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## The Principle of Objectivity in the Discretionary Powers of Municipal Police (Satpol PP): An Administrative Law Analysis of Regional Regulation Enforcement

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**Abstract:** The enforcement of Regional Regulations by the Civil Service Police Unit (Satpol PP) frequently involves the exercise of discretionary authority due to regulatory gaps, ambiguous norms, and complex field conditions. However, such discretion carries the risk of arbitrariness and abuse of authority if it is not guided by clear legal standards. This article examines how the principle of objectivity functions as a legal benchmark in the exercise of Satpol PP discretion under Indonesian administrative law. Using normative legal research with statute, conceptual, and limited case approaches, the study analyzes the framework of Law No. 30 of 2014 on Government Administration, Law No. 23 of 2014 on Regional Government, Government Regulation No. 16 of 2018 on Satpol PP, relevant administrative law doctrines, and judicial interpretations. The analysis demonstrates that discretionary authority is lawful only when it is grounded in verifiable facts, rational decision-making, impartial treatment of similar cases, careful consideration of risks and impacts, and transparent reason-giving supported by adequate documentation. The study concludes that objectivity operates as an operational legal standard that transforms the abstract principles of good governance (AUPB) into measurable criteria for evaluating Satpol PP enforcement actions. By formulating indicators such as factual basis, rationality, non-partisanship, due care, and transparency, this research provides a normative framework for assessing whether discretionary enforcement actions are consistent with legality, proportionality, and accountability within the rule-of-law and good governance framework

**Keywords:** Administrative Discretion; Principle of Objectivity; Satpol PP; Regional Regulation Enforcement; Procedural Accountability

### INTRODUCTION

The discourse on the implementation of regional regulations by the Civil Service Police Unit (Satuan Polisi Pamong Praja-Satpol PP) is intrinsically linked to Indonesia's identity as a rule-of-law state (*rechtsstaat*), necessitating that all actions of public authorities adhere to legal standards and the principles of good governance. At the regional level, the interplay among spatial planning interests, public order, citizen comfort, and the safeguarding of constitutional

rights frequently manifest in the operational activities of Satpol PP, such as regulating street vendors, managing public spaces, or dispersing activities considered disruptive to public order. In these circumstances, Satpol PP authorities often encounter normative deficiencies, uncertainty, or insufficient regulations, therefore requiring the use of discretionary authority. At this juncture, the notion of objectivity is essential to prevent discretionary actions from descending into arbitrariness, which could hurt citizens and erode public trust in regional regulatory enforcement agencies.

The status and functions of Satpol PP are explicitly governed by Law No. 23 of 2014 concerning Regional Government. Article 255(1) stipulates that Satpol PP is instituted to implement Regional Regulations and Regional Head Regulations, uphold public order and calm, and ensure community protection (Sriyono, 2021). Subsequent clauses delineate the responsibilities of Satpol PP, which encompass executing non-judicial control measures, rectifying public order infractions, investigating purported violations of Regional Regulations and/or Regional Head Regulations, and enforcing administrative sanctions. This framework is bolstered by Government Regulation No. 16 of 2018 concerning Satpol PP, which specifies Satpol PP's primary responsibilities enforcing Regional Regulations and Regional Head Regulations, preserving public order and tranquility, and ensuring community protection while also governing Satpol PP's accountability framework under the regional head. The extensive nature of these duties and the frequent necessity for swift action indicate that the enforcement of regional regulations by Satpol PP is largely contingent upon the professional judgment of field officers.

The exercise of discretionary authority by government personnel is explicitly grounded in Law No. 30 of 2014 on Government Administration. Article 1(9) characterizes discretion as a choice and/or action executed by a government official to resolve specific governance issues when laws and regulations offer alternatives, lack regulation, are incomplete or ambiguous, and/or when governmental inertia arises. Article 23 delineates the extent of discretion, including decision-making in circumstances when regulations offer alternatives, are lacking, inadequate, or ambiguous, as well as in instances of governmental inertia in the pursuit of overarching public interests (Hardiansyah, 2025). Furthermore, Article 24 stipulates that discretion may only be exercised if it satisfies several conditions, including: alignment with the intended purpose of discretion, adherence to laws and regulations, compliance with the General Principles of Good Governance (*Asas-Asas Umum Pemerintahan yang Baik*, AUPB), and justification based on objective reasons. Doctrinal interpretations define “objective reasons” as those based on facts and actual conditions, characterized by impartiality, rationality, and consistency with AUPB (Imaldi, 2025). The notion of impartiality is clearly established as a crucial safeguard restricting officials' discretion.

The AUPB, established under the Government Administration Law, encompasses concepts such as legal clarity, expediency, impartiality, due diligence, non-abuse of authority, transparency, public interest, and quality service. These principles embody the normative standard of effective governance, whereby every governmental action must be legally, ethically, and administratively accountable. Within the framework of Satpol PP, the authority to implement non-judicial control measures, enforce infractions, and impose administrative actions allows for the exercise of *freies Ermessen*, which refers to the administrative discretion to select the most suitable course of action in the public interest. Nonetheless, this discretion is not unconditional; it must operate within the twin framework of a rule-of-law state and a welfare state: the government is anticipated to act proactively to address practical issues while remaining constrained by legal statutes and the principle of objectivity.

The use of Satpol PP power frequently produces legal and social dilemmas. Media reports on street-vendor regulation operations, the eviction of structures contravening local laws, and the dispersal of activities in public areas indicate that the actions of Satpol PP are

often viewed as repressive, discriminatory, or inadequately considerate of citizens' rights, especially regarding vulnerable populations. Empirical research demonstrates that the public perception of Satpol PP is frequently influenced by enforcement methods perceived as arrogant in their efforts to preserve public order, despite the normative obligation of Satpol PP to uphold the rule of law, human rights, and existing social norms. In these circumstances, the fundamental concern is not just the presence of authority, but the manner in which discretionary authority is applied: whether it is based on objective criteria or influenced by subjective preferences, local political pressures, and immediate interests.

From an administrative law standpoint, a fundamental tension exists between the necessity for effectiveness (*doelmatigheid*) which necessitates discretion and the requirement for legality (*rechtmatigheid*) which restricts discretion within the rule-of-law framework. Discretion is sometimes defended as an attribute of the welfare state, as the government cannot deny public services only due to insufficient regulation. Simultaneously, administrative law doctrine asserts that *freies Ermessen* may only be exercised within the confines of applicable laws and regulations, remaining subject to AUPB, especially the principles of non-abuse of authority, impartiality, and due diligence. This normative tension is particularly pronounced when discretion pertains to public-space policing, which directly impacts livelihoods, freedom of movement, and the right to security. In this regard, the principle of objectivity serves as a crucial criterion for evaluating whether Satpol PP discretion is valid and reasonable under administrative law or has devolved into an abuse of authority.

This paper articulates the legal questions within this framework as follows. How are the regulation and conception of the principle of objectivity in officials' discretionary authority formulated under the Government Administration Law, administrative law doctrine, and pertinent judicial rulings? Secondly, how is the jurisdiction of Satpol PP in enforcing Regional Regulations and Regional Head Regulations delineated by Law No. 23 of 2014, Government Regulation No. 16 of 2018, and other ancillary laws, and at which junctures does this authority permit discretion? Third, to what degree may Satpol PP's discretionary authority in the implementation of Regional Regulations be considered lawful and aligned with the values of objectivity, proportionality, and accountability within the context of administrative law and good governance principles? This concept establishes objectivity as a tangible criterion for evaluating the legality of Satpol PP acts, rather than solely an abstract principle.

This paper seeks to conduct a comprehensive legal examination of the principle of objectivity in the discretionary authority of Satpol PP. This study aims to: (i) conceptually analyze the role of objectivity in the regulation of discretion under Law No. 30 of 2014 and administrative law principles; (ii) normatively delineate the extent of Satpol PP discretion in the enforcement of Regional Regulations and Regional Head Regulations, including its legal limitations; and (iii) establish normative criteria for evaluating whether a discretionary action by Satpol PP adheres to standards of objectivity, proportionality, and accountability. This study aims to elucidate the permissible and impermissible actions of Satpol PP, as well as to delineate the objective application of discretion in practice.

The imperative of this research is apparent in at least three aspects. It is imperative to reinforce the principle of objectivity to ensure that the discretionary authority of Satpol PP conforms to the aims of the Government Administration Law, specifically to prevent the abuse of authority, guarantee legal certainty, and safeguard citizens' rights. The ongoing public disputes around Satpol PP enforcement—ranging from accusations of excessive force to assertions of discriminatory practices—highlight the necessity for enhanced operational instructions on objectivity for field officers. Theoretically, emphasizing objectivity regarding Satpol PP discretion enhances administrative law scholarship by converting AUPB from an abstract normative framework into tangible evaluative criteria for local authorities' enforcement of regional regulations.

## METHOD

Previous studies have investigated the authority of Satpol PP in enforcing Regional Regulations and the broader context of governmental discretion. Yeria, Fitrah, and Daud examined “The Authority of the Civil Service Police Unit (Satpol PP) in Enforcing Regional Regulations in Mamasa Regency” by qualitative methods to evaluate enforcement practices and contributing factors, including resources and the quality of personnel. Their findings indicate that Satpol PP enforcement adheres to relevant laws and regulations; nonetheless, the emphasis is predominantly on enforcement efficacy and supporting variables, rather than on objectivity as a legal criterion for discretion within administrative law. Jayadih's study on societal concerns with Satpol PP authority elucidates the overlap and tension between Satpol PP and the police, popular perceptions of repressive enforcement, and the ramifications for human rights and public order. This research enhances sociological and normative insights into Satpol PP as a non-judicial enforcement entity, but it fails to systematically establish objectivity as an administrative law criterion for Satpol PP discretion.

Additional research on discretion (*freies Ermessen*) and governmental accountability—including Ansori's examination of discretion and governmental responsibility, alongside analyses of the conceptual transformation in discretion post Law No. 30 of 2014 primarily functions at a general level, focusing on the prerequisites for discretion, its correlation with AUPB, and official accountability in instances of authority abuse. The studies have not explicitly connected the notion of objectivity to Satpol PP's discretionary enforcement of Regional Regulations. The originality of this study resides in the clear linkage of the objective principle under the Government Administration Law with the discretionary authority of Satpol PP, achieved through a normative-juridical analysis of legislation, doctrine, and court rulings. This study aims to establish normative standards of objectivity that serve as both an academic analytical instrument and a practical guide for Satpol PP and regional policymakers in the formulation and execution of Regional Regulation enforcement that is lawful, equitable, and aligned with principles of good governance.

The research method employed in this article is normative legal research with a prescriptive–analytical orientation. It is classified as normative because its primary focus is the examination of positive legal norms governing the discretionary authority of government officials particularly Satpol PP and the embedded principle of objectivity. The normative dimension of the study is reflected in its effort to assess the consistency between statutory regulations, administrative law doctrine, and judicial decisions on the one hand, and Satpol PP's practice of enforcing Regional Regulations (*Perda*) on the other, in order to formulate ideal criteria for the lawful, objective, and good-governance–compliant exercise of discretion. This study does not involve empirical fieldwork or the collection of primary data; rather, it relies entirely on the analysis of legal materials as the basis for its argumentation.

The study applies three approaches: a statute approach, a conceptual approach, and, to a limited extent, a case approach. The statute approach is used to examine and interpret relevant provisions in Law No. 23 of 2014 on Regional Government, Law No. 30 of 2014 on Government Administration, Government Regulation No. 16 of 2018 on Satpol PP, as well as Regional Regulations and Regional Head Regulations that are directly related to Satpol PP's authority and enforcement measures. The conceptual approach is employed to analyze key concepts such as discretion (*freies Ermessen*), the principle of objectivity, the General Principles of Good Governance (AUPB), abuse of authority, and good governance within the framework of administrative law. The case approach is utilized to analyze judicial decisions, particularly those of the Administrative Court and other relevant rulings, as concrete illustrations of how courts interpret and evaluate the exercise of discretionary authority and the objectivity principle in practice.

The legal materials used in this study consist of primary, secondary, and tertiary sources. Primary legal materials include legislation governing regional administration and government administration, norms regulating the status and authority of Satpol PP, and Regional/Regional Head Regulations concerning public order enforcement and public space management, as well as judicial decisions relevant to discretion and abuse of authority. Secondary legal materials comprise scholarly works, including administrative law textbooks, journal articles, research reports, and expert opinions addressing discretion, AUPB, and Satpol PP enforcement. Tertiary legal materials include legal dictionaries, encyclopedias, and other supporting references used to clarify terminology and key concepts. All legal materials are collected through library research, by examining both printed sources and electronically accessible materials, including online databases of legislation and court decisions.

The technique for collecting legal materials involves a systematic search of relevant legislation, doctrine, and judicial decisions in accordance with the research questions. This process includes the identification, selection, and classification of materials based on themes, hierarchical status, and relevance to Satpol PP's discretionary authority and the principle of objectivity. Once gathered, the materials are subjected to critical reading and documentary review to capture normative constructions, scholarly arguments, and judicial reasoning patterns concerning discretion, AUPB, and abuse of authority.

The analytical method employed is normative qualitative analysis using juridical reasoning. The collected legal materials are first analyzed descriptively and analytically to present the applicable regulatory framework and core concepts, and are subsequently processed through legal interpretation (grammatical, systematic, and teleological) to ascertain the meaning and scope of norms comprehensively. The analysis then proceeds through argumentative–deductive reasoning, drawing conclusions on the limits of Satpol PP's discretionary authority and benchmarks for objectivity from general principles found in legislation and doctrine. This process ultimately produces normative criteria and prescriptive recommendations regarding how Satpol PP discretion should be exercised in a manner consistent with objectivity, proportionality, and accountability, and aligned with the ideals of the rule of law and good governance.

## RESULTS AND DISCUSSION

### Result

#### **The Principle of Objectivity in Discretion Under Administrative Law**

In Indonesian administrative law, discretion serves as a governance tool to address specific issues where statutory regulations offer alternatives, lack regulation, are insufficiently detailed, or are ambiguous, and/or when governmental impasse arises. In these cases, discretion serves to ensure the continuity of public services and the efficacy of government administration, especially in contexts that necessitate swift decision-making. However, discretion should not be understood as unlimited freedom; rather, it is an authority constrained by legal requirements and the standards of the General Principles of Good Governance (Asas-Asas Umum Pemerintahan yang Baik, AUPB). This study delineates four triggering criteria for discretion and the associated justifiable administrative replies (refer to Table 1). This mapping emphasizes that discretion acquires legitimacy solely when it is based on an authentic necessity to address a specific issue and oriented towards the public interest, rather than an official's personal inclinations.

**Table 1. Mapping Discretion-Triggering Situations vs Justifiable Responses**

| Legal situation triggering discretion | Operational meaning                                                             | Justifiable form of discretionary response | Objectivity note                                                  |
|---------------------------------------|---------------------------------------------------------------------------------|--------------------------------------------|-------------------------------------------------------------------|
| Norm provides alternatives            | SOP/Perda provides alternative measures (warning, guidance, enforcement)        | Selecting the most appropriate option      | The reason for choosing an option must be rational and fact-based |
| Norm is absent                        | A concrete problem exists, but Perda/SOP does not regulate technical procedures | Adopting interim measures                  | Documentation of facts and reasons is decisive                    |
| Norm is incomplete/unclear            | A norm exists, but is ambiguous for a particular case                           | Careful administrative interpretation      | Avoid interpretations that unduly benefit one party               |
| Governmental stagnation               | Emergency/administrative deadlock requiring immediate action                    | Action taken for the public interest       | Must remain proportional and accountable                          |

The normative standards for discretion encompass four fundamental elements: (i) alignment with the goal of discretion, (ii) non-contradiction with laws and regulations, (iii) adherence to AUPB, and (iv) dependence on objective rationale. This work operationalizes these four factors into a practical testing device by mapping "minimum-evidence audit questions" (refer to Table 2). This phrase is significant because discretion is fundamentally an administrative act that must be subject to rational and administrative review especially through the traceability of justifications (reason-giving) and the supporting recorded evidence of the decision. Thus, lawful discretion is not only discretion that effectively restores order, but rather discretion that adheres to principles of administrative legality and can be normatively justified.

**Table 2. Matrix of Discretion Requirements and Evidence That Should Exist**

| Discretion requirement (Law No. 30/2014)  | Audit question                                                                 | Minimum evidence that should be available (documents)                                               |
|-------------------------------------------|--------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|
| Consistent with the purpose of discretion | "What is the purpose of this action what concrete problem is being addressed?" | Minutes/consideration sheet; written statement of purpose                                           |
| Not contrary to regulations               | "Is there any norm prohibiting this action?"                                   | Citation of relevant provisions in Perda/SOP/Law; brief compliance note                             |
| Complies with AUPB                        | "Is there a potential for bias, negligence, or abuse of authority?"            | AUPB checklist; risk-mitigation notes                                                               |
| Based on objective reasons                | "What facts support the decision? What alternatives were considered?"          | Chronology/factual record; photos/recordings (if any); list of alternatives + reasons for selection |

The principle of objectivity, defined as "objective reasons," serves as the primary criterion limiting officials' discretionary authority. This study defines objectivity as a judgment and/or action based on pertinent and verifiable facts, derived from rational reasoning, and devoid of bias and personal preference. Objectivity safeguards discretion from devolving into arbitrariness or the misuse of authority. Therefore, objective discretion must be subject to argumentative scrutiny: the necessity of the action, the factual basis supporting it, the available alternatives, and the rationale for selecting a certain alternative. This study establishes operational indicators of objectivity, including a factual foundation, logical action selection, impartiality, due diligence, and transparency of rationale (refer to Table 3). These signs underscore that objectivity transcends simply "good intentions" and constitutes a quality of

administrative judgment that can be scrutinized through empirical evidence, logical reasoning, and documentation.

**Table 3. Case-Based Operational Indicators of the Objectivity Principle (Satpol PP Discretion)**

| <b>Objectivity dimension</b>            | <b>Operational indicator</b>                                   | <b>Case-based illustration (what happens in the case)</b>                                                                                                                                     | <b>Minimum verifiable evidence (audit trail)</b>                                                                                                                       |
|-----------------------------------------|----------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Factual basis                           | Relevant facts exist and are verifiable                        | Officers confirm vendors are occupying the sidewalk, obstructing pedestrians, and violating a specific Perda/SOP provision.                                                                   | Time-stamped photos/video; location map; field observation notes; brief incident log; citation of the relevant Perda/SOP clause.                                       |
| Rationality (facts–purpose–action link) | Logical connection between facts, objective, and chosen action | Because the obstruction is partial (not total) and no prior warning exists, the officer selects a staged response: warning + deadline + relocation assistance, rather than immediate removal. | Written “consideration sheet” stating: facts → enforcement objective (restore pedestrian access) → chosen measure (warning/staging) + justification.                   |
| Non-partisanship / consistency          | Similar cases are treated similarly                            | Other vendors in the same zone are treated under the same sequence (warning → guidance → enforcement). No selective targeting of one vendor group.                                            | Comparison log (same-day or prior-week cases); uniform application checklist; enforcement roster showing coverage across the area (not single-target).                 |
| Due care (kecermatan)                   | Risks and impacts are assessed                                 | Officers identify potential social conflict and livelihood impacts; they coordinate with market management for relocation points and set a reasonable compliance window.                      | Risk note (conflict/livelihood); coordination minutes/email/WhatsApp memo with relevant unit; record of relocation options offered; safety plan for field operation.   |
| Transparency of reasons (reason-giving) | Reasons are communicated to affected parties                   | Officers explain the legal basis, the purpose (public access/safety), available alternatives, and consequences if non-compliant; affected parties receive a written notice.                   | Written notice/official minutes (berita acara); documented communication (signed receipt/acknowledgment); public announcement record; bodycam/audio note if available. |

Table 3 elucidates the idea of objectivity in the discretionary actions of Satpol PP by presenting a case study of enforcement concerning street sellers (PKL) utilizing a public sidewalk adjacent to a traditional market. The table illustrates that "objectivity" is not simply a theoretical concept but a collection of administratively verifiable attributes that can be assessed through evidence: decisions must be based on observable facts (factual basis), adhere to a logical connection between facts, enforcement objectives, and chosen measures (rationality), be uniformly applied across similar circumstances to prevent selective targeting (non-partisanship), demonstrate thorough evaluation of risks and social impacts, including mitigation and coordination (due care), and be supplemented by sufficient justification to affected parties, supported by a documented audit trail (transparency). The table provides a realistic framework for assessing the legality, reviewability, and defensibility of discretionary enforcement under administrative law norms by associating each dimension with specific acts and minimal paperwork

**Table 4. AUPB Checklist Most Closely Linked to Objectivity**

| AUPB principle (relevant to objectivity) | Risk if violated             | Practical compliance indicator                          |
|------------------------------------------|------------------------------|---------------------------------------------------------|
| Impartiality                             | Discrimination/targeting     | Equal treatment for similar cases                       |
| Due care                                 | Wrong facts, wrong procedure | Data verification; recorded considerations              |
| Non-abuse of authority                   | Abuse of power               | Written reasons; aligned with the purpose of discretion |
| Legal certainty                          | Disputes/annulment           | Clear legal basis; minimum procedure satisfied          |
| Openness                                 | Public suspicion             | Reasons disclosed; documentation auditable              |

### Satpol PP Authority in Perda Enforcement and the Scope for Discretion

To depict how Satpol PP authority in enforcing Perda operates at the implementation level, this study synthesizes empirical findings (2022–2025) that report quantitative indicators (number of operational sites/case findings/violators) and the policy context of enforcement activities. A summary of the “findings data” is presented in Table 5.

**Table 5. Findings Data from Prior Studies**

| Study (year)                            | Location/context                                                                 | Reported findings data                                                                                                                                                      | Implications for the “scope of discretion” in enforcement                                                                                                     |
|-----------------------------------------|----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Bintang, Sulistiowati, & Mulyana (2025) | Street-vendor control in Bandar Lampung City                                     | In 2023, control and monitoring were conducted at 16 market points; 50 cases found of vendors selling on sidewalks.                                                         | Discretion arises in selecting priority locations, monitoring intensity, and the choice of intervention (warning–enforcement) when compliance is low.         |
| Fitra (2025)                            | Public order (trantibum) enforcement and Satpol PP strengthening in Cirebon City | Jan–Jul 2024: 29 indecency cases; enforcement against 827 alcoholic beverages; 60 street vendors; 117 homeless/beggars; 19 persons with mental disorders; 3 demonstrations. | Discretion appears in prioritizing responses across multiple issue areas and choosing enforcement strategies under resource/capacity constraints.             |
| Rahmawati (2025)                        | Implementation of Public Order Regulation in Tasikmalaya City                    | Violations of Article 29(2): 2023 = 189 (repeat 58); 2024 = 136 (repeat 41).                                                                                                | Discretion emerges in strategies to address repeat violations (preventive vs. repressive) and in defining success indicators beyond mere violator counts.     |
| Ulaika (2022)                           | Enforcement of health protocols (mask-wearing) in Glodok Subdistrict             | Mask-control data as of 18 Oct 2021 records 7 violators receiving social sanctions and documented for reporting.                                                            | Discretion is visible in selecting sanction types (social/administrative), field evidentiary standards, and documenting decisions as an accountability basis. |

According to Table 5, the Satpol PP's authority in enforcing Perda/public order is defined by two primary characteristics: (i) geographically distributed enforcement and (ii) cross-issue enforcement. The Bandar Lampung study reveals a control framework necessitating strategic decisions concerning operational points, scheduling, and monitoring

intensity (16 market points; 50 vendor findings), suggesting that enforcement consistently integrates with field-operation management rather than simply applying norms in a mechanical manner. The Cirebon findings reveal multifaceted infractions of public order, including indecency, alcohol-related offenses, street vending, homelessness, individuals with mental problems, and demonstrations, necessitating the organization to prioritize issues and distribute enforcement resources accordingly.

The Tasikmalaya data introduces a crucial evaluative aspect: a reduction in the number of violators (189→136) does not always signify substantial success, if repeat violations continue to be considerable (58→41). This indicates that enforcement techniques address structural compliance issues and habitual behaviors. Within the Glodok context, the presence of a written list of offenders (seven individuals) demonstrates that, although Satpol PP activities in specific instances necessitate prompt choices regarding sanctions, they nonetheless require an administrative record to uphold accountability and provide evidentiary explanation. The empirical evidence suggests that the authority of Satpol PP functions within a framework requiring a blend of preventive and repressive strategies, situational assessment, and decision documentation.

The synthesis of the past five years of research reveals that Satpol PP's discretionary authority is most evident when standards fail to delineate the specific methods of enforcement in particular situations. This is apparent in: (i) the identification of priority locations/targets and the degree of supervision (Bandar Lampung), (ii) the ranking of violation categories within a comprehensive public-order framework (Cirebon), and (iii) approaches for managing recurrent violations (Tasikmalaya). From an administrative law standpoint, these aspects are susceptible to perceptions of inconsistency or selectivity if not grounded in quantifiable decision standards (priority criteria, action sequencing, and minimum evidentiary thresholds), as outcomes are significantly influenced by operational preferences and situational pressures.

Furthermore, the findings indicate an implementation trade-off: while public order imperatives necessitate prompt enforcement, social complexity and recurrent violations demand a methodical and justifiable approach. The documentation practices noted in the Glodok research serve as a fundamental requirement for ensuring accountability in discretionary actions, providing a factual basis and a record of decision-making to prevent discretion from transforming into a "invisible authority" that is challenging to scrutinize. Consequently, previous empirical research corroborates the analytical finding that Satpol PP discretion is an intrinsic result of field complexity; yet, its legitimacy is significantly contingent upon officials' capacity to furnish objective justifications, uphold proportionality, and guarantee procedural accountability.

### Testing the Lawfulness of Satpol PP Discretion: Objectivity, Proportionality, and Accountability

This study employs quantitative data as operational indicators, rather than definitive evidence, to examine the legal issue concerning benchmarks for lawful and unlawful Satpol PP discretion. The indicators encompass: (i) enforcement workload (the number of detected and addressed violations), (ii) organizational performance (achievement percentages), and (iii) external accountability mechanisms (the quantity of reports and complaints related to maladministration in public services). The data is summarized in Table 6.

**Table 6. Quantitative Data to Test the Lawfulness of Discretion (Objectivity–Proportionality–Accountability)**

| Test dimension                 | Quantitative indicator                                              | Data value                       | Source                                                                                        |
|--------------------------------|---------------------------------------------------------------------|----------------------------------|-----------------------------------------------------------------------------------------------|
| Objectivity<br>(factual basis) | Number of<br>monitored/detected Perda<br>violations (indicating the | 1,262 cases<br>(realization of a | Satpol PP Performance Report,<br>Kapuas Hulu Regency (2021)<br>(satpolpp.kapuashulukab.go.id) |

|                                                      |                                                                                                                                     |                                            |                                                                |
|------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|----------------------------------------------------------------|
|                                                      | need for fact-based decisions)                                                                                                      | 1,500 target) in 2021                      |                                                                |
| Proportionality (balance between action and purpose) | Enforcement performance achievement (indicating calibration of enforcement intensity against targets)                               | 82% performance achievement (2023)         | IPDN article on Satpol PP of Pelalawan Regency (Ejournal IPDN) |
| Accountability (external oversight)                  | Total public reports of alleged maladministration in public services (indicating the need for reason-giving and procedural control) | 8,292 reports (2022); 8,458 reports (2023) | Ombudsman RI Annual Reports 2022 & 2023 (Ombudsman Indonesia)  |
| Accountability (complaint handling)                  | Reports/complaints handled by the Ombudsman (indicating oversight intensity)                                                        | 10,303 reports handled (2024)              | Ombudsman RI Performance Report 2024 (Ombudsman Indonesia)     |

According to Table 6, the quantity of identified violations (e.g., 1,262 monitored Perda infractions in 2021 within a single regency) suggests that Perda enforcement functions amidst a substantial volume of field choices. Thus, judgment inside Satpol PP is essentially needed, especially during the identification of infractions, assessment of urgency, and selection of intervention methods. At the organizational level, an 82% performance achievement signifies that enforcement effectiveness is frequently assessed using achievement indicators; yet, this may lead to implementation trade-offs: balancing public order objectives with the preservation of the legitimacy of enforcement activities.

From the standpoint of external accountability, the substantial volume of public reports claiming maladministration in public services 8,292 in 2022 and 8,458 in 2023 indicates that the actions of public officials (including enforcement efforts) continue to be subject to public inspection and oversight mechanisms. The 2024 data indicate a comparably high intensity in complaint processing (10,303 reports addressed), underscoring the necessity of procedural elements, justifications for actions, and documenting of decisions to maintain accountability when discretionary acts impact individuals directly.

The lawfulness requirement for Satpol PP discretion in administrative law necessitates objectivity as a factual foundation and logical decision-making. The substantial number of identified violations (Table 6) underscores the necessity for discretion to be based on pertinent facts and verifiable assessment mechanisms; otherwise, a significant volume of actions may lead to inconsistency (differential treatment in analogous cases) and provoke accusations of authority abuse. Recent literature underscores that discretion in governmental service execution must be limited by the stipulations of the Government Administration Law and AUPB standards, as the primary issues of discretion pertain to consistency, accountability, and the risk of abuse when not regulated by rational justification and explicit procedures (Putri, 2025; Arifin, 2024/2025). In the context of Satpol PP, objectivity can be regarded as a requisite for justification: each discretionary action must elucidate its necessity and substantiate the selected intervention with factual evidence.

Proportionality and accountability serve as additional criteria to guarantee that discretion remains within the bounds of public order objectives. Performance achievement (e.g., 82%) should not be seen as the exclusive measure of legitimacy, as administrative success must be weighed against its effects on citizens' rights and adherence to procedures. Recent studies reveal that AUPB serves as a substantive reference for the Administrative Court (PTUN) in evaluating actions and decisions, particularly in determining whether discretion contravenes the principles of non-abuse of authority, impartiality, due diligence, and accountability (Ikhsan, 2025; Djou, 2024). The connection is particularly significant when

related to Ombudsman maladministration complaint data (Table 6): increased oversight and complaints necessitate more rigorous reason-giving, documentation, and internal controls to ensure that Satpol PP discretion is proportional and accountable.

## CONCLUSION

This study contends that objectivity in the discretionary enforcement acts of Satpol PP is a needed legal-administrative requirement. Objectivity necessitates that decisions and measures be based on verifiable facts, underpinned by logical reasoning, uniformly applied to similar cases (non-discriminatory), and executed with due diligence through an evaluation of risks and consequences, with reason-giving as a fundamental criterion of transparency. Discretion is especially prominent in contexts where legal norms fail to delineate practical standards, such as identifying priority sites or targets, adjusting enforcement strength across various public-order concerns, and managing recurrent infractions. Discretion is permissible solely when governed by verifiable criteria: a definitive legal foundation and objective, minimal evidentiary and documentation requirements, proportional escalation of actions, and accountable protocols for command responsibility and internal oversight or administrative review. Regional governments should consequently formulate evidence-based standard operating procedures and enhance internal oversight to guarantee that enforcement efficacy is consistent with administrative legitimacy and procedural justice.

## REFERENCES

- Awaliyah, D. *Peran Kepolisian Dalam Menangani Kasus Tindak Pidana Perdagangan Orang Di Kota Batam (Studi Kasus Pada Polresta Bareleng)*. Repository.upbatam.ac.id, 2023. <http://repository.upbatam.ac.id/2746/>.
- Basir-Cyio, M. *POLISI Engkau Harus Tegar Berdiri Di Antara Tembok Kebencian Dan Parit Kerinduan*. Books.google.com, 2025. <https://books.google.com/books?hl=en&lr=&id=ueSaEQAAQBAJ&oi=fnd&pg=PA1&dq=prinsip+objektivitas+dalam+kewenangan+diskresioner+satpol+pp+analisis+hukum+administrasi+terhadap+penegakan+peraturan+daerah&ots=KNQwJDDAQR&sig=fMVRpCgy7Q1HFDjWmZBigSLPwvo>.
- Hafendi, D, and W Silalahi. "Diskresi Sebagai Instrumen Penegakan Hukum: Kajian Terhadap Kewenangan Kepolisian Berdasarkan UU Kepolisian." *Jurnal Hukum Lex Generalis*, no. Query date: 2025-12-12 12:29:44 (2024). <https://ojs.rewangrencang.com/index.php/JHLG/article/view/1443>.
- Handayani, A. *Efektivitas Peran Satuan Polisi Pamong Praja (Satpol PP) Dalam Menegakkan Peraturan Daerah Nomor 16 Tahun 2003 Tentang Pajak Reklame Di Kota ....* Etd.uinsyahada.ac.id, 2023. <http://etd.uinsyahada.ac.id/9871/>.
- HArdiansyah, H. *Efektifitas Pelaksanaan Penghentian Penyidikan Tindak Pidana Penganiayaan Berbasis Restorative Justice (Studi Kasus ....* no. Query date: 2025-12-12 12:29:44 (2025). [https://repository.unissula.ac.id/41619/1/Magister%20Ilmu%20Hukum\\_20302400130\\_fullpdf.pdf](https://repository.unissula.ac.id/41619/1/Magister%20Ilmu%20Hukum_20302400130_fullpdf.pdf).
- Ichwanul Muslimin. Sy and Mayarni Mayarni. "Efektivitas Penertiban Pedagang Kaki Lima di Kota Bukittinggi: (Studi Kasus Di Bawah Jembatan Fly Over Pasar Aur Kuning)." *Bersatu: Jurnal Pendidikan Bhinneka Tunggal Ika* 2, no. 1 (2023): 130–42. <https://doi.org/10.51903/bersatu.v2i1.549>.
- IMALDI, S. *Penataan Persetujuan Bangunan Gedung (Pgb) Di Kawasan Sempadan Danau Ditinjau Dari Perundang-Undangan Di ....* No. Query date: 2025-12-12 12:29:44 (2025).

- Jayadih, J. ... *Terhadap Wewenang Satuan Polisi Pamong Praja (Satpol Pp)(Study Kasus Enegakan Peraturan Daerah No 8 Tahun 2007 Di Dki ....* Repository.unusia.ac.id, 2020. <http://repository.unusia.ac.id/id/eprint/252/>.
- Mailani, Salsa Nabila, and Masrul Ikhsan. *Efektivitas Kinerja Satuan Polisi Pamong Praja (Satpol PP) Kabupaten Kampar dalam Penertiban Warung Remang - Remang*. 9 (2025).
- Melyka Ayu Ananda and Wiwik Handayani. "Peran Penting Satpol PP dalam Menegakkan Ketertiban Umum Kota Surabaya." *Bumi : Jurnal Hasil Kegiatan Sosialisasi Pengabdian kepada Masyarakat* 2, no. 3 (2024): 83–92. <https://doi.org/10.61132/bumi.v2i3.231>.
- Pribadi, U, JS Aji, E Saharuddin, S Sos, Y Ahdarrijal, and ... *Smart Government Berbasis Partisipasi Publik*. Books.google.com, 2024. [https://books.google.com/books?hl=en&lr=&id=PVshEQAAQBAJ&oi=fnd&pg=PP1&dq=prinsip+objektivitas+dalam+kewenangan+diskresioner+satpol+pp+analisis+hukum+administrasi+terhadap+penegakan+peraturan+daerah&ots=RzaeIOBbPL&sig=w5WX0KLRWnbY8\\_yaGNnYNVZGDbQ](https://books.google.com/books?hl=en&lr=&id=PVshEQAAQBAJ&oi=fnd&pg=PP1&dq=prinsip+objektivitas+dalam+kewenangan+diskresioner+satpol+pp+analisis+hukum+administrasi+terhadap+penegakan+peraturan+daerah&ots=RzaeIOBbPL&sig=w5WX0KLRWnbY8_yaGNnYNVZGDbQ).
- SRIYONO, S. *Analisis Yuridis Kewenangan Antara Satpol Pp Dan Polri Dalam Menciptakan Ketertiban Umum Dan Ketentraman Masyarakat*. Repository.unissula.ac.id, 2021. <http://repository.unissula.ac.id/id/eprint/24379>.
- Sulistiyono, K. "Kedudukan Dan Kewenangan Atasan Yang Berhak Menghukum Dalam Struktur Kepolisian Dari Asas Hukum Dan Hak Asasi Manusia." *Jurnal Kolaboratif Sains*, no. Query date: 2025-12-12 12:29:44 (2025). <https://jurnal.unismuhpalu.ac.id/index.php/JKS/article/view/7540>.
- Tamam, MK. "Analisis Yuridis Tentang Kewenangan Diskresi Oleh Kepolisian." *Prosiding Seminar Nasional Pendidikan ...*, no. Query date: 2025-12-12 12:29:44 (2024).
- Tantimin, T, E Febriyani, and ... "Efektifitas Penegakan Hukum Tindak Pidana Ringan Di Kota Batam." ... *Ilmu Hukum*, no. Query date: 2025-12-12 10:29:21 (2023).