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## The Maatschap Paradox: Unpacking the Determinants of Slow Innovation Adoption among Indonesian Notaries

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### ABSTRACT

The dominant practice of independent notaries in Indonesia is systematically vulnerable, causing service disruptions and losses for clients when a notary is unable to perform their duties. Although a superior alternative model, namely civil partnerships (*maatschap*), has a legal basis, its adoption rate is very low. This failure to innovate creates a market gap that is exploited by illegal actors and erodes public trust. Therefore, through a qualitative approach with a multi-site case study design, this article aims to uncover the root causes of this paradox and formulate policy recommendations to encourage professional transformation. The overall results of the study show that strong resistance to the adoption of *maatschap* is caused by a complex interaction between high-risk perceptions (especially loss of autonomy), a significant deficit of trust among peers, and the pressure of individualistic professional cultural norms. Four main determinants were identified as barriers: (1) ambiguous and unsupportive regulations, creating legal uncertainty; (2) low capacity for collaboration due to difficulties in building trust and a shared vision; (3) the complexity of technology management and integration; and (4) the failure of the socialisation process in building legitimacy and instilling new norms within the professional community.

**Keyword:** adoption, innovation, law, maatschap, notaries

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### INTRODUCTION

The notary profession in Indonesia is defined by the Notary Office Law (UUJN) as a public official authorized to produce authentic deeds. Historically and legally, this profession has operated within an independent practice model (Siburian & Dewi, 2024). While this individualistic structure emphasizes independence and personal responsibility, it also creates significant systemic vulnerabilities. When a notary passes away, takes leave, or is dismissed, the continuity of legal services is abruptly disrupted. The handover of notarial protocols, which depends on heirs and the Regional Supervisory Council (MPD), often proves slow and ineffective. This situation generates legal emergencies that harm clients through transaction delays, limited access to documents, risks to archival security, and additional costs (Rangkuti, 2022; Wijaya & Priyono, 2024).

To address these weaknesses, Indonesia's legal framework through Law No. 2 of 2014 has provided a superior alternative practice model: the civil partnerships. Adopted from the Civil Code, which refers to civil partnerships as *maatschap*, this study views the model as a form of strategic alliance (Tuqa et al., 2019; Wigusta, 2017a). This strategic alliance concept is designed to mitigate the risks of independent practice by enabling notaries to work collectively, ensuring service continuity, improving operational efficiency, and enhancing

service quality through expertise collaboration. *Maatschap* directly addresses sustainability issues and the risks inherent in the individual model.

Previous research has laid important groundwork on this topic. Studies such as those by Wigusta (2017a, 2017b) and Tuqa et al. (2019) have conducted comparative legal analyses, examining the regulatory framework of *maatschap* under the Civil Code and the Notary Office Law and discussing its theoretical implementation. Patnessia & Djajaputra (2020) further explored the regulatory vacuum concerning *maatschap* implementation, identifying it as a source of legal uncertainty. Vania et al. (2014) highlighted the legal consequences arising from the absence of implementing regulations. More recent work by Nowira et al. (2025) has reiterated the need for legal certainty for notaries practicing jointly through *persekutuan perdata*.

However, a sharp paradox arises: despite having a clear legal foundation, scholarly recognition of its advantages, and offering real competitive benefits, the adoption of the *maatschap* model among Indonesian notaries remains exceptionally low, making it an innovation that is almost completely overlooked. This study identifies a critical gap in the existing literature: while prior research has effectively mapped the legal and normative landscape of *maatschap*, there is a significant lack of empirical investigation into the socio-cultural, psychological, and institutional determinants that actively inhibit its adoption in practice. The existing body of work has sufficiently answered the "what" and "why" of the model's theoretical superiority, but it has not adequately explained the "why not" from the perspective of the notaries themselves the potential adopters.

The structural weaknesses of the dominant independent practice model not only disadvantage clients but also create market gaps exploited by illegal notary services. These actors operate as intermediaries who undermine the integrity of the profession by neglecting essential procedures such as the reading of deeds in the presence of a notary (*verlijden*). This phenomenon reflects systemic inefficiencies, where illegal practices thrive by offering speed and convenience that are not always available in the traditional notary model. Consequently, public trust in the profession is eroded, and clients face the risk of obtaining legally flawed and voidable deeds (Kasih, 2019; Saputri & Hosein, 2023).

Thus, there is a crucial disconnection between the identified problems, the available solutions, and the reality of practice in the field. On the one hand, the independent model has proven fragile and has caused real losses. On the other hand, the legal and superior collaborative (*maatschap*) model has not been adopted. This failure to innovate raises a fundamental question: what are the determinant factors, whether legal, regulatory, cultural, economic, or educational, serve as primary barriers to the low adoption of *maatschap* among Indonesian notaries? This study aims to fill this knowledge gap by systematically identifying and analyzing the various factors underlying this paradox. By uncovering the root causes of the slow adoption of innovation, this study is expected to provide a comprehensive understanding and formulate policy recommendations that can encourage the transformation of the notary profession.

## METHOD

This study employs a qualitative approach with a multi-site case study design (Audet & d'Amboise, 2001; Hollweck, 2015), based on the social constructivism paradigm to deeply

explore and understand the meaning behind the low adoption of the notarial *maatschap* (Creswell, 2013). Informants were selected through *purposive sampling*, specifically combining Maximum Variation Sampling for location selection and Criterion Sampling to gather three different groups of informants: alliance notary practitioners (adopters), independent notary practitioners (non-adopters), and service users. This strategy was used as a form of data source triangulation to obtain a rich and balanced perspectives. Data collection was conducted comprehensively through semi-structured interviews to explore subjective experiences (Adams, 2015), observations to understand the practice context, and document studies for comparative secondary data.

Data analysis was conducted interactively by integrating both deductive and inductive approaches. The main analytical framework was anchored in Everett M. Rogers' Diffusion of Innovations Theory, which was used deductively to map informants' perceptions of the five innovation characteristics and their positions in the innovation decision process (Rogers, 2003). Furthermore, the grounded theory approach is used inductively to identify and construct a conceptual model of newly emerging determinant factors derived directly from field data (Pare et al., 2025). To strengthen validity and deepen understanding, this study applied theoretical triangulation by combining the lens of Innovation Diffusion Theory with complementary frameworks such as Resource-Based View (RBV), Theory of Planned Behaviour, and Institutional Theory, thereby producing a holistic and multidimensional analysis (Arianto, 2024).

## RESULT AND DISCUSSION

### **The Promise of a Modern Practice: *Maatschap* as a Professional Innovation for Efficiency and Competitiveness.**

*Maatschap* is a model of civil partnership originating from the Dutch legal system, which in practice allows two or more parties to combine resources (capital, assets, knowledge) for a joint business purpose (Article 7A:1655 BW) (Gent & Hootegem, 2008; Voorde, 2023). *Maatschap* developed as a conceptual evolution to strengthen capacity, specialization, and professional competitiveness. In the Netherlands, *maatschap* is commonly used by professionals running independent practices, such as doctors, solicitors, accountants, and notaries (Dewi, 2021). Partnership law in the Netherlands is regulated under Book 7a of the *Burgerlijk Wetboek* (Dutch Civil Code), which regulates various types of partnerships (*vennootschappen*), and the *Wetboek van Koophandel*, which contains provisions on commercial law, including those related to firms (*vennootschap onder firma*). In the Netherlands, *maatschap* has become increasingly popular in recent decades due to its flexibility and simplicity as a partnership form, since its contractual agreement is consensual and can be established without any special formalities, although there are provisions concerning the *contribution of immovable property* (Voorde, 2023).

Essentially, a *maatschap* is viewed as a partnership without separate legal entity (without *rechtspersoonlijkheid*) with an indefinite duration, established on the basis of an agreement among members, and without formal authority to create additional rights and obligations separately (Betwisten et al., 2010). *Maatschap* provides an alternative framework for professionals to collaborate in a structured and organised manner. It is not considered a separate legal entity, but rather a cooperation agreement (*agreement*) in which the partners

jointly own the partnership's assets and share the risks and profits in proportion to their contributions (Chandradevi, 2024). The philosophy of *maatschap* emphasizes not only operational efficiency, but also the building of sustainable institutional development through a collective vision and mutual trust (Heesakkers, 2024).

The adaptation of *the maatschap* model in notarial practice opens new opportunities compared to traditional patterns that tend to be individualistic (Voorde, 2023). The concept of *maatschap* should be understood not only as ordinary cooperation, but rather as an organizational innovation with the fundamental potential to transform the traditional ways of notarial practice into a more modern, efficient, and competitive profession. In the traditional framework, notarial practice in Indonesia is highly centred on the individual, where the continuity and service capacity are highly depend on a single notary (Rabanirajona, 2020). This model faces significant challenges in an increasingly complex business and legal era, where transactions are no longer simple and workloads continue to rise (Alkatiri et al., 2023). Through *maatschap*, notaries may integrate capacity and specialization while enhancing competitiveness through institutional cooperation that allows for risk sharing and service sustainability. This model also develops within a clear legal framework, while still supporting autonomy and internal mobility of the notary profession.

The application of *maatschap* tends to be flexible (Gent & Hootegem, 2008; Voorde, 2023) as reflected in conditions where members of a *maatschap* can arrange asset management controls according to specific needs, including the possibility of involving their children as members. This study also shows that in the Netherlands, a senior notary can directly promote candidates who has completed an internship in their office to become a partner, thereby creating sustainability and integrated talent development. Such conditions can reduce risk and increase confidence in decision-making. Furthermore, candidates who are already familiar with the office's systems, procedures, and networks can adapt more quickly and take on leadership roles, accelerating the process of talent development and empowerment within the office structure.

In contrast to the Netherlands, the notarial profession in Indonesia remains dominated by a strict paradigm of independent practice, with several structural barriers and insufficient regulations. The appointment system for notarial positions in Indonesia, which assigns placement based on region, hinders vertical mobility and internal succession, thereby limiting the development and broader diffusion of *maatschap*. This is compounded by a regulatory vacuum concerning its implementation, which generates legal uncertainty and contributes to the low adoption of this institutional model in Indonesia. To date, there is only one *maatschap* office formally registered with the Ministry of Law and Human Rights in Indonesia, namely the notary office of Aulia Taufani, S.H & Aryanti Artisari, S.H., Mk.Kn (formerly the Notary Office of Sutjipto, S.H). The *maatschap* model is considered relevant for Indonesia as it offers a mechanism to balance individual professional autonomy with collective efficiency through shared resource management. Moreover, *maatschap* also has the potential to serve as an alternative solution to the growing number of new notaries who must operate under limited space, resources, and institutional infrastructure.

The concept of *maatschap* within Indonesia's notarial profession should be understood as more than just a conventional model of cooperation among notaries. An interview with a notary who has implemented *maatschap* explained that its establishment of *maatschap* notaries in Indonesia is based on two philosophies, namely *knowledge* that supports *one-stop service*

and work efficiency that emphasizes dynamic immediate responsiveness. *Maatschap* represents an organizational innovation that not only enables resource integration but also introduces a new paradigm in management, risk handling, knowledge regeneration, and the competitive positioning of the notarial profession in the era of digital transformation. *Maatschap* illustrates its character as a collective institution that prioritizes operational efficiency and service continuity, where notaries no longer work as separate individuals but become part of a professionally organized cooperative structure.

The first and most evident advantage of *maatschap* lies in its ability to increase operational efficiency. By adopting a systematic cooperation model, notarial offices under the *maatschap* framework can pool physical resources, human capital, and information technology. The costs of office rental, staff management, and infrastructure maintenance can be proportionally shared among members, thereby generating significant financial savings for each notary (Dewi, 2021). These savings are particularly important for newly established notaries, who often face challenges related to initial capital. Voert & Ewijk (2025) revealed that *maatschap* has become a highly attractive option for new notaries, as they typically encounter numerous obstacles in setting up an independent office, including difficulties in gaining market share, market uncertainty, high investment requirements (including goodwill), and the extensive knowledge needed to deliver comprehensive services (Voert & Ewijk, 2025).

A professional management structure with positions such as managing partner and office manager, along with divisional roles such as human resources, finance, taxation, and IT, enables notarial offices to operate more synergistically and efficiently. Not only that, this such efficiency does more than just reduce expenses, because *maatschap* also creates room for specialization and collaboration among members, thereby increasing the complexity and value of notarial services delivered to clients. This contributes to higher service quality, which is often difficult to achieve for notaries practicing individually (Wigusta, 2017b). Such innovations typically emerge in response to the demands of a dynamic business environment. In the digital era, the ability to integrate information technology into operations is inseparable from improvements in both efficiency and service quality (Birkinshaw & Gibson, 2004).

Risk management is also an important pillar of the *maatschap* model. Unlike solo practices that are vulnerable to service disruptions due to illness, death, or incapacity of a single notary, *maatschap* distributes responsibilities collectively. Within this organizational framework, risks are managed through the distributions of workload and duties, ensuring continuity of services is not disrupted even if one partner is unable to work (Voorde, 2023). Risk mitigation can also be carried out through peer review among partners, allowing the quality and accuracy of documents and legal processes to be internally monitored and refined without compromising each notary's independence. In a *maatschap*, responsibilities are transferred and shared among members, ensuring greater institutional continuity without having to rely on a single figure. This approach also serves as a contemporary mechanism for mitigating both business and legal risks, substantially strengthening client trust in the stability and professionalism of notarial firms (Salim, 2019).

Knowledge regeneration and transfer represent another strategic dimension that clearly adds value to *maatschap*. A dual succession model that combines genealogical pathways with professional cadre development provides a mechanism for transferring *tacit knowledge* which is essential in the legal profession, particularly in managing complex transactions and building

long-term client relationships. This cadre building process functions as a means of preserving work culture and service quality standards, while simultaneously strengthening the firm's social capital and reputation. The long-term mentoring and internal training within a *maatschap* offer opportunities for internal successors to absorb values, work culture, and practical experience intensively. Nonaka and Takeuchi (1995) emphasize the importance of *tacit knowledge* as a key asset for innovation and the sustainable competitive advantage of organization. Absorption through direct interaction, shadowing, and joint evaluation in the *maatschap* model facilitates this knowledge transfer, thereby eliminating the risk of losing professional competence between generations.

The advantages of *maatschap* innovation are also reflected in its ability to increase competitiveness, particularly in the context of the digitalization and globalization of legal services. Not only increase operational capacity, *maatschap* also builds a much stronger institutional reputation than individual practices. A well-structured organization based on professional collaboration can deliver comprehensive, integrated and fast services, making it more attractive to corporate clients who demand high standards and service continuity. In the trajectory of modern digitalization, the *maatschap* further reinforces its relevance through the adoption of IT-based practice management technologies, such as practice management software, electronic document systems, and cloud platforms that ensure data security and flexible access (Salemink et al., 2024). Collective investment in such technology not only strengthen operational infrastructure but also improves client perceptions of institutional professionalism and accountability, particularly in addressing data security challenges, which have become a central concern in today's legal service market (Salim, 2019). Through technology integration, *maatschap* provides an efficient and secure business framework and workflow, while safeguarding the confidentiality and integrity of client data, which is crucial in the notary profession.

A *maatschap* is not only an organizational innovation that offers efficiency, improved risk management, knowledge regeneration, and enhanced competitiveness, but also a crucial necessity for modernizing the Indonesian notarial profession. By increasing operational efficiency through the collective and organized management of resources, this model not only reduces costs but also enhances service capacity and quality. In addition, the *maatschap* provides a far more effective risk management mechanism by distributing responsibilities among partners, ensuring service continuity even in the absence of one notary. This becomes a critical foundation for maintaining professional credibility and reputation, both of which are highly vital in the notarial profession.

More importantly, *maatschap* addresses the need for regeneration and knowledge transfer among generations of notaries through a structured system of intensive cadre development and mentoring. Implicit knowledge and professional culture can be preserved without the risk of losing expertise and integrity. This model also strengthens the competitiveness of notarial offices by building a solid institutional reputation, enabling the provision of integrated, high value-added services in line with the demands of modern corporate clients in the digital and globalization era. *Maatschap* is seen not only as a model of cooperation, but also as an organizational innovation that should serve as the primary choice for modernizing and sustaining the relevance of the notarial profession in the future. *Maatschap* should be the main model adopted to address the complexities of legal transactions and market

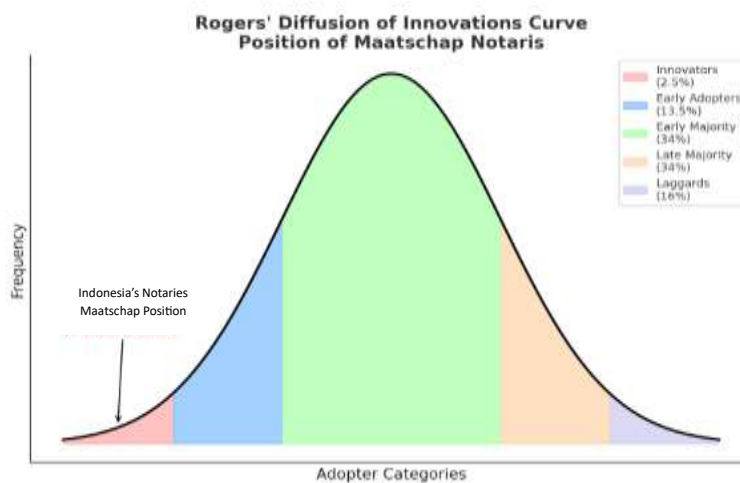
## The Maatschap Paradox: Unpacking the Determinants of Slow Innovation Adoption among Indonesian Notaries

dynamics today, given the advantages it offers. However, its successful implementation highly depends on the existence of clear and detailed regulations to ensure that independence, confidentiality, and professional responsibility remain legally protected.

Therefore, it is necessary to conduct in-depth research as well as the development of policies and implementing regulations that specifically govern the *maatschap* within the notarial context. These regulations must accommodate the unique characteristics of notarial practice while providing legal security and procedural certainty, which have been major obstacles. Policy development must also include technical guidelines for governance, profit sharing, succession, and operational standards so that *maatschap* can function optimally and be widely accepted by the notary community. With the support of appropriate research and policies, *maatschap* has the potential to become a foundation for innovation that not only improves efficiency and professionalism, but also builds a notarial ecosystem that is sustainable and adaptive to future challenges.

### Diffusion Meets Resistance: How Perceived Risks, Trust Deficits, and Normative Pressures Inhibit *Maatschap* Adoption

The *maatschap* innovation, as a form of civil partnership among notaries in Indonesia, is a new institutional innovation that presents a significant change to notarial professional practices, which has long been dominated by independent models or individual practices.



**Figure 1. Level of Adoption of Notary *Maatschap* Innovation**

Source: Researchers, 2025

Based on the findings of this study, the adoption rate of the Notarial *Maatschap* Innovation remains at a very low level (Figure 1). This phenomenon can be classified as *laggards* or the last group to adopt. This condition raises a crucial question as to why an innovation that normatively offers advantages in terms of efficiency, professional collaboration, and the potential to improved service quality encounter serious obstacles in its diffusion process. This phenomenon cannot be separated from various multidimensional barriers, which include a strong perception of risk, a deficit of trust among fellow notaries, as well as normative social and professional cultural pressures tied to individual autonomy and independence. Many notaries consider that the economic benefits of *Maatschap* are

insignificant and may even be reduced due to profit-sharing mechanisms and the potential for double taxation, thereby transforming financial incentives into disincentives.

This *maatschap* innovation clashes directly with cultural factors. The problem can be explained through the lens of the Theory of Planned Behavior, which reveals that the best predictor of whether notaries will adopt the *maatschap* innovation lies in their *behavioral* intention. An individual's intention is shaped by three main psychological factors, namely attitude towards behaviour, subjective norms, and perceived behavioral control. The combination of these three factors on notaries' acceptance of *maatschap* adoption is believed to collectively result in weak or even negative intentions among the majority.

The notarial profession in Indonesia generally embodies a culture that highly values individual autonomy, personal reputation, and personal responsibility. The perceived risk of losing control and professional autonomy thus becomes a crucial barrier. The idea of collective decision-making and the merging of professional identities into a shared entity is seen as a threat to independence that has long been the foundation of notarial practice. This condition is in line with the findings of Greenwood et al., (2002) which reveal that innovations that threaten individual autonomy and power structures tend to face strong resistance within professional services context. These obstacles are not only technical in nature, but also touch on the core of professional identity and values that are culturally ingrained.

One fundamental example is the process of creating land deeds, which is generally carried out by an individual notary. Full autonomy and control over deed-making process, along with individual legal responsibility, are core values upheld as the foundation of professional integrity. The concept of *maatschap*, which requires the sharing of responsibilities, collective management, and the integration of service protocols into a single entity, raises deep concerns that notaries may lose control over their own work. In addition, uncertainty regarding the mechanism for sharing profits and collective legal risks adds to the psychological burden and reinforces this negative attitude. This study reveals that several informants expressed fears of financial conflict and potential reputational damage arising from the actions of partners who may have different professional values, which are also dominant factors that hinder the intention to adopt *maatschap*.

This condition is in line with the theory of planned behavior, particularly the component of attitude (*Attitude Toward Behavior*) which indicates that notaries' attitudes towards *maatschap* are generally negative or ambivalent, driven by concerns about loss of independence, potential internal conflicts, reputational risks, and uncertainty regarding profit sharing. These concerns reflect a belief in adverse consequences that inhibit the intention to adopt. Field studies highlight concerns such as fairness in financial distribution and complex confidentiality management when joining a *maatschap*. The lack of practical understanding regarding the implementation of *maatschap* also reinforces rejection.

Notarial *partnerships* are also perceived as highly complex, both from a legal-formal and managerial perspective. The perception that this innovation is difficult to understand and implement is the strongest predictor of adoption failure, as potential adopters tend to remain with familiar and simpler practices. The failure of diffusion is also exacerbated by the near absence of opportunities for notaries to conduct trials or directly observe successful cases. As a long-term legal and financial commitment, *maatschap* does not allow for small-scale experiments that could minimise risk. This situation is exacerbated by the lack of examples of

## The Maatschap Paradox: Unpacking the Determinants of Slow Innovation Adoption among Indonesian Notaries

successful *maatschap* known to other notaries. Without *role models* or convincing empirical evidence, claims about the superiority of *maatschap* remain theoretical, failing to build trust among potential adopters. This creates a negative cycle of low adoption, which leads to a lack of examples of success among those who have adopted this innovation, and a reluctance among others to get started.

External factors such as weak regulatory and institutional support are also key determinants of adoption failure. Legal uncertainty, particularly regarding governance, profit sharing and legal liability, increases the perception of risk. The lack of clarity and legal vacuum regarding the rules for implementing civil partnerships (*maatschap*) exacerbates this uncertainty. To date, there are no regulations that specifically govern the procedures for establishing *maatschap*, the mechanism for sharing responsibilities, and the governance and dispute resolution in *maatschap*. This void encourages multiple interpretations and legal uncertainty, leading many notaries to remain in the comfort zone of well-established independent practice. This practice is clearly a structural factor that hinders the systemic diffusion of *maatschap* innovation. Without systemic intervention to bridge this gap, *maatschap* will continue to find it difficult to develop significantly within the Indonesian notary profession.

The majority of notaries also highlighted that the core problem with *maatschap* lies in the difficulty of trusting partners. Distrust is another crucial challenge. The *maatschap* model requires very close professional relationships and long-term commitment between partners, but in reality, relationships between notaries are not always built on a sufficient level of trust to encourage such cooperation. Unlike individualistic working relationships rely on limited personal networks, *maatschap* require *trust* that goes beyond mere professionalism, involving a deep belief in integrity, shared vision, and joint managerial capabilities. Concerns about trust may also be heightened by the fact that the *maatschap* does not have legal entity status (Article 46 W.Venn.), so that *maatschap* established for an indefinite period can be dissolved at the will of one of its members (Article 39 paragraph 5 and Article 43 W.Venn.) (Betwisten et al., 2010).

The majority of notaries revealed that the difficulty of finding partners who share the same vision and mission, as well as the ability to mitigate internal conflicts, limits the chances of forming a stable *maatschap*. Meanwhile, in the process, conflicts will arise more easily if someone in the team does not share the same vision and mission. This condition is in line with *the Perceived Behavioural Control* theory, which explains that the intention to act will weaken when the perpetrator feels that they lack the skills, resources, or control to execute new behaviours. This condition explains why the majority of notaries prefer to work individually. This trust deficit is exacerbated by the absence of clear and effective claim and dispute resolution mechanisms within the legal framework governing *maatschap* at present. The absence of a legal framework related to the limited personal liability of partners (Jukic, 2017), may add to the reasons why a notary would not want to adopt *maatschap* because in the concept of formal work, differences in interests accompanied by the absence of governing laws often trigger harmful conflicts. This is consistent with the findings that high perceived barriers reduce the intention to change behaviour.

The economic perception of a *maatschap* innovation, which is divided into two sides, also contributes to barriers to adoption. Younger notaries and those who are just starting their practice often view *maatschap* as a solution for reducing operational costs and initial capital,

while established notaries with stable practices feel less need to switch. This perception reflects the *status quo bias* phenomenon described by Kahneman et al., (1991), in which the perceived loss from leaving one's comfort zone is judged to outweigh the potential benefits of innovation. On the other hand, *normative pressures* within the notary community in Indonesia, which tends to preserve an individualistic work culture that emphasizes independence and full responsibility for each client, also pose a barrier. Vangrieken et al., (2017) state that when autonomy is understood as individual independence, collaboration that requires dependence is perceived as a threat to autonomy and causes negative attitudes. This issue is also in line with the view of *subjective norms*, which refer to individuals' perceptions of social pressure from others who are considered significant. This condition is characterised by the absence of *social* pressure that encourages notaries to collaborate.

Established social and cultural norms in Indonesia frame the *maatschap* as an “abnormal” practice and even as a potential risk to the legitimacy of professional notaries. The prevailing norms consider forming a partnership as a potential social and reputational risk, a restriction on autonomy, and a source of new conflict. In this kind of environment, there is neither sufficient social support nor collective pressure to encourage notaries to take collaborative steps through *maatschap*. Institutional theory adds to our understanding that adoption is not only influenced by rational choices, but also by institutional pressures that shape norms and practices that are considered appropriate (Scott, 2014). In this case, the entrenched practice of solo practice has become the dominant institutional logic, so that *maatschap* is perceived as a deviation from the norm that risks undermining professional legitimacy. These findings confirm that when the dominant community norm rejects *maatschap*, the intention to adopt the innovation is significantly weakened (Muzio & Faulconbridge, 2017).

When the psychological dimension of a notary who feels unable to overcome problems arising from cooperation is compounded by social issues that intersect with practical problems, a perception of extreme complexity arises regarding the management of *maatschap*. Managing a *maatschap* requires systematic institutional management, separating administrative, financial, and conflict management roles. All of this is very different from the simpler practice of independent notaries, which appears personally “easier to manage”. Notaries feel that they lack the internal capabilities, resources, and adequate supporting infrastructure to effectively implement this relatively new and complex partnership model. The absence of clear operational standards and comprehensive guidelines further exacerbates these limitations and diminishes their perceived control over the successful implementation of *maatschap*.

The lack of mimetic pressure or successful models to emulate in Indonesia has strengthened resistance. The adoption rate of *maatschap* has remained at the innovator phase, and there is no observable wave of *early adopters* who could become pioneers and *opinion leaders* to convince the majority. In contrast to countries such as the Netherlands and Belgium, the adoption of *maatschap* has spread with the support of clear regulations, simple procedures, and a professional culture that is open to collaboration. The absence of role models who openly practise and support *maatschap* also contributes to a self-reinforcing cycle of resistance, leaving no pathway to mass adoption. These findings confirm that strategies to accelerate adoption must include strengthening regulations, socialisation, cadre training, and social capital development to overcome cultural clashes and institutional barriers.

One form of adaptation that has emerged in response to resistance in Indonesia is a more flexible shared office model, which in practice allows notaries to share operational costs without integrating protocols, clients, or profit sharing collectively. This model is perceived as safer and more compatible with notaries' professional values, who value complete independence over all their work and professional responsibilities. Although this shared office model does not formally represent a *maatschap*, its acceptance shows that there is a real need for collaboration, but the form and level of integration must still be minimised to avoid the risk of losing autonomy and high levels of internal conflict.

In order to address these obstacles, various intervention strategies need to focus on reducing risk perception, building trust, and engineering social norms. The assertion that a proper civil partnership legal framework can guarantee independence while providing a protection mechanism for notaries needs to be developed systematically. The provision of clear partnership agreement templates and firm management guidelines is key to reducing anxiety about legal and managerial risks. This intervention can be synergised with the involvement of respected senior figures as opinion leaders to strengthen the social and normative legitimacy of *maatschap* so that it becomes a professionally accepted standard. The use of modern information technology is also an important factor in reducing the complexity of management and improving the efficiency of coordination between *maatschap* members. The adoption of digital-based practice management systems and cybersecurity protections provides an institutional infrastructure that can increase trust between notaries and ensure the continuity of credible legal services.

Overall, strong resistance to the adoption of *maatschap* form a combination of significant psychological, social, structural, and regulatory burdens within the Indonesian notary profession. The *maatschap* model, which has the potential to bring efficiency, collaboration, and professional continuity, is still held back by a strong individualistic work culture and the lack of a clear legal framework. Individual psychology and social norms that shape the professional community play a dominant role in inhibiting the diffusion of this innovation, highlighting the urgent need for holistic and integrated solutions for *maatschap* to evolve into a relevant and sustainable institutional practice in Indonesia.

### **Key Determinants Influencing the Adoption Decision of Indonesian Notaries**

This study stems from the low level of adoption of the *maatschap* innovation as a model for professional partnerships among Indonesian notaries. This condition is a phenomenon influenced by various key determinants constructed through multifactorial interactions. Innovation adoption occurs in a social context shaped by perceptions of relative advantage, compatibility, complexity, and legitimacy within the external environment (Rogers, 2003). However, issues related to status quo bias due to uncertainty of benefits in adoption remain a major obstacle, as many perceive existing practices as safer than the potential but uncertain benefits of innovation (Kahneman et al., 1991). A comprehensive understanding of these determinants is essential for designing effective policies and strategies to accelerate the diffusion of *maatschap* innovation in the practical and institutional framework of the notarial profession. This study reveals that there are four main determinants that have been identified as influencing the adaptation process of *maatschap* notaries in Indonesia, namely regulation, collaboration, technology, and socialisation.

Regulations serve as a critical legal foundation for the existence and sustainability of notary *partnerships*. Based on Article 20 of Law No. 30 of 2004 in conjunction with Law No. 2 of 2014, *maatschap* or civil partnerships between notaries are recognised as a form of entity that allows collaboration while maintaining personal responsibility for deeds, thereby establishing a formal legal basis for joint practice (Nowira et al., 2025). However, with the deletion of Article 20 paragraph, the Minister of Law and Human Rights Regulation M.HH.01.02.12 of 2010 concerning Requirements for Performing the Position of Notary in the Form of a Civil Partnership is no longer valid. The shift from a civil association of notaries to a civil partnership of notaries (*persekutuan perdata Notaris*) has led to differing interpretations, as the UUJN-P does not regulate this in detail either (Patnessia & Djajaputra, 2020).

The UUJN-P provides a formal space for the establishment of *maatschap*, a civil partnership mechanism related to the creation of deeds and the use of witnesses, but the stages and limitations have not been clearly regulated, leaving the mechanism prone to legal ambiguity and potentially undermining the principle of deed confidentiality (Natalia & Da, 2018). The disharmony between Article 20 paragraph (1) of the UUJN-P and Article 19 paragraph (1) has the potential to shift the orientation of *maatschap* towards *profit-oriented* commercial practices, rather than the non-profit professional collaboration that was originally envisaged (Ariwangsa & Yustiawan, 2024). Currently, regulations in Indonesia exhibit passive characteristics and are unresponsive to the implementation needs of *maatschap*, thereby creating significant ambiguity regarding the structural, functional, and financial freedom of notaries who typically work independently, thereby putting them at risk of violating their oath of office (Vania et al., 2014).

Ambiguous regulatory situations lead to multiple interpretations that weaken adoption interest, as notaries risk losing professional legitimacy and facing potential internal conflicts (Scott, 2014). Regulations should not only act as enablers but also transform into active catalysts that provide incentives and legal protection, shape market behavior, and facilitate institutional innovation through appropriate design, ultimately driving institutional change (Adler, 2010). From an institutional theory perspective, firm and supportive regulations strengthen formal legitimacy and reduce uncertainty, which often hinders innovation adoption in the professional sector (Scott, 2014). Without a solid regulatory foundation, institutional and funding gaps in the downstream phase, such as immature testing mechanisms, poor coordination between industry and regulatory research, and inadequate adaptive tools, often cause innovation to stall midway (BRIN, 2021).

An individual confidence and belief in adopting a new innovation increases when there is an ideal regulatory framework that clearly covers rules on *joint and several liability*, governance standards, accreditation mechanisms, and incentives that encourage the creation of a conducive institutional ecosystem and legal certainty. Thus, regulation is the primary determinant of formal legitimacy and risk perception in adoption decision-making (Adler, 2010; Scott, 2014).

Collaboration is another key determinant and a major prerequisite for the success of a *maatschap*, which extends beyond mere legal formality. Collaboration among notaries who are members of a *maatschap* includes sharing resources, pooling expertise, coordinating client services, and jointly managing professional risks. Successful collaboration requires repeated face-to-face interaction, trust building, shared commitment, and an understanding of collective

goals in the context of *collaborative governance* theory (Ansell & Gash, 2007). Without strong collaboration, *maatschap* cannot provide competitive advantages or long-term sustainability. This collaborative capacity encompasses the notary's ability to establish joint governance mechanisms that enable intensive communication and constructive conflict resolution for the common good. Therefore, *an effective maatschap* can only develop if notaries are not only legally bound but also able to build trust and normative understanding in their daily practices.

Successful collaboration comprises three key elements: collaborative capacity (the ability to build joint governance mechanisms), collaborative dynamics (intensive communication and constructive conflict resolution), and collaborative action (integrated services that provide added value to clients) (Emerson et al., 2012). At the internal level, collaboration requires alignment of vision and professional values. A shared long-term vision and commitment to legal integrity form the foundation that prevents fragmentation due to differences in personal interests (Bingham, 2009). A clear governance structure, including role definitions, division of labour, and fair profit-sharing mechanisms, is important to prevent hidden conflicts and enhance a sense of fairness in collaboration (Ansell & Gash, 2007). Communication and conflict management skills are also vital; conflict is inevitable but must be managed through open communication and consensus building solutions (Jehn & Mannix, 2001).

The external dimension involves the ability to build strategic relationships with stakeholders outside the entity, such as banks, property developers, and other law firms, which expand networks, sources of legitimacy, and public trust (Ansell & Gash, 2007). These cross-sector partnerships enable *maatschap* to handle large, multidisciplinary projects with efficiency and accountability. External collaboration capacity constitutes a source of competitive advantage as it opens access to social capital and institutional networks. The success of this collaboration is based on building trust, fair exchange norms, and continuous coordination (Bryson et al., 2006), while strengthening the reputation and position of *maatschap* in the modern legal profession ecosystem.

Digital technology has become the backbone of operations, reshaping efficiency, security, and service quality paradigms, including notaries. Digital transformation enables the use of electronic document management systems, digital signatures, and cloud-based services, which improve the accessibility and security of legal archives (Susskind, 2013). The adoption of this technology not only increases internal productivity but also strengthens bargaining power in external collaborations, particularly with banks and property developers, who demand speed and transparency (Douglas W et al., 2017).

The implementation of Practice Management Software (PMS) is an important element that facilitates the integrated management of schedules, workflows, and documents, while overcoming the complexities that hinder the adoption of (Rogers, 2003). PMS serves as a strategic instrument that simplifies internal coordination and increases accountability to create transparency in client relationships (Katz, 2014). In addition, *maatschap* has advantages in cyber security management, with the collective ability to invest in technologies such as end-to-end encryption, *multi-factor authentication*, and international standard *cloud storage*, crucial for protecting sensitive notary data (Oktaviani & Dwi Nugroho, 2024; Rogers, 2003). The use of cloud-based platforms strengthens collaboration by enabling real-time work between members from different locations, accelerating workflows, and reducing delays in

document processing. *Cloud computing* also improves internal coordination, cost efficiency, transparency, and accountability, which are the foundations of successful *maatschap* work (Marston et al., 2011). This digital technology plays a crucial role in facilitating the adoption of *maatschap* and constitutes a competitive advantage that distinguishes innovative firms from traditional individual practices.

The final determinant is socialisation, which plays an important role in the successful adoption of *maatschap* notaris, as it serves as the main mechanism for disseminating information, shaping perceptions, and instilling new norms in the professional social system. Without effective socialisation, an institutional innovation that is technically and legally superior risks being isolated and not widely adopted. This process involves not only communicating facts, but also creating shared *sense-making* that influences how notaries understand the benefits and risks of *maatschap* (Rogers, 2003). Communication networks and *opinion leaders* play a strategic role in accelerating the acceptance of innovation, while professional associations and regulatory bodies can reduce uncertainty and build social legitimacy. Socialisation strategies in Indonesia should focus on both disseminating normative information and establishing social legitimacy through educational campaigns, success case studies, and support from influential figures. Secondary socialisation involves the internalisation of the values, roles, and specific skills required to participate in *maatschap* institutions, usually through formal education, training, and interaction within professional communities. This socialisation reinforces the identity of *maatschap* as a legitimate and trusted professional entity and strengthens its institutional position within the legal ecosystem.

According to Peter L. Berger and Thomas Luckmann in *The Social Construction of Reality* (1966), socialisation is a dialectical process through three stages, namely externalisation, objectification, and internalization. This process enables a new practice, such as the *maatschap* model, to be constructed into a widely accepted social reality. In the externalisation stage, the *maatschap* practice is discussed, articulated, and given meaning by the professional community. Ideas that were initially subjective are projected into the social world through repeated actions and tangible outputs such as integrated service model designs, work process maps, or successful case studies, thereby becoming observable and adoptable social realities (Berger & Luckmann, 1966; Greenhalgh et al., 2004). The role of opinion leaders and academics in disseminating this idea accelerated the legitimization of *maatschap* as a new professional norm (Berger & Luckmann, 1966; Rogers, 2003b; Scott, 2014).

The objectification stage occurs when *maatschap* is accepted as a valid and legitimate institutional reality, reflected in the use of formal documents such as agreement templates and firm management SOPs. These instruments are no longer merely technical options but have become standard best practices in the notarial profession (Berger & Luckmann, 1966; Lawrence & Suddaby, 2006; Scott, 2014; Suchman, 1995). Institutional legitimacy is reinforced by regulatory mechanisms, accreditation, and awards that make *maatschap* an institutional norm that becomes uncontested (Berger & Luckmann, 1966; Deephouse & Suchman, 2008; Thornton et al., 2012). At the internalization stage, *maatschap* practices and values become an integral part of the notary's professional identity, so that they are no longer considered external rules, but rather a natural and expected choice in the profession (Berger & Luckmann, 1966; Scott, 2014). This process is reinforced by training and practice communities that help internalise and localise *maatschap* in everyday professional life (Kolb, 2000; Wenger,

1998) Thus, *maatschap* successfully merges into professional norms and culture through a continuous socialization process that overcomes initial resistance (Berger & Luckmann, 1966).

Drawing on the four identified determinants, a strategic framework is needed to integrate social, institutional, and professional factors in the adoption of the *maatschap* model. This framework should ideally be designed to facilitate cross-dimensional analysis, encompassing the stages of idea socialization, institutional objectification, and internalization of practices within the professional community. Issues inherent in the implementation of *maatschap*, such as the management of shared facilities, professional governance, potential overlap of work functions, and efforts to maintain the professional image of a notary, can serve as references in formulating this framework. Thus, this strategic approach not only provides an overview of motivational factors and barriers to adoption but also highlights the dynamics of interactions between actors and organizational structures that contribute to the systemic sustainability of the *maatschap* model.

Further research could be directed towards analyzing the role of regulation, institutional regulatory instruments, and institutional incentives as mechanisms for driving the diffusion and legitimization of *maatschap*. An in-depth study of the dynamics of legitimacy at both the macro and micro levels may provide a stronger conceptual foundation for formulating policies that are adaptive and responsive to the future needs of the notary profession. In this way, the gap between applicable legal norms and emerging professional practices can be bridged through policy strategies grounded in contextual understanding and oriented towards sustainability.

## CONCLUSION

The low adoption of *maatschap* innovation among Indonesian Notaries stems from a complex interplay of psychological, socio-cultural, and structural-regulatory factors rather than a single cause. Resistance is deeply rooted in the profession's individualistic culture, with high-risk perceptions related to autonomy loss, internal conflicts, and profit-sharing concerns, compounded by a significant trust deficit hindering long-term partnerships. Although formal regulations recognize *maatschap*, the lack of clear technical guidelines creates legal uncertainty that reinforces preference for independent practice. Key barriers include ambiguous regulations, low collaboration capacity, management and technology complexities, and ineffective socialization processes. Transforming *maatschap* into an institutionalized practice requires a holistic approach combining regulatory clarity, trust-building, social norm change, opinion leader engagement, and infrastructure support to reduce perceived risks. Future research could explore effective models for trust-building and the role of opinion leaders in accelerating innovation adoption within professional communities.

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