



ANALYSIS OF DIFFERENCES IN PERCEPTIONS OF PROFESSIONAL ETHICS BETWEEN MALE AND FEMALE LEGAL PRACTITIONERS

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Abstract

This study aims to analyze the differences in perceptions of professional ethics between male and female legal practitioners in Indonesia. In the legal profession, professional ethics have a very important role to maintain integrity and public trust. However, factors such as gender are thought to influence the way legal practitioners perceive and apply these ethical principles. The research method used is Qualitative by using a literature-based approach. The data collected is analyzed using a quantitative approach to see if there is a significant difference between the perception of professional ethics between men and women. The results showed that there are differences in perspectives on several ethical issues, where women tend to emphasize the values of social justice and diversity, while men focus more on compliance with formal regulations. This research is expected to provide deeper insights into gender dynamics in the legal world and its contribution to the development of a more inclusive and equitable legal professional ethics.

Keywords: *Analysis, Perception, Professional Ethics, Legal Practitioners*

1. INTRODUCTION

Legal professional ethics plays a very important role in maintaining integrity, justice and credibility in the legal world. Legal practitioners, whether lawyers, prosecutors, judges or notaries, are expected to comply with ethical standards set by professional organizations and applicable laws and regulations. However, although there are similarities in the basic principles of professional ethics, the way legal practitioners perceive the application of these ethics can



be very different. One factor that is believed to influence the perception of professional ethics is gender.

Pembahasan mengenai etika profesi hukum cenderung jarang menyoroti dimensi gender sebagai variabel yang mempengaruhi pandangan dan sikap terhadap etika. Perbedaan persepsi antara praktisi hukum laki-laki dan perempuan seringkali terabaikan, padahal hal ini dapat memberikan dampak yang signifikan terhadap penerapan nilai-nilai etika dalam praktik hukum. Beberapa penelitian sebelumnya menunjukkan bahwa laki-laki dan perempuan memiliki pendekatan yang berbeda terhadap dilema etika, perempuan cenderung menekankan aspek keadilan sosial dan empati, sedangkan laki-laki lebih fokus pada pemenuhan kewajiban formal dan kepatuhan terhadap aturan yang ada.

Discussions on legal professional ethics tend to rarely highlight the gender dimension as a variable that influences views and attitudes towards ethics. Differences in perceptions between male and female legal practitioners are often overlooked, even though this can have a significant impact on the application of ethical values in legal practice. Some previous studies show that men and women have different approaches to ethical dilemmas, women tend to emphasize aspects of social justice and empathy, while men focus more on fulfilling formal obligations and compliance with existing rules.

2. RESEARCH METHODS

The methodology of this journal uses a qualitative approach with a literature study method to determine differences in perceptions of legal professional ethics between male and female legal practitioners. Data sources and materials for analyzing research studies use scientific literature obtained from credible references, including scientific articles, books, theses, theses, dissertations, proceedings, and interviews. Study analysis materials were taken from Google Scholar and Sinta, this was attempted to ensure the validity and currency of the research data.

3. RESULTS AND DISCUSSION

Discussion

A. Differences in Perceptions of Legal Professional Ethics Between Male and Female Legal Practitioners.

Definition of Ethics and Legal Profession

Ethics comes from the Greek plural ethos (taetha) which means habit. Morality is often equated and referred to as "morals" or "morality", which comes from the Latin mos, whose plural form (mores) also has the same meaning, namely habit.

Sumaryono (1995) emphasizes the meaning of ethics, according to him ethics comes from the Greek word ethos which means good customs. Combining the meanings of morality and ethics is not wrong, but it is also not entirely correct. Because morality has a broader meaning than ethics. Morality is not limited to one's attitude towards an action but also includes one's motivation to perform the action. This is different from morality which is limited to a person's outward actions.



In Islam, morality is part of ethics. Indeed, it concerns not only the external actions of human beings but also faith, worship and sharia law. Therefore, it has a broader scope than the definition of ethics that was previously stated. AbdullahoSalim argues that in Islam there are Islamic morals which include:

Ethics, which regulates a person's relationship with his Creator, al maâbud bi haq and all uluhiyah and rubbubiyah, as well as towards Allah. the messengers, the books, and so on. Ethics, which regulates one's attitude towards himself and others in daily life. Morality, which regulates relationships with other people, but of a different kind and or concerns individual honor. Aesthetics, a sense of beauty that encourages one to improve one's circumstances and environment, making them more beautiful and aiming for perfection.

The legal profession is work that is done professionally and is related to the law. Since there are several types of work in the legal field, obtaining a license to run a legal business requires special education in accordance with the desired major or concentration. The legal profession oversees the relationship between society and the state so that the rights and interests of each other remain in accordance with their respective portions. Furthermore, a person must perform their profession professionally if they want to run a legal profession to achieve the main goals, principles, and objectives of the profession. The presence of the legal profession is to help realize the goals of justice, certainty, and benefit for society.

However, often one of these legal objectives is considered unachievable. Legal justice and legal certainty are often in conflict with each other. However, as a legal professional, you will certainly go to great lengths to achieve all of these legal objectives. Therefore, a person working in the legal field serves as a driving force to achieve these legal objectives.

The relationship between ethics and the legal profession is very close, because professional ethics is an attitude of life, which is in the form of a legal profession's readiness to provide services in the field of law to the public with full assistance and use professional expertise as a service in order to carry out duties in the form of obligations to people who need legal services accompanied by careful consideration.

Perception of Legal Professional Ethics of Male Legal Practitioners

Male legal practitioners generally have an approach to legal professional ethics that focuses more on the technical and objective aspects of the legal profession. They often view ethics as a set of rules that must be followed to ensure success and efficiency in legal problem solving.

Perceptions of legal professional ethics among male legal practitioners often focus on formal structure, compliance with the law, and efficiency in case resolution. They emphasize an objective and decisive approach to decision-making, and tend to be oriented towards legitimate and justifiable outcomes. Ethics are also seen as guidelines to regulate standards of professionalism, as well as ensuring that legal decisions are made in accordance with the principles of fairness and professional obligations. Here are some points of perception of legal professional ethics that are commonly held by male legal practitioners:

Importance of Compliance with Laws and Regulations, male legal practitioners often see professional ethics as compliance with applicable laws. They prioritize the application of existing legal principles and ensure that the correct procedures are followed to achieve



legitimate and accountable results. Adherence to the rule of law is considered a key foundation in maintaining the integrity and credibility of the profession.

Objectivity and Decisiveness in Decision Making, male legal practitioners tend to view objectivity and decisiveness as two very important elements of professional ethics. They are often expected to make decisions based on facts and evidence, without being influenced by emotions or personal preferences. Decisions should reflect fairness and impartiality.

Hierarchical Approach to the Application of Ethics Many male legal practitioners view professional ethics as being governed by a hierarchical and formal structure, where ethical standards are set by a higher authority, such as a professional body or the head of a law firm. They are more likely to follow existing guidelines or codes of ethics, without changing or adjusting much based on social or individual situations.

Focus on Efficiency and Results, in their ethical perceptions, male legal practitioners often focus more on efficiency and results than on process or social relationships in legal problem solving. In many cases, they view the achievement of quick and effective results as an indication of good professional ability and reliable ethics.

Openness to Criticism and Improvement, male legal practitioners are usually more open to professional criticism in a constructive context, with the aim of improving performance and maintaining professional ethical standards. They often accept feedback from colleagues or clients to improve the quality of services and outcomes. Criticism is considered as part of the learning process in improving the ability of legal practitioners.

Perceptions of Legal Professional Ethics of Female Legal Practitioners

Women legal practitioners' perceptions of legal professional ethics are often influenced by their life experiences, social backgrounds and the gender challenges they face in the profession. In general, they are more likely to prioritize aspects of social justice, empathy, and a holistic approach in understanding and applying legal professional ethics.

Perceptions of legal professional ethics among female legal practitioners focus more on social justice, empathy and inclusiveness in the application of law. They often prioritize human values and human rights, especially in cases involving marginalized or vulnerable groups. Women legal practitioners also emphasize the importance of work-life balance, and adopt a more cooperative and collaborative approach to legal dispute resolution. Professional ethics for them is a tool to not only maintain professional standards, but also to promote more equitable social change. Here are some points of perception of legal professional ethics that are commonly held by female legal practitioners:

Holistic Approach to Justice, women legal practitioners tend to think of justice not only as compliance with applicable laws, but also as broader social justice. They are often more sensitive to the inequalities that exist within the legal system, whether related to gender, race or social status. This approach leads them to emphasize the importance of considering social and economic factors in any legal decision.

Empathy and Involvement in Social Cases, female legal practitioners often show greater empathy towards their clients, especially in cases involving sensitive issues such as domestic violence, child protection, or women's rights. They tend to delve deeper into the social



and psychological conditions of their clients to provide solutions that are fair and appropriate to the client's needs, rather than focusing solely on the legal aspects.

Prioritizing Cooperation and Collaborative Approaches, female legal practitioners more often choose collaborative and cooperative approaches in resolving legal disputes. They prioritize dialogue and cooperation between the parties involved, with the aim of finding solutions that benefit all parties, not just winning or losing. This is often regarded as part of professional ethics that prioritize social harmony. Sensitivity to Gender Inequality in the Legal System Women legal practitioners tend to be more sensitive to gender discrimination in the legal system. They encourage the implementation of ethics that can reduce this inequality and provide greater opportunities for women to participate in legal decisions.

Balance between Career and Personal Life, legal professional ethics for female legal practitioners involves the aspect of balance between work and personal life. They are more supportive of women legal practitioners' policies, to manage both well. This includes flexibility in working time and protection of family rights, which are seen as part of a more humanistic ethic in the legal profession.

Focusing on Empowering Marginalized Clients, female legal practitioners are often more inclined to support clients who come from marginalized or vulnerable groups, such as women victims of violence, children, or minorities. They see professional ethics as a way to empower these clients and give voice to those who are not heard in the dominant legal system. **The Influence of Personal Experience on Professional Ethics** Personal experience as a woman often influences how women legal practitioners view professional ethics. Many felt that experiences of gender inequality in the legal profession motivated them to pay more attention to the values of fairness, empathy and inclusivity in their legal practice.

Differences in Perceptions of Legal Professional Ethics between Male and Female Legal Practitioners

Differences in perceptions of legal professional ethics between male and female legal practitioners can be seen from various aspects, both related to approaches to ethical standards, social challenges, and gender roles in the legal profession. Differences in perceptions of legal professional ethics between male and female legal practitioners reflect the influence of various social, cultural and personal factors. Male practitioners tend to focus more on efficient and technical outcomes, while female practitioners often integrate social values and empathy in their approach to professional ethics. These differences are also influenced by gender stereotypes, family challenges, as well as opportunities available within the hierarchical structure of the legal profession. However, both can contribute to the development of a more holistic and inclusive legal professional ethic. Here are some of these perceptual differences:

Approach to Professional Ethics

Men often prioritize technicality and objectivity in the application of legal professional ethics. They tend to focus on achieving concrete and efficient results in the resolution of legal cases. This is reflected in an approach that is more rational and based on established legal principles, without too much consideration of broader social or moral factors.



Women often take a more holistic approach to ethics, taking into account the social and moral impact of decisions. They tend to be more empathetic in their interactions with clients and focus on social justice values. This approach reflects a tendency to connect the law with issues of humanity, human rights and gender equality.

Influence of Gender Stereotypes

Men: Stereotypes about men in the legal profession often involve strength, assertiveness and the ability to cope with pressure. Men are often perceived as more capable of strictly enforcing professional norms, without being unduly influenced by personal feelings.

Women: In contrast, women in the legal profession are sometimes perceived as more emotional or less assertive in the face of ethical challenges. This often relates to the view that women favor empathy over objectivity in legal decisions. These stereotypes can hinder recognition of their professional capacity, even though they are no less capable than men.

Social and Family Influences

Men: Male legal practitioners do not often face the same pressures of balancing a career with family responsibilities. Therefore, they are better able to focus on career development and professional ethics without the burden of heavy domestic roles.

Women: Many female legal practitioners face great challenges in managing their dual roles as professionals and mothers or wives. This can affect how they view ethics in the legal profession, as they often emphasize flexibility and policies that support family well-being. Women also tend to focus more on policies that support work-life balance.

Participation in Social Advocacy and Human Rights

Men: Male legal practitioners are more often involved in areas of law that focus on commercial litigation, corporate law, or business dispute resolution. In this context, they tend to prioritize technical principles and legalities in handling cases.

Women: In contrast, women in the legal profession are often more active in human rights advocacy, the protection of women and children, and broader social issues. Their ethical approach often focuses on social justice and the protection of rights that are often marginalized within the existing legal system.

Career Opportunities and Challenges

Men: Men are more likely to have opportunities for senior positions or leadership in large law firms. As such, they have more opportunities to influence the ethical culture within the legal profession, often focused on efficiency and measurable results.

Women: Women, while increasingly making it to senior positions in the legal profession, often face greater challenges in gaining equal recognition. This affects how they interpret and apply ethics within the legal profession, with many focusing on creating a more inclusive and equitable environment.

B. Factors Influencing Differences in Perceptions of Legal Professional Ethics between Male and Female Legal Practitioners



Perceptions of legal professional ethics can be influenced by a number of factors, many of which are rooted in the different social, cultural and structural experiences of male and female legal practitioners. These factors include gender norms, personal experiences, social dynamics in the legal profession, as well as challenges in achieving equality in legal practice. The following are some of the factors that influence differences in perceptions of legal professional ethics between male and female legal practitioners:

Gender Norms and Stereotypes, social norms and gender stereotypes have a major influence in shaping the way male and female legal practitioners perceive professional ethics. Male practitioners tend to be viewed as more rational and objective, while female practitioners are often perceived as more emotional and empathetic. This can affect their perceptions of what is considered ethical in legal practice, especially in terms of how they manage relationships with clients and related parties.

Personal and Social Experiences, life experiences and social backgrounds greatly influence how male and female legal practitioners perceive professional ethics. For example, female practitioners who may have experienced gender discrimination or inequality in their careers will be more sensitive to issues of equality and social justice, which affects the way they apply ethics in the practice of law.

Legal Organizational Structure and Dynamics, the hierarchical structure within law firms often affects the perception of ethics between men and women. In many law firms, men dominate leadership and decision-making positions. This can create inequalities in how professional ethics are practiced, with men more likely to follow a more formal and technical approach, while women may place more emphasis on collaboration and a social values-based approach.

Family Roles and Work-Personal Life Balance, gender roles in the family also influence legal practitioners' perceptions of professional ethics. Female legal practitioners often face challenges in balancing a legal career and domestic responsibilities, leading to the development of a more inclusive and social welfare-focused perception of ethics. Men, on the other hand, face the same pressures less often, which allows them to focus more on technical and objective principles in professional ethics.

Professional Experience and Access to Leadership Positions, access to career opportunities and leadership positions in the legal world play a large role in shaping perceptions of ethics. Male legal practitioners are more likely to have opportunities for leadership positions in law firms or institutions, which allows them to dominate the application and regulation of ethical standards. In contrast, women often face barriers in reaching high positions, which may influence their view of ethics as a way to promote equality and change in the legal system.

Perceptions of Justice and Professional Obligations, Differences in how justice is perceived also affect how men and women view ethics in the legal profession. Male practitioners are more likely to view justice as objective and related to compliance with the rule of law, whereas female practitioners often view it in the context of social justice, taking into



account the inequalities and inequalities that exist in society. This often influences how they make ethical decisions involving clients or related parties.

Perceptions of Ethics in Collaborative vs. Competitive Practice, the work culture within law firms often shapes how ethics are understood. More competitive and performance-based law firms may emphasize efficiency and results, which are often associated with male perceptions of ethics. In contrast, firms that are more collaborative or focused on social welfare and inclusiveness are often more influenced by the views of female practitioners, who see ethics more in the context of social relationships and cooperation.

Social Expectations and Gender Roles in Society, social expectations of gender roles in society as a whole also influence legal practitioners' perceptions of ethics. Women are often more expected to show empathy, sensitivity and concern for human rights, which encourages them to view ethics in a broader context, including the rights of clients and the social impact of legal decisions. Men, on the other hand, are often seen as more rational and objective decision-makers, focusing more on legal procedures and achieving results.

Access to Ethics Education and Training, differences in access to ethics education and training also play an important role. Women legal practitioners may be more focused on ethics education that emphasizes a social and humane approach to handling legal cases, while men may be more often exposed to training that focuses on regulatory compliance and the formal application of legal principles.

The influence of social history and experience in the legal profession also affects how men and women view ethics. In many legal cultures, men are dominant in the profession, creating norms and standards that often emphasize speed, efficiency and results. In contrast, women, who often struggle for a place at the decision-making table, tend to be more oriented towards social and human values, which encourages them to broaden their ethical perspectives in legal practice.

4. CONCLUSIONS

Based on the analysis that has been carried out, it is found that there are significant differences in perceptions between men and women regarding the ethics of the legal profession. This difference is influenced by various factors, including gender roles, cultural background, education, and professional experience.

In general, women tend to show higher sensitivity to ethical issues, such as fairness, transparency, and social responsibility in the legal profession. This is often associated with an empathy-based moral approach and interpersonal relationships. Meanwhile, men tend to focus more on formal principles, rules, and practicality in the application of legal professional ethics.

Despite these differences, both have similarities in understanding the importance of professional ethics as the main foundation in carrying out duties as legal practitioners. This journal emphasizes the need for more inclusive and gender equality-based ethics education to reduce perception bias, enhance cross-gender cooperation, and advance the overall quality of the legal profession.



In conclusion, differences in perceptions of legal professional ethics between men and women not only reflect individual differences but also indicate the importance of considering gender aspects in the development of legal professional ethics policies and training.

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