

A Comparative Study Between Indonesia and Malaysia on the Role of Notaries and Advocates

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Abstract

This research aims to compare the roles of notaries and advocates in Indonesia and Malaysia. The urgency of this research is to provide better insight into the topic. The novelty of this research lies in the comparative approach offered in this analysis in the legal context of Indonesia and Malaysia. This research uses a qualitative approach with data sources in documentation and observation. The analysis tool chosen is Nvivo 12 Plus. The findings of this study succeeded in identifying striking similarities and differences in the roles of these two professions. The main similarity in the role of notaries in Indonesia and Malaysia is the function of legalizing and enforcing the validity of legal documents. Notaries in both countries certify documents and ensure compliance with applicable laws. However, the most significant difference lies in the two countries' scope of duties, legal authority, and notary education systems. The main similarities in the role of advocates in Indonesia and Malaysia include legal representation, providing legal advice, and filing legal documents. However, the main differences relate to the scope of the case, legal system, educational requirements, legal language, and legal culture. This shows differences in the two countries' legal contexts and legal demands. Thus, the roles of notaries and advocates in Indonesia and Malaysia have basic similarities in legalizing documents and legal representation but significant differences in the scope of duties, legal authority, education system, and legal and cultural context.

Keywords: *Advocate; Legal function; Legal system; Notary*

1. INTRODUCTION

Comparative studies have significant urgency in the context of science, especially when comparing two or more entities, such as countries. This provides an opportunity to understand the differences and similarities between these entities in various aspects, including legal issues.¹ Several studies explain that comparative studies can provide deeper insight into how each issue is discussed and influences the development and dynamics of each entity.² Comparative studies also make it possible to identify the significance of differences and similarities in resolving problems, especially those related to law.³ This can be useful in perspective taking to see a contributive and positive difference. Thus, comparative studies have a fairly complex urgency but are useful in enriching knowledge.

A comparative study between Indonesia and Malaysia regarding the roles of notaries and advocates in the legal system is an important effort to understand the differences and similarities in the roles of these two professions in the two countries. Notaries and advocates have a crucial role in the judicial system and legal systems of each country, even though they have different focuses and responsibilities. Indonesia and Malaysia have legal systems rooted in different legal traditions. Indonesia adheres to a continental legal system influenced by Dutch law,⁴ while Malaysia has a mixed legal system that combines elements of Islamic law, customary law and English law.⁵ In this context, the role of notaries and advocates becomes very important in bridging differences and offering necessary legal guidance to citizens.

Notaries have a very important role in a country's legal system.⁶ A notary is a public official with the authority to prepare and issue notarial deeds with strong legal force.⁷ The urgency of notaries lies in their role in creating legal certainty, protecting personal and property rights, and facilitating complex legal

¹ Jaakko Husa, "Translating Legal Language and Comparative Law," *International Journal for the Semiotics of Law* 30, no. 2 (2017): 261–72, <https://doi.org/10.1007/s11196-016-9490-9>.

² Tawakkal Baharuddin, Zuly Qodir, and Mohammad Jafar Loilatu, "Government Website Performance during Covid-19 : Comparative Study Yogyakarta and South Sulawesi , Indonesia," *Journal of Governance and Public Policy* 9, no. 2 (2022): 109–23, <https://doi.org/10.18196/jgpp.v9i2.11474>.

³ Robin Hofmann, "Formalism versus Pragmatism – A Comparative Legal and Empirical Analysis of the German and Dutch Criminal Justice Systems with Regard to Effectiveness and Efficiency," *Maastricht Journal of European and Comparative Law* 28, no. 4 (2021): 452–78, <https://doi.org/10.1177/1023263X211005983>.

⁴ Lita Tyesta Addy Listya Wardhani, Muhammad Dzikirullah H. Noho, and Aga Natalis, "The Adoption of Various Legal Systems in Indonesia: An Effort to Initiate the Prismatic Mixed Legal Systems," *Cogent Social Sciences* 8, no. 1 (2022): 2104710, <https://doi.org/10.1080/23311886.2022.2104710>.

⁵ Vivien Chen, "Law and Society in the Evolution of Malaysia's Islamic Capital Market Regulation," *Asian Journal of Law and Society* 4, no. 1 (2017): 133–56, <https://doi.org/10.1017/als.2016.20>.

⁶ Rabi'ah Adawiyah Phonna Effendy Jaraputri et al., "Legal Consequences For A Notary Public With Double Professions As A Rector Of A Private University Based On Law On Office Of Notary Public," *Syariah: Jurnal Hukum Dan Pemikiran* 23, no. 1 (2023): 25–35, <https://doi.org/10.18592/sjhp.v23i1.8611>.

⁷ Maharani Millenia Husy and Benny Djaja, "Comparison of Notary Law in Indonesia and Singapore," *Interdisciplinary Social Studies* 2, no. 7 (2023): 2157–63.

transactions.⁸ Notaries help prevent legal conflicts and increase trust in business and civil activities by providing legal certification of agreements and documents.⁹ Notaries also play a role in maintaining accurate legal records, which is very meaningful in facilitating future proof of rights and obligations.¹⁰ Therefore, a deeper understanding of the urgency of the notary is essential to respect and understand its crucial role in maintaining justice and order in a legal society.¹¹

Advocates are the main pillars in maintaining a fair and democratic justice system.¹² The urgency of advocates lies in their role as defenders of human rights, guardians of justice, and legal representatives for individuals who need assistance in the legal system.¹³ Advocates are not only legal experts who understand the complexities of the law, but also protectors of the rights of individuals who may not have the knowledge or resources to defend themselves. Advocates play a role in providing competent legal advice, preparing and presenting legal arguments in court, and ensuring that the judicial process runs in accordance with the principles of justice.¹⁴ Thus, advocates are important guardians in maintaining the balance of power between individuals and the state and ensuring that every citizen has equal access to legal protection and rights.

Apart from that, advocates also have a crucial role in ensuring the accountability of the government and authorized institutions.¹⁵ Advocates can act as constructive critics of policies that do not follow the law or human rights. Advocates also play a role in voicing important social and humanitarian issues, such as women's rights, minority rights, or environmental protection. Thus, advocates' urgency impacts the individuals they represent and society.¹⁶

⁸ Satrio Abdillah, "The Evaluation of Notary Studies Globally : Bibliometric Analysis," *Jurnal Akta* 10, no. 2 (2023): 76–88, <https://doi.org/http://dx.doi.org/10.30659/akta.v10i2.32749>.

⁹ Satrio Abdillah and Roni Sahindra, "Spesialitas Notaris-PPAT Sebagai Profesi Dan Jabatan Dalam Sistem Hukum Indonesia Specialties of Notary-PPAT as a Profession and Position In the Indonesian Legal System," *Jurnal Kajian Ilmu Hukum* 1, no. 1 (2022): 11–24.

¹⁰ Satrio Abdillah, "Batasan Kewenangan Dan Tanggung Jawab Notaris-PPAT Dalam Edukasi Prosedur Pembuatan Akta Otentik Ditinjau Dari Pasal 51 KUHP," *Journal of Education Research* 4, no. 1 (2023): 67–72, <https://doi.org/10.37985/jer.v4i1.125>.

¹¹ Vina Ayu Subagta Tolinggar and Pieter Latumeten, "Urgensi Penggunaan Remote Notary Oleh Notaris Pasca Pandemi Covid-19," *Jurnal USM Law Review* 5, no. 2 (2022): 663–77, <https://doi.org/http://dx.doi.org/10.26623/julr.v5i2.5171>.

¹² N R Zahro, "The Role of Advocates in Law Enforcement of the Halal Industry in Indonesia," *Annual Conference on Islamic Economy and ...*, 2023, 121–35, <https://conference.trunojoyo.ac.id/pub/index.php/aciell/article/view/137%0Ahttps://conference.trunojoyo.ac.id/pub/index.php/aciell/article/viewFile/137/147>.

¹³ Bianca Fileborn and F. Vera-Gray, "'I Want to Be Able to Walk the Street Without Fear': Transforming Justice for Street Harassment," *Feminist Legal Studies* 25, no. 2 (2017): 203–27, <https://doi.org/10.1007/s10691-017-9350-3>.

¹⁴ M Rudi Hartono and Radi Candra, "Analisis Hukum Terhadap Hak Imunitas Advokat Dalam Beracara Memberikan Bantuan Hukum," *Wajah Hukum* 5, no. 1 (2021): 94, <https://doi.org/10.33087/wjh.v5i1.350>.

¹⁵ Lusia Sulastri, Norcha Satria, and Adi Nugroho, "Reconstruction on The Regulations of Advocate Organi-Zational System As Accountability for The Quality of Professions," *Jurnal Dinamika Hukum* 20, no. 1 (2020): 210–28, <https://doi.org/10.20884/1.jdh.2020.20.1.2936>.

¹⁶ Rohaida Nordin and Abdul Rahman Abdullah, "Human Rights, Its Scope and Application: An Empirical Analysis of Future Human Rights Advocates in Malaysia," *Pertanika Journal of Social Sciences and Humanities* 25, no. 2 (2017): 741–59.

Advocates are the front guard in protecting the principles of democracy, justice and freedom in a country's legal system.

Although there have been many research results that discuss the two separately, very little research investigates and compares the two simultaneously. The novelty of this research lies in the comparative approach offered in this analysis in the legal context of Indonesia and Malaysia. This comparative analysis will make it possible to understand the differences and similarities in the roles of notaries and advocates in Indonesia and Malaysia, countries with different legal systems. This research aims to fill gaps in previous knowledge and provide deeper insight into how these two professions interact and develop in both countries' rapidly changing legal contexts. Thus, this research can provide a valuable contribution to understanding the role of notaries and advocates in an increasingly complex and global legal context. This research aims to provide deeper insight into how these two professions interact and develop in the rapidly changing legal context in both countries so that it can provide a valuable contribution to understanding the role of notaries and advocates in an increasingly complex and global legal context.

2. METHOD

This research used a qualitative approach involving several main data sources, namely documentation and observation. The documentation process involves collecting data from various sources such as related documents, internet sources, and scientific literature related to the role of notaries and advocates in Indonesia and Malaysia. Field observations were also carried out by visiting Malaysia and Indonesia to observe the practices of two topics, namely the role of notaries and advocates. The data collected from these sources is then imported into the Nvivo 12 Plus analysis tool. Using Nvivo 12 Plus analysis tools allows researchers to manage and analyze data efficiently. The data obtained was then coded using units of analysis based on case classification and thematic mapping to understand the differences and similarities in the roles of notaries and advocates in the two countries.

3. RESULTS AND DISCUSSION

3.1 Notaries: Indonesia and Malaysia

The role of notaries in Indonesia and Malaysia has significant differences in the context of the legal system and the tasks they carry out. In Indonesia, notaries have an important role in compiling and issuing notarial deeds, which have a strong legal force, especially in property transactions and other legal agreements. The notary also plays a role in ensuring that the documents comply with applicable law.¹⁷ Meanwhile, in Malaysia, notaries have a more limited role and generally focus on making wills and other legal documents. These differences reflect differences in the legal traditions of the two countries, which

¹⁷ Abdillah, "The Evaluation of Notary Studies Globally : Bibliometric Analysis."

have significant implications for the way notaries operate and interact with their respective national legal systems.¹⁸

The similarities and differences in the role of notaries in Indonesia and Malaysia are described as follows:

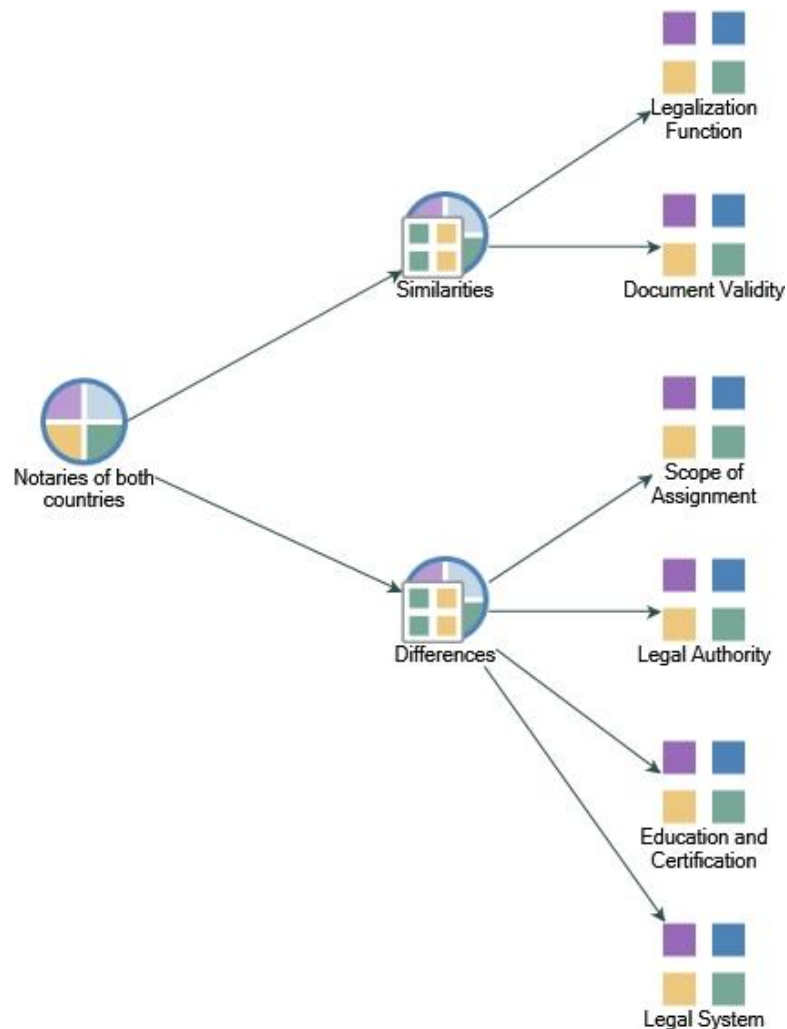


Figure 1. Similarities and differences between the two countries regarding notaries

Figure 1 provides a concise overview of the similarities and differences between the two countries concerning the role of notaries. The main similarity in the role of notaries in both countries is the function of legalizing and enforcing the validity of legal documents. Notaries in Indonesia and Malaysia have an important role in ratifying certain documents so that these documents have a strong legal force. Notaries are also responsible for ensuring that documents are prepared per applicable laws in their respective countries.¹⁹ Therefore, the role of

¹⁸ Rizka Nurliyantika, Syahri Ramadhan, and Neisa Angrum Adisti, “Studi Komparasi Tugas Dan Wewenang Notaris Di Indonesia Dan Malaysia,” *Repertorium: Jurnal Ilmiah Hukum Kenotariatan* 11, no. 2 (2022): 196–207, <https://doi.org/10.28946/rpt.v11i2.2471>.

¹⁹ Nurliyantika, Ramadhan, and Adisti.

notaries in ensuring legal certainty and protecting individual rights is similar in both countries.

One of the main differences is in the scope of the notary's duties. In Indonesia, notaries have broader responsibilities and are often involved in various legal transactions, including property transactions, company establishments, and other legal deeds.²⁰ In Malaysia, notaries are more focused on making wills and certain legal documents, so the notary's role is more limited regarding the types of documents the notary handles. The legal authority of notaries is also different.²¹ In Indonesia, documents issued by notaries are considered legally strong and have high acceptability. In Malaysia, notaries have more limited powers, and some documents may require additional approval or action by other legal authorities before being considered valid.

In addition, differences in notary education, training, and certification systems also influence the role of notaries. The requirements for becoming a notary may differ in the two countries, affecting the notary's level of competence and knowledge in carrying out notarial duties.²² Another aspect that differentiates the two countries is related to their legal systems. The different legal systems between Indonesia (continental legal system) and Malaysia (mixed legal system) also influence how notaries operate and interact with the legal system. Because of these differences, the role of notaries in the two countries follows different legal contexts.

Overall, the role of notaries in Indonesia and Malaysia is similar in legalising and protecting legal documents' validity. However, the differences lie in the scope of duties, legal authority, educational requirements, and legal contexts. The role of notaries in Indonesia is broader. It has higher authority regarding the strength of documents, while notaries in Malaysia have a more limited role, especially in the context of wills. These differences are reflected in differences in the two countries' legal systems and legal practices.

The implication of the differences in the role of notaries in Indonesia and Malaysia is that individuals and legal entities involved in legal transactions need to understand these differences to avoid confusion and legal problems that may arise. Notaries must consult notaries according to the scope of duties that suit their needs, whether in Indonesia or Malaysia. Apart from that, notaries must understand their respective roles and authorities by the legal regulations of the country where the notary practices. This may also affect cross-border cooperation between notaries and parties involved in legal transactions between the two countries. With a good understanding of these differences, individuals

²⁰ Deviana Yuanitasari, "The Role of Public Notary in Providing Legal Protection on Standard Contracts for Indonesian Consumers," *Sriwijaya Law Review* 1, no. 2 (2017): 179–89, <https://doi.org/10.28946/slrev.Vol1.Iss2.43.pp179-190>.

²¹ Thaufiq Deen, O. Argo Victoria, and Sumain Sumain, "Public Notary Services In Malaysia," *Jurnal Akta* 5, no. 4 (2018): 1017, <https://doi.org/10.30659/akta.v5i4.4135>.

²² Deen, Victoria, and Sumain.

and legal entities can carry out transactions more smoothly and ensure the validity of legal documents by applicable laws in both regions.

The implications of the differences in the roles of notaries in Indonesia and Malaysia highlight the critical need for increased awareness and education among individuals and legal entities engaging in cross-border legal transactions. This understanding can prevent potential legal complications and ensure the smooth execution of legal documents across different jurisdictions. Consequently, it becomes imperative for both countries to facilitate comprehensive training programs and informational sessions that enlighten stakeholders about the contrasting functions of notaries in each jurisdiction. Moreover, fostering bilateral cooperation and mutual recognition agreements between notarial bodies in Indonesia and Malaysia can promote a more streamlined and efficient process for cross-border legal transactions. Creating a platform for continuous dialogue and information exchange between notarial professionals from both countries would further enhance understanding and cooperation, ultimately contributing to the facilitation of smoother and legally sound transactions within the region.

3.2 Advocates: Indonesia and Malaysia

The role of advocates in Indonesia and Malaysia has differences and similarities that are interesting to investigate. In both countries, advocates serve as legal representatives for clients in the justice system, providing legal advice and defending individual rights. However, differences in the legal systems and culture in Indonesia and Malaysia influence how advocates operate.²³ In Indonesia, advocates have a broader role in various types of civil and criminal cases, while in Malaysia, advocates are often more specialized in certain aspects, such as Islamic law.²⁴ A comparative study of the role of advocates in these two countries will provide in-depth insight into how advocates contribute to providing access to justice and legal protection for society amidst differences in existing legal systems and legal cultures.

²³ Eko Budi S and Wancik Wancik, "Perlindungan Hukum Terhadap Korban Tindak Pidana Perdagangan Orang Dalam Perspektif Sistem Peradilan Pidana Indonesia Dan Malaysia," *Wajah Hukum* 4, no. 2 (2020): 261, <https://doi.org/10.33087/wjh.v4i2.246>.

²⁴ Rusni Hassan, Mohammad Azam Hussain, and Adnan Yusoff, "Penubuhan Dan Bidang Kuasa Mahkamah Muamalat Di Malaysia: Isu Dan Cabaran," *Kanun: Jurnal Undang-Undang Malaysia* 25, no. 1 (2013): 83–106, <https://jurnal.dbp.my/index.php/Kanun/article/view/7994>.

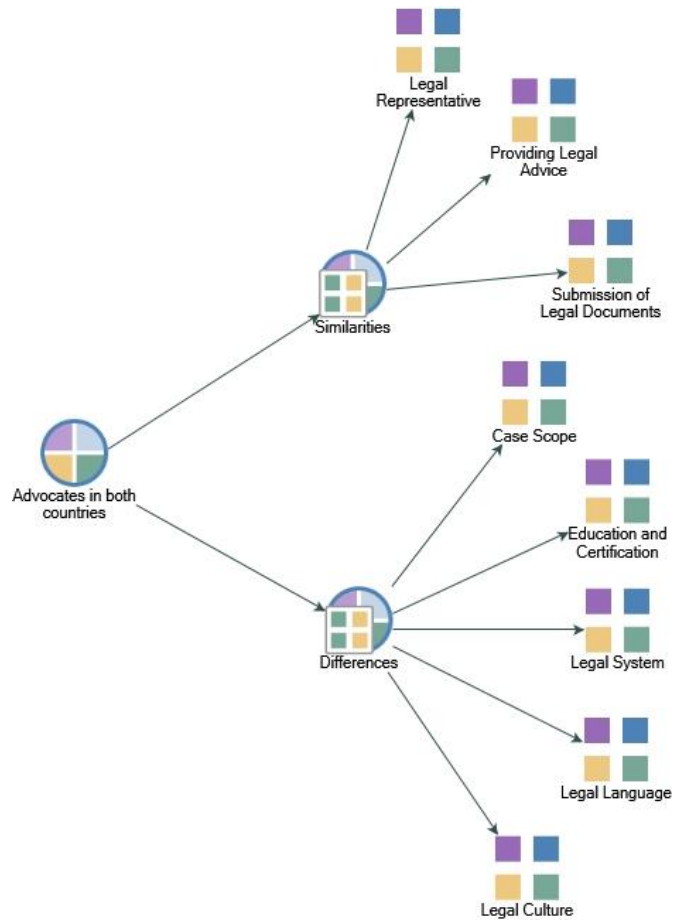


Figure 2. Similarities and differences between the two countries regarding advocates

Figure 2 shows several similarities and differences in the role of advocates in the two countries between Indonesia and Malaysia. The similarities and differences in the role of advocates in Indonesia and Malaysia illustrate how these two countries have similar foundations in the basic principles of the advocacy profession but also reflect the strong influence of different legal systems, legal cultures, and legal environments. On the one hand, the similarities between the roles of advocates in both countries include legal representation being the central role of advocates in the justice system. In Indonesia and Malaysia, advocates defend, protect, and represent clients in court. Advocates also provide legal advice, help clients understand their rights and obligations, and file relevant legal documents with the court.

However, significant differences are also visible in the role of advocates in the two countries. One of the main differences is in the scope of cases that lawyers handle. In Indonesia, advocates have a broader role and are involved in various civil and criminal cases, including corporate, property and criminal cases. In Malaysia, advocates tend to be more specialized in certain aspects, such as Islamic or customary law, which relate to the country's ethnic and religious identities.

Additionally, differences in legal systems influence the role of advocates. Indonesia has a code-based legal system (continental legal system),²⁵ while Malaysia has a mixed legal system that includes Islamic law, customary law, and civil law.²⁶ This affects how advocates operate, understand applicable aspects of law, and interact with courts.

Differences in educational and certification requirements to become an advocate also influence the competence and specialization of advocates in the two countries.²⁷ The legal language used and the legal culture that develops in each country also play an important role in influencing the role of advocates.²⁸ Thus, although there are basic similarities in the role of advocates as legal representatives and advisors in Indonesia and Malaysia, differences in the scope of cases, legal systems, educational requirements, legal language, and legal culture reflect differences in the legal context of each country. Understanding these similarities and differences is important to provide a better insight into the legal profession in both countries and how advocates contribute to different legal systems.

The implication of the differences in the role of advocates in Indonesia and Malaysia is that both countries must understand the different legal contexts, legal systems and demands they face. Advocates need to specialize according to the legal environment in which they work and gain in-depth knowledge of relevant legal aspects. Additionally, understanding these differences can influence a client's decision-making, development of legal strategies, and approach to handling cases. In an era of increasing globalization and interconnection, advocates also need to consider how the work they do may be affected by complex cross-border issues. Therefore, the implication of the differences in the role of advocates in the two countries is the need for flexibility, a deep understanding of the complexity of the legal system, and the ability to adapt to changes in a dynamic legal environment.

3.3 Notaries and Advocates: A comparison between Indonesia and Malaysia

A comparison between the roles of notaries and advocates in Indonesia and Malaysia reveals interesting differences in the two legal systems and their impact on legal protection and certainty. Indonesia, as a country with a continental legal system, and Malaysia, with a mixed legal system that includes Islamic law, display striking differences in the focus and functions of notaries and advocates.

²⁵ Nurul Iin Pratiwi, "Legal Implications of the *Judex Facti* Decision That Acquits the Defendant of Fraud in an Agreement," *Estudiante Law Journal* 5, no. 1 (2023): 316–29, <https://doi.org/https://doi.org/10.33756/eslaj.v5i2.21797>.

²⁶ Donald L. Horowitz, "The Qur'an and the Common Law: Islamic Law Reform and the Theory of Legal Change," *The American Journal of Comparative Law* 42, no. 2 (1994): 233, <https://doi.org/10.2307/840748>.

²⁷ Nur Zulfah Md Abdul Salam, Norazla Abdul Wahab, and Hammad Mohamad Dahalan, "Penubuhan Majlis Peguam Syarie Wilayah- Wilayah Persekutuan: Satu Tinjauan Terhadap Tadbir Urus Peguam Syarie," *Journal of Muwafaqat* 6, no. 1 (2023): 59–72, <https://doi.org/https://doi.org/10.53840/muwafaqat.v6i1.142>.

²⁸ Endah Rantau Itasari, "Fulfillment of Education Rights in the Border Areas of Indonesia and Malaysia," *Ganesha Law Review* 1, no. 1 (2019): 1–13, <https://doi.org/10.23887/blr.v1i1.14>.

This comparative analysis will reveal the similarities and differences in the roles of these two legal professions and the implications and challenges faced by the two countries in legal development in the future. In general, the role of notaries in Indonesia is broader and more often involved in various legal transactions, including company, property, and other legal deeds. On the other hand, notaries in Malaysia are more focused on making wills and certain legal documents, especially those related to Islamic law and customary law. This reflects fundamental differences in legal systems where Indonesia follows a continental legal system, while Malaysia has mixed aspects that include Islamic law.

Indonesia also shows a broader role with advocates involved in various types of civil and criminal cases, while in Malaysia, advocates tend to be more specialized in certain aspects, such as Islamic law. Educational and certification requirements to become an advocate may also differ in the two countries, affecting the advocate's level of competency and specialization. One possible criticism is that these differences may create unequal access to justice between individuals and legal entities in the two countries. When notaries and advocates have a more limited focus on one particular aspect of the law, some complex or cross-cutting legal issues may be overlooked. Additionally, in the context of globalization, where cross-border transactions are increasingly common, differences in legal systems and the legal profession's role can confuse and slow down the legal process.

The main implication of this comparison is the importance of understanding the differences in the roles of notaries and advocates between Indonesia and Malaysia, especially for individuals and businesses involved in cross-border legal transactions. Future legal developments must consider the need to bridge gaps in access to justice and legal certainty, integrate best practices from both countries and promote legal harmonization at regional or international levels. There may also be a need for closer cross-border cooperation between notaries and advocates in both countries to overcome the complexities of cross-border legal transactions. Additionally, harmonizing legal regulations and educational requirements for notaries and advocates at the regional level could help create a more uniform framework for practising the legal profession in Southeast Asia. This will support efforts to strengthen legal protections and ensure regional justice.

A comparison of the roles of notaries and advocates between Indonesia and Malaysia provides important insights into scientific development, especially in legal studies and legal development. These differences reflect the diversity in legal systems in Southeast Asia and reveal profound implications in several aspects. First, this comparison underscores the importance of historical, cultural and religious context in shaping a country's legal system. With a continental legal system influenced by Dutch law, Indonesia has notaries who have a broader role in legal transactions. On the other hand, Malaysia, which has a mixture of Islamic and customary law, places notaries in a more focused role. This creates an

interesting field of study in comparative legal studies, exploring how cultural and religious factors influence the development of law.

Second, this comparison also highlights the importance of adaptation and innovation in legal practice. Looking at the different roles of notaries and advocates can stimulate discussion about how countries can leverage each other's best practices to improve their legal systems. This encourages research in developing legal practices that are more efficient and responsive to community needs. Third, this comparison highlights the challenges in achieving legal harmonization at the regional or international level. Given the significant differences between Indonesia and Malaysia, efforts are needed to create a uniform legal framework in the practice of notaries and advocates in Southeast Asia. This challenges legal scholars to design more effective and efficient cross-border cooperation models and investigate the political and legal obstacles that may arise in these harmonization efforts.

Fourth, this comparison provides an in-depth view of the importance of access to justice and legal certainty in society. Given the differences in the roles of notaries and advocates and the possible risks of unequal access to justice, further research could explore the social and economic impacts of these differences. It could also inspire studies on improving access to justice through legal reform, training, and regulation of the legal profession. Overall, the comparison of the roles of notaries and advocates between Indonesia and Malaysia is not only relevant in the legal context but also in the context of the development of science and multidisciplinary research. This illustrates the complexity and dynamics of legal systems in different countries and opens the door to a deeper study of their evolution and impact on society and the economy.

The differences in the roles of notaries and lawyers between Indonesia and Malaysia provide essential insights into their impact on society, the economy, and access to justice. This mismatch in the focus of the roles of notaries and lawyers can affect the community's ability to access legal services equally, especially in the context of differences in legal systems and more limited specialization in Malaysia. Thus, the risk of legal uncertainty and disparities in access to justice may be greater in communities that depend on the role of notaries and lawyers. In economic terms, these differences can also affect the speed and efficiency of cross-border transactions, especially in the context of globalization. Therefore, further study of how to unify the legal framework and practices of notaries and lawyers at a regional or international level could help create a more uniform and efficient legal system with the potential to promote economic growth and social justice.

To address the identified challenges and gaps in the role of notaries and lawyers between Indonesia and Malaysia, legal reform efforts are needed that focus on the harmonization of legal regulations between the two countries. Essential steps include increasing cross-border cooperation between notaries and

lawyers from the two countries by promoting the exchange of best practices and knowledge to improve understanding of different legal systems. In addition, efforts are needed to develop uniform education and certification for notaries and lawyers at the regional level by adapting curricula and certification requirements to cover broader aspects of the law. This is expected to reduce gaps in access to legal services and increase legal certainty in cross-border transactions. In addition, an emphasis on innovation in legal practice and adapting to global developments is also crucial in formulating legal reform policies that are responsive to society's needs. Thus, legal reform oriented towards harmonization, cross-border cooperation, and innovative adaptation is expected to strengthen the legal systems in both countries and support the realization of equal access to justice in society.

4. CONCLUSION

The study found significant differences in the legal systems, focus, and functions of notaries and advocates, reflecting the rich legal diversity of Southeast Asia. Notaries in Indonesia have a broader role and greater authority in various legal transactions. In contrast, notaries in Malaysia focus more on certain legal aspects, especially those related to Islamic law. The same applies to the role of advocates, with Indonesia displaying a more versatile role in civil and criminal cases. Meanwhile, Malaysia tends to specialize more in certain aspects of law. These differences reflect differences in the two countries' legal systems, legal cultures, and legal requirements. A further research recommendation is to investigate how cross-border cooperation between notaries and advocates can be improved in a regional or international context. This will support legal integration at the regional level and encourage the establishment of a more uniform framework for the practice of the legal profession in Southeast Asia, which will help ensure better legal protection and fairness for all parties involved in cross-border legal transactions in the region.

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