid. This flexibility demonstrates a more pragmatic and results-oriented approach, namely meeting the community's need for legal services. Furthermore, the implementation of affirmative action is also reflected in the local government's efforts to distribute legal aid services equitably through legal counseling programs in various villages and sub-districts. The division of work areas among each LBH/OBH demonstrates systematic planning in directly reaching the community. This program aims not only to provide

curative legal aid but also to provide preventative legal assistance by increasing public legal awareness. (Cappelletti & Garth, 1978).

In the context of litigation, the application of affirmative action principles is evident in the provision of legal assistance for the poor during the judicial process. Legal Aid Institutions (LBH/OBH), in collaboration with the local government, provide professional legal assistance, from document preparation to defense in court. With this assistance, the poor have a greater opportunity to obtain proper justice. However, the implementation of affirmative action in Batu City is not without various challenges, particularly from a legal perspective. Disharmony between Regional Regulations and the Mayor's Regulation regarding LBH/OBH domicile requirements is one of the main obstacles. Restrictive provisions in the Mayor's Regulation have the potential to hinder the implementation of existing affirmative action policies. This situation indicates a mismatch between legal norms and practical needs in the field. (Friedman, 1975).

From an access to justice perspective, the Batu City Government's policy can be considered an appropriate step in eliminating structural barriers to access to justice. The concept of access to justice, as proposed by Mauro Cappelletti, emphasizes the importance of the availability, affordability, and effectiveness of legal services for the community. In this regard, collaboration with LBH/OBH from outside the region is a concrete manifestation of this effort. Furthermore, the application of the affirmative action principle is also in line with a progressive legal approach that positions law as a means to achieve social justice. Satjipto Rahardjo stated that the law must be able to respond to community needs and not be trapped in rigid formalities. In this context, the Batu City Government's policy reflects the courage to prioritize substantive justice over formal compliance with regulations. (Fuller, 1964).

However, it is important to understand that affirmative action is not a long-term solution, but rather a temporary measure to address existing gaps. Therefore, local governments need to design a more comprehensive strategy to build local capacity in providing legal aid. One step that can be taken is to encourage the establishment of LBH/OBH domiciled in Batu City through facilitation and coaching. Furthermore, strengthening cooperation with partner LBH/OBH is also necessary through a more structured, performance-based mechanism. Local governments need to establish clear performance indicators to ensure that the legal aid services provided are truly high-quality and on-target. This is also crucial for maintaining accountability in the use of the state budget. (Hadri, 2025).

Regular evaluation of legal aid implementation is also a crucial part of implementing affirmative action. Through evaluation, local governments can identify various obstacles encountered and formulate necessary corrective measures. This evaluation can also serve as a basis for more appropriate policymaking in the future. Furthermore, the integration of legal aid policies

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with other regional development programs is also crucial. Legal aid cannot be separated from poverty alleviation and community empowerment efforts. Therefore, a holistic and cross-sectoral approach is crucial to improving policy effectiveness. (Harahap, 2016).

Thus, the application of affirmative action principles in the provision of legal aid in Batu City has made a significant contribution to ensuring access to justice for the poor. This policy demonstrates the local government's ability to take innovative steps to address existing limitations, despite still facing various challenges. Moving forward, strengthening regulations, increasing institutional capacity, and developing human resources in the legal field will be key factors in ensuring the sustainability of this policy. With these steps, it is hoped that the provision of legal aid in Batu City will be more effective, equitable, and sustainable, thereby achieving the primary goal of law, namely providing justice for all people without exception. (Ministry of Law and Human Rights, 2023).

#### **4. CONCLUSION**

In practice, the provision of legal aid for the poor in Batu City can still be carried out effectively through a collaborative mechanism between the Batu City Government and Legal Aid Institutions/Legal Aid Organizations (LBH/OBH) domiciled outside Batu City. Although this policy is factually able to guarantee access to legal aid services, both in the form of litigation and non-litigation, there are legal issues that arise due to regulatory disharmony between the Regional Regulation and the Mayor's Regulation. The Mayor's Regulation, which requires LBH/OBH domicile in Batu City, contradicts the Regional Regulation, which does not limit the location of legal aid providers. This condition creates legal uncertainty in the implementation of the policy, although substantively the goal of providing legal aid, namely ensuring access to justice for the poor, can still be achieved. Thus, the practice of this collaboration reflects the need to balance compliance with formal norms with the achievement of substantive justice in the provision of legal aid. (Nasihuddin et al., 2024)

The application of affirmative action principles in the provision of legal aid in Batu City has proven to be a relevant and solution-oriented approach in addressing existing structural limitations. Policies that provide space for LBH/OBH from outside the region represent a form of state intervention to ensure that the poor continue to have adequate access to justice and are not hampered by formalistic administrative aspects. The application of this principle not only reflects a commitment to vulnerable groups but also aligns with the concepts of access to justice and substantive justice in the modern legal system. However, for the implementation of affirmative action to run optimally and sustainably, strategic steps are needed, including regulatory harmonization, strengthening institutional capacity at the regional level, and developing local

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LBH/OBH. Thus, the provision of legal aid in Batu City is expected to not only be responsive to current needs but also able to build a more independent, inclusive, and equitable system in the future. (Nasution et al., 2024)

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