

Ethical requirements for the legal profession in the context of implementing the current undergraduate law curriculum standards in Vietnam

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Abstract: *The legal profession is closely associated with the legal status of individuals. Therefore, professional competence, particularly legal ethics with its core standards in the current context - such as honesty, integrity, respect for the rule of law, protection of justice and human rights, avoidance of conflicts of interest, confidentiality, social responsibility, and accountability - has become increasingly essential. Accordingly, ethical qualities and codes of conduct in legal practice are not only objective requirements to meet the rising expectations of society toward legal professionals but also demand that undergraduate law training programs comply with established curriculum standards. This ensures behavioral orientation, preservation of professional identity, and better service to the People and the nation, while simultaneously safeguarding justice and strengthening the rule of law in the new context*

Keywords: *Professional ethics; era of the nation's rise; legal ethics; judicial reform; ethical requirements in the legal profession.*

1. Introduction

Currently, there are various approaches to the concept of profession. However, studies generally agree that a profession is a term used to denote a form of labor in society, in which practitioners possess specific knowledge, skills, autonomy, and responsibilities to perform work within the division of labor, thereby creating both material and spiritual products that bring benefits to individuals while contributing to the development of society.

In the field of law, Vietnam is undergoing significant transformations, particularly in terms of institutions,

which inevitably call for innovation in legal awareness, thinking, and practice. One of the areas directly affected is legal ethics, which is facing new demands from practice, especially in undergraduate legal education. As noted, "the legal profession is a comprehensive concept, not limited to judicial litigation activities but also encompassing research, teaching, law-making, and law enforcement... Different legal systems around the world organize the legal profession in various ways, but generally recognize it as a specialized profession with high requirements for qualifications, competence, ethical standards, and social responsibility"

Received:

August 18, 2025

Revised:

September 05, 2025

Accepted:

September 23, 2025

<https://doi.org>

10.59394/JSM.89

(Giao, 2025). From this, it can be understood that “professional ethics is a specific form of social ethics, expressed in a particular way within professional activities. Professional ethics includes viewpoints, rules, and standards of social moral behavior that must be observed in the practice process, while also reflecting the particularities of each profession” (Cong, 2014).

Within the scope of this paper, we focus on analyzing the ethical requirements of the legal profession in the context of implementing the current undergraduate law curriculum standards in Vietnam.

2. Characteristics of the legal profession and legal ethics

First, as mentioned above, a profession is not merely a means of creating material wealth, but also a condition that enables individuals to contribute their efforts and intellect to society. In particular, when a profession has established ethical standards, all members of the organization - from the highest-ranking leaders to the lowest-ranking staff - are required to commit to complying with professional codes of ethics. In this context, the legal profession is no exception. To ensure the strict enforcement of the law, a large contingent of legal practitioners is needed. Their task is to help citizens understand the law, create conditions for citizens to exercise their legal rights, and detect and handle violations in order to protect the common interests of society as well as the legitimate interests of individuals. When their activities meet all legal requirements, such work is referred to as legal practice.

Next, the legal profession is a relative concept, referring to the occupation of individuals who have been trained and equipped with the knowledge, skills, autonomy, and responsibility required by law. These individuals perform tasks related to various aspects of legal life in courts, procuracies, law offices, public security agencies, enforcement agencies, notary organizations, and some divisions of state administrative agencies, as well as political, economic, and social organizations, among others. Moreover, the legal profession has a distinctive nature. Every act or decision of a legal practitioner can directly affect

the life, health, honor, dignity, and property of individuals and organizations in society. Thus, the legal profession plays a crucial role in upholding justice, protecting human rights and citizens’ rights, and strengthening the foundations of the judicial system, ensuring social order and safeguarding the lawful rights and interests of citizens.

Furthermore, the legal profession is one of the most closely regulated occupations. Legal practitioners frequently utilize legal provisions as tools to resolve issues arising in social life; therefore, they must continuously operate within a professional framework and be subject to the constraints of the law. In addition to complying with general legal norms, legal practitioners are also bound by stringent professional regulations and are governed by codes of ethics and professional conduct. Thus, the legal profession relies not only on legal norms but also on ethical standards. Moreover, most legal activities are carried out by individuals holding judicial positions. These practitioners pursue common goals, such as protecting socialist legality, safeguarding state and collective property, and defending citizens’ lives, health, property, freedom, honor, and dignity. At the same time, they educate citizens to be loyal to the nation, enhance legal consciousness, respect social norms, and participate in preventing and combating crime and other legal violations. Additionally, each judicial position carries specific objectives tied to its particular professional duties.

In addition, the legal profession operates within the framework of the law. Legal practitioners must always comply with the limits set by law, which means there is no absolute freedom in practice. Consequently, the legal profession has distinct characteristics, requiring practitioners to possess certain qualities, such as fairness, objectivity, honesty, logical reasoning, professional intuition, strong analytical and synthetic skills, sound judgment, and practical communication abilities. The legal profession does not permit individuals to hold multiple legal roles simultaneously. For instance, a judge cannot concurrently serve as a lawyer, notary, or

enforcement officer, and vice versa. The law only allows for career changes, such as when a judge wishes to become a lawyer or notary, but only after they have terminated their judicial role.

From this, legal ethics can be understood as the set of ethical principles and standards that legal practitioners must comply with during their professional practice. Legal ethics serves as the measure of professional character and responsibility, as well as a guiding framework for self-cultivation and discipline, thereby building and maintaining the professional reputation of legal practitioners. Legal ethics is a specific form of professional ethics, developed based on the professional activities of groups of legal practitioners, including judges, lawyers, prosecutors, and notaries. Legal ethics must first embody all the elements of social ethics and must not contradict social morality, except where required by law. Beyond that, legal ethics also encompasses factors that help practitioners meet professional standards - namely, fairness, equality, and the spirit of respect for the rule of law - in order to protect legal order and uphold the model prescribed by law.

Thus, through professional activities and by carrying out tasks according to established behavioral standards (often outlined in Codes of Ethics and Professional Conduct), legal practitioners orient their practice toward the pursuit of truth, goodness, beauty, equality, and justice. Legal practitioners occupy different, sometimes even opposing, positions within the judicial system (for example, investigators, prosecutors, and defense lawyers in a criminal case). Therefore, it is not easy to unify the ethical principles and standards of individuals performing different functions and holding different responsibilities. However, most judicial positions are still grounded in the fundamental ethical standards of the legal profession, including: (1) General civic virtues required of a citizen in the socialist rule-of-law State of Vietnam (loyalty to the Fatherland; protection of the nation; fulfillment of military service and participation in building a national defense system; compliance with the Constitution and

laws; participation in safeguarding national security, social order, and safety; adherence to public codes of conduct; and paying taxes in accordance with the law) (National Assembly, 2013); (2) Professional courage and pride, supported by solid expertise and proficient professional skills; readiness to express views on right and wrong; determination to defend justice and fairness; and an awareness of preserving professional values and reputation, working with dignity and professional self-respect; (3) Awareness of protecting human rights, and the legal rights and interests of social actors, ensuring that no individual is unlawfully deprived of their human rights and citizenship rights.

Legal practitioners typically work across various fields of law. With their knowledge and professional skills, they provide legal services upon clients' requests or engage in pro bono legal assistance. In essence, such activities include legal counseling, drafting documents, organizing negotiations on legal issues, representing or defending clients in court proceedings, prosecuting on behalf of the State, adjudicating cases in court, enforcing judgments, notarization, certification, bailiff services, and other forms of judicial support. These activities directly affect the political and legal rights and interests of individuals and organizations. Consequently, if practitioners fail to comply with ethical rules, the risk of misconduct becomes unavoidable.

Therefore, when considering legal ethics, it is essential to evaluate and compare the standards across different roles within the profession. Nevertheless, regardless of the specific area, the legal profession remains a noble vocation intrinsically linked to the legal status of individuals. Through their work, legal practitioners perform the lofty social function of safeguarding justice, protecting the freedoms and democratic rights of citizens, defending the lawful rights and interests of individuals and organizations, upholding socialist legality, contributing to building a rule-of-law state, and advancing the goal of a prosperous people, a strong nation, and a democratic, equitable, and civilized society.

As individuals bearing personal responsibility for their professional reputation, legal practitioners, when setting the goal of serving justice and respecting the law, must first rely on a solid moral foundation. Without such a foundation, it is challenging for them to develop genuine respect for and compliance with the law in practice. Ethical rules, therefore, serve as guiding standards that provide a basis for practitioners to voluntarily cultivate and refine their moral principles in both their personal lives and professional pursuits. They also act as benchmarks to preserve personal integrity and professional reputation, while encouraging humility, continuous learning, and the accumulation of experience and skills, thereby enhancing the standing of legal practitioners in society.

3. Ethical standards of the legal profession required in undergraduate law programs in Vietnam

The demands arise from both the intrinsic requirements placed upon legal practitioners themselves and the standards set for undergraduate legal education, which must comply with the national qualification framework for higher education. These standards, applicable to all undergraduate programs (Level 6 according to the Vietnamese Qualifications Framework, Decision No. 1982/QĐ-TTg dated October 18, 2016, by the Prime Minister) (Ministry of Education and Training, 2025), include training objectives, learning outcomes, admission standards, minimum study load, program structure and content, teaching and assessment methods, and the conditions for program implementation to ensure quality. At the same time, they guarantee uniformity within diversity, strengthen articulation, promote the autonomy of training institutions, and foster international integration across all undergraduate law programs in Vietnam.

(1) *Knowledge*: Law students and future practitioners must master comprehensive theoretical knowledge, as well as basic practical knowledge, in the field of law, including the theory and history of the State and law, political-legal

doctrines, constitutional law, and human rights. Additionally, they must possess professional knowledge of legal practice and legal ethics.

(2) *Skills*: Learners must be able to summarize, analyze, synthesize, and evaluate data, information, and legal norms; demonstrate critical thinking skills; acquire basic professional skills in legal practice; identify and resolve legal problems; communicate and present specialized knowledge, arguments, viewpoints, and legal solutions both orally and in writing; and be proficient in drafting legal documents.

(3) *Autonomy and responsibility*: Learners must demonstrate loyalty to the Fatherland, strong political awareness, commitment to the rule of law, readiness to embrace reform, defend justice and human rights, and uphold the spirit of public service. They must also embody honesty, integrity, prudence, humility, and empathy; possess professional ethics; be able to work independently or collaboratively; display creativity; and apply knowledge and skills responsibly in the legal field while adapting to the evolving professional environment.

Accordingly, legal ethics in the undergraduate law curriculum in Vietnam must meet the following requirements:

First, unlike social ethics, legal ethics is not primarily based on abstract notions of good and evil but takes the law itself as its foundation. Therefore, legal ethics develops within the framework of legal practice. It is important to emphasize, however, that legal ethics is practical only when grounded in a humane, fair, and objective legal system.

Second, in terms of its regulatory scope, legal ethics is directed toward a specific group - those who understand and practice law, and who, in some cases, act on behalf of the State to regulate or restore disrupted social relations. Their practice outcomes have direct and profound impacts on citizens, society, and the nation. By contrast, social ethics generally applies to a broader and more diverse range of subjects.

Third, ethical standards in the legal profession should be codified into legal norms and further specified to clarify the methods of implementation (Cong & Hanh, 2023). This

includes defining the limits of rights and obligations and stipulating sanctions applicable to violations in legal practice.

Fourth, the core values of legal ethics - such as honesty and integrity, respect for the rule of law, protection of justice and human rights, avoidance of conflicts of interest, confidentiality, social responsibility, and accountability - must be comprehensively and methodologically explained. This ensures that legal practitioners clearly understand and effectively apply them throughout their studies and careers. Even in a rapidly changing society, the legal profession and its ethical requirements continue to play a decisive role in shaping professional identity, guiding conduct, and sustaining the credibility of practitioners.

Fifth, the teaching of legal ethics needs to be reformed to emphasize greater practicality, with a focus on experiential learning. It is essential to “encourage research and the development of legal ethics curricula” (Vinh, 2025) and to incorporate exemplary case studies into teaching, thereby providing students with opportunities to practice and strengthen their ethical decision-making in real-world contexts.

4. Conclusion

In all professional fields, practitioners must not only comply with general legal regulations but also adhere to the ethical principles and standards associated with their specific areas of expertise. However, depending on the profession, the form of expression (written or unwritten), level, and requirements of professional ethics vary.

For the legal profession, this field is intrinsically linked to the legal status of individuals. Through their activities, legal practitioners fulfill a noble social function: safeguarding justice, protecting the democratic freedoms of citizens, upholding the legitimate rights and interests of individuals and organizations, and ensuring the integrity of the justice system. Accordingly, the ethical qualities and codes of conduct required of legal professionals are always objective demands.

Therefore, the code of legal ethics serves as a set of distinctive standards, providing a foundation for legal practitioners to consciously cultivate and

refine themselves in both their personal lives and professional activities. It also serves as a benchmark for maintaining personal integrity and professional credibility, fostering humility, continuous learning, and the acquisition of practical skills and experience, thereby enhancing the social prestige of the legal profession. At the same time, the requirement for undergraduate legal education programs to meet established standards under the national higher education legal curriculum is an inevitable necessity, placing responsibility on law schools today. This not only helps shape professional conduct and preserve the identity of the legal profession, but also ensures that legal practitioners can better and more effectively serve the people and the nation, while contributing to the protection of justice and the consolidation of the rule of law in this new context.

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