

Prohibitions on Notary Promotion and Digital Legal Education: Reconstructing Ethical Boundaries in Indonesia

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ABSTRACT

Advances in digital technology have transformed communication patterns within the legal profession, including the notary profession, thereby blurring the line between legal consultation and the promotion of notary services. On the one hand, notaries have a duty to provide legal consultation as part of their social function; on the other hand, they are bound by a prohibition on promotion aimed at preserving the dignity and independence of the office. This situation creates normative ambiguity and the potential for ethical violations, particularly in the practice of legal consultation via digital media. The purpose of this study is to analyze the normative regulations regarding the prohibition on promotion in the Notary Office Act and the Notary Code of Ethics, as well as to examine the relevance and limitations of their application to legal consultation activities conducted by notaries in the digital age. The research method employed is normative legal research using a juridical, conceptual, and analytical approach. The findings indicate that the prohibition on promotion within the notary profession remains philosophically relevant for preserving the dignity, independence, and public trust in the notary profession. However, in the context of the digital era, existing regulations are not yet fully adaptive, thereby creating a gray area between educational legal counseling and covert promotion. Therefore, a reconstruction of the regulatory framework is necessary through the clarification of normative and ethical boundaries in digital legal counseling, including specific regulations regarding notaries' digital communication, the strengthening of a digital-based code of ethics, and more responsive oversight mechanisms to technological developments.

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Introduction

The notary profession is one of the legal professions that plays a strategic role in Indonesian society (Abdul, 2021). The status of the Notary as a “Public Official” is a key element in understanding their role, indicating that Notaries possess general authority to serve the public interest (Jannah & Alfath, 2025). As a public official authorized by the state to create authentic deeds, a notary is responsible for the drafting, signing, and certification

of civil deeds that possess full probative force in court. This role is not merely administrative, but is also imbued with strict ethical and normative dimensions. Law No. 2 of 2014 Amending Law No. 30 of 2004 on Notaries (hereinafter referred to as the UUJN) serves as the primary legal foundation governing this profession, emphasizing the principles of independence, public trust, and integrity. Additionally, the Code of Ethics for Notaries, published by the Indonesian Notary Honorary Council (MKNI) in 2016, reinforces behavioral norms for notaries to uphold the dignity of the profession amidst the ever-evolving socio-economic landscape.

With the advancement of the digital era, the line between legal education and the promotion of notary services has become increasingly blurred. Social media has created a communication ecosystem that enables the rapid dissemination of content and reaches a wide audience (Yudho & Alfath, 2026).

Social media, personal websites, video channels, and other digital platforms open up a vast space for notaries to convey legal information to the public. In this context, legal counseling activities—which are fundamentally part of the notary’s social function as mandated by Article 15 of the Notary Law—risk a shift in meaning if not constrained by normative and ethical boundaries. This provision authorizes notaries to provide legal education regarding the drafting of deeds, which philosophically aims to enhance the public’s legal understanding and prevent future disputes (Ramadhandiko & Lewoleba, 2025).

The distinction between legal consultation and the promotion of notary services is a crucial issue in contemporary legal practice. Conceptually, legal consultation is a neutral, informative educational activity that does not aim to directly attract clients. Conversely, the promotion of notary services involves commercial elements intended to increase the number of service users through marketing approaches. In practice, particularly in the digital space, this boundary becomes blurred. Educational content shared by notaries via social media may implicitly contain promotional elements, such as prominently displaying the notary’s identity, including a call to use their services, or highlighting the advantages of specific services (Ramadhandiko & Lewoleba, 2025). In today’s digital age, where platforms such as social media, websites, and online applications dominate public interaction, notaries face a dilemma: how to disseminate legal knowledge (public education) without crossing the line into commercial promotion. This phenomenon has become increasingly relevant in light of the COVID-19 pandemic, which has accelerated digital transformation, where notaries act not only as drafters of legal documents but also as legal consultants and educators for the general public, who are increasingly reliant on online information.

The prohibition on promotional activities within the notary profession is normatively grounded in the principle that the notary is not a commercial profession oriented toward market competition, but rather a profession based on trust (*officium nobile*) that upholds the values of integrity, objectivity, and professionalism. Therefore, any form of publication that could potentially lead to unethical client recruitment is considered contrary to the

fundamental principles of the notary profession. This provision is further reinforced in the Notary Code of Ethics, which explicitly prohibits promotional activities that are persuasive, competitive, or involve the commercialization of the notary office (Niken et al., 2025) .

Legal education is a manifestation of the social function of the legal profession, aimed at providing the public with an understanding of their legal rights and obligations, as well as preventing future disputes. This activity is fundamentally aligned with the principles of access to justice and the enhancement of public legal awareness. However, in practice, legal education conducted through digital media often raises normative ambiguities, particularly when the content presented has the potential to be perceived as a form of self-promotion (Prayoga & Handayani Ridwan, 2022) . This ambiguity arises due to the absence of clear and comprehensive boundaries in the Notary Law (UUJN) or the Notary Code of Ethics regarding the distinction between legal education and promotion in a digital context. On the one hand, notaries are required to play an active role in providing legal education to the public; on the other hand, they are constrained by norms that prohibit the promotion of their professional status.

The relevance of the ban on professional promotion for notaries must be critically analyzed in the context of the digital age. The provisions prohibiting promotion, as set forth in the Notary Code of Ethics, were essentially established in the context of conventional communication, where interactions within the legal profession were limited and not as open as they are today. In the digital age, notaries have a broader public communication space, so the rigid application of promotional bans has the potential to hinder the notary's educational role toward the public. Therefore, a more adaptive interpretive approach is needed in response to technological developments without disregarding the fundamental principles of professional ethics.

Within a normative framework, the boundaries of notaries' legal activities in digital media need to be explained more comprehensively. Although the Notary Law provides a legal foundation for such activities, the law lacks clear operational parameters regarding their form, methods, and limitations. Similarly, the Notary Code of Ethics remains general and unclear in regulating promotional restrictions. This ambiguity allows for broad interpretation, meaning that in practice, it relies heavily on the subjective judgment of professional organizations and supervisory authorities. Furthermore, from a progressive legal perspective, this situation demands a reconstruction of regulations—or *ius constituendum*—that is more responsive to developments in information technology. Ideally, future regulations should no longer view legal education and promotion as mutually exclusive, but rather establish more objective and measurable parameters. For example, by setting criteria for permissible educational content, establishing limits on the use of professional identities in digital media (), and implementing oversight mechanisms for content that could potentially constitute covert promotion.

This situation creates legal uncertainty and the potential for ethical violations, particularly when the interpretation of digital activities is subjective and inconsistent.

Furthermore, these dynamics raise legal issues regarding the relevance of promotional bans in an ever-evolving context. Conventional regulations may no longer be adaptive to the needs of a digital society that relies on rapid and open access to information. Therefore, an in-depth study is needed to assess whether the promotional ban in the Notary Law (UUJN) and the Notary Code of Ethics remains relevant and proportionate in accommodating legal education activities in the digital era (Issue & Lamlaj, 2020) .

Previous research on the prohibition of notary promotion has generally been limited to studies of ethical code violations in conventional settings. Consequently, there has been no in-depth analysis of the gray area that distinguishes between legal education activities and covert promotion in digital media. Furthermore, existing literature tends to be descriptive and has not yet offered normative solutions regarding ethical boundaries when notaries provide consultations in cyberspace. The novelty (*state of the art*) of this research lies in the effort to construct a normative framework to clarify the ethical boundaries between legal education and digital promotion, given that this issue has not been comprehensively regulated in the Notary Public Act or the applicable code of ethics. Therefore, this study offers a different perspective by analyzing the relevance of promotional restrictions within the framework of digital legal communication and proposing a normative construction of ethical boundaries for legal consultation activities conducted via digital platforms. This research contributes both theoretically and practically to the development of adaptive notarial ethics in the digital era. This study is important to conduct given the need to balance the protection of notarial professional ethical values with the demands of modernization and the digitalization of legal services (Alfath, 2026) . Furthermore, this study is also expected to provide theoretical contributions to the development of notary law, as well as practical recommendations for policymakers and professional organizations in formulating regulations that are more adaptive, clear, and responsive to technological advancements. Therefore, this study focuses on a legal analysis of the relevance of the ban on promotion in the notary profession to legal consultation activities in the digital era, by examining provisions in the Notary Law and the Notary Code of Ethics and identifying ideal normative boundaries in digital-based legal consultation practices by notaries.

Method

This study employs a normative legal research method (doctrinal legal research) focused on examining legal norms regarding the prohibition on promotion within the notary profession and its relevance to legal consultation practices in the digital era. This method was chosen because the research emphasizes the ambiguity of norms, the potential for normative conflict, and the need for legal interpretation of provisions governing the professional conduct of notaries in the use of digital media. The approaches used include the statutory approach, the conceptual approach, and the analytical approach, as outlined by Peter Mahmud Marzuki (Marzuki, 2022) . The statutory approach involves examining the Notary Public Act and its amendments, as well as the Notary Public Code of Ethics, while

the conceptual approach is used to understand the concepts of professional promotion, legal consultation, and notary professional ethics in the digital space. This study did not use informants or respondents because the research object focused on legal materials consisting of primary, secondary, and tertiary legal materials obtained through library research () .

The collection of legal materials was conducted using techniques of inventory, identification, and classification of various legal sources relevant to the research issue. Primary legal materials include laws and regulations related to the notary profession and the code of professional ethics, while secondary legal materials consist of books, scientific journals, previous research findings, and legal doctrines. The analysis of legal materials was conducted using a qualitative-prescriptive approach through the stages of legal material reduction, categorization of legal issues, interpretation of norms, and derivation of legal arguments. This study employed grammatical, systematic, and teleological interpretation methods to achieve a comprehensive understanding of the norms under examination. To ensure the validity of the legal arguments, a legal source triangulation technique was employed by comparing statutory provisions, expert doctrines, and prior research. The analysis results were then organized in a prescriptive manner to provide recommendations regarding the ideal framework for regulating promotional restrictions within the notary profession in the digital era.

Results and Discussion

1. Promotional Restrictions for Notaries in the Notary Public Act and the Notary Code of Ethics

Normative provisions regarding the prohibition on promotion for notaries in the Indonesian legal system reflect the characteristics of the notary office as a public official performing state functions in the field of civil legal services. Notaries are not positioned as profit-oriented service providers, but rather as a profession that upholds the principles of independence, neutrality, and integrity. Therefore, the provisions regarding the prohibition on promotion in the Notary Law (UUJN) and the Notary Code of Ethics serve as crucial instruments in upholding the dignity and honor of the notary profession (Yulinisyah, 2022) . Research findings indicate that the digitalization of media has sparked new challenges in the implementation of the prohibition on notary promotion. The phenomenon of social media use by some notaries indicates a blurring of the line between the dissemination of legal education and *personal branding* strategies that lead to covert promotion. This ambiguity arises because neither the UUJN nor the Notary Code of Ethics has yet addressed such communication patterns in detail. Therefore, the ban on promotional “ ” is no longer relevant if interpreted merely textually; rather, it must be approached through legal interpretation methods that adapt to the dynamics of the digital society. Normatively, the ban on promotion in the UUJN is not explicitly regulated using the term “promotion,” but is implicitly reflected in provisions governing the conduct and duties of notaries. This can be traced to Article 16(1)(a) of the UUJN, which states that a notary must act honestly, diligently, independently, impartially, and safeguard the interests of the parties involved in legal acts (Laminto & Nefi, 2022) . This provision implies that notaries must not engage in actions that could compromise their independence, including commercial or persuasive promotional activities

aimed at attracting clients. Additionally, Article 17 of the UUJN establishes prohibitions for notaries in the performance of their duties. Although it does not explicitly mention a ban on promotion, several provisions in this article can be interpreted as restrictions on activities that could potentially create conflicts of interest or damage the profession's reputation. For example, the prohibition against performing duties in an inappropriate manner or in a way that demeans the dignity of the office can be interpreted as covering aggressive promotional actions, such as paid advertisements or the use of social media for commercial purposes.

More explicit provisions regarding the prohibition on promotion are actually contained in the Notary Code of Ethics established by the professional organization, the Indonesian Notary Association (INI) (Dewi et al., 2025). This Code of Ethics is morally and organizationally binding on all notaries as its members. The Notary Code of Ethics explicitly prohibits promotion, particularly in the provision prohibiting notaries from engaging in self-promotion or publicity aimed at attracting clients. More detailed regulations regarding the prohibition on promotion are set forth in the Notary Code of Ethics from the 2025 Extraordinary General Meeting in Jakarta (hereinafter referred to as KEN), Article 5(b), which outlines prohibitions for notaries, including: notaries are prohibited from having more than one office, whether a branch office or a representative office; prohibited from installing nameplates and/or signage bearing the words "Notary/Notary Office" outside the office premises; prohibited from engaging in self-promotion by creating advertising content or client testimonials regarding the merits of notary services in public, whether individually or collectively, while disclosing their names and titles, using print media and/or social media that may undermine the dignity of the notary profession.

This study demonstrates the existence of a regulatory gap (*legal gap*) in the application of the notary code of ethics in the digital space. Various cyber activities, such as the posting of legal education content and interactive consultations, have proven difficult to separate from elements of covert commercial promotion. This situation reflects that current ethical rules remain too general and have lost their contextual relevance. To address this issue, an update to the substance of the code of ethics is needed, specifically establishing clear boundaries for digital activities while maintaining the principles of independence and professional integrity.

Additionally, the KEN regulates visual and administrative aspects related to a notary's identity, such as provisions regarding office signage. Notaries are required to use a " " sign with specific standard sizes, colors, and formats, and are prohibited from placing signage outside the office premises. These provisions aim to prevent the use of official emblems as conspicuous and competitive promotional tools. Furthermore, digital transformation has driven the emergence of personal branding among professionals, including notaries. Social media enables notaries to build their personal image widely and instantly, which, to a certain extent, may conflict with the prohibition on promotional activities (Tiffany, 2022). In this context, the line between legal education and promotional activities has become increasingly blurred and difficult to distinguish clearly. Therefore, a careful, proportional, and contextual interpretation of the promotional ban provisions is necessary to ensure that they do not hinder the notary's strategic role in enhancing public legal literacy, while maintaining the integrity, dignity, and independence of the profession.

Regarding violations of this promotional ban, the Indonesian legal system has established enforcement mechanisms through sanction provisions in both the UUJN and the KEN (Al-Mursyidi & Yaqin, 2024). Pursuant to Article 85 of the UUJN, a notary who

violates the duties and prohibitions of their office may be subject to graduated administrative sanctions commensurate with the severity of the violation, namely: (i) a written warning as an initial reprimand for relatively minor violations; (ii) temporary suspension, which prevents the notary from performing their duties for a specified period; (iii) honorable dismissal, imposed if the notary is deemed no longer capable of performing their duties properly but without gross negligence; and (iv) dishonorable dismissal, as the most severe sanction imposed for serious violations that undermine the dignity and integrity of the notary's office. These provisions indicate that any violation of the norms in the Notary Law (UUJN), including actions that potentially undermine the dignity of the office—such as “ ” or commercial promotional practices—carries serious legal consequences for the notary's continued tenure and status as a public official.

Research findings indicate that the enforcement of sanctions regarding promotions in the digital space is hindered by weaknesses in the evidentiary aspect and the ambiguity of normative parameters. Without concrete indicators regarding the boundaries of prohibited promotions, the qualification of ethical violations is often trapped in the subjective interpretation of the supervisory board or professional organization. This situation diminishes the effectiveness of existing administrative and ethical sanctions. The solution lies in strengthening regulations through the development of technical guidelines that provide legal certainty and clear parameters for those enforcing the code of ethics. Additionally, oversight mechanisms for notaries are carried out by the Notary Supervisory Board (hereinafter referred to as MPN) as stipulated in Article 67 of the Notary Law (UUJN), which states: Article 67(1) affirms that oversight of notaries is conducted by the Minister, who, in its implementation, as per paragraph (2), establishes the Supervisory Board as an executive body for oversight. Furthermore, paragraph (3) stipulates that the Supervisory Council consists of 9 (nine) members representing three elements: 3 (three) members from the government's Ministry of Law and Human Rights (), 3 (three) members from notary organizations, and 3 (three) experts or academics. This composition reflects the principle of checks and balances within the oversight system, ensuring that oversight is not merely administrative but also professional and academic (Marianti et al., 2020) . Under certain conditions, as stipulated in paragraph (4), if a region lacks a representative from a government agency, that position may be filled by a representative from another sector appointed by the Minister.

This study indicates that oversight of notaries' digital activities remains suboptimal due to limitations in monitoring mechanisms for social media and the absence of specific evaluation standards regarding digital promotion. Consequently, oversight is primarily conducted only after reports or complaints are received from the public or fellow notaries. These findings indicate that the existing oversight system remains reactive and is not yet fully preventive in addressing advancements in information technology. Therefore, institutional capacity-building for the Notary Supervisory Board is necessary to enable more adaptive oversight of notaries' digital practices in the modern era.

Furthermore, Article 67(5) stipulates that the scope of oversight encompasses notaries' conduct and the performance of their duties. This provision has a broad scope, covering not only the technical aspects of drafting deeds but also notaries' attitudes, ethics, and compliance with legal norms and codes of ethics—including those related to the prohibition of promotional activities. Thus, any form of action that has the potential to undermine the dignity of the office, such as commercial promotional practices, may be subject to

supervision. Furthermore, this provision is expanded through paragraph (6), which states that supervision also applies to Assistant Notaries, Special Assistant Notaries, and Acting Notaries.

Based on this normative framework, the Supervisory Board has the authority to actively provide guidance and conduct oversight of the performance of notaries' duties. In the event of a violation, including a violation of the promotional ban, the Supervisory Board may conduct an investigation and recommend the imposition of sanctions commensurate with the severity of the violation. This demonstrates that the enforcement of norms under the Notary Law is not merely normative but is supported by a systematic and functional institutional structure aimed at ensuring the professionalism, integrity, and accountability of the notary office. Theoretically, the findings of this study indicate that the prohibition on promotion within the notary profession can no longer be understood merely as an administrative restriction, but rather as an effort to maintain a balance between professional ethical values and the need to adapt to the evolution of digital society. This study also reinforces previous research highlighting the dilemma of notaries' use of social media, yet offers a novel perspective by emphasizing the importance of contextually reinterpreting ethical norms to remain relevant without compromising the essence of professional independence.

Thus, there exists a dual sanction system: administrative sanctions under the Notary Law (UUJN) and ethical sanctions under the Notary Code of Ethics, which complement one another in upholding notarial professionalism. The prohibition on promotion for notaries is a normative instrument with a strategic function in maintaining the dignity of the office, professional independence, and public trust in the notary profession. The provisions in the UUJN and the Notary Code of Ethics reflect a comprehensive approach, which not only focuses on formal legal aspects but also internalizes the ethical values that form the foundation of the profession. Amid the dynamics of the digital era, the implementation of the ban on promotion requires a balance between restricting the commercialization of the profession and optimizing the notary's role in providing legal education to the public in a professional, proportional, and ethical manner, while remaining subject to the provisions of applicable laws and regulations

2. Normative Construction of the Notary Code of Ethics from the Perspective of Digital Conduct Regulations and Ethical Boundaries of Legal Consultation

In addition to drafting authentic deeds, notaries are also authorized to provide legal consultation, as stipulated in Article 15(2) of the Notary Law, which requires notaries to provide legal consultation in connection with the drafting of deeds. This concept is based on Article 28H(1) of the 1945 Constitution of the Republic of Indonesia (hereinafter referred to as the 1945 Constitution), which guarantees every person's right to education and information, as well as Article 27(1), which guarantees equality before the law. The social function of a notary is not merely an administrative obligation, but the very essence of the notarial profession, rooted in the history of Roman-Dutch law, where the notary serves as a *consiliarius* (legal advisor) and "(Indrajaya et al., 2020). In notarial legal doctrine, this social function is categorized as "functie van algemene dienst" (public service function), as explained by *Asser in *Geschiedenis en beginselen der Notariële Rechtspleging** (1885) (Ningsih et al., 2022).

Conceptually, the legal education function provided by notaries is not merely understood as the conveyance of normative information, but as a concrete manifestation of the realization of citizens' constitutional right to access *justice*. From this perspective, notaries serve as a bridge between abstract legal norms and the public's practical understanding. Therefore, legal consultations must be conducted with a communicative, objective, and impartial approach, thereby systematically and sustainably enhancing the public's legal literacy. In Indonesia, the Supreme Court, through Supreme Court Regulation No. 6 of 2018 on Guidelines for Legal Education by Notaries, has expanded the scope of legal education. This regulation extends legal education not only to individual interactions between notaries and clients but also to collective activities such as seminars, workshops, and publications through the mass media. This demonstrates institutional recognition of the notary's role as a strategic actor in enhancing public legal awareness, particularly regarding civil law instruments such as deeds of sale, contracts, inheritance, and marriage. Thus, legal education by notaries serves as a preventive tool in reducing the potential for legal disputes in society. (Kie, 2007).

One of the fundamental principles inherent in the notary profession is the principle of independence, neutrality, and non-commercialization of the office. This principle is further concretized in the form of a prohibition on self-promotion, as stipulated in Article 4(1)(e) of the Notary Law, which essentially requires notaries to refrain from engaging in self-promotion—whether directly or indirectly—while performing their duties. This provision is reinforced by the Code of Ethics of the Indonesian Notary Association (INI), specifically the provision stating that notaries are prohibited from publishing or engaging in advertising activities to attract clients for commercial purposes (HS, 2018). This prohibition on promotion is theoretically rooted in the doctrine of *officium nobile*, which positions the notary profession as an office of honor that is not oriented solely toward economic gain.

Notaries are positioned as an extension of the state in providing fair and balanced legal services. Therefore, any form of activity leading to commercialization has the potential to diminish the noble values of the profession and undermine the notary's independence in performing their legal functions. This study found that the development of social media has shifted the communication patterns of the notary profession from a conventional model toward a more open digital exposure model. This shift has caused the boundary between professionalism and commercialization to become increasingly blurred, particularly when educational content is accompanied by the inclusion of personal identity, office logos, or persuasive narratives that indirectly build a specific professional image. Thus, the primary issue does not lie in the existence of digital media itself, but rather in the absence of normative indicators capable of measuring the intensity of commercial elements within a notary's educational content (H.Salim HS, 2025).

Over time, the Notary Code of Ethics has undergone a significant expansion of its scope, particularly with the inclusion of digital activities as part of the "conduct" it regulates. "Conduct" is no longer understood narrowly as physical actions but encompasses all observable expressions, including text, images, videos, and electronic communications. This indicates that notaries' activities on social media, websites, and other digital platforms have become an integral part of the subject of ethical regulation (Sesung et al., 2017). This strengthening of regulation fundamentally demonstrates that the Notary Code of Ethics is

adaptive to technological advancements. Prohibitions on the publication of official duties, the dissemination of content constituting professional exposure, and restrictions on social media use are not rigid limitations but rather efforts to ensure that digital transformation does not shift the profession's core values toward excessive commercialization (H.Salim HS, 2025).

In practice, the development of the digital space creates normative ambiguity, particularly in distinguishing between legal education and the promotion of notary services. Legal education is part of the notary's social function, which is educational in nature and aims to improve the public's legal literacy (Dewi et al., 2025). However, in the digital context, educational content shared by notaries often also builds a professional image that can be interpreted as a form of covert promotion. The results of this study indicate that this ambiguity is a logical consequence of the digital communication transformation, which has not yet been fully addressed through practical ethical regulations. Previous literature tends to treat promotion and education as two strictly separate concepts, whereas this study shows that in social media practice, the two often coexist simultaneously and are difficult to separate absolutely. Therefore, this study offers a normative classification approach based on the intensity of commercial elements as a conceptual update in evaluating notaries' digital activities.

This ambiguity does not fundamentally indicate a weakness in the Code of Ethics but rather reflects new dynamics in professional practice that have not yet been fully accommodated operationally. The Code of Ethics has established normative boundaries in principle but lacks technical parameters capable of objectively distinguishing between educational content and promotional content in the digital space. It is certain that the prohibition on promotion remains relevant and necessary. Without such restrictions, the notary profession risks shifting toward a commercially competitive profession, which could ultimately lower ethical standards, trigger unhealthy competition, and erode public trust in the notary's neutrality. First, purely educational content that is informative, contains no commercial elements, and does not excessively highlight personal identity can be categorized as a permissible form of legal education. Second, educational content with passive branding—which includes the notary's identity in a limited manner without an invitation to use services—falls into a gray area and requires caution. Third, covert promotional content containing elements of persuasion or implicit emphasis on the superiority of services, which has the potential to violate the code of ethics. Fourth, explicit promotional content that clearly contains commercial elements, such as client testimonials or calls to use services, which falls under the strict prohibition of the Indonesian Notary Association (Hidayat & Lutfi, 2025). This classification is a significant finding in the research because it provides more systematic analytical parameters compared to previous normative approaches, which tended to be general and abstract. With this categorization, interpretations of digital ethics violations can be made more objectively, proportionally, and contextually in accordance with the characteristics of the published content.

Advances in digital technology have significantly transformed communication patterns within the legal profession, including the notary profession. The Code of Ethics for Notaries (KEN) demonstrates its adaptability by expanding the operational definition of "Conduct." Pursuant to Article 1, paragraph (11) of the KEN, conduct is no longer narrowly

understood as physical actions but encompasses all observable digital expressions, including text, audio, images, photos, videos, and even emails. The integration of digital activities into the scope of the Code of Ethics underscores that every digital footprint of a notary on social media—as broadly defined in Article 1, point 32 of the KEN—is subject to the oversight of the Honorary Council. This reinforces the Code of Ethics' position as a fundamental normative instrument safeguarding the dignity, independence, and integrity of the profession amidst the massive flow of digital information (Putri & Nefi, 2023). The prohibition on promotion stipulated in the Code of Ethics cannot be viewed merely as a restriction, but rather as a protective mechanism for the character of the notary's office as an *officium nobile* rooted in public trust. Public trust (*public trust*) is the primary foundation of a notary's professional legitimacy. Without such trust, authentic deeds created by a notary would lose their authoritative value as perfect evidence. Therefore, any action that could potentially undermine public trust—including excessive promotion in the digital space—must be strictly controlled through ethical instruments.

Article 5(2)(b)(3) of the KEN explicitly prohibits self-promotion or publicity on social media that could undermine the dignity of the office. The most significant new provision in these latest regulations is found in Articles 5(2)(b)(12) – (15) of the KEN, which prohibit notaries from:

- 1) Uploading photos of their offices, taken by themselves or by colleagues, to social media;
- 2) Uploading deeds they have drafted to social media;
- 3) Distribute photos or videos depicting the atmosphere or circumstances during the drafting or signing of a deed;
- 4) Posting controversial or political comments that could undermine the dignity of the office.

These provisions aim to prevent the commercialization of the profession, which has the potential to undermine independence and objectivity. Notaries are not positioned as service providers competing freely in the market, but rather as public officials carrying out state functions in providing legal certainty. The prohibition on visualizing official duties (such as video content of deed signings) is rationally limited to maintain a balance between professionalism and the confidentiality of the office (*secretum officium*). This principle of confidentiality not only protects the interests of the parties but also safeguards the integrity of the deed drafting process as a formal and sacred legal procedure. Visualizing this process in the public domain has the potential to lead to misuse of information, privacy violations, and the degradation of the formal value of the deed. This study found that the visualization of official duties through social media not only has the potential to violate the principle of confidentiality but also alters public perception of authentic deeds from formal legal instruments into objects of digital exposure. This situation risks diminishing the solemnity of the deed-drafting process and shifting the profession's focus toward competitive public image-building. Therefore, restrictions on the visualization of professional activities should be understood not as a limitation on freedom of expression, but as a form of protection for the institutional integrity of the notary profession.

Ambiguity in distinguishing between legal consultation and covert promotion of notary services often arises in practice, particularly in the digital age. Legal consultation is fundamentally part of the notary's social function, which is educational in nature and aims to enhance public legal awareness. Article 17(2) of the Notary Law provides an objective framework by permitting notaries to engage in academic activities, legal writing, and public education, provided such activities are not intended for self-promotion. Based on this approach, a notary's digital activities can be more appropriately classified as follows: permissible legal advice, namely content that is purely educational and informative without unduly highlighting personal identity or directing the public to use the services of a specific notary; and ethical violations, namely content containing inappropriate photos, videos, or comments, as well as content of a controversial nature, as referred to in Article 5(2)(b)(15) of the Notary Code of Ethics. This study demonstrates that the boundary between the two is often determined by the context of delivery, communication style, and the implicit purpose of the published content. Thus, an analysis of digital ethical violations cannot be conducted solely through a textual approach based on the content's substance alone; it must also consider the dimensions of intent, public perception, and its impact on the dignity of the notary's office. This approach demonstrates that enforcing professional ethics in the digital age requires a more progressive and contextual interpretive method rather than a purely formalistic approach.

Without these safeguards, the notary profession risks shifting toward a commercially competitive model, which could ultimately trigger unhealthy competition and erode public trust in the notary's neutrality (Pratama & Silviana, 2023). The challenge of implementing digital norms is addressed by strengthening the authority of the Honorary Council (DK), which is independent and free from interference (Article 18). The Code of Ethics (KEN) specifically classifies violations in Article 40, where social media ethics violations are categorized as Minor Violations (Article 40, Paragraph 2, Letter e). Enforcement procedures are conducted through closed-door hearings not open to the public (Article 27, Paragraph 2), ensuring the integrity of the corps is maintained throughout the disciplinary process for members of the (Lubis & Duma Indah Sari Lubis, 2024). The enforcement of sanctions stipulated in Articles 41 and 42 reflects a rational and tiered sanction system, ranging from reprimands to recommendations for dismissal, which serves as a means to enforce members' compliance with high professional ethical standards (Maria Avelina Abon et al., 2022). However, the findings of this study indicate that the effectiveness of digital ethics enforcement is not solely determined by the existence of formally established norms and types of sanctions, but also by the Honorary Council's interpretive capacity to analyze the context of digital communication, which is dynamic, multidimensional, and rapidly evolving. This study found a tendency toward interpretive disparities regarding notaries' digital content, particularly in distinguishing between permitted legal education activities and prohibited covert promotion. This situation indicates that existing ethical norms remain abstract and are not yet fully capable of addressing the complexities of contemporary digital

communication practices. Thus, this study underscores the urgency of establishing digital ethical guidelines that are more technical, systematic, and adaptive to ensure interpretive certainty and consistency in the enforcement of ethical standards within the notary profession.

In this context, the DK functions not only as a disciplinary enforcement body but also as a *quasi-judicial body* that interprets ethical norms in specific cases. Therefore, the DK's ability to understand digital dynamics is crucial so that the decisions it makes are not only normative but also contextual and adaptable to technological developments. The application of these graduated sanctions demonstrates the principle of *proportionality* in professional disciplinary law, where the severity of the sanction is adjusted to the level of the violation committed. This is important to maintain a balance between the repressive (enforcement) and corrective (guidance) functions, so that the enforcement of the code of ethics is not merely punitive but also educational and aimed at improving the behavior of professional members.

Furthermore, this study indicates that an ethics enforcement approach focused solely on punishment is no longer sufficient to address the complexity of digital violations. A progressive approach is needed that positions digital ethics education as an integral part of the professional oversight system. From this perspective, the Honorary Council serves not only as an adjudicative body but also as an ethics-building institution responsible for fostering notaries' professional awareness in utilizing digital media in a proportionate, ethical, and dignified manner befitting their office. Thus, the enforcement of the code of ethics does not merely serve to maintain formal compliance with norms, but also to preserve the social legitimacy of the notary profession amidst the transformation of digital society.

Conclusion

Based on the discussion, it can be concluded that the prohibition on engaging in promotion within the notary profession, as stipulated in the Notary Law and the Notary Code of Ethics, is fundamentally an effort to preserve the dignity, independence, and public trust in the notary profession as public officials. Although the Notary Law does not explicitly mention the term "promotion," the spirit of this prohibition is evident in the notary's obligation to act honestly, independently, and to refrain from actions that undermine the dignity of their office. This provision is further reinforced in the Code of Ethics for Notaries, which explicitly prohibits all forms of commercial promotion. On the other hand, the development of digital technology has brought significant changes to how notaries communicate with the public. Legal education, which was previously conducted conventionally, is now often carried out through digital media. This situation has blurred the line between legal education and promotion. In practice, it is not uncommon for legal education activities to potentially contain elements of covert promotion, thereby creating uncertainty in their assessment.

In this context, the ban on promotion remains relevant to uphold, but its implementation needs to be adapted to the times. An overly rigid approach risks hindering

the notary's role in providing legal education to the public. Therefore, a more balanced interpretation is needed, while still clearly distinguishing between educational activities and commercial activities. Regulatory updates that are more adaptive to technological advancements are needed, whether through refining provisions in the Notary Law or strengthening the Notary Code of Ethics, particularly regarding the use of digital media. With clearer boundaries, it is hoped that notaries can continue to fulfill their social function in providing legal consultation without compromising the principles of professional honor and ethics. Theoretically, this study contributes to the development of notarial law by offering a more adaptive interpretation of professional ethics in the context of digital communication. Practically, these findings can serve as a reference for policymakers and professional organizations in formulating clearer ethical guidelines regarding digital legal consultations conducted by notaries. This study is limited to normative analysis and does not examine the practical implementation of digital ethics enforcement among notaries. Therefore, further research is recommended to use an empirical approach to analyze how supervisory boards and professional organizations interpret and enforce promotional restrictions on digital platforms in practice.

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