

### Juridical Analysis Of Enforcement Of State Civil Apparatus (ASN) Discipline In The School Environment (Research Study Of SMA Negeri 15 Batam)

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Abstract, Discipline of the State Civil Apparatus has been regulated in Law of the Republic of Indonesia Number 20 of 2023 concerning the State Civil Apparatus. In this regulation, the State Civil Apparatus consists of Civil Servants and Government Employees with Employment Agreements who are appointed by civil service development officials and entrusted with duties in a government position or entrusted with other state duties and are given income based on statutory regulations. The purpose of this regulation is intended to serve as a guideline in enforcing State Civil Service Discipline. However, the reality in the field is that violations of State Civil Apparatus Discipline, especially at SMAN 15 Batam, still occur frequently and repeatedly. This research aims to find out how the law regulates the enforcement of discipline towards State Civil Apparatus in the SMAN 15 Batam environment, how the implementation of law enforcement regarding the application of discipline towards the State Civil Apparatus in the SMAN 15 Batam environment and the obstacles faced by SMAN 15 Batam in enforcing discipline against State Civil Apparatus and alternative problem solving in the form of rewards and punishments. The research method used is a qualitative method with a normative and empirical juridical approach that analyzes statutory regulations relevant to the discipline of the State Civil Service. The data sources for this research were obtained from secondary data and primary data. Primary data was collected through interviews and observations, while secondary data was obtained from previous literature, books, journals and case studies. The results of the research show that so far the process of imposing punishment has only taken the form of a verbal warning delivered directly by the school principal. Verbal warnings are a form of light disciplinary punishment. Verbal warnings are given by considering the background of the Civil Servant disciplinary violation and the impact of the violation. Based on these results, the suggestion put forward is that it is hoped that all State Civil Servants will increase awareness of ASN discipline as well as understand and carry out obligations and avoid prohibitions in accordance with applicable laws and regulations. State civil servants must be more responsible for themselves and in carrying out ASN duties so that the objectives of ASN discipline can be realized well. For example, arriving at school early to avoid unexpected obstacles. In the future, enforcement of discipline in the State Civil Service must really be carried out properly and the process of imposing punishments must be stricter against perpetrators of violations of discipline by the State Civil Service so that it can provide a deterrent effect for undisciplined ASN.

Keywords: Juridical Analysis, State Civil Apparatus, and Discipline

### 1. INTRODUCTION

The Unitary State of the Republic of Indonesia in the Preamble to the 1945 Constitution of the Republic of Indonesia has set forth its national goals, namely to form a Government of the State of Indonesia that protects all Indonesian people and all of Indonesia's homeland and to advance public welfare, educate the nation's life, and participate in implementing world order based on independence, eternal peace and social justice. The goals stated in the Preamble to the 1945 Constitution of the Republic of Indonesia are a source of motivation and aspiration for the struggle and determination of the Indonesian people to remain independent and realize the goals of the country. To carry out the mandate to form a Government of the State of

Indonesia as referred to in the Preamble to the 1945 Constitution of the Republic of Indonesia, a well-performing government bureaucracy is needed.

The government has launched an action plan to make the government always present by building clean, effective, democratic, and trusted governance. To realize this, ASN is needed as the main engine of the bureaucracy that is professional, neutral and free from political intervention, free from corruption, collusion, and nepotism, capable of providing quality public services, and capable of carrying out the role as a glue for national unity based on Pancasila and the 1945 Constitution of the Republic of Indonesia. State Civil Apparatus (ASN) is defined as an important component of human resources that plays a role in the success of government management and development. According to Law Number 20 of 2023 concerning State Civil Apparatus. Article one of this Law, the State Civil Apparatus, hereinafter abbreviated as ASN, is a profession for civil servants and government employees with work agreements who work in government agencies

Civil servant discipline is regulated in PPRI No. 94 of 2021 Article 1 paragraph (4) which explains that Civil Servant Discipline is the ability of Civil Servants to comply with obligations and avoid prohibitions stipulated in statutory regulations. Government Employees with Work Agreements, hereinafter abbreviated as PPPK, are Indonesian citizens who meet certain requirements, who are appointed based on a work agreement for a certain period of time in order to carry out government duties and/or occupy government positions. PPPK is also regulated in PPRI No./49 of 2018 concerning PPPK Management. PPPK discipline is also regulated in Pergub No.42 of 2023 concerning PPPK Discipline in the Regional Government Environment. Article 1 paragraph (9) explains that PPPK Discipline is the Ability of PPPK to comply with obligations and avoid prohibitions stipulated in Statutory Regulations and/or Service Regulations.

Based on the background description above, the author raises several problems that will be discussed further. The problems are as follows:

- 1. How is the Legal Regulation on the enforcement of discipline against State Civil Apparatus (ASN) in the SMAN 15 Batam environment?
- 2. How is the Implementation of law enforcement on the application of discipline against State Civil Apparatus in the SMAN 15 Batam environment?
- 3. What are the obstacles faced by SMAN 15 Batam in enforcing discipline against State Civil Apparatus in SMAN 15 and alternative solutions to problems in the form of Rewards and Punishments?

Based on the formulation of the problem stated above, it can be seen that the objectives of this research are:

- To analyze and explain the Legal Regulations on the enforcement of discipline against State Civil Apparatus in the environment of SMAN 15 Batam.
- 2. To analyze and explain the Implementation of Law Enforcement on the application of discipline against State Civil Apparatus in the environment of SMAN 15 Batam.
- To analyze and explain the obstacles faced by SMAN 15 Batam in enforcing discipline against State Civil Apparatus in SMAN 15 as well as Alternative Problem Solving in the form of Rewards and Punishments.

#### 2. LITERATURE REVIEW

State Civil Apparatus as regulated in Law No. 20 of 2023, Article 1, which explains that State Civil Apparatus, hereinafter abbreviated as ASN, is a profession for civil servants and government employees with work agreements who work in government agencies. Civil Servants (PNS) as regulated in the Government Regulation of the Republic of Indonesia (PPRI) No. 94 of 2021, Article 1 paragraph (1) explains that Civil Servants, hereinafter abbreviated as PNS, are Indonesian citizens who meet certain requirements, appointed as permanent State Civil Apparatus Employees by the Civil Service Development Officer to occupy government positions.

Definition of Government Employees with Work Agreements (PPPK) as regulated in Government Regulation of the Republic of Indonesia (PPRI) No. 49 of 2018 Article 1 Paragraph (4) which states that: Government Employees with Work Agreements, hereinafter abbreviated as PPPK, are Indonesian citizens who meet certain requirements, who are appointed based on a work agreement for a certain period of time in order to carry out government duties. Article 32 Paragraph (4) explains that PPPK who are appointed to certain main JPT or certain middle JPT as referred to in paragraph (3) are required to sign an employment agreement at the time of inauguration.

Discipline is a behavior that is formed from the results of training to always obey the rules of order that have been determined. According to Admodiwirjo (2000:235), discipline is every effort to coordinate a person's behavior in the future by using laws and rewards. According to Nawawi (2001:182), Discipline in relation to work morale is defined as an effort to prevent violations of provisions that have been mutually agreed upon so that punishment can be avoided. Discipline is an attitude reflected in the behavior of individuals, groups or communities in the form of compliance with various regulations and provisions determined by the government or ethics, norms, and rules that apply in society.

State Civil Apparatus (ASN) are those who have met the requirements stipulated in the applicable laws and regulations, appointed by authorized officials and assigned duties in a state office or assigned other state duties stipulated based on laws and paid according to applicable laws. Civil servants are positioned as state civil servants, state servants and public servants who faithfully and obediently obey Pancasila, the 1945 Constitution of the Republic of Indonesia, the state and the government, carry out government and development tasks. This full loyalty and obedience means that civil servants are completely under the government. In Government Regulation of the Republic of Indonesia Number 94 of 2021 concerning Civil Servants (PNS). Article 1 paragraph (4) explains that PNS Discipline is the ability of PNS to comply with obligations and avoid prohibitions stipulated in statutory regulations.

Government Regulation of the Republic of Indonesia No. 94 of 2021 Article 1 Paragraph (7) explains that Disciplinary Punishment is a punishment imposed by an Authorized Official to Punish Civil Servants for violating Civil Servant Disciplinary Regulations. According to Gustav Radbruch, as quoted by Oeripan Notohamidjojo, formulated that the law must contain 3 (three) identity values, namely the principle of legal certainty (rechtmatigheid), the principle of legal justice (gerectigheit), and the principle of legal benefit (zwechmatigheid). The objectives of law that are close to realistic are legal certainty and legal benefit. Positivists emphasize legal certainty more, while functionalists prioritize legal benefit, and it can be stated that "summum ius, summa injuria, summa lex, summa crux", which means that harsh laws can hurt, except for justice that can help it, thus even though justice is not the only objective of law, the most substantive objective of law is justice.

### **3. RESEARCH METHOD**

Based on the title, problem formulation, and objectives that have been stated above, the type of research used in this study is descriptive research with a qualitative approach. This study attempts to solve problems by describing the problems that occur. This is based on the consideration that the researcher wants to analyze the Enforcement of State Civil Apparatus Discipline (ASN) in the School environment (Research Study of SMA Negeri 15 Batam). The location of the research is at SMAN 15 Batam which is located at Jalan Hang Kesturi KP. Jabi, Batu Besar Village, Nongsa District, Batam City, Riau Islands Province.

### 4. RESULTS AND DISCUSSION

# 1. Legal Regulations on Enforcing Discipline against State Civil Apparatus (ASN) in the environment of SMA Negeri 15 Batam

Civil Servant (PNS) Regulations are regulated in the Republic of Indonesia

Government Regulation (PPRI) No. 94 of 2021 concerning Civil Servant (PNS) Discipline. Article 1 paragraph (4) explains that PNS Discipline is the ability of PNS to comply with obligations and avoid prohibitions stipulated in statutory regulations. Article 1 paragraph (6) explains that Disciplinary Violations are any statements, writings, or actions of Civil Servants that do not comply with obligations and/or violate prohibitions in Civil Servants Disciplinary provisions, whether carried out during or outside working hours. Article 1 paragraph (7) explains that Disciplinary Punishment is a punishment imposed by an Authorized Official to Punish Civil Servants for violating Civil Servants Disciplinary regulations.Types of Violations and Punishments are regulated in Article 11, namely the types of severe disciplinary punishments which consist of:

- a. Severe disciplinary sanctions as referred to in Article 8 paragraph (1) letter c shall be imposed for violations of the following obligations:
  - be loyal and fully obedient to Pancasila, the 1945 Constitution of the Republic of Indonesia, the Unitary State of the Republic of Indonesia, and the Government as referred to in Article 3 letter a, if the violation has a negative impact on the Work Unit, agency, and/or state.
  - maintain national unity as referred to in Article 3 letter b, if the violation has a negative impact on the state.
  - 3) implement policies determined by authorized government officials as referred to in Article 3 letter c, if the violation has a negative impact on the state.
  - Comply with the provisions of laws and regulations as referred to in Article 3 letter d, if the violation has a negative impact on the stat
  - 5) Carry out official duties with full dedication, honesty, awareness, and responsibility as referred to in Article 3 letter e, if the violation has a negative impact on the state
  - 6) Demonstrate integrity and exemplary behavior in attitude, behavior, speech, and actions to everyone, both inside and outside of official duties as referred to in Article 3 letter f, if the violation has a negative impact on the state
  - 7) Keep official secrets and may only disclose official secrets in accordance with the provisions of laws and regulations as referred to in Article 3 letter E, if the violation has a negative impact on the state.
  - 8) be willing to be placed throughout the territory of the Unitary State of the Republic of Indonesia as referred to in Article 3 letter h, if the violation has a negative impact on the state.

- b. Severe disciplinary sanctions as referred to in Article 8 paragraph (1) letter c shall be imposed on civil servants who do not fulfill the following provisions:
  - Prioritize the interests of the state over personal, individual, and/or group interests as referred to in Article 4 letter c, if the violation has a negative impact on the state and/or government.
  - Report immediately to their superiors if they know of anything that could endanger state security or harm state finances as referred to in Article 4 letter d, if the violation has a negative impact on the state and/or government.
  - 3) Report assets to authorized officials in accordance with the provisions of laws and regulations as referred to in Article 4 letter e carried out by high-ranking officials and other officials.
- c. Come to work and comply with the provisions of working hours as referred to in Article 4 letter f in the form of:
  - Demotion to a lower position for 12 (twelve) months for civil servants who do not come to work without a valid reason cumulatively for 21 (twenty-one) to 24 (twenty-four) working days in 1 (one) year.
  - 2) Release from his position to an executive position for 12 (twelve) months for civil servants who do not come to work without a valid reason cumulatively for 25 (twenty-five) to 27 (twenty-seven) working days in 1 (one) year.
  - 3) Honorable dismissal not at his own request as a civil servant for civil servants who do not come to work without a valid reason cumulatively for 28 (twentyeight) working days or more in 1 (one) year.
  - 4) Honorable dismissal not at his own request as a civil servant for civil servants who do not come to work without a valid reason continuously for 10 (ten) working days.
- d. Rejecting all forms of provision related to duties and functions except income in accordance with the provisions of laws and regulations as referred to in Article 4 letter.

# 2. Legal Regulations on Discipline of Government Employees with Work Agreements (PPPK)

The Regulation of Government Employees with Work Agreements (PPPK) is regulated in Government Regulation of the Republic of Indonesia No. 49 of 2018 concerning the Management of Government Employees with Work Agreements (PPPK). Article 51 explains that the Discipline of Government Employees with Work Agreements (PPPK) is as follow:

a. To ensure the maintenance of order in the smooth implementation of duties, PPPK must comply with PPPK discipline.

- b. Government agencies are required to enforce discipline against PPPK and implement various efforts to improve discipline.
- c. PPPK who commit disciplinary violations are subject to disciplinary sanctions.

Furthermore, Article 52 explains that:

- a. Based on the disciplinary provisions stipulated in this Government Regulation, the PPK in each agency determines the discipline of PPPK.
- b. PPPK discipline as referred to in paragraph (t) is determined based on the characteristics of each agency.
- c. The procedure for imposing disciplinary sanctions for PPPK is carried out in accordance with the provisions of laws and regulations governing Civil Servant Discipline.

# 3. Legal Regulations on Discipline of Government Employees with Work Agreements (PPPK)

Discipline of Government Employees with Work Agreements (PPPK) is also regulated in the Riau Islands Governor Regulation Number 42 of 2023. Article 1 paragraph (9) explains that PPPK Discipline is the ability of PPPK to comply with obligations and avoid prohibitions stipulated in laws and/or official regulations. Light disciplinary punishments as referred to in Article 10 paragraph (1) letter a are imposed on PPPK in the form of:

- a. Violating obligations that have a negative impact on the work unit
- b. Not fulfilling provisions that have a negative impact on the work unit
- c. Not fulfilling provisions for coming to work and obeying working hours
- d. Violating prohibitions that have a negative impact on the work unit

Medium Disciplinary Punishment as referred to in Article 9 paragraph (1) letter b is imposed on PPPK in the form of:

- a. Violating the obligation to maintain national unity and integrity which has a negative impact on the work unit and/or regional government.
- b. Violating obligations that have a negative impact on the regional government.
- c. Not reporting assets to authorized officials in accordance with the provisions of laws and regulations.
- d. Not fulfilling provisions that have a negative impact on the regional government.
- e. Not fulfilling provisions for coming to work and obeying working hours.
- f. Violating prohibitions that have a negative impact on the regional government.

Article 12, Severe Disciplinary Punishments as referred to in Article 9 paragraph (1) letter c are imposed on PPPK, in the form of:

a. Violating the obligation to be loyal and fully obedient to Pancasila, the 1945

Constitution of the Republic of Indonesia, the Unitary State of the Republic of Indonesia, and the Government;

- b. Violating obligations that have a negative impact on the state
- c. Not fulfilling provisions that have a negative impact on the state
- d. Not fulfilling provisions for coming to work and obeying working hours
- e. Violating prohibitions that have a negative impact on the state
- f. Providing support to presidential/vice presidential candidates, regional head/deputy regional head candidates, regional representative council candidate members, or regional representative council candidate members

# 4. Legal Regulations for Educators and Education Personnel (Teachers and Employees) at State High School 15 Batam

In addition to the Government Regulation of the Republic of Indonesia (PPRI) Number 94 of 2021 which regulates the Discipline of Civil Servants (PNS) and the Government Regulation of the Republic of Indonesia (PPRI) Number 49 of 2018 which regulates the Management of Government Employees with Work Agreements (PPPK). PPPK is also regulated in the Regulation of the Governor of the Riau Islands Number 42 of 2023 concerning the Discipline of Government Employees with Work Agreements (PPPK) in the Regional Government Environment. By referring to the Regulations above, SMA Negeri 15 Batam also has its own Regulations, including:

- a. Special Rules and Regulations
  - Working Hours Monday Thursday start at 07.00 WIB until 15.15 WIB, Friday start at 07.00 WIB until 14.15 WIB.
  - 2) Arrive 10 minutes before the first lesson starts and ring the bell to enter at exactly 07.00 WIB.
  - 3) Close the gate at exactly 07.00 WIB, through the security section.
  - 4) Record students who come in late and provide a letter of permission to enter if it is still in accordance with the rules and regulations or those who leave early.
  - 5) Record the names of teachers who are late, absent or who leave early before their time.
  - 6) Give assignments to students if there are teachers who are unable to attend for one reason or another.
  - 7) Supervise the implementation of student rules and regulations, directly during class hours and go around the classes to supervise all learning activities at school.
  - 8) Special Morning Duty Officers, during the 1st-2nd hour, please go around to

the classes, collect Student Attendance Sheets for each class and summarize them in the student attendance book along with recording the attendance of the teaching teacher.

- Special Afternoon Duty Officers, during the 7th-8th hour, please go around to the classes and record the attendance of the teaching teacher.
- 10) Collect daily student attendance sheets for each class and record them in the attendance book.
- 11) Conduct data collection/fill in the duty book.
- 12) Report special incidents to the BP/BK teacher, Vice Principal for Student Affairs to be processed and resolved together with the homeroom teacher.
- Guidance and Counseling Teachers record the conditions and obstacles of students, facilitate and report to the principal.
- 14) Homeroom Teachers provide guidance to their students and class administration.
- b. Work Clothes
  - 1) On Monday, wear daily khaki/PDH uniform
  - 2) On Tuesday, wear sports uniform
  - 3) On Wednesday, wear a white shirt, black or dark skirt/pants
  - 4) On Thursday, wear batik
  - 5) On Friday, wear Malay uniform
  - 6) Uniforms are equipped with Employee Name, Identification Card, (KORPRI Pin for PNS/ASN)
  - Provisions for certain uniforms or certain days are regulated and determined in accordance with government circulars and/or school decisions.
- c. Duties and Obligations of Teachers
- d. Employee Duties and Obligations

### 5. Implementation of Law Enforcement on the Implementation of State Civil Apparatus Discipline in the Environment of SMA Negeri 15 Batam

The state civil apparatus is not only an element of the state apparatus but also a state servant and public servant who always lives in the midst of society and works for the interests of society as well. The position of ASN is very important and determines the success or failure of the government's mission to organize government in realizing national ideals. The utilization of ASN continues to be improved, especially those related to the quality, efficiency of service and protection of the community, as well as the professional abilities and welfare of ASN are highly considered in supporting the implementation of tasks. ASN performance

assessment aims to ensure the objectivity of ASN development based on the achievement system and career system. ASN performance assessment is carried out based on performance planning at the individual level and unit or organizational level, taking into account the targets, achievements, results, and benefits achieved, as well as ASN behavior. ASN performance assessment is carried out objectively, measurably, accountably, participatory, and transparently.

ASN performance assessment is under the authority of authorized officials in each government agency. The results of the ASN performance assessment are submitted to the ASN performance assessment team. The results of ASN performance assessments are used to ensure objectivity in ASN development, and are used as requirements for appointment and promotion, provision of allowances and sanctions, transfers, and promotions, as well as to participate in education and training. ASN whose performance assessment does not reach the performance target are subject to administrative sanctions up to dismissal in accordance with the provisions of laws and regulations. To ensure the maintenance of order in the smooth implementation of tasks, ASN must comply with ASN discipline. Government agencies (SMAN 15 Batam) are required to enforce discipline against ASN and implement various efforts to improve discipline. ASN who commit disciplinary violations are subject to disciplinary sanctions in accordance with applicable regulations.

ASN is divided into two, namely Civil Servants (PNS) and Government Employees with Work Agreements (PPPK). The imposition of disciplinary sanctions for Civil Servants (PNS) is regulated in Government Regulation of the Republic of Indonesia Number 94 of 2021 concerning Civil Servant Discipline. While the Discipline of Government Employees with Work Agreements (PPPK) is regulated in the Regulation of the Governor of the Riau Islands Number 42 of 2023 concerning the Discipline of Government Employees with Work Agreements in the Regional Government Environment.

## 6. Obstacles of SMAN 15 Batam in Enforcing Discipline of State Civil Apparatus and Alternative Solutions to Problems in the Form of Rewards and Punishments

The factors that inhibit the enforcement of discipline of State Civil Apparatus at SMAN 15 Batam are as follows:

- a. The low awareness of ASN to act and behave in a disciplined manner in carrying out their duties and responsibilities.
- b. The workload is so heavy that it affects the performance of State Civil Apparatus.
- c. Being late for work because the access road to SMAN 15 Batam is under repair and widening. In addition, the weather factor when it rains makes the road to SMAN 15 Batam congested.

There are several solutions to solving problems that can be done to improve the discipline of State Civil Apparatus, as follows:

- a. Giving sanctions/firm actions against ASN who are proven to have committed disciplinary violations with the aim of providing a deterrent effect or shock therapy so that other ASN do not imitate or commit more serious violations.
- b. There is early supervision and guidance in the work environment regarding State Civil Apparatus Discipline.
- c. It is necessary to hold an internal meeting every month where the principal can provide motivation to ASN to have high discipline and work enthusiasm.
- d. Carrying out routine attendance through the Siap Kepri application to reduce disciplinary violations of State Civil Apparatus (ASN).
- e. State Civil Apparatus must carry out self-introspection and be grateful that not everyone has the opportunity to become a State Civil Apparatus (ASN) and also be aware of carrying out their duties properly and correctly and with full responsibility in accordance with the oath of office at the time of the State Civil Apparatus (ASN) oath of office.
- f. Conducting socialization regarding regulations related to ASN Discipline. Socialization activities can be through Education and Training (Diklat), Technical Guidance (Bimtek), and other forms of Work Programs that aim to provide an understanding of the Regulations related to the Discipline of State Civil Apparatus (ASN).
- g. Providing Rewards for State Civil Apparatus (ASN) who are disciplined. Rewards do not have to be in the form of money but can also be in the form of praise or appreciation as State Civil Apparatus who are disciplined and responsible. In addition, rewards can also be given on the anniversary of the Indonesian Teachers Association (PGRI) and National Teachers' Day (HGN) in the form of tools that support the Teaching and Learning Process.
- h. Providing sanctions or punishments in accordance with Government Regulation of the Republic of Indonesia Number 94 of 2021 concerning Civil Servant Discipline, namely in the form of light disciplinary punishments, moderate disciplinary punishments, and severe disciplinary punishments according to the type of disciplinary violation committed.

### 5 CONCLUSION AND SUGGESTION

### Conclusion

Based on the discussion in the previous chapter, the following conclusions can be drawn:

- a. Legal regulations regarding the enforcement of discipline against State Civil Apparatus (ASN) in SMA Negeri 15 Batam are divided into two. The first is the Civil Servant (PNS) Regulation regulated in the Government Regulation of the Republic of Indonesia (PPRI) No. 94 of 2021 concerning the discipline of Civil Servants (PNS). Civil Servant discipline is the ability of PNS to comply with obligations and avoid prohibitions stipulated in laws and regulations. The second is the Regulation of Government Employees with Work Agreements (PPPK) regulated in the Government Regulation of the Republic of Indonesia No. 49 of 2018 concerning the Management of Government Employees with Work Agreements (PPPK). Discipline of Government Employees with Work Agreements (PPPK). Discipline of Government Employees with Work Agreements (PPPK) is also regulated in the Riau Islands Governor Regulation Number 42 of 2023. PPPK discipline is the ability of PPPK to comply with obligations and avoid prohibitions stipulated in laws and regulations and regulations and regulations and regulations and regulations.
- b. Implementation of Law Enforcement on the Application of Discipline to Civil Servants (PNS) and Government Employees with Work Agreements (PPPK) in SMA Negeri 15 Batam so far in the process of imposing punishment only in the form of verbal warnings delivered directly by the principal. Verbal warnings are one form of light disciplinary punishment. Verbal warnings are given by considering the background of the violation of Civil Servants' discipline and the impact of the violations committed. After being given a verbal warning in this case the principal supervises the perpetrators of the disciplinary violation. If after the imposition of disciplinary punishment a civil servant does not make changes, the principal has the authority to impose a higher punishment than the previous punishment. In the process of imposing disciplinary punishment, it can be seen from the types of disciplinary punishments consisting of light disciplinary punishments, moderate disciplinary punishments, and severe disciplinary punishments. The purpose of imposing disciplinary punishments is in principle a coaching nature, namely to improve and educate State Civil Apparatus who commit disciplinary violations so that the person concerned has an attitude of regret and tries not to repeat and improve themselves in the future.
- c. Obstacles of SMAN 15 Batam in Enforcing Discipline of State Civil Apparatus The low awareness of ASN to act and behave in a disciplined manner in carrying out their

duties and responsibilities, The workload is so heavy that it affects the performance of State Civil Apparatus, Being late for work because the access road to SMAN 15 Batam is being repaired and widened. In addition, the weather factor when it rains, the road to SMAN 15 Batam is congested. As well as Alternative Problem Solving in the Form of Rewards Giving Rewards to State Civil Apparatus (ASN) who are disciplined. Rewards do not have to be in the form of money but can also be in the form of praise or appreciation as State Civil Apparatus who are disciplined and responsible. In addition, rewards can also be given on the anniversary of the Indonesian Teachers Association (PGRI) and National Teachers Day (HGN) in the form of tools that support the Teaching and Learning Process. Imposing sanctions or punishments in accordance with Government Regulation of the Republic of Indonesia No. 94 of 2021 concerning Civil Servant Discipline, namely in the form of light disciplinary punishments, moderate disciplinary punishments, and severe disciplinary punishments according to the type of disciplinary violation committed.

#### Suggestion

From this conclusion, the author can provide several suggestions, namely:

- a. It is expected that all State Civil Apparatus will increase their awareness of ASN discipline and understand and carry out their obligations and avoid prohibitions in accordance with applicable laws and regulations.
- b. State Civil Apparatus must be more responsible for themselves and in carrying out ASN duties so that the objectives of ASN discipline can be realized properly. For example, arriving at school earlier to avoid unexpected obstacles.
- c. In the future, the implementation of State Civil Apparatus discipline enforcement must be carried out properly and the process of imposing punishment must be stricter against perpetrators of State Civil Apparatus discipline violations in order to provide a deterrent effect for ASN who are not disciplined.

#### REFERENCES

- A.M. Stroink, dikutip dalam : Abdul Rasyid Thalib, 2006, Wewenang Mahkamah Konstitusi dan Aplikasinya dalam Sistem Ketatanegaraan Republik Indonesia, Bandung : Citra Aditya Bakti, hlm. 219.
- Achmad Ali, 2002, Menguak Tabir Hukum (Suatu Kajian Filosofis dan Sosiologis), Jakarta : Toko Gunung Agung, hlm. 82-83.
- Andi Prastowo, "Memahami Metode-Metode Penelitian: Suatu Tinjauan Teoristis Dan

Praksis", Yogyakarta: Ar-Ruzz Media, 2011, hlm. 118

- Anonimous, Buku Pedoman Penyusunan Proposal dan Tesis Program Magister Ilmu Hukum Fakultas Hukum (S2), Universitas Batam, Batam, 2023.
- Ateng Syafrudin, 2000, "Menuju Penyelenggaraan Pemerintahan Negara yang Bersih dan Bertanggung Jawab", Jurnal Pro Justisia Edisi IV, Bandung : Universitas Parahyangan, hlm. 22.
- Dominikus Rato, 2010, Filsafat Hukum Mencari : Memahami dan Memahami Hukum, Yogyakarta : Laksbang Pressindo, hlm. 59.
- Friedman, dikutip dalam Barda Nawawi Arief, 2006, Masalah Penegakan Hukum dan Kebijakan Hukum Pidana dalam Penanggulangan Kejahatan, Semarang : Kencana, hlm. 20.
- Gustav Radbruch, dikutip dalam : Oeripan Notohamidjojo, 2001, Soal-Soal Pokok Filsafat Hukum, Salatiga : Griya Media, hlm. 33.
- Hans Kelsen, dikutip dalam : Peter Mahmud Marzuki, 2008, Pengantar Ilmu

Hukum, Jakarta : Kencana, hlm. 158.

- Indroharto, 1994, Asas-Asas Umum Pemerintahan yang Baik, Bandung : Citra Aditya Bakti, hlm. 65.
- J.G. Brouwer dan Schilder, dikutip dalam : Indroharto, Ibid., hlm. 66.
- Jujun S. Soeryasumantri, Filsafat Ilmu Sebuah Pengantar Populer, Sinar Harapan, Jakarta, 2008, hlm. 316.
- Max Webber, dikutip dalam : A. Gunawan Setiardja, 1990, Dialektika Hukum dan Moral dalam Pembangunan Masyarakat Indonesia, Yogyakarta : Kanisius, hlm. 52.
- Peraturan Gubernur Kepulauan Riau No 42 Tahun 2023 Tentang Disiplin Pegawai Pemerintah Dengan Perjanjian Kerja Di Lingkungan Pemerintah Daerah

Peraturan Pemerintah No 49 tahun 2018 tentang Pegawai Pemerintah dengan Perjanjian Kerja

Peraturan Pemerintah No 53 Tahun 2010 Tentang Disiplin PNS

Peraturan Pemerintah No 94 Tahun 2021 Tentang Disiplin PNS

- Philipus M. Hadjon, dikutip dalam : Rusadi Kantaprawira, 1998, "Hukum dan Kekuasaan", Makalah, Yogyakarta : Universitas Islam Indonesia, hlm. 37.
- Philipus M. Hadjon, tanpa tahun, "Tentang Wewenang", Makalah, Surabaya : Universitas Airlangga, hlm. 1.
- Ridwan H.R., 2011, Hukum Administrasi Negara, Jakarta: Raja Grafindo Persada, hlm.294.
- Ronny Hanitijo Soemitro, Metodologi Penelitian Hukum, Cetakan Kedua, Jakarta: Ghalia Indonesia, 2015, hlm. 24. Lihat Juga Soerjono Soekanto dan Sri Mamudji, Penelitian Hukum Normatif Suatu Tinjauan Singkat, Cetakan Ketujuh, Jakarta: Raja Grafindo Persada, 2003, hlm. 13.
- Satjipto Rahardjo, 2009, Penegakan Hukum: Suatu Tinjauan Sosiologis, Yogyakarta : Genta Publishing, hlm. 31.
- Soejono Soekanto, 2006, Faktor-Faktor yang Mempengaruhi Penegakan Hukum, Jakarta : Raja Grasindo Persada, hlm. 5.
- Soerjono Soekanto, 1983, Faktor-Faktor yang Mempengaruhi Penegakan Hukum, Jakarta : PT. Raja Grafindo Persada., hlm. 8
- Sri Mamudji, "Penelitian Hukum Normatif Suatu Tinjauan Singkat", Raja Grafindo Persada, Jakarta, 1995, hlm. 12
- Sudikno Mertokusumo, 1986, Mengenal Hukum, Yogyakarta : Liberty, hlm. 130.
- Sugiyono. 2014. Metode Penelitian Kuantitatif, Kualitatif, dan R&D. Bandung: Alfabeta.
- Suharsaputra, Uhar. 2012. Metode Penelitian Kuantitatif, Kualitatif, Tindakan. Bandung : PT Refika Aditama.
- Suwoto Mulyosudarmo, 1990, Kekuasaan dan Tanggung Jawab Presiden Republik Indonesia, Suatu Penelitian Segi-Segi Teoritik dan Yuridis Pertanggungjawaban Kekuasaan, Surabaya : Universitas Airlangga, hlm. 30.
- Undang-Undang Dasar Negara Republik Indonesia Tahun 1945
- Undang-Undang No 20 Tahun 2023 Tentang Aparatur Sipil Negara

Undang-Undang No 5 Tahun 2014 tentang Aparatur Sipil Negara

Utrecht, dikutip dalam : R. Soeroso, 2008, Pengantar Ilmu Hukum, Jakarta: Sinar Grafika, hlm. 56.