

# Juridical Analysis of the Regulation of Vulnerable Groups as a Requirement for Legal Aid Recipients in the Regional Regulation of Central Java Province Number 1 of 2022 Based on Law Number 16 of 2011

Ariza Hasna<sup>1</sup>

<sup>1</sup>Kanwil Kementerian Hukum Jawa Tengah, Indonesia; [hasnaariza@gmail.com](mailto:hasnaariza@gmail.com)

---

## Abstract

This study aims to analyze the regulation of vulnerable groups as legal aid recipients in the Regional Regulation of Central Java Province Number 1 of 2022 in light of Law Number 16 of 2011 on Legal Aid. The research employs a normative juridical method using statutory and conceptual approaches. The results show that the national legal framework, consisting of Law Number 16 of 2011, Government Regulation Number 42 of 2013, and Regulation of the Minister of Law and Human Rights Number 63 of 2016, consistently limits legal aid recipients to individuals or groups who are economically disadvantaged, as evidenced by administrative requirements such as a certificate of indigency or equivalent proof. This indicates that Indonesia's legal aid system adopts a means-tested approach based on economic incapacity. In contrast, the Regional Regulation of Central Java Province Number 1 of 2022 expands the criteria by including vulnerable groups as legal aid recipients without explicitly requiring proof of economic incapacity. This expansion results in a normative inconsistency with higher-level legislation and raises concerns regarding the principle of *lex superior derogat legi inferiori*. Furthermore, it may constitute an overextension of regional authority (*ultra vires*) and potentially lead to legal uncertainty and misallocation of limited legal aid resources. Therefore, the inclusion of vulnerable groups as legal aid recipients in the regional regulation is not fully aligned with the national legal framework governing legal aid in Indonesia.

---

## Keywords

legal aid; vulnerable groups; juridical analysis; access to justice.

---

## Corresponding Author

Ariza Hasna, S.H., M.Kn.

Kanwil Kementerian Hukum Jawa Tengah, Indonesia; [hasnaariza@gmail.com](mailto:hasnaariza@gmail.com)

---

## INTRODUCTION

Indonesia as a state based on the rule of law places law as the fundamental basis in governing all aspects of national life, including the protection of human rights. This principle is explicitly affirmed in the 1945 Constitution of the Republic of Indonesia, particularly Article 27 paragraph (1), which guarantees equality before the law, and Article 28D paragraph (1), which ensures the right to recognition, protection, and legal certainty that is just.<sup>1</sup> In addition, Article 34 mandates that the poor shall be cared for by the state. Within this constitutional framework,

---

<sup>1</sup>Saputra, H. (2022). *Legal aid and access to justice in Indonesia*. Jurnal Legislasi Indonesia, 19(2), 150–165. <https://doi.org/10.54629/jli.v19i2.870>

the provision of legal aid constitutes a concrete manifestation of the state's obligation to ensure access to justice, especially for those who are economically disadvantaged.<sup>2</sup>

Legal aid should not merely be understood as the provision of legal services, but also as an instrument to achieve substantive justice. Through legal aid policies, the state seeks to address inequalities in access to justice caused by economic disparities. Law Number 16 of 2011 on Legal Aid explicitly stipulates that the state is responsible for providing legal aid to the poor as a realization of access to justice. This provision indicates that legal aid in Indonesia is designed as an affirmative policy specifically targeted at individuals or groups who lack financial capacity.<sup>3</sup>

The determination of legal aid recipients under Law Number 16 of 2011 is formulated in a clear and limitative manner. Article 1 point 2 defines legal aid recipients as individuals or groups of people who are poor. This provision is further reinforced by Article 5 paragraph (1), which states that recipients are those who are unable to fulfill their basic rights in a proper and independent manner. These provisions demonstrate that the primary parameter used to determine eligibility for legal aid is economic incapacity, particularly the inability to meet basic needs.<sup>4</sup>

The clarity of this criterion is further strengthened by its implementing regulations. Government Regulation Number 42 of 2013 stipulates detailed administrative requirements for applicants seeking legal aid, including the obligation to provide a certificate of indigency issued by a competent authority, as regulated in Article 3 letter c. In certain circumstances, Article 8 paragraph (1) allows alternative forms of proof, such as social assistance cards or similar documents, which still function to demonstrate economic incapacity. These provisions underline that economic status is an essential and inseparable element in determining legal aid eligibility.<sup>5</sup>

Consistency in this regulatory framework is also reflected in Minister of Law and Human Rights Regulation Number 63 of 2016, which reiterates in Article 1 point 3 that legal aid recipients are individuals or groups of poor people. The application process further requires applicants to submit proof of financial incapacity as a primary administrative requirement. This indicates that, systematically and hierarchically, all legal instruments governing legal aid in Indonesia adopt a means-tested approach rather than a broader social categorization.<sup>6</sup>

---

<sup>2</sup> Arifin, S. (2021). *Legal aid as a constitutional right of citizens*. *Jurnal Rechts Vinding*, 10(2), 145–160. <https://doi.org/10.33331/rechtsvinding.v10i2.745>

<sup>3</sup> Susanto, A. (2022). *Implementation of legal aid for the poor in Indonesia*. *Jurnal Rechts Vinding*, 11(1), 25–40. <https://doi.org/10.33331/rechtsvinding.v11i1.800>

<sup>4</sup> Yulianto, A. (2022). *Analysis of regional regulations on legal aid*. *Jurnal Legislasi Indonesia*, 19(3), 210–225. <https://doi.org/10.54629/jli.v19i3.890>

<sup>5</sup> Firmansyah, R. (2023). *The role of local governments in access to justice*. *Jurnal Legislasi Indonesia*, 20(1), 55–70. <https://doi.org/10.54629/jli.v20i1.1020>

<sup>6</sup> Ramadhan, M. (2023). *Regional policies in legal protection of society*. *Jurnal Ilmu Hukum*, 13(1), 10–25. <https://doi.org/10.30652/jih.v13i1.1200>

The concept of vulnerable groups in legal discourse generally refers to individuals or communities that face structural, social, or cultural barriers in accessing justice, such as women, children, persons with disabilities, and other marginalized groups. Vulnerability, however, does not necessarily correlate with economic incapacity. In practice, individuals classified as vulnerable may possess sufficient financial resources, thereby not fulfilling the criteria established under the national legal aid framework.<sup>7</sup>

The Regional Regulation of Central Java Province Number 1 of 2022 on Legal Aid introduces “vulnerable groups” as a category of legal aid recipients. This provision substantively expands the criteria that have been limitatively defined under Law Number 16 of 2011. The expansion is not grounded in the economic incapacity parameter, which constitutes the core requirement under national law, thereby potentially blurring the normative boundaries of legal aid eligibility.<sup>8</sup>

Such inconsistency gives rise to a potential conflict of norms between regional regulations and higher-level legislation. The principle of *lex superior derogat legi inferiori* requires that lower-level regulations must not contradict higher-level laws. Law Number 16 of 2011 has clearly established the criteria for legal aid recipients, leaving no room for regional regulations to expand such criteria without explicit delegation of authority.<sup>9</sup>

The expansion of legal aid recipient criteria by regional governments may also be viewed as an act exceeding their legal authority (*ultra vires*). The authority to define fundamental legal norms regarding legal aid recipients has been determined at the national level through statutory law. Any modification or expansion of such criteria should therefore be carried out through legislative amendment, rather than through regional regulation.

Practical implications of this regulatory expansion are also significant. Legal aid is funded through limited public resources derived from both the state budget and regional budgets. Expanding eligibility to include vulnerable groups without economic criteria risks diluting the allocation of resources, thereby potentially reducing access for economically disadvantaged individuals who are the primary beneficiaries under national law. This condition contradicts the fundamental objective of legal aid as stipulated in Law Number 16 of 2011.

Based on the foregoing, there is a clear inconsistency between the provisions of Regional Regulation of Central Java Province Number 1 of 2022 and Law Number 16 of 2011, along with its implementing regulations, namely Government Regulation Number 42 of 2013 and Ministerial Regulation Number 63 of 2016. A comprehensive analysis is therefore necessary to examine whether the inclusion of vulnerable groups as legal aid recipients constitutes a

---

<sup>7</sup> Wibowo, A. (2022). *Implementation of the Legal Aid Law at the regional level*. *Jurnal Hukum IUS QUIA IUSTUM*, 29(2), 233–250. <https://doi.org/10.20885/iustum.vol29.iss2.art5>

<sup>8</sup> Fauzi, A. (2021). *Legal analysis of legal aid implementation*. *Jurnal Legalitas*, 13(2), 200–215. <https://doi.org/10.33756/jl.v13i2.4567>

<sup>9</sup> Kholis, N. (2022). *The role of the state in ensuring access to justice*. *Jurnal Konstitusi*, 19(2), 220–235. <https://doi.org/10.31078/jk1922>

legitimate affirmative policy or a deviation from the established legal framework governing legal aid in Indonesia.

## METHODS

This research is a normative legal study that focuses on the analysis of legal norms within statutory regulations concerning legal aid. The approaches employed include the statute approach and the conceptual approach, by examining Law Number 16 of 2011 on Legal Aid, Government Regulation Number 42 of 2013, Minister of Law and Human Rights Regulation Number 63 of 2016, and Regional Regulation of Central Java Province Number 1 of 2022. The legal materials used consist of primary, secondary, and tertiary legal sources collected through library research. The analysis is conducted qualitatively using methods of legal interpretation, including grammatical and systematic interpretation, as well as comparative analysis of regulations, by applying the principle of *lex superior derogat legi inferiori* to assess potential norm conflicts between regional regulations and higher-level laws, thereby producing descriptive-analytical and argumentative conclusions.

## RESULTS AND DISCUSSION

### 1. Regulation of Legal Aid Recipients in Indonesian Laws and Regulations

The regulation of legal aid recipients within the Indonesian legal system is structured in a hierarchical and systematic manner through various interrelated statutory regulations. Law Number 16 of 2011 on Legal Aid, as the primary legal framework, stipulates in Article 1 point 2 that legal aid recipients are individuals or groups of people who are poor. This provision demonstrates that the legislator has clearly and limitatively defined the *субъект* of legal aid recipients, thereby excluding broader interpretations that extend beyond the specified category.<sup>10</sup>

This limitation is further reinforced in Article 5 paragraph (1) of Law Number 16 of 2011, which provides that legal aid recipients are individuals or groups of poor people who are unable to fulfill their basic rights in a proper and independent manner. The notion of basic rights in this context encompasses essential needs such as food, clothing, healthcare, education, employment, and housing. Such formulation indicates that the concept of poverty in the legal aid framework is multidimensional, encompassing not only income limitations but also the inability to achieve a minimum standard of living.<sup>11</sup>

The limitative nature of these provisions reflects the intention of the legislator to ensure that legal aid policies remain targeted and effective. Legal aid, as an affirmative state policy, is specifically directed toward individuals who face economic barriers in accessing justice. Clear

---

<sup>10</sup> Santoso, B. (2019). *Legal protection for the poor*. *Jurnal Yustisia*, 8(1), 1–15. <https://doi.org/10.20961/yustisia.v8i1.28745>

<sup>11</sup> Nugroho, H. (2020). *Access to justice for vulnerable groups*. *Jurnal HAM*, 11(1), 75–90. <https://doi.org/10.30641/ham.2020.11.75-90>

and measurable criteria are therefore essential to prevent misallocation and to ensure that legal aid serves its intended beneficiaries.<sup>12</sup>

The statutory provisions are further elaborated through Government Regulation Number 42 of 2013 concerning Requirements and Procedures for the Provision of Legal Aid and the Distribution of Legal Aid Funds. Article 3 letter c requires applicants to submit a certificate of indigency issued by a village head or an equivalent authority. This requirement establishes that eligibility for legal aid must be supported by formal administrative verification rather than subjective claims.<sup>13</sup>

The administrative verification mechanism serves as an instrument to ensure objectivity and accountability in determining eligibility. The certificate of indigency functions as formal proof that the applicant genuinely lacks financial capacity. Within this framework, administrative documentation plays a crucial role in preventing misuse and ensuring that legal aid is distributed appropriately.<sup>14</sup>

Flexibility in evidentiary requirements is accommodated under Article 8 paragraph (1) of Government Regulation Number 42 of 2013, which allows applicants to submit alternative documents such as social assistance cards or other government aid documentation. Despite this flexibility, the underlying criterion remains unchanged, namely the demonstration of economic incapacity. This indicates that variations in documentation do not alter the fundamental principle governing eligibility.<sup>15</sup>

The consistency of this regulatory framework is further affirmed in the Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number 63 of 2016 concerning Amendments to Regulation Number 10 of 2015 on the Implementation of Government Regulation Number 42 of 2013. Article 1 point 3 reiterates that legal aid recipients are individuals or groups of poor people. This provision reflects the continuity of legal norms from statutory law to implementing regulations, maintaining the same restrictive criteria without expanding its scope.<sup>16</sup>

Technical provisions within the ministerial regulation also require applicants to submit proof of financial incapacity as part of the legal aid application process. These requirements apply across all forms of legal aid services, including both litigation and non-litigation

---

<sup>12</sup> Sihombing, H. (2021). *Protection of vulnerable groups in the national legal perspective*. Jurnal HAM, 12(1), 45–60. <https://doi.org/10.30641/ham.2021.12.45-60>

<sup>13</sup> Kurniawan, D. (2020). *Vulnerable groups in Indonesian legal policy*. Jurnal HAM, 11(2), 120–135. <https://doi.org/10.30641/ham.2020.11.120-135>

<sup>14</sup> Siregar, M. (2019). *Access to justice for marginalized communities*. Jurnal HAM, 10(2), 200–215. <https://doi.org/10.30641/ham.2019.10.200-215>

<sup>15</sup> Hakim, L. (2022). *The role of advocates in providing legal aid*. Jurnal Hukum dan Peradilan, 11(3), 215–230. <https://doi.org/10.25216/jhp.11.3.2022.215-230>

<sup>16</sup> Sari, N. (2021). *The role of local governments in providing legal aid to society*. Jurnal Ilmu Hukum, 10(2), 134–150. <https://doi.org/10.30652/jih.v10i2.845>

assistance, further emphasizing that economic status constitutes a universal and indispensable condition within the national legal aid system.<sup>17</sup>

The uniformity of regulation across Law Number 16 of 2011, Government Regulation Number 42 of 2013, and Ministerial Regulation Number 63 of 2016 demonstrates a coherent and structured legal framework. The approach adopted is clearly based on a means-tested model, aimed at ensuring effectiveness, efficiency, and fairness in the distribution of legal aid. Such an approach also functions as a control mechanism to prevent the uncontrolled expansion of beneficiaries beyond the intended scope.<sup>18</sup>

This consistency simultaneously reflects the restrictive character of Indonesia's legal aid system, in which eligibility is clearly limited to economically disadvantaged groups. Such restriction is not intended to limit access to justice, but rather to ensure that limited state resources are allocated optimally to those who are most in need. Developments at the regional level, however, reveal a shift in regulatory approach. Regional Regulation of Central Java Province Number 1 of 2022 on Legal Aid expands the category of legal aid recipients by including vulnerable groups as eligible beneficiaries. This policy indicates a transition from an economically based approach toward a vulnerability-based approach.

The categorization of vulnerable groups in the regional regulation is not explicitly linked to economic incapacity. In practice, vulnerable groups may include individuals who face social, cultural, or structural barriers in accessing justice, such as women, children, persons with disabilities, and other marginalized communities. These conditions illustrate that vulnerability does not necessarily correspond to poverty.

The divergence in approach between national and regional regulations leads to a shift in the normative construction of legal aid recipients. Criteria that were originally limitative and based on economic incapacity become broader through the inclusion of social vulnerability categories not recognized in statutory law. This expansion effectively alters the legal boundaries established at the national level. Such differences carry both conceptual and practical implications. Variations between national and regional regulations may lead to inconsistencies within the legal system, particularly in determining who qualifies as a legal aid recipient. This condition may result in legal uncertainty in the implementation of legal aid policies.

The transformation of legal aid eligibility from an economic-based model to a vulnerability-based model also has implications for policy direction. Legal aid, which was originally prioritized for economically disadvantaged groups, risks shifting its focus, potentially reducing its effectiveness in serving those who are most in need. Overall, the regulatory framework demonstrates a significant divergence between national legislation and regional regulation concerning legal aid recipients. This discrepancy provides a critical basis for further

---

<sup>17</sup> Ali, Z. (2019). *Legal research methods in normative studies*. Jurnal Legalitas, 11(2), 101–115. <https://doi.org/10.33756/jl.v11i2.2100>

<sup>18</sup> Putra, E. (2020). *Analysis of legal aid at the regional level*. Jurnal Legalitas, 12(1), 67–80. <https://doi.org/10.33756/jl.v12i1.3456>

analysis regarding the consistency and conformity of legal aid regulations within the Indonesian legal system.

## **2. Juridical Analysis of the Inclusion of Vulnerable Groups as Legal Aid Recipients in Regional Regulation of Central Java Province Number 1 of 2022**

The inclusion of vulnerable groups as recipients of legal aid in the Regional Regulation of Central Java Province Number 1 of 2022 raises significant juridical issues concerning the conformity of norms within the hierarchy of laws and regulations. This provision must be examined comprehensively by referring to the normative framework established under Law Number 16 of 2011 on Legal Aid and its implementing regulations, which consistently position economic incapacity as the sole primary criterion in determining legal aid recipients.<sup>19</sup>

The normative construction under Law Number 16 of 2011 demonstrates a clear and limitative restriction regarding legal aid recipients. Article 1 point 2 and Article 5 paragraph (1) explicitly stipulate that recipients of legal aid are individuals or groups of people who are economically disadvantaged and unable to fulfill their basic rights in a proper and independent manner. This limitation reflects the legislative intent to ensure that legal aid policies remain focused on individuals who face economic barriers in accessing justice.<sup>20</sup>

Such consistency is reinforced in Government Regulation Number 42 of 2013, which reiterates that legal aid recipients are individuals or groups of poor people. Article 3 letter c requires applicants to submit a certificate of indigency as administrative proof. Even in cases where such a certificate is unavailable, Article 8 paragraph (1) allows alternative documentation that substantively proves economic incapacity. These provisions demonstrate that economic status remains an essential and indispensable requirement in the national legal aid system.<sup>21</sup>

A similar normative construction is reaffirmed in the Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number 63 of 2016, which maintains that legal aid recipients are individuals or groups of poor people. This regulation further establishes detailed procedural requirements, including the obligation to provide proof of financial incapacity in every legal aid application. The continuity of these provisions across different levels of regulation indicates a coherent and consistent legal framework that does not accommodate an expansion of recipient criteria beyond economic parameters.<sup>22</sup>

The existence of such a structured and consistent regulatory framework indicates that Indonesia's legal aid system is fundamentally based on a means-tested approach. This approach implies that legal aid is not intended for all members of society, but rather is specifically

---

<sup>19</sup> Marzuki, P. M. (2019). *Legal research as a basis for policy analysis*. *Jurnal Indonesian Legal Studies*, 4(2), 233–248. <https://doi.org/10.15294/jils.v4i2.31245>

<sup>20</sup> Prasetyo, T. (2017). *Dignified justice in the Indonesian legal system*. *Jurnal Media Hukum*, 24(1), 12–25. <https://doi.org/10.18196/jmh.2017.0085>

<sup>21</sup> Huda, N. (2018). *Decentralization and legal protection of society*. *Jurnal Konstitusi*, 15(3), 400–415. <https://doi.org/10.31078/jk1535>

<sup>22</sup> Asshiddiqie, J. (2020). *Constitutional rights and access to justice*. *Jurnal Konstitusi*, 17(1), 1–15. <https://doi.org/10.31078/jk1711>

targeted at those who are objectively unable to access legal services due to financial constraints. Consequently, any attempt to expand the criteria of legal aid recipients must be supported by a clear legal basis and must not contradict higher-level legal norms.<sup>23</sup>

The inclusion of vulnerable groups in the Regional Regulation of Central Java Province Number 1 of 2022 reflects a shift in regulatory orientation that moves away from an exclusively economic-based approach. The concept of vulnerable groups in legal discourse generally refers to individuals or communities facing barriers in accessing justice due to social, cultural, or structural factors, such as women, children, persons with disabilities, and marginalized groups. Vulnerability, however, does not necessarily correlate with economic incapacity.<sup>24</sup>

This distinction between poverty and vulnerability creates significant juridical implications. While the national legal framework adopts an economic-based criterion, the regional regulation introduces a vulnerability-based approach that expands the scope of legal aid recipients. Such expansion effectively alters the substance of the norm by introducing a new category that is not recognized under higher-level legislation.<sup>25</sup>

The situation can be analyzed through the principle of hierarchy of laws and regulations. The principle of *lex superior derogat legi inferiori* dictates that lower-level regulations must not contradict higher-level laws. Law Number 16 of 2011, as a higher-level legal instrument, has clearly and limitatively defined the criteria for legal aid recipients. Therefore, regional regulations do not possess the authority to expand such criteria in the absence of explicit delegation.<sup>26</sup>

The absence of any delegation clause within Law Number 16 of 2011 to broaden the scope of legal aid recipients indicates that the Regional Regulation of Central Java Province Number 1 of 2022 potentially conflicts with higher-level legislation. Regional governments are generally authorized to regulate technical and administrative aspects of policy implementation, rather than to alter the substantive norms established by national law.<sup>27</sup>

An analysis from the perspective of authority further suggests that the expansion of legal aid recipient criteria by the regional government may constitute an act exceeding its legal authority (*ultra vires*). The determination of legal aid recipients is a matter of national legal policy that has been comprehensively regulated at the statutory level. Any modification to such

---

<sup>23</sup> Hadjon, P. M. (2017). *Legal protection for the people of Indonesia*. *Yuridika*, 32(1), 1–15. <https://doi.org/10.20473/ydk.v32i1.4850>

<sup>24</sup> Mertokusumo, S. (2018). *Legal discovery in judicial practice*. *Jurnal IUS QUIA IUSTUM*, 25(1), 1–12. <https://doi.org/10.20885/iustum.vol25.iss1.art1>

<sup>25</sup> Rahardjo, S. (2016). *Progressive law and substantive justice*. *Jurnal Hukum Progresif*, 4(2), 1–15. <https://doi.org/10.14710/hp.4.2.1-15>

<sup>26</sup> Lestari, D. (2021). *Rights of vulnerable groups in public policy*. *Jurnal Kebijakan Publik*, 12(2), 150–165. <https://doi.org/10.31258/jkp.12.2.150-165>

<sup>27</sup> Wijaya, I. (2023). *Evaluation of regional legal aid policies*. *Jurnal Ilmu Hukum*, 12(1), 45–60. <https://doi.org/10.30652/jih.v12i1.1025>

criteria should therefore be undertaken through legislative amendment at the national level, rather than through regional regulatory instruments.<sup>28</sup>

The juridical implications of this regulatory inconsistency extend beyond normative conflict and also affect legal certainty. Diverging criteria between national and regional regulations may create confusion among legal aid providers and applicants, leading to inconsistent implementation. Such a situation undermines the effectiveness of legal aid delivery and may weaken public trust in the legal system.<sup>29</sup>

Considerations of justice are also central to this analysis. Expanding legal aid eligibility to include vulnerable groups without economic limitations risks misallocating limited resources. Individuals who are socially vulnerable but economically capable may gain access to legal aid, while economically disadvantaged individuals, the primary target group may face reduced access due to budget constraints.<sup>30</sup>

The limited nature of legal aid funding, derived from both the state budget and regional budgets, necessitates a selective and targeted allocation mechanism. Expanding eligibility without maintaining economic criteria may dilute the effectiveness of legal aid programs and compromise their primary objective, which is to ensure access to justice for the poor.

The inclusion of vulnerable groups in the Regional Regulation of Central Java Province Number 1 of 2022 may be viewed as an effort to broaden access to justice. However, such policy initiatives must remain within the framework of the existing legal system. Affirmative policies must align with higher-level legal norms to avoid creating disharmony within the system of laws and regulations.

The overall analysis indicates that the inclusion of vulnerable groups as legal aid recipients in the Regional Regulation of Central Java Province Number 1 of 2022 is not consistent with Law Number 16 of 2011 and its implementing regulations. The expansion of recipient criteria without a clear legal basis results in a conflict of norms, an overextension of authority, and potential issues related to legal certainty and the effective distribution of legal aid resources.

## CONCLUSION

The regulation of legal aid recipients within the Indonesian legal system is consistently structured through Law Number 16 of 2011, Government Regulation Number 42 of 2013, and Regulation of the Minister of Law and Human Rights Number 63 of 2016, all of which limit recipients strictly to individuals or groups who are economically disadvantaged, as evidenced by formal administrative requirements. This demonstrates that the national legal aid framework

---

<sup>28</sup> Ardiansyah, F. (2022). *Implementation of free legal aid policies*. *Jurnal Yustisia*, 11(2), 89–105. <https://doi.org/10.20961/yustisia.v11i2.56789>

<sup>29</sup> Pratama, R. (2021). *The role of legal aid institutions in society*. *Jurnal Hukum dan Pembangunan*, 51(3), 300–315. <https://doi.org/10.21143/jhp.vol51.no3.3123>

<sup>30</sup> Dewi, K. (2020). *Protection of women as a vulnerable group*. *Jurnal HAM*, 11(3), 250–265. <https://doi.org/10.30641/ham.2020.11.250-265>

adopts a means-tested approach with clear and measurable criteria. In contrast, the inclusion of vulnerable groups as legal aid recipients in the Regional Regulation of Central Java Province Number 1 of 2022 introduces an expanded criterion that is not based on economic incapacity and is not recognized within higher-level legislation. This expansion results in a normative inconsistency and indicates a potential conflict with the principle of *lex superior derogat legi inferiori*, as well as an overextension of regional authority (*ultra vires*). Consequently, the provision risks creating legal uncertainty and misallocation of limited legal aid resources, thereby deviating from the primary objective of legal aid, which is to ensure access to justice for economically disadvantaged individuals.

## REFERENCES

- Ali, Z. (2019). *Legal research methods in normative studies*. Jurnal Legalitas, 11(2), 101–115. <https://doi.org/10.33756/jl.v11i2.2100>
- Ardiansyah, F. (2022). *Implementation of free legal aid policies*. Jurnal Yustisia, 11(2), 89–105. <https://doi.org/10.20961/yustisia.v11i2.56789>
- Arifin, S. (2021). *Legal aid as a constitutional right of citizens*. Jurnal Rechts Vinding, 10(2), 145–160. <https://doi.org/10.33331/rechtsvinding.v10i2.745>
- Asshiddiqie, J. (2020). *Constitutional rights and access to justice*. Jurnal Konstitusi, 17(1), 1–15. <https://doi.org/10.31078/jk1711>
- Dewi, K. (2020). *Protection of women as a vulnerable group*. Jurnal HAM, 11(3), 250–265. <https://doi.org/10.30641/ham.2020.11.250-265>
- Fauzi, A. (2021). *Legal analysis of legal aid implementation*. Jurnal Legalitas, 13(2), 200–215. <https://doi.org/10.33756/jl.v13i2.4567>
- Firmansyah, R. (2023). *The role of local governments in access to justice*. Jurnal Legislasi Indonesia, 20(1), 55–70. <https://doi.org/10.54629/jli.v20i1.1020>
- Hadjon, P. M. (2017). *Legal protection for the people of Indonesia*. Yuridika, 32(1), 1–15. <https://doi.org/10.20473/ydk.v32i1.4850>
- Hakim, L. (2022). *The role of advocates in providing legal aid*. Jurnal Hukum dan Peradilan, 11(3), 215–230. <https://doi.org/10.25216/jhp.11.3.2022.215-230>
- Huda, N. (2018). *Decentralization and legal protection of society*. Jurnal Konstitusi, 15(3), 400–415. <https://doi.org/10.31078/jk1535>
- Kholis, N. (2022). *The role of the state in ensuring access to justice*. Jurnal Konstitusi, 19(2), 220–235. <https://doi.org/10.31078/jk1922>
- Kurniawan, D. (2020). *Vulnerable groups in Indonesian legal policy*. Jurnal HAM, 11(2), 120–135. <https://doi.org/10.30641/ham.2020.11.120-135>
- Lestari, D. (2021). *Rights of vulnerable groups in public policy*. Jurnal Kebijakan Publik, 12(2), 150–165. <https://doi.org/10.31258/jkp.12.2.150-165>

- Marzuki, P. M. (2019). *Legal research as a basis for policy analysis*. Jurnal Indonesian Legal Studies, 4(2), 233–248. <https://doi.org/10.15294/jils.v4i2.31245>
- Mertokusumo, S. (2018). *Legal discovery in judicial practice*. Jurnal IUS QUIA IUSTUM, 25(1), 1–12. <https://doi.org/10.20885/iustum.vol25.iss1.art1>
- Nugroho, H. (2020). *Access to justice for vulnerable groups*. Jurnal HAM, 11(1), 75–90. <https://doi.org/10.30641/ham.2020.11.75-90>
- Prasetyo, T. (2017). *Dignified justice in the Indonesian legal system*. Jurnal Media Hukum, 24(1), 12–25. <https://doi.org/10.18196/jmh.2017.0085>
- Pratama, R. (2021). *The role of legal aid institutions in society*. Jurnal Hukum dan Pembangunan, 51(3), 300–315. <https://doi.org/10.21143/jhp.vol51.no3.3123>
- Putra, E. (2020). *Analysis of legal aid at the regional level*. Jurnal Legalitas, 12(1), 67–80. <https://doi.org/10.33756/jl.v12i1.3456>
- Rahardjo, S. (2016). *Progressive law and substantive justice*. Jurnal Hukum Progresif, 4(2), 1–15. <https://doi.org/10.14710/hp.4.2.1-15>
- Ramadhan, M. (2023). *Regional policies in legal protection of society*. Jurnal Ilmu Hukum, 13(1), 10–25. <https://doi.org/10.30652/jih.v13i1.1200>
- Santoso, B. (2019). *Legal protection for the poor*. Jurnal Yustisia, 8(1), 1–15. <https://doi.org/10.20961/yustisia.v8i1.28745>
- Saputra, H. (2022). *Legal aid and access to justice in Indonesia*. Jurnal Legislasi Indonesia, 19(2), 150–165. <https://doi.org/10.54629/jli.v19i2.870>
- Sari, N. (2021). *The role of local governments in providing legal aid to society*. Jurnal Ilmu Hukum, 10(2), 134–150. <https://doi.org/10.30652/jih.v10i2.845>
- Sihombing, H. (2021). *Protection of vulnerable groups in the national legal perspective*. Jurnal HAM, 12(1), 45–60. <https://doi.org/10.30641/ham.2021.12.45-60>
- Siregar, M. (2019). *Access to justice for marginalized communities*. Jurnal HAM, 10(2), 200–215. <https://doi.org/10.30641/ham.2019.10.200-215>
- Susanto, A. (2022). *Implementation of legal aid for the poor in Indonesia*. Jurnal Rechts Vinding, 11(1), 25–40. <https://doi.org/10.33331/rechtsvinding.v11i1.800>
- Wibowo, A. (2022). *Implementation of the Legal Aid Law at the regional level*. Jurnal Hukum IUS QUIA IUSTUM, 29(2), 233–250. <https://doi.org/10.20885/iustum.vol29.iss2.art5>
- Wijaya, I. (2023). *Evaluation of regional legal aid policies*. Jurnal Ilmu Hukum, 12(1), 45–60. <https://doi.org/10.30652/jih.v12i1.1025>
- Yulianto, A. (2022). *Analysis of regional regulations on legal aid*. Jurnal Legislasi Indonesia, 19(3), 210–225. <https://doi.org/10.54629/jli.v19i3.890>