

СУДОУСТРІЙ; ПРОКУРАТУРА Й АДВОКАТУРА
JUDICIAL EQUIPMENT; PROSECUTOR'S OFFICE AND LAWYER

UDK 34

DOI: 10.26565/2075-1834-2021-32-10

CODE ETHIC SUPERVISION AND ENFORCEMENT OF ADVOCATE IN INDONESIA

Jonaedi Efendi,

Faculty of Law,
Bhayangkara University, Surabaya, Indonesia
e-mail: jefendi99@gmail.com
orcid: <https://orcid.org/0000-0002-4907-4460>

Sulaksono,

Faculty of Law,
Universitas Dr. Soetomo, Surabaya, Indonesia
e-mail: sulaksono@unitomo.ac.id
orcid: <https://orcid.org/0000-0001-6648-9169>

ANNOTATION. *Introduction:* This research tried to review the supervision and enforcement of advocate code ethics concept. Advocate had very strategic function and role to manifest the truth and justice in law enforcement. Therefore, that advocate was directly or indirectly involved to create justice mafia and *judicial corruption*. Advocate's role must give law service and represent the client who slowly but surely replaces the "approacher" role of law enforcement officials, so that the cases handled can be won by any means, including the deviation done by advocate in jockey prisoner at a jail in Indonesia. This jockey prisoner cases can be stated as the reflection of how bad the law enforcement in Indonesia. This case revealed as the top iceberg, which actually has been done for a long time in this country. The elaboration above shows the urgent need of supervision and enforcement advocate code ethics in order to make advocate stands right in the law enforcement corridor

Methods: The method used was normative-sociologist approach, which reviewed as to the supervision and enforcement advocate code ethics in legislations rule as well as the advocate responsibility analysis in sociology.

Results: One of the trusted inside advocate legislations 18.2003 is the obligation advocate code ethic existence. It was arranged by Indonesia Advocate Ethic Code to keep the honorary and dignity of advocate profession (Clause 26 Chapter IX verse 1); that legislations also rule of how an advocate must submit and obey advocate profession code ethic, also determination as to advocate organization honorary council (verse 2); Advocate profession ethic code as meant on verse (1) cannot be contradicted with legislations rule (verse 3); Supervision based on Advocate profession code ethic implementation is done by Advocate Organization (verse 4)

Conclusions: It can be concluded that the supervision of advocate was the responsibility of all country's institution and law enforcement officials, thus the aspiration to manifest law justice would be achieved and advocate contribution in law supremacy was maximized.

KEY WORDS: Advocate, Supervision, Code ethics, Law enforcement.

КОДЕКС ЕТИКИ НАГЛЯД ТА ВИКОНАННЯ АДВОКАТІВ В ІНДОНЕЗІЇ

Йонаеді Ефенді,

Юридичний факультет Університету Бхаянгкара,
Сурабая, Індонезія
e-mail: jefendi99@gmail.com
orcid: <https://orcid.org/0000-0002-4907-4460>

Сулаксоно,

Юридичний факультет, Universitas Dr. Soetomo,
Сурабая, Індонезія
sulaksono@unitomo.ac.id
orcid: <https://orcid.org/0000-0001-6648-9169>

АНОТАЦІЯ. *Вступ:* У цьому дослідженні була спроба переглянути нагляд та дотримання концепції етики адвокатського кодексу. Адвокат мав дуже стратегічну функцію та роль, щоб виявляти правду та справедливість у правоохоронних органах. Таким чином, цей адвокат був прямо чи опосередковано залучений до створення судової мафії та судової корупції. Роль адвоката повинна надавати юридичні послуги та представляти клієнта, який повільно, але впевнено замінює роль «наближення» посадових осіб правоохоронних органів, щоб справи, які розглядаються, можна було виграти будь-яким способом, включаючи відхилення, зроблене адвокатом у в'язниці-жокеї у в'язниці в Індонезія. Цей жокеї справи ув'язнених можна назвати відображенням того, наскільки погані правоохоронні органи в Індонезії. Цей випадок розкрився як вершина айсберга, що фактично робилося в цій країні

вже давно. Розробка вище показує нагальну потребу в нагляді та запровадженні етичного кодексу адвоката, щоб адвокат стояв прямо в коридорі правоохоронних органів.

Методи: Використовуваний метод – нормативно-соціологічний підхід, який розглядає питання етики нагляду та застосування адвокатського кодексу в законодавчих нормах, а також аналіз відповідальності адвоката в соціології.

Результати: Одним із довірених внутрішніх законів про адвокатуру від 18.2003 є зобов'язання щодо існування кодексу етики адвоката. Це було організовано Кодексом адвокатської етики Індонезії для збереження честі та гідності адвокатської професії (пункт 26 Розділ IX, вірш 1); що законодавчі акти також визначають, як адвокат повинен підкорятися етичному кодексу професії адвоката, а також визначення почесної ради адвокатської організації (вірш 2); Етичний кодекс професії адвоката, як він мається на увазі у вірші (1), не може суперечити нормі законодавства (вірш 3); Нагляд на основі впровадження етичного кодексу професії адвоката здійснюється Адвокатською організацією (вірш 4).

Висновки: можна зробити висновок, що нагляд за адвокатом був обов'язком усіх установ країни та представників правоохоронних органів, таким чином прагнення виявити правову справедливість було б досягнуто, а внесок адвоката у верховенство закону було б максимальним.

КЛЮЧОВІ СЛОВА: адвокат, нагляд, етика кодексу, правоохоронна діяльність.

Introduction. The advocate profession, since 2000's, is known as noble profession (*Officium Nobile*) and growing rapidly in Indonesia. Almost every person who faces a problem at law field in reformation era the wealthy and famous such as corruption, collusion and nepotism, banking, artist up to the poor cases such as rooster stealing, forced house evictions and etc., tend to use advocate services (Susanto, 2004).

This is an indication that advocate existence in society is really needed. Hence, advocate has strategic function and role to manifest the truth and justice in law enforcement. However, it cannot be refuted that they directly or indirectly contribute to create justice mafia and judicial corruption.

Somehow, it can be confirmed that law system has vital and crucial role, because it is the only advocate who can get access to justice and connection between the society and country through the law institution. Anyhow, what is happening that advocate profession is more known as "broker" cases who stands right between the client and law officers (judge, prosecutor and police) as justice buyer and seller. Advocate's role must give law service and represent the client who slowly but surely replaces the "approacher" role of law enforcement officials, so that the cases handled can be won by any means, including the deviation done by advocate in jockey prisoner at a jail in Bojonegoro, East Java. This jockey prisoner scandal is considered indifferent with tax mafia cases, Gayus Tambunan. According to Humphrey R Djemat, the similarity between both scandals is involving law enforcement officials including advocate.

This jockey prisoner cases can be stated as the reflection of how bad the law enforcement in Indonesia. This case revealed as the top iceberg, which actually has been done for a long time in our country. These cases are along with the decreases of other law enforcement. However, it is not only the police and prosecutor who decrease and accused as public actor from this justice mafia, but also advocate profession. This becomes more clearly since we heard the conversations of an advocate named Bonaran Situmeag in the tapping recorder from KPK (Corruption Eradication Commission). It was listened in the constitutional court council openly. Therefore, the advocate profession gets more harsh shot from public and also be considered having a big role in creating that kind of condition.

The elaboration above shows the urgent need of supervision and enforcement advocate code ethics in order to make advocate stands right in the law enforcement corridor. This research tries to review how the supervision and enforcement concept towards the advocate code ethics.

Review Literature. Supervision Basic Concept. The terms of supervision in English called controlling, which was said by Dale in (Winardi, 2000) that: "... the modern concept of control... provides a historical record of what has happened ... and provides data to enable the ... executive ... to take corrective steps ..." This shows that the supervision is not only seeing something precisely and reporting the supervision activity result, but it includes the meaning of fixing and righting, thus the achievement corresponds to what is planned. More in (Winardi, 2000) stated that: "... there's many a slip between giving works, assignments to men and carrying them out. Get reports of what is being done, compare it with what ought to be done, and do something about it if the two aren't the same'.

Hence, the supervision is actually the action of comparing between the result and reality with the desired result (*das sollen*). It is because between those two things used to having deviations. Thus, the supervision task is doing the correction based on those deviations.

The supervision is the fourth managerial function after planning, organizing and directing. As one of the management function, the supervision mechanism in an organization is absolutely needed. The implementation planning or program without accompanied with a well and continues supervision system, is explicitly slowing or not achieving the determined target and goal.

Mockler stated that supervision as: *Controlling is a systematic effort by business management to compare performance to predetermined standard, plans, or objectives to determine whether performance is in line with*

these standards and presumably to take any remedial action required to see that human and other corporate resources are being used in the most effective and efficient way possible in achieving corporate objectives.

The supervision concept above concluded three things, 1 (there must be planning, standard or goal as the measurement of achievement, (2) There must be implementation process work to achieve the desired goal, (3) there must be an effort to compare as to what have been achieved by determined standardized, planning or goal. (4) Doing the adjustment which is needed. Thus, the supervision concept from Mockler shows that the planning activity by criteria measurement, norms and standards, then to compare which one needs correction or adjustments.

However, national institution of administration reveal that: supervision is one of the organic management, which is a chair activity process to ensure and guarantee that the goal and targets also organizations tasks will and have implement well based on planning, policy, instruction and conditions which is set and applied (Lembaga Administrasi Negara Republik Indonesia, 1996). The supervision as management function is fully the responsibility every chair at any level. The supervision essence is preventing the deviations, extravagant, obstacles, fault and failure in terms of achieving the target and goal also organizational tasks implementation.

Based on LAN above, it appears that the subject is done by chair. The same thing is also stated by Koontz, et. al. that: "achievement function must be done by every manager, starts from chair to supervisor".

Based on the supervision definition as a process, as stated by LAN above, Soekarno (M. Situmorang, 1994) stated that: "Supervision is a process to determine as what must be done, so that what is done along with the planning". (Certo, 2006) said that: "Controlling is the process managers go through to control". While (Maman, 2004) stated that: "Supervision is an activity process which is done by monitoring, measuring and undergo the adjustment based on the job implementation if needed. Hence, what is planned can be done by what is desired".

The same thing stated by Manullang (1997) that: "Supervision is a process to determine what job is done, judged, and corrected so that undergoes the suitable job as initial planning if needed." In essence, Manullang (1997) view above emphasizes that supervision is a process, where the job has been done, and then assessment is done to considered whether it is exactly the same as initial determined or deviations are happened. It is not only until the founding of deviation, but how to take changing steps and adjustments, so that the organization is healthy still. According to (M. Situmorang, 1994), supervision means:

1. Knowing the job is well or not.
2. Fixing the mistakes which is done by employees and undergo the prevention, so that it is not reoccurred by the same mistakes or new mistakes appears.
3. Knowing that budget usage has been determined inside the directed planning based on the planning.
4. Knowing the job implementation based on the program (implementation level program) like what has been determined inside the planning or not.
5. Knowing the job result compares to what is planned, which is standard.

Rachman also states that the meaning of supervision is:

1. Knowing what goes based on the determined planning.
2. Knowing whether all things are going based on instruction and also determined principles.
3. Knowing whether the weakness, difficulties and failures, so that done the changings to fix also prevent the mistake activities.
4. Knowing whether all things are efficient and also can be done by continues fixing, so that gets more righteous fixing.

Based on both opinions, it can be concluded that the meaning of supervision knows the work implementation, work result and all things are based on the planning or not. It also measures the fault mistakes that happened, so that fixing towards more righteous direction.

Code ethics advocate profession description. In the 18th legislations 2003, advocate is a person whose job gives law services, inside or outside court of law that fulfilled the prerequisites based on this legislation. Whereas according to advocate of code ethics, advocate gives law services whether inside or outside the court of law, who fulfilled the prerequisites based on applied legislations whether advocate, lawyer or law consultant, practitioner lawyer or as law consultant. Beside giving law services in the court of law, An advocate also giving some services such as accompaniment, representation, advocacy or running the authority for the sake of client's interests. Also, it can give law assistance outside the court which is law counseling, negotiation and in terms of trade contracts agreement making and doing the others law undergo for law interests whether personal, law corporation, or others that accepting law services from advocate.

Code ethics of advocate profession is applied ethics product which is produced based on ethical applied thinking on a profession. Advocate profession's code ethic can change and be changed along with the science development and technology. Advocate profession code ethics is written, well sequences, flawless and in good language.

As profession organization, advocate needs to have ethic code as a principle or value in terms of moral, which burdens obligation and law protection giving to each member on running their profession. Advocate as a

noble profession lies under law protection, legislation and that ethic code itself, who has freedom based on the dignity, and advocate personality based on independent, honesty, secrecy, and openness firmly. As a law enforcer, advocate has equal profession position among other law enforcement institution. Therefore, each advocate is prosecuted to keep the image and dignity profession also devoted and uphold ethics code and profession oath. The implementation is supervised by honorary council as an exist institution and must be recognized by each advocate without seeing from whose profession originally and members. Hence, every advocate who chooses that profession must submit and obedient on that conduct rule (code of conduct) who is known as Advocate ethic code, before Legislation 18.2003 applied.

Ethic code profession is a professional principal criteria on which is lined, so that it can be known surely by professional obligation, whether, new or old or profession group member candidate. According to Eugenius Sumaryono (1995), ethic codes profession is made written because it has three functions, are: 1) As control social facility, 2) As prevention other parties' intervention, 3) As a misunderstood and conflict prevention.

Code ethics enforcement means as the advocate community ability and the organization to enforce the obedience on ethics determinations for all members, processing the ethics code violation suspicion and act the members who violate all determination which is mentioned inside. In order to keep the quality of each member, an advocate organization must pay attention to intellectual competence, thus the members become far better in terms of society service quality. This process is known as Press continuing Legal Education (CLE). CLE program that is done consistently by advocate organization is expected to create not just competence advocates but also good morality.

All of advocate code ethic captured is a good manner. Besides, there are a few shortcomings, such as:

1. The idealism in advocate code ethic is not the same as the facts around. Hence, our hope is far from the reality.
2. Advocate code ethics is a moral norm compilation that is not completed by hard sanctions because the implementation based on awareness.
3. The advocate honorary council which is not function ruled on clause 10 Indonesian advocate code ethic (KEAI) and clause 26-27 UU n.18 2003 about advocate. The ineffectiveness whether in the rural or central, because of the overwhelm hesitation to report advocate who deviates ethic code.
4. Advocate culture in Indonesia is also "Cooperation solidarity" which means a spirit to defend groups or cooperation. The sentence above can be a reason why advocate code ethic is not well run as it should be.

Research Method. This research used normative-sociologist approach method. It reviews about the supervision and enforcement advocate code ethics in legislation rules, and also analyzed the advocate responsibility inside sociologist field. This sociologist approach is being urgent, that advocate must see the developing and growing low in society.

Discussion. In terms, Advocate legislation 18.2003 was arranged by Indonesia advocate ethic code. This aim is to keep the dignity of advocate profession (clause 26 chapter IX, verse 1); that legislations are also ruling of how an advocate must submit and obey advocate profession ethic code and the determination as to advocate organizational honorary council (verse 2); advocate profession ethic code as mentioned on verse (1) cannot be contradicted by legislations rule (verse 3); the supervision on ethical code advocate profession is done by advocate organization (verse 4). Ethic code also rules about sequences, tasks and authority advocate organizational honorary council.

Basically, advocate ethic code and advocate legislations rule as to advocate relation with clients and advocate relation with co-advocate. The relation between advocate and client is ruled on clause 4 advocate code ethics. Those are:

- a. Advocate in terms of civic cases must prioritize the completion on a piece way.
- b. Advocate is not justified by giving information which misleads the client as to the run cases.
- c. Advocate is not justified to guarantee the client, that the case which is handled will be won.
- d. In terms of determining the allowance advocate is obligated to consider the client's ability.
- e. Advocate is not justified to burden client with unneeded fees
- f. Advocate on free of charge cases, must give the same attention as charged cases.
- g. Advocate must refuse cases which on their belief, there is no based law.
- h. Advocate is obligated to hold the secrecy function to everything that told by client, in a way that can be trusted and obligated to keep that secrecy after the ending of relations between advocate and client.
- i. Advocate is not justified to be free from the tasks burden to him, when nothing beneficially gotten by client position or when it causes lost which cannot be fixed by involved clients, without shorting the determination as mentioned on (clause three, letter (a).
- j. Advocate manages the interests together on both parties or must resign fully from those interest businesses. If only, someday there is a contradiction interest between relevant parties.
- k. Advocate retention right towards client must be recognized as long as it does not cause the loss of client's interests.

1. The relation between advocates with client is tightly closed with the advocate main job as a profession such as: a) law council giving to needed society; b) society advice defense; c) making contract draft (agreement) to the interest parties who concerns on undergo work or trade relation; d) facilitate the society interests who becomes his client in a discussion process to finish law dispute; e) and etc to make law services who is needed for entrepreneur field.

As for between advocate and co-advocates, it is ruled in clause 5 advocate code ethics, those are:

1. Relation between co-advocates must be based on respecting, appreciating and trusting each other
2. If an advocate talks or meets co-advocate on the court of law, shall not using unrighteous words whether oral or written.
3. Objections towards co-advocates actions which consider contradict with advocate code ethic must be submitted to honorary council to be checked and not justified for broadcast. Whether by mass media or others.
4. Advocate is not allowed to pull or seize a client from co-advocate.
5. As for the client will replace an advocate, hence the new advocate can be only receiving that case after receiving the authority gift retraction to initial advocate and obligated to remind client for fulfilling his obligation, if only have towards initial advocate.
6. As for a case submits by client to a new advocate later, then initial advocate is obligated to give all mail and important information to handle that case, by observing advocate retention right towards that client.

Advocate Code Ethics Supervision and Enforcement Concept in Indonesia. Basically, the advocate supervision is done by advocate profession as mentioned in chapter III legislation's 18/2003. However, this research would try to describe a few concepts of supervision concept towards advocate profession.

Philosophically, country is a policy stakeholder towards public prosperity. Inside the country of law, basically country is actively involved at society prosperity welfare.

In A.V. Dicey perspective, the law country concept (*The Rule of Law*) explained through three meanings. Those are, regular law supremacy and superiority which is absolutely contradicted with arbitrary authority influence, and revoke prerogative right or even huge action authority on government party, because the Emerson of arbitrariness. **Second**, *the rule of law* means the equality in front of law, or submission to all communities to country general law who runs by the general court (*Equality before the law*). **Third**, someone could be sanctioned because of law deviation, although it cannot be punished because another reason (*Due Process of Law*) or in other words, inside law country, there must be legality principle. In terms of the supervision context towards advocate, the country must take part also by constructing an integral supervision concept. Basically, it is caused by a position that advocate is part of law enforcement, although being one pillars from law country construction.

Whereas the continental European bachelor-which is represented by Julius Stahl-writes law country principle (*Rechtsstaat*) by implementing:

1. Human right protection
2. Authority partition
3. Government based on legislations
4. Civil court of justice

KEI Supervision and Enforcement by Advocate Organization. Indonesian advocate code ethic is a guidance and basic determination collection which gives the implementation of Indonesian advocate profession. It is particular because advocate legislation itself has emphasized that advocate as law enforcement. Those are really important to be remembered. We are one of the trusted, assigned as law enforcement as others law enforcement such as judge, police and etc (Tumbuan, 2004).

In terms of those, advocate is also gifted absolute facilities that have to be had. Those are freedom and independent who guarantee by law and legislations. Without those, it is impossible he could run his function to manifest the call of law enforcement. Here, it is very visible that independent freedom is solely a facility not goal. It means, as far as that freedom and independent are used by full responsibility and sincere faith, advocate has right to get protection in terms of running his freedom and independent profession (Priapantja, 1999).

Why advocate needs to get protection? Because, it is truly advocate who carries on a noble task (*officiumnobile, a noble office*), so that he has to manifest the call, be independent, honest and particularly opened. Opened is also to the co-advocate who gives the guidance and reprimand to relevant advocate. The consequences is each Indonesian advocate must keep the image and honorary of advocate profession, also high devoted and submitted to the principle of Indonesian Advocate Code Ethic.

It is needed by honorary council to guarantee the implementation submitted based on Indonesia Advocate Code Ethic. Therefore, the role of honorary council is very determined. Without all of those, everything is become infertile.

Indonesian Advocate Ethic Code has rule the reprimand guide explicitly inside Clause 12 Indonesia Advocate Code Ethic, those are:

1. The reprimand to advocate as a reprimander that considered as violation of Advocate Code Ethic must be delivered written with the reasons to honorary district council or chair district council or central chair council where reprimander is the member.

2. If there is no district organization in that place, the reprimand is delivered to nearby honorary district council or central chair council.

3. If reprimand delivered to central chair council, then the district chair council proceeds to authorized honorary district council for checking those reprimands.

4. If a reprimand delivered to central chair council or central honorary council, they proceed it to district honorary council for checking those reprimand, whether directly or indirectly through district chair council.

In terms of Advocate Code Ethic implementation, it usually deviates toward Code Ethic done by all advocate. Towards Advocate Ethic Code deviations, advocate code ethic must be done by advocate, inside Clause 10 verse (2) Advocate Code Ethic, mentioned: honorary council level and central honorary council level. Whereas, in terms of checking a reprimand done by central honorary council level, undergone in terms of Comparison Checking Level, like regulated in Clause 18 Advocate Code Ethic.

KEI Supervision and Enforcement by Society. Supervision concept by society becomes one idiil principle to keep and enforce advocate code ethic. Society as one of the subsystems occupies strategic role in advocate supervision. Society law values awareness has a function as the measurement of advocate performance.

According to (Friedman, 1975), there is "law culture" in law system. Law culture based on attitude, value and opinion in the society with emphasises on law, law system also a few parts of law. Law culture is a part of common culture, custom, opinion, thinking and working way who tied the society to get enclose or far from law particularly. From those three components above, law culture is the most important component. In addition, Lawrence M. Friedman, explains three components who embedded inside those law systems. Those three components are first structure. Structure by Freidman is explained as follows:

First many features of a working legal system can be called as structural-the moving parts, so to speak of the machine Courts are simple and obvious example; their structures can be described; a panel of such size, sitting at such time, which this or that limitation on jurisdiction. The shape size, and powers of legislature is another element of structure. A written constitution is still another important feature in structural landscape of law. It is, or attempts to be, the expression or blueprint of basic features of the country's legal process, the organization and framework of government.

Simply, from those writing, it can be interpreted that structure component encircles many kind of institution who created by those law system with any kind of function in terms of the law system work support, including the law enforcement institutions such as judge, police, court and etc.

Second component from law system is substance. Within Friedman writing, substance defined as:

These are the actual products of the legal system -what the judges, for example, actually say and do. Substance includes, naturally, enough, those propositions referred to as legal rules; realistically, it also includes rules which are not written down, i.e. those regulations of behavior that could be reduced to a general statement. Every decision, too, is a substantive product of the legal system, as is every doctrine announced in court, or enacted by legislatures, or adopted by agency of government.

Substantive component encircles all who becomes output from a law system, including law norms whether rules, decisions, doctrines which is used in a law system such legislations, whether written or not written, and court decision.

Third component is law culture component. Fried mentions as *legal culture*: Legal culture can be defined as those attitudes and values that related to law and the legal system, together with those attitude and values affecting behavior related to law and its institution, either positively or negatively. Love of litigation, or a hate of it, is part of legal culture, as would be attitudes toward child rearing in so far as these attitudes affect behavior which is at least nominally governed by law the legal culture, then, is a general. Expression for the way the legal system fits into the + of the general society.

Law culture is a combination of two words, those are Culture and Law. Culture words are derived from Sanskerta language means *budhhayah*, which is the plural form of *buddhi* (mind). It means things relevant to human moral and mind. In English, Culture derived from Latin *Colere*, it is process and undertake. It could be meant as cultivate. *Culture* word also translated as "kultur" in Indonesian.

If it is only connected by society supervision and advocate ethic code, then the relevance laid on the connection between society law culture with law enforcement. Besides, law culture is a society reasoning law culture and society power, who determines to how a law being used, avoided or abused. Including inside is the supervision undertake towards law enforcement officers, particularly advocate (Rahardjo, 1980).

Then, law culture essence as a non-material or spiritual culture is value that means abstract conceptions as what is good (hence, has to be believed) and what is bad (hence, has to be avoided). Those values are the basic from ethics (as to what is right and wrong), norms or values (contents of commandment, prohibition or allowance) and the human attitude pattern. It means, there is a spiritual element closed with the faith or belief, like mystics that appears because of someone's faith.

Here, is a law society awareness factor which has very important role in terms of that law enforcement effort itself. It is because of this perspective which needs to be set back, so that our law supremacy can be run well in this country. Law enforcement relevance in terms of justice enforcement perspective as a part of society law awareness is an alternative effort based on our distrusted toward positive law and the law enforcement officers. It is the mainstream from legalistic view. So that, when we talk about law in the justice perspective, we are in the morality and ethical zone, also does not review law problems in narrow meaning. How those positive laws made, and whether positive law has been made by representing from our society justice feeling, also law officers' mentality enforces the law including advocate.

Conclusion. One of the trusted inside advocate legislations 18.2003 is the obligation advocate code ethic existence. It was arranged by Indonesia Advocate Ethic Code to keep the honorary and dignity of advocate profession (Clause 26 Chapter IX verse 1); that legislations also rule of how an advocate must submit and obey advocate profession code ethic, also determination as to advocate organization honorary council (verse 2); Advocate profession ethic code as meant on verse (1) cannot be contradicted with legislations rule (verse 3); Supervision based on Advocate profession code ethic implementation is done by Advocate Organization (verse 4). Code ethic also rules the sequences, tasks and Advocate Organization Honorary Council authority. It usually occurs Code Ethic deviations by advocate on its implementation.

Supervision towards advocate becomes the responsibility of all country's component and law enforcement officers, The idiil supervision concept that undertaken by country, society or profession institution. Those three forms of supervision will bring forth an idiil law arrangement also appropriate with law enforcement spirit. Hence, the aspiration to manifest law justice will be achieved and advocate contribution in law supremacy can be done maximally.

REFERENCES

1. Certo, S. C. & S. T. C. (2006). *Modern Management*. Pearson Prentice Hall.
2. Eugenius Sumaryono. (1995). *Etika Profesi Hukum : Norma-Norma bagi Penegak Hukum (Pertama)*. Penerbit Kanisius.
3. Friedman, L. M. (1975). *The Legal System. A Social Science Perspective*. Russet Sage Foundation.
4. Lembaga Administrasi Negara Republik Indonesia. (1996). *Sistem Administrasi Negara Republik Indonesia (Ketiga)*. Toko Gunung Agung.
5. M. Situmorang, V. dan J. J. (1994). *Aspek Hukum Pengawasan Melekat dalam Lingkungan Aparatur Pemerintah*. PT Rineka Cipta.
6. Maman, U. (2004). *Manajemen: Konsep, Prinsip dan Aplikasi*. Penerbit Agnini.
7. Manullang, M. (1997). *Dasar-Dasar Manajemen*. Monara.
8. Priapantja, C. C. (1999). *Budaya Hukum Indonesia Menghadapi globalisasi : Perlindungan Rahasia Dagang di Bidang Farmasi*. Universitas Indonesia.
9. Rahardjo, S. (1980). "Bekerjanya Hukum" dalam *Hukum dan Masyarakat*. Angkasa.
10. Susanto, A. F. (2004). *Wajah Peradilan Kita; Kontruksi Sosial tentang Penyimpangan, Mekanisme Kontrol dan Akuntabilitas Peradilan Pidana*. Refika Aditama.
11. Tumbuan, F. B. . (2004). *Pemaparan Pembicara Indonesia dalam Rekaman Proses Workshop Kode Etik Advokat Indonesia Langkah Menuju Penegakan*.
12. Winardi. (2000). *Manajer dan Manajemen*. Citra Aditya Bakti.