



RECONSTRUCTING NOTARIAL HONORARIUM DISCRETION IN INDONESIA A DOCTRINAL AND POLICY ANALYSIS OF ARTICLE 36 OF THE NOTARY LAW

Yanis Delarosa Putra¹, Endang Pandamdari², Irene Eka Sihombing³

^{1,2,3}Faculty of Law, Trisakti University Jakarta, Indonesia

E-mail: yanisdelarosa@yahoo.co.id

Received 23-06-2025 | Revised form 25-07-2025 | Accepted 19-08-2025

Abstract

The determination of notarial honorarium in Indonesia, regulated under Article 36 of the Notary Law (UUJN), grants wide discretionary authority to notaries without clear parameters. This ambiguity generates legal uncertainty, risks of unfair competition, and potential conflicts with ethical and consumer protection principles. Addressing this regulatory gap is crucial to ensure fairness, accountability, and alignment with the rule of law. This study adopts a doctrinal legal research method combined with policy analysis. It examines statutory provisions, jurisprudence, and ethical codes of the notarial profession, supported by comparative insights from the Netherlands, France, and the United States. The analysis is also framed by John Rawls's theory of justice to evaluate the fairness dimension of notarial fee discretion. The findings indicate that the current framework of Article 36 UUJN fails to provide measurable standards for honorarium determination. In practice, notarial discretion often prioritizes market dynamics over socio-economic fairness, thereby undermining transparency and public trust. Comparative studies reveal that other jurisdictions employ clear indicators, fee bands, and regulatory oversight to balance professional autonomy with public interest. The study recommends a reconstructed model of honorarium regulation in Indonesia by establishing explicit indicators such as socio-economic value, case complexity, and service standards, accompanied by enforceable oversight mechanisms. This approach strengthens legal certainty, enhances accountability, and ensures equitable access to notarial services, contributing to broader justice and governance reform.

Keywords: Notarial Honorarium, Legal Certainty, Discretion, Justice as Fairness

Abstrak

Penentuan honorarium notaris di Indonesia yang diatur dalam Pasal 36 Undang-Undang Jabatan Notaris (UUJN) memberikan kewenangan diskresi yang luas tanpa parameter yang jelas. Ambiguitas ini menimbulkan ketidakpastian hukum, risiko persaingan tidak sehat, serta potensi konflik dengan prinsip etika profesi dan perlindungan konsumen. Menutup celah regulasi ini sangat penting guna menjamin keadilan, akuntabilitas, dan kesesuaian dengan prinsip negara hukum. Penelitian ini menggunakan metode penelitian hukum doktrinal yang dipadukan dengan analisis kebijakan. Kajian dilakukan terhadap ketentuan peraturan perundang-undangan, yurisprudensi, serta kode etik profesi notaris, dengan memperkaya analisis melalui perbandingan dengan praktik di Belanda, Prancis, dan Amerika Serikat. Kerangka teori keadilan John Rawls digunakan untuk mengevaluasi dimensi keadilan dalam diskresi honorarium notaris. Hasil penelitian menunjukkan bahwa kerangka Pasal 36 UUJN saat ini gagal memberikan standar terukur dalam penentuan honorarium. Dalam praktiknya, diskresi notaris sering lebih dipengaruhi oleh dinamika pasar dibandingkan dengan prinsip keadilan sosial-ekonomi, sehingga mengurangi transparansi dan kepercayaan publik. Studi komparatif memperlihatkan bahwa yurisdiksi lain menerapkan indikator yang jelas, rentang biaya, dan mekanisme pengawasan regulatif untuk menyeimbangkan otonomi profesi dengan kepentingan publik. Penelitian ini merekomendasikan model rekonstruksi regulasi honorarium notaris di Indonesia dengan

menetapkan indikator eksplisit seperti nilai sosial-ekonomi, kompleksitas perkara, dan standar layanan, disertai mekanisme pengawasan yang dapat ditegakkan. Model ini memperkuat kepastian hukum, meningkatkan akuntabilitas, serta menjamin akses yang adil terhadap jasa notaris, sekaligus berkontribusi pada reformasi hukum dan tata kelola yang lebih baik.

Kata Kunci: Honorarium Notaris, Kepastian Hukum, Diskresi, Keadilan sebagai Fairness

This is an open access article under the [CC BY-NC-SA](https://creativecommons.org/licenses/by-nc-sa/4.0/) license.



INTRODUCTION

The notary profession has a very vital role in the Indonesian legal system. As a public official authorized by the state, notaries function to provide certainty, order, and legal protection through the creation of authentic deeds.¹ A notary deed is not only juridically binding, but also has perfect evidentiary power.² Therefore, the integrity and professionalism of notaries are decisive factors in maintaining public trust in the law.

One of the aspects that is no less important in the implementation of the notary position is the issue of honorarium. The Law on the Position of Notary (UUJN) through Article 36 provides a legal basis for notaries to determine the amount of honorarium for services rendered.³ However, this provision still leaves serious problems because it only provides minimum and maximum limits without clear indicators on how to determine honorarium proportionally.

The unclarity of the norms in Article 36 of the UUJN creates too wide a space of discretion for notaries. On the one hand, discretion can provide flexibility in adjusting the honorarium to the client's concrete conditions.⁴ However, on the other hand, discretion that is not balanced with clear parameters has the potential to cause legal uncertainty, unfair competition between notaries, and weaken the principle of justice in legal services.

This phenomenon is increasingly crucial because it concerns the right of the public to obtain fair access to legal services. For the lower middle class, notary honorariums that are considered expensive are often an obstacle in obtaining legal services that should be public. This raises a dilemma: whether the determination of honorarium is more determined by market mechanisms or should it be supported by the principle of socio-economic justice as mandated by the constitution.

¹ Muhamad Qadar Ramadhana and Siti Indah Kobliyati, "The Role and Responsibility of Notaries for the Merger, Merger and Acquisition of Companies According to Business Competition Law," *Future Academia: The Journal of Multidisciplinary Research on Scientific and Advanced* 2, no. 4 (2024): 783–92, <https://doi.org/10.61579/future.v2i4.255>.

² Kadek Ayu Irma Hilmiafami and A Wife Ari Atu Dewi, "Principle of Legal Presumption as Notaries Legal Protection in Carrying out Their Duties and Authorities," *International Journal of Social Sciences and Humanities* 8, no. 2 (2024): 43–51, <https://doi.org/10.53730/ijssh.v8n2.14944>.

³ By Nengah Dwi Dharmayanthi and I Wayan Gde Wiryawan, "Juridical Review of the Position of Substitute Notaries According to Law Number 2 of 2014 Amending Law Number 30 of 2004 on Notary Positions," *Asian Journal of Social and Humanities* 3, no. 2 (2024): 375–81, <https://doi.org/10.59888/ajosh.v3i2.450>.

⁴ Suparto Suparto et al., "Administrative Discretion in Indonesia & Netherland Administrative Court: Authorities and Regulations," *Journal of Human Rights, Culture and Legal System* 4, no. 1 (2024): 75–100, <https://doi.org/10.53955/jhcls.v4i1.189>.

Uncertainty in the determination of honorarium also has an impact on the reputation of the notary profession. Lack of transparency regarding the amount of costs can create a negative impression in the eyes of the public.⁵ In fact, the practice of tariff wars between notaries to attract clients actually has the potential to reduce the quality of legal services provided. In the long term, this condition can reduce the authority of the notary position as a public official which should be oriented towards legal certainty and public interest.

In an academic context, this problem needs to be studied in depth through a doctrinal legal approach and policy analysis. Doctrinal research is important to study normatively the applicability of Article 36 of the UUJN, while policy analysis is needed to formulate a more fair, transparent, and accountable regulatory model. Thus, this study not only has theoretical value, but also practical urgency in improving the governance of the notary profession in Indonesia.

In addition, comparative studies with other countries become relevant as material for reflection. The Netherlands, France, and the United States, for example, already have relatively clear mechanisms in regulating notary honorariums, either through the determination of official rates, fee caps, or a combination of auditable indicators. This comparison opens up space for Indonesia to adopt the best principles in accordance with the national legal and socio-economic context.

To strengthen the theoretical dimension, this research also uses John Rawls's perspective of justice. The theory of *justice as fairness* provides a framework for assessing whether the notary honorarium policy truly reflects distributive justice and provides benefits to the most disadvantaged groups of society. Thus, the evaluation of honorarium discretion does not only stop at the legal-formal aspect, but also at the dimension of substantive justice.

Based on this background, this study aims to analyze the weaknesses of Article 36 of the UUJN regulations, identify the practice of determining notary honorarium in Indonesia, compare it with models in other countries, and offer a clearer, fairer, and enforceable reconstruction of the regulatory model. With this contribution, this research is expected to be able to strengthen legal certainty, increase professional accountability, and encourage legal reform that is in line with the principles of the welfare state and the rule of law.

RESEARCH METHODS

This research uses doctrinal legal research methods combined with policy analysis.⁶ The doctrinal legal approach was chosen because the problems studied are rooted in positive legal norms, especially Article 36 of the Law on Notary Positions (UUJN), which

⁵ Mahanany Citraning Putri Sejati and Saprudin Saprudin, "The Existence of Notaries in the Establishment of Individual Companies in the Positive Legal System in Indonesia," *El-Mujtama: Journal of Community Service* 4, no. 6 (2024), <https://doi.org/10.47467/elmujtama.v4i6.4894>.

⁶ Syafliansahsyafliansah Syafliansah et al., *Legal Research Methods* (Zahir Publishing, 2025).

provides discretion in determining notary honorarium. The analysis was carried out by examining the provisions of laws and regulations, relevant jurisprudence, and the notary professional code of ethics as normative instruments that help shape professional practice. This approach allows research to identify the ambiguity of norms, regulatory weaknesses, as well as their implications for legal certainty and professional accountability.

To enrich the perspective, this study also utilizes policy analysis by comparing the practice of notary honorarium regulation in several countries, including the Netherlands, France, and the United States. This comparative study is important to look at how other jurisdictions regulate honorarium discretion through indicators, tariff ranges, and more structured oversight mechanisms. Furthermore, John Rawls's theory of justice framework⁷ is used as a normative basis in evaluating the extent to which the practice of determining notary honorarium in Indonesia is in line with the principle of *justice as fairness*.⁸ With the combination of these methods, this study not only offers a descriptive understanding of the existing conditions, but also provides normative recommendations for a more equitable and applicable regulatory reconstruction.

RESULT AND DISCUSSION

Weaknesses of Article 36 of the UUJN Regulation in the Determination of Notary Honorarium

Article 36 of the Law on Notary Positions (UUJN) regulates notary honorarium by setting the minimum and maximum range that can be imposed on clients. However, the formulation of the norm does not provide a detailed explanation of what indicators must be used in determining the amount of honorarium proportionally.⁹ As a result, this norm only serves as a formal boundary fence, but it is insufficient to provide substantive guidelines for notaries in practice.

The absence of clear parameters raises serious problems, because each notary ultimately uses subjective considerations in determining honorarium.¹⁰ These considerations can be influenced by office location factors, the purchasing power of the surrounding community, and personal relationships with clients. This situation creates a huge disparity in the determination of honorarium between notaries, even for the same type of deed.¹¹

⁷ Damanhuri Fattah, "The Theory of Truth According to John Rawls," *TAPIS Journal* 9, no. 2 (2013): 30–45.

⁸ John Suhardin, "The Concept of Justice from John Rawls with Pancasila Justice (Comparative Analysis)," *Fiat Iustitia : Journal of Law* 3, no. 2 (2023): 200–208, <https://doi.org/10.54367/fiat.v3i2.2535>.

⁹ Silvy Limasantoso, "Equalization of Notary Honorarium Reviewed from Article 36 of Law Number 30 of 2004 concerning the Notary Position" (Thesis, Faculty of Law, Notary Study Program, Airlangga University Surabaya, 2015), <http://repository.unair.ac.id/id/eprint/37727>.

¹⁰ Limasantoso, "Equalization of Notary Honorarium Reviewed from Article 36 of Law Number 30 of 2004 concerning the Position of Notary."

¹¹ Didya Ishwara Danardana, "Determination of Minimum Rates for Notary Honorarium to Avoid Tariff Wars Between Notaries" (Thesis, Master of Notary Program, Faculty of Law, Sultan Agung Islamic University (UNISULA) Semarang, 2021), https://repository.unissula.ac.id/26228/1/21301900161_fullpdf.pdf.

The ambiguity of the norms in Article 36 also enlarges the space for interpretation. Notaries can claim that the determination of high or low honorarium is still in accordance with the provisions of the UUJN as long as it is within the minimum and maximum limits. In other words, there is no objective mechanism that can be used to assess whether the amount of the honorarium is reasonable or not.¹²

This ambiguity has implications for legal uncertainty, which is actually contrary to the basic principle of the existence of a notary as a public official. Notaries are appointed by the state to create certainty, order, and legal protection through authentic deeds.¹³ However, when the aspect of honorarium is full of ambiguity, public trust in this profession can be eroded.

From the public's side, the unclear norms in Article 36 have the potential to give rise to disputes or objections. People who feel burdened by high honorariums find it difficult to get a legal basis to sue, because the law itself does not regulate clear indicators. On the other hand, the public can also doubt the quality of notary deeds that charge too low fees, because they are worried that the quality of service is not up to standard.¹⁴

On the professional side, this condition creates an imbalance of competition between notaries. There are notaries who take advantage of their discretion to keep rates as low as possible in order to attract clients, while others maintain high rates under the pretext of premium service quality. This kind of competition can give birth to unhealthy practices that actually harm the dignity of the profession.¹⁵

Regulatory ambiguity also has an impact on weak accountability. The absence of objective indicators makes it difficult to supervise the practice of determining honorariums, both by professional organizations and government supervisory institutions.¹⁶ As a result, ethical violations related to notary service fees are often difficult to act on because there is no clear benchmark.

Within the framework of legal theory, these regulatory weaknesses show a gap between normative law and practical needs. The law provides only a formal framework, but ignores the substantive aspects that are supposed to provide justice and certainty. This condition is in line with criticism that many regulations in Indonesia are partial and do not pay attention to their sociological implications.¹⁷

¹² Limansantoso, "Equalization of Notary Honorarium Reviewed from Article 36 of Law Number 30 of 2004 concerning the Position of Notary."

¹³ Nawaaf Abdullah and Munsyarif Abdul Chalim, "The Position and Authority of Notaries in Making Authentic Deeds," *Journal of Deeds* 4, no. 4 (2017): 655–64.

¹⁴ Daniel Marojahan Saragih and Ana Silviana, "The Role of Notaries in Improving the Quality of Service to the Community," *NOTARIUS* 17, no. 1 (2024): 111–26.

¹⁵ Danardana, "Determination of Minimum Rates for Notary Honorarium to Avoid Tariff Wars Between Notaries."

¹⁶ Aris Yulia, "Enforcement of the Notary Code of Ethics in the Framework of Deontological Ethics" (Dissertation, Doctoral Study Program, Faculty of Law, Diponegoro University, Semarang, 2019), <https://eprints2.undip.ac.id/id/eprint/9755/1/Disertasi%20aris%20yulia.pdf>.

¹⁷ Abdul Wahid, "Restorative Justice: An Effort to Find Substantive Justice?," *Journal of Ius Constituendum* 7, no. 2 (2022): 307–21, <https://doi.org/10.26623/jic.v7i2.5793>.

Thus, the weakness of Article 36 of the UUN regulation is an important starting point for reconstruction. Notary honorarium arrangements should not only stop at the minimum and maximum rate range, but also contain clear, transparent, and auditable parameters.¹⁸ Regulatory reconstruction is needed so that honorariums truly reflect the principles of legal certainty, justice, and accountability of the notary profession in Indonesia.

Notary Honorarium Discretionary Practice in Indonesia

In practice, the determination of notary honorarium in Indonesia is not only influenced by the norms listed in Article 36 of the UUN, but also by the social, economic, and interpersonal dynamics between notaries and clients.¹⁹ The amount of honorarium is often the result of direct negotiations that are influenced by the bargaining power of each party. Clients who have a stronger economic position are usually able to squeeze lower rates, while clients with a weak bargaining position tend to take for granted the honorarium determined by the notary.²⁰

This trend in practice shows that honorarium discretion is often exercised within a transactional framework that resembles a free market mechanism. Notaries, even though they hold the status of public officials, in reality play a role like legal service business actors who compete with each other to get clients. This shows a paradox: notaries on the one hand carry out public functions, but on the other hand are trapped in the logic of commercial competition.²¹

The dominance of the market mechanism is increasingly felt in regions with a relatively large number of notaries. The higher the level of competition, the tighter the tariff war will be. Notaries who want to attract more clients tend to lower the honorarium, even to the extent of reasonableness, with the risk of lowering the quality of service. This practice can in turn erode professionalism, because notaries are forced to sacrifice service standards in order to maintain competitiveness.²²

On the other hand, in areas with a limited number of notaries, the practice of honorarium has emerged relatively high. The condition of monopoly or oligopoly of the profession causes people to have not many choices, so they have to accept the amount of honorarium set. This shows that there is a geographical gap in access to notary services,

¹⁸ Danardana, "Determination of Minimum Rates for Notary Honorarium to Avoid Tariff Wars Between Notaries."

¹⁹ Asri Muji Astutik, "To Meet the Requirements to Obtain a Master of Notary (M.Kn)" (Thesis, Ministry of Research, Technology and Higher Education, Master of Notary Program, University of Brawijaya, Faculty of Law, Malang, 2016).

²⁰ Fadhilla Neyma Salshabilla and Aju Putrianti, "The Urgency of Formulating the Minimum Amount of Notary Honorarium in the Law on the Notary Position," *Notary* 16, no. 1 (2023): 66–82, <https://doi.org/10.14710/nts.v16i1.37294>.

²¹ Husna Handayani et al., "Arrangement of Honorarium of Land Deed Making Officials," *Amanna Gappa* 31, no. 2 (2023): 82–93.

²² Danardana, "Determination of Minimum Rates for Notary Honorarium to Avoid Tariff Wars Between Notaries."

which is not only determined by legal norms, but also by the distribution factor of the number of notaries.²³

In the context of lower-middle class society, notary honorarium is often considered a heavy burden. For example, in the making of simple deeds such as power of attorney or statements, the costs set sometimes exceed the financial capabilities of the community. As a result, some people choose not to use the services of a notary and look for informal alternatives, such as underhand letters, even though they do not legally have strong evidentiary power.²⁴

This phenomenon shows an imbalance in access to legal justice. Low-income communities are de facto prevented from obtaining legitimate legal services due to cost constraints. Thus, honorarium discretion without clear parameters can contribute to structural injustice, where only certain groups of society are able to enjoy legal services that should be equally available to all citizens.²⁵

In addition, the practice of honorarium discretion also has implications for the professional relationship between the notary and the client. Under certain conditions, tariff negotiations that overemphasize commercial aspects can reduce the authority of the notary profession as a public official. Notaries can be perceived as not much different from ordinary service providers, even though juridically, notaries hold the state mandate to serve the public interest by ensuring legal certainty.²⁶

It is also not uncommon for the practice to occur where the amount of honorarium is determined not only based on the complexity of the work, but also other subjective considerations. Factors such as the client's social status, personal closeness, or potential non-financial gain often influence the setting. Practices like this create significant inequality and open up space for discrimination in legal services.²⁷

From the perspective of professional ethics, this condition can pose a serious dilemma. The notary code of ethics basically emphasizes the principles of justice, openness, and responsibility in providing services to the community. However, without clear standards regarding honorarium, professional ethics are difficult to enforce consistently. This has the potential to weaken the function of professional organizations in supervising the practices of their members.²⁸

²³ Danardana, "Determination of Minimum Rates for Notary Honorarium to Avoid Tariff Wars Between Notaries."

²⁴ I Ketut Adi Gunawan et al., "Determination of Notary Honorarium in the Practice of Implementing the Notary Position," *Journal of Legal Construction* 1, no. 2 (2020): 369–73, <https://doi.org/10.22225/jkh.2.1.2547.369-373>.

²⁵ Dani Harianto, "The Discretion of the Notary Honorary Council Regarding the Protection of the Notary Profession in the Perspective of Administrative Law," *Scholars: Journal of Science* 4, no. 3 (2024): 286–96, <https://doi.org/10.51878/cendekia.v4i3.3116>.

²⁶ Harianto, "The Discretion of the Notary Honorary Council Regarding the Protection of the Notary Profession in the Perspective of Administrative Law."

²⁷ Rahma Faedhatu et al., "Analysis of the Law on Notary Honor Standards in Exercising Authority other than Making Authentic Deeds," *LAPA International Conference 2024 Towards World Class Bureaucracy*, October 31, 2024, 316, <https://doi.org/10.30589/proceedings.2024.1061>.

²⁸ Asfariyani A. Talango et al., "Notary Professional Ethics in Legal Perspective," *Social Symbiosis : Journal of Integration of Social and Political Sciences* 2, no. 1 (2025): 77–88, <https://doi.org/10.62383/sosial.v2i1.1255>.

The practice of honorarium discretion that is too influenced by market mechanisms also has an impact on public trust. When the public discovers a striking difference in rates between notaries for the same type of service, they can doubt the integrity and objectivity of this profession. Over time, this public distrust can lead to the delegitimization of the role of notaries as guardians of legal certainty.²⁹

Thus, the discretionary practice of notary honorarium in Indonesia reveals various complex problems. On the one hand, discretionary flexibility allows notaries to tailor honorariums to concrete conditions. However, on the other hand, the absence of objective parameters leaves the practice fraught with uncertainty, injustice, and ethical risks.³⁰ This condition emphasizes the need to reconstruct the regulation of notary honorarium so that practice in the field can run according to the principles of legal certainty, justice, and professional accountability.

Implications of Honorarium Discretion on Transparency and Public Trust

Transparency is one of the main pillars in the implementation of legal services, including in the practice of notaria. However, in the context of determining notary honorarium, transparency is still a serious problem.³¹ The amount of the honorarium is often not publicly announced, either through official information media or the publication of standard rates. As a result, it is difficult for people to know a reference that can be used as a basis to assess the fairness of the service costs they incur.

The absence of a standard for publication of honorarium rates makes the notary have the flexibility to set the fee according to his own consideration. This expands the space for subjectivity and opens up the potential for noticeable differences in rates between notaries, even for the same type of deed.³² In such conditions, the community is in an asymmetrical position, because they do not have enough information to conduct negotiations or comparisons.

The implications of this lack of transparency are significant to public trust. When the public finds the difference in rates too extreme, there is a perception that the notary profession is more oriented towards financial gain than legal services. This perception has the potential to erode the legitimacy of notaries as public officials who should uphold the principles of legal certainty and justice for all levels of society.³³

²⁹ Ghansham Anand and Syafruddin Syafruddin, "Supervision of Notaries in Relation to Compliance in Carrying Out Duties," *A Brief History of the Law Journal* 1, no. 1 (2016): 87–101, <https://doi.org/10.32801/abc.v1i1.17>.

³⁰ Anugrah Yustica et al., "The Ethical Role of the Notary Profession as an Effort to Enforce the Law," *Notary* 13, no. 1 (2019): 60–71, <https://doi.org/10.14710/nts.v13i1.29162>.

³¹ Nessya Monica Larasati Putri and Tundjung Herning Sitabuana, "The Application of the Principle of Transparency in the Law Enforcement Process for the Creation of Fair Law Enforcement," *Serina Journal of Social Humanities* 1, no. 1 (2023): 1–5, <https://doi.org/10.24912/jssh.v1i1.25016>.

³² Gunawan et al., "Determination of Notary Honorarium in the Practice of Implementing the Notary Position."

³³ Faedhatu et al., "Analysis of the Law on Notary Honor Standards in Exercising Authority other than Making Authentic Deeds," October 31, 2024.

Furthermore, the decline in public trust has an impact not only on the reputation of individual notaries, but also on the notary institution as a whole. If the public feels disadvantaged by unreasonable costs, they may lose faith in the function of authentic deeds as a neutral and objective legal instrument. This is dangerous because it can encourage people to look for cheaper, even if legally invalid alternatives, such as underhand letters.³⁴

The condition of non-transparency also encourages the practice of unfair competition between notaries. In an effort to attract clients, some notaries set very low rates, even close to or below the minimum limit set by the UUJN. On the other hand, there are also notaries who set very high rates under the pretext of premium service quality. This pattern shows disparities that are difficult to control without clearer regulation.³⁵

Unfair tariff competition has direct implications for service quality. Notaries who drastically lower rates have the potential to reduce operational costs, which can ultimately reduce the quality of deeds and legal services provided. In fact, as a public official, notaries are required to always maintain standards of professionalism, accuracy, and prudence in making authentic deeds.³⁶

In addition, the practice of high rates without a clear justification also creates exclusivity of access to legal services. Only certain groups of people can afford to pay these high costs, while the lower middle class is increasingly marginalized. This is contrary to the principle of *access to justice* which is an important part of the modern legal system.³⁷

From the perspective of professional ethics, the lack of transparency and the existence of tariff disparities reflect the weak implementation of the principles of openness and fairness. The notary code of ethics emphasizes the importance of maintaining professional dignity and providing services based on the principle of responsibility. However, in the absence of cost transparency standards, it is difficult to enforce a code of ethics consistently because there is no clear benchmark to assess the fairness of the honorarium.

In a broader framework, the issue of honorarium transparency is directly related to *good professional governance*. The legal profession, including notaries, cannot rely solely on market mechanisms in determining service costs, because of its inherent function as a public servant. Therefore, a regulatory system is needed that regulates the obligation to publish honorariums with verifiable indicators.

Strengthening transparency regulations will not only increase public trust, but also strengthen the accountability of the notary profession. With the existence of cost

³⁴ Anand and Syafruddin, "Supervision of Notaries in Relation to Compliance in Carrying Out Duties."

³⁵ Faedhatu et al., "Analysis of the Law on Notary Honor Standards in Exercising Authority other than Making Authentic Deeds," October 31, 2024.

³⁶ Salshabilla and Putrijanti, "The Urgency of Formulating the Minimum Amount of Notary Honorarium in the Law on the Notary Position," 2023.

³⁷ Limansantoso, "Equalization of Notary Honorarium Reviewed from Article 36 of Law Number 30 of 2004 concerning the Position of Notary."

publication standards, it will be easier for the public to assess the fairness of tariffs, while professional organizations and supervisory institutions have a strong basis for evaluation. Good transparency will ultimately strengthen the legitimacy of the notary profession as a guardian of legal certainty.³⁸

Thus, it can be concluded that the discretionary practice of notary honorarium that is not balanced with transparency actually causes negative implications in the form of loss of public trust, unfair competition, and declining service quality. This condition confirms the urgency of updating regulations that not only regulate the tariff range, but also require disclosure of honorarium information. Guaranteed transparency will be an important foundation to maintain the professionalism, accountability, and integrity of notaries in Indonesia.

Comparative Analysis with Other Countries (Netherlands, France, and the United States)

Comparative studies are an important instrument in legal research because they can provide an alternative perspective on the problems faced by a country.³⁹ In the context of notary honorarium, comparisons with the legal systems in the Netherlands, France, and the United States become relevant to find best *practices* that can be adapted in the Indonesian legal system.⁴⁰ These three countries were chosen because they have strong legal traditions and relatively mature mechanisms in regulating the notary profession.

The Netherlands as one of the countries with a *tradition of civil law* has a strictly regulated notarial system. Notary honorarium is regulated through a clear range of rates and is directly supervised by the *Koninklijke Notariële Beroepsorganisatie* (KNB), the official professional organization of Dutch notaries. With this supervision, the space of discretion of the notary in determining honorarium remains, but it cannot be separated from the limits that have been determined institutionally.⁴¹

This Dutch model shows a balance between professional freedom and legal certainty. On the one hand, notaries can still adjust the honorarium to the complexity of the job and the needs of the client. However, on the other hand, the existence of a range of tariffs and supervision of professional organizations ensures that the practice of determining honorariums remains in an ethical and professional corridor. Thus, the potential for unfair competition and extreme tariff practices can be minimized.⁴²

³⁸ Sahla Billah Sahira et al., "The Application of Notary Ethics and Transparency in Authentic Deeds," *Nusantara: Journal of Education, Arts, Science and Social Humanities* 1, no. 02 (2023), <https://journal.forikami.com/index.php/nusantara/article/view/429>.

³⁹ Syafliansah et al., *Legal Research Methods*.

⁴⁰ Rizka Nurliyantika et al., "A Comparative Study of the Duties and Authorities of Notaries in Indonesia and Malaysia," *Repertoire: Scientific Journal of Notary Law* 11, no. 2 (2022): 196–207.

⁴¹ Rizqi Perdana Syarif and Mohamad Fajri Mekka Putra, "A Comparative Study of Notary Leave Arrangements in Indonesia and the Netherlands," *Scientific Development Media* 19, no. 12 (2025): 6569–78.

⁴² Fahmi Ihsan Margolang and Dewi Mayaningsih, "Notary Professional Supervision System in Indonesia and the Netherlands: A Comparative Study of the Accountability Mechanism and Ethics of Positions," *Decentralization: Journal of Law, Public Policy, and Government* 2, no. 3 (2025): 109–20, <https://doi.org/10.62383/desentralisasi.v2i3.838>.

In contrast to the Netherlands, France implements a stricter system because it uses official tariffs set by the country. The determination of the tariff takes into account the value of the transaction, the type of deed, and the level of complexity of the work. This regulation is based on the principle that notaries are public officials who carry out state functions, so the cost of their services must be regulated by state authorities to ensure justice and uniformity of legal services.⁴³

The system in France has advantages in terms of certainty and accessibility. The public can easily find out the amount of fees that must be paid because the tariff has been officially determined. However, on the other hand, the system is relatively inflexible because it does not fully take into account contextual factors such as the purchasing power of local communities or the need for special services.⁴⁴ Thus, although legal certainty is guaranteed, the aspect of adaptability to socio-economic conditions may be limited.

The United States, as a country with a *common law* tradition, has a different notary system. Notaries in the U.S. generally do not have as broad authority as in *civil law* countries. Nevertheless, some states still regulate notary fees through the *fee cap mechanism*, which is the maximum limit that can be imposed for certain types of services, such as signature or document notarization.⁴⁵

Despite the limitations, the system in the United States also allows for variation based on the type of service provided. This creates a balance between consumer protection and professional flexibility. Notaries cannot set arbitrary rates because there is a state-defined maximum limit, but still have the autonomy to determine fees within a reasonable range according to the type of service.⁴⁶

The three models above show a variety of approaches in the arrangement of notary honorariums. The Netherlands emphasizes oversight of professional organizations with the support of state regulations, France prefers full control by the state, while the United States combines consumer protection through *fee caps* with the flexibility of professional autonomy. These differences reflect the characteristics of the legal system and legal culture embraced by each country.

For Indonesia, these three models provide important lessons. The Dutch system is relevant because Indonesia also adheres to the *civil law tradition* and has a fairly strong notary professional organization. The French model shows how legal certainty can be

⁴³ Mangaratua Sihombing, "Comparison between the Law on the Notary Position and its amendments with the Statute du Notary de la France" (Thesis, Master of Notary, Faculty of Law, University of Indonesia Depok, 2017).

⁴⁴ Nugroho Ahadi, "The Difference Between Notaries in Indonesia and Notaries in France," https://www.academia.edu/4785749/Perbedaan_Antara_Notaris_di_Indonesia_dengan_Notaris_di_Perancis, t.t., retrieved 19 August 2025, https://www.academia.edu/4785749/Perbedaan_Antara_Notaris_di_Indonesia_dengan_Notaris_di_Perancis.

⁴⁵ Disriani Latifah Soroinda, "Comparison of the Notary Profession and the Implementation of Notary Journals in New York State and Notary Protocols in Indonesia in the Era of Technology Reform," *PALAR (Pakuan Law Review)* 10, no. 2 (2024): 43–66.

⁴⁶ Soroinda, "Comparison of the Notary Profession and the Implementation of Notary Journals in New York State and Notary Protocols in Indonesia in the Era of Technology Reform."

guaranteed through official tariffs, although its flexibility is limited. Meanwhile, the United States model emphasizes the importance of consumer protection as well as respect for professional autonomy.

In terms of implementation, Indonesia can take a combinatorial approach. Honorarium regulations should not only rely on the provisions of the law, but also involve the active role of professional organizations in setting technical parameters. In addition, the state still needs to be present through public policies that set certain limits, especially to prevent unfair competition practices and protect the interests of the community.⁴⁷

Thus, this comparative study confirms that the ideal arrangement of notary honorarium for Indonesia is a hybrid model that combines professional autonomy with state supervision. This approach allows for a balance between legal certainty, social justice, and flexibility of professional practice. This kind of model is expected to improve the weaknesses of Article 36 of the UUJN which still leaves ambiguity, as well as increase public trust in the notary profession.⁴⁸

Evaluation of Honorarium Discretion in the Perspective of Rawls's Theory of Justice

John Rawls's theory of justice, known as *justice as fairness*, offers a relevant conceptual framework for assessing notary honorarium policies in Indonesia. Rawls emphasized that justice is not just a matter of formal distribution, but must be realized in social practices that provide the greatest benefits to the most disadvantaged groups of society.⁴⁹ In this context, notary honorarium should not only benefit notaries as professional actors, but also ensure the wider community's access to fair and equal legal services.

The first principle in Rawls's theory is *equal basic freedoms for all people*.⁵⁰ If withdrawn in the context of determining honorarium, the notary fee policy must still guarantee the freedom of the public to access legal services that are legal and recognized by the state. However, if the honorarium is set too high without clear parameters, the freedom of the public to obtain legal services is reduced, especially for the lower middle class of society.

Rawls's second principle, *the difference principle*, states that inequality can only be justified if it benefits the most disadvantaged.⁵¹ Proportional notary honorarium can be seen as in line with this principle, because it allows notaries to obtain decent professional welfare, but still maintain affordability for people with limited economic capabilities. On

⁴⁷ Anand and Syafruddin, "Supervision of Notaries in Relation to Compliance in Carrying Out Duties."

⁴⁸ Limasantoso, "Equalization of Notary Honorarium Reviewed from Article 36 of Law Number 30 of 2004 concerning the Position of Notary."

⁴⁹ John Suhardin, "The Concept of Justice from John Rawls with Pancasila Justice (Comparative Analysis)," *Fiat Iustitia : Journal of Law*, 25 February 2023, 200–208, <https://doi.org/10.54367/fiat.v3i2.2535>.

⁵⁰ Hartmut Kliemt, "Rawls's Critique of Utilitarianism," *John Rawls, A Theory of Justice*, January 1, 2013, 79–80.

⁵¹ John Rawls, *A Theory of Justice*, Rev. ed (Belknap Press of Harvard University Press, 1999).

the contrary, excessive honorarium clearly violates this principle, as it only enlarges social disparities.

Distributive justice in Rawls' framework affirms that access to legal services, including notary services, is part of social justice.⁵² If the cost of notary services is the main barrier for small communities to obtain authentic deeds, then the legal system fails to carry out its function as an instrument of justice. Therefore, honorarium regulations must be designed in such a way that they not only reflect legal certainty, but also meet the demands of distributive justice.

From Rawls' perspective, transparency in the determination of honorarium is also a form of justice. Rawls emphasized the importance of *public reason*, which is a reason that can be rationally accepted by all parties in society. In the context of notary honorarium, cost transparency based on objective indicators can be considered as a form of *public reason* that increases the legitimacy of the policy, because the public can understand and accept the basis for determining the rate.⁵³

In addition, the application of Rawls' principle requires a regulatory mechanism that is not only in favor of the interests of the profession, but also in the public interest. Notaries as public officials are indeed entitled to decent remuneration, but as public servants, notaries are also obliged to ensure the affordability of legal services. In other words, professional welfare must be placed within the framework of balance with the needs of the wider community.

The evaluation of honorarium discretion through Rawls' perspective also underscores the importance of protecting economically weak groups. If the regulation only leaves the determination of honorarium to the market mechanism, the poor will be further marginalized. This is contrary to Rawls's difference principle, which places weak groups as the focal point of public policy.⁵⁴

On the other hand, the application of Rawls' theory should not be interpreted as an attempt to negate the advantages of the notary profession. Rawls does not deny the existence of socioeconomic disparities, including income, as long as they contribute positively to social justice. Therefore, the ideal honorarium regulation is one that still provides decent economic incentives for notaries, but within the framework of inclusive public services.⁵⁵

In practice, evaluation based on Rawls' theory can be realized through the determination of indicators that reflect the value of justice, for example by considering the socio-economic value of the object of the deed, the complexity of the work, and service

⁵² John Rawls, *Justice as Fairness: A Restatement* (Harvard University Press, 2001), <https://doi.org/10.2307/j.ctv31xf5v0>.

⁵³ Suhardin, "The Concept of Justice from John Rawls with Pancasila Justice (Comparative Analysis)," February 25, 2023.

⁵⁴ Rawls, *Justice as Fairness*.

⁵⁵ Rawls, *Justice as Fairness*.

standards. With this indicator, honorarium is no longer determined subjectively, but based on rational considerations and can be accounted for publicly.⁵⁶

The application of *justice as fairness* will also strengthen the legitimacy of the notary profession.⁵⁷ With honorariums that are fair, transparent, and can be explained rationally, the public will have more faith in the integrity of the notary profession. This public trust is very important, because without trust, the existence of notaries as public officials who maintain legal certainty will lose its social basis.

Thus, the evaluation of notary honorarium discretion through Rawls' theory of justice shows that honorarium policy must balance legal certainty, professional welfare, and community needs. Regulations that are too partial to one aspect will cause injustice and weaken the function of the notary as an instrument of legal justice.

The above description shows that Rawls's view provides a normative justification that the reconstruction of Article 36 of the UUJN is an urgent need. Notary honorarium must be regulated by considering distributive justice, transparency, and protection of vulnerable community groups, without neglecting the welfare of the profession. Only in this way, Indonesia's notarial system can truly reflect the principle of *justice as fairness* in real legal practice.

Reconstruction of the Notary Honorarium Regulation Model in Indonesia

The weakness of the regulation of Article 36 of the UUJN which provides too wide a space of discretion without indicators clearly emphasizes the urgency of reconstructing the model for determining notary honorariums. Regulations that only contain minimum and maximum limits have been proven to cause disparities in practice, legal uncertainty, and weaken public trust.⁵⁸ Therefore, a new, more comprehensive regulatory model is needed, by establishing indicators, supervisory mechanisms, and strict sanctions.

The first indicator that must be included in the regulation is the socio-economic value of the object of the deed. Deeds relating to objects of reasonable value require higher honorariums, while deeds of small value should be charged more affordable. The determination of honorarium based on socio-economic value is in line with the principle of proportionality and can protect the lower middle class from unfair cost burdens.⁵⁹

The second indicator is the complexity of the job or the level of difficulty. Not all deeds have the same level of complexity. Multinational business agreement deeds, for example, require more in-depth legal analysis than simple statement deeds. Therefore, regulations must provide room for honorarium differentiation based on the level of

⁵⁶ Rawls, *Justice as Fairness*.

⁵⁷ Rawls, *Justice as Fairness*.

⁵⁸ Rahma Faedhatu et al., "Analysis of the Law on Notary Honor Standards in Exercising Authority other than Making Authentic Deeds," *Proceedings of the Conference*, October 31, 2024, 316, <https://doi.org/10.30589/proceedings.2024.1061>.

⁵⁹ Keumala Meutia, "Juridical Analysis of the Imposition of Honorarium on Notary Services in the City of Medan," *Journal of Legal Perspectives* 3, no. 2 (2022): 123–33.

difficulty of the work, so that the amount of costs reflects the notary's workload proportionally.⁶⁰

In addition, it is necessary to set minimum service standards that must be met by every notary. These service standards include speed, accuracy, confidentiality, and compliance with legal procedures. The honorarium set is not only calculated based on the value of the object or the complexity of the work, but must also ensure the fulfillment of decent service standards. In this way, the public gains certainty that the fees paid are proportional to the quality of legal services received.⁶¹

The reconstruction of honorarium regulations must also be accompanied by an effective supervision mechanism. Professional associations, such as the Indonesian Notary Association (INI), can play a role in supervising the practice of honorarium by establishing technical guidelines and conducting periodic evaluations. On the other hand, government supervisory institutions such as the Ministry of Law and Human Rights must also be involved to ensure the integration between professional regulation and the public interest.⁶²

Effective supervision requires the support of transparency instruments, such as the obligation to publish basic rates or honorarium ranges through official media. With this publication, the public has adequate information to assess the reasonableness of the cost, while professional organizations can more easily supervise the implementation of the rules. Transparency is key in preventing the practice of abuse of discretion by notaries.⁶³

Regulatory reconstruction must also include the application of strict sanctions for notaries who violate the provisions of the honorarium. Sanctions can be in the form of administrative reprimands, ethical violations, to professional sanctions in the form of restrictions on authority or revocation of practice licenses. The existence of these sanctions not only serves as a punishment, but also as a preventive mechanism to ensure compliance with regulations.⁶⁴

In addition to indicators and sanctions, the reconstruction of the regulatory model must pay attention to the balance between professional autonomy and the public interest. Notaries must still be given limited discretion to adjust the honorarium to concrete conditions, but the discretion must be based on objective parameters. In this way, regulations not only protect the public, but also maintain the independence of the profession.⁶⁵

⁶⁰ Raji Saputra et al., "Determination of Notary Honorarium in the Making of Deeds in Pariaman City," *UNES Law Review* 6, no. 1 (2023): 2905–21.

⁶¹ Fadhilla Neyma Salshabilla and Aju Putrijanti, "The Urgency of Formulating the Minimum Amount of Notary Honorarium in the Law on the Notary Position," *Notary* 16, no. 1 (2023): 66–82, <https://doi.org/10.14710/nts.v16i1.37294>.

⁶² Harianto, "The Discretion of the Notary Honorary Council Regarding the Protection of the Notary Profession in the Perspective of Administrative Law."

⁶³ Anand and Syafruddin, "Supervision of Notaries in Relation to Compliance in Carrying Out Duties."

⁶⁴ Asfariyani A. Talango et al., "Notary Professional Ethics in a Legal Perspective."

⁶⁵ M. Syahrul Borman, "The Position of Notaries as a General Office in the Legal Perspective of the Notary Department," *Journal of Law and Notary* 3, no. 1 (2019): 74, <https://doi.org/10.33474/hukeno.v3i1.1920>.

The new regulatory model also needs to strengthen access to justice by providing special treatment for underprivileged groups. The state may regulate subsidy mechanisms or special tariffs for certain services of a fundamental nature, such as marriage certificates, simple inheritance certificates, or deeds concerning the basic rights of citizens. This is in line with Rawls' *principle of justice as fairness*, where public policy must benefit the weakest groups.⁶⁶

The reconstruction of honorarium regulations is also expected to be able to maintain the dignity of the notary profession. With fair, transparent, and accountable rules, notaries will be free from the practice of harmful tariff wars. The notary profession can again be seen as an honorary profession (*officium nobile*) that prioritizes legal integrity and certainty, not just a service provider that is subject to market mechanisms.⁶⁷

The ultimate goal of this reconstruction is to create a notary honorarium regulation that is able to balance three important aspects: legal certainty, social justice, and professional welfare. Fair regulation will ensure that people are not burdened, transparency will build public trust, accountability will ensure effective supervision, and sanctions will maintain adherence to norms. With this combination, the Indonesian notary system can become more credible and authoritative.

Thus, the reconstruction of the notary honorarium regulatory model is not just a technical need, but a broader legal reform agenda. New regulations must be designed to strengthen the governance of the legal profession in Indonesia, increase the legitimacy of notaries as public officials, and make a real contribution to the development of a fair and socially just legal system.

Conclusions and Recommendations

This study shows that Article 36 of the Law on Notary Positions (UUJN) still leaves a fundamental weakness because it does not provide clear indicators in determining honorarium. The absence of these parameters gives birth to ambiguity of norms, excessive discretionary practices, and implications for legal uncertainty. This condition not only raises a disparity in costs between notaries, but also lowers public trust in the notary profession as a public official who should uphold legal certainty and justice.

Practice in the field shows that notary honorarium is more influenced by bargaining power between notaries and clients as well as market mechanisms. This has two consequences: on the one hand, notaries are trapped in unfair competition practices that lower the dignity of the profession; On the other hand, small communities have difficulty accessing legal services due to the perceived high costs. Comparisons with the Netherlands, France, and the United States show that other countries have been more advanced in regulating honorarium through a combination of tariff ranges, professional supervision, and consumer protection.

⁶⁶ Rawls, *Justice as Fairness*.

⁶⁷ Borman, "The Position of Notaries as General Offices in the Legal Perspective of the Notary Department."

Evaluation through the perspective of John Rawls' theory of justice emphasizes that the honorarium policy should reflect the principle of *justice as fairness*. This means that policies must not only benefit notaries, but also ensure public access to legal services. The principle of distributive justice and Rawls' *difference principle* are important footholds so that the honorarium policy is able to protect economically weak groups of people while providing decent welfare for the notary profession.

Based on these findings, the reconstruction of the notary honorarium regulatory model in Indonesia is an urgent need. The new regulation must contain objective indicators such as the socio-economic value of the object of the deed, the complexity of the work, and the minimum service standards. In addition, the supervisory mechanism needs to be strengthened through synergy between professional associations and government supervisory institutions, and equipped with administrative, ethical, and professional sanctions. With this step, honorarium regulations can be more fair, transparent, accountable, while maintaining the dignity of the profession.

In the end, the reconstruction of the regulation of notary honorarium is not only beneficial for notaries as professional implementers, but also for the public as service users, and the state as a guarantor of legal certainty. Clear and fair regulation will create a balance between the interests of the profession, the public interest, and the goals of the rule of law. Thus, reforms in the aspect of honorarium can be an entrance to strengthen the legitimacy of the notary profession while improving the quality of legal services in Indonesia.

Bibliography

- Abdullah, Nawaaf, and Munsyarif Abdul Chalim. "The Position and Authority of Notaries in Making Authentic Deeds." *Journal of Deeds* 4, no. 4 (2017): 655–64.
- Ahadi, Nugroho. "The Difference Between Notaries in Indonesia and Notaries in France." https://www.Academia.Edu/4785749/Perbedaan_Antara_Notaris_di_Indonesia_dengan_Notaris_di_Perancis, t.t. Retrieved 19 August 2025. https://www.academia.edu/4785749/Perbedaan_Antara_Notaris_di_Indonesia_dengan_Notaris_di_Perancis.
- Anand, Ghansham, and Syafruddin Syafruddin. "Supervision of Notaries in Relation to Compliance in Carrying Out Their Duties." *Lambung Mangkurat Law Journal* 1, no. 1 (2016): 87–101. <https://doi.org/10.32801/abc.v1i1.17>.
- Asfariyani A. Talango, Roy Marthen Moonti, and Ibrahim Ahmad. "The Ethics of the Notary Profession in a Legal Perspective." *Social Symbiosis: Journal of Integration of Social and Political Sciences* 2, no. 1 (2025): 77–88. <https://doi.org/10.62383/sosial.v2i1.1255>.
- Astutik, Asri Muji. "To meet the requirements to obtain a master's degree in notarity (M.Kn)." Thesis, Ministry of Research, Technology and Higher Education, Master of Notary Program, University of Brawijaya, Faculty of Law, Malang, 2016.
- Borman, M. Syahrul. "The Position of the Notary as a General Office in the Legal

- Perspective of the Notary Department." *Journal of Law and Notary* 3, no. 1 (2019): 74. <https://doi.org/10.33474/hukeno.v3i1.1920>.
- Danardana, Didya Ishwara. "Determination of Minimum Rates for Notary Honorarium to Avoid Tariff Wars Between Notaries." Thesis, Master of Notary Program, Faculty of Law, Sultan Agung Islamic University (UNISULA) Semarang, 2021. https://repository.unissula.ac.id/26228/1/21301900161_fullpdf.pdf.
- Dwi Dharmayanthi, Ni Nengah, and I Wayan Gde Wiryawan. "Juridical Review of the Position of Substitute Notaries According to Law Number 2 of 2014 Amending Law Number 30 of 2004 on Notary Positions." *Asian Journal of Social and Humanities* 3, no. 2 (2024): 375–81. <https://doi.org/10.59888/ajosh.v3i2.450>.
- Faedhatu, Rahma, Sapto Hermawan, and Mulyanto Mulyanto. "Analysis of the Law on Notary Honor Standards in Exercising Authority other than Making Authentic Deeds." *IAPA International Conference 2024 Towards World Class Bureaucracy*, 31 October 2024, 316. <https://doi.org/10.30589/proceedings.2024.1061>.
- Faedhatu, Rahma, Sapto Hermawan, and Mulyanto Mulyanto. "Analysis of the Law on Notary Honor Standards in Exercising Authority other than Making Authentic Deeds." *IAP Proceedings Conference*, October 31, 2024, 316. <https://doi.org/10.30589/proceedings.2024.1061>.
- Fattah, Damanhuri. "The Theory of Relativity According to John Rawls." *Journal of TAPIs* 9, no. 2 (2013): 30–45.
- Gunawan, I Ketut Adi, I Nyoman Sumardika, and Ida Ayu Putu Widiati. "Determination of Notary Honorarium in the Practice of Implementing the Notary Position." *Journal of Legal Construction* 1, no. 2 (2020): 369–73. <https://doi.org/10.22225/jkh.2.1.2547.369-373>.
- Handayani, Husna, Aminuddin Ilmar, and Muhammad Aswan. "Arrangement of Honorarium of Land Deed Making Officials." *Amanna Gappa* 31, no. 2 (2023): 82–93.
- Hariato, Dani. "The Discretion of the Notary Honorary Council Regarding the Protection of the Notary Profession in the Perspective of Administrative Law." *CENDEKIA: Journal of Science* 4, no. 3 (2024): 286–96. <https://doi.org/10.51878/cendekia.v4i3.3116>.
- Hilmiafami, Kadek Ayu Irma, and A A Wife Ari Atu Dewi. "Principle of Legal Presumption as Notaries Legal Protection in Carrying out Their Duties and Authorities." *International Journal of Social Sciences and Humanities* 8, no. 2 (2024): 43–51. <https://doi.org/10.53730/ijssh.v8n2.14944>.
- Kliemt, Hartmut. "Rawls's Critique of Utilitarianism." *John Rawls, A Theory of Justice*, January 1, 2013, 79–80.
- Limasantoso, Silvy. "The equalization of notary honorarium is reviewed from article 36 of Law Number 30 of 2004 concerning the position of notary." Thesis, Faculty of Law, Notary Study Program, Airlangga University Surabaya, 2015. <http://repository.unair.ac.id/id/eprint/37727>.

- Mangaratua Sihombing. "Comparison between the Law of the Notary Office and its amendments with the Statute du Notariat de la France." Thesis, Master of Notary, Faculty of Law, University of Indonesia Depok, 2017.
- Margolang, Fahmi Ihsan, and Dewi Mayaningsih. "Notary Professional Supervision System in Indonesia and the Netherlands: A Comparative Study of Accountability Mechanisms and Ethics of Positions." *Decentralization: Journal of Law, Public Policy, and Government* 2, no. 3 (2025): 109–20. <https://doi.org/10.62383/desentralisasi.v2i3.838>.
- Meutia, Keumala. "Juridical Analysis of the Imposition of Honorarium on Notary Services in the City of Medan." *Journal of Legal Perspectives* 3, no. 2 (2022): 123–33.
- Nurliyantika, Rizka, Ros Amira bt Mohd Ruslan, Iza Rumesten RS, Muhammad Syahri Ramadhan, and Neisa Angrum Adisti. "A Comparative Study of the Duties and Authority of Notaries in Indonesia and Malaysia." *Repertoire: Scientific Journal of Notary Law* 11, no. 2 (2022): 196–207.
- Putri, Nessya Monica Larasati, and Tundjung Herning Sitabuana. "The application of the principle of transparency in the law enforcement process for the sake of creating fair law enforcement." *Journal of the Social Humanities Series* 1, no. 1 (2023): 1–5. <https://doi.org/10.24912/jssh.v1i1.25016>.
- Ramadhana, Muhamad Qadar, and Siti Indah Kobliyati. "The role and responsibility of the Notary for the merger, merger and acquisition of the company according to the law of business competition." *Future Academia: The Journal of Multidisciplinary Research on Scientific and Advanced* 2, no. 4 (2024): 783–92. <https://doi.org/10.61579/future.v2i4.255>.
- Rawls, John. *A Theory of Justice*. Rev. ed. Belknap Press of Harvard University Press, 1999.
- Rawls, John. *Justice as Fairness: A Restatement*. Harvard University Press, 2001. <https://doi.org/10.2307/j.ctv31xf5v0>.
- Sahira, Sahla Billah, Debriana Novianti, and Devany Putri Prasetya. "The Application of Notary Ethics and Transparency in Authentic Deeds." *Nusantara: Journal of Education, Arts, Science and Social Humanities* 1, no. 02 (2023). <https://journal.forikami.com/index.php/nusantara/article/view/429>.
- Salshabilla, Fadhilla Neyma, and Aju Putrijanti. "The Urgency of Formulating the Minimum Amount of Notary Honorarium in the Law on the Notary Position." *Notary* 16, no. 1 (2023): 66–82. <https://doi.org/10.14710/nts.v16i1.37294>.
- Salshabilla, Fadhilla Neyma, and Aju Putrijanti. "The Urgency of Formulating the Minimum Amount of Notary Honorarium in the Law on the Notary Position." *Notary* 16, no. 1 (2023): 66–82. <https://doi.org/10.14710/nts.v16i1.37294>.
- Saputra, Raji, Azmi Fendri, and Delfiyanti Delfiyanti. "Determination of Notary Honorarium in Making Deeds in Pariaman City." *UNES Law Review* 6, no. 1 (2023): 2905–21.
- Saragih, Daniel Marojahan, and Ana Silviana. "The Role of Notaries in Improving the Quality of Service to the Community." *NOTARIUS* 17, no. 1 (2024): 111–26.

- Sejati, Mahanany Citraning Putri, and Saprudin Saprudin. "The Existence of Notaries in the Establishment of Individual Companies in the Positive Legal System in Indonesia." *El-Mujtama: Journal of Community Service* 4, no. 6 (2024). <https://doi.org/10.47467/elmujtama.v4i6.4894>.
- Soroinda, Disriani Latifah. "Comparison of the Notary Profession and the Implementation of Notary Journals in New York State and Notary Protocols in Indonesia in the Era of Technology Reform." *PALAR (Pakuan Law Review)* 10, no. 2 (2024): 43–66.
- Suhardin, John. "The Concept of Justice from John Rawls with Pancasila Justice (Comparative Analysis)." *Fiat Iustitia : Journal of Law* 3, no. 2 (2023): 200–208. <https://doi.org/10.54367/fiat.v3i2.2535>.
- Suhardin, John. "The Concept of Justice from John Rawls with Pancasila Justice (Comparative Analysis)." *Fiat Iustitia : Legal Journal*, 25 February 2023, 200–208. <https://doi.org/10.54367/fiat.v3i2.2535>.
- Suparto, Suparto, Fadhel Arjuna Adinda, Azamat Esirgapovich Esanov, and Zamira Esanova Normurotovna. "Administrative Discretion in Indonesia & Netherland Administrative Court: Authorities and Regulations." *Journal of Human Rights, Culture and Legal System* 4, no. 1 (2024): 75–100. <https://doi.org/10.53955/jhcls.v4i1.189>.
- Syafliansah, Syafliansah Syafliansah, Esti Royani, Juni Gultom, and Hari Selamat. *Legal Research Methods*. Zahir Publishing, 2025.
- Syarif, Rizqi Perdana, and Mohamad Fajri Mekka Putra. "A Comparative Study of Notary Leave Arrangements in Indonesia and the Netherlands." *Scientific Development Media* 19, no. 12 (2025): 6569–78.
- Wahid, Abdul. "Restorative Justice: An Attempt to Find Substantive Justice?" *Journal of Ius Constituendum* 7, no. 2 (2022): 307–21. <https://doi.org/10.26623/jic.v7i2.5793>.
- Yulia, Aris. "Enforcement of the Notary Code of Ethics in the Framework of Deontological Ethics." Dissertation, Doctoral Study Program in Law, Faculty of Law, Diponegoro University, Semarang, 2019. <https://eprints2.undip.ac.id/id/eprint/9755/1/Disertasi%20Aris%20Yulia.pdf>.
- Yustica, Anugrah, Ngadino Ngadino, and Novira Maharani Sukma. "The Role of Notary Professional Ethics as an Effort to Enforce the Law." *Notary* 13, no. 1 (2019): 60–71. <https://doi.org/10.14710/nts.v13i1.29162>.