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THE ROLE OF ADVOCATES AS *OFFICIUM NOBILE* IN LAW ENFORCEMENT AND PROTECTORS CLIENT RIGHTS

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Abstract

Background. The advocate profession has an important role in the Indonesian legal system as an *officium nobile*, with the task of enforcing the law, protecting the rights of clients, and ensuring justice.

Aims. Advocates are on par with other law enforcers as stipulated in Law Number 18 of 2003 concerning Advocates. They are obliged to work professionally, independently, and with integrity, with a code of ethics as a moral and legal guideline to maintain public trust.

Methods. In this study, the author uses a qualitative method with a descriptive approach to analyze the role of advocates in litigation and non-litigation as well as the challenges faced.

Result. The results show that although advocates have a strategic role, there are still obstacles in the implementation of the code of ethics, such as conflicts of interest, economic pressure, and third-party intervention.

Conclusion. Therefore, it is necessary to strengthen regulations, increase code of ethics supervision, and continue education so that the professionalism of advocates is maintained.

Implementation.

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DOI: <https://doi.org/10.62885/abdisci.v3i1.718>

Keywords: Advocate, *Officium Nobile*, Code of Ethics, Law Enforcement, Protection of Client Rights.

INTRODUCTION

Indonesia's legal system is based on four main pillars that are equal and work in harmony: Investigators (Police), Public Prosecutors (Prosecutors), Judges (Judicial Institutions), and Advocates (Legal Advisors). These four elements are known as the "Chess Dynasty" and have an equally important position; if one is weak, the entire legal system cannot function properly. Given that most legal disputes are ultimately resolved through the courts, an independent and impartial judicial power and one free from external interference is paramount. The legal profession, especially advocates, must carry out their roles with professional independence, integrity, and high responsibility to support this. Their role is crucial in ensuring the administration of justices that are fair, transparent, and have legal certainty, while maintaining the rule of law, truth, justice, and human rights.¹

Advocates are bound to uphold the Indonesian Code of Ethics for Advocates (KEAI), the highest normative framework in the legal profession. This code of conduct not only protects the rights of advocates but also establishes ethical obligations, including honesty and accountability, towards clients, judicial institutions, the state, society, and themselves. Every advocate is required to maintain the dignity and integrity of the profession, faithfully comply with the code of ethics and professional oaths, and respect the authority of the Honorary Council, whose supervision is binding on all members of the profession.

On December 19, 2017, all Advocate organizations in Indonesia agreed to form an Honorary Council of Indonesian Advocates. This council will adjudicate violations of the KEAI, improve the quality of the profession, and protect the interests of the community. This demonstrates the commitment of advocacy organizations to uphold a common code of conduct.

Implementing discipline enforcement for advocates in Indonesia is carried out through two levels. At the initial level, this task is carried out by the Honorary Council at the Branch or Regional level. In contrast, at the highest level, it is carried out by the Central Honorary Council as the final examining institution. This mechanism is applied explicitly to violations of the Advocate Code of Conduct. In the exercise of their profession, advocates have the right and responsibility to provide legal assistance to clients.

¹ Saim Aksinudin and Ayu Fitria, "The Profession of Advocates as *Officium nobile*," 2023.
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DOI: <https://doi.org/10.62885/abdisai.v3i1.718>

This is emphasized in Article 5, paragraph (1) of Law Number 18 of 2003, which states that advocates are independent law enforcers and have an equal position with other law enforcement officials.

In addition, the advocate's area of authority covers the entire jurisdiction of Indonesia, as affirmed in Article 5 paragraph (2). In carrying out their role, advocates must be objective and must not mix personal interests in the defense of clients. Law Number 18 of 2003 is the *ius constitutum* of positive law currently in force in regulating the advocate profession.²

Therefore, in this journal, the author will discuss the concept of *officium nobile*, the role of advocates as *officium mobile*, and challenges and solutions in implementing the advocate code of ethics in Indonesia.

This journal aims to analyze the role of advocates as *officium nobile* (noble professions) in the law enforcement system and the protection of client rights. The benefits of writing this journal are to provide a comprehensive understanding of the dual function of advocates as law enforcers and protectors of client rights, help potential clients understand their rights when using advocates' services, and contribute to the development of academic literature on the advocate profession in Indonesia.

LITERATURE REVIEW

Advocate

Legal Assistant or Advocate is a term that describes professionals who are in charge of assisting suspects/defendants in criminal cases and plaintiffs/defendants in civil cases when conducting legal defense.

"Advocaat" comes from Dutch and refers to a defender or legal advisor. KBBI (p.10) defines an advocate as a legal expert authorized to be a legal advisor or defender of cases in court. Meanwhile, in the Legal Dictionary, an Advocate is defined as a professional with legal expertise who provides legal services under the provisions of the law, both as a defender in court and as a consultant in the legal field.³

The Role of Advocates

² Danggur Feliks et al., "Rights and Obligations of Advocates in Legal Assistance for Clients According to Law Number 18 of 2003 Rights and Obligations of Advocates in Legal Assistance for Clients According to Law Number 18 of 2003" 7, no. 4 (2024): 1443–50, <https://doi.org/10.56338/jks.v7i4.3>

³ Ratih Dwi Anggraini Puspitaningtyas Krisnowo and Reza Mariana Sianturi, "The Role of Advocates in Legal Assistance to Clients," *Journal of Law Window* 9, no. 1 (2022): 52–63, <https://doi.org/10.24929/fh.v9i1.1958>.

Advocates are important in the legal system, functioning as guardians of the constitution and human rights (HAM). They are responsible for fighting for human rights, upholding the values of justice, truth, and morality, and complying with the professional code of ethics. In addition, advocates must maintain independence, dignity, and professionalism by continuously improving competence through continuous learning.

In practice, advocates handle various cases at the national and international levels, ensure compliance with the code of ethics, and prevent the misuse of expertise that is detrimental to society. They also must provide legal services, including consulting, drafting contracts, and representing and defending clients in court.

As part of social responsibility, advocates must provide free legal aid (*pro bono*) for the underprivileged. This profession is a link between society and the state through its legal system, so its existence is crucial in realizing a just state of law.⁴

Officium nobile

Officium nobile is a term that refers to a profession that is noble, honorable, and carried out because of the vocation of the soul. This profession is also carried out as a form of respect for human dignity and upholding justice.

One of the professions that can be said *to be officium nobile* is advocacy. This is because an advocate is tasked with protecting the powerless in the face of authority or power. In carrying out his duties, the advocate does not look at the client's background, and he is defending. The principle of humanity is the central holding in every defense. Advocates act on the impulse of conscience and a sense of responsibility for justice.⁵

Law Enforcement

Law enforcement is a series of efforts to ensure that legal norms are applied effectively, so that they can guide the behavior of each individual in the context of social interaction and legal relations in society and the state. In this case, law enforcement is not limited to one entity or party, but involves various parties who have the role of legal subjects. Law enforcement includes all entities engaged in multiple existing legal relationships. Anyone who complies

⁴ Raihan Baihaqi et al., "The Role and Function of Advocates as Law Enforcers," *Journal on Education* 05, no. 02 (2023): 3958–69.

⁵ Amalia Nurzannah, Amanda Fildzah Sagala, and Fauziah Lubis, "AS-SYAR 'I : Journal of Family Guidance & Counseling AS-SYAR 'I : Journal of Family Guidance & Counseling," *AS- SYAR 'I : Journal of Family Guidance & Counseling* 5, no. 3 (2023): 533–44, <https://doi.org/10.47476/assyari.v5i3.2788>.

with legal norms either by taking action or restraining themselves based on the provisions of the law is essentially enforcing the law.

This means that law enforcement refers specifically to the efforts of appointed law enforcement officials to guarantee and ensure that the rule of law is applied correctly. If necessary, these officers can use coercive measures to enforce compliance.

Law enforcement can also be seen from the point of view of the object, namely, from the side of the law itself. In a broader sense, law enforcement is not only limited to the application of formal legal rules but also includes efforts to uphold the values of justice contained in the law itself and the values that develop and live in society. Thus, law enforcement must reflect the principles of justice in the prevailing social and legal order.⁶

Advocate Code of Ethics

The Indonesian Advocate Code of Ethics is the highest regulation in the implementation of the advocate profession. It provides guarantees and protection and places the responsibility on every legal practitioner to carry out their profession with integrity and accountability to clients, judicial institutions, the state, society, and especially themselves.

Sumaryono stated that the formation of a code of ethics has several important goals:

1. As a tool of social control, the professional code of ethics establishes professional standards and principles that serve as guidelines for all members, both those who have been in business for a long time, new members, and prospective members. This code of ethics minimizes the possibility of conflicts of interest, both between fellow members of the profession and between members and the community. Through the rules stipulated in the code of ethics, the internal professional and the public can supervise to ensure that all professional obligations are carried out under applicable standards.
2. As a deterrent to external intervention. The code of ethics standardizes professional obligations, making intervention from the government or the public in the implementation of professional duties unnecessary. Professional relationships, such as advocates with clients, teachers with students, or doctors with patients, do not need to be regulated in detail by government laws or community rules, as professional groups have established written norms and guidelines in the form of codes of conduct.

⁶ SH. Prof. Dr. Jimly Asshiddiqie, "PDF Created with DeskPDF PDF Writer - Trial :: [Http://Www.Docudesk.Com](http://Www.Docudesk.Com) PDF Created with DeskPDF PDF Writer - Trial :: [Http://Www.Docudesk.Com](http://Www.Docudesk.Com)," *Writer*, no. 1 (2008): 1–5.
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DOI: <https://doi.org/10.62885/abdisci.v3i1.718>

3. As a prevention of misunderstandings and conflicts. A professional code of ethics is a tested and established norm of behavior, whose effectiveness increases when appropriately formulated to satisfy all stakeholders. A code of ethics is a crystallization of appropriate behavior based on a consensus that reflects the profession's interests.⁷

Therefore, the code of ethics does not solely prevent conflicts and misunderstandings but also represents a profession's image and reputation. A well-drafted code of ethics can reflect the moral integrity of its members and those who receive services from the profession.

METHODS

The research method for the article "The Role of Advocates as *Officium Nobile* in Law Enforcement and Protection of Client Rights" will use a qualitative model with a descriptive analysis approach. This approach was chosen to provide an in-depth and comprehensive understanding of advocates' roles in the legal system and how they protect clients' rights. Using descriptive analysis, this study aims to describe the phenomena that occur in advocates' practice in detail so as to provide a clear picture of the existing dynamics.

Data collection will also involve a documentation study, where researchers will analyze legal documents, codes of ethics, and case reports to gain a broader context about the role of advocates. The collected data will be analyzed using a descriptive approach, highlighting the main themes and patterns seen from the results of interviews and observations. This analysis will provide a clear picture of the role of advocates as *officium Nobile*, the challenges they face, and how they contribute to the protection of clients' rights.

In terms of research ethics, researchers will ensure that all participants provide informed consent before participating and maintain the confidentiality of identities and data obtained. Thus, this qualitative research method with descriptive analysis is expected to provide in-depth and comprehensive insights into the role of advocates in law enforcement, the protection of clients' rights, and the challenges they face in their daily practice.

DISCUSSION

Officium Nobile Concept

Officium nobile refers to the profession of advocate as a noble and respected position in the legal system. This concept affirms that advocates have moral and ethical responsibilities

⁷ Fiska Maulidian Nugroho, "The Integrity of Advocates and Their Freedom in Profession: Reviewed from the Enforcement of the Advocate Code of Ethics," *Right-of-way idea* 11 (2016): 14–29.

not only limited to defending clients, but also play a role in upholding justice in society. According to Dr. Auliya Khasanofa, the principle of *officium nobile* reflects fundamental values such as humanity, justice, propriety, honesty, and devotion to the public interest. Therefore, advocates are expected to always maintain the dignity of their profession by upholding the code of ethics and carrying out their duties with complete integrity and responsibility.⁸



Figure 1. Introduction to PPL Partner Agencies
(Office of Advocate Ugi Hikmat Sugia)

Advocates often face ethical dilemmas, including client requests that may conflict with moral principles. For this reason, continuous legal education and supervision of the advocate profession are crucial to ensure that they adhere to the principle of *officium nobile*. Despite criticism of some advocates who are considered to deviate from these noble values, the spirit of *officium nobile* remains the primary guideline in carrying out the advocate profession.⁹

Advocates are an important element in the legal system. They play a big role in upholding justice and maintaining public trust in the legal profession. The Indonesian Advocate Code of Ethics emphasizes that this profession is under legal protection and must be carried out with freedom based on honor and integrity.

The Role of the Advocate as an *Officium Nobile*

In Indonesia, the advocate profession has undergone significant development with the primary goal of ensuring the upholding of the law and the protection of human rights. The term "advocate" is seen as *officium nobile* because of the mandate given to them to fight for the legal

⁸ Sunarjo, "Professional Ethics of Advocates in the Perspective of Law Enforcement Professionalism," *Legal Horizon Journal* 18, no. 2 (2013): 177–87, <https://garuda.kemdikbud.go.id/documents/detail/492835>.

⁹ Baren Sipayung, Julius Hebrani, and Henri Wilson Lubis, "The Performance of the Advocate Profession as a *Officium nobile* According to the view of netizens (the case study of Mr. RAN)," *Execution: Journal of Law and State Administration* 1, no. 3 (2023): 263–75, <https://doi.org/10.55606/eksekusi.v1i3.536>.

interests of the community. Advocates have an essential role in the legal system, as they contribute to the development of the law and can drive changes in the existing legal framework.

Advocates are not just a profession, but also a call to serve the community, especially for those who need legal assistance. This profession exists because it is required by society and must defend every individual regardless of background, skin color, race, socioeconomic status, gender, political views, ideology, or belief.



Figure 2. Discussion with Cirebon Class 1 Prison Management

In advocacy theory, advocacy is understood as providing advocacy, support, or advice. In the legal realm, advocacy is an essential element that cannot be separated from the judicial system. Individuals who have expertise in this field are referred to as advocates. Advocacy practice is divided into two types: litigation and non-litigation advocacy. Advocacy activities not only include the provision of legal assistance, but also involve the process of legal analysis and reasoning to ensure that the application of the law is carried out appropriately based on the existing facts. As a duty and function, advocacy includes the provision of services and legal assistance that cannot be separated from the advocate profession.

Stages in Advocacy:

1. Identification and analysis.
2. Giving legal opinions.
3. Represent and assist clients in legal proceedings.

Job Classification:

Jobs can be categorized based on the following factors:

1. Abilities – intellectual or physical.
2. Fixed or temporary duration.
3. Special or general scope.
4. Voluntary (non-income) purposes or to earn income.

As professionals in the legal field, advocates must carry out their duties with full responsibility and comply with applicable regulations. As a legal professional, an advocate can freely practice law in all areas of his or her practice. This is emphasized in Article 5, paragraph (2) of Law Number 18 of 2003 concerning Advocates, which provides legitimacy for advocates to carry out their duties throughout the territory of the Unitary State of the Republic of Indonesia. This authority covers the scope of practice in handling cases in court (litigation) and out of court (non-litigation).

The profession of advocate, considered the *officium nobile*, requires its members to uphold standards of professionalism and ethics. This includes the obligation to act with honor, responsibility, and generosity, qualities that reflect the dignity of a noble profession. Advocates must uphold honesty and strong morality to gain the public's trust. Their role is not only limited to providing legal aid, but also upholding justice and enhancing human dignity, so this profession is called *officium nobile*.

Advocates are required to remain professional in their practice, obey the professional code of ethics, and be responsible for their knowledge in the field of law to carry out this responsibility.¹⁰

The role of advocates is also reflected in the Law on Judicial Power. As previously discussed, Article 38 paragraph (1) of the Judicial Power Law states that, in addition to the Supreme Court and the judiciary under it, other institutions carry out functions related to exercising judicial power. This provision shows that the judicial system not only consists of the Supreme Court and the judiciary under it, but also involves other institutions with a strategic role in the judicial process.

In state institutional structures, such as the Police, Prosecutor's Office, and Judicial Institutions, duties are generally implemented in a hierarchical pattern consisting of a higher level and a system of supervision over the implementers at the lower level. In this system, institutional performance is assessed based on the achievement of results, policy implementation, and compliance with applicable norms. Therefore, compliance with bureaucratic mechanisms is a necessity.

¹⁰ Nurzannah, Sagala, and Lubis, "AS- SYAR ' I : Journal of Family Guidance & Counseling AS- SYAR ' I : Journal of Family Guidance & Counseling."
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DOI: <https://doi.org/10.62885/abdisci.v3i1.718>

Justice requires balance, which is symbolized by the scales. This symbol emphasizes that the judicial process can only produce justice if the two litigants, the public prosecutor and the defendant, are in an equal position before the law.¹¹

Advocate as a Legal Aid Provider

Law enforcement depends on public legal awareness, as individuals are subject to the law. However, law enforcement's effectiveness is determined not only by public awareness but also by the competence and commitment of law enforcers. Many legal regulations fail to be implemented adequately because some officials lack a clear understanding of their duties and responsibilities.

Advocates registered in the local High Court can only provide legal aid and advocacy services for underprivileged communities. This legal aid can be done in two ways:

1. Through individual legal assistance by an advocate.
2. Through institutional legal aid provided by recognized Legal Aid Institutions.



Figure 3. Discussion with the Management of Cirebon City Detention Center

Advocates are a legal profession with the authority to provide comprehensive legal services, both in litigation and non-litigation, as stipulated in Law Number 18 of 2003 concerning Advocates. These services include legal consultation, mentoring, representation, defense, and other legal actions carried out to protect and fulfill the client's legal interests. The process of appointing advocates is carried out by the Minister of Law and Human Rights on the basis of recommendations from the Supreme Court. In carrying out their profession,

¹¹ Zulharbi Amatahir, "The Role and Legal Position of Advocates in Law Enforcement," *Journal of Legal Media* 9, no. 2 (2021): 70–77.

advocates have jurisdiction that covers the entire territory of the Unitary State of the Republic of Indonesia.¹²

According to Supriadi (2006), the advocate profession's practice is based on a set of ethical principles systematically formulated in the Code of Ethics of the Advocate Profession. The code of ethics serves as a fundamental guideline for advocates in carrying out their roles and responsibilities, both as legal advisors and legal representatives, and as part of the law enforcement system.

This provision is in line with Article 26 of Law Number 18 of 2003 concerning Advocates, which emphasizes that in order to maintain the dignity and integrity of the profession, every advocate is required to comply with the code of ethics set by the professional organization and be subject to the supervision mechanism run by the Honorary Council of Advocate Organizations.

The Role of Advocates in the Protection of Client Rights

The role of the Advocate in the protection of the client's rights is as follows:

1. Substantive Legal Protection by Advocates in Enforcement of Justice: Advocates have an essential role in ensuring substantive legal protection for clients, which covers various aspects of the justice enforcement process. This protection lasts from the initial stage of the investigation, continuing to the trial process, until after the court decision. As part of the justice system, advocates serve as the last line in preventing violations of clients' fundamental rights, focusing on implementing a fair, transparent, and consistent legal process in line with human rights principles.
2. Procedural Protection Aspects: In the procedural context, advocates have a strategic role in ensuring that each stage of the examination and trial is carried out in accordance with the applicable legal provisions. This includes strict supervision of arrest, detention, examination, and trial procedures. If procedural irregularities are found that have the potential to harm the client, the advocate has the obligation to file an execution, legal objection, or other legal remedy to protect the client's rights from potential abuse of authority by law enforcement officials.

¹² Abdau Abdi Chaniago, Mahdi Nasution, and Fauziah Lubis, "The Role of Advocates in Providing Legal Assistance to the Community in the Perspective of Human Rights," *El-Mujtama: Journal of Community Service* 3, no. 3 (2023): 705–15, <https://doi.org/10.47467/elmujtama.v3i3.2928>.

3. **Protection of Fundamental Rights:** Protection of fundamental rights is at the core of the duties of advocates in the judicial system. These rights include the right to a legal defense, the right to a presumption of innocence, the right to transparent information, the right to a fair trial, and protection from discriminatory actions. In carrying out their duties, the advocate is responsible for ensuring that any rights inherent in the client are respected and not neglected throughout the legal process.
4. **Psychological and Social Protection:** Besides legal protection in the normative aspect, advocates also have responsibilities in providing psychological and social assistance for clients. A lengthy and complex judicial process can be a significant mental stress for individuals dealing with the law. Therefore, advocates play a role in providing a comprehensive understanding of the legal process, building client confidence, and mitigating the psychological impact that may arise due to the social stigma that accompanies the case at hand.
5. **Protection of Economic and Long-Term Interests:** Advocates not only focus on resolving legal issues in the short term, but also consider the long-term impact on the economic and professional aspects of the client. In designing a defense strategy, advocates believe that the legal consequences that can impact the client's social, financial, and professional life should be considered to find the most optimal solution under the client's long-term interests.¹³

Advocates provide substantive legal protection, including various dimensions in procedural aspects, protection of fundamental, psychological, social, and economic rights. Advocates have the responsibility to ensure that the entire legal process takes place under the principles of justice and does not violate the client's rights. With their strategic role, advocates are key actors in maintaining the balance of the judicial system and realizing the principle of the rule of law with justice.

Juridical Basis

The advocate profession in Indonesia has a strong legal basis. It is recognized as a noble profession (*officium nobile*), as stipulated in Law Number 18 of 2003 concerning Advocates and the Indonesian Code of Ethics for Advocates. These provisions affirm advocates' position as an integral part of the judicial system, with a position on par with other law enforcement

¹³ Awalding Zai et al., "Protection of Clients for Advocate Services Reviewed from Law No. 18 of 2003 concerning Advocates," *Journal of Retentum* 4, no. 2 (2022): 278, <https://doi.org/10.46930/retentum.v4i2.2791>.

officials, such as judges, prosecutors, and the police, in carrying out the role of law enforcement and justice. As a profession that upholds honorable values, advocates are required to remain independent in carrying out their professional duties in order to maintain the integrity of the judicial system from various forms of intervention, both political and personal interests.¹⁴

Regarding the freedom and independence of advocates in carrying out their professional roles is explicitly stated in Article 5 paragraph (1) of Law Number 18 of 2003. This article states that advocates have the right to work independently and are guaranteed legal protection while carrying out their duties by the provisions of the applicable laws. Furthermore, Article 16 of the same law provides advocates with the right to immunity, namely protection from criminal and civil charges for actions carried out in their capacity as defenders, as long as they are carried out in good faith for the client's benefit. This provision is designed so advocates can carry out their advocacy role without pressure, intimidation, or fear from any party. In addition, advocates are also burdened with social responsibility in the form of the obligation to provide legal assistance to the underprivileged, as a tangible manifestation of the implementation of the principles of social justice.¹⁵

In addition to the provisions in the law, the Indonesian Advocate Code of Ethics also strengthens the principle of *officium nobile* by establishing standards of behavior and moral values that every advocate must uphold. The Preamble to the Code of Ethics emphasizes that the advocate profession is respectable and must be carried out based on independence, honesty, confidentiality, and openness. Furthermore, Article 2 of the Code of Ethics emphasizes that advocates must be devoted to God Almighty, be honest, have integrity, and be dignified in upholding justice and truth. Meanwhile, Article 3 letter (g) again underlines the obligation of advocates to uphold the dignity of their profession as *officium nobile*, maintain the image and honor of the profession in society, and comply with the law and code of ethics in every professional action.¹⁶

As an *officium nobile*, the advocate profession requires qualified legal competence and high moral integrity. An advocate is expected to have intellectual, spiritual, and emotional intelligence to comprehensively analyze legal issues and provide fair legal services for the

¹⁴ Fitria Savira and Yudi Suharsono, "Law No. 18 of 2003 concerning Advocates," *Journal of Chemical Information and Modeling* 01, no. 01 (2013): 1689–99.

¹⁵ "Www.Hukumonline.Com," 2003, 1–17.

¹⁶ Tumbur Ompu Sunggu, "Yuriska : Journal of Legal Sciences KODE ETIKA ADVOKAT SEBAGAI DASAR ITIKAD BAIK ADVOKAT DALAM MENJALANKAN PROFESI NYA TIDAK" 15, No. 2 (2023).

community. In practice, advocates must uphold the principles of honesty, human values, and alignment with the public interest as the primary foundation in carrying out their profession.¹⁷

Thus, the juridical basis of advocates as *officium nobile* in Indonesia is rooted in the formal regulatory framework in Law Number 18 of 2003 concerning Advocates as well as the ethical guidelines stipulated in the Indonesian Code of Ethics for Advocates. These two instruments play an important role in ensuring that advocates carry out their duties professionally, responsibly, and are oriented towards the enforcement of justice, the protection of human rights, and the maintenance of professional dignity in society.

Challenges in the Implementation of the Advocate Code of Ethics in Indonesia

According to Niru (2020), the implementation of the code of ethics for the advocate profession is still not optimal. Some argue that the code of ethics is often violated or ignored due to various factors, such as the influence of family culture, position, consumerism, and weak individual morals and integrity. In addition, there is also the view that obstacles in implementing the code of ethics are also influenced by a lack of legal understanding, abuse of the profession, declining ethical awareness, and an outdated supervisory system.

Obstacles to implementing the advocate code of ethics can be categorized into two main aspects: internal obstacles related to professionalism and individual integrity and external obstacles influenced by environmental factors and the legal system.

Internal Barriers:

1. **Pressure on Personal Integrity:** An advocate often faces situations that test his or her integrity principles, especially when dealing with pressure from clients or other parties. This pressure can be in the form of requests to provide legal advice that is not in accordance with the facts, concealing information that is detrimental to the client, or even engaging in unethical practices. In these conditions, the personal integrity of the advocate plays a very important role in ensuring compliance with the code of ethics, even in challenging situations.
2. **Conflict of Interest:** Conflict of interest is one of the main problems in legal practice, especially when an advocate handles cases involving multiple parties with conflicting interests. This situation can interfere with the objectivity of advocates in providing fair

¹⁷ Baihaqi et al., "The Role and Function of Advocates as Law Enforcers."
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DOI: <https://doi.org/10.62885/abdisci.v3i1.718>

and transparent legal advice. Therefore, it is important for advocates to identify and avoid conflicts of interest in order to maintain standards of professionalism and fairness.

3. **Inequality between Commercial Interests and Professional Ethics:** In practice, many advocates especially those working in large law firms face a dilemma between pursuing financial gain and carrying out their ethical obligations. The pressure to achieve revenue targets and deal with many cases in a short period of time often leads advocates to ignore ethical standards for the sake of economic gain. This imbalance can reduce the quality of legal services and threaten the basic principles of the advocate profession as *officium nobile*.
4. **Lack of Understanding and Training in Professional Ethics:** The legal education curriculum has not fully emphasized the importance of professional ethics in academic learning. As a result, many law graduates do not have a deep understanding of the application of the code of ethics in the practice of advocates. In addition, the lack of advanced training programs related to professional ethics is also a factor that contributes to the low awareness of advocates on behavioral standards that must be upheld.
5. **Variations in Ethics Standards in Different Jurisdictions:** Advocate code of ethics standards can differ between countries, regions, and even legal profession associations. These differences can cause confusion for advocates practicing in more than one jurisdiction, especially in determining which ethical standards should be adhered to. These inconsistencies have the potential to create loopholes in the overall implementation of the code of conduct.
6. **Weak Code of Ethics Enforcement:** Although various professional organizations already have a clear code of ethics, enforcement of those rules is still a major challenge. Ineffective supervision mechanisms make violations of the code of ethics often not receive strict sanctions. This lack of accountability can reduce public trust in the advocate profession and trigger practices that are contrary to professional ethical values.
7. **Social and Cultural Influences in Professional Ethics:** Social and cultural factors also have a significant impact on the perception of ethics in the advocate profession. In some cultures, social relations and community interests often take precedence over the principles of fairness and objectivity that underlie the profession's code of ethics. As a result, advocates can experience a dilemma between carrying out their professional duties objectively or following the social norms that apply in society.

8. Challenges in Professional Supervision and Accountability: Supervision of advocate behavior is still a major challenge in the legal system. Many violations of the code of ethics go undetected or do not receive adequate sanctions, creating gaps in professional accountability. Therefore, a more transparent and accountable supervisory system is needed to maintain the integrity of the legal profession and ensure that advocates adhere to the established ethical standards.¹⁸

Obstacles in implementing the code of ethics for the advocate profession are rooted in internal factors, especially individual integrity, conflicts of interest, economic pressure, lack of ethical understanding, and weak enforcement of rules. In addition, the influence of culture and ineffective supervision systems are also challenges in maintaining the moral standards of the advocate profession. Therefore, a more comprehensive approach is needed, such as strengthening ethics education in the legal curriculum, enforcing stricter rules, and improving supervisory mechanisms to ensure that the advocate profession continues to run under the values of *officium nobile* and the principles of justice that should be upheld.

External Barriers:

1. Economic Factors: Economic pressures characterized by instability, such as inflation and unemployment, trigger social tensions, prompting individuals and groups to adopt survival strategies outside of social norms. Third-party intervention from governments, the private sector, and international organizations with various interests and policies further complicates the situation, fundamentally changing the social structure. The interaction between economic pressures and external interventions results in economic dependency and structural vulnerability, which sustainably alters power dynamics, social relations, and local economic systems, forcing societies to continuously adapt to complex external changes.
2. Ethical and professional conflicts with clients: Ethical conflicts in professions such as law, health, and social work arise from the tension between professional moral responsibility and the demands of clients. At the heart of the problem is maintaining ethical integrity while providing optimal service, taking into account the long-term impact of each decision. Conflict resolution requires a transparent approach, ethical negotiation, and the application of a professional code of ethics, where professionals must

¹⁸ Fauziah Lubis et al., "Implementation and Challenges of the Advocate Professional Code of Ethics in Realizing Professional Ethics with Integrity" 06, no. 01 (2025): 263–74.

be able to explain ethical boundaries in an empathetic and rational manner, rather than simply rejecting client requests.¹⁹

Solutions to Overcome Challenges

To overcome these obstacles, some steps that can be taken include:

1. **More Intensive Ethics Training:** Providing more in-depth education on professional ethics for prospective advocates and advocates who are already practicing.
2. **Improved Oversight and Accountability:** Develop more effective oversight systems and mechanisms to crack down on code of conduct violations.
3. **Strengthening Ethical Culture in Legal Organizations:** Instilling ethical values in every aspect of work in a law firm or other institution.
4. **Role of Professional Organizations:** Professional organizations such as PERADI or other advocate associations must actively provide guidance and clarification regarding the implementation of the code of ethics.

CONCLUSION

Advocates have moral and legal responsibilities in upholding justice and protecting clients' rights in litigation and non-litigation. Law Number 18 of 2003 regulates this profession concerning Advocates and the Code of Ethics of Indonesian Advocates, which emphasizes that advocates must work independently, professionally, and with high integrity. Advocates in the legal system are not limited only to defenders of clients but also to guardians of the rule of law and human rights.

In practice, advocates often face various challenges, including ethical dilemmas, pressure from clients, and a legal system that is sometimes still weak in enforcing the professional code of ethics. Obstacles in implementing an advocate's code of conduct can stem from internal factors, such as a lack of ethical understanding and economic pressures, as well as external factors, such as third-party intervention and lack of strict oversight. Therefore, increasing professionalism and strengthening supervision of advocate practices is urgently needed to maintain the integrity of this profession.

As a profession with an equal position with other law enforcers, advocates must still maintain the principle of *officium nobile* by carrying out their duties responsibly and under the

¹⁹ Anisa Angel Lina, Dwi Rahma, and Anisa Kurniawati, "RIVIEW LITERATURE: IMPLEMENTATION OF THE CODE OF ETHICS OF THE ADVOCATE PROFESSION" 2, no. 1 (2025): 118–27.

professional code of ethics. Providing legal aid for the underprivileged is also part of the moral obligation of advocates in supporting social justice. Therefore, it is necessary to strengthen ethics training, increase accountability, and commit to carrying out this profession with complete dedication so that the role of advocates in the legal system is more effective and dignified.

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