



**THE PRINCIPLE OF DUE PROCESS IN DISCIPLINARY  
SANCTIONS FOR CIVIL SERVANTS IN INDONESIA:  
COMPARATIVE STUDY OF GOVERNMENT REGULATION  
NUMBER 53 OF 2010 AND NUMBER 94 OF 2021**

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**ABSTRACT**

This study aims to analyze the application of the due process principle in the procedure for imposing disciplinary penalties on the civil servants based on a comparison of Government Regulation Number 53 of 2010 and Government Regulation Number 94 of 2021. The four main principles of due process namely notice, hearing, impartiality and right to appeal are the basis for evaluation. The analysis shows that both regulations include notice and hearing as a form of respect for the right to self-defense. However, in the aspect of impartiality, there is a weakness because the initial examination is carried out by direct superiors who have a potential conflict of interest. Government Regulation 94 of 2021 provides greater rights of objection or appeal than Government Regulation 53 of 2010 but still does not include an explicit conflict of interest prevention mechanism. Therefore, this study recommends revising regulations and strengthening independent supervision mechanisms to improve objectivity and integrity in civil servant's discipline enforcement.

**Keywords;** Civil Servants, Due Process of Law, Impartiality

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**A. INTRODUCTION**

The success of policy implementation and improving the quality of public services provided by the civil servants is highly dependent on the level of discipline and integrity possessed. Consistent work discipline affects the effectiveness of public services. Research by Anggraini et al. (2021) states that the role of leadership, discipline, and civil servants work motivation directly affect government performance. Therefore, the application of discipline among civil servants should receive serious attention to prevent violations of rules that can result in disruption in the

implementation of public policies (Fatmadewi, 2022). Strict and consistent enforcement of disciplinary rules is one of the important mechanisms in maintaining the integrity of civil servants so that an accountable and transparent work culture is formed (Rahmawaty & Rahmaningsih, 2024) .

Enforcement of discipline in the civil servant's environment is an important aspect in building a professional bureaucracy. Civil servants discipline not only ensures the creation of orderly governance but also as an effort to guarantee the quality of public services (Mcpherson, 2023). The systematic application of discipline encourages improved performance and integrity in the bureaucracy. Thus, discipline enforcement becomes a foundation that leads to the creation of an efficient, transparent and accountable bureaucracy in implementing government reform (Mcpherson, 2023). In addition, disciplinary sanctions applied to civil servants are also used as a coaching tool and not solely as repressive punishment. Disciplinary sanctions, when carried out constructively, can function as an evaluation and coaching mechanism to encourage improved behavior and increased competence (Miranti & Pamungkas, 2022).

The government has established disciplinary provisions that become a reference for the civil servants both in the form of obligations and prohibitions and provide consequences in the form of penalties for violations (Shinta Dewi, 2022). The regulation regarding this matter is regulated in Government Regulation Number 94 of 2021 concerning Civil Servant Discipline which replaces Government Regulation Number 53 of 2010. The existence of this Government Regulation provides a legal basis for the enforcement of civil servants discipline that is more assertive and adaptive to the dynamics of modern bureaucracy (Shinta Dewi, 2022). However, in practice, the enforcement of disciplinary sanctions against civil servants often raises issues, particularly regarding unclear procedures and alleged violations of employee rights.

Several cases of procedural violations have been identified, such as failure to issue summonses, investigative processes that did not involve the defense of the civil servants concerned, and disciplinary decisions imposed unilaterally without technical consideration from personnel agencies like the Civil Service Commission. One such case occurred in Nias Barat Regency, where 31 civil servants were imposed disciplinary sanctions by the Acting Regent without a formal investigation process in accordance with regulations. This case gained national attention after the

BKN decided to revoke the sanctions, deeming them invalid and procedurally flawed (Gideon, 2025). This issue highlights that despite existing regulations on civil service discipline, their implementation has not fully ensured procedural fairness. If left unaddressed, this could undermine the integrity of the civil service system and public trust in bureaucracy. Therefore, this research is warranted to evaluate to what extent the principle of due process of law is truly applied in practice, and whether existing regulations sufficiently guarantee legal protection for civil servants. In the implementation of disciplinary enforcement, one crucial aspect to consider in imposing disciplinary sanctions is the application of the principle of due process of law or fair legal process.

This study debates the extent to which the principle of due process of law is consistently applied in the process of imposing disciplinary sanctions on civil servants. As stated by Lawrence M. Friedman (1986), this principle is fundamental to administrative and legal systems. In the context of democracy and a government that upholds the law, the application of due process of law in every administrative action not only guarantees individual protection but also serves as an indicator of the maturity of a rule-based bureaucratic system (Igwe, 2021). The principle of due process guarantees the rights of every individual, including the civil servants to get fair treatment in the process of law enforcement and administrative discipline.

The existence of this principle aims to prevent arbitrary actions from the authorities by ensuring that every civil servants has the right to be informed of the charges or violations imposed, the opportunity to defend themselves, a neutral decision, clear reasons for the decision, and the right to appeal. These five elements not only reflect formal justice, but also support substantive justice that is transparent and accountable. In the context of civil servants, this principle is important considering civil servants position as part of the state bureaucracy which is subject to a strict and hierarchical civil service system. Thus, due process is not only a tool for legal protection, but also a means to uphold the integrity, public trust, and professionalism of civil servants in public services. This concept has not been widely studied in the context of civil servants in Indonesia.

Several studies related to the imposition of disciplinary penalties on civil servants have been conducted, including: (1) Research conducted by Rauzi (2022) with the title "Optimizing the Imposition of Penalties for Work Indiscipline of Civil Servants" focuses more on optimizing the imposition of penalties based on articles in

Government Regulation 94 of 2021, but has not highlighted aspects of procedural justice or due process of law in depth. (2) Research conducted by Armeilia et al (2023) with the title “Implementation of Government Regulation Number 94 of 2021 concerning Discipline of Civil Servants of Palembang City” focuses more on the implementation of Government Regulation Number 94 of 2021 in the context of civil servants discipline through indicators of communication, resources, and organizational structure based on Edward III theory.

The research shows that although there is an increase in socialization and supervision, there are no definite benchmarks in the application of disciplinary sanctions. (3) Research conducted by Dewi (2022) with the title “Civil Servant Discipline Arrangements in Government Regulation Number 94 of 2021 concerning Civil Servant Discipline” examines Government Regulation 94 of 2021 normatively, but has not touched on the practical aspects of implementation and protection of civil servants rights in the disciplinary punishment process. The three previous studies did not explicitly and thoroughly examine the extent to which the principle of due process of law was applied in the disciplinary procedures for civil servants. This study fills that gap by simultaneously analyzing procedural, normative, and implemented aspects.

This research seeks to analyze the application of the due process principle in the practice of administering civil servants disciplinary penalties by comparing the provisions stipulated in Government Regulation 53 of 2010 and Government Regulation 94 of 2021, and examining how these principles are implemented in the field. The focus of the research is not only on the normative comparison aspect between regulations, but also on evaluating administrative practices that occur in the bureaucratic environment. By using a qualitative approach, it is hoped that this research will be able to explore the dynamics of the application of the due process principle in depth from the perspective of legal, institutional and technical implementers. The results of this research are expected to contribute to the improvement of a fairer and more professional civil servant’s disciplinary system. In addition, the findings of this research can also be an evaluation material for the government in strengthening regulations and supervisory mechanisms for the implementation of civil servant’s disciplinary sanctions in the future.

## **B. METHODS**

This research uses a qualitative approach with descriptive comparative studies. A qualitative approach with a descriptive comparative study is a research method that combines two main aspects, namely an in-depth qualitative study of the phenomena that occur and a comparative study that focuses on comparing two or more different cases, situations, institutions or contexts (Assyakurrohim et al., 2022). This study aims to analyze the application of the due process principle in the administration of civil servant's disciplinary penalties based on Government Regulation Number 53 of 2010 and Government Regulation Number 94 of 2021. Data were collected through a review of regulatory documents and related legal literature that enabled an in-depth analysis of the four main principles of notice, hearing, impartiality, and right to appeal to identify similarities and differences in their implementation.

## **C. RESULT AND DISCUSSION**

### **Comparative Analysis of Due Process Principles in Government Regulation No. 53 of 2010 and Government Regulation No. 94 of 2021**

The conceptualization of the due process principle in the context of administrative law and disciplinary enforcement of the civil servants refers to the application of procedural standards and legal guarantees to ensure the creation of a fair, transparent and accountable process. This principle not only emphasizes the importance of the existence of clear legal rules but also encourages the implementation of participatory mechanisms. So that it provides space for civil servants to exercise its rights to submit objections, defenses, and clarifications before administrative sanctions are imposed. In other words, due process aims to ensure that administrative legal processes are not carried out arbitrarily but must respect basic rights as citizens who have equal legal standing (Pauken, 2010).

The principle of due process contains a number of fundamental elements that become benchmarks of procedural justice, including: (1) Notice in writing to the party concerned regarding the alleged violation, (2) Opportunity to be heard properly, (3) Decision-making mechanism that is carried out objectively and impartially, (4) Opportunity to file an objection or appeal against the decision imposed (Mintel, 1983). These elements reflect that due process is not merely formalistic but also seeks to balance procedural justice with substantive justice (Pauken, 2010). As a

form of application of the Due Process principle in the context of civil servants disciplinary sanctions, the Indonesian government has regulated provisions regarding disciplinary enforcement through Government Regulation Number 94 of 2021 concerning Civil Servant Discipline which replaces Government Regulation Number 53 of 2010. The comparative analysis of the Application of the Due Process Principle in Government Regulation 53 of 2010 and Government Regulation 94 of 2021 is as follows.

**Table 1. Comparison of Government Regulation 94 of 2021 with Government Regulation 53 of 2010 in terms of the principle of due process**

Due Process	Government Regulation 53 of 2010	Government Regulation 94 of 2021
Notice	Article 23 paragraph (1) – <i>Written Summons</i>  Article 29 (2) – <i>Decision Must List Offenses</i>	Article 26 paragraph (1) – <i>Written Summons</i>  Article 33 paragraph (2) - <i>Decision Must List Offenses</i>
Opportunity to be Heard	Article 24 paragraph (1) - Right to Present Information  Article 28 paragraph (3) Obtain official report: Proof that civil servants has been heard	Article 27 paragraph (1) - Right to Submit Information  Article 32 paragraph (3) - Obtain official report: Proof that civil servants has been heard
Impartiality	Article 24 paragraph (1) - Inspection by Immediate Superior  Article 25 paragraphs (1,2,3) - Establishment of an Examination Team for moderate and severe disciplinary offenders	Article 27(1) - Inspection by Immediate Superior  Article 29 paragraphs (1,2,3) -Institution of an Examination Team for moderate and severe disciplinary offenders
Right To Appeal	Article 1, paragraph 8 - recognition of administrative appeals  Article 32 - the existence of administrative remedies in the form of objections and administrative appeals  General Explanation -	Article 1 paragraph 8 - recognition of administrative remedies    General Explanation -

Due Process	Government Regulation 53 of 2010	Government Regulation 94 of 2021
	Administrative Remedies as an Extension of the Right to Self-Defense General Explanation Section	Administrative Remedies as an Extension of the Right to Self-Defense General Explanation Section

(Source: Data Processed by the Author, 2025)

## Notice

The table above shows a comparison of the two rules related to civil servants discipline in terms of the principle of due process. In the first principle, notice is realized through provisions that require formal notification to individuals suspected of violating the rules (Belknap & Friedman, 1986). This principle aims to guarantee the basic right of individuals to be able to know clearly the accusations addressed to them (Belknap & Friedman, 1986). Government Regulation No. 94 of 2021 and Government Regulation No. 53 of 2010 have accommodated the notice principle although with a slightly different approach. In Government Regulation 53 of 2010, the application of the notice principle is reflected in Article 23 paragraphs (1) and (2) which regulate the obligation to summon civil servants in writing before a disciplinary hearing is conducted.

This provision ensures that the process is not carried out suddenly, but civil servants is given the opportunity to officially know the substance of the problem and prepare themselves. In addition, Article 29 paragraph (2) strengthens the notice aspect by requiring that the decision taken must explicitly contain the violation committed including the legal basis and facts underlying the decision. This ensures clarity and transparency of the reasons for sanctions, which is an integral part of protecting civil servant's rights.

Meanwhile, in Government Regulation Number 94 of 2021 which is currently in effect, the principle of notice also exists in the regulation. Article 26 paragraph (1) requires written notification before the examination is carried out, which functions the same as the provisions in Government Regulation Number 53 of 2010. Likewise with Article 33 paragraph (2), which stipulates that the sanction decision must mention the violation committed by civil servants. However, although both Government Regulations stipulate written notification, there is no explicit mechanism to measure whether the notification has been received, understood, and followed up fairly by civil



servants. This leaves room for procedural violations that appear valid formally but are not substantive.

### **Opportunity to be Heard**

The second principle, the opportunity to be heard (hearing) is one of the fundamental elements that guarantees that individuals subject to administrative sanctions have the right to express opinions, clarifications or defenses against the allegations addressed to them (Belknap & Friedman, 1986). In the context of civil servants discipline, this principle is a guarantee that decisions are not taken unilaterally, but through a dialogical and participatory process between the authorities and the examined civil servants. Article 24 paragraph (1) emphasizes that before a civil servant is sentenced to disciplinary punishment, the immediate superior is obliged to examine the person concerned first. This provision is part of civil servants right to submit information or clarification on allegations of disciplinary violations. This procedure places civil servants as an active subject in the examination process, not just an object of policy. In addition, Article 28 paragraph (3) states that the examined civil servants is entitled to receive a copy of the minutes of examination signed by the examining party and the civil servant itself. This emphasizes the evidence that civil servants has been given space to explain its position while ensuring transparency and accountability of the examination process.

Meanwhile, Government Regulation Number 94 of 2021 also accommodates the principle of hearing with the strengthening of more modern procedural aspects. Article 27 paragraph (1) states that direct superiors are obliged to examine civil servants suspected of committing disciplinary violations before punishment is imposed. This provides space for civil servants to submit information, as also guaranteed in previous regulations. However, Government Regulation 94 of 2021 adds flexibility in the implementation of the examination, which can be done face-to-face or virtually as described in Article 32. In addition, civil servants is still given the right to a copy of the minutes of the examination.

When compared, both Government Regulation No. 53 of 2010 and Government Regulation No. 94 of 2021 recognize and regulate the principle of hearings as an integral part of the civil service disciplinary process. Government Regulation No. 94 of 2021 appears to be more adaptive by accommodating virtual hearings and placing greater emphasis on documentation and accessibility of information for civil servants. However, these changes remain formal in nature. There are no mechanisms in place



to ensure the quality or fairness of the hearing process. In other terms, while hearings are guaranteed in theory, they do not yet address the substantive protection of civil servants undergoing review. In a hierarchical bureaucratic context, without additional safeguards, hearings risk becoming mere formal procedures that still result in unilateral decisions (Duryan & Smyth, 2019). Therefore, technical differences between regulations need to be addressed through the establishment of operational standards that ensure hearings are conducted fairly, inclusively, and proportionally.

### **Impartiality**

The third principle, Impartiality is an essential principle in due process that demands that the examination and decision-making process be carried out by parties who are free from conflicts of interest, impartial and neutral institutionally and personally (Belknap & Friedman, 1986). When the examination is conducted by a potentially biased party, the integrity and fairness of the disciplinary process becomes vulnerable to question (Belknap & Friedman, 1986). In Government Regulation Number 53 of 2010, Article 24 paragraph (1) states that the initial examination of civil servants suspected of violating discipline is carried out by direct superiors. Although administratively it facilitates the process because it involves the party most familiar with civil servants performance, this approach leaves a gap of impartiality. There is no explicit mechanism in Government Regulation No. 53 of 2010 that regulates the transfer of authority if the direct superior is indicated to have a conflict of interest. This can lead to structural bias, especially if there is a hierarchical, emotional or conflict of interest relationship between superiors and subordinates. However, as a mitigation of this potential impartiality, Government Regulation 53 of 2010 in Article 25 regulates the formation of an Examination Team for disciplinary violations categorized as moderate and severe. The team consists of elements of direct superiors, supervision and staffing, appointed by the Personnel Supervisory Officer. The more diverse composition of the team is an effort to create a more objective and collective process, although it does not explicitly mention neutrality requirements or conflict of interest testing mechanisms for the examination team.

Government Regulation Number 94 of 2021, in Article 27 paragraph (1) still maintains the previous mechanism, namely the initial examination by the immediate superior. This means that the vulnerability to institutional bias remains without any

updates that lead to affirmation of the principle of impartiality at the initial stage of the examination. Strengthening is done through Article 29 where for moderate and severe disciplinary violations, the mandatory examination is carried out by a team of examiners, which remains the same as the previous regulation. Both Government Regulation's still have a fundamental weakness, namely the absence of explicit arrangements regarding conflict-of-interest avoidance mechanisms.

This is the most crucial weakness in both regulations: the absence of safeguards against conflicts of interest opens the door to discriminatory practices, favoritism, and even abuse of power. In a closed bureaucracy with minimal oversight, the power relationship between superiors and subordinates can cloud objectivity (Suzuki & Hur, 2024). Inspections can become a tool to pressure, punish, or even save subordinates based on personal relationships, rather than proven violations. Normatively, these regulations appear neutral; however, in practice, the absence of a structurally enforced principle of impartiality can undermine the essence of procedural justice. Studies by Freitas da Silva (2023) and Park & Blenkinsopp (2013) show that without separating supervisory functions from direct command lines, the objectivity of inspections becomes an illusion. Therefore, this regulatory weakness cannot be viewed as a mere technical loophole but as a threat to the professionalism and integrity of the bureaucracy.

### **Right of Appeal**

The fourth principle, the right of appeal is a mechanism to ensure the protection of individual rights and prevent arbitrary actions from administrative authorities (Belknap & Friedman, 1986). In the context of civil servants employment, the right of appeal allows employees who are sentenced to disciplinary punishment to reevaluate adverse decisions through a higher mechanism. In Government Regulation No. 53 of 2010, the right of appeal is regulated explicitly and explicitly. Article 1 paragraph (8) explains that administrative appeals can only be submitted by civil servants who are dissatisfied with severe disciplinary penalties in the form of dismissal with honor not at their own request or dishonorable dismissal as civil servants. Furthermore, Article 32 emphasizes that there are two forms of administrative remedies, namely objections and administrative appeals. The general elucidation of Government Regulation No. 53 of 2010 even explicitly states that administrative remedies are given to avoid acts of arbitrariness. This indicates that the right to appeal is an integral part of the principle of procedural fairness.

In contrast, Government Regulation No. 94 of 2021 undergoes significant editorial changes in terms of regulating the right to appeal. In Article 1 paragraph (8) “administrative remedy” is defined more generally as a procedure that can be pursued by civil servants against all forms of disciplinary punishment without explicitly stating that appeals are only for severe punishment. This can be interpreted as an expansion of the right to appeal that potentially provides access to administrative remedies for all types of punishment. Article 38 paragraph (3) states that further provisions will be regulated in a separate Government Regulation.

In other terms, the shift from the limited approach in Government Regulation No. 53 of 2010 to the inclusive approach in Government Regulation No. 94 of 2021 is a positive step, but it does not guarantee the effectiveness of substantive appeals. Without clear procedures and independent oversight, the appeal process can become an administrative formality that is powerless to correct errors in initial decisions. In the context of a hierarchical bureaucracy, an unfair appeal procedure can actually become a repetition of the previous decision, especially if the decision-makers are within the same circle of authority (Duryan & Smyth, 2019). Therefore, the right to appeal is not sufficient if it is only recognized normatively; it must be accompanied by institutional design that ensures the autonomy, transparency, and accountability of the appeal process itself.

Based on the analysis of the four principles of due process of law, it can be concluded that both Government Regulation No. 53 of 2010 and Government Regulation No. 94 of 2021 have accommodated basic aspects such as notice and hearing. Both regulations provide written notification procedures and clarification opportunities for ASNs before sanctions are imposed. However, this accommodation emphasizes formal compliance and does not guarantee substantive protection of civil servants' rights as a whole. A significant difference can be seen in the principle of the right to appeal, where Government Regulation No. 94 of 2021 provides broader scope for objections than Government Regulation No. 53 of 2010. This shows normative progress, but it has not been followed by an effective supervisory mechanism. The most crucial finding is in the principle of impartiality. The initial examination conducted by immediate superiors in both Government Regulations leaves a large gap for potential conflicts of interest. The absence of a mechanism to prevent or transfer this examination risks making the disciplinary process a non-

neutral instrument of power. Therefore, impartiality is the main weakness that needs to be reformulated to ensure true procedural justice.

### **Analysis of Conflict of Interest in Initial Examination by Superiors in Government Regulation Number 94 of 2021 Article 27 Paragraph (1)**

Article 27 paragraph (1) of Government Regulation No. 94 of 2021 states that immediate superiors are required to investigate civil servants suspected of disciplinary violations. This provision places superiors as the main actors in processing alleged disciplinary violations from the outset. The initial investigation by the immediate supervisor carries the potential for conflicts of interest. This mechanism risks producing biased assessments due to personal or professional closeness between the supervisor and the subordinate. This is in accordance with the findings that a weak internal control system in the public sector tends to open up space for conflicts of interest where discipline enforcement and accountability are not optimal (Freitas da Silva, 2023). The case of unilateral disciplinary sanctions in West Nias Regency is a concrete example of how the dominance of superiors in preliminary investigations, without independent oversight mechanisms, can lead to violations of civil servant rights (Gideon, 2025).

Supervision and assessment of civil servants performance and behavior should be carried out by an independent supervisory unit to avoid conflicts of interest. The existence of rules that rely on direct superiors has the risk of favoritism and personal protection mechanisms that do not provide guarantees of objectivity. A strong internal control system should emphasize the separation of supervisory functions from direct superiors so that decisions are not influenced by personal or political hierarchical relationships (Freitas da Silva, 2023). In addition, such conflicts of interest can have an impact on weakening the integrity of public institutions as a whole given that public perception of the neutrality of disciplinary processes is very important in order to increase public confidence in bureaucratic performance (Brestovci, 2019). The weak regulation of conflicts of interest highlights the importance of strengthening internal oversight structures that are not under the direct control of superiors.

Studies on the implementation of internal control systems in government institutions conducted by Alves (2016) show that supervision carried out independently will increase transparency and accountability, so that decisions taken are more objective and not affected by internal bias. Then the findings in the public

ethics management literature by Park & Blenkinsopp (2013) states that the development of an ethical culture within the organization must be combined with an independent and transparent control mechanism so that any disciplinary action receives fair and appropriate consideration. Thus, the gaps found in Government Regulation Number 94 of 2021 need to be reviewed to prevent the tendency of subjectivity and conflicts of interest that have the potential to reduce the effectiveness of civil servants discipline enforcement.

It is understood, then, that the arrangement for preliminary checks by immediate superiors is a structural weakness. Such weaknesses can obscure the objectivity of decision making and provide opportunities for bias in decision-making and protection of violators, which in turn can undermine trust in government institutions. Therefore, improvements through the implementation of supervisory mechanisms that are more independent and separate from the direct chain of command should be developed. This aims to strengthen the integrity of the disciplinary system within the bureaucracy. Without reforming this mechanism, the spirit of procedural justice that Government Regulation No. 94 of 2021 seeks to uphold will remain a formality that is vulnerable to abuse.

#### **D. CONCLUSION**

This study found that the most significant weakness in the application of the principle of due process of law in the civil service disciplinary system lies in the aspect of impartiality. The provisions in Government Regulation No. 94 of 2021, which entrust the initial investigation to the immediate superior, create a conflict of interest that risks producing biased and non-objective decisions. Although other norms such as notification, the right to be heard, and the right to appeal have been regulated, without institutional reforms that guarantee the independence of investigators, the principle of procedural justice will remain substantively unimplemented. Therefore, strengthening oversight mechanisms free from hierarchical structures has become an urgent agenda in the reform of the national civil service system.

This study has limitations in its scope of analysis, which focuses solely on normative aspects through a comparison of two government regulations, namely Government Regulation No. 53 of 2010 and Government Regulation No. 94 of 2021. The qualitative approach used does not yet include the perspectives of policy

implementers, such as civil servants, civil service supervisors, or supervisory institutions, who have direct experience in carrying out disciplinary sanction processes. Therefore, further research is recommended to empirically examine the application of due process principles through case studies in government agencies, involving key actors as informants to obtain more contextual and in-depth findings.

The results of the research that has been carried out give rise to several suggestions, among others.

1. The government needs to review the provisions in Government Regulation 94 of 2021, especially Article 27 paragraph (1) by transferring the initial examination of violators of civil servant's discipline to an independent examination team to avoid potential conflicts and subjective decisions.
2. It is necessary to establish an internal supervisory unit that is independent from the direct hierarchical structure to ensure objectivity and accountability in the examination of violations of civil servants discipline;
3. The government needs to strengthen civil servants ethical culture through training and socialization on the importance of neutrality, procedural justice and transparency in decision making.

## REFERENCES

- Alves, A. G. de S., & Moraes Júnior, V. F. de. (2016). Internal Control System of Public Management in the Executive Branch of Patos City Government/PB. *Revista Evidenciação Contábil & Finanças*, 4(3), 56–71. <https://doi.org/10.18405/recfin20160304>
- Anggraini, A., Rachman, I., & Stefanus Sampe. (2021). Disiplin Pegawai Dalam Meningkatkan Kualitas Pelayanan Publik di Kantor Kecamatan Tikala. *Jurnal Governance*, 1(1). <https://doi.org/https://doi.org/10.31219/osf.io/m9xra>
- Armeilia, N. (2023). IMPLEMENTASI PERATURAN PEMERINTAH NOMOR 94 TAHUN 2021 TENTANG DISIPLIN PEGAWAI NEGERI SIPIL KOTA PALEMBANG (Studi Pada Badan Kepegawaian Dan Pengembangan Sumber Daya Manusia (BKPSDM) Kota Palembang). *TheJournalish: Social and Government*, 4(2). <https://doi.org/10.55314/tsg.v4i2.439>
- Assyakurrohim, D., Ikham, D., Sirodj, R. A., & Afgani, M. W. (2022). Metode Studi Kasus dalam Penelitian Kualitatif. *Jurnal Pendidikan Sains Dan Komputer*, 3(01). <https://doi.org/10.47709/jpsk.v3i01.1951>



- Belknap, M. R., & Friedman, L. M. (1986). Total Justice. *The Journal of American History*, 73(3). <https://doi.org/10.2307/1902993>
- Brestovci, A. (2019). The Control of Public Administration. *European Journal of Social Sciences*, 2(3). <https://doi.org/10.26417/ejss.v2i3.p7-11>
- Duryan, M., & Smyth, H. (2019). Cultivating sustainable communities of practice within hierarchical bureaucracies: The crucial role of an executive sponsorship. *International Journal of Managing Projects in Business*, 12(2). <https://doi.org/10.1108/IJMPB-03-2018-0040>
- Fatmadewi, R. T. (2022). Pelaksanaan Kedisiplinan Aparatur Sipil Negara Pemerintah Daerah di Daerah Istimewa Yogyakarta. *Journal of Indonesian Rural and Regional Government*, 6(2). <https://doi.org/10.47431/jirreg.v6i2.245>
- Freitas da Silva, B. (2023). THE IMPORTANCE OF INTERNAL CONTROL FOR PUBLIC ADMINISTRATION. *Revista Científica Semana Acadêmica*, 11(229), 1–15. <https://doi.org/10.35265/2236-6717-229-12403>
- Gideon, A. (2025, January 24). Kepala BKN Batalkan Sanksi yang Dijatuhkan ke 31 ASN Nias Barat, Ini Penyebabnya. *Liputan6.Com*. <https://www.liputan6.com/bisnis/read/5894471/kepala-bkn-batalkan-sanksi-yang-dijatuhkan-ke-31-asn-nias-barat-ini-penyebabnya>
- Igwe, I. O. C. (2021). Rule of Law and Constitutionalism in Nigerian Democracy: A Critical Relativism Discuss in the Context of International Law. *ATHENS JOURNAL OF LAW*, 7(3). <https://doi.org/10.30958/ajl.7-3-3>
- Mcpherson, B. F. (2023). Pengaturan Pengawasan Gubernur Terhadap Disiplin ASN Di Sekretariat Daerah Pemerintah Provinsi Nusa Tenggara Timur. *COMSERVA : Jurnal Penelitian Dan Pengabdian Masyarakat*, 3(4). <https://doi.org/10.59141/comserva.v3i4.928>
- Mintel, J. K. (1983). *Procedural Due Process* (pp. 41–62). [https://doi.org/10.1007/978-94-009-6678-9\\_4](https://doi.org/10.1007/978-94-009-6678-9_4)
- Miranti, A., & Pamungkas, Y. (2022). PEMBERIAN SANKSI BAGI APARATUR SIPIL NEGARA YANG MELAKUKAN PELANGGARAN DISIPLIN BERAT. *Reformasi Hukum Trisakti*, 4(2). <https://doi.org/10.25105/refor.v4i2.13616>
- Park, H., & Blenkinsopp, J. (2013). The impact of ethics programmes and ethical culture on misconduct in public service organizations. *International Journal of Public Sector Management*, 26(7). <https://doi.org/10.1108/IJPSM-01-2012-0004>
- Pauken, P. (2010). Due Process, Substantive and Procedural. In *Encyclopedia of*



*Law and Higher Education*. SAGE Publications, Inc.

<https://doi.org/10.4135/9781412969024.n44>

Rahmawaty, F. A., & Rahmaningsih, A. A. (2024). Problematika Penegakan Hukum Terhadap Aparatur Sipil Negara di Indonesia. *Siyasah: Jurnal Hukum Tata Negara*, 4(1), 47–59. <https://doi.org/10.32332/siyasah.v4i1>

Rauzi, F. (2022). Optimalisasi Penjatuhan Hukuman Akibat Indisipliner Kerja Pegawai Negeri Sipil. *Media of Law and Sharia*, 3(4). <https://doi.org/10.18196/mls.v3i4.15844>

SHINTA DEWI, S. (2022). PENGATURAN DISIPLIN PNS DALAM PERATURAN PEMERINTAH NOMOR 94 TAHUN 2021 TENTANG DISIPLIN PNS. *WICARANA*, 1(2). <https://doi.org/10.57123/wicarana.v1i2.22>

Suzuki, K., & Hur, H. (2024). Politicization, bureaucratic closedness in personnel policy, and turnover intention. *Governance*, 37(3). <https://doi.org/10.1111/gove.12821>