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# Analysis of the Effectiveness of the Implementation of Government Regulation Number 94 of 2021 concerning Civil Servant Discipline in the Sentencing Process: A Case Study in East Lombok Regency

Lalu Rudi Oky Syaputra 

Faculty of Law, Social and Political Sciences, University of Mataram, Indonesia

E-mail: [laluokysyaputra@gmail.com](mailto:laluokysyaputra@gmail.com)

Gatot Dwi Hendro Wibowo 

Faculty of Law, Social and Political Sciences, University of Mataram, Indonesia

E-mail: [gatotdwiw@unram.ac.id](mailto:gatotdwiw@unram.ac.id)

Ida Surya 

Faculty of Law, Social and Political Sciences, University of Mataram, Indonesia

E-mail: [idasurya@staff.unram.ac.id](mailto:idasurya@staff.unram.ac.id)

## ABSTRACT

The effectiveness of implementing Government Regulation Number 94 of 2021 concerning Civil Servant Discipline in the sentencing process remains a critical issue in public administration. This study analyzes the application of disciplinary actions against civil servants in East Lombok Regency, focusing on legal frameworks, enforcement mechanisms, and the challenges local government institutions face. Using an empirical legal research approach, the study examines case data from 2022 to 2024 and explores the role of government agencies in ensuring compliance with disciplinary regulations. The findings indicate that while the new regulation has introduced stricter enforcement mechanisms, several challenges persist, including limited understanding of the regulation among officials, procedural inconsistencies, and resistance to disciplinary actions. The study concludes that strengthening legal awareness, improving enforcement consistency, and fostering a culture of accountability is essential for enhancing the effectiveness of civil servant discipline. These findings contribute to ongoing discussions on bureaucratic reform and the professionalization of civil servants in Indonesia.

## KEYWORDS

Effectiveness;  
Disciplinary  
Punishment;  
Civil Servant;  
Bureaucratic  
Reform;  
Government  
Regulation



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## INTRODUCTION

Civil Servants will always be in the spotlight and must be role models in social life. This will also require civil servants to obey and comply with applicable laws and regulations concerning civil service and other fields. However, there are some Civil Servants who cannot be used as role models because they commit criminal offenses, both general criminal offenses and special criminal offenses, such as fraud, corruption, gambling, and so on. This degrades the dignity of civil servants so they must be processed by the applicable laws and regulations.

About disciplinary enforcement against Civil Servants related to criminal cases, Article 52 paragraph (1) of Law Number 20 Year 2023 on State Civil Apparatus (ASN Law) states that: "Dismissal for ASN employees includes: a. at their request; and b. not at their request." Meanwhile, Article 52 paragraph (3) letter g and letter i of the ASN Law states that:

"Civil servants are dishonorably discharged due to:

- (1) Committing a serious disciplinary offense;
- (2) Convicted with imprisonment or confinement based on a court decision that has permanent legal force for committing a criminal offense of office crime or a criminal offense related to the office; and/or
- (3) Become a member and/or administrator of a political party."

Based on the provisions of Article 1 point 6 of Government Regulation Number 94 of 2021, Discipline Violation is any speech, writing, or action of civil servants that does not comply with obligations and/or violates prohibitions on the provisions of Civil Servant Discipline, both inside and outside working hours. Speech is every word spoken in front of or audible to people such as in meetings, lectures via telephone, TV, or other communication devices. Writing is a written statement of thoughts and or feelings both in written form and in the form of drawings, caricatures, scribbles, and others similar to that. Actions are any behavior, attitude, or actions.<sup>1</sup>

Article 7 of Government Regulation No. 94 of 2021 emphasizes that without excluding the provisions in criminal legislation, civil servants who do not comply with the provisions referred to in Article 3 through Article 5 are subject to Disciplinary Punishment. In the elucidation of this article, it is stated that Civil Servants who violate the provisions of Civil Servant discipline are subject to disciplinary punishment, and if the act has criminal elements, the Civil Servant may be subject to criminal punishment (Article 7 of Government Regulation No. 94 of 2021).

In addition to the threat of criminal punishment, Civil Servants who are involved in criminal offenses may also be subject to disciplinary punishment. This should be the commitment of the government and local governments in realizing Civil Servants as an element of the government apparatus to work more professionally, morally, cleanly, and ethically. This is done to support bureaucratic reform and support the smooth running of government and development tasks.

East Lombok Regency is one of the regencies located in the eastern part of NTB Province. Just like other districts/cities in NTB, with the existence of regional autonomy as a form of implementation of regional governance, the latter is based

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<sup>1</sup> Sri Hartini & Tedi Sudrajat, *Hukum Kepegawaian di Indonesia*, 2d ed (Jakarta: Sinar Grafika, 2017).



on Law Number 23 of 2014 concerning Regional Government, implementing personnel development policies based on applicable laws and regulations. One of the personnel development policies is to enforce discipline against civil servants related to criminal cases.

Based on data from the Personnel and Human Resources Development Agency of East Lombok Regency, NTB Province, there are 35 (thirty-five) civil servants with different cases, which have been accumulated from 2022 to 2024.

**Table 1.** Disciplinary Penalties for Civil Servants in OPD of East Lombok Regency  
Period 2022 to 2024

No.	Name	Name of Offense	Type of Disciplinary Punishment	Years
1.	NM, MHM, AH, AMJ	Married or divorced, without explanation for 14 working days	Postponement of Periodic Salary Increase for 1 (one) Year	2022-2024
2.	LPM	Indiscipline	Demotion to the Lower Level for 3 (three) Years	2022
3.	AN, MH, NF, and others	Disciplinary absence for 8 working days	Written Reprimand	2022-2024
4.	AN, FM, HR, LR, LM, AY, and others	Divorce, Indiscipline	Decrease in Rank at a Lower Level for 1 (one) Year	2022-2024
5.	AN, SAB, CA, KH, AD, and others	Divorce, Cheating, Discipline	Exemption from Office	2022-2024
6.	NF, Z, MA, AQ	Indiscipline, Missing 28 Working Days	Honorable Dismissal Not at Your Request	2022-2024
7.	LIJ, LAA, Z, N	Corruption Crime	Dishonorable Dismissal as a Civil Servant (Decree of the National Civil Service Agency)	2022-2024
8.	LIJ, LAA, Z, N	Corruption Crime	Dishonorable Dismissal as a Civil Servant	2022-2024
<b>Amount</b>				<b>35</b>

**Source:** Data from the Personnel and Human Resources Development Agency of East Lombok Regency, NTB Province (2024)

Government Regulation Number 94 of 2021 was born to replace Government Regulation Number 53 of 2010 concerning Civil Servant Discipline Regulations (Government Regulation Number 53 of 2010). If civil servants in the East Lombok Regency government still use the old paradigm, namely based on Government Regulation Number 53 of 2010, then the mandate of Government Regulation Number 94 of 2021 to realize reliable, professional, and moral civil servants is impossible to achieve. The old paradigm must be abandoned because there are



significant differences in Government Regulation Number 94 of 2021 compared to Government Regulation Number 53 of 2010. There are several additions of new norms and it can be said that this change is heading in a better direction after the birth of Government Regulation Number 94 of 2021.

One of the differences is that an authorized official who does not impose disciplinary punishment on a Civil Servant who commits a disciplinary violation, then the official is subject to disciplinary punishment by his/her superior with the same type of punishment that should have been imposed on the Civil Servant who committed the disciplinary violation. This can be seen in the provisions of Article 24 of Government Regulation Number 94 of 2021 which reads:

- (1) Officials with the Authority to Punish must impose Disciplinary Punishment on civil servants who commit Disciplinary Violations.
- (2) If the Punishing Authorized Official as referred to in paragraph (1) does not impose Disciplinary Punishment on civil servants who commit Disciplinary Violations, the Punishing Authorized Official shall be subject to Disciplinary Punishment by his superior.
- (3) If the Punishing Authorized Official as referred to in paragraph (1) does not impose Disciplinary Punishment by the Disciplinary Violation committed by a civil servant, the Punishing Authorized Official shall be subject to a more severe Disciplinary Punishment.
- (4) Disciplinary Punishment as referred to in paragraph (2) and paragraph (3) shall be imposed after going through an examination process.
- (5) The superior as referred to in paragraph (2) also imposes Disciplinary Punishment on civil servants who commit Disciplinary Violations.

After the enactment of the State Civil Apparatus Law, the authority to dismiss Civil Servants is guided by Government Regulation Number 17 of 2020 concerning Amendments to Government Regulation Number 11 of 2017 on Civil Servant Management (Government Regulation Number 11 of 2017). Article 266 paragraph (1) of Government Regulation Number 11 of 2017 states that: Honorably or dishonorably dismissal of a Civil Servant who commits a criminal offense/abuse is proposed by:

- (1) Personnel Supervisory Officer (*PPK/PSO*) to the President for civil servants who occupy the Main High Leadership Position, Middle High Leadership Position, and Main Expert Functional Position; or
- (2) Authorized Officials to the Staff Supervisory Official for Civil Servants who occupy Premiership High Leadership Positions, Administrative Positions, Functional Positions other than Functional Positions of Principal Expert.”

As an area that is aggressively structuring the local government apparatus, the East Lombok Regency Government must prioritize the fulfillment of basic services and basic needs of the community. This certainly requires hard work from all elements of local government, especially civil servants. Along with the demands for improving the performance of Civil Servants, the East Lombok Regency Government has paid attention to the level of welfare of Civil Servants even though it is not optimal. To improve performance and welfare for Civil Servants in the East Lombok Regency Government, the Regional Government provides additional employee income with the following amounts:



**Table 2.** Coefficient of Additional Income for Regional Apparatus Employees of Lombok Timur Regency

NO	TYPE OF JOB	TOTAL PAYMENT OF ADDITIONAL EMPLOYEE INCOME PER MONTH (Rp.)
1	2	3
<b>1</b>	<b>REGIONAL SECRETARIAT</b>	
	Echelon II.A	28.500.000,00
	Echelon II.B/Assistant Regional Secretary	10.000.000,00
	Echelon II.B/Expert Staff	7.542.000,00
	Echelon III.A	5.600.000,00
	Echelon IV.A/Functional Equalization Result	2.543.000,00
	Executive/Certain Functional	1.250.000,00
NO	TYPE OF JOB	TOTAL PAYMENT OF ADDITIONAL EMPLOYEE INCOME PER MONTH (Rp.)
1	2	3
<b>2</b>	<b>REGIONAL INSPECTORATE</b>	
	Echelon II.B	10.500.000,00
	Administrator/Echelon III.A	5.732.000,00
	Echelon IV.A/Functional Equalization Result	2.670.000,00
	Associate Auditor/Middle Government Supervisor	4.000.000,00
	Junior Auditor/Junior Government Supervisor	2.670.000,00
	First Auditor/First Government Supervisor	2.000.000,00
	Executive/Certain Functional	1.350.000,00
<b>3</b>	<b>REGIONAL DEVELOPMENT PLANNING AGENCY, REGIONAL FINANCIAL AND ASSET MANAGEMENT AGENCY, AND POPULATION AND CIVIL REGISTRATION AGENCY</b>	
	Echelon II.B	10.000.000,00
	Echelon III.A	5.459.000,00
	Echelon III.B	4.069.000,00



	Echelon IV.A/Functional Equalization Result	2.543.000,00
	Echelon IV.B	2.100.000,00
	Executive/Certain Functional	1.250.000,00
<b>NO</b>	<b>TYPE OF JOB</b>	<b>TOTAL PAYMENT OF ADDITIONAL EMPLOYEE INCOME PER MONTH (Rp.)</b>
<b>1</b>	<b>2</b>	<b>3</b>
<b>4</b>	<b>REGIONAL REVENUE AGENCY AND RUMAH SAKIT dr. RADEN SOEDJONO SELONG</b>	
	Echelon II.B	6.032.000,00
	Administrator/Echelon III.A	3.219.000,00
	Administrator/Echelon III.B	2.801.000,00
	Echelon IV.A/Functional Equalization Result	1.554.000,00
	Supervisor/Echelon IV.A	1.554.000,00
	Executive/Certain Functional	1.000.000,00
<b>5</b>	<b>OTHER REGIONAL APPARATUS</b>	
	Echelon II.B	8.042.000,00
	Echelon III.A/Observer	5.069.000,00
	Echelon III.A	4.289.000,00
	Echelon III.A (Secretariat of the Regional House of Representatives)	3.730.000,00
	Echelon III.B/Functional Equalization Result	3.730.000,00
	Echelon IV.A/Functional Equalization Result	2.072.000,00
	Echelon IV.B	1.800.000,00
	Executive/Certain Functional	1.000.000,00

**Source:** Data from the Organization Section of East Lombok District (2024)

Although currently, the welfare of Civil Servants is better than before, the problem of low performance and the large number of disciplinary violations of Civil Servants in East Lombok Regency still requires special attention. Some forms of disciplinary violations include not entering the office for a long period, being entangled in legal cases such as drugs and other legal issues, and also some who were proposed by Bawaslu because they were indicated to participate in practical political activities.



Disciplinary punishment for Civil Servants (*PNS*) often faces various obstacles, both from the aspects of regulation, bureaucracy, and work culture.<sup>2</sup> There are several obstacles to the implementation of Government Regulation Number 94 of 2021 concerning Civil Servant Discipline in the Government of East Lombok Regency, including:

1. There are still several Regional Apparatus Organizations/Work Units in the East Lombok Regency Government that do not understand the procedures for implementing Government Regulation Number 94 of 2021 concerning the discipline of civil servants.
2. There are still some direct supervisors of Regional Apparatus Organizations/Work Units in the East Lombok Regency Government who feel unable to conduct examinations of civil servants suspected of committing disciplinary violations.
3. There are still several cases of violations of civil servant discipline in the East Lombok Regency Government, where unscrupulous civil servants are still found who often leave their duties without justifiable reasons, are often late for work, and return home on time.
4. Lack of awareness of civil servants in the East Lombok Regency Government to act and behave in a disciplined manner such as being late for work.

The imposition of disciplinary penalties on Civil Servants will indicate the level of commitment of the East Lombok Regency government in implementing the civil service development function, especially in realizing bureaucratic reform to encourage accelerated change and improvement in the performance of government officials. In achieving the goals and objectives of enforcing the discipline of Civil Servants (*PNS*), in reality, there are several obstacles in the efforts to enforce the discipline, so it is necessary to further analyze through this research.

## METHOD

In Peter Mahmud Marzuki's critical view, "legal research is a know-how activity in legal science, not just a know-about. As a know-how activity, legal research is carried out to solve the legal issues at hand".<sup>3</sup> The main problem of legal science is "to answer questions or provide solutions to problems raised by doubts regarding the enactment of positive law. The main question is about and within the framework of the applicable legal order, what is the most appropriate or most acceptable law for a particular concrete situation".<sup>4</sup>

To find how the results of research on the effectiveness of the implementation of Government Regulation Number 94 of 2021 in local government organizations in East Lombok Regency, with various indicators in it, as well as the main elements that must be found under the points of problem formulation, objectives and benefits of research, research methods are used. In general, research methods are defined as

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<sup>2</sup> Muhammad Yustino Aribawa et al, "Unraveling the Ratio Legis of the HKPD Law on Local Taxes and its Implications for the Community" (2025) 1:1 Soetomo Justice 32-41.

<sup>3</sup> Peter Mahmud Marzuki, *Penelitian Hukum*, 13th ed (Jakarta: Kencana, 2017).

<sup>4</sup> Amiruddin & H Zainal Asikin, *Pengantar Metode Penelitian Hukum* (Jakarta: PT. Raja Grafindo Persada, 2006).



scientific ways to obtain data with specific purposes and uses.<sup>5</sup> The method in a study is a principal means in the development of scientific disciplines, especially legal science which seeks to reveal truths systematically, methodologically, and consistently.<sup>6</sup> The use of methods in the preparation of this article aims to explore, manage, and formulate legal materials in answering legal problems with logical, critical, and systematic descriptions so that a scientific conclusion can be drawn.

### 1. Type of Research

This type of research is empirical legal research. Empirical legal research is a legal research method that examines the implementation of positive legal provisions in society.<sup>7</sup> Another term used for this research is doctrinal research or legal sociology which can also be called field research because the legal research taken is from the facts that exist in a society, legal entity, or government body.<sup>8</sup>

### 2. Research Approach

The approaches used in this research are:

#### a. Statute Approach

The statutory approach is carried out to examine the legal rules that are the focus of the research.<sup>9</sup> This approach is used to obtain a description of the analysis of legal regulations governing the application of disciplinary penalties for ASN. This approach opens up opportunities for researchers to study whether there is consistency and compatibility between law and other laws between laws and the Constitution or between regulations and laws.<sup>10</sup>

#### b. Socio-Legal Approach

This socio-legal approach is carried out to reveal the truths in a systematic, analytical, and constructive manner on research materials that have been collected and processed by describing the meaning of social actions to understand the law in the context of its society, which is a non-doctrinal approach.<sup>11</sup> Through this approach, the object of law will be interpreted as part of a social subsystem among other social subsystems. Understanding that law is limited to a set of norms that are independent of social unity, will only deny the relationship between law as a norm and social basis.<sup>12</sup>

#### c. Case Approach

The case approach in this research aims to study the application of legal norms or rules carried out in legal practice.<sup>13</sup> Concerning this research, the examples of cases that will be studied are cases of disciplinary punishment for civil servants in the East Lombok Regency Government.

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<sup>5</sup> Sugiyono, *Metode Penelitian Pendidikan (Pendekatan Kuantitatif, Kualitatif dan R&D)* (Bandung: Alfabeta, 2010).

<sup>6</sup> Soerjono Soekanto dan Sri Mamudji, *Penelitian Hukum Normatif* (Rajawali Pers, Jakarta, 2015).

<sup>7</sup> Usmawadi, *Materi Pendidikan dan Kemahiran Hukum* (Palembang: Laboratorium Hukum Fakultas Hukum UNSRI, 1992).

<sup>8</sup> *Ibid.*

<sup>9</sup> Johnny Ibrahim, *Teori & Metodologi Penelitian Hukum Normatif* (Malang: Bayumedia, 2015).

<sup>10</sup> Peter Mahmud Marzuki, *supra* note 3.

<sup>11</sup> Adriaan W Bedner, *Kajian Sosio-Legal (Seri Unsur-Unsur Penyusunan Bangunan Negara Hukum)* (Jakarta: Universitas Indonesia, 2012).

<sup>12</sup> *Ibid.*

<sup>13</sup> Ibrahim, *supra* note 9.



## RESULT & DISCUSSION

### I. Implementation of Disciplinary Penalties for Civil Servants in Regional Apparatus Organizations of East Lombok Regency

The implementation of employee discipline is not easy, where employees must undergo program after program and experience the philosophy of performance improvement in their respective offices such as motivation, training, counseling, morning apples entering the office, apples going home, socialization, directions in the form of discipline and supervision. The fulfillment of rights and obligations that must be obeyed by civil servants has been stated in Government Regulation Number 94 of 2021 concerning Civil Servant Discipline. In line with the development of the paradigm of human resource management science, the human factor in an organization is a very valuable asset.

Civil servants are one of the driving forces in running the wheels of government organizations, so they must be managed with the right strategy and adjusted to the values that apply in the organization concerned.<sup>14</sup> This condition is a must because the accuracy of employee management will greatly affect the success of organizational goals by not forgetting variables such as communication, resources, disposition, and existing bureaucratic structures. Managing civil servants means managing existing human resources and being equipped with other variables because all of them are interrelated and influence each other directly and indirectly.

In carrying out its obligations, the East Lombok Regency Government hopes that civil servants in their environment can work well, be disciplined, and be responsive to all issues related to their respective duties and functions. On the other hand, the East Lombok Regency Government has made maximum efforts to improve employee welfare by providing additional employee income (*TPP*) every month, leave, and convenience in staffing services such as promotion, periodic salary increases, and providing promotions to achievers if they have met the criteria for rank for the specified position and other welfare.

The government enforces Government Regulation Number 94 of 2021 as an effort to control the attitude of civil servants in the East Lombok Regency Government so that civil servants remain obedient, disciplined, have responsibility, and are loyal to their work or carry out their obligations and rights as civil servants. In the East Lombok Regency Government, the implementation of Government Regulation Number 94 of 2021 concerning Civil Servant Discipline by forming a Civil Servant Discipline Penalty Review Team whose members consist of the Regent of East Lombok, the Regional Secretary of East Lombok Regency, the General Administration Assistant of the East Lombok Regency Secretariat, the East Lombok Regency Personnel and Human Resources Development Agency (*BKPSDM*), the East Lombok Regency Inspectorate, the East Lombok Regency Financial and Asset Management Agency (*BPKAD*) and the Legal Section of the East Lombok Regency Secretariat.

Since the enactment of Government Regulation Number 94 of 2021, the East Lombok Regency Government has conducted socialization of the regulation to all civil servants within the East Lombok Regency Government. The circular explains in

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<sup>14</sup> Fathul Hamdani et al, *Meaningful Participation dalam Pengesahan Perjanjian Internasional: Perspektif Pembentukan Perundang-undangan* (Jakarta: Kencana Prenada Media Group, 2025).



more detail the implementation of Government Regulation Number 94 of 2021 concerning civil servant discipline, as follows:

1. Heads of Regional Apparatus Organizations/Work Units are obliged to improve guidance on the discipline of civil servants in their respective environments.
2. Appraisal Officials of the Job Performance Assessment List (*DP3*) at each Regional Apparatus Organization/Work Unit as Direct Superiors:
  - a. Must supervise the discipline of civil servants in their respective environments;
  - b. Must examine if there are civil servants under their authority who are suspected of committing disciplinary violations by the applicable laws and regulations;
  - c. Must follow up the results of special examinations/investigative audits of *APIP* (government internal supervisory apparatus) under the provisions of the applicable laws and regulations;
  - d. In conducting an examination, to search, find, and collect evidence systematically aimed at revealing the occurrence or absence of an act and the perpetrator may request assistance and/or be accompanied by *APIP*;
  - e. The results of the inspection must be made into an inspection report and an inspection report;
  - f. The results of the *APIP* special examination/investigative audit are used as material for conducting an examination or completing the minutes of the examination;
  - g. If necessary, to obtain more complete information and to ensure objectivity in the examination, the immediate superior may request information from other persons;
  - h. Based on the results of the examination, if it is within his/her authority, the immediate superior determines the imposition of disciplinary punishment;
  - i. Based on the results of the examination, if it is not his/her authority, the immediate superior makes an authorization report to the Authorized Official (*PJYBW*) to determine the imposition of punishment or the Personnel Supervisory Officer (*PPK*) hierarchically;
  - j. The disciplinary penalty review and imposition team can assist the Regional Secretary as the Authorized Official to determine the imposition of penalties and or the Personnel Supervisory Officer (*PPK*) to provide considerations in the context of determining the imposition of disciplinary penalties.
3. Inspectorate of East Lombok Regency as *APIP* within the East Lombok Regency Government to systematically search, find, and collect evidence aimed at revealing whether or not an act has occurred and the perpetrator for alleged violations of civil servant discipline, carrying out special examinations/investigative audits:
  - a. To carry out a special examination/investigative audit, the Inspector of East Lombok Regency forms a Special Examination/Audit Investigation Team by the provisions of the applicable laws and regulations;



- b. Special examinations/investigative audits are carried out by applicable *APIP* audit standards;
- c. To systematically search, find, and collect evidence aimed at revealing whether or not an act has occurred and the perpetrator of an alleged violation of civil servant discipline, the Special Examination/Investigative Audit Team may request or obtain information and/or physical evidence, documentary evidence, testimonial evidence, and analytical evidence from other persons/parties deemed necessary and minutes are made;
- d. The results of the special examination/investigative audit are a report on the results of the special examination/investigative audit submitted to the Regent of Lombok Timur with a copy of the Immediate Superior of the civil servant suspected of violating discipline.

The stages of the process of enforcing civil servant discipline in the East Lombok Regency government which includes examination, imposition of disciplinary penalties, and submission of punishment decisions, are as follows:

1. The examination process begins with information or allegations of violations sourced from:
  - a. Results of direct superior supervision/government internal control system (*SPIP*)
  - b. Regent's disposition
  - c. *APIP* (government internal control apparatus) audit/examination results
  - d. Results of research and review of information (*PPI*) of the Inspectorate of East Lombok Regency
  - e. *UPIK* (complaint, information, and grievance unit)
  - f. Complaints or other reports on alleged violations of discipline
2. Inspection and punishment process sourced from the results of direct supervision/government internal control system (*SPIP*)
  - a. Based on the discovery of an alleged violation of discipline committed by a civil servant (*PNS*), the immediate superior shall first carefully study the form of violation of discipline allegedly committed. Then conduct an examination;
  - b. In conducting an examination, to search, find, and collect evidence systematically aimed at revealing whether or not an act has occurred and the perpetrator may consult or request assistance and or be accompanied by the Government Internal Audit Apparatus (*APIP*);
  - c. The results of the inspection must be made into an inspection report (*BAP*) and an inspection report;
  - d. The results of the special examination/investigative audit of *APIP* are used as material to conduct an examination or complete the minutes of the examination of civil servants suspected of committing disciplinary violations;
  - e. If necessary, to obtain more complete information and to ensure objectivity in the examination, the immediate superior may request information from other parties;



- f. Based on the results of the examination, if it is within the authority of the immediate superior to determine the imposition of disciplinary punishment;
  - g. Based on the results of the examination, if it is not his authority and is the authority of higher officials, then the immediate superior makes a report on the authority to impose disciplinary punishment attached to the Minutes of the Inspection and the Inspection Report, submitted to those authorized to determine the imposition of disciplinary punishment in the hierarchy;
  - h. Based on the results of the examination, if the threat of punishment is moderate or severe, the immediate superior submits a report on the authority to impose disciplinary punishment attached to the Minutes of the Inspection and the Inspection Report to the official authorized to determine the imposition of disciplinary punishment in the hierarchy, with a copy of the Inspectorate of East Lombok Regency;
  - i. If the official authorized to determine the imposition of disciplinary punishment is the Regional Secretary or Personnel Supervisory Officer (*PPK*), the Disciplinary Penalty Discernment Team may assist the Regional Secretary as the official authorized to determine the imposition of punishment and or the Personnel Supervisory Officer (*PPK*), to provide considerations for the determination of the imposition of disciplinary penalties;
  - j. If the official authorized to determine the imposition of discipline is an echelon II official and below, based on a report on the authority to impose disciplinary punishment attached with the Minutes of Inspection and Inspection Report, determine the imposition of disciplinary punishment.
3. The inspection process originating from the disposition of the regent, the results of the audit/examination of *APIP*, the results of research and review of information (*PPI*) Inspectorate of East Lombok Regency, UPIK, and complaints or other reports on alleged violations of discipline, preceded by a special inspection/audit by the Inspectorate with the following stages:
- a. Inspectorate/*APIP* forms a special inspection/audit team;
  - b. Special examination/audit is carried out by requesting information from civil servants suspected of violating discipline, and or other parties deemed necessary as outlined in the *BAPK* (news event request for information);
  - c. The results of the inspection/special audit are made into an *APIP* Audit Report;
  - d. The *APIP* Audit Report is sent to the Regent of East Lombok as the staffing authority (*PPK*) with a copy of the Regional Staffing Agency and direct supervisor;
  - e. based on the *APIP* Audit Report, the immediate superior conducts an inspection;
  - f. The *APIP* Audit Report is used as material for conducting an examination or completing an investigation report against civil servants suspected of committing disciplinary violations;



- g. The results of the inspection must be made Minutes of Examination and Inspection Result Report;
  - h. If necessary to obtain more complete information and to ensure objectivity in the examination, the immediate superior may request information from other parties;
  - i. Based on the results of the examination, if it is his/her authority, the immediate superior determines the imposition of disciplinary punishment;
  - j. Based on the results of the examination, if it is not his/her authority and becomes the authority of higher officials, then the immediate superior shall make a report on the authority to impose disciplinary punishment attached to the Minutes of Examination and Inspection Result Report shall be submitted to those authorized to determine the imposition of disciplinary punishment in the hierarchy;
  - k. Based on the results of the examination, if the threat of punishment is moderate or severe, the immediate superior submits a report on the authority to impose disciplinary punishment attached to the Minutes of Examination and Inspection Result Report to the official authorized to determine the imposition of disciplinary punishment through hierarchical channels with a copy of the Regional Personnel Agency and Inspectorate;
  - l. If the official authorized to determine the imposition of disciplinary punishment is the Regional Secretary or the Personnel Supervisory Officer (*PPK*), the Discipline Penalty Discernment Team may assist the Regional Secretary as the official authorized to determine the imposition of punishment and or the Personnel Supervisory Officer (*PPK*), to provide consideration for the determination of the imposition of disciplinary punishment;
  - m. If the official authorized to determine the imposition of disciplinary penalties is an echelon II official and below, based on the report on the authority to impose penalties attached with the Minutes of Examination and Inspection Result Report, determine the imposition of disciplinary penalties.
4. Submission of Disciplinary Punishment:
- a. Every imposition of disciplinary punishment shall be stipulated by a decision of the Official authorized to impose disciplinary punishment;
  - b. Submission of disciplinary punishment decisions is delivered in private by the official authorized to impose disciplinary punishment or other designated officials to the sentenced Civil Servant. In the East Lombok Regency Government, the submission of disciplinary punishment decisions whose submission authority is in the Personnel Supervisory Officer (*PPK*), is carried out by the Head of the East Lombok Regency Regional Civil Service Agency by the task order from the East Lombok Regent, while those whose submission authority is in the Regional Secretary of East Lombok Regency, are carried out by the Head of the East Lombok Regency Regional Civil Service Agency by the task order from the Regional Secretary of East Lombok Regency;



- c. The official appointed to submit the disciplinary punishment decision has a rank/classification higher or at least the same as the rank/classification of the civil servant who is sentenced to disciplinary punishment;
- d. Submission of disciplinary punishment decisions is carried out no later than 14 (fourteen) working days after the decision is made;
- e. If the civil servant who is sentenced is not present at the time of delivery of the decision letter, the decision letter is sent to the person concerned.

In the East Lombok Regency Government, the implementation of Government Regulation Number 94 of 2021 has been run by this regulation, both in the examination process and the making of the disciplinary penalty decision letter. In the East Lombok Regency Government, until now there have been no civil servants who have filed objections or administrative appeals against disciplinary punishment decisions that have been issued. The Legal Section of the East Lombok Regency Regional Secretariat as one of the Personnel Advisory Team, is always involved in making disciplinary punishment decisions issued by both the East Lombok Regency Regional Secretary and the East Lombok Regent.

Until now, the implementation of Government Regulation Number 94 of 2021 in the East Lombok Regency government has been running quite well, although not all direct superiors who are aware of disciplinary violations committed by their subordinates will immediately summon, examine, and make minutes of examination.

Sebagai tindak lanjut pelaksanaan kebijakan disiplin tersebut, Pemerintah East Lombok Regency implements the implementation of punitive measures for each violator in accordance with applicable regulations. Sanctions that will be imposed on civil servants who violate Government Regulation Number 94 of 2021 concerning Civil Servant Discipline in the East Lombok Regency Government are given based on recommendations for disciplinary penalties from the East Lombok Regency Inspectorate as outlined in the Inspection Results Report (*LHP*), while if the inspection is carried out by direct superiors, the sanctions that will be given to civil servants who violate Government Regulation Number 94 of 2021 concerning Civil Servant Discipline are given by direct superiors as outlined in the Inspection Results Report (*LHP*).

Regarding the Inspection Report (*LHP*) from the Inspectorate of East Lombok Regency, if the disciplinary punishment given by the immediate superior is not by the recommendation for disciplinary punishment given by the Inspectorate of East Lombok Regency, the immediate superior must provide supporting evidence and reasons that explain the difference in disciplinary punishment. In connection with the above, data on the implementation of disciplinary penalties from 2022 to 2024 in the East Lombok Regency Government can be submitted as follows:



**Table 3.** Disciplinary Penalties for Civil Servants in the East Lombok Regency Government for the Period 2022 to 2024

No.	Type of Disciplinary Punishment	Years		
		2022	2023	2024
1.	Postponement of Periodic Salary Increase for 1 (one) Year	-	3	1
2.	Demotion to the Lower Level for 3 (three) Years	1	-	-
3.	Written Reprimand	-	2	3
4.	Decrease in Rank at a Lower Level for 1 (one) Year	3	2	1
5.	Exemption from Office	5	-	3
6.	Honorable Dismissal Not at Your Request	2	-	1
7.	Dishonorable Dismissal as a Civil Servant (Decree of the National Civil Service Agency)	2	-	-
8.	Dishonorable Dismissal as a Civil Servant	1	3	2
	Total	14	10	11

**Source:** Data from the Personnel and Human Resources Development Agency of East Lombok Regency, NTB Province (2024)



**Table 4.** Forms of Discipline Violations Committed by Civil Servants in the East Lombok Regency Government Period 2022 to 2024

<b>Years</b>	<b>No.</b>	<b>Name</b>	<b>Type of offense</b>	<b>Type of Disciplinary Punishment</b>	<b>Description of Offense</b>	<b>Imposition of Article</b>	<b>Number and Date of Decree</b>
<b>2022</b>	1.	KJ	Severe Disciplinary Punishment	Dishonorable Dismissal as a Civil Servant (Decree of the National Civil Service Agency)	Corruption Crime	Article 87 paragraph (4) letter b of Law Number 5 of 2014 concerning State Civil Apparatus, Article 9 letter a of Government Regulation Number 32 of 1979 concerning Dismissal of Civil Servants, and Article 24 paragraph 2 and Article 25 paragraph 1 letter b of Government Regulation Number 9 of 2003 concerning the authority to appoint, transfer and dismiss civil servants as amended by Government Regulation Number 63 of 2009, Article 8 of Government Regulation Number 4 of 1966.	Presidential Decree Number: 00009/KEPKA/TDH /09/22 on Dismissal as a Civil Servant dated September 26, 2022 TMT SK August 2022
<b>2022</b>	2.	AANA	Severe Disciplinary Punishment	Dishonorable Dismissal as a Civil Servant (Decree of the National Civil Service Agency)	Corruption Crime	Article 87 paragraph (4) letter b of Law Number 5 of 2014 concerning State Civil Apparatus, Article 9 letter a of Government Regulation	Presidential Decree Number: 00014/KEPKA/TDH /12/19 on Dismissal without Honor as a



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						Number 32 of 1979 Civil Servant dated concerning Dismissal of December 22, 2022 Civil Servants, and Article TMT SK August 24 paragraph 2 and Article 2019. Article 25 paragraph 1 letter b of Government Regulation Number 9 of 2003 concerning the authority to appoint, transfer and dismiss civil servants as amended by Government Regulation Number 63 of 2009, Article 8 of Government Regulation Number 4 of 1966.
<b>2022</b>	3.	NR	Severe Disciplinary Punishment	Dishonorable Dismissal as a Civil Servant (Decree of the National Civil Service Agency)	Corruption Crime	Article 87 paragraph (4) letter b of Law Number 5 of 2014 concerning State Civil Apparatus, Article 9 letter a of Government Regulation Number 32 of 1979 concerning Dismissal of Civil Servants, and Article 24 paragraph 2 and Article 25 paragraph 1 letter b of Government Regulation Number 9 of 2003 concerning the authority to appoint, transfer and dismiss civil servants as
						Presidential Decree Number: 00014/KEPKA/TDH /12/19 on Dismissal without Honor as a Civil Servant dated December 22, 2021 TMT SK August 2019.

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						amended by Government Regulation Number 63 of 2009, Article 8 of Government Regulation Number 4 of 1966.	
<b>2022</b>	4.	KSAA	Severe Disciplinary Punishment	Honorable Dismissal Not at Your Request	Absent from work for more than 46 days	Article 10 number 9 letter d of Government Regulation No. 94 of 2021 concerning Civil Servant Discipline	Decree of the Regent of East Lombok Number: 862/09/BKPSDM dated August 10, 2022
<b>2023</b>	1.	NS	Medium Disciplinary Punishment	Postponement of Periodic Salary Increase for 1 (one) Year	Violation of the ASN Code of Ethics and Conduct	Article 4 point 15 letter d of Government Regulation Number 94 of 2021 concerning Civil Servant Discipline	Decree of the Regent of East Lombok Number: 862/05/BKPSDM on the Imposition of Disciplinary Penalties dated April 5, 2023
<b>2023</b>	2.	WS	Mild Disciplinary Punishment	Written Reprimand	Violation of the ASN Code of Ethics and Conduct	Article 3 point 17 of Government Regulation No. 53/2010 on Civil Servant Discipline	Decree of the Regent of East Lombok Number: 862/06/BKPSDM on the Imposition of Disciplinary Penalties dated April 5, 2023.
<b>2023</b>	3.	WT	Mild Disciplinary Punishment	Written Reprimand	Violation of the ASN Code of Ethics and	Article 3 point 17 of Government Regulation Number 94 of 2021	Decree of the Regent of East Lombok Number:

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					Code of Conduct	of concerning Discipline	Civil Servant	862/07/BKPSDM on the Imposition of Disciplinary Penalties dated April 5, 2023.
<b>2023</b>	4.	WS	Severe Disciplinary Punishment	Dishonorable Dismissal as a Civil Servant	Corruption Crime	Article 87 paragraph (4) letter b of Law Number 5 Year 2014 concerning State Civil Apparatus and Article 250 letter b, Article 252, Article 292 letter b of Government Regulation Number 11 Year 2017 concerning Civil Servant Management	Decree of the Regent of East Lombok Number: 800/0153/BKPSDM on Dismissal as a Civil Servant dated February 5, 2023 TMT SK January 2019.	
<b>2023</b>	5.	IBKDP	Severe Disciplinary Punishment	Dishonorable Dismissal as a Civil Servant	Corruption Crime	Article 87 paragraph (4) letter b of Law Number 5 of 2014 concerning State Civil Apparatus, Article 9 letter a of Government Regulation Number 32 of 1979 concerning Dismissal of Civil Servants, and Article 24 paragraph 2 and Article 25 paragraph 1 letter b of Government Regulation Number 9 of 2003 concerning the authority to appoint, transfer and dismiss civil servants as	Decree of the Regent of East Lombok Number: 800/0154/BKPSDM on the Dismissal of Civil Servants on February 5, 2023 TMT SK January 2019.	

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								amended by Government Regulation Number 63 of 2009, Article 8 of Government Regulation Number 4 of 1966.
<b>2023</b>	6.	AR	Severe Disciplinary Punishment	Exemption from Position	Crime of Adultery and Domestic Violence	Article 3 point 6 of Government Regulation Number 94 of 2021 concerning Civil Servant Discipline	East Lombok Regent Decree Number: 862/010/BKPSDM on Disciplinary Punishment dated August 30, 2023.	
<b>2023</b>	7.	KT	Severe Disciplinary Punishment	Dishonorable Dismissal as a Civil Servant	Corruption Crime	Article 87 paragraph (4) letter b of Law Number 5 Year 2014 concerning State Civil Apparatus and Article 250 letter b, Article 252, Article 292 letter b of Government Regulation Number 11 Year 2017 concerning Civil Servant Management	Decree of the Regent of East Lombok Number: 800/12/BKPSDM on Dismissal as a Civil Servant dated October 3, 2023 TMT SK February 2023.	
<b>2024</b>	1.	MS	Severe Disciplinary Punishment	Honorable Dismissal Not at Your Own Request	Absent from work for more than 46 days	Article 3 point 11 of Government Regulation Number 94 of 2021 concerning Civil Servant Discipline	Decree of the Regent of East Lombok Number: 862/0397/BKPSDM on Honorably Dismissed Not at His Own Request dated February 22, 2024.	

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<b>2024</b>	2.	GAS	Medium Disciplinary Punishment	Demotion at the Lower Level for 3 (three) Years	Narcotics Crime	Article 3 point 4 of Government Regulation Number 94 of 2021 concerning Civil Servant Discipline	East Lombok Regent Decree Number: 862/0055/BKPSDM dated January 15, 2024.
<b>2024</b>	3.	GK	Medium Disciplinary Punishment	Postponement of Periodic Salary Increase for 1 (one) Year	Not carrying out official duties entrusted to civil servants with full devotion, awareness and responsibility	Article 3 point 5 of Government Regulation Number 94 of 2021 concerning Civil Servant Discipline	Decree of the Regent of East Lombok Number: 862/0447/BKPSDM dated February 26, 2024.
<b>2024</b>	4.	AGM	Medium Disciplinary Punishment	Decrease in Rank at a Lower Level for 1 (one) Year	Absent from work for 30 days	Article 3 point 11 of Government Regulation Number 94 of 2021 concerning Civil Servant Discipline	East Lombok Regent Decree Number: 862/0452/BKPSDM dated February 26, 2024 TMT April 1, 2024.
<b>2024</b>	5.	MCA	Severe Disciplinary Punishment	Dishonorable Dismissal as a Civil Servant	Corruption Crime	Article 87 paragraph (4) letter b of Law Number 5 Year 2014 concerning State Civil Apparatus, Article 250 letter b and Article 252 of Government Regulation Number 11 Year 2017	Decree of the Regent of East Lombok Number: 800/0944/BKPSDM on Dismissal as a Civil Servant dated May 27, 2024 TMT end of May 2024.



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						concerning Management of Civil Servants	
2024	6.	KD	Severe Disciplinary Punishment	Honorable Dismissal Not at Your Request	Narcotics Crime	Article 3 point 4 of Government Regulation No. 53/2010 on Civil Servant Discipline	Decree of the Regent of East Lombok Number: 862/1783/BKPSDM concerning Honorably Dismissed Not at His Request as a Civil Servant dated December 4, 2024.
2024	7.	NS	Severe Disciplinary Punishment	Dishonorable Dismissal as a Civil Servant	Corruption Crime	Article 87 paragraph (4) letter b of Law Number 5 Year 2014 concerning State Civil Apparatus, Article 250 letter b and Article 252 of Government Regulation Number 11 Year 2017 concerning Management of Civil Servants	Decree of the Regent of East Lombok Number: 800/1830/BKPSDM concerning Dismissal Not Honorably as a civil servant dated December 23, 2024.

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**Source:** Data from the Personnel and Human Resources Development Agency of East Lombok Regency, NTB Province (2024)



In 2022 in the East Lombok Regency Government, sanctions were imposed on civil servants who violated Government Regulation Number 94 of 2021 as many as 4 violations, with the type of violation of severe disciplinary punishment recorded for as many as 4 violations and violations that are often committed by civil servants in the East Lombok Regency government environment are corruption crimes recorded as many as 3 violations and absenteeism for more than 46 days recorded as 1 violation.

In the East Lombok Regency Government, in 2022, apart from imposing sanctions based on Government Regulation Number 94 of 2021, three civil servants were sentenced to dishonorable dismissal as civil servants (Decree of the State Personnel Agency) by Law Number 20 of 2023 concerning State Civil Apparatus, Government Regulation Number 32 of 1979 concerning Dismissal of Civil Servants, Government Regulation Number 9 of 2003 concerning the authority to appoint, transfer and dismiss civil servants as amended by Government Regulation Number 63 of 2009, and Government Regulation Number 4 of 1966.

In 2023, the East Lombok Regency Government imposed sanctions on civil servants who violated Government Regulation Number 94 of 2021 concerning as many as 7 violations with details of light disciplinary penalties: 2, moderate disciplinary punishment: 1, and severe disciplinary punishment: 4, and violations that are often committed by civil servants within the East Lombok Regency Government are Violations of the ASN Code of Ethics and Code of Conduct recorded as many as 3 violations, Corruption Crimes recorded as many as 3 violations, and Crimes of Adultery and Domestic Violence recorded as many as 1 violation.

In 2024, the East Lombok Regency Government imposed sanctions on civil servants who violated Government Regulation Number 94 of 2021 as many as 7 violations with details of moderate disciplinary penalties: 3 and severe disciplinary punishment: 4 and violations that are often committed by civil servants in the East Lombok Regency Government are missing more than 46 days of work recorded as 1 violation, narcotics crimes recorded as 2 violations, not carrying out official duties entrusted to Civil Servants with full devotion, awareness and responsibility recorded as 1 violation, missing work for 30 days recorded as 1 violation, and corruption crimes recorded as 2 violations. The sanctions applied to these civil servants are by the form of violation, apart from being absent from work without valid information, the sanctions applied are by the policies of each direct superior and Government Regulation Number 94 of 2021.

Based on the data above, it can be seen that violations of disciplinary penalties in the East Lombok Regency Government from 2022 to 2024 have increased and violations committed by civil servants are mostly corruption, indiscipline, and divorce. Before being sentenced to disciplinary punishment, the civil servant is summoned and examined by his immediate superior. After a closer look, the authority to impose disciplinary punishment is the authority of the Regent of East Lombok as the Civil Service Supervisory Officer.

There is no specific grouping of the types of violations of civil servant discipline. These types are only grouped into mild, moderate, and severe types of disciplinary violations. For the imposition of disciplinary penalties in the East Lombok Regency Government, the first thing to do is to ensnare the violator with the lightest penalty, except for types of severe disciplinary penalties. If the civil



servant has been sentenced to a light disciplinary penalty and does not repeat it, then there is no need for a higher penalty, but if the civil servant repeats the same action, then the punishment will be more severe. This causes the types of disciplinary violations to have no special grouping because basically, the types of violations are the same, but the punishment is different, just look at the case.

Based on the statement above, it can be explained that the implementation of the imposition of disciplinary law for Civil Servants in the East Lombok Regency Regional Government Organization has been carried out by predetermined procedures, and is adjusted to the applicable laws and government regulations while still based on the 1945 Constitution. Disciplinary violations committed by Civil Servants in the East Lombok Regency Government with the application of sanctions/imposition of disciplinary penalties have been carried out by Government Regulation Number 94 of 2021 concerning the Discipline of Civil Servants.

## **II. Factors that Obstruct the Implementation of Government Regulation No. 94 of 2021 in the Imposition of Disciplinary Penalties in the Regional Government Organization of East Lombok Regency**

The East Lombok Regency Government applies Government Regulation Number 94 of 2021 as a control tool to control the performance of civil servants while taking into account various aspects that relate to and affect the lives of civil servants economically, socially, culturally, and security so that the number of violations decreases. To increase understanding of Government Regulation Number 94 of 2021, the East Lombok Regency Government needs to plan for the introduction of the regulation so that employees can later empathize with it and at the same time implement it during working hours or outside working hours. Understanding the regulations will morally bind civil servants in carrying out their duties with a full sense of responsibility without coercion from any party.

In the East Lombok Regency government, if direct superiors still experience difficulties in implementing Government Regulation Number 94 of 2021, both in making minutes of examination, making reports on the results of the examination, and making reports on the authority to impose disciplinary penalties, then direct superiors will coordinate with both the East Lombok Regency Personnel and Human Resources Development Agency and the East Lombok Regency Inspectorate.

There are several obstacles to the implementation of Government Regulation Number 94 of 2021 concerning Civil Servant Discipline in the Government of East Lombok Regency, including:

### **1. There are Still Several Regional Apparatus Organizations/Work Units in the East Lombok Regency Government that do Not Understand the Procedures for Implementing Government Regulation Number 94 of 2021 concerning Civil Servant Discipline**

Based on Article 20 of Government Regulation Number 94 of 2021 concerning Civil Servant Discipline, the officials authorized to punish civil servants in the district/city area are as follows:

**Table 5.** Officials Authorized to Punish for District/City Civil Servants

No.	Officials Authorized to Punish	Civil Servants (Position) Who Committed Discipline Violations	Type of Punishment	Description
1.	District/City Personnel Supervisory Officer	Regional Secretary	Oral reprimand, written reprimand, written statement of dissatisfaction, postponement of periodic salary increase for 1 (one) year, postponement of promotion for 1 (one) year, demotion to lower level for 1 (one) year, and demotion to the lower level for 3 (three) years.	Echelon II.A, II.B Officials (Regional Secretary, Assistant, Expert Staff, Director of Regional Hospital, Head of Department and Head of Department)
		Functional certain level	Oral reprimand, written reprimand, written statement of dissatisfaction, postponement of periodic salary increase for 1 (one) year, postponement of promotion for 1 (one) year, demotion to a lower level for 1 (one) year, demotion to a lower level for 3 (three) years, transfer in the framework of demotion to a lower level, release from position, dishonorable discharge not at own request as a civil servant and dishonorable discharge as a civil servant.	Functional Position of Principal Expert in the Regional Apparatus Organization of East Lombok Regency
		General functional position IV/d IVe	Oral reprimand, written reprimand, written statement of dissatisfaction, postponement of periodic salary increase for 1 (one) year, postponement of promotion for 1 (one) year, demotion to a lower level for 1 (one) year, demotion to a lower level for 3 (three) years, dishonorable discharge not at his request as a civil servant and dishonorable discharge as a civil servant.	Functional and Executive Position Highest rank



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Echelon functional middle and supervisors	II, and	Oral reprimand, written reprimand, written statement of dissatisfaction, postponement of periodic salary increase for 1 (one) year, postponement of promotion for 1 (one) year, demotion to a lower level for 1 (one) year, demotion to a lower level for 3 (three) years, transfer in the context of demotion to a lower level, release from position, dishonorable discharge not at own request as a civil servant and dishonorable discharge as a civil servant.	Assistant, Expert Staff, Head of Office, Head of Department, Director of Regional Hospital and Middle JFs
General functional position IV/c	IV/a	Postponement of periodic salary increases for 1 (one) year, postponement of promotion for 1 (one) year, demotion to a lower level for 1 (one) year, demotion to a lower level for 3 (three) years, dishonorable discharge not at own request as a civil servant and dishonorable discharge as a civil servant.	Executor with the rank of goal IV
Echelon III and below and young functional supervisors and below	III and below	Postponement of periodic salary increase for 1 (one) year, postponement of promotion for 1 (one) year, demotion to a lower level for 1 (one) year, demotion to a lower level for 3 (three) years, transfer in the context of demotion to a lower level, release from position, dismissal with honor not at his request as a civil servant and dishonorable dismissal as a civil servant.	Agency Secretary, Sub-District Head, Head of Section, Head of Division, Sub-District Secretary and Junior JFs
General functional position and below	III/d	Postponement of periodic salary increases for 1 (one) year, postponement of promotion for 1 (one) year, demotion to a lower level for 1 (one) year, demotion to a lower level for 3 (three) years, dishonorable discharge not at own request as a civil servant and	Executive below the rank of III/d

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				dishonorable discharge as a civil servant.	
2.	Regional Secretary	Echelon II		Oral reprimand, written reprimand, and written statement of dissatisfaction	Assistant, Expert Staff, Head of Department, Head of Agency, Director of Regional Public Hospital
		Echelon III, certain functional junior level, supervisor, and general functional class III/cIII/d		Oral reprimand, written reprimand, written statement of dissatisfaction	Head of Sub-District, Head of Sub-District, Head of Sub-District, JF Junior Expert and Skilled Supervisor
		Echelon IV, certain functional first-level and advanced executors, supervisors, and general functional class II/cIII/b		Postponement of periodic salary increases for 1 (one) year, and postponement of promotion for 1 (one) year	Head of Subdivision, Chief of Staff, Chief of Staff, First and Skilled Jf, Gol III Executor
3.	Echelon II Structural Officials	Echelon III, certain functional junior and supervisory levels, general functional class III/cIII/d		Oral reprimand, written reprimand, and written statement of dissatisfaction	Secretaries, Heads, Heads, and JFs, Implementers
		Echelon IV, certain first-level functional and advanced executors, general functional class II/cIII/b		Postponement of periodic salary increase for 1 (one) year, and postponement of promotion for 1 (one) year	
4.	Structural Echelon III	Echelon IV, certain functional first level and advanced executor, general functional class II/cIII/b		Oral reprimand, written reprimand, and written statement of dissatisfaction	Head of Section, Head of Subdivision, Head of Administrative Section First and skilled experts, executors



		Echelon V, certain functional level executors and beginner executors, general functional level II/aII/b	Postponement of periodic salary increase for 1 (one) year, and postponement of promotion for 1 (one) year	Implementers at Regional Apparatus Organizations
5.	Structural Echelon IV	Certain functional levels of executors and beginner executors, general functional groups II/aII/b	Oral reprimand, written reprimand, and written statement of dissatisfaction	If first experts and executors in Regional Apparatus Organizations
		General functional class I/aI/d	Postponement of periodic salary increase for 1 (one) year, and postponement of promotion for 1 (one) year	

**Source:** Data processed by the author.

The official authorized to punish is obliged to impose disciplinary punishment on civil servants who commit disciplinary violations, if the official authorized to punish does not impose disciplinary punishment on civil servants who commit disciplinary violations, the official is subject to disciplinary punishment by his superiors, the disciplinary sentence imposed is the same as the type of disciplinary punishment that should be imposed on civil servants who commit disciplinary violations.<sup>15</sup>

- Procedures for summoning, examination, imposition, and delivery of disciplinary decisions

Civil servants suspected of committing disciplinary violations are summoned in writing by their immediate superior for examination. The summons is made no later than 7 (seven) working days before the date of the examination. If the civil servant suspected of violating discipline is absent, a second summons shall be made no later than 7 (seven) working days from the date on which he/she should have been examined in the first summons and if he/she is still absent, then disciplinary punishment shall still be imposed based on existing evidence and information without examination.<sup>16</sup>

Before being sentenced to disciplinary punishment, direct superiors must first examine civil servants suspected of committing disciplinary violations. The examination is carried out in private and the results are set out

<sup>15</sup> *vide* Article 21 of Government Regulation Number 94 of 2021 concerning Discipline of Civil Servants.

<sup>16</sup> *vide* Article 23 of Government Regulation Number 94 of 2021 concerning Discipline of Civil Servants.



in the form of minutes of the examination. If from the results of the examination, the authority lies with the immediate superior, then the immediate superior is obliged to impose disciplinary punishment, but if it is the authority of higher officials, then the immediate superior is obliged to report hierarchically along with the minutes of the examination.<sup>17</sup>

If there is a violation of discipline that carries a moderate and severe penalty, the PPK or a designated official can form an Examination Team consisting of direct superiors, supervisory elements, staffing elements, or other designated officials. If the direct superior of the civil servant concerned is involved in the violation, then the members of the Examination Team are higher superiors in tiers.<sup>18</sup>

The requirements to become an Examination Team must not hold a rank or position lower than the civil servant being examined. The Examination Team is temporarily (Ad Hoc) in charge until the examination process is completed on an alleged violation of discipline committed by a civil servant.<sup>19</sup> Civil servants who violate discipline and are likely to be subject to severe disciplinary punishment may be temporarily released from the duties of their position by their immediate superior from the time they are examined. Civil servants who are temporarily released from the duties of their positions are still given employment rights by statutory regulations.<sup>20</sup>

If the examined civil servant is not willing to sign the minutes of the examination, then the minutes of the examination are sufficiently signed by the examiner and are still used as a basis for imposing disciplinary punishment, and the examined civil servant is entitled to obtain a photocopy of the minutes of the examination.<sup>21</sup>

The purpose of imposing disciplinary penalties is in principle coaching, namely to correct and educate civil servants who commit disciplinary violations so that the person concerned has an attitude of regret and tries not to repeat and improve himself in the future. It is also intended that other civil servants do not commit disciplinary violations.

There are several considerations in determining the type of disciplinary punishment, namely:<sup>22</sup>

- 1) In determining the type of disciplinary punishment, it must be carefully considered so that the disciplinary punishment to be imposed is commensurate with the violation of discipline committed;
- 2) Civil servants who based on the results of the examination are found to have committed several disciplinary violations, to whom only 1 (one) type of the

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<sup>17</sup> *vide* Article 24 of Government Regulation Number 94 of 2021 concerning Discipline of Civil Servants.

<sup>18</sup> *vide* Regulation of the Head of the State Personnel Agency Number 6 of 2022 concerning Provisions for the Implementation of Government Regulation Number 94 of 2021 concerning Civil Servant Discipline.

<sup>19</sup> *Ibid.*

<sup>20</sup> *vide* Article 27 of Government Regulation Number 94 of 2021 concerning Discipline of Civil Servants.

<sup>21</sup> *Ibid.*

<sup>22</sup> *vide* Regulation of the Head of the State Personnel Agency *supra* note 18.



most severe disciplinary punishment can be imposed after considering all disciplinary violations committed; and

- 3) Civil servants who have been sentenced to disciplinary punishment, then commit a disciplinary offense of the same nature, shall be sentenced to a disciplinary punishment that is more severe than the last disciplinary punishment imposed on them. This provision does not apply to disciplinary violations of failure to report to work and obey working hours committed in different years.

Every imposition of disciplinary punishment is determined by a decision of the official authorized to punish. The decision is submitted in private by the official authorized to punish or other designated officials. Submission of disciplinary punishment decisions is carried out no later than 14 (fourteen) working days after the decision is made. Suppose the civil servant who will be sentenced to disciplinary punishment is not present at the time of delivery of the disciplinary punishment decision. In that case, the decision will be sent to the person concerned.<sup>23</sup>

Administrative efforts are procedures that can be taken by civil servants who are not satisfied with the disciplinary penalties imposed on them in the form of administrative objections or appeals. Objection is an administrative effort that can be taken by civil servants who are dissatisfied with the disciplinary penalty imposed by the punishing authority to the superior of the punishing authority. Meanwhile, an administrative appeal is an administrative effort that can be taken by civil servants who are dissatisfied with disciplinary penalties in the form of dishonorable dismissal not at their request or dishonorable dismissal as civil servants imposed by officials authorized to punish the Civil Service Advisory Board (*BAPEK*).<sup>24</sup>

Disciplinary penalties that cannot be submitted to administrative remedies are:<sup>25</sup>

- 1) Disciplinary punishment imposed by the President;
- 2) Disciplinary punishment imposed by the Personnel Supervisory Officer, in the form of disciplinary punishment types:
  - a) Oral reprimand;
  - b) Written reprimand;
  - c) Written statement of dissatisfaction;
  - d) Postponement of periodic salary increase for 1 (one) year;
  - e) Delay in promotion for 1 (one) year;
  - f) Demotion to a lower level for 1 (one) year;
  - g) Demotion to a lower level for 3 (three) years;
  - h) Transfer in the context of demotion to a lower level; and
  - i) Exemption from office.
- 3) Disciplinary punishment imposed by the Governor as the representative of the government, in the form of severe disciplinary punishment, namely:
  - a) Transfer in the context of demotion to a lower level position; and

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<sup>23</sup> *vide* Article 31 of Government Regulation Number 94 of 2021 concerning Discipline of Civil Servants.

<sup>24</sup> *vide* Regulation of the Head of the State Personnel Agency *supra* note 18.

<sup>25</sup> *Ibid.*



- b) Exemption from office.
- 4) Disciplinary punishment imposed by the Chief Representative of the Republic of Indonesia in the form of disciplinary punishment:
  - a) Oral reprimand;
  - b) Written reprimand;
  - c) Written statement of dissatisfaction;
  - d) Transfer in the context of demotion to a lower level position; and
  - e) Exemption from office.
- 5) Disciplinary punishment imposed by the Officer authorized to punish, in the form of light disciplinary punishment, namely:
  - a) Oral reprimand;
  - b) Written reprimand; and
  - c) Written statement of dissatisfaction.

Disciplinary penalties that can be filed for administrative remedies are:<sup>26</sup>

- 1) Disciplinary punishments that can be appealed are those imposed by:
  - a) Echelon I structural officials and equivalent officials and below, for moderate disciplinary punishment in the form of:
    - (1) Postponement of periodic salary increase for 1 (one) year; and
    - (2) Delay in promotion for 1 (one) year.
  - b) Regional Secretary/regency/city echelon II structural official and below/equivalent official and below, for the type of moderate disciplinary punishment in the form of:
    - (1) Postponement of periodic salary increase for 1 (one) year; and
    - (2) Delay in promotion for 1 (one) year.
  - c) Echelon II structural officials and below within vertical agencies and equivalent units with other designations whose direct superiors are echelon I structural officials who are not Personnel Supervisory Officers, for types of moderate disciplinary punishment in the form of:
    - (1) Postponement of periodic salary increase for 1 (one) year; and
    - (2) Delay in promotion for 1 (one) year.
  - d) Structural officials of echelon II and below within vertical agencies and provincial representative offices and equivalent units with other designations who are under and responsible to the Personnel Supervisory Officer, for moderate disciplinary punishment in the form of:
    - (1) Postponement of periodic salary increase for 1 (one) year; and
    - (2) Delay in promotion for 1 (one) year.
  - e) Echelon II structural officials within vertical agencies and equivalent units with other designations whose direct superiors are echelon I structural officials who are not PPK and who are under and responsible to the Staff Supervisory Officer, for moderate disciplinary punishment in the form of demotion to a lower level for 1 (one) year.
- 2) Disciplinary penalties that can be appealed administratively are those imposed by the Personnel Supervisory Officer or the Governor as the

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<sup>26</sup> *Ibid.*



government's representative for types of severe disciplinary penalties in the form of:

- a) Dismissal with honor not at one's request as a civil servant; and
- b) Dismissal without honor as a civil servant.

Procedures for filing objections to the superior official authorized to punish:<sup>27</sup>

- 1) Objections shall be submitted in writing to the superior of the official authorized to punish by stating the reasons for the objection and a copy shall be submitted to the official authorized to punish and the official in charge of personnel at the work unit.
- 2) The objection must have been filed within 14 (fourteen) calendar days, starting from the date on which the person concerned receives the decision on disciplinary punishment. Objections filed beyond 14 (fourteen) calendar days shall not be accepted.
- 3) The official authorized to punish after receiving a copy of the letter of objection to the decision on disciplinary punishment imposed, must respond to the objection submitted by the civil servant concerned.
- 4) The response shall be submitted in writing to the superior of the official authorized to punish within 6 (six) working days starting from the date the person concerned receives a copy of the objection letter.
- 5) The superior of the punishing authority must make a decision on the objection submitted by the civil servant concerned, within a maximum period of 21 (twenty-one) working days starting from the date the superior of the punishing authority receives the objection letter.
- 6) If within 6 (six) working days the punishing authority does not respond to the objection, the superior of the punishing authority shall make a decision based on the available data.
- 7) To be more objective in deciding on the imposition of disciplinary punishment, the superior official authorized to punish may summon and/or request information from the official authorized to punish, civil servants subject to disciplinary punishment, and/or other parties deemed necessary.
- 8) If the superior of the punishing authority has a conviction based on the available evidence, the superior of the punishing authority may strengthen, alleviate, aggravate, or cancel the disciplinary punishment imposed by the punishing authority.
- 9) Reinforcement, mitigation, aggravation, or cancellation of disciplinary punishment, determined by a decision of the superior official authorized to punish.
- 10) The decision is final and binding. What is meant by final and binding is that the decision to reduce, aggravate, or cancel disciplinary punishment cannot be appealed and must be implemented.
- 11) If within more than 21 (twenty-one) working days the superior of the official authorized to punish does not decide on the objection, the decision of the official authorized to punish shall be null and void.

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<sup>27</sup> *vide* Regulation of the Head of the Civil Service Agency Number 21 of 2010 concerning Provisions for the Implementation of Government Regulation Number 53 of 2010 concerning Civil Servant Discipline.



- 12) The decision of the official authorized to punish which is null and void shall be notified by the official in charge of personnel in the work unit at the lowest echelon IV structural official and addressed to the civil servant sentenced to disciplinary punishment.
- 13) Before 21 (twenty-one) working days, the official in charge of staffing coordinates with the superior of the official authorized to punish regarding objections to disciplinary punishment. A copy of the notification letter shall be submitted to:
  - a) The superior of the official authorized to punish;
  - b) The official authorized to punish; and
  - c) Other relevant officials.
- 14) The superior of the official authorized to punish who does not decide on the objection submitted to him/her for more than 21 (twenty-one) working days, shall be subject to disciplinary punishment by laws and regulations after an examination.

Administrative appeal to the Civil Service Advisory Board (*BAPEK*):<sup>28</sup>

- 1) Civil servants who are sentenced to disciplinary punishment by PPK and the Governor in the form of:
  - a) Dismissal with honor not at one's request as a civil servant; and
  - b) Dismissal without honor as a civil servant.
- 2) May file an administrative appeal to *BAPEK*:
  - a) Further provisions regarding administrative appeals to *BAPEK* shall be regulated separately by laws and regulations.
  - b) Civil servants who are filing an administrative appeal shall continue to have their salaries paid as long as the civil servants concerned continue to come to work and carry out their duties.
  - c) To be able to continue to come to work and carry out duties, the civil servant concerned must apply for permission from the Staff Supervisory Officer.
  - d) The determination of whether or not the civil servant can enter work and carry out his duties is the authority of the Staff Supervisory Officer by considering the impact of the disciplinary violation he committed on the work environment.
  - e) The Civil Service Supervisory Officer may delegate or authorize other officials within his/her office to determine whether or not the civil servant can come to work and carry out his/her duties.
  - f) Civil servants who are filing an administrative appeal and still come to work and carry out their duties, if they violate obligations and prohibitions that can be subject to disciplinary punishment, the PPK will cancel the decision on permission to come to work and carry out duties for civil servants who are filing an administrative appeal to *BAPEK*, then followed by termination of salary payments.
  - g) If no administrative appeal is filed, the salary shall be terminated starting from the following month from the 15th (fifteenth) day of the disciplinary punishment decision being received.

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<sup>28</sup> *Ibid.*



- h) Civil servants who submit administrative appeals to *BAPEK* are not given promotions, periodic salary increases, and move agencies until a decision that has permanent legal force is issued.

Civil servants who are in the process of being examined because they are suspected of committing disciplinary violations or are applying for administrative remedies cannot be approved to move agencies.<sup>29</sup> The rules of implementation in imposing disciplinary penalties on civil servants based on Government Regulation Number 94 of 2021 have been socialized and pamphlets have been distributed about the types of penalties and violations committed, but there are still several OPDs that do not understand these rules, it seems that more intense technical guidance must be included so that all OPDs understand better. Based on the results of the compiler's interview with the ASN Discipline Sub-Coordinator, related to the fact that there are still several OPDs that do not understand the regulations regarding Government Regulations related to civil servant discipline, it is stated that:<sup>30</sup>

Further explained by the Head of the Center for Government Apparatus Studies and the Civil Service and Human Resources Development Agency (*PKAP BKPSDM*) of East Lombok Regency that:

“One of the factors inhibiting the implementation of Government Regulation Number 94 of 2021 concerning Civil Servants is the low initiative of Regional Apparatus Organizations in studying the regulations of Regional Apparatus Organizations and not having the awareness or initiative to study the latest regulations independently. There is no internal mechanism to review and disseminate new regulations to employees within the Regional Apparatus Organization. Lack of Competent Human Resources in the Personnel Sector Not all Regional Apparatus Organizations have personnel or officials who understand personnel rules, so new regulations are not immediately understood and implemented. Regional Apparatus Organizations that lack personnel in the staffing section often have difficulty keeping up with regulatory changes.

**Incompatibility with Existing Organizational Culture** Some Regional Apparatus Organizations are still accustomed to old patterns in the management of civil servant discipline, so they are less responsive to changes in new regulations There is a tendency to keep following old habits rather than adapting to new regulations.

**Lack of Coordination between Regional Apparatus Organizations and the Civil Service and Human Resources Development Agency/State Civil Service Agency** Regional Apparatus Organizations may not have received clear direction or coordination from the Regional Civil Service Agency (*BKD*), the Civil Service and Human Resources Development Agency

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<sup>29</sup> *vide* Article 42 of Government Regulation No. 53/2010 on Civil Servant Discipline.

<sup>30</sup> *Interview Results with ASN Discipline Sub Coordinator Mr. Heri Sukmana, Monday, February 10th (2025).*



(BKPSDM), or the State Civil Service Agency (BKN) regarding the implementation of PP 94/2021, etc."<sup>31</sup>

**2. There are still some direct supervisors of Regional Apparatus Organizations/Work Units in the East Lombok Regency Government who feel unable to conduct examinations of civil servants suspected of committing disciplinary violations**

Apart from the lack of public awareness, the most underlying thing that often causes violations of discipline by civil servants in the East Lombok Regency is the lack of understanding of civil servants regarding the rules of civil servant discipline. Based on the compiler's analysis, a lack of understanding of the rules is not an excuse for committing violations, because it is our responsibility as a society in general, civil servants in particular to understand every applicable rule, especially if the reason is not knowing the applicable regulations, because in principle after the regulation is promulgated, legal fiction applies, namely presumption *iures de iure* (everyone is assumed to know the law). Violations committed by civil servants show the unprofessionalism of civil servants in carrying out their duties, and the weak performance of civil servants in carrying out their duties as state apparatus.

Based on the description above, concerning the theory of legal effectiveness put forward by Soerjono Soekanto, which states that whether the law is effective or not is determined by 5 factors, namely:

- a. The legal factor itself (the law);
- b. Law enforcement factors, namely the parties who form and apply the law;
- c. Facility factors or facilities that support law enforcers;
- d. Community factors, namely the environment where the law applies or is applied;
- e. Cultural factors, namely as a result of work, creation, and taste based on the human spirit in the association of life.

Based on Soerjono Soekanto's opinion, in essence, there are 2 important things as indicators of the success of effective law enforcement in society, namely in addition to law enforcers, the community is also one of the supporting factors for the effectiveness or not of existing laws. The effectiveness of the law will be achieved, if there are law enforcers who carry out their duties based on existing rules, and are supported by public awareness of these rules in obeying existing rules, meaning that there is cooperation in action between law enforcers and the community as the object of these rules. When we look at the causes of violations by civil servants, the main cause of violations of civil servant discipline is the lack of awareness of civil servants of the rules of civil servant discipline, if we relate it to the theory of legal effectiveness, the existing law, namely regulations related to civil servant discipline as stated in Government Regulation No. 94 of 2021 concerning Civil Servant Discipline, has not been applied effectively, because considering that public awareness is also a driving factor in the success of the

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<sup>31</sup> Interview Results with the Head of Apparatus Performance Assessment and Awards Mr. Ahmad Sazali, Friday, February 14th (2025).



effectiveness of existing laws, meaning that the higher the level of public awareness, the existing laws can be said to be effective and vice versa, low public awareness results in existing laws not being effective.

Based on interviews with the Head of the Government Apparatus Study Center and the East Lombok Regency Personnel and Human Resources Development Agency, there are several reasons why direct superiors are unable to conduct checks on Civil Servants (*PNS*) who violate disciplinary rules, even though the regulations are clear. Some of the causes include:<sup>32</sup>

“Lack of Understanding of Regulations Superiors may not have an in-depth understanding of civil servant disciplinary rules, examination mechanisms, or procedures that must be followed, reluctance or fear of confrontation Superiors may feel uncomfortable or afraid of causing conflict with subordinates, especially if there is a close working relationship. Intervention from other parties may be pressure from higher officials, colleagues, or outside parties not to take action against certain violations, lack of support from the organization there is no support from the agency or staffing team in the process of examining and enforcing discipline. Vagueness of sanctions or no firmness in enforcement Although regulations are clear, in practice there may be an organizational culture that is less assertive in applying sanctions.

Fear of retaliation or revenge There is a concern that the civil servant being examined may take retaliatory action, such as reporting back or damaging the supervisor's reputation. High Workload Supervisors have other more pressing responsibilities, so disciplinary examinations are considered a low priority. Lack of authority or legal support It may be that supervisors feel they do not have the authority or do not have sufficient legal support to conduct an examination.”

**3. There are still several cases of violations of civil servant discipline in the East Lombok Regency Government, where there are still unscrupulous civil servants who often leave their duties without unaccountable reasons, are often late for work, and return home before time**

Civil servants who are part of the State Civil Apparatus act as state servants who are mandated to carry out state duties. Likewise, regional civil servants act as regional servants who are mandated to carry out regional tasks. Therefore, the performance of civil servants in the regions is one of the indicators of the success of the running of local government to achieve good governance. Good performance can be assessed by how far the civil servants concerned carry out their obligations and stay away from prohibitions as required by existing laws and regulations. In addition, civil servants who are nicknamed the State Civil Apparatus (*ASN*) profession should carry out a code of ethics and code of conduct in carrying out their duties, one of which is to carry out their duties carefully and with discipline, on the other hand, poor performance can be assessed when the civil servants concerned carry out their

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<sup>32</sup> *Ibid.*



duties by ignoring the code of ethics and code of conduct, namely not being careful.

Discipline is very important to be applied by every individual, especially for civil servants who are state servants whose job is to serve the community to create professional civil servants. As for the East Lombok Regency Government, it is often found that civil servants commit violations of civil servant discipline which have an impact on the continuity of government operations, especially in the field of staffing. This can result in an obstacle to the pace of good governance. The government is said to be good if it fulfills the general principles of good governance (*AAUPB*). Various general principles of good governance, namely as follows:<sup>33</sup>

- a. Principle of legal security;
- b. Principle of proportionality;
- c. Principle of equality;
- d. Principle of carefulness;
- e. Principle of motivation;
- f. Principle of non-misuse of competence;
- g. Principle of fair play;
- h. Principle of reasonable or prohibition of arbitrariness;
- i. Principle of meeting raised expectations;
- j. Principle of undoing the consequences of an annulled decision;
- k. Principle of protecting the personal way of life;
- l. Sapientia;
- m. Principle of public service.

As for Article 3 of Law Number 28 of 1999 concerning State Administrators who are Clean and Free from Corruption, Collusion, and Nepotism, there are several general principles of state administrators, namely as follows:<sup>34</sup>

- a. The Principle of Legal Certainty, namely the principle in a state of law that prioritizes the basis of laws and regulations, decency, and justice in every policy of state administrators.
- b. The Principle of Orderly State Implementation, which is the principle that serves as the basis for order, harmony, and balance in controlling state administrators.
- c. Public Interest Principle, a principle that prioritizes the public welfare in an aspirational, accommodative, and selective manner.
- d. The principle of openness, namely the principle that opens itself to the public's right to obtain correct, honest, and non-discriminatory information about the administration of the state while still paying attention to the protection of personal, group, and state secrets.
- e. The principle of proportionality, which is the principle that prioritizes the balance between the rights and obligations of state administrators.
- f. The principle of professionalism, namely the principle that prioritizes expertise based on a code of ethics and the provisions of the applicable laws and regulations.

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<sup>33</sup> Ridwan HR, *Hukum Administrasi Negara* (Jakarta: Raja Grafindo Persada, 2011).

<sup>34</sup> *Ibid.*



- g. The principle of Accountability, which is the principle that determines that every activity and the final result of the activities of state administrators must be accountable to the people as the highest holders of state sovereignty by applicable laws and regulations.

Several factors of cases of violation of civil servant discipline in the Regional Apparatus Organization of East Lombok Regency, where unscrupulous civil servants are still found who often leave their duties without unaccountable reasons, including:

- a. Lack of Supervision and Enforcement of Rules - The absence of strict sanctions for violators makes violations continue to recur.
- b. Undisciplined Work Culture - If the work environment does not enforce discipline, then employees will feel free to commit violations.
- c. Lack of Employee Awareness - Many civil servants do not have a high awareness of the importance of discipline at work.
- d. Weak Attendance and Monitoring System - Without a strict control system, employees can easily arrive late or leave early.
- e. Lack of Reward and Punishment - When there is no reward for disciplined employees and no strict punishment for violators, disciplinary behavior will continue to occur.

This is what causes civil servants to still violate applicable regulations because of the need for more intense supervision and it is hoped that the level of disciplinary violations in the East Lombok Regency Government can be reduced so that public services become better and more professional.

#### **4. The lack of awareness of civil servants in the OPD of East Lombok Regency to act and be disciplined is influenced by factors such as family factors, credit factors, and the distance between home and the workplace**

A violation or problem that occurs has its cause or background, as well as civil servants who commit disciplinary violations, some causes cause these civil servants to commit violations. The reasons why civil servants in the OPD of East Lombok Regency commit disciplinary violations are lack of understanding of the rules of civil servant discipline, lack of awareness of the importance of discipline, family factors, a lot of debt, etc.

Referring to this statement, we know that the most basic reasons for violations of discipline by civil servants in the Regional Apparatus Organization of East Lombok Regency are:

- a. Lack of awareness of civil servants in obeying existing rules

Indeed, the most important reason that causes civil servants in the Regional Apparatus Organization of East Lombok Regency to commit disciplinary violations is the lack of awareness of civil servants of existing rules, in this case, the rules related to civil servant discipline as stated in Government Regulation No. 94 of 2021. Indeed, we need to know together that to support the operation of law in society, one of the indicators of success is the level of public awareness, the higher the level of public awareness of these rules, the more real the operation of law in society.

- b. Lack of understanding of existing rules by civil servants



Apart from the lack of public awareness, the underlying thing that often causes disciplinary violations by civil servants within the scope of the Regional Apparatus Organization of East Lombok Regency is the lack of understanding of civil servants regarding the rules of civil servant discipline. Based on the compiler's analysis, a lack of understanding of the rules is not an excuse for committing violations, because it is our responsibility as a society in general, civil servants in particular to understand every applicable rule, especially if the reason is not knowing the applicable regulations, because in principle after the regulation is promulgated, legal fiction applies, namely presumption *iures de iure* (everyone is assumed to know the law). Violations committed by civil servants show the unprofessionalism of civil servants in carrying out their duties, and the weak performance of civil servants in carrying out their duties as state apparatus.

c. Family factors

Violations of civil servant discipline within the East Lombok Regency Regional Apparatus Organization are also caused by family factors. So, it is not that civil servants commit violations because they are not aware or do not understand the existing regulations, but the civil servants concerned commit violations due to internal family factors.

d. Lots of Debt (Loans)

In addition to the factors mentioned above, the main cause of disciplinary violations by civil servants within the East Lombok Regency Regional Apparatus Organization is debt and credit. Based on the results of the compiler's interview with the Head of the State Civil Apparatus Discipline Subdivision, related to debt and credit, it was stated that:<sup>35</sup>

“One of the factors for civil servants to violate discipline is debt and credit. The debts and credits in question, for example, the civil servant concerned made a loan at the bank, therefore the salary of the civil servant concerned had nothing left because of paying debts. Therefore, civil servants who resurrect are looking for additional work to fulfill their daily needs”.

Further explained by the Head of the Civil Service Agency and Human Resources Development, violations committed by civil servants are caused by living too far from the place of assignment, a lot of debt, etc. Referring to the statement above, the driving factor for violations of discipline is the distance between the residence of civil servants and the workplace, meaning that the distance between the workplace and the office greatly affects the discipline of civil servants, because this can cause the civil servant concerned to be lazy to go to the office, which in turn causes the civil servant concerned to rarely come to work.

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<sup>35</sup> *Interview Results with the Head of the Personnel and Human Resources Development Agency, Mr. Mugni, Friday, February 14th (2025).*



## CONCLUSION

Disciplinary violations committed by Civil Servants in the East Lombok Regency Government with the application of sanctions/imposition of disciplinary penalties have been implemented and are quite optimal by Government Regulation Number 94 of 2021 concerning Civil Servant Discipline. The factors that can hinder law enforcement of Civil Servant discipline in the East Lombok Regency Government:

1. There are still several Regional Apparatus Organizations / Work Units in the East Lombok Regency Government that do not understand the procedures for implementing Government Regulation Number 94 of 2021 concerning Civil Servant Discipline.
2. There are still several direct superiors of Regional Apparatus Organizations/Work Units in the East Lombok Regency Government who feel unable to carry out investigations of civil servants suspected of committing disciplinary violations.
3. There are still several cases of violations of civil servant discipline in the East Lombok Regency Government, where there are still civil servants who often leave their duties without justifiable reasons, are often late for work, and go home before time.
4. Lack of awareness of civil servants in the East Lombok Regency Government to act and behave in a disciplined manner, such as being late for work.

## DECLARATION OF CONFLICTING INTERESTS

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