

Encouraging Compliance and Integrity: Building a Civil Servant Discipline System in terms of the Legal System Aspect

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Abstract

Civil Servant (PNS) discipline is a fundamental pillar in creating a state apparatus with integrity and high performance. This article discusses the urgency of building an effective civil servant discipline system based on statutory Law to encourage compliance and integrity. This research uses normative juridical methods by examining statutory regulations related to civil servant discipline, such as the ASN Law and PP 94/2021. The research results show that the current civil servant discipline system still has several areas for improvement, such as a need for firmness in enforcing sanctions and inadequate coaching mechanisms. To build an effective civil servant discipline system, several strategic steps need to be taken, including Strengthening regulations related to civil servant discipline by evaluating and revising existing regulations, Increasing the effectiveness of enforcing disciplinary sanctions by prioritizing the principles of justice and proportionality, Strengthening the role of the Government's internal oversight apparatus in supervising and following up on civil servant disciplinary violations, building a culture of discipline and integrity within government agencies through ongoing education and training. Effective and consistent enforcement of civil servant discipline will encourage the creation of a state apparatus that is professional, has integrity, and has high performance so that it can ultimately support the achievement of national development goals.

I. Introduction

The State Apparatus is a state apparatus which includes the institutional, management and personnel sectors, which have the responsibility to carry out the wheels of Government which include the state and government apparatus as state servants and public servants tasked with and responsible for the administration of the state and

development and always loyal to values and ideals of the struggle of the nation and state based on Pancasila and the 1945 Constitution (Rustandi et al., 2023). State apparatuses, as government administrators, are given the responsibility to formulate strategic steps and creative efforts to realize community welfare in a fair, democratic, and dignified manner (Ranoto, 2020).

Policies made by the Government in the form of statutory regulations are implemented by government officials, namely Civil Servants who have duties and obligations as servants of the state and society. What is meant by policy implementation is a further process from the policy formulation stage. At the formulation stage, strategies and policy objectives are determined, while actions to achieve the objectives are carried out at the policy implementation stage (Amaludin, 2021). Enforcement of disciplinary penalties against Civil Servants (PNS) is an important element in maintaining discipline, integrity and good performance in carrying out public administration so that the implementation of good governance principles can run as it should. Civil Servant Discipline is the ability of Civil Servants to comply with obligations and avoid prohibitions specified in statutory regulations and official regulations, which, if not complied with or violated, will be subject to disciplinary punishment (Amaludin, 2021).

Building an effective Civil Servant (PNS) discipline system is an important challenge for the Indonesian Government (Miswanto et al., 2021). An employee's high sense of responsibility for the tasks assigned to him is reflected in good work discipline. One of the most important functions in human resource management is discipline (Rustandi et al., 2023). This is because civil servants have a central role in administering Government and public services. This research aims to analyze the development of an effective civil servant discipline system in terms of three aspects, namely aspects of legal substance, legal structure and legal culture (Ayu et al., 2022). As state civil servants, civil servants are expected to perform to the best of their duties and responsibilities. One important aspect that influences civil servant performance is work discipline (Rustandi et al., 2023). Therefore, in order for this to happen, the first step that must be implemented is to improve civil servant discipline. The discipline in question includes elements of compliance and compliance with applicable regulations and a strong sense of responsibility for the tasks assigned (Lombogia et al., 2021a).

Civil servant work discipline is regulated in various statutory regulations, such as Law Number 5 of 2014 concerning State Civil Servants and efforts made by the Government in order to improve civil servant discipline, namely by issuing Government Regulation Number 53 of 2010 concerning Civil Servant Discipline (Raimah & Irawanto, 2020). Then, it was changed by Government Regulation Number 94 of 2021 concerning Civil Servant Discipline. Through this arrangement, the Government seeks to build an effective civil servant discipline system in an effort to improve bureaucratic performance so that it can ensure the maintenance of order and smooth implementation of duties. It can encourage civil servants to be more productive based on a career system and work performance system (Rohaedi et al., 2021).

However, in its implementation, the civil servant discipline system in Indonesia still needs to overcome various challenges. Several studies show that there are still problems related to the substance of the legal system, which hinder the effectiveness of the civil servant discipline system. Not only are the laws appropriate, but also the agencies that

enforce the regulations must also be active in socializing and enforcing the relevant regulations. A regulation in the field of civil servant discipline aims to guide civil servants who violate disciplinary provisions so as to improve civil servant performance. The disciplinary punishment given is a form of administrative sanction (Pemerintah et al., 2021).

From the aspect of legal substance, statutory regulations related to civil servant discipline are considered to have still weaknesses, such as the lack of clarity regarding the types of disciplinary violations and their sanctions, as well as a discrepancy between the administrative sanctions imposed and the severity of the violations. These violations. The rule of Law does not just appear out of thin air. The maker of a legal regulation certainly has an outline of the objectives and basis of the policy that will be outlined in a legal regulation (*ratio legis*). Basically, every legal regulation that is drafted is expected to bring improvements to the legal system that will be applied to society (Anggoro, 2022). This can lead to legal uncertainty and different interpretations in enforcing discipline. From the legal structure aspect, research shows problems in the implementation of civil servant disciplinary enforcement, such as the ineffectiveness of the mechanism for imposing disciplinary penalties and weak supervision of the disciplinary enforcement process, which has an impact on the low effectiveness of the disciplinary system. Civil servants (Rustandi et al., 2023).

Legislation related to civil servant discipline, such as the ASN Law and PP Number 94 of 2021, still needs to improve. Firstly, the regulations regarding the types of disciplinary violations and their sanctions need to be clearer and more detailed. This can give rise to legal uncertainty and different interpretations in the field. Legal principles are used to guide civil servant disciplinary sanctions. These principles are used to prevent the existence of two regulations that are hierarchically equivalent and can give rise to legal uncertainty (Pemerintah et al., 2021). Second, there is a discrepancy between the administrative sanctions imposed and the severity of violations committed by civil servants. The sanctions given are sometimes considered too light or, conversely, too heavy, so they are not proportional. These weaknesses can hamper the effectiveness of enforcing civil servant discipline because employees and authorized officials need clear guidelines in implementing the disciplinary system.

From a legal structure perspective, research shows that there are problems in implementing civil servant discipline enforcement. First, the mechanism for administering disciplinary punishment is considered less effective. The process of examination, punishment and enforcement often needs to run better (Arrahman & Syamsir, 2021). Second, supervision of the disciplinary enforcement process is also considered to be still weak. Authorized officials do not consistently and comprehensively carry out supervision, so disciplinary violations often escape action (Arrahman & Syamsir, 2021). These problems with the legal structure have an impact on the low effectiveness of the civil servant discipline system in practice. It is necessary to improve the disciplinary enforcement mechanism and strengthen the supervisory function so that the disciplinary system can run effectively.

Meanwhile, viewed from the aspect of legal culture, there are challenges in the form of a paternalistic culture and low integrity among civil servants, which hinder the implementation of an effective disciplinary system. The persistent view that civil servant

disciplinary violations can be resolved internally without going through formal procedures is an example of an influential paternalistic culture. Apart from that, the low awareness and commitment of civil servants to integrity is also an obstacle. Indiscipline behaviour is often considered normal and tolerable, thus hampering efforts to enforce strict discipline (Hidayat et al., 2014).

Changing organizational culture and increasing the integrity of civil servants is important to support the effectiveness of the discipline system being built. By understanding the problems in these three legal aspects, this research aims to comprehensively analyze the development of an effective civil servant discipline system, as well as produce strategic recommendations to strengthen the discipline system and improve the performance of government bureaucracy. Meanwhile, from the aspect of legal culture, there is a paternalistic culture and low integrity among civil servants, which hinders the implementation of an effective disciplinary system (SYAEFUDIN et al., 2023). There is still a view that civil servant disciplinary violations can be resolved internally without going through formal procedures, which is also a challenge in itself (Piga et al., 2021a).

Based on this background, this research aims to analyze the development of an effective civil servant discipline system in terms of legal substance, legal structure and legal culture. Through a comprehensive analysis of these three aspects, strategic recommendations can be obtained to strengthen the civil servant discipline system and improve the performance of the government bureaucracy as a whole. Based on the background above, the formulation of the problem to be discussed in this research is as follows: (1) How can the legal substance that regulates the current Civil Servant (PNS) disciplinary system encourage civil servant compliance and integrity? (2) How can the legal structure (institutions and processes) in enforcing civil servant discipline be increased in effectiveness? (3) How to build a legal culture (values, attitudes and behaviour) within civil servants that can support the implementation of an effective disciplinary system? (4) What is an innovative and comprehensive civil servant discipline system model that can integrate aspects of legal substance, legal structure, and legal culture to encourage civil servant compliance and integrity?

2. Research Method

This research uses empirical juridical research, namely, conducting direct research in the regional government environment and linking the suitability of statutory regulations or norms with their implementation.

3. Results and Discussion

Aspects of Legal Substance

Laws and Government Regulations Concerning Civil Servant Discipline

Civil Servant (PNS) discipline has been regulated in Government Regulation Number 94 of 2021; the scope of this regulation covers all State Civil Servant Employees (ASN), both Civil Servants (PNS) and Government Employees with Work Agreements (PPPK) (Saputra, 2023). This regulation also regulates various aspects of discipline, including obligations, prohibitions, types of disciplinary punishment and procedures for imposing punishment. The obligations referred to are obligations related to the implementation of duties, ethics,

and employee integrity. In contrast, the prohibitions referred to in this regulation are prohibitions that regulate behaviour, conflicts of interest and abuse of authority (Dohlia et al., 2019).

The obligations that must be fulfilled by Civil Servants (PNS) according to Government Regulation Number 94 of 2021 concerning Civil Servant Discipline include carrying out their duties with full dedication, honesty, awareness and full responsibility, maintaining attitudes and integrity as state civil servants and obeying regulations. Applicable duties (Kadarudin et al., 2020). Fulfilling this obligation is the main requirement for maintaining discipline for civil servant employees (PNS). The prohibitions referred to in this regulation include committing disgraceful acts that could damage the image of the State Civil Service (ASN), committing abuse of authority or position, and having a conflict of interest in carrying out their duties. Violations of these prohibitions are subject to disciplinary sanctions. (Raimah & Irawanto, 2020).

The types of disciplinary punishment in this regulation are divided into three categories: light disciplinary punishment, namely by giving a verbal warning, written warning and a written statement of dissatisfaction, then medium disciplinary punishment, namely by delaying salary increases, periodic salary reductions and postponement of promotions, as well as penalties. Discipline. Serious, namely by demotion, dismissal from the position, honourable dismissal, and dishonourable dismissal (Rohaedi et al., 2021). This classification of types of disciplinary punishment is intended to provide proportional sanctions according to the type of violation committed. It is hoped that this classification can help prevent abuse in sentencing.

Analyze the suitability of the rules to the needs and developments of the times.

The development of the composition of ASN with increasingly diverse and comprehensive regulations can ensure consistency in the application of discipline throughout the scope of ASN. Government Regulation Number 94 of 2021 enforces the principle of fair examination and punishment; this is in line with society's demands for government transparency and accountability. Protection of employee rights is important to avoid abuse of power (Pemerintah et al., 2021). This regulation adapts to the dynamics of ASN's internal and external environment. Technological changes as well as society's demands for good public services as well as the increase in ASN duties require an adaptive disciplinary framework. This regulation has regulated a periodic evaluation mechanism to accommodate current developments.

The ASN code of ethics also needs to be regulated comprehensively so that enforcing the code of ethics can become a bulwark of ASN integrity in facing various challenges of the times (Efendy et al., 2022). Setting a stricter code of ethics will encourage the creation of an organizational culture with integrity. There is synergy with other broader personnel regulations. Harmonization with regulations related to promotions, transfers, and remuneration (additional components of Employee Income) needs to be considered. This combination is important to ensure consistency and effectiveness in enforcing discipline. Developments in information technology can be utilized to increase the efficiency and transparency of disciplinary enforcement (Hartini et al., 2021). The use of personnel information systems and digital inspections can strengthen supervision. Digitalization of administrative processes can also simplify and speed up the imposition of penalties

(Ichsan et al., 2020). Overall, the regulations governing disciplinary punishment show the Government's efforts to adapt civil servant disciplinary regulations to the challenges and developments of the times. However, there is still room for further improvement so that these regulations can become a stronger basis for upholding the integrity of the state civil service.

Identify potential legal weaknesses and loopholes that can be abused.

The definition of violations is still unclear and can give rise to multiple interpretations; the classification of types of violations into 3 (three) categories is also still interpreted subjectively, so this opens up a gap for abuse of authority in imposing sentences; this is because there are no clear boundaries so that it can be used to provide punishment that is less than proportional, this has the potential to open up opportunities for officials to impose punishments that are based on personal preferences rather than objective standards (Dewi, 2022). Definitions such as "moral turpitude" and "abuse of authority" are still very broad and open to subjective interpretation.

The lack of an effective complaint mechanism gives rise to doubts about the proper and correct procedure for complaining about disciplinary violations so that the reporter feels less assured of his/her protection as a reporter. The lack of safe and protected standard operating procedures (SOP) for complaints can prevent employees from reporting irregularities, especially if those reported are superiors or senior officials. The lack of protection for whistleblowers in this regulation is that it does not explicitly regulate protection for employees who report violations and lack of guarantees. This security is what creates obstacles to employee initiative to report suspected violations (Pemerintah et al., 2021). Lack of protection for security, restoration of rights, and career guarantees can hinder employees' initiative to report, so employees need more protection and remain silent (Haryanti, 2019).

To mitigate potential abuse, regulations must be improved by strengthening checks and balances mechanisms, clarifying the definition and classification of violations, and increasing complaint channels and protection for whistleblowers. In addition, independent external supervision also needs to be improved to ensure fair and transparent discipline enforcement.

Sanctions and Disciplinary Enforcement Mechanisms

Suitability of the type of sanction to the level of violation

There are 3 types of sanctions according to the level of violation in Government Regulation Number 94 of 2021 concerning Civil Servant Discipline. The types of light sanctions that are regulated include verbal warnings, written warnings, and written statements of dissatisfaction. In general, these light sanctions are in accordance with disciplinary violations of the nature of administrative duties, such as tardiness, not filling in the attendance register, or other minor violations. However, the absence of clear boundaries regarding minor violations can open up opportunities for abuse of authority in imposing sanctions (Askani & Densi, 2018).

The moderate sanctions regulated include periodic salary delays. Salary reductions amount to one periodic salary increase and postponement of promotions are applied to civil servants who commit more serious disciplinary violations such as consecutive

unexcused absences, violations of the code of ethics, and other violations that affect the performance of the employee or agency. In general, the rules for imposing sanctions are proportional. However, the need for firmness from superiors in imposing sanctions can create an opening for civil servants who commit violations not to improve themselves (Rusliandy, 2022a).

Severe sanctions regulated include release from the position, demotion, transfer for demotion, and honourable dismissal, not at one's request (Miswanto et al., 2021). This type of sanction is quite severe in accordance with the level of serious violations such as abuse of authority, disgraceful acts, or violations that have a significant impact on state finances and so on. In general, the types of sanctions regulated in this regulation are sufficient in accordance with the level and type of violation; however, to prevent abuse, improvements need to be made in terms of strengthening monitoring and accountability mechanisms in the application of disciplinary sanctions. In this way, it is hoped that the application of disciplinary sanctions will be more proportional, fair and transparent.

The effectiveness of implementing sanctions in encouraging civil servant compliance

Disciplinary sanctions function as a tool to discipline and regulate the behaviour of civil servants (PNS) so that they comply with applicable regulations (Lombogia et al., 2021b). The application of appropriate sanctions is expected to be effective in encouraging civil servants' compliance with the obligations and prohibitions set (Piga et al., 2021b). Factors that influence the effectiveness of disciplinary sanctions include the strictness of the application of sanctions, where sanctions must be applied consistently and proportionally according to the level of violations committed; inconsistencies and abuse of authority in implementing sanctions can reduce their effectiveness (Ranoto, 2020).

A weak supervisory system mechanism and lack of accountability in implementing sanctions can open up opportunities for abuse of authority. In contrast, the existence of a strong supervisory system and clear accountability mechanisms can increase the effectiveness of sanctions (Agus et al., 2023). Suppose civil servants need to understand disciplinary regulations properly. In that case, effectiveness will decrease, so intensive socialization and education regarding disciplinary rules are needed so that the level of compliance will increase. Apart from that, the role of superiors or the leadership's example is the main factor supporting the effectiveness of the sanctions themselves, and the leadership's obedience to discipline in an agency will indirectly impact the compliance of other employees. Paying attention to the above factors is hoped to be more effective in encouraging civil servants' compliance with regulations and improving the integrity and overall performance of civil servants (Ayu et al., 2022).

Disciplinary Enforcement Process

Efficiency and effectiveness of inspection procedures and imposition of sanctions

The efficiency of inspection procedures must be clear, namely that the inspection process for perpetrators of civil servant disciplinary violations must be carried out quickly and in a timely manner, taking into account the accuracy of imposing civil servant disciplinary sanctions and not conflict with applicable disciplinary rules. The imposition of sanctions must be in accordance with the type of violation committed. The sanctions given

must be able to provide a deterrent effect and have strong coercive power in order to prevent the recurrence of the same violation for both the violator and other employees. The process of imposing sanctions must also be transparent, and the implementation of inspection procedures and imposition of sanctions must be carried out consistently without discriminating against the status and position of violators. An effective monitoring system is needed, both internal and external, for the inspection process and imposition of supervisory sanctions. The aim is to ensure that procedures run well and that no irregularities occur (Ichsan et al., 2020).

Guarantee of due process of Law in the disciplinary enforcement process

The law process is a fundamental principle in the legal system that guarantees every individual and Civil Servant (PNS) treatment in accordance with applicable legal procedures when facing the disciplinary enforcement process. ProvideIt provides opportunities for civil servants to present their defence and for civil servants to present witnesses, evidence, and arguments.

Monitoring and accountability system for disciplinary enforcement processes

Efforts to maintain civil servant discipline by improving performance can be made through various collaborative efforts, including collaboration between leaders and subordinates to determine the quality and quantity of civil servants. Internal supervision by superiors and special units in each agency is very necessary to monitor the inspection process and imposition of sanctions (Agus et al., 2023). Strengthening the supervision and accountability system will encourage the process of enforcing civil servant discipline to run fairly, transparently and freely from abuse of authority and power.

Instilling anti-corruption values, discipline and professionalism

Instilling anti-corruption values can be done by implementing an effective system of supervision, internal control and auditing to prevent corruption. The Government must pay attention to the welfare of Civil Servants (PNS). No doubt, they work to provide for the family. If they feel their needs cannot be fully met, they will try to get a side job. This will definitely negatively impact their performance, leading to disciplinary action. Civil Servants (PNS) who have other jobs can ignore their main duties and responsibilities as civil servants. This can cause them to lack discipline in carrying out their duties (Ranoto, 2020).

Formation of a work culture oriented towards public service

One important aspect of implementing the values of anti-corruption is discipline and professionalism in the bureaucracy. The way that can be taken is to build a public service mindset, namely by providing education to civil servants that, as civil servants and public servants, they must always be able to provide public services well. Developing technical competence through technical guidance, as well as setting competency standards so that it can encourage innovation and creativity in improving service quality. Building a culture oriented towards public satisfaction by applying the values of responsiveness, empathy, proactiveness and initiative. Involving the public in providing an assessment of the performance of civil servants as public servants by regularly conducting public satisfaction

surveys so that the results of the questionnaire can be used as a guide for improving public services in an agency.

Public Participation and Control

Disclosure of information regarding disciplinary violations and sanctions

Disclosure of information regarding disciplinary violations and sanctions is an important part of creating a bureaucracy that is clean, accountable and oriented towards public services. Openness of Information is the main principle of good governance. The bureaucracy must implement transparency in every process and work result. All information related to civil servant disciplinary violations and the sanctions imposed must be conveyed openly. The information submitted can include the type of violation, the parties involved, the form of sanctions and the resolution process so that it will not provide room for abuse of authority.

Community participation in monitoring the performance and integrity of civil servants is necessary to realize the principle of public accountability. One form of community participation is submitting reports or complaints regarding the performance of civil servants and providing suggestions and criticism to improve bureaucratic performance. With adequate understanding, careful monitoring, appropriate reporting, and strong institutional support, the public can play an effective role in monitoring the integrity of civil servants and encouraging improvements in bureaucratic performance.

Complaint mechanism and protection for whistleblowers

Government agencies are required to provide complaint channels that are easily accessible to the public, either by telephone, website, complaint box, or face-to-face. Complaint procedures must be clear and transparent, including procedures for filling out forms, requirements for supporting documents and handling periods. Complaints must be handled professionally, and the identity of the complainant must be kept confidential and followed up carefully. Relevant agencies must have special units that handle and process complaints from the public.

Protect the reporter so that the confidentiality of the reporter's identity can be guaranteed and free from threats of intimidation. The agency has the right to provide protection and security guarantees for the reporter. An effective complaint mechanism and protection for whistleblowers is a real form of accountability and transparency in Government. This can encourage community participation in monitoring the performance and integrity of civil servants.

Innovative and Comprehensive Civil Servant Discipline Model

Referring to Government Regulation (PP) no. 94 of 2021 concerning Civil Servant Discipline, which updates and tightens attendance rules and sanctions for disciplinary violations. For example, civil servants can be dismissed if they are absent from work without a valid reason for a cumulative 28 days or 10 consecutive days ("Menyambut PP 94/2021: Kupas Tuntas Disiplin PNS," 2021). Building an innovative and comprehensive civil servant disciplinary system model with Integrating aspects of the legal system requires a holistic and sustainable approach, including updating government regulation number 94 of 2021 concerning civil servant discipline and then aligning civil servant

discipline regulations with derivative regulations that are more specific and implementable. Develop and disseminate a comprehensive code of ethics that includes the principles of integrity, transparency, accountability and professionalism by carrying out regular and tiered coaching activities for civil servants.

Establishment of a strict and independent monitoring mechanism to ensure compliance with regulations. This system must be transparent and accountable, with strict sanctions for violations of integrity. (Create A Creative, Innovative, Responsive And Integrity State Civil Apparatus In Public Service Based On Pancasila Leadership, 2023) Building an organizational culture that encourages innovation, creativity and responsiveness among civil servants. This can be achieved through idea-sharing forums, innovation competitions, and support for public service improvement initiatives. A fair and transparent reward system should be implemented to recognize the achievements of civil servants who are creative, innovative, and accomplished. This could be in the form of a salary increase, award, or promotion.

In an effort to build a civil servant (PNS) disciplinary system that is more innovative and updated compared to current practices, several strategic steps can be implemented, including digitizing the civil servant discipline management system. In contrast to the manual systems that are still widely applied today, the use of information technology can increase efficiency, transparency and accountability in managing civil servant discipline. Starting from recording violations and imposing sanctions to monitoring compliance, everything can be managed through an integrated digital application or platform that authorized officials can access for supervision. This will provide convenience and speed in the administration process, as well as minimize the potential for data manipulation.

Second, implementing a more proportional reward and punishment system. So far, the main focus in the civil servant discipline system has tended to be on enforcing rigid sanctions and lacking consideration of aspects of justice. In the future, the civil servant management system needs to develop a mechanism for giving rewards to civil servants who demonstrate good performance and discipline. This will encourage motivation and a culture of obedience among civil servants, not solely because of fear of sanctions. Third, the discipline system should be integrated with civil servant career development. Historical records of disciplinary violations and performance achievements of civil servants can be integrated into the component scheme for calculating additional employee income (TPP), career development, promotion, rotation and transfer. So, disciplinary violations are not only subject to administrative sanctions but also have an impact on the career development of the civil servant concerned. This needs to be implemented comprehensively in the current civil servant discipline system.

Fourth, more optimal empowerment of the internal monitoring unit. In contrast to the previous system, which tended to ignore the role of internal supervision, in the future, internal supervision units in government agencies, such as the Inspectorate, need to strengthen their capacity so that they can carry out more effective supervision and take action against violations of civil servant discipline. Fifth, the culture of integrity must be strengthened through continuous education and training. Efforts to build a culture of discipline and integrity in civil servants must be carried out continuously, not just as incidental activities. Capacity-building programs, training, and socialization of values and codes of ethics for civil servants are very important in creating awareness and a deep

understanding of the importance of discipline and integrity.

4. Conclusion

As state officials, civil servants have a central role in administering Government and public services, so work discipline is an important aspect that influences their performance. However, the current civil servant discipline system still has several areas for improvement, such as a lack of firmness in enforcing sanctions and inadequate guidance mechanisms. To build an effective civil servant discipline system, this article suggests several strategic steps, including strengthening regulations related to civil servant discipline, increasing the effectiveness of enforcing disciplinary sanctions, strengthening the role of the Government's internal monitoring apparatus, and building a culture of discipline and integrity through continuous education and training. Effective and consistent enforcement of civil servant discipline can encourage the creation of a state apparatus that is professional, has integrity, and has high performance so that it can support the achievement of national development goals. A legal or regulatory framework that is strong, clear, measurable, and consistently enforced in enforcing civil servant discipline must exist. The grouping of types of violations and types of sanctions can guide the consistent enforcement of civil servant discipline so that the resolution process can be fair and measurable. Regulations must also guarantee legal certainty and protect the rights of civil servants in the process of enforcing civil servant discipline. With a strong legal framework, transparent enforcement mechanisms, integration with HR management, and effective sanctions and guidance, an effective civil servant discipline system will be built in accordance with the principles of the rule of Law.

References

- Agus, L. C., Firdausi, F., & Lestari, A. W. (2023). Implementasi Peraturan Pemerintah Nomor 94 Tahun 2021 Tentang Disiplin Pegawai Negeri Sipil. *Lenvari: Journal of Social Science*, 1(1), 23–32. <https://doi.org/10.61105/jss.v1i1.10>
- Amaludin. (2021). Pelaksanaan Pemberian Sanksi Disiplin Pegawai Negeri Sipil Di Badan Keuangan Daerah (BKD) Kabupaten Lahat. *Jurnal Manivestasi*, 3(1), 1–12.
- Anggoro, F. N. (2022). Penyalahgunaan Wewenang Oleh Pegawai Negeri Sipil (Ratio Legis Pasal 36 Peraturan Pemerintah Nomor 94 Tahun 2021 Tentang Disiplin Pegawai Negeri Sipil). *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional*, 11(2), 211–228. <https://doi.org/10.33331/rechtsvinding.v11i2.936>
- Arrahman, T., & Syamsir, S. (2021). PERAN Kepemimpinan Kepala Dinas Dalam Penegakan Disiplin Pegawai Negeri Sipil. *JISIP (Jurnal Ilmu Sosial Dan Pendidikan)*, 5(4). <https://doi.org/10.58258/jisip.v5i4.2259>
- Askani, A., & Densi, D. (2018). Analisis Disiplin Kerja Pegawai Negeri Sipil Pada Kantor Kecamatan Selebar Kota Bengkulu. *MIMBAR: Jurnal Penelitian Sosial Dan Politik*. <https://doi.org/10.32663/jpsp.v7i1.417>
- Ayu, G., Sukma, A., Putri, S., Nyoman, I., Remaja, G., & Surata, I. N. (2022). Penerapan Peraturan Pemerintah Nomor 94 Tahun 2021 Tentang Disiplin Pegawai Negeri Sipil

- Dalam Meningkatkan Disiplin Pegawai Negeri Sipil Di Kabupaten Buleleng. *Kertha Widya Jurnal Hukum*, 10(2), 117.
- Dewi, S. S. (2022). Discipline Arrangements for Civil Servants in Terms Government Regulation Number 94 of 2021 Concerning Civil Servants Discipline. *Jurnal Hukum Dan HAM Wicarana*, 1(2), 105–118.
- Dohlia, P., Syamsurizaldi, S., & Wandura, N. (2019). Pengaruh Disiplin Kerja dan Motivasi Kerja PNS pada Kantor Camat di Kabupaten Solok Selatan. *Jurnal Administrasi Dan Kebijakan Publik*, 3(3), 261–273. <https://doi.org/10.25077/jakp.3.3.261-273.2018>
- Efendy, A., Pengembangan Sumber Daya Manusia Daerah Provinsi Jawa Tengah Jl Setiabudi, B., & Semarang, A. (2022). Kajian Hukuman Disiplin Sesuai Peraturan Pemerintah Nomor 94 Tahun 2021 Tentang Disiplin Pegawai Negeri Sipil. *Jurnal Widiya Praja*, 2(1).
- ENCIPTAKAN Aparatur Sipil Negara Kreatif, Inovatif, Responsif, Dan Berintegritas Dalam Pelayanan Publik Berdasarkan Kepemimpinan Pancasila. (2023, June 11).
- Hartini, S., Kunarti, S., & Haryanto, T. (2021). Analisis Sanksi Hukuman Disiplin Berat Pegawai Negeri Sipil Setelah Dikeluarkan Peraturan Pemerintah Nomor 94 Tahun 2021 Tentang Hukuman Disiplin Pns. *Prosiding Seminar Nasional Dan Call for Papers*, 2013–2015.
- Haryanti, A. (2019). Disiplin Pegawai Negeri Sipil, Direktorat Pengawasan Dan Pengendalian Bidang Kode Etik, Disiplin, Pemberhentian, dan Pensiun Pegawai Negeri Sipil. *Badan Kepegawaian Negara*, 9(1), 76–99.
- Hidayat, R., Idris, A., & Masjaya. (2014). Implementasi Kebijakan Peraturan Pemerintah Nomor 53 Tahun 2010 Tentang Disiplin PNS Pada Kantor Kementerian Agama Kabupaten Berau. *Jurnal Administratif Reform*, 2(2), 174–186.
- Ichsan, R. N., Surianta, E., & Nasution, L. (2020). Pengaruh Disiplin Kerja Terhadap Kinerja Pegawai Negeri Sipil (Pns) Di Lingkungan Ajudan Jenderal Daerah Militer (Ajendam) - I Bukitbarisan Medan. *Jurnal Darma Agung*, 28(2), 187. <https://doi.org/10.46930/ojsuda.v28i2.625>
- Kadarudin, Adi Wijaya, & Sisilia. (2020). Implementasi Peraturan Pemerintah Nomor 94 Tahun 2021 Tentang Disiplin Pegawai Negeri Sipil di Pemerintah Kabupaten Kutai Barat. *Collegium Studiosum Journal*, 3(2), 108–115. <https://doi.org/10.56301/csj.v3i2.478>
- Komara, E. (2019). Kompetensi Profesional Pegawai ASN (Aparatur Sipil Negara) di Indonesia. *Mimbar Pendidikan*, 4(1), 73–84. <https://doi.org/10.17509/mimbardik.v4i1.16971>
- Latar Belakang Pegawai Negeri Sipil (PNS) sebagai abdi negara harus patuh terhadap pedoman sikap tingkah laku dan perbuatan di dalam dan di luar kedinasan . Di dalam Peraturan Pemerintah Nomor 94 Tahun 2021 tentang Disiplin Pegawai Negeri Sipil (PP No . (2019). 16, 122–131.
- Lombogia, J. M. C., Dilapanga, A. R., & Bogar, W. R. (2021a). Implementasi Kebijakan Disiplin Pegawai Negeri Sipil Di Cabang Dinas Pendidikan Tomohon Minahasa. *JISIP (Jurnal Ilmu Sosial Dan Pendidikan)*. <https://doi.org/10.58258/jisip.v5i2.2030>
- Lombogia, J. M. C., Dilapanga, A. R., & Bogar, W. R. (2021b). Implementasi Kebijakan Disiplin Pegawai Negeri Sipil Di Cabang Dinas Pendidikan Tomohon Minahasa. *JISIP (Jurnal Ilmu Sosial Dan Pendidikan)*. <https://doi.org/10.36312/jisip.v5i2.2030>

- Mahmud, A. (2019). Peran Kepemimpinan Dalam Meningkatkan Disiplin Kerja Pegawai. *Jurnal Ilmu Administrasi Dan Studi Kebijakan (JIAKS)*, 1(2), 39–47.
- Menyambut PP 94/2021: Kupas Tuntas Disiplin PNS. (2021). *Birokrat Menulis*.
- Miswanto, M., Purwasari, Rr. N., & Rohman, I. Z. (2021). Effect of Leadership Style and Work Discipline on Performance of Civil Servants With Compensation As Moderating Variable. *Jurnal Ilmiah Manajemen*, 9(1), 101–112.
- Pemerintah, P., Nomor, P. P., Kudus, B. K., Puspitaningtyas, K., Sudrajat, T., & Hartini, S. (2021). *Penerapan Disiplin Pegawai Negeri Sipil Menurut (Studi Di Badan Kepegawaian , Pendidikan , Dan Pelatihan Implementation Civil Servant Dicipline According To the Government Regulation Number 94 , 2021 (Study At Badan Kepegawaian , Pendidikan , Dan Pelati. 2021(94)*.
- Piga, A., Stevanus, K. Y., & Tadeus, D. W. (2021a). Penerapan Sanksi Hukum Terhadap Pelanggaran Disiplin Pegawai Negeri Sipil di Universitas Nusa Cendana Kupang. *Jurnal Sosial Sains*. <https://doi.org/10.36418/sosains.v1i6.130>
- Piga, A., Stevanus, K. Y., & Tadeus, D. W. (2021b). Penerapan Sanksi Hukum Terhadap Pelanggaran Disiplin Pegawai Negeri Sipil di Universitas Nusa Cendana Kupang. *Jurnal Sosial Sains*. <https://doi.org/10.59188/jurnalsosains.v1i6.130>
- Raimah, R., & Irawanto, I. (2020). Implementasi Peraturan Pemerintah Nomor 53 Tahun 2010 Tentang Disiplin Pegawai Negeri Sipil Uin Antasari Banjarmasin. *Administtraus*, 4(1), 1–26.
- Ranoto, R. (2020). Penerapan Sanksi Disiplin Terhadap Pegawai Negeri Sipil Pelaku Tindak Pidana Korupsi. *Jurnal JURISTIC*, 1(02), 217. <https://doi.org/10.35973/jrs.v1i02.1653>
- Rohaedi, E., Basri, H., Kusnadi, N., Hukum, F., Pakuan, U., Disiplin, P., & Negeri, P. (2021). *Penerapan Sanksi Terhadap Pelanggaran Disiplin. 07(16)*, 18–36.
- Rusliandy, R. (2022a). Evaluasi Implementasi Kebijakan Disiplin Pegawai Negeri Sipil Daerah. *Ideas: Jurnal Pendidikan, Sosial, Dan Budaya*. <https://doi.org/10.32884/ideas.v8i1.629>
- Rusliandy, R. (2022b). Evaluasi Implementasi Kebijakan Disiplin Pegawai Negeri Sipil Daerah. *Ideas: Jurnal Pendidikan, Sosial, Dan Budaya*, 8(1), 127. <https://doi.org/10.32884/ideas.v8i1.629>
- Rustandi, I., Sari, D. S., & Alexandri, B. (2023). Implementasi Kebijakan Tentang Disiplin Pegawai Negeri Sipil Di Dinas Kesehatan Kabupaten Bandung. *Responsive*. <https://doi.org/10.24198/responsive.v5i4.33370>
- Saputra, T. (2023). Peningkatan Disiplin Pegawai Melalui Pemberian Tambahan Penghasilan Pegawai Negeri Sipil. *Al-Sulthaniyah*. <https://doi.org/10.37567/al-sulthaniyah.v11i2.2268>
- SYAEFUDIN, R. A., SUSENO, W. H., & SUBIYANTO, N. (2023). Netralitas Pegawai Negeri Sipil Pasca Terbitnya Peraturan Pemerintah Nomor 94 Tahun 2021 Tentang Disiplin Pns. *Civil Service Journal*, 16(1), 107–116. <https://doi.org/10.61133/pns.v16i1.362>