

The Crossroad of Notary Organizations in Indonesia: Is There Any Government Guidance and Supervision?

Received: 14 September 2025 | Reviewed: 23 October 2025
Accepted: 20 January 2026 | Published: 31 January 2026

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Abstract

This study addresses the crossroads facing notary organizations in Indonesia and emphasizes the need for the government to anticipate this situation in order to preserve the role of notaries as public officials and holders of a noble legal profession, as well as their function as makers of authentic deeds. The study critically examines the extent of governmental decisiveness regarding the division of notary organizations, which has emerged as both a challenge and a potential opportunity, particularly in the debate between a single-bar and a multi-bar organizational model. This issue is significant given that notaries are public officials whose guidance and supervision are closely linked to the government through delegated authority exercised by the National Supervisory Council (Majelis Pengawas Notaris) and professional notary organizations. This research employs a normative juridical method, incorporating historical, conceptual, legislative, and comparative approaches, including comparisons with other professional legal organizations. The analysis is conducted through legal reasoning aimed at realizing the fundamental objectives of law, namely order, legal certainty, and societal welfare. The study finds that the division of notary organizations in Indonesia may generate both internal and external impacts. Internally, such division creates disharmony among notaries and undermines professional solidarity, thereby disrupting the effectiveness of routine supervisory mechanisms, including annual notarial examinations. Externally, organizational fragmentation risks producing deeper institutional divisions, as observed in other legal professions, which may weaken ethical enforcement mechanisms, erode adherence to the notarial code of ethics, and ultimately diminish the dignity of the notarial profession as a public office entrusted with public responsibility. This study concludes that maintaining a unified notary organization under a single-bar model is essential to safeguarding professional integrity, strengthening supervision, and enhancing the institutional credibility and public trust in the notarial profession in Indonesia.

Keywords: *Urgency; Notary Organization; Government Oversight.*



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1. INTRODUCTION

1.1. Background

The firmness of government guidance towards various legal organizations is very strategic and decisive in a state of law in Indonesia.¹ The concern of notary organizations towards multi-bar in institutional dynamics and member demands is a caution that deserves study, because multi-bar advocate organizations in Indonesia provide a bad reflection on the government in the rule of law in Indonesia which should not happen to notary institutions in Indonesia.

The notary organization is suspected of experiencing a split after the 2023 Cilegon Banten Congress. It can be said that the Notary Organization is at a crossroads between Single Bar versus Multi Bar. Where is the direction of guidance and supervision from the Indonesian government, in this case the Ministry of Law and Human Rights, specifically the Directorate General of General Legal Administration, as regulated by the Notary Law Articles 67 and 82 and reinforced by the Minister of Law and Human Rights Regulation regarding the regulatory authority of notary organizations, which includes the ratification of changes to the management of national legal professional organizations?.²

Strengthening national legal development requires the implementation of a single notary organization (single bar). This model is crucial to avoid fragmentation of interests and ensure ethical standards and professionalism of notaries in Indonesia. A unified notary organization supports the goal of legal development that prioritizes legal certainty, unity, and utility. The Ministry of Law and Human Rights, as the regulatory and supervisory authority, needs to actively oversee the implementation of this system. Without adequate regulation and oversight, clean, authoritative, and just notary governance is difficult to achieve.³

The number of notaries in Indonesia reaches 20,000 (twenty thousand) notaries.⁴ A large number means that the development of notaries, both through notary organizations and by the

¹ Dewi Sarah Simbolon et al., "Peranan Pemerintah Desa Dalam Pembangunan Infrastruktur," *Jurnal Kewarganegaraan* 5, no. 2 (2021), <https://doi.org/10.31316/jk.v5i2.1465>.

² Yusuf Iman Yustiawan and Raden Roro Fara Anissa Putri, "The Implementation of Authority and Resolution Efforts Undertaken by the Ministry of Law and Human Rights (Kemenkumham) in Addressing the Case of Dualism within the Indonesian Notary Association (INI)," *Journal of Private and Commercial Law*, 2025, <https://doi.org/10.20885/jpcol.vol1.iss2.art5>.

³ Absori Absori, "Pembangunan Hukum Di Indonesia (Studi Politik Hukum Islam Di Indonesia Dalam Kerangka Al-Masalih)," *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan* 15, no. 02 (2018), <https://doi.org/10.30631/al-risalah.v15i02.369>.

⁴ Article 1 paragraph (1) of Law of the Republic of Indonesia Number 2 of 2014 concerning the Amendment to Law Number 30 of 2004 on the Office of Notary (UUJN) stipulates that "a Notary is a public official authorized to draw up authentic deeds and vested with other authorities as provided for in this Law or under other laws." This provision signifies that the authority of a Notary primarily consists of the duty to prepare authentic deeds and to perform other acts as regulated under the UUJN. However, the essence of this definition lies in the recognition of the Notary as a public official endowed with the authority to create authentic deeds. The phrase "authorized" as used in Article 1 paragraph (1) of the UUJN is also closely related to the provisions of Article 1868 of the Indonesian Civil Code,



government, is a serious challenge in the administration of government in Indonesia, because notaries are public officials who are also responsible for enforcing the law in Indonesia through their authority to make authentic deeds.

The split in the notary organization occurred due to the failure of the INI Congress in Cilegon Banten, the Cilegon Congress gave birth to the INI leadership version of Tri Firdaus and dissatisfied with the Cilegon Congress, 24 Regional administrators held an Extraordinary Congress (KLB) in Bandung, West Java, October 29-30, 2023. The Congress held in Bandung was in accordance with the mandate of the previous Congress (Congress XXIII) in 2019. The Bandung Congress formed the management version of Irfan Ardiansyah. The High State Administrative Court (PT-TUN) through decision 334 / B / tf / 2024 / PT.TUN Jakarta and decision Number 361 / B / TF / 2024 / PT TUN JKRT decided that the INI management resulting from the Bandung KLB was valid, because it was considered that the implementation of the KLB was in accordance with the AD / ART, so that the government then determined the INI management version of the KLB, but the Tri Firdaus camp filed another lawsuit.

The above situation illustrates the disunity within the notary organization in Indonesia. A solid organization will only emerge from a management that upholds law and ethics, as well as members who are qualified and have noble morals. One way to resolve this disunity is through firm government guidance and oversight, including the imposition of administrative sanctions ranging from warnings to revocation of notary licenses. Aren't notaries public officials, whose appointment and dismissal are the responsibility of the government.

Strengthening legal development and the professionalism of law enforcement requires adapting notary organizations to the single-bar concept. The single-bar principle, while controversial in the legal context, aims to ensure uniform ethical standards, oversight, and accountability. The existence of multiple bars within notary organizations is feared to weaken guidance and oversight and create conflicts of interest in legal services.⁵

The large number of notary organizations competing for authority to guide, supervise, and represent the profession can lead to overlapping regulations, conflicts of interest, and legal ambiguity. Disputes like these, which have occurred in other professional organizations, have been shown to weaken law enforcement and erode public trust.⁶

As a comparison, legal organizations, namely advocates, have metamorphosed into 94 (ninety-four) organizations (multi-bar), even though the Advocate Law stipulates in a limited manner that

which states that "an authentic deed is a deed which, in the form prescribed by law, is made by or before public officials who are authorized for that purpose at the place where the deed is executed."

⁵ Ucu Ugiyanto et al., "Advocate Legal Education in Indonesia: The Need of Spiritual Dimensions Approach," *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan* 21, no. 1 (2021), <https://doi.org/10.30631/alrisalah.v21i1.742>.

⁶ Septi Nur Wijayanti and Aulia Khansa Nabila, "Catatan Kritis: Evaluasi Multi Lembaga Penyelesaian Sengketa Pemilu Terhadap Electoral Justice," *JAPHTN-HAN* 4, no. 1 (2025), <https://doi.org/10.55292/japhtnhan.v4i1.167>.



advocate organizations are single-bar, this shows that government guidance and supervision are very weak, meaning there is no definite firmness from the government and of course this is an important note in the dynamics of the development of notary organizations in Indonesia in the future.

The desire to break up the notary organization has actually been recorded in the history of Indonesian law, regarding the existence of notaries in Indonesia with its various names and has been tested through legal channels in 2005. The Constitutional Court Decision Number 009-014/PUU-III/2005. This means that the anxiety with the single bar towards multi-bar has been quite long, namely 20 (twenty years or more).

The single notary organization in Indonesia plays a crucial role in enhancing the integrity and professionalism of the notary profession. By uniting all notaries under one umbrella, the development, supervision, and enforcement of professional ethics become more centralized, consistent, and free from the interests of particular groups. This contributes to legal certainty, service standardization, and effective oversight in national legal development.⁷

Before notary organizations break up further, the government must be able to provide measurable guidance and supervision to notary organizations in accordance with applicable positive law, and then provide firm sanctions so that notary organizations in Indonesia do not lose their identity as public officials with the Garuda bird symbol attached to their organizations.

Maintaining order and professionalism in notaries requires an active role from the government, particularly in maintaining the single-bar system within notary organizations. The government has the authority to create policies, develop, and oversee the performance of notaries to ensure compliance with laws and regulations.⁸

Based on the above problems, this study raises the issue of Government Guidance on the Division of Notary Organizations in Indonesia as a Challenge and Hope. The Crossroads of Notary Organizations, Government Firmness, Single Bar versus Multi-Bar. Several previous studies have examined the issue of the notary's position as a public official and the views of some Indonesian notaries' desires to move towards a Multi-Bar system, as well as a One-Bar system, as follows:

1. Research by M. Sharul Borman (2019) entitled *The Position of Notaries as Public Officials in the Perspective of the Notary Law*. This research confirms that the position of notaries is very strategic because notaries are public officials and are appointed by the government in addition to having the authority to make and issue authentic deeds, so it is logical that notaries must have

⁷ Ikhsan Lubis et al., "Cyber Notary as A Mean of Indonesian Economic Law Development," *Sriwijaya Law Review* 7, no. 1 (2023), <https://doi.org/10.28946/slrev.Vol7.Iss1.1972.pp62-72>.

⁸ Yhannu Setyawan et al., "Digital Government Post-Reform in Indonesia: Normative Developments and Implementation by State Organizing Institutions," *Law Reform: Jurnal Pembaharuan Hukum* 21, no. 1 (2025), <https://doi.org/10.14710/lr.v21i1.68556>.



- knowledge and ethics and become one of the legal profession implementers who have a lot of influence in their relations with the community.⁹
2. Research by Milla Gusrita, (2013) entitled "Challenging the Existence of the Indonesian Notary Association as the Only Notary Professional Organization in Indonesia in the Process of Appointing Notary Candidates Based on the Law, *Notarius Journal* Volume 4 Number 1, Diponegoro University, Semarang.¹⁰
 3. Research by Rizki Anlapater, Dani Kurniawansyah, (2022) entitled Implementation of Organizational Unification in the Notary Profession, *Tambusai Education Journal* Volume 6 Number 2, 2022.¹¹
 4. Research by Aris Yulia, (2019) entitled The Notary Profession in the Industrialization Era from the Perspective of Pancasila Transcendence, *Law and Justice Journal*, Volume 4 Number 1 April 2019.¹²
 5. Research by Edison, Dahlan, Ilyas Ismail (2014) entitled "Implementation of Supervision of Notaries by the Regional Supervisory Board in the city of Banda Aceh" which discusses the many deviations by notaries in carrying out their authority and position as well as the obstacles of professional notary members as knowledgeable supervisors.¹³

Based on the previous research above, it can be said that the existence of notaries through notary organizations is a reflection of the success between the government and the notary profession, because both notaries and notary organizations are appointed, determined and dismissed by the government in this case the Ministry of Law and Human Rights, the division of notary organizations will have a negative impact on the quality of management members and prospective notaries as well as the model of notary supervision in the future.

The right to associate in an organization is the freedom of individuals to form, choose, or join an organization according to their interests and specific goals, and to play an active role in it in order to fight for common interests legally and in accordance with the law.¹⁴ The right to associate and

⁹ M. Syahrul Borman, "Kedudukan Notaris Sebagai Pejabat Umum Dalam Perspektif Undang-Undang Jabatan Notaris," *Jurnal Hukum Dan Kenotariatan* 3, no. 1 (2019), <https://doi.org/10.33474/hukeno.v3i1.1920>.

¹⁰ Milla Gusrita, "Mengugat Eksistensi Ikatan Notaris Indonesia Sebagai Satu-Satunya Wadah Organisasi Profesi Notaris Di Indonesia Dalam Proses Pengangkatan Calon Notaris Berdasarkan Undang-Undang Jabatan Notaris," *Notarius* 4, no. 1 (2013), <https://doi.org/10.14710/nts.v4i1.5689>.

¹¹ Rizki Anlapater and Dani Kurniawansyah, "Implementasi Penyatuan Organisasi Dalam Profesi Notaris," *Jurnal Pendidikan Tambusai*, no. 2 (2022).

¹² Aris Yulia, "Profesi Notaris Di Era Industrialisasi Dalam Perspektif Transendensi Pancasila," *Law and Justice* 4, no. 1 (2019), <https://doi.org/10.23917/laj.v4i1.8045>.

¹³ Edison, Dahlan, and Ilyas Ismail, "Pelaksanaan Pengawasan Terhadap Notaris Oleh Majelis Pengawas Daerah Di Kota Banda Aceh," *Jurnal Ilmu Hukum Pascasarjana Universitas Syiah Kuala* 2, no. 4 (2014).

¹⁴ Miftahul Huda and Mulyanto Mulyanto, "Analisis Yuridis Hak Berserikat Pekerja Berdasarkan Undang-Undang Nomor 13 Tahun 2003 Tentang Ketenagakerjaan," *Nuansa Akademik: Jurnal Pembangunan Masyarakat* 10, no. 2 (2025), <https://doi.org/10.47200/jnajpm.v10i2.3121>.



organize for notaries in Indonesia is recognized, but limited. These restrictions, particularly for public service and law enforcement professions, are legitimate to ensure professionalism, uniform ethics, and effective oversight. A single-bar notary organization provides a solution to prevent conflicts of interest, strengthen accountability, and ensure orderly performance of duties. The Ministry of Law and Human Rights plays a crucial role in this regulation to create a stable and reliable national legal system.¹⁵

Without restrictions, notaries' freedom to organize could have negative consequences for the national legal system. Rival organizations that emerge as a result of unrestricted freedom will create competition and dual authority, resulting in differing ethical and professional standards, and hindering oversight. Consequently, orderly administration and legal certainty, the pillars of Indonesian legal development, will be disrupted. The implementation of a single bar and oversight by the Ministry of Law and Human Rights are necessary to ensure the integrity and effectiveness of the notary profession.¹⁶

The position and role of an organization is as a unitary vessel that functions to bring together individuals with common goals, as well as being a means of driving, regulating and directing activities so that collective interests are achieved effectively and orderly.¹⁷ It is realized that the split in any organization in Indonesia (legal or non-legal) has become a trend in itself, whether it is a political party, social organization, even an organization of the same class as a community, there is a lot of dualism and even multiple bars.

1.2. Research Problem

Based on the description above, the problem in this research is:

1. How is the notary organization at a crossroads in relation to the existence of notaries as public officials who are authorized to make authentic deeds?
2. How can government supervision and guidance be carried out so that the division of notary organizations does not develop in such a way and return to a single bar, in accordance with positive legal regulations in Indonesia?

¹⁵ Sayuti, Ghina Nabilah Effendi, and Illy Yanti, "Freedom of Speech Without a Direction: Criticism of the Promotion of Freedom of Speech in Indonesia," *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan* 23, no. 1 (2023), <https://doi.org/10.30631/alrisalah.v23i1.1389>.

¹⁶ *Ibid.*

¹⁷ Bramedika Kris Endira et al., "Kedudukan Dan Peran Organisasi Profesi Advokat Terhadap Advokat Yang Berhadapan Dengan Hukum," *JURNAL USM LAW REVIEW* 5, no. 1 (2022), <https://doi.org/10.26623/julr.v5i1.4841>.



1.3. Method

To address the above questions, this study employs normative juridical research based on primary, secondary, and tertiary legal materials. Accordingly, this research applies several approaches, namely the historical approach, conceptual approach, legislative approach, and a futuristic approach. The analysis is conducted through interpretive legal analysis to examine the dynamics of notary organizations, whose existence is essential in realizing Indonesia as a state governed by the rule of law.

2. RESULT AND DISCUSSION

2.1. Dynamics of Notary Organizations in Indonesia

The notary organization is an official forum that brings together notaries to maintain the honor, dignity, and professionalism of the notary position, as well as being a means of coordination, supervision, and scientific development to guarantee quality legal services to the community.¹⁸ The urgency of the notary organization in Indonesia is quite old in age but still young in organizational maturity, serious management is needed, so that the notary organization can be authoritative in protecting members both internally and externally, in order to carry out intensive coaching for members whose numbers have now reached more than 20,000 people throughout Indonesia.

Historically, the notary organization called the Indonesian Notary Association (INI) was founded during the Dutch East Indies government in September 1908 and this organization has also joined the International Latin organization with its 66th membership in the International Latin Notary Organization (International Union of Latin Notaries - UINL) since May 30, 1997.

A code of ethics is a set of norms, rules and moral principles that serve as a guideline for behavior for a profession or organization, with the aim of maintaining integrity, responsibility and public trust in the profession or organization.¹⁹

Notary organizations have internal rules called notary code of ethics made in the highest forum of the organization, containing ethics for members of the organization, this code of ethics is the spirit, dignity and at the same time the dignity of the notary profession, so that morality and integrity must be the responsibility of the organization and the state and government, one of which is making authentic deeds and cannot be equated with other organizations. So it takes strong

¹⁸ Betty Ivana Prasetyawati and Paramita Prananingtyas, "Peran Kode Etik Notaris Dalam Membangun Integritas Notaris Di Era 4.0," *Notarius* 15, no. 1 (2022), <https://doi.org/10.14710/nts.v15i1.46043>; Carissa Amanda Siswanto et al., "Legal Recognition of Electronic Notarial Acts: A Comparative Study of Indonesia and Rwanda," *Indonesia Private Law Review* 6, no. 2 (2026), <https://doi.org/10.25041/iplr.v6i2.4686>.

¹⁹ Imam Rahmaddani, "Pengawasan Kode Etik Jaksa Oleh Komisi Kejaksaan Guna Terwujudnya Jaksa Yang Profesional Dan Berintegritas," *Journal Presumption of Law* 5, no. 1 (2023), <https://doi.org/10.31949/jpl.v5i1.4403>.



leadership in the notary organization, both integrity, credibility and the spiritual atmosphere of the organization's managerial. This organization is important for members, because as:

1. A vehicle for sharing information related to regulations that are always growing and developing rapidly, whether related to Banking Law, Land Law, Company Law, Investment Law, Cooperative Law and so on.
2. A vehicle for mutual understanding of the development of notarial deeds with various needs and developments in notarial science related to the creation of notarial deeds.
3. A vehicle for mutual understanding of the development of notarial deeds with various needs and developments in notarial science related to the creation of notarial deeds.
4. Updating the development of the organization which is always active in accordance with increasingly rapid legal developments, through the notary code of ethics and applicable legislation.
5. Maintaining the development of members and fellow professional organizations, including vertical and horizontal collaborations with the central government, regional governments, village governments, and even with notary supervisory bodies, namely the MPD, MPW, MPP, and the Ministry of Law and Human Rights, particularly the Directorate General of AHU.

Based on the usefulness of the notary organization above, the management of the organization becomes the spirit of the welfare of its members, the management of the Indonesian Notary Association is as follows:

Central Board of the Indonesian Notaries Association

No	Year	Chairman's Name	Information
1	1974-1977 1977-1980 1984-1987	G.H.S.Lumbang Tobing	12 Years, interspersed with the second year with Soeleman Ardjasmita
2	1980-1984 1987-1990	Soelemn Ardjasmita	8 years interspersed with G.H.S Lumbang Tobing
3	1990-1993 1993-1996	Wawan Setiawan	8 Years in a Row
4.	1996-1999 2000-2003	Harun Kamil	8 Years in a Row



5.	2003-2006 2006-2009	Tien Norma Lubis	8 Years in a Row
6.	2009-2012	Adrian Djuani	4 years
7.	2012-2013	Kolektif Kolegial Adrian Djuani Arry Supratno Habub Adjie Pieter Latumentan Erni Rohaini	1 year
8.	2013-2016	Adrian Djuani	4 years
9.	2016-2019 2019-2023	Yualita Widyadhani	8 years
10.	2023-2026	Dualisme Kepemimpinan	

Based on the formulation above, it can be said that the dynamics of the management of notary organizations in Indonesia are quite dynamic and enthusiastic, so that at each congress the committee and steering committee team should work and prepare the congress agenda well, so as to avoid divisions.

The Indonesian Notaries Association (INI) celebrated its 117th anniversary on July 1, 2025, and has undergone 17 changes in its central management. Ironically, this experience has not been sufficient to establish a modern, solid, and authoritative professional organization structure on an ongoing basis. Leadership transitions are often characterized by unstable and volatile internal dynamics, encompassing policy direction, leadership, and organizational governance. This recurring phenomenon raises important questions about the root of the problems within the Indonesian notary organization. Is it weak internal consolidation, the lack of a long-term leadership vision, or political intervention that has shifted the organization's primary function as a guardian of the profession's dignity? This question is crucial because INI should serve as the primary bulwark in maintaining the integrity, ethics, and professionalism of notaries, rather than becoming a battleground for competing interests that erode collegiality and public trust in the notary profession.



The working relationship between the central management and regional management is a coordinative, communicative and structural relationship, where the central management plays a role in determining general policies and providing direction, while regional management implements programs, adapts to local conditions and reports on their implementation to the center to realize the organization's goals in an integrated manner.²⁰

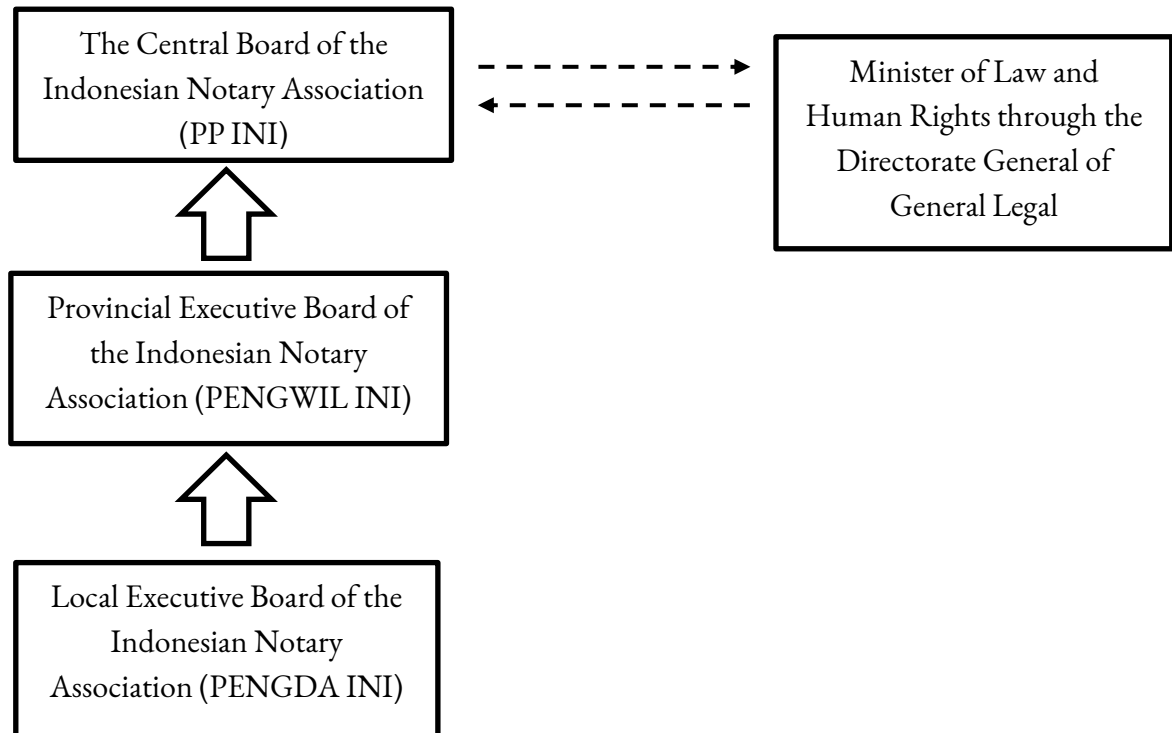
The success of an organization is greatly influenced by internal factors such as leadership, quality of human resources, organizational culture, communication, and management of existing resources.²¹ Internal organizational factors concerning working relationships between central and regional administrators, or the organization's considerable financial problems, or the problem of the increasing number of notaries in Indonesia due to the lack of synchronization in coordinating the requirements and appointment of notaries in Indonesia, or also the inability to measure the performance of job analysis in the modern organizational structure which is now continuing to develop.

The structure of the Indonesian Notary Association consists of the Central Board of the Indonesian Notary Association (PP-ANI), the Regional Board of the Indonesian Notary Association (there are 33 PW INI, while with the formation of new provinces it has now reached 39 provinces and the Regional Board of the Notary Association in the regencies/cities in Indonesia, with reference to regencies in Indonesia, there are 416 regencies and 98 cities, so there are around 514 regencies/cities in Indonesia. This means that the number of regional administrators of the Notary Association is around 300 (three hundred) more because it is possible that some regencies are combined in their administration considering that the number of notaries in the area is still very limited.

²⁰ Fitriana Gunadi, "Upah Proses Dalam Pemutusan Hubungan Kerja," *Jurnal Hukum & Pembangunan* 50, no. 4 (2021), <https://doi.org/10.21143/jhp.vol50.no4.2856>.

²¹ Mela Julia and Alifah Jiddal Masyuroh, "Literature Review Determinasi Struktur Organisasi: Teknologi, Lingkungan Dan Strategi Organisasi," *Jurnal Ekonomi Manajemen Sistem Informasi* 3, no. 4 (2022): 383–95, <https://doi.org/https://doi.org/10.31933/jemsi.v3i4.895>.

In the form of a diagram of the Organizational Structure of the Notary Association in Indonesia, it is structured as follows:



The Indonesian Notary Association has three levels of management: first, the Central Board of the Indonesian Notary Association (PP-INI) at the national level; second, the Regional Board of the Indonesian Notary Association (Pengwil INI) at the provincial level; and third, the Regional Board of the Indonesian Notary Association (Pengda INI) at the district/city level. Furthermore, the Indonesian Notary Association also has an institutional relationship with the Ministry of Law and Human Rights, specifically the Directorate General of General Legal Administration (Ditjen AHU), which acts as a supervisor. These supervisory duties are carried out by the Ditjen AHU as part of the authority of the Minister of Law and Human Rights.

Professional integrity is reflected in an honest, consistent and responsible attitude in carrying out duties in accordance with the code of ethics and moral values, thereby fostering trust and maintaining the honor of the profession.²² To ensure the standards of professionalism and integrity of notaries, the Minister of Law and Human Rights has the important task of supervising the notary profession. This duty, in accordance with statutory regulations, includes supervising notary positions, implementing administrative sanctions, and regulating a single-bar organization. This centralized guidance ensures that notaries work professionally and impartially. The absence of

²² Angelica Medistra Megaviesta Fau, Panondang Siagian, and Wilsa Road Betterment Sitepu, "Pengaruh Etika Profesi, Kompetensi Dan Integritas Auditor Terhadap Kualitas Audit (Studi Empiris Pada Kantor Akuntan Publik Di Kota Medan)," *Owner* 5, no. 2 (2021), <https://doi.org/10.33395/owner.v5i2.391>.



effective guidance and the emergence of multiple bars can lead to dualism, threaten legal order, and reduce oversight. Therefore, the Minister of Law and Human Rights must be consistent and firm in supervising notaries to create an orderly, transparent, and just legal system.²³

2.2. Organizational Settings Towards Versus Single Bar

Positive law through Article 82 of Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 concerning the Position of Notary does not recognize dualism of Notary organizations, and is even strengthened by the Decision of the Constitutional Court (MK) Number 009-014/PUU-III/2005, meaning that the material and formal unity of the notary organization has been tested through the Law and the decision of the Constitutional Court judge.

This means that, through Article 82 of Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 concerning the Position of Notaries, the Indonesian State has established a single notary organization called the Indonesian Notaries Association (INI). There is no room for dualism, let alone anything else. This structure is ideal because notaries, unlike other legal professions, are appointed and dismissed by the government, specifically the Minister of Law and Human Rights.

Organizational development is a planned and continuous effort to increase the capacity, performance, and quality of organizational resources through strengthening the structure, increasing member competency, and developing work systems so that organizational goals can be achieved effectively.²⁴ Established on the basis of unity and centralized guidance, the Indonesian notary organization aims to uphold the dignity and responsibility of the profession. More than just a gathering place, this organization plays a role in collectively fostering, supervising, and enforcing a code of ethics. The single-bar model aims to prevent fragmentation of interests, unclear roles, and inconsistent professional standards. This aligns with the notary's duty to ensure legal certainty, protection, and order. The emergence of the multi-bar concept contradicts the original spirit of the organization's formation and threatens the solidarity of the profession. The Ministry of Law and Human Rights plays a crucial role in maintaining the integrity of the notary organization as the only official body recognized by the state.²⁵

²³ Ermi Suhasti Syafei et al., "Mediation in Social Conflict Resolution at Tanjungpinang Malay Customary Institution, Riau Islands," *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan* 23, no. 2 (2023), <https://doi.org/10.30631/alrisalah.v23i2.1361>.

²⁴ Desy Maria Jalmav, Syahrudin Hattab, and Milwan Milwan, "Pengaruh Kepemimpinan Transformasional, Budaya Organisasi Dan Komitmen Organisasi Terhadap Employee Engagement Pada Lembaga Pembinaan Khusus Anak Kelas II Manokwari," *Ganaya: Jurnal Ilmu Sosial Dan Humaniora* 8, no. 1 (2025), <https://doi.org/10.37329/ganaya.v8i1.3692>.

²⁵ Ikhsan Lubis et al., "Penetration of International Economic Law in the Development of the Cyber Notary Concept in Indonesia," *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan* 22, no. 1 (2022), <https://doi.org/10.30631/alrisalah.v22i1.868>.



Another noteworthy fact is that following the 2023 Congress of the Indonesian Notaries Association (INI) in Banten, the internal condition of this notary professional organization experienced serious disorientation, marked by the split of its management into two camps, each claiming organizational legitimacy. This situation clearly indicates that INI, as the only historically and legally recognized notary professional organization, is not in a good condition. This internal division not only harms the spirit of collegiality among members but also contradicts the spirit of professional development as mandated by Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 concerning the Position of Notary.

Organizational disharmony occurs when conflicts, differences of interest, or a lack of healthy communication arise between members and between structures, thus hindering cooperation and the achievement of common goals.²⁶ Disharmony within the notary professional organization is disrupting institutional consolidation and the effectiveness of notary guidance and supervision, a government obligation under statutory regulations. This illustrates the complex challenges of creating a professional, integrated, and accountable notary system. Improving regulation and consistency in guidance are strategic steps to achieving good governance and upholding the rule of law in Indonesia.

Internal divisions within notary organizations impact the effectiveness of guidance and supervision, given the involvement of professional organizations in the Notary Supervisory Council (MPN). Interest biases arise when organizations are divided, compromising the neutrality of notary supervisors. This weakens the ethical oversight function and has the potential to undermine the legitimacy, public trust, and effectiveness of notary organizations, as has happened with other professional organizations. Therefore, internal reconciliation and reform are crucial to maintaining the dignity, integrity, and professionalism of notaries in Indonesia.

The existence of more than one notary organization risks disrupting legal order and notarial professionalism. Competition for legitimacy between these organizations complicates the implementation of guidance, supervision, and enforcement of codes of ethics. This leads to differing ethical standards, weak accountability, and the potential for corporate defense against notaries who violate the law. The fragmented representation of the profession also weakens the notary's voice before policymakers and the public.²⁷

The above conditions will have a significant impact on the guidance and supervision of notaries as an extension of the government, in this case the minister, which is carried out by the Notary Honorary Council and the Supervisory Council, both the Regional Supervisory Council,

²⁶ Zulkarnaini Zulkarnaini, Irfan Arif Husen, and Rutinaias Haholongan, "Manajemen Konflik Dalam Organisasi: Strategi Dan Dampaknya Terhadap Kinerja," *EKOMA : Jurnal Ekonomi, Manajemen, Akuntansi* 4, no. 4 (2025), <https://doi.org/10.56799/ekoma.v4i4.8623>.

²⁷ Elena Mitskaya, Kurmangaly Sarykulov, and Kholis Roisah, "Problems of Equality in the Realisation of the Right to Association in Kazakhstan," *Law Reform: Jurnal Pembaharuan Hukum* 20, no. 2 (2024), <https://doi.org/10.14710/lr.v20i2.65032>.



the Regional Supervisory Council and the Central Supervisory Council, which are attributes of the Minister of Law and Human Rights as the government in carrying out guidance and supervision. Since the Notary Position Law came into effect in 2004 and was refined by Law Number 2 of 2024 concerning the Notary Position, there is absolutely no desire for dualism in the management of Notary professional organizations.

Articles 28 to 32 of Law Number 18 of 2003 on Advocates regulate the organization of the advocate profession. The government must immediately be alert to the division of notary organizations in Indonesia before the division becomes bigger, as is currently the case with the advocate professional organization, which is now said to have reached more than 94 (ninety-four) advocate organizations, even though the advocate law only requires one advocate professional organization.

The model of guidance and supervision carried out by the government towards the Notary profession has at least become a role model for the profession of Supervision of Land Deed Making Officials (PPAT), at the Ministry of Agrarian Affairs and Spatial Planning of the National Land Agency (Ministry of ATR/BPN), with the issuance of Regulation of the Minister of Agrarian Affairs and Spatial Planning of the Head of the National Land Agency of the Republic of Indonesia Number 2 of 2018 Concerning Guidance and Supervision of Land Deed Making Officials.

If the preparation and planning of any organizational congress is not well prepared, especially in the function of the Steering Committee (SC) as the congress planner, then it is certain that a congress will only give rise to internal and external conflicts, because the congress is the highest forum of the organization which can play an important role in maintaining the dignity of the organization, especially in improving the Articles of Association and the Bylaws as guidelines for running the organization.

The split in the notary organization occurred due to the failure of the INI Congress in Cilegon Banten, the Cilegon Congress gave birth to the INI leadership version of Tri Firdaus and dissatisfied with the Cilegon Congress, then as many as 24 Regional administrators held an Extraordinary Congress (KLB) in Bandung, West Java, October 29-30, 2023. The Congress which was held in Bandung was in accordance with the mandate of the previous Congress (Congress XXIII) in 2019. The Bandung Congress formed the management version of Irfan Ardiansyah. The High State Administrative Court (PT-TUN) through decision 334 / B / tf / 2024 / PT.TUN Jakarta and decision Number 361 / B / TF / 2024 / PT TUN JKRT decided that the INI management resulting from the Bandung KLB was valid, because it was considered that the implementation of the KLB was in accordance with the AD / ART, so that the government then determined the INI management version of the KLB, but the Tri Firdaus camp filed another lawsuit.

The above situation illustrates the disunity within the notary organization in Indonesia. A solid organization will only emerge from a management that upholds law and ethics, as well as members who are qualified and have noble morals. Organizational disunity can be resolved through



good governance and oversight. Aren't notaries public officials, whose appointment and dismissal are the responsibility of the government.

Indonesia is a country of law, as the Indonesian constitution expressly states in the Basic Law. The state, government, any organization and society are obliged to obey the laws and regulations in force. The principle of a country of law guarantees legal certainty, order and legal protection that is based on truth and justice, through legal traffic and community life, evidence is needed that clearly determines the rights and obligations as legal subjects in society, so that authentic deeds made by/before a notary are strong and perfect evidence. It can be said that the existence of notaries and their organizations is one of the symbols of Indonesia as a country of law.

That the Indonesian state has built a single notary organization model called the Indonesian Notary Association, notaries in carrying out their work require guidance, supervision and legal protection from the government and their professional organizations in accordance with applicable laws, the division of notary organizations must not occur because it is contrary to positive law and the values of Pancasila which are established as the foundation of the Republic of Indonesia.²⁸

The struggle for the management of notary organizations is truly a disaster for the Indonesian legal state and it is very unfortunate that it has happened to an old organization like the Indonesian Notary Association (INI) which will be 117 years old in 2025, because its organizational structure has become a model for many other organizations, including Land Deed Making Officials (PPAT) with the birth of regulations for the Development and Supervision of Land Deed Making Officials.²⁹

²⁸ Azhary Azhary, *Negara Hukum Indonesia: Analisis Yuridis Normatif Tentang Unsur-Unsurnya* (Depok: Penerbit Universitas Indonesia, 1995), <https://books.google.co.id/books?id=1G67AAAACAAJ>. Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia expressly stipulates that "*Indonesia is a state based on the rule of law.*" Furthermore, Article 82 of Law Number 2 of 2014 concerning the Amendment to Law Number 30 of 2004 on the Office of Notary provides as follows:

1. Notaries shall be organized within a single notarial organization.
2. The notarial organization referred to in paragraph (1) shall be the Indonesian Notary Association (Ikatan Notaris Indonesia).
3. The notarial organization as referred to in paragraph (1) constitutes the sole, independent, and autonomous professional organization of notaries, established with the purpose and objective of enhancing the quality of the notarial profession.
4. Provisions concerning the objectives, duties, authorities, working procedures, and organizational structure shall be stipulated in the Articles of Association and Bylaws of the notarial organization.
5. Provisions regarding the regulation, guidance, and supervision of the notarial organization shall be governed by a Ministerial Regulation.

²⁹ Bagir Manan, *Hukum Positif Indonesia: Satu Kajian Teoritik* (Yogyakarta: Fakultas Hukum, Universitas Islam Indonesia, 2004), <https://books.google.co.id/books?id=MbGDMQAACAAJ>; Kementerian Hukum dan Hak Asasi Manusia Republik Indonesia, *Buku Panduan Pelaksanaan Tugas Dan Wewenang Majelis Pengawas Notaris (MPN)* (Jakarta: Direktorat Jenderal Administrasi Hukum Umum, n.d.); Kementerian Agraria dan Tata Ruang/Badan Pertanahan Nasional, "Peraturan Menteri Agraria Dan Tata Ruang/Kepala Badan Pertanahan Nasional Nomor 2 Tahun 2018 Tentang Pembinaan Dan Pengawasan Pejabat Pembuat Akta Tanah (PPAT)," 2018.



The split in the advocates' organization (the National Advocate Council). Will Indonesian notaries emulate this model? Is this the impact of globalization, which is open and prioritizes human rights and freedom of association as enshrined in the Indonesian constitution and legislation.³⁰

Notary is one of the professions in the legal field, on the other hand, notary is a public official, so the position of the government as a supervisor and supervisory institution is very important to maintain the dignity of the notary code of ethics and the notary honorary council and the supervisory board which is tasked with maintaining and protecting the work and ethics of notaries in carrying out their work if there are reports from the public or actions that are not commendable from notaries in carrying out their authority and position.

The multi-bar organization for notary organizations has caused the profession to metamorphose into workers, thus damaging and disfiguring the noble profession it holds and simultaneously disrupting the country's position as a state of law, especially the notary organization itself which uses the notary supervisory council model at every level at the central, provincial and city district levels throughout Indonesia. The desire to break up the notary organization has actually been recorded in the legal history of the existence of notaries in Indonesia with its various names and has been tested through legal channels in 2005. Constitutional Court Decision Number 009-014/PUU-III/2005.

2.3. The Impact of a Multi Bar Noatrical Organization (A Crossroads)

Dualism within notary organizations is a problem that the Indonesian government needs to address in the era of globalization, which demands legal certainty for investment. The existence of several notary professional organizations risks creating differences in ethical standards and notarial oversight. This situation can disrupt the investment climate by creating legal uncertainty. Therefore, the government needs to strengthen regulations, harmonize institutions, and uphold the principle of a single bar organization to ensure legal authority and unified professional standards. Systematic restructuring of notary organizations is a national necessity to create a conducive, transparent, and legally certain investment environment.

The dualism of multiple organizations within a single profession triggers the potential for overlapping responsibilities, varying standards, and conflicting interests that weaken the institution. As a result, the development and oversight process is disrupted, the law becomes uncertain, and public trust is diminished.³¹

³⁰ Muhammad Andika Hariz Hamdallah, "Wadah Tunggal Organisasi Advokat Dan Pengaruhnya Terhadap Profesi Advokat Di Indonesia," *Reformasi Hukum* 21, no. 2 (2017): 222–51.

³¹ Anisa Hermawati, Sarman Sarman, and Harinanto Sugiono, "Sinergi Organisasi Masyarakat Dan Pemerintah Sebagai Aktor Dalam Hukum Lingkungan Di Indonesia," *JURNAL HUKUM PELITA* 6, no. 1 (2025), <https://doi.org/10.37366/jhp.v6i1.5824>.



Positive law through Article 82 of Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 concerning the Position of Notary does not recognize dualism of Notary organizations, and is even strengthened by the Decision of the Constitutional Court (MK) Number 009-014/PUU-III/2005, meaning that the material and formal unity of the notary organization has been tested through the Law and the decision of the Constitutional Court judge.

This means that, through Article 82 of Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 concerning the Position of Notaries, the Indonesian State has established a single notary organization called the Indonesian Notaries Association (INI). There is no room for dualism, let alone anything else. This structure is ideal because notaries, unlike other legal professions, are appointed and dismissed by the government, specifically the Minister of Law and Human Rights.

The development and supervision of notary organizations internally and internally must place the interests of the state and nation above personal and group interests, so that a strong and authoritative government is also needed, because multi-organization can be said to be a failure of the government in carrying out its development patterns so far, so that it is certain that the legal protection of the community is also disturbed. Notaries as a noble profession demand a dominant government role in their supervision and development, both in routine annual inspections at notary offices directly and their appointments and dismissals, so that the development of their professional organizations becomes clear and transparent.

Notaries play a crucial role in ensuring legal certainty, order, and protection for the public because they are the only profession authorized to issue authentic deeds. The Law on the Position of Notary (Law No. 30/2004, Article 1, number 1) affirms this and also outlines other notary authorities. The resulting authentic deeds have perfect evidentiary force and serve as important legal instruments in various fields such as civil, financial, and land matters. Therefore, notaries are not merely administrators but also representatives of the state in guaranteeing the legality and validity of legal acts. Professional development, effective supervision, and enforcement of the notary code of ethics are essential in a state governed by the rule of law to ensure fair and sustainable legal protection.

The duties of a notary are to make authentic deeds and carry out other powers granted by law to ensure certainty, order and legal protection for the community.³² Notaries in carrying out their duties require guidance, supervision and legal protection from the government and their professional organizations in accordance with applicable laws, because Indonesian notaries are a combination of public officials as well as a profession in the legal field. The division of notary organizations shows that the dynamics of notary organizations in Indonesia are very sharp and certainly detrimental to the professionalism of notaries in the era of globalization, because notaries

³² Agina Conari Augustisia, Muhammad Syaifuddin, and Agus Trisaka, "Peran Strategis Notaris Dalam Optimalisasi BPHTB: Telaah Rasio Hukum Kewajiban Pelaporan PPJB Kepada Kepala Daerah," *Jurnal Ilmiah Hukum Kenotariatan* 14, no. 1 (2025).



are positions of trust. The Indonesian legal state through the government and Notary organizations, popularly known as the Indonesian Notary Association (INI), the division of organizations is marked by dualism in the management of Notary organizations, aka the division from a single body (single bar) is a sign of moving towards a multi-bar like the advocate organization in Indonesia. The role of the government through guidance and supervision is very necessary, because the conflict certainly has an impact not only on the image and dignity of notaries as a noble profession that prioritizes high values and morals as a position of trust for the community and government partners as well as the embodiment of Indonesia as a state of law, but what is more crucial is the challenge of guidance by the state and government in the future regarding the model of sustainability and professionalism of notary organizations in the era of globalization, considering that notaries are public officials, who are appointed and dismissed by the state and government.

A multi-bar organization is a legal professional body that brings together more than one association or group of advocates in one country.³³ Government and state guidance in determining the direction of sustainability and professionalism of Indonesian notaries as the vanguard in realizing development with legal certainty. A chaotic (multi-bar) notary will disrupt investment and public order because notaries are positions of trust.

Internal disputes within notary organizations can seriously impact the integrity and stability of the profession, both within and outside the organization. Internally, these disputes can lead to confusion about the roles of members and administrators, thereby reducing solidarity and disrupting the implementation of the code of ethics. Externally, these disputes can hamper the effectiveness of guidance and supervision by the Notary Supervisory Board (MPN), particularly the Regional Supervisory Board (MPD), in field inspections and investigations of alleged violations. Coordination between the MPD, the Regional Supervisory Board (MPW), and the Central Supervisory Board (MPP) in following up on findings and making recommendations to the Minister of Law and Human Rights will also be disrupted. As a result, administrative decision-making and the imposition of sanctions by the Minister may be hampered, which in turn risks undermining the authority and effectiveness of the notary oversight system.

The legal consequences of the multi-bar system for notary organizations are on the model of supervision and guidance of notaries, so it can be said that the multi-bar system for notary organizations is not in accordance with the position and function of notaries as public officials.

³³ Selamat Tambunan and Bambang Heri Supriyanto, "Advocate Immunity Rights in Indonesian Principles, Concepts, and Legislation," *International Journal of Social Science* 2, no. 5 (2023), <https://doi.org/10.53625/ijss.v2i5.5008>.



2.4. Government Guidance & Supervision of Notaries

Supervision of notaries and all their institutions is attached to the government, in this case the Minister of Law, specifically the Directorate General of AHU as the supervisor of notaries.³⁴ Notaries and all notary institutions exist due to the need for perfect evidence in the lives of the community, because the development of the needs and interests of the community will certainly continue to increase and the legal problems such as business, investment in a fairly long period of time, so that it is necessary to make an agreement through an agreement, so that the parties comply and obey the agreement they made.³⁵

Who is most disadvantaged by the dispute over the dualism of the notary organization's management, according to the Irfan Ardiansyah and Tri Firdaus management versions, which has not yet been resolved, is none other than the members of the organization, namely notaries throughout Indonesia, whose number reaches 20,000 people.³⁶

The dualism of the management of the Indonesian Notary Association and the Government Reconciliation has been carried out through the Announcement of the Indonesian Government through the Directorate General of AHU, Ministry of Law (Kemenkum), in early January 2025, precisely January 16, 2025 through a press conference, providing recognition of the management of Irfan Ardiansyah for the 2023-2026 period on the basis of:

1. The legal aspect of the Jakarta PTUN Decision, both at the first level and the appeal level, which determined Irfan's leadership as the elected chairman, so that the evidence, validity, trial, and congress have been proven through court evidence.
2. Sociological aspect, Irfan's management is supported by 24 regional administrators out of 33 INI regional administrators.
3. The election of Tri Firdaus as administrator at that time was not carried out based on the INI articles of association and bylaws mechanism..

³⁴ Article 1 paragraph (4) of Law Number 2 of 2014 concerning the Amendment to Law Number 30 of 2004 on the Office of Notary should be compared with Article 1 paragraph (14) of Law Number 30 of 2004, which stipulates that "the Minister" refers to the minister whose duties and responsibilities encompass the field of notarial affairs. Under the Red and White Cabinet, the supervision of notaries is carried out by several related institutions. These include the Notary Supervisory Council (Majelis Pengawas Notaris/MPN) and the Ministry of Law and Human Rights (Kementerian Hukum dan Human Rights) through the Directorate General of General Legal Administration (Direktorat Jenderal Administrasi Hukum Umum/Ditjen AHU) as the authority responsible for supervising notaries.

³⁵ Lia Trizza Firgitta Adhilia and Anisah Daeng Tarring, "Prosedur Pembinaan Dan Pengawasan Notaris Oleh Majelis Pengawas Notaris Daerah," *Jurnal Litigasi Amsir* 9, no. 4 (2022).

³⁶ Nafiatul Munawaroh, "Berapa Tahun Yang Dibutuhkan Untuk Jadi Notaris?," Klinik Hukumonline, November 30, 2025, <https://www.hukumonline.com/klinik/a/berapa-tahun-yang-dibutuhkan-untuk-jadi-notaris-lt65606f0818f88/>; Fitri Novia Heriani and Willa Wahyuni, "Resmi Terima SK, Irfan Ardiansyah Pimpin INI Hingga 2026," Hukum Online, January 25, 2025, <https://www.hukumonline.com/berita/a/resmi-terima-sk--irfan-ardiansyah-pimpin-ini-hingga-2026-lt6793d52531806/>.



Tri Firdaus has sued the government's actions at the South Jakarta District Court with lawsuit number 169/Pdt.g/2025/PN.JKT.SEL.³⁷ The division of management results in a lack of attention, guidance and optimal protection. The Challenge of Government Guidance for the Division of Notary Organizations towards Sustainability and Professionalism in the Era of Globalization, Before breaking into pieces, notary organizations really need a more intensive role and guidance from the government towards notary organizations in Indonesia, because notaries are public officials who make authentic deeds, so that their profession and performance cannot be separated from the general principles of good governance and applicable laws.

Learning from the existence of advocate organizations in Indonesia, as a sad fact of the rule of law in Indonesia, before the notary organizations broke up, there were many advocate organizations, which now number 53 advocate organizations and have now formed a Joint Central Honorary Council (DKPB) to uphold the advocate profession as a noble profession (*officium nobile*) through fair, professional and transparent ethical mechanisms.³⁸ Advocates are not public officials like notaries, but the government's delay in providing guidance to advocates has had an impact on law enforcement in Indonesia which is fragile and lacks authority.

Globalization and profession are interrelated because the current of globalization demands that every profession improve its competence, integrity, and professionalism in order to be able to compete globally, adapt to technological developments, and maintain ethical values in providing quality services.³⁹ Globalization poses a real challenge for the state and society in upholding moral values and legal integrity. In this context, the government is required to synergize the functions of notaries as public officials and the legal profession. As public officials, notaries are authorized to issue authentic deeds; however, as legal professionals, notaries are also obligated to uphold ethics and professionalism. An imbalance between these two roles can undermine public trust. Therefore, effective government guidance and regulation are essential to ensure that notaries remain dignified law enforcers and responsive to global challenges.

³⁷ Hari S., "Tri Firdaus Gugat Pengesahan Irfan Ardiansyah Sebagai Ketum INI Oleh Dirjen AHU," BeritaSatu Network, March 3, 2025, <https://www.beritasatu.com/network/nusantarapos/475347/tri-firdaus-gugat-pengesahan-irfan-ardiansyah-sebagai-ketum-ini-oleh-dirjen-ahu>; Cesaria Hapsari, "Diduga Blunder Soal Putusan Ketua Umum Ikatan Notaris Indonesia, Kuasa Hukum Minta Presiden Copot Widodo Dirjen AHU," Hops ID, February 7, 2025, <https://www.hops.id/trending/29414504214/diduga-blunder-soal-putusan-ketua-umum-ikatan-notaris-indonesia-kuasa-hukum-minta-presiden-copot-widodo-dirjen-ahu>; Ady Thea DA, "Akhir Dualisme Kepengurusan, Pemerintah Putuskan Irfan Ardiansyah Sebagai Ketum INI," Hukum Online, January 16, 2025, <https://www.hukumonline.com/berita/a/akhiri-dualisme-kepengurusan-pemerintah-putuskan-irfan-ardiansyah-sebagai-ketum-ini-lt6789027386be9>.

³⁸ "Organisasi Advokat Indonesia Sepakat Bentuk Dewan Kehormatan Pusat Bersama (DKPB)," PERADI, November 29, 2023, <https://peradi.id/organisasi-advokat-indonesia-sepakat-bentuk-dewan-kehormatan-pusat-bersama-dkpb/>.

³⁹ Dwi Rahma Dani et al., "Kompetensi Profesional Akuntan Dalam Menghadapi Tuntutan Globalisasi Ekonomi," *Jurnal Altifani Penelitian Dan Pengabdian Kepada Masyarakat* 5, no. 3 (2025), <https://doi.org/10.59395/altifani.v5i3.687>.



Notaries in Indonesia have a unique role, serving as public officials on one hand and as legal professionals on the other. This dual function creates its own dynamics, often experiencing ups and downs, and in practice, it also impacts the stability and existence of notary professional organizations. The tension between institutional and professional roles is a crucial indicator of the disunity of notary organizations, reflecting the suboptimal integration of state functions and professional ethics within a unified institutional framework.⁴⁰

Based on Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 concerning the Position of Notary, the legal and formal regulation of the position of notary in Indonesian positive law has entered its 25th year, marking a quarter of a century of recognition and standardization of the notary profession in the national legal system. However, on the other hand, historically, the notary professional organization, the Indonesian Notaries Association (INI), will commemorate its 117th anniversary on July 1, 2025 (July 1, 1908–July 1, 2025). This difference reflects that the existence of notaries in Indonesia has existed functionally and institutionally since the colonial era, long before receiving formal regulation through national law. This also shows that the notary profession has strong historical roots, but still faces contemporary challenges in strengthening regulations, organization, and institutional integrity.

Notaries in Indonesia are better known as public officials than as a legal profession, so it can be said that notaries as a profession have weakened a little, this can be seen in the two conceptual structures that are carried through positive law in Indonesia, namely;

1. Law Number 30 of 2004 concerning the Position of Notary (valid for 10 years 2004-2014)
2. Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 concerning the Position of Notary (effective in 2025, at least 11 years 2014-2025)

From the two laws above, Notaries in Indonesia are public officials and notary organizations are professional organizations and have a Notary Supervisory Board and are under the minister whose task is to organize government affairs in the legal field whose duties and responsibilities include the notary field in this case is the Ministry of Law and Human Rights. After the determination of the management of the Indonesian Notaries Association, it turned out that another group responded to a lawsuit in court, this shows that the two groups that have been at odds after the congress are still ongoing, so there are several possibilities that will happen in the future, namely

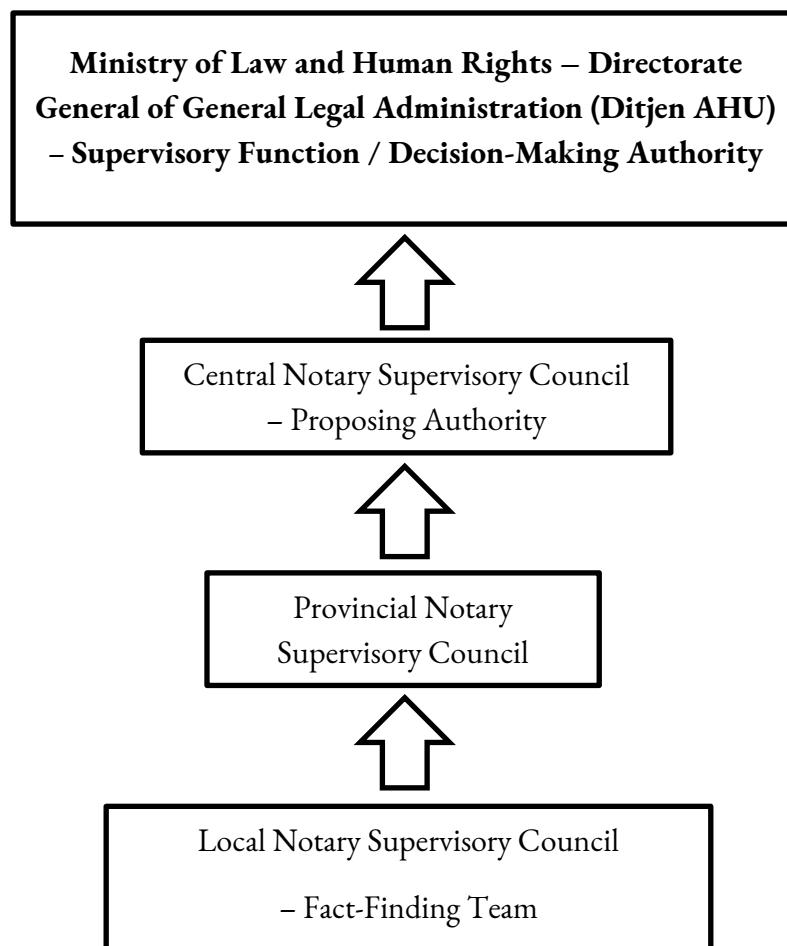
1. waiting for the court's decision.
2. the possibility of uniting or there will always be a split in the notary organization.

⁴⁰ Elita Rahmi, *Majelis Pengawas Notaris & Khazanah Pendidikan Notaris*, ed. Ardi Saputra Gulo (Jakarta: Pentas Grafika, 2021).



Based on Article 82 of Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 concerning the Position of Notary, there is no dualism of notary organizations, meaning that since 20 years ago the notary organization has been a place where notaries gather in one notary organization whose name is also mentioned in a limited way with the term Indonesian Notary Association which is the only free and independent notary profession organization formed with the aim of improving the quality of the notary profession whose objectives, duties and authorities, work procedures and organizational structure are stipulated in the Articles of Association and Bylaws of the Notary organization and provisions related to the notary organization will practically be regulated by ministerial regulations strengthened by the Constitutional Court Decision Number 009-014/PUU-III/2005, meaning that the material unity of the notary organization.

Notary Supervisory Structure in Indonesia



The government's supervisory structure for Notaries consists of 9 people, consisting of 3 government elements, 3 notary organization elements and 3 expert or academic elements (three people).



The oversight structure for notaries in Indonesia is hierarchically and systematically regulated. Supervision begins with the Regional Supervisory Council (MPD), which acts as a direct supervisor and fact-finding team for suspected violations committed by notaries within its jurisdiction. The MPD's inspection results or findings are then reported to the Regional Supervisory Council (MPW) at the provincial level. The MPW has the authority to assess and recommend follow-up actions based on the MPD's inspection results.

The oversight process then proceeds to the Central Supervisory Board (MPP), which is based at the national level. The MPP acts as the proposer or final recommendation for administrative sanctions to the Minister of Law and Human Rights. The authority to impose sanctions or make final decisions in the supervision process for notaries rests with the Minister of Law and Human Rights, and is implemented through the Directorate General of General Legal Administration (Ditjen AHU), which serves as the supervisory and notary supervisory body under the ministry.

With this tiered system, the supervision process for notaries is carried out objectively, transparently and accountably, in order to guarantee the professionalism and integrity of the notary's position in carrying out his duties and authorities.

Based on the management structure of the Notary organization, it can be said that the Central Management of the Indonesian Notary Association should protect the lower level management, namely the Regional Management and Regional Management as the front guard in carrying out its duties and obligations to protect its members, namely the notaries in their respective regions.

3. CONCLUSION

The Indonesian Notaries Association is facing a crisis due to internal conflict stemming from a lack of preparation for its Congress, particularly from the steering committee. This unpreparedness, both substantively and technically, threatens the organization's position as the sole legitimate body under the Notary Law. Consequently, the development and supervision of notaries could be disrupted, the ethical and professional standards of state officials could decline, and rival organizations could emerge that violate the principles of the rule of law and undermine the integrity of the profession. Therefore, reconciliation and organizational restructuring are crucial. The Ministry of Law and Human Rights and the Notary Supervisory Board must foster, supervise, and take firm action if divisions persist. Notaries need to maintain solidarity and professional ethics, while the public is expected to play an active role in monitoring and reporting violations. Collaboration between the government, notaries, and the public is crucial to maintaining the profession's dignity and ensuring fair and integrated law enforcement.



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ACKNOWLEDGEMENT

The author(s) would like to express their sincere gratitude to all individuals and institutions who contributed to the completion of this research. Special thanks are extended to [supervisors, colleagues, or institutions] for their valuable guidance, constructive feedback, and continuous support throughout the study. Appreciation is also conveyed to [family, peers, or organizations] for their encouragement and assistance during the research process.

DISCLOSURE STATEMENT

The author(s) declare that there is no conflict of interest regarding the publication of this paper. All opinions, interpretations, and conclusions expressed are solely those of the author(s) and do not necessarily reflect the views of any affiliated organizations.

FUNDING

This research received no specific grant from any funding agency in the public, commercial, or not-for-profit sectors.