

Islamic Law and Access to Justice: The Role of the Legal Aid Post of the 'Aisyiyah Regional Leadership of Surabaya in Protecting Vulnerable Communities

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ABSTRACT

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This study examines the role of the 'Aisyiyah Regional Leadership (PDA) of Surabaya City Legal Aid Post (Posbakum) in strengthening legal protection for vulnerable groups, particularly women, children, and underprivileged communities, in accordance with Islamic law. As a community-based legal service institution, legal aid post seeks to uphold the principle of equality before the law. However, vulnerable groups continue to face barriers, including limited access to legal information, economic constraints, unequal power relations, and low legal literacy. This study aims to analyze the effectiveness of legal aid post in providing legal consultation, litigation and non-litigation assistance, and public legal education; identify structural and cultural barriers; and formulate strategies for strengthening inclusive, gender-responsive, and sustainable legal aid services. A socio-legal approach was employed using in-depth interviews, document analysis, and observations of legal aid services. The findings show that the 'Aisyiyah Regional Leadership (PDA) of Surabaya City Legal Aid Post has contributed significantly to improving access to justice, particularly in cases involving gender-based violence, Islamic family disputes, and population administration. However, further strengthening of human resources, collaborative networks, and community-based advocacy is required. This study recommends empowerment-oriented legal services, digitalization of legal information, and cross-sectoral collaboration to strengthen equal

	access to justice for vulnerable groups in Surabaya.
Kata Kunci: Layanan Bantuan Hukum, Kesetaraan di Hadapan Hukum, Gender, Kelompok Rentan	ABSTRAK <i>Penelitian ini mengkaji peran Pos Bantuan Hukum (Posbakum) Pimpinan Daerah ‘Aisyiyah (PDA) Kota Surabaya dalam memperkuat perlindungan hukum bagi kelompok rentan, khususnya perempuan, anak, dan masyarakat kurang mampu, sesuai dengan prinsip-prinsip hukum Islam. Sebagai lembaga pelayanan hukum berbasis masyarakat, Posbakum berupaya menegakkan prinsip kesetaraan di hadapan hukum. Namun, kelompok rentan masih menghadapi berbagai hambatan, antara lain keterbatasan akses terhadap informasi hukum, kendala ekonomi, ketimpangan relasi kuasa, dan rendahnya literasi hukum. Penelitian ini bertujuan menganalisis efektivitas Posbakum dalam memberikan konsultasi hukum, pendampingan litigasi dan nonlitigasi, serta edukasi hukum kepada masyarakat; mengidentifikasi hambatan struktural dan kultural; serta merumuskan strategi penguatan layanan bantuan hukum yang inklusif, responsif gender, dan berkelanjutan. Penelitian menggunakan pendekatan socio-legal melalui wawancara mendalam, analisis dokumen, dan observasi terhadap layanan bantuan hukum. Hasil penelitian menunjukkan bahwa Posbakum PDA Kota Surabaya berkontribusi signifikan dalam meningkatkan akses terhadap keadilan, terutama dalam penanganan kasus kekerasan berbasis gender, sengketa keluarga Islam, dan administrasi kependudukan. Namun, penguatan kapasitas sumber daya manusia, jejaring kolaborasi, dan advokasi berbasis masyarakat masih diperlukan. Penelitian ini merekomendasikan pengembangan layanan hukum yang berorientasi pada pemberdayaan, digitalisasi informasi hukum, dan kolaborasi lintas sektor untuk memperkuat kesetaraan akses terhadap keadilan bagi kelompok rentan di Kota Surabaya.</i>

1. INTRODUCTION

Indonesia is a state governed by the rule of law, as mandated by Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia (UUD 1945), which stipulates that Indonesia is a state based on law and must uphold justice without discrimination. This principle is further reaffirmed in Article 27 paragraph (1) of the 1945 Constitution of the Republic of Indonesia, which states that “All citizens have the same position before the law and government and are obliged to uphold the law and government without exception.” This provision clearly establishes that every citizen is entitled to equal rights and legal protection. Furthermore, Article 34 of the 1945 Constitution of the Republic of Indonesia provides that the State is obliged to protect citizens who are unable to fulfill their basic needs as part of its constitutional responsibility. However, in

practice, many citizens remain economically disadvantaged and have limited understanding of the law (McDonald & Wei, 2015). In general, they lack sufficient knowledge of how to confront and resolve legal disputes, whether in criminal or civil matters. Society also continues to face limited awareness of the importance of respecting human rights, particularly in relation to equal access to justice (Suardi et al., 2025).

In Islamic teachings, human rights are viewed not only from an individual perspective but also from a collective perspective, in which individual rights must be balanced with the interests of society and the common good (Elmahjub, 2019). This approach differs from secular conceptions of human rights, which tend to place greater emphasis on individual freedom. Islam emphasizes that freedom must not be exercised in a manner that harms others or contradicts the moral values established by Allah SWT (Ritonga & Ichsan, 2025). In the current context, various vulnerable groups, particularly women and children, continue to experience violations of their rights and face significant barriers to accessing justice (Jaffe et al., 2002).

Cases of violence against women and children continue to occur and are fundamentally inconsistent with Islamic values and human rights principles. The case of Yuyun, for example, represents a serious form of violence against a child. Yuyun, a 14-year-old girl from Bengkulu, died after being sexually assaulted by 14 young men, one of whom was reportedly 16 years old. Before the Yuyun case was fully resolved, another case involving a girl in North Sulawesi shocked the public after she was reportedly raped by 19 men, two of whom were suspected of being police officers. All forms of violence, sexual abuse, and other human rights violations, particularly those committed against women, children, adolescents, and within the family, may leave profound psychological consequences, including trauma that can persist throughout a person's life, regardless of whether the violence results in death. Therefore, responding to cases of this nature requires appropriate legal assistance and effective legal intervention.

The existence of Legal Aid Posts (Posbakum) is therefore crucial and strategic in assisting members of the community in addressing legal problems, particularly members of Aisyiyah, through both litigation and non-litigation processes (Suryaningsi et al., 2024). The handling of legal problems requires the involvement of individuals with adequate legal knowledge and professional competence, particularly advocates. However, the number of advocates and

legal aid institutions providing assistance to economically disadvantaged communities remains disproportionate to the number of cases requiring legal assistance and the number of people seeking access to justice. This imbalance has contributed to the limited effectiveness of legal assistance. Many cases remain unresolved because of limited resources, including the availability of legal aid providers and advocates.

Legal aid constitutes one of the mechanisms for fulfilling human rights, particularly for economically disadvantaged communities in Indonesia ([Kusumawati, 2016](#)). Along with developments in the legal system, legal aid activities for underprivileged communities and individuals with limited legal knowledge have become increasingly important and widespread ([Malindo et al., 2025](#)). The existence of legal aid programs provides an essential mechanism for facilitating access to justice for disadvantaged groups. Therefore, the objectives of legal aid should be understood more broadly than merely providing individual legal assistance and should also encompass structural legal assistance. Human rights violations frequently affect economically disadvantaged communities, particularly those living in rural areas (Niswah, 2024). Consequently, legal aid should also be understood as an effort to empower disadvantaged communities and protect them from oppressive social and legal structures.

In accordance with Supreme Court Regulation (PERMA) No. 1 of 2014 concerning Guidelines for the Provision of Legal Services for Underprivileged Persons in Courts, legal services provided through Legal Aid Posts include the provision of legal information, consultation, and advice, as well as the facilitation of free legal assistance by advocates to defend the interests of suspects or defendants who are unable to finance their own legal representation. Thus, Legal Aid Posts constitutes an important instrument for realizing equal access to justice for all Indonesian citizens. It provides legal services, including legal advice, legal counseling, and assistance in preparing legal claims for individuals who have limited knowledge of legal procedures. The existence of Legal Aid Posts and the legal framework governing its operation provides greater assurance that members of the community who encounter legal problems can obtain legal assistance and appropriate support in resolving their cases before the courts.

2. RESEARCH METHODS

The research method used is socio-legal, (Bedner et al., 2012) who quoted the opinion of Wheeler and Thomas explained that socio-legal studies are an alternative approach that examines doctrinal studies of law. (Bedner et al., 2012) further explained that socio-legal studies have a close relationship with social sciences in the realm of methodology. Research methods and techniques in social sciences are studied and used to collect data. By using methods in sociology and anthropology (the mother of the social sciences), the substance of law can be explained more fundamentally. This research uses primary data and secondary data. Primary data is data obtained directly from research respondents. While secondary data is data obtained from other pre-existing sources consisting of primary legal materials in the form of legislation and secondary legal materials in the form of legal literature and previous research.

3. RESULTS AND DISCUSSION

3.1 The Concept of the Right of Access to Justice in Islamic Law

Access to justice is a fundamental human right that encompasses legal protection, fair treatment, and equal opportunities to seek and obtain justice before the law (Lima & Gomez, 2021). In the context of a modern constitutional state, access to justice is closely associated with the principles of equality before the law, the protection of human rights, and the availability of legal aid for vulnerable groups and economically disadvantaged communities (Suryadana et al., 2024). From the perspective of Islamic law, the right to access justice is viewed not only as a constitutional right but also as part of the mandate of Sharia aimed at realizing the public interest and preserving human dignity.

Islam places justice as a universal value and a fundamental principle governing all aspects of human life (Ramadhani et al., 2025). The Qur'an explicitly commands humanity to uphold justice without discrimination, as stated in Surah An-Nisa (4): 58 and Surah Al-Ma'idah (5): 8. The concept of justice in Islamic law is known as al-'adalah, which refers to placing matters in their proper positions and granting every person their due rights fairly and proportionally (Ambiya et al., 2025). Justice in Islamic law is ultimately derived from Allah SWT, making it universal and objective rather than subject to particular human interests. Therefore, the implementation of Islamic law must ensure equal treatment and protection for vulnerable individuals and communities.

The right to access justice in Islamic law is also closely connected to the principle of *al-musawah* (equality). This principle affirms that all human beings have equal standing before the law, regardless of their social, economic, racial, or political status. The Prophet Muhammad demonstrated the principle of equality before the law through various decisions that did not distinguish between the rich and the poor or between individuals based on their social status. A hadith narrated by Imam Bukhari states that the downfall of previous communities occurred because the law was applied only to ordinary people while those with privileged status were exempted from its application. This teaching demonstrates that Islam strongly upholds the supremacy of law and the principle of equal access to justice (Nafi' et al., 2024).

In the context of legal aid, Islamic law recognizes the principle of protecting the weak and oppressed (*mustadh'afin*). Legal aid can therefore be understood as a form of social responsibility and a moral obligation to assist individuals who are unable to obtain or defend their rights independently. The concept of legal aid in Islamic law seeks to ensure that every individual, whether an accused person, victim, or witness, receives fair legal protection and appropriate assistance. Accordingly, access to justice is not solely the responsibility of the state but also constitutes a collective responsibility of society to uphold the values of justice and social welfare.

The right to access justice in Islamic law cannot be separated from the concept of *maqasid al-shariah*, which refers to the fundamental objectives of Islamic law. *Maqasid al-shariah* seeks to protect five essential elements of human life: religion (*hifz al-din*), life or the human soul (*hifz al-nafs*), intellect (*hifz al-'aql*), lineage or offspring (*hifz al-nasl*), and property (*hifz al-mal*). Ensuring access to justice constitutes an important dimension of the protection of these five objectives because injustice and the denial of legal rights may threaten fundamental aspects of human dignity and welfare. In this regard, *maqasid al-shariah* provides a conceptual foundation for the development and implementation of Islamic law so that legal norms remain oriented toward public benefit, the protection of human rights, and substantive justice.

In practice, the concept of access to justice in Islamic law can be realized through various dispute-resolution mechanisms that emphasize reconciliation, the protection of rights, and the restoration of social relations. Islam recognizes the concepts of *sulh* (reconciliation or settlement), *tahkim* (arbitration), and *hisbah* as mechanisms for resolving disputes and maintaining social order.

These mechanisms demonstrate that Islamic law is concerned not only with the imposition of punishment but also with restoring social relationships, protecting individual rights, and maintaining social harmony. Research on restorative justice from the perspective of *maqasid al-shariah* indicates that forgiveness, reconciliation, and restoration constitute important elements of Islamic legal principles aimed at achieving social peace and community welfare.

Furthermore, Islamic law places significant emphasis on the protection of vulnerable groups, including women, children, economically disadvantaged communities, and victims of injustice. These groups require particular attention and protection to ensure that they are able to exercise their legal rights effectively. In the contemporary context, the existence of legal aid institutions and Legal Aid Posts (*Posbakum*) is consistent with these principles because such institutions assist individuals who encounter economic, social, and informational barriers in accessing justice. From an Islamic legal perspective, legal aid should therefore not be regarded merely as an administrative or procedural service but also as a concrete manifestation of the principles of mutual assistance, social responsibility, and social justice.

In Indonesia, the concept of access to justice has also been accommodated through Law Number 16 of 2011 concerning Legal Aid. This legislation affirms the state's responsibility to guarantee the right of economically disadvantaged persons to obtain legal aid free of charge. From the perspective of Islamic law, the state's responsibility to provide legal aid may be understood as an implementation of the principle of *maslahah* (public benefit) and the responsibility of a governing authority to protect and safeguard its people. The provision of legal aid therefore constitutes part of the broader effort to achieve social justice and protect the constitutional rights of members of society.

However, the implementation of the right to access justice continues to face various challenges, including low levels of public legal awareness, limited availability and capacity of legal aid institutions, and economic and cultural barriers. From the perspective of Islamic law, such conditions are inconsistent with the objectives of *Sharia*, which seek to establish justice, protect human dignity, and promote social welfare. Therefore, strengthening legal aid institutions based on Islamic legal values is essential to ensuring that vulnerable communities receive adequate legal protection. At the same time, public legal

awareness must be enhanced so that individuals understand their legal rights and are not reluctant or afraid to seek justice through available legal mechanisms.

Broadly speaking, the concept of the right to access justice in Islamic law is founded upon the principles of justice (*al-'adalah*), equality (*al-musawah*), public benefit (*maslahah*), and the protection of vulnerable groups. Islam regards justice as a fundamental objective of law that must be realized in all aspects of social life, including through the provision of legal aid to vulnerable and economically disadvantaged communities. Therefore, the existence of Legal Aid Posts and other legal aid institutions represents a concrete manifestation of Islamic legal values in guaranteeing the right to access justice for all members of society without discrimination.

3.2 The Concept of Legal Aid from a Human Rights Perspective

Legal aid is a crucial instrument for protecting human rights, particularly the right to access justice and the principle of equality before the law. In a state governed by the rule of law (*rechtstaat*), every citizen is entitled to equal legal protection, regardless of social, economic, religious, or other backgrounds. However, not everyone has sufficient knowledge or understanding of the law or the financial capacity to obtain legal services when facing legal problems. Therefore, legal aid serves as a mechanism to ensure that every individual can continue to exercise their right to access justice. From a human rights perspective, legal aid should not be regarded merely as an act of state assistance or benevolence, but rather as a fundamental right that must be guaranteed as part of the protection of human dignity.

The right to legal aid is closely connected to the principle of equality before the law. This principle affirms that everyone is entitled to equal treatment and equal protection before the law and government without discrimination. In the context of human rights, this principle is recognized in various international legal instruments, including Article 7 of the 1948 Universal Declaration of Human Rights (UDHR), which establishes that all persons are equal before the law and entitled to equal protection of the law. Furthermore, Article 14 of the International Covenant on Civil and Political Rights (ICCPR) guarantees the right to a fair and public hearing and provides safeguards for individuals who are unable to afford legal representation in circumstances where legal assistance is necessary. These provisions

demonstrate that legal aid constitutes an integral component of human rights protection at the international level.

In the Indonesian context, the guarantee of the right to legal aid is reflected in Article 27 paragraph (1) of the 1945 Constitution of the Republic of Indonesia, which affirms that all citizens have equal standing before the law. In addition, Article 28D paragraph (1) of the 1945 Constitution of the Republic of Indonesia provides that every person has the right to recognition, guarantees, protection, and fair legal certainty. These constitutional guarantees are further implemented through Law Number 16 of 2011 concerning Legal Aid, which provides for free legal aid for economically disadvantaged persons who meet the requirements established by law. The enactment of the Legal Aid Law represents a manifestation of the state's responsibility to fulfill the constitutional rights of citizens to obtain justice and legal protection.

Conceptually, legal aid from a human rights perspective should not be limited to legal representation in court proceedings. It also encompasses legal consultation, public legal education, mediation, policy advocacy, and the legal empowerment of vulnerable communities. Legal aid plays a strategic role in preventing human rights violations arising from unequal access to legal institutions and mechanisms. Economically disadvantaged groups, women, children, persons with disabilities, and marginalized communities often encounter barriers to accessing the legal system due to financial limitations, insufficient legal knowledge, or other structural constraints. Therefore, legal aid serves as an important mechanism for strengthening the position of vulnerable communities and enabling them to assert and defend their rights on an equal basis.

From a human rights perspective, the state has three principal obligations concerning the right to legal aid: the obligations to respect, protect, and fulfill. The obligation to respect requires the state to refrain from actions that obstruct or unjustifiably restrict individuals from accessing legal aid. The obligation to protect requires the state to prevent discrimination and violations of individuals' rights in obtaining legal assistance. Meanwhile, the obligation to fulfill requires the state to establish and maintain an effective legal aid system, including adequate funding, institutional mechanisms, and supporting regulations. The effectiveness of legal aid is therefore significantly influenced by the state's commitment to ensuring that legal services are accessible,

affordable, and available to economically disadvantaged and vulnerable groups.

Legal aid is also closely associated with the principle of a fair trial. Without adequate legal assistance, individuals involved in legal proceedings may face a heightened risk of injustice because of their limited understanding of legal procedures and their rights. Such circumstances may increase the risk of arbitrary criminalization, coercion, torture, forced confessions, and unfair judicial decisions. Therefore, the availability of legal counsel is essential to ensuring that judicial proceedings are conducted objectively, fairly, and in accordance with human rights principles. Legal aid constitutes an important component of due process of law by protecting the rights of suspects and defendants throughout the criminal justice process.

Beyond its litigation function, legal aid from a human rights perspective also plays a significant role in increasing public legal awareness. Public legal education is essential to ensuring that individuals understand their rights and obligations and are better equipped to prevent or respond to various forms of legal violations. Legal aid based on community empowerment can contribute to the development of a more inclusive and participatory legal culture. In this regard, legal aid institutions function not only as representatives or advocates in individual cases but also as agents of social change that promote the values of justice, equality, and human rights within society.

Although the legal framework governing legal aid in Indonesia has developed considerably, its implementation continues to face various challenges. One of the principal challenges is limited public access to legal aid services, particularly in remote and underserved areas. In addition, low levels of public legal awareness and the limited number of advocates willing and able to provide legal assistance free of charge remain significant obstacles. In practice, the quality and accessibility of legal aid services also require continuous improvement to ensure that they provide effective and meaningful protection for economically disadvantaged and vulnerable communities.

From a human rights perspective, strengthening the legal aid system is a strategic measure for realizing social justice and strengthening the rule of law. The state needs to expand the reach of legal aid services by strengthening Legal Aid Posts (Posbakum), developing partnerships with civil society organizations, and enhancing public legal education. Furthermore, legal aid must be provided on a non-discriminatory basis and oriented toward the

protection of vulnerable groups so that the principle of equality before the law can be effectively realized in practice.

Ultimately, legal aid is a fundamental right that is closely connected to the protection and fulfillment of human rights. It serves to guarantee equality before the law, protect the rights and interests of vulnerable communities, and ensure the realization of a fair trial. Therefore, the existence of an effective, accessible, and non-discriminatory legal aid system constitutes an important indicator of the extent to which a state respects, protects, and fulfills the human rights of all its citizens.

3.3 Implementation of Islamic Legal Values in Legal Aid Services

Legal aid services are a crucial instrument for realizing social justice and protecting the rights of members of society, particularly vulnerable and economically disadvantaged groups. From the perspective of Islamic law, legal aid services are viewed not merely as a form of social service but also as part of the implementation of Sharia values aimed at upholding justice, promoting welfare, and preserving human dignity. Islam places justice as a fundamental principle governing all aspects of life, including law enforcement and the protection of community rights. Therefore, the implementation of Islamic legal values in legal aid services is essential to ensure that legal assistance is not oriented solely toward formal legal aspects but also prioritizes moral values, humanity, and a commitment to protecting vulnerable groups.

One of the core values of Islamic law underlying legal aid services is al-'adalah, or justice. In Islam, justice is a direct command from Allah SWT that must be upheld by every individual and institution. The Qur'an, in Surah An-Nahl (16): 90, emphasizes that Allah commands humanity to act justly and to do good. This principle of justice implies that every individual has an equal right to legal protection and equal treatment before the law without discrimination. In the context of legal aid services, the value of justice is manifested through the provision of legal assistance to economically disadvantaged and vulnerable groups who experience difficulties in accessing the legal system. Justice in Islamic law is not merely procedural but also substantive, requiring the law to provide meaningful benefits and protection for society.

The implementation of justice in legal aid services is also closely connected to the principle of al-musawah, or equality before the law. Islamic

law affirms that all human beings have equal standing regardless of social status, wealth, or power. The Prophet Muhammad (peace be upon him) demonstrated the importance of equality before the law through decisions that did not favor particular groups on the basis of their social or economic status. A hadith narrated by Imam Bukhari explains that the downfall of previous communities occurred because the law was enforced only against ordinary people, while members of the elite were allowed to escape punishment. This principle demonstrates that legal aid services, from an Islamic perspective, must be provided on a non-discriminatory basis to all members of society who require legal assistance.

In addition to the principles of justice and equality, legal aid services from the perspective of Islamic law are also grounded in the value of *ta'awun*, or mutual assistance. Islam teaches that human beings have an obligation to assist one another in righteousness and piety, as stated in Surah Al-Ma'idah (5): 2. The concept of *ta'awun* provides a moral foundation for advocates, legal aid institutions, and Legal Aid Posts to assist individuals experiencing legal problems. In practice, legal aid can be understood not only as a professional service but also as a form of worship and social responsibility aimed at assisting the oppressed and vulnerable (*mustadh'afin*). From an Islamic perspective, legal aid therefore constitutes an implementation of social solidarity and the protection of the rights of vulnerable communities.

Another crucial value underlying legal aid services is the concept of *maqasid al-shariah*. *Maqasid al-shariah* refers to the fundamental objectives of Islamic law, which seek to safeguard religion, life, intellect, lineage, and property. In the context of legal aid services, *maqasid al-shariah* is realized through the protection of fundamental rights and the prevention of injustice, oppression, and human rights violations. Legal aid serves as a means of enabling members of society to defend their rights through available legal mechanisms. Accordingly, *maqasid al-shariah* provides a philosophical foundation for ensuring that law remains oriented toward public welfare and the protection of human dignity.

The implementation of Islamic legal values in legal aid services is also reflected in dispute-resolution approaches that prioritize peace and public welfare. Islam recognizes the concept of *sulh* (reconciliation or peaceful settlement) as one of the mechanisms for resolving conflicts in accordance with Sharia principles. Within legal aid services, mediation and peaceful dispute

resolution are important mechanisms for maintaining social relationships and preventing prolonged conflict. This approach demonstrates that Islamic law is not solely oriented toward punishment but also toward restoring social relationships and achieving restorative justice. The concept of restorative justice in Islamic law emphasizes conflict resolution based on peace, restoration, reconciliation, and mutual benefit.

The practice of modern legal aid services as an implementation of Islamic legal values can also be reflected in the professionalism, honesty, and trustworthiness of legal aid providers. Advocates and legal assistants have a moral responsibility to provide honest, fair, and professional services and to refrain from abusing their authority. Islam places *amanah*, or trustworthiness, as an important principle in the performance of professional responsibilities, including the legal profession. Therefore, legal aid providers must maintain integrity and refrain from exploiting the vulnerabilities of clients for personal gain. From an Islamic perspective, legal professional ethics emphasizes trustworthiness, honesty, integrity, and social responsibility in providing legal services to the community.

The implementation of Islamic legal values in legal aid services is also highly relevant to the protection of vulnerable groups, including women, children, persons with disabilities, and economically disadvantaged communities. Islam places considerable emphasis on protecting vulnerable persons and prohibits all forms of oppression and discrimination. Therefore, legal aid institutions grounded in Islamic values should provide inclusive, empathetic, and responsive services that address the specific needs of vulnerable groups. Legal assistance should not be limited to administrative support but should also consider psychological, social, and religious dimensions where appropriate, thereby ensuring that members of the community receive comprehensive protection.

In Indonesia, the implementation of Islamic legal values in legal aid services can be observed through the existence of various religiously based legal aid institutions, including legal aid posts operated by Islamic organizations. These institutions provide not only legal consultation and assistance but also legal education and community empowerment. This demonstrates that Islamic values can serve as an important foundation for developing a humane, inclusive, and equitable legal aid system.

However, the implementation of Islamic legal values in legal aid services continues to face various challenges, including limited human resources, inadequate funding, and low levels of public legal awareness. In addition, the perception that legal aid is intended only for particular groups continues to exist in some communities, causing individuals to hesitate to seek assistance when facing legal problems. Therefore, institutional strengthening, capacity building for legal aid providers, and the development of legal education based on Islamic values are necessary to ensure the effectiveness and sustainability of legal aid services.

It can therefore be understood that the implementation of Islamic legal values in legal aid services encompasses the principles of justice (*al-'adalah*), equality (*al-musawah*), mutual assistance (*ta'awun*), trustworthiness (*amanah*), and public benefit within the framework of maqasid al-shariah. These values provide a moral and philosophical foundation for delivering legal protection to society, particularly to vulnerable and economically disadvantaged groups. Through the consistent application of Islamic legal values, legal aid services can function not only as a mechanism for resolving legal disputes but also as an instrument for realizing social justice, protecting human dignity, and strengthening access to justice.

3.4 The Effectiveness of the Role of the Surabaya City PDA Posbakum in Providing Access to Justice

The existence of legal aid posts (Posbakum) represents a concrete implementation of the rule-of-law principle, which guarantees equality before the law as stipulated in the 1945 Constitution of the Republic of Indonesia. In practice, Posbakum provides legal consultation, legal assistance, preparation of legal documents, and legal education to individuals who face legal problems but have limited economic resources or legal knowledge. In the context of Surabaya City, the legal aid posts of the Surabaya City Regional Leadership of Aisyiyah (PDA) has a strategic role in assisting vulnerable communities in exercising their right to access justice through legal aid services based on humanitarian values and social justice.

The effectiveness of the role of legal aid posts can be assessed by examining the extent to which the institution is able to perform its legal service functions effectively and provide tangible benefits to the community. According to the concept of organizational effectiveness, an institution can be

considered effective when it is able to achieve its stated objectives through the implementation of targeted and appropriate programs. In the context of Posbakum, service effectiveness should therefore be measured not only by the number of cases handled but also by the quality of legal assistance, the accessibility of services, the level of community satisfaction, and the institution's ability to assist individuals in obtaining substantive justice.

The existence of legal aid posts is crucial because many members of society continue to encounter barriers to accessing the legal system. These barriers include financial limitations, low levels of legal literacy, fear of judicial processes, and the perception that legal proceedings are accessible only to certain groups. Such conditions may result in vulnerable groups, including women, children, economically disadvantaged persons, and victims of domestic violence, failing to receive optimal legal protection. Therefore, legal aid posts serves as an important bridge between the community and the legal system, ensuring that individuals are better able to understand, exercise, and protect their legal rights.

The legal aid posts of the Surabaya City Regional Leadership of Aisyiyah currently provides various forms of legal services to the community, including free legal consultations, case assistance, mediation, and the preparation of legal documents such as lawsuits, applications, and powers of attorney. These services are particularly beneficial to individuals who lack the financial or legal capacity to obtain legal services independently. Furthermore, Posbakum plays an important role in providing legal education to the community so that individuals can understand their legal rights and obligations. This educational function is particularly important because low levels of legal awareness may contribute to various legal problems at the family and community levels.

The effectiveness of the legal aid posts of the Surabaya City Regional Leadership of Aisyiyah can also be assessed through its ability to reach vulnerable groups in need of legal assistance. Vulnerable groups generally face social and economic barriers that make it difficult for them to access formal legal services. In this regard, Posbakum plays an active role in providing inclusive and responsive services that address community needs. A humanistic and empathetic service approach is an important factor in building public trust in legal aid institutions. This is consistent with research on Posbakum, which indicates that accessible legal aid services can contribute to increased public confidence in the justice system.

In addition to providing litigation-related legal assistance, the Posbakum of the Surabaya City Regional Leadership of Aisyiyah also plays an important role in non-litigation dispute resolution through mediation and legal consultation. This non-litigation approach can provide an effective solution in certain cases, particularly those involving family and social disputes, because it prioritizes deliberation and peaceful settlement. In an urban community such as Surabaya, peaceful dispute resolution is important for maintaining social harmony and preventing prolonged conflict. This approach is also consistent with Islamic legal values that prioritize *sulh* (reconciliation or peaceful settlement) and public benefit in resolving disputes.

The effectiveness of legal aid posts is also influenced by the quality of the human resources involved in providing legal services. Legal assistants and advocates who possess professional competence, integrity, and effective communication skills can improve the quality of legal aid services provided to the community. In the context of the Posbakum of the Surabaya City Regional Leadership of Aisyiyah, persuasive and educational approaches can help members of the community understand legal procedures more effectively and reduce fear or intimidation when dealing with legal issues. Research on the effectiveness of Posbakum services indicates that the quality of communication and service delivery constitutes an important factor in determining the success of legal aid services provided to the community.

However, the implementation of the legal aid posts of the Surabaya City Regional Leadership of Aisyiyah continues to face various challenges that affect the effectiveness of its services. One of the major obstacles is the limited public awareness of the existence and functions of Posbakum. Many individuals do not yet understand that they may be entitled to obtain free legal assistance. This lack of awareness has resulted in legal aid posts services not being utilized optimally by those who require them. Research on the implementation of Posbakum indicates that limited public awareness remains a significant obstacle to improving the effectiveness of legal aid services.

Furthermore, limited human resources and funding constitute additional challenges in the provision of legal aid services. The number of individuals requiring legal assistance may exceed the number of available legal counselors and legal aid providers. This situation may result in limited time for case assistance and may affect the quality and comprehensiveness of services provided to the community. In addition, limitations in facilities and

administrative support may also affect the quality of legal aid posts services, particularly in cases requiring intensive and continuous assistance.

Another factor affecting the effectiveness of legal aid posts is the legal culture of the community. Some individuals continue to perceive legal problems as matters that are shameful or should be kept within the family, leading them to hesitate to seek legal assistance. Others may prefer to resolve disputes through informal mechanisms without adequately considering the need for legal protection. This situation demonstrates that improving access to justice requires not only the establishment and availability of legal aid institutions but also sustained efforts to increase public legal awareness and strengthen the legal culture of the community.

From the perspective of access to justice, the role of the legal aid posts of the Surabaya City Regional Leadership of Aisyiyah can be considered significant in assisting members of the community in obtaining legal protection. The existence of legal aid posts provides a space through which economically disadvantaged and vulnerable groups can obtain legal assistance that may otherwise be difficult for them to access. This demonstrates that legal aid posts contribute to the realization of social justice and equality before the law. Research on legal aid posts services in various regions likewise indicates that the presence of legal aid posts can facilitate community access to legal services in a more accessible and affordable manner.

To improve the effectiveness of its services, the legal aid posts of the Surabaya City Regional Leadership of Aisyiyah need to strengthen its legal outreach and public education programs, improve the capacity and quality of its human resources, and expand its collaborative network with government institutions and civil society organizations. Furthermore, the development of digital-based legal services may provide an additional mechanism for expanding access to legal aid, particularly for individuals with limited mobility or difficulties in reaching legal aid facilities. The development of digital services at legal aid posts may increase service efficiency and broaden the reach of legal assistance to members of the community.

Overall, the legal aid posts of the Surabaya City Regional Leadership of Aisyiyah has played a significant role in providing access to justice for vulnerable and economically disadvantaged communities. Its effectiveness can be observed through its provision of legal consultation, legal assistance, legal education, mediation, and support in helping community members understand

and exercise their legal rights. Although the institution continues to face various structural, institutional, and social challenges, legal aid posts remains an important instrument for realizing social justice, equality before the law, and legal protection for all members of society.

4. CONCLUSION

Based on the findings and discussion concerning the role of the Legal Aid Post (Posbakum) of the Surabaya City Regional Leadership of Aisyiyah (PDA) in facilitating access to justice for vulnerable communities, it can be concluded that Posbakum plays a crucial role as an instrument of legal protection and as a concrete manifestation of the principle of equality before the law within Indonesia's constitutional state. Its role extends beyond formal legal functions, such as providing legal consultation and assistance, to include community empowerment through legal education, mediation, and assistance grounded in humanitarian values and social justice. From the perspective of Islamic law, access to justice constitutes an integral part of the objectives of Sharia (*maqasid al-shariah*), which emphasize the protection of fundamental human rights and human dignity. The principles of *al-'adalah* (justice), *al-musawah* (equality), *ta'awun* (mutual assistance), and *maslahah* (public benefit) provide important moral and philosophical foundations for the provision of legal aid to vulnerable communities. Islam regards justice as a universal principle that must be upheld regardless of an individual's social, economic, or power status. Accordingly, the legal aid services provided by the Posbakum of the Surabaya City Regional Leadership of Aisyiyah are consistent with Islamic legal values because they are oriented toward protecting vulnerable groups (*mustadh'afin*) and facilitating the realization of their right to access justice in a fair, inclusive, and humane manner. To further strengthen its contribution to social justice and the protection of vulnerable communities, legal aid post should continue to enhance the capacity of its human resources, expand collaborative networks with government institutions and civil society organizations, develop accessible digital-based legal services, and strengthen legal outreach and public legal education on a continuous basis.

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