

The Role of the Indonesian Advocates' Code of Ethics in Ensuring Professional Integrity and Legal Justice

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Article history

Submitted: 2025/04/15; Revised:2025/07/27; Accepted:2025/10/27

Abstract

The legal profession in Indonesia plays a crucial role in maintaining justice and upholding the law. Advocates are required to uphold integrity, honesty, and responsibility through adherence to a professional code of ethics. This study aims to analyze the role of the advocate code of ethics in maintaining professional integrity and ensuring legal justice. The research method used is a normative juridical approach, with a literature analysis of various regulations, codes of ethics, and previous research findings. The results indicate that the code of ethics serves as a guideline for behavior, a supervisory instrument, and a means of maintaining public trust in the legal profession. The discussion confirms the positive impact of implementing the code of ethics on public trust, although its implementation still faces obstacles such as a weak Honorary Council, limited enforcement, and fragmentation of advocate organizations. Strengthening efforts are carried out through ethics-based legal education, ongoing development, institutional reform, and public involvement.

Keywords

Advocate Code of Ethics, Law Enforcement, Professional Integrity.



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1. INTRODUCTION

The legal profession in Indonesia occupies a crucial position within the justice system. Advocates are tasked with providing legal assistance to clients and are part of justice-oriented law enforcement. In carrying out their duties, advocates are required to possess integrity, honesty, and a sense of responsibility to the profession (Iliescu, 2022). Integrity is assessed through technical skills in defending legal interests and adherence to the ethical rules that bind every advocate. The Indonesian Advocates Code of Ethics was established as a normative instrument governing professional behavior, ensuring that advocates do not abuse their strategic role in the legal process (Marni, Hanani, & Nofiardi, 2023).

Violations of the advocate code of ethics are still frequently found in practice. Cases of client fighting between advocates, abuse of authority, and behavior that undermines the dignity of the profession are all examples of what damages the credibility of the judiciary. This situation demonstrates that the code of ethics has not been fully and consistently implemented (Sebyar, 2023). Public trust in advocates is greatly influenced by the extent to which the profession upholds ethical values. When advocates fail to maintain ethical standards, not only individual integrity is at stake, but also justice, the primary goal of the legal system (Widyawati, Pujiyono, Rochaeti, Ompoy, & Zaki, 2022).

The existence of a code of ethics provides both a legal and moral basis for advocates in their practice. The code of ethics serves as a guideline for avoiding conflicts of interest, maintaining confidentiality, and ensuring that advocates do not harm clients or other parties. The code of ethics also serves as an internal control tool for the profession to prevent deviations that could damage the advocate's image in the eyes of the public. In other words, the code of ethics serves as a protection mechanism for the public who use legal services. This places the code of ethics as a determining factor in maintaining the integrity of the advocacy profession (Karimullah, 2022).

However, enforcement of the advocate code of ethics in Indonesia still faces several obstacles. The process of handling violations by the Honorary Council is often viewed as slow and even lacking transparency. Advocates found to have violated the code of ethics are often allowed to continue practicing without strict sanctions. This situation gives the impression that the code of ethics is not fully effective in maintaining professionalism. If this situation continues, the potential for public trust in the legal profession will increase, and the role of advocates in upholding justice will be questioned (Lubis et al., 2025).

Within the context of the national legal system, enforcing the advocate code of ethics has broader implications. Consistently enforcing the code of ethics will strengthen the legitimacy of advocates' role as law enforcers, standing alongside prosecutors, judges, and the police. This also affirms that the advocacy profession carries a social mission to achieve legal justice. Therefore, discussions regarding the role of the advocate code of ethics in Indonesia are closely related to efforts to maintain the integrity of the legal system and public trust in the judiciary. This study aims to analyze the role of the advocate code of ethics in maintaining professional integrity and ensuring legal justice.

2. METHODS

This study uses a normative legal research method with a statutory and conceptual approach. The main focus of the study is directed at legal regulations related to the advocacy profession, namely Law Number 18 of 2003 concerning Advocates and the 2002 Indonesian Advocates Code of Ethics. This approach was chosen to examine the role of the code of ethics in maintaining professional integrity while ensuring the principle of justice in legal practice. In addition, this study uses a conceptual approach by linking the theory of professional ethics and the concept of legal integrity as the basis for analysis.

The data sources for this research consist of primary and secondary legal materials. Primary legal materials include laws and regulations and official provisions of advocate organizations regarding codes of ethics. Secondary legal materials include scientific literature, previous research results, journal articles, and expert opinions regarding the application and violations of advocate codes of ethics. All of these legal materials were systematically reviewed to obtain a comprehensive picture of the role of advocate codes of ethics in the national context.

The data analysis technique used was qualitative analysis with a descriptive-analytical pattern. Data obtained from the literature review were analyzed to describe the implementation of the advocate code of ethics in practice, the challenges of its enforcement, and efforts to strengthen it through education and institutional reform. The analysis was conducted by interpreting legal norms, assessing their conformity with professional ethics theory, and comparing the results of previous research. The results of this analysis are expected to provide a deeper understanding of the importance of the code of ethics in ensuring the integrity of the advocate profession and its contribution to legal justice in Indonesia.

3. FINDINGS AND DISCUSSION

Analysis of the Role of the Code of Ethics in Maintaining the Integrity of the Advocacy Profession in Indonesia

The advocate's code of ethics serves as a primary guideline that defines acceptable and avoidable behavior for advocates. These rules bind every advocate to align their attitudes and actions with established professional standards. It contains obligations, prohibitions, and professional standards that

reflect the values of justice and responsibility. The existence of a code of ethics ensures that advocates always maintain professionalism, refrain from conflicts of interest, and carry out their duties with legal dignity. The code of ethics serves as the legal basis for overseeing advocate behavior amidst complex practice. Thus, the code of ethics functions as both a normative instrument and a control mechanism inherent in the legal profession.

The integrity of the legal profession can be assessed by the consistency between words, actions, and the legal values they uphold. Advocates who adhere to a code of ethics demonstrate a commitment to defending legal interests without sacrificing the principle of honesty. This adherence reflects a professional attitude, measured through technical skills and moral qualities (Montes et al., 2021). Nadwan (2022) emphasized that moral values in the legal profession stem from personal awareness and binding legal obligations. This demonstrates that a code of ethics can shape the character of individuals with integrity while strengthening the institutional quality of the legal profession (Malik et al., 2021). This kind of integrity is a key asset for maintaining the trust of the legal profession in the community and the national legal system.

One important aspect of integrity is an advocate's obligation to maintain the confidentiality of client information. Every advocate obtains important information during the defense process, whether in the form of personal data or information. The code of ethics emphasizes that this information must be safeguarded responsibly, as it concerns the client's fundamental rights (Young & Kenny, 2023). Violation of this obligation can undermine client trust and weaken the advocate's position as a trusted party to provide legal protection. Xu et al. (2024) emphasize that maintaining confidentiality is a fundamental foundation of professional responsibility. By maintaining confidentiality, advocates demonstrate an ethical commitment while strengthening the relationship of trust between clients and the legal profession.

The Impact of the Implementation of the Code of Ethics on Public Trust

Public trust is a social capital that determines the legitimacy of the legal profession within the national legal system. The public views the legal profession as a dignified institution when advocates' behavior aligns with ethical standards (Godden-Rasul & Murray, 2023). Hidayah (2024) emphasized that consistent implementation of a code of ethics can increase public confidence in advocates as law enforcers. This public trust creates space for the legal profession to play a crucial role in the fight for justice (Sururi, 2023). A society with trust will be more motivated to use legal channels to resolve the problems they face. Such public trust can strengthen advocates' reputations and expand public access to justice through legal institutions.

Unresolutely handled cases of ethical code violations seriously impact the image of the legal profession. Jonatan (2023) noted that lawyers who charge excessive fees create negative perceptions among clients. The public perceives them as prioritizing personal gain over professional responsibility. This situation weakens the bond of trust between the public and the legal profession. In the long term, a public that loses trust may be reluctant to use the services of lawyers. This situation risks diminishing the role of advocates as strategic partners in the community's pursuit of justice (Siroj, Marzuki, & Elkhairati, 2023).

Public trust is also built through an advocate's transparent and honest approach when handling cases. Mather (2024) explains that the public judges an advocate's ethics not only by the final outcome of a case, but also by the process involved. Adherence to a code of ethics demonstrates an advocate's commitment to upholding the law in a clean and fair manner. Legal processes conducted ethically provide confidence that advocates work in the interests of justice, not personal gain. This makes a code of ethics an important instrument in building the social legitimacy of the legal profession. An advocate's transparent attitude also strengthens public confidence that the law can be a reliable means of resolving problems.

The impact of implementing a code of ethics is also evident in the relationship between advocates and the judiciary. Advocates who uphold high ethics will maintain a professional attitude and respect court procedures. Nadwan (2022) noted that advocates who demonstrate ethical behavior in court help

strengthen the court's authority. The presence of ethically behaving advocates creates harmony between advocates, judges, and prosecutors in the judicial process. The public views this harmony as a sign that the legal system is being implemented seriously and is oriented towards justice (Cheng, 2018). Public trust that grows through advocates' ethical behavior ultimately becomes a vital asset in maintaining the stability and sustainability of the national legal system.

Challenges of Code of Ethics Implementation

The implementation of the advocate code of ethics in Indonesia faces various interrelated structural and cultural barriers. The Honorary Council, which should be at the forefront of maintaining professional ethics, is often viewed as incapable of carrying out its function optimally. Hidayah (2024) shows that the fragmentation of advocate organizations creates differences in ethical code enforcement standards, which impacts the effectiveness of sanctions. Advocates sanctioned by one organization can still easily practice through another advocate organization. This situation weakens the authority of the code of ethics as a collective norm of the profession and diminishes advocates' respect for ethical rules. This situation also gives rise to a negative perception that the code of ethics is limited in its application depending on the advocate's organizational affiliation.

The Honorary Council's limited resources further exacerbate the issue of effective oversight. The process of handling reports of ethical violations often takes a long time because the number of cases is disproportionate to the institution's capacity. Mather (2024) noted that many reports of ethical violations are not promptly followed up, leaving the public and clients feeling deprived of justice. This delay creates the impression that the Honorary Council lacks real power to enforce professional discipline. As a result, its internal oversight function fails to function properly and undermines public trust. This situation can have implications for the decline in the legitimacy of advocates as law enforcers in the national justice system (Hughes, 2022).

The professional culture of advocates also complicates the implementation of codes of ethics. Many advocates view codes of ethics as administrative rules and have substantive significance for the dignity of the profession. Xu (2024) explains that the weak internalization of integrity values in legal education makes some advocates less likely to internalize ethics as a moral guideline. Ethics are often viewed as a formal requirement, rather than as a foundation for behavior inherent in daily practice. As a result, violations of codes of ethics often occur because advocates prioritize personal or commercial interests over social responsibility. This mindset reduces codes of ethics to normative documents that lack respect and are difficult to enforce.

Another challenge related to the implementation of the code of ethics also arises in relation to the national law enforcement system. Suwandi (2024) emphasized that weak coordination between advocate organizations and law enforcement officials makes ethical sanctions less effective. Violations of the code of ethics that result in organizational sanctions often do not impact the advocate's legal status, allowing advocates to continue practicing unhindered. This situation demonstrates that ethical sanctions do not have an adequate deterrent effect. This situation risks threatening the legitimacy of the advocacy profession in the public eye, as the public perceives a gap between ethical violations and legal consequences. The weak integration between ethics enforcement and the national legal system also reduces the function of the code of ethics as a primary instrument in maintaining professional integrity.

Efforts to Strengthen the Role of the Code of Ethics

Legal education plays a crucial role in strengthening advocates' awareness of the code of ethics. Professional education curricula cannot focus solely on the technical aspects of legislation but must also address moral dimensions and social responsibility. Values of justice, integrity, and a sense of responsibility need to be emphasized from the early stages of advocate development. Hidayah (2024) states that ethics-based learning fosters a professional mindset that upholds integrity. Such education will shape advocates who understand that the code of ethics is an integral part of their professional identity, inherent throughout their careers. Legal education that prioritizes ethical aspects also fosters a healthier professional culture within the legal profession.

Continuous development by professional organizations is a crucial pillar in strengthening the code of ethics. This development can be achieved through training, seminars, and discussion forums focused on the dynamics of legal ethics. Xu et al. (2024) emphasized that continuous development can prevent advocates from engaging in deviant practices that conflict with the code of ethics. Regular development also serves as a means to update advocates' understanding of new challenges in the increasingly complex legal world. Through development forums, advocates can share experiences regarding the application of ethics in daily practice (Harahap, Risfandy, & Futri, 2023). This will strengthen solidarity among members while enhancing the quality of advocate professionalism collectively.

The Honorary Council needs to be strengthened to be more effective in carrying out its oversight function. Abella (2025) emphasized that the fragmentation of advocate organizations weakens the Honorary Council's authority because sanction standards are not universally applicable. Advocates sanctioned by one organization can still find shelter in another, thus preventing a deterrent effect. Institutional reform is needed to grant cross-organizational authority to the Honorary Council. This strengthening can be achieved by providing clear authority, adequate resources, and clear coordination mechanisms between organizations. An institution with strong legitimacy will be able to enforce ethical codes more consistently throughout Indonesia.

Public participation also needs to be increased as a form of external oversight of the implementation of the code of ethics. A transparent public complaints mechanism provides the public with the opportunity to directly assess the behavior of advocates. Hidayah (2024) stated that public involvement in the oversight process can increase the accountability of the Honorary Council. Advocates who are aware of public oversight will be more cautious in their actions, thereby reducing the potential for violations of the code of ethics. Public involvement mechanisms also serve as a bridge of trust between advocates and the justice-seeking public. Trust fostered through public involvement will strengthen the legitimacy of the legal profession within the national legal system.

4. CONCLUSION

The study concludes that the Indonesian Advocates' Code of Ethics plays a crucial role in maintaining professional integrity and ensuring legal justice. It functions as a moral and legal compass that guides advocates in performing their duties with honesty, transparency, and respect for the law. When properly implemented, the code enhances public trust and reinforces the legitimacy of the legal profession as one of the pillars of justice. However, inconsistent enforcement, institutional fragmentation, and a lack of awareness among advocates have hindered the full realization of its objectives.

Despite these findings, this study acknowledges several limitations. The research adopts a normative juridical approach relying primarily on literature review and regulatory analysis, which may not fully capture the complexity of ethical violations in real-world practice. The absence of empirical data—such as interviews with advocates or case-based studies—limits the understanding of behavioral dynamics and institutional challenges within different advocate organizations.

Future research should therefore adopt a mixed-method approach by combining normative analysis with empirical investigation. Field studies involving interviews, surveys, and case analysis could provide deeper insights into the effectiveness of ethical enforcement mechanisms. Comparative studies between Indonesia and other jurisdictions would also be valuable in identifying best practices for strengthening the authority of Honorary Councils and ensuring uniform ethical standards across advocate organizations. Such research would contribute significantly to improving ethical governance and the credibility of the Indonesian legal profession.

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