



Discretion of Public Order Agency (Satpol PP) in Enforcing Regional Regulations: A Normative Review of Conditions, Limits and Accountability

Muhammad Nasar¹, Rizki Tri Anugrah Bhakti², Dwi Afni Maileni³, Indra Sakti⁴

¹Faculty of Law, Universitas Riau Kepulauan, Batam 29425, Indonesia. mn6180166@gmail.com

²Faculty of Law, Universitas Riau Kepulauan, Batam 29425, Indonesia. rizki.tri.ab@gmail.com

³Faculty of Law, Universitas Riau Kepulauan, Batam 29425, Indonesia. dwi.afni.maileni@gmail.com

⁴Faculty of Law, Universitas Riau Kepulauan, Batam 29425, Indonesia. indrasakti12680@gmail.com

Corresponding Author: rizki.tri.ab@gmail.com²

Abstract: This study aims to formulate the legal basis for the Public Order Agency (Satpol PP) discretion in enforcing regional regulations, focusing on the distinction between routine and discretionary authority, the conditions for exercising discretion, normative limits, and the legal accountability model. The study uses a normative juridical method with a statutory and conceptual approach. Primary, secondary, and tertiary legal materials are analyzed through legal interpretation, systematic reasoning, and legal argumentation to develop operational parameters for testing discretion in the practice of enforcing regional regulations. The results show that the main problem does not lie in the existence of discretion, but rather in the absence of consistent parameters for assessing the validity, limits, and accountability of its use. The study produced six main findings, namely the classification of Satpol PP actions between routine and discretionary authority; formal and material conditions for the use of discretion; a matrix for testing the limits of discretion based on legality, general principles of good governance (AUPB), the purpose of authority and proportionality; a typology of risks of deviation; a legal accountability model; and the operational flow of discretion as a framework for institutional evaluation. The findings confirm that the Public Order Agency (Satpol PP) discretion remains legitimate within the framework of a state governed by law, provided it is based on clear authority, a documented rationale, appropriate position objectives, and verifiable accountability mechanisms. This research contributes to strengthening regional administrative law and improving governance to achieve more measurable and accountable regional regulatory enforcement. More specifically, the primary novelty of this study lies in the formulation of an operational flow of Satpol PP discretion that translates abstract principles of legality, AUPB, purpose of authority, proportionality, documentation, and correction into a sequential decision-making framework that can be applied institutionally in daily regional regulation enforcement.

Keyword: Discretion, Satpol PP, Regional Regulation Enforcement, Administrative Law, Legal Accountability.

INTRODUCTION

The Public Order Agency (Satpol PP) is a regional apparatus established to enforce regional regulations, maintain public order, maintain peace and protect the community (Peraturan Pemerintah Nomor 16 Tahun 2018 Tentang Satuan Polisi Pamong Praja, 2018). In practice, this mandate places the Satpol PP in a highly conflict-ridden environment, including controlling street vendors, billboards, unlicensed buildings, and activities that interfere with residents' social and economic rights.

Theoretically, the function of enforcing regional regulations demands effectiveness (public order). However, academic debate emphasizes that effectiveness must not sacrifice the rule of law and the protection of rights—especially when field actions involve restricting residents' activities (Lina et al., 2023; Ughude, 2015). The key issue is not simply the need for enforcement, but rather a legitimate, accountable decision-making framework; this gap leads research to consider discretion as both a vulnerable and necessary point.

In Indonesian administrative law, discretion is defined as the decision or action of government officials to address specific issues when regulations provide options, are unregulated, incomplete, or cause governmental stagnation (Undang-Undang Nomor 30 Tahun 2014 Tentang Administrasi Pemerintah, 2014). Discretion theory views it as an instrument of governability—preventing government inertia when norms are inadequate (Bellamy, 2017; Hart, 2013). However, debate suggests that discretion increases the risk of arbitrariness, in which actions depend on officials' subjective judgment and are prone to deviating from the authority's objectives (Arias et al., 2024; de Boer & Raaphorst, 2023). Discretion is needed as a bridge to unclear norms, but must be fenced off by measurable conditions and boundaries. Therefore, it is important to investigate the need for operational boundary conditions in the context of Regional Regulation enforcement by the Satpol PP.

Although Law Number 30 of 2014 provides a general framework for discretion, abuse of authority, and the AUPB, its formulation remains insufficiently specific for field-level Satpol PP contexts. The law does not clearly explain how officers should distinguish routine enforcement from genuine discretion in fast-moving field situations, what minimum documentation must accompany immediate decisions, or how proportionality should be tested when actions directly affect citizens' economic activity, mobility, or access to public space. This gap between general administrative doctrine and concrete enforcement practice explains the urgency of developing more operational parameters for Satpol PP discretion.

Discretionary regulations cannot stand alone because they are embedded in the principles of legality and the AUPB. In theory, the AUPB serves as a norm of propriety in government administration, guiding activities that do not exceed authority, are not arbitrary, and remain focused on legal clarity and accountability (Pratiwi et al., 2016). The AUPB's status is being debated, which is not unique to ethical guidelines or norms with legal review power comparable to legality requirements in administrative judicial supervision. Although the AUPB is frequently interpreted as elastic, in the context of discretion, it is critical as a restraint when the regulatory text is inadequately specified. This study addresses the gap by examining how the AUPB and legality interact to determine the legitimacy of discretion.

The Satpol PP discretion is also interpreted through the street-level bureaucracy theory, which emphasizes that frontline officials frequently make policy through micro-decisions when interacting with citizens, such as issuing enforcement orders, warnings, or directing alternative solutions. The dispute over policy implementation pits two camps against each other: the first requires strict standardization to ensure uniformity and prevent exploitation, while the second emphasizes the importance of flexibility because field situations are diverse and not fully anticipated by norms. As a result, the issue of the Public Order Agency (Satpol PP) 's discretion cannot be addressed merely by introducing technical laws, which always leave room for

situational analysis. As a result, it is critical to establish discretionary limitations that maintain professionalism while minimizing potential for non-abuse of power.

These boundaries are increasingly important because, conceptually, discretion can shift into the abuse of authority (*détournement de pouvoir*) or into actions exceeding authority (Rizkyta & Ningsih, 2022). Research by Qindi (2024) shows that abuse of authority often leads to overlapping assessments across the administrative and criminal spheres, potentially creating uncertainty for officials and weakening citizen protection if administrative controls are ineffective. At the level of control theory, debate centers on the intensity of the supervisory authority's discretionary review, which can examine procedures (low intensity) or delve into substance through the principle of proportionality (Yu, 2009). Without clear parameters of proportionality and the purpose of authority, it is difficult to test discretion consistently; therefore, this study proposes a formulation of parameters for testing the limits of the Satpol PP's discretion that are compatible with the Indonesian administrative law tradition.

The dimension of accountability also determines the direction of the discourse on discretion. Theoretically, public accountability demands explanations, assesses the reasons for actions, and imposes consequences for deviations (Craig, 2024). The debate over the criminalization of administrative decisions, which translates discretion into the criminal realm, can give rise to a defensive bureaucracy, but being too lax also opens the door to impunity and harm to citizens. The accountability of the Public Order Agency (Satpol PP) for its discretion needs to be mapped across various levels—administrative, ethical, disciplinary, civil, and criminal—with an argumentative threshold that balances enforcement effectiveness with the protection of rights.

Based on this debate, this research focuses on formulating the conditions, limits, and accountability for the Satpol PP's discretion in enforcing regional regulations to prevent it from degenerating into arbitrary action. The research questions include: (1) what are the criteria for distinguishing Satpol PP's discretionary actions from the exercise of routine authority in enforcing regional regulations; (2) what are the formal and material requirements for the use of discretion according to the legal framework and the AUPB; (3) how are the limits of discretion determined through the principles of the purpose of authority and proportionality to prevent abuse of authority; and (4) how is legal accountability constructed for the use of Satpol PP's discretion that results in harm or alleged violation of citizens' rights?

The objectives of this research are: (a) to develop a normative construction regarding the conditions and limits of Satpol PP discretion, (b) to develop parameters for testing discretion based on legality–AUPB–proportionality, and (c) to formulate legal accountability that strengthens legal certainty, apparatus accountability, and the protection of citizens' rights in enforcing regulations. The novelty of this research lies in the formulation of parameters for testing Satpol PP discretion that integrate the principles of legality, AUPB, the purpose of authority and proportionality into operational normative framework, while simultaneously mapping a tiered model of legal accountability.

METHOD

This research employs a normative juridical method, which positions law as a norm (law on the books), focusing on the consistency, structure, and rationality of discretionary regulations and the consequences of their accountability. This research focuses on the normative construction of discretion in enforcing regional regulations by the Public Order Agency (Satpol PP): its validity requirements, the limits of its use to prevent abuse of authority, and the design of legal accountability when discretion results in harm. Furthermore, a purely normative approach was chosen because the research problem is rooted in the unclear boundaries of authority and the standards for assessing legitimate discretion, which must be conceptually tested against the principle of legality and the AUPB (General Principles of Law) as parameters for the legality of government actions. The State Administration Law (Law

30/2014) affirms the obligation of officials to act in accordance with laws and regulations and the AUPB, while also providing a framework for discretion and prohibiting the abuse of authority.

Furthermore, the normative focus of this research is not a specific individual, but rather the Satpol PP as a regional apparatus exercising authority to enforce regional regulations and to take non-judicial and administrative disciplinary actions (Evans, 2020). The institutional framework and scope of authority are set out in Government Regulation 16/2018, including norms on duties, functions, authority, coordination, and the requirement for SOPs and codes of ethics for the enforcement of regional regulations. This research is framed within the Indonesian legal system, particularly in the realm of State Administrative Law and governance, since the enactment of Law Number 30 of 2014 and Regulation 16 of 2018.

In terms of approach, the research combines: (1) a legislative approach to map primary rules on discretion, the AUPB, the prohibition on abuse of authority, the authority of the Public Order Agency (Satpol PP), the code of ethics, and the legal oversight mechanism; (2) a conceptual approach to examine the meaning of discretion, the purpose of authority, proportionality, prudence, and non-abuse of power as limiting standards; and (3) where necessary, on a limited basis, a case study approach through relevant decisions to examine the AUPB and discretion in practice as parameters for testing administrative actions. Methodological debates contrast normative and socio-legal research (Negara, 2023; Putra et al., 2023). However, normative research remains valid when the primary issue is the normative criteria and standards of testing for government action—not the behavior of actors in the field.

The legal materials in this study consist of primary legal materials, namely Law 30/2014 concerning Government Administration (including the AUPB and discretionary framework), Government Regulation 16/2018 concerning the Public Order Agency (Satpol PP), as well as regulations related to regional government and technical norms for enforcing relevant Regional Regulations; and secondary legal materials, in the form of doctrines and scientific articles discussing discretion (Suparto et al., 2024).

Finally, the analysis technique employs legal reasoning and interpretation methods to determine the definition and elements of discretion; systematic interpretation to connect norms to the authority of the Satpol PP, SOP and prohibitions on abuse of authority; and limited teleological and sociological interpretation to assess the purpose of authority (doelmatigheid). Furthermore, this study creates a discretionary limitations matrix that includes: the legal basis and competence of officials, the reason for employing discretion, (3) compliance with the AUPB, proportionality tests and limiting the intensity of actions. This matrix is used as an analytical tool to determine Satpol PP activities are still within the scope of legitimate discretion or have devolved into an abuse of authority.

RESULTS AND DISCUSSION

The results of this study are a normative operational construction of the Public Order Agency (Satpol PP)'s discretion in enforcing regional regulations, developed through a systematic reading of the legal framework, the AUPB (Authorized Public Order Agency), the purpose of authority, proportionality, and mapping of forms of legal responsibility for actions that cause harm or alleged violations of rights. Therefore, the results of this study are not presented as field statistics, but rather as normative findings that produce test parameters, action classifications, and models that can be used as analytical references and institutional guidelines. This direction aligns with the design of normative juridical research that positions law as the norm and targets outputs in the form of a map of the boundaries of discretion and the operational system for its use.

The first finding indicates that the problem in the practice of enforcing regional regulations lies not only with the actions of the Satpol PP, but also with the legal status of the actions themselves: whether they constitute routine exercise of authority based on detailed

SOPs or whether they constitute the exercise of discretion due to gaps, incompleteness, choice of norms, or the need for immediate decisions. The analysis demonstrates that this distinction is crucial because the consequences of the tests differ. Routine actions are tested on procedural compliance and formal competence. Discretion must be further tested on the rationale for the purpose of the authority and quality of administrative justification. Table 1.

Table 1. Classification of Actions, Authority and Discretion of Satpol PP

Test Aspects	Routine Implementation of Authority	Satpol PP Discretion	Legal Implications
Basis for Action	Detailed norms and SOPs, directly operational	Norms provide incomplete options/do not regulate concrete situations	Requires additional justification
Officer's Assessment Area	Minimal	High (situational judgment)	Increased risk of arbitrariness
Reasons for Decision	Simply refer to procedural rules	Must explain concrete needs, urgency, and objectives	Reason must be documented
Main Test Parameters	Competence, procedures, forms of action	Legality, AUPB, purpose of authority, proportionality	More substantial testing
Administrative Burden of Proof	Relatively low	Higher (must be argumentative)	Determining accountability
Risk of Dispute	Procedural, ordinary administrative	Suspected abuse of authority or potential overreach of authority	Potential for multiple layers of control

The classification in Table 1 demonstrates that the main issues in the practice of enforcing regional regulations relate not only to the actions taken but more fundamentally to the legal review regime that must be applied to those actions. When an action falls within the category of routine authority, the measure of legality tends to rest on the appropriateness of competence, procedural sequence, and a standardized form of action.

Conversely, when an action falls within the realm of discretion, the review cannot stop at formal compliance. In this context, actions that appear administratively orderly may be questioned if the rationale for exercising discretion is unclear, the objectives and authority shift, or the justification is poorly documented. Therefore, this classification is not merely a technical categorization but serves as a starting point for determining relevant accountability standards.

These findings also indicate that the scope of officer assessment is a central element that distinguishes routine from discretionary actions. In routine actions, the scope of assessment tends to be narrow because normative instruments provide detailed operational directives. However, in discretionary actions, the scope of assessment is broader because officers respond to concrete facts that norms cannot always predict. Consequently, the quality of regional regulation enforcement is greatly influenced by the institution's ability to ensure that this scope of assessment does not degenerate into a space of uncontrolled freedom. Within the framework of the research findings, these needs can be translated into demands for documentation, consistency of objectives, and stricter proportionality testing for discretionary actions.

Based on this classification, the findings confirm that the Satpol PP's discretion is treated as a free space. This research identified the need to separate the conditions for the use of discretion into two broad groups: formal and material conditions. Formal conditions serve to ensure actions remain within the corridor of institutional competence and administrative governance. Meanwhile, material conditions test the rationality and legitimacy of the decision's content, including the suitability of the action to the authority's objectives, the relevance of the facts, and the balance between public order and the protection of citizens' rights.

Table 2. Formal and Material Conditions for the Use of Discretion by Satpol PP

Dimension	Requirements	Operational Indicators	Consequences
Formal	Competence of Officials	Actions are carried out by officers within the authority of the Public Order Agency (Satpol PP).	Authority flaws

Dimension	Requirements	Operational Indicators	Consequences
Formal	Minimum Legal Basis	Reference norms (Laws/Government Regulations/Regional Regulations/Regional Head Regulations/SOPs).	Legal flaws
Formal	Minimum Procedures	Warning, communication, and data collection stages are contextual.	Procedural flaws
Formal	Decision Documentation	Recorded reasons, object of action, time, location, and officers.	Weak accountability
Material	Purpose of Authority	Actions are directed at maintaining public order, security, and protection, and not for other reasons.	Indications of power detournement
Material	Concrete Factual Basis	Relevant and verifiable field facts are available.	Decisions prone to bias
Material	AUPB Compliance	Non-discriminatory, careful, proportional, and accountable.	Potential for maladministration and irregularities
Dimension	Proportionality	The intensity of the action is commensurate with the level of disturbance and violation.	Excessive enforcement

Table 2 confirms that the validity of discretion is not solely established by the existence of the Satpol PP's general authority, but requires a multi-layered structure of prerequisites. Formal requirements, as outlined in the research findings, serve as a safeguard to ensure that actions remain within institutional frameworks and administrative governance. The absence of any formal element, particularly official competence, a minimum legal basis, or decision documentation, makes actions difficult to defend legally, even if they may be deemed necessary in practice. Therefore, these findings position formal aspects not as mere administrative formalities, but as the foundation of legality and a fundamental prerequisite for any institutional defense should a dispute or complaint arise.

On the other hand, material requirements are a determining factor in whether discretion can be deemed substantively legitimate. The research findings show that actions that pass the formal test can still be problematic if they lack a sufficient factual basis, are not directly related to the authority's purpose, or exhibit a disproportionate intensity to the level of the violation. Thus, material requirements serve as an instrument to prevent the normalization of decisions that are feasible but insufficiently justifiable. Within the research findings, the combination of formal and material requirements also serves as a basis for distinguishing ordinary administrative errors from indications of abuse of authority of greater legal significance.

These findings represent the birth of more operational parameters for testing the limits of discretion. The analysis shows that the debate over legality and the AUPB becomes applicable when translated into a step-by-step testing matrix. This matrix is important because debates about discretion often stop at the general conceptual level and lack a sufficiently sharp tool for assessing the concrete actions of the Satpol PP. In these findings, the limits of discretion are determined through a series of test questions, such as whether the action is within authority, whether the objective is appropriate, whether the procedure is reasonable, whether the chosen method is necessary and not excessive, and whether a corrective mechanism is available.

Table 3. Satpol PP Discretion Limits Test Matrix

Testing Stage	Questions	Parameters	Finding Status
Test 1: Competence	Does the Public Order Agency (Satpol PP) have the authority to act in this situation?	Authority attribution, delegation, mandate, duties, and functions of the Public Order Agency (Satpol PP)	Legitimate or Illegitimate Initial Limit
Test 2: Normative Basis	Is there a legal basis or relevant normative reference?	Laws, Government Regulations, Regional Regulations, and Regional Head Regulations (SOPs)	Determining the Minimum Legal Basis

Testing Stage	Questions	Parameters	Finding Status
Test 3: Purpose of Authority	Is the action directed toward enforcing local regulations and public order?	Purpose of office, not personal motives or excessive punitiveness	Detecting Deviations from Goals
Test 4: AUPB	Is the action thorough, fair, non-discriminatory, and transparent?	Legal certainty, accuracy, public interest, accountability	Assessing the Quality of Governance
Test 5: Proportionality	Has the least severe and effective action been considered?	Suitability, necessity, and balance of impact	Assessing the Intensity of Action
Test 6: Documentation & Correction	Is the reason for the action recorded and can objections or corrections be submitted?	Administrative records, complaint channels, evaluation	Supporting Accountability

The matrix in table 3 is an important operationalization because it transforms abstract concepts into test steps that can be applied in a step-by-step manner. In many administrative law debates, the issue of discretion often ends with the normative claim that discretion is permissible as long as it does not violate the law or the AUPB. The results of this study indicate that such a formulation is not helpful when assessing concrete actions. Therefore, this matrix is constructed as a reading tool to examine actions sequentially. This model can be understood in terms of the authority, normative basis, purpose of the position, quality of the process, intensity of the action, and the availability of corrective mechanisms. This sequence is important because it prevents analytical leaps that directly assess the results of actions without first assessing the basis and construction of the decision.

Furthermore, the findings of this test matrix emphasize that proportionality cannot stand alone; it can be meaningfully tested only after the authority's legality and purpose have been first ascertained. In analytical practice, there is a tendency to judge an action too harshly or to deem it intuitively reasonable without examining whether it was directed toward a legitimate official purpose and supported by sufficient facts. The research matrix prevents a subjective approach by placing proportionality within a chain of tests rather than as a single assessment. In other words, a new action can be deemed proportional if it is within the authority, has a relevant normative basis, and is intended for the proper interests of the position. This gradual structure enhances the quality of legal arguments and increases consistency in testing across cases.

The findings show that vulnerable points of discretion do not always manifest in blatant violations, but rather in gradual deviations. These begin with weak documentation, and minimal procedures are ignored. The justification for the objectives is unclear, and at some point, it devolves into allegations of abuse of authority or of actions exceeding authority. Therefore, this study maps a typology of normative risks so that internal and external oversight is not merely reactive after a dispute arises, but also preventive through early detection of signs of deviation.

Table 4. Typology of Normative Risks in the Use of Discretion by Public Order Agency (Satpol PP)

Risk Typology	Key Features	Practical Symptoms	Legal Issue Categories
Legal basis deficit	Legal basis unclear and incorrectly referenced	Actions are taken solely based on field practices	Legal Defects
Procedural deficit	Minimum steps ignored	No warnings, data collection, or action reports	Procedural Defects or Maladministration
Justification deficit	Reason for action not recorded	Urgent situations without factual descriptions	Defective Reasoning, Difficult to Test
AUPB deficit	Negligent or discriminatory action	Differential treatment without objective basis	Violation of the AUPB
Excessive enforcement	Excessive intensity of action	Coercive measures disproportionate to the violation	Disproportionality

Risk Typology	Key Features	Practical Symptoms	Legal Issue Categories
Objective deviation	Purpose of action diverges from official mandate	Regulation for non-mandated purposes	Abuse of Authority

Table 4 shows that discretionary deviations do not manifest as direct violations of the law, but develop through the accumulation of administrative weaknesses. The research findings indicate that legal, procedural, and justification deficits are often early symptoms that, if left unchecked, can lead to violations of the AUPB, disproportionality, and abuse of authority. Therefore, the normative risk typology developed in this study serves a dual function: as an analytical tool to qualify emerging legal issues; and as a preventative instrument for institutions to detect signs of deviation before they escalate into disputes or more serious violations.

This finding is also important because it broadens the perspective on oversight of actions and the quality of administrative processes. Within the framework of the research findings, documentation weaknesses or the absence of written justifications are not merely minor administrative issues but factors that directly impact the ability to prove the legality, purpose, and proportionality of actions. Therefore, the normative risk typology is presented not to increase sanctions, but rather to strengthen internal control governance through standardized recording, procedural discipline, and the enhancement of the quality of justifications for discretionary actions.

Furthermore, a central finding is the multilevel legal accountability model. The research findings indicate that not all discretionary errors should be immediately prosecuted. Instead, a multi-layered model is needed that places administrative and ethical-disciplinary mechanisms as the primary avenues of correction for procedural flaws, flawed reasoning, or violations of the AUPB, while civil and criminal proceedings are reserved for situations with a higher threshold, such as actual harm, serious deviations from the intended purpose, or specific unlawful elements. This model maintains a balance between effective enforcement and protection of citizens' rights, while avoiding two extremes: impunity by officials and excessive criminalization of administrative decisions.

Table 5. Multi-layered Model of Accountability for Public Order Agency Discretion

Layers of Responsibility	Triggers	Mechanisms	Forms of Consequences
Administrative	Procedural flaws, weak documentation, violations of SOP	Immediate superiors, inspectorates, internal evaluations, decision corrections	Cancellation or correction of actions, coaching, SOP revisions
Ethics and Discipline	Inappropriate, discriminatory, and unprofessional behavior	Code of ethics and employee discipline	Warnings, disciplinary sanctions, mandatory coaching
Civil	Proven harm to citizens resulting from actions	Lawsuits for damages	Compensation, restitution, and reinstatement
Judicial-Administrative	Disputes over the legality of decisions and administrative actions	Administrative remedies and administrative court forums	Cancellation, correction orders, rights rehabilitation
Criminal - Ultimum Remedium	Elements of abuse with high levels of error or criminal elements	Criminal law enforcement processes	Criminal sanctions based on evidence
Public Accountability	Widespread social impact and controversy over actions	Public reporting, institutional clarification,	Transparency, recommendations for systemic improvements

The results in Table 5 emphasize that legal accountability for Public Order Agency (Satpol PP) discretion needs to be formulated within a multi-level architecture, rather than a single model that directly leads to a single sanctions regime. This multi-level approach is based on the finding that the quality of errors in the use of discretion varies widely: some involve

administrative weaknesses that can be corrected through guidance and procedural improvements, while others involve ethical and disciplinary violations and have the potential to give rise to civil, administrative-judicial, or criminal disputes. This multi-level structure allows for a more targeted and proportional legal response, while avoiding two equally problematic extremes: excessive tolerance for officer error and too rapid criminalization of administrative decisions.

Furthermore, the model demonstrates that accountability is not solely repressive, but also corrective and preventative. The administrative, ethical, and internal evaluation pathways in this study are positioned as primary mechanisms for improving the quality of actions, strengthening standard operating procedures (SOPs), and encouraging institutional learning. Meanwhile, the civil, administrative-judicial, and criminal pathways are positioned as forums for further testing when the impact of actions raises issues of rights, losses, or allegations of more serious violations. Thus, the resulting tiered accountability model is not only a map of disputes but also a normative design for the rule of law that maintains a balance between the effectiveness of enforcing and protecting citizens' rights through tiered correction mechanisms.

Next, an operational flow for the use of discretion is developed as an integration of all the parameters mentioned above. The flow demonstrates that legitimate discretionary action depends not on the courage to act in the field, but on the quality of a documented and tested decision-making process. In the context of the Public Order Agency (Satpol PP), the results confirm that professionalism is not incompatible with flexibility; in fact, legitimate flexibility requires disciplined administrative argumentation. In other words, discretion remains available, but is limited by the obligation to provide justification, proportionality standards, and correction mechanisms.

Table 6. Operational Flow of Satpol PP Discretion in Enforcing Regional Regulations

Stages	Operational Questions	Output
Identify the situation	Can the case be handled using routine SOPs?	Classification: routine-discretionary
Verify authority	Is the Public Order Agency (Satpol PP) competent to act?	Determination of authorized officials
Determine the normative basis	Which norms are relevant, and which ones are not detailed?	Legal and discretionary references
Test the objectives and facts	What is the purpose of the action and the concrete facts underlying it?	Notes on the rationale for the action
Test the AUPB and proportionality	Are there less stringent yet effective alternatives?	Most balanced action option
Implementation and documentation	How are the actions taken and recorded?	Action report and administrative record
Correction and evaluation	Are there any objections, complaints, or needs for SOP revision?	Corrective follow-up and institutional learning

Table 6 presents a research synthesis in the form of an operational flowchart, confirming that legitimate discretion must be established through a structured decision-making process rather than solely based on field action outcomes. This finding is important because assessments of the performance of regional regulation enforcement often focus on the speed or decisiveness of action, while the quality of the administrative reasoning that precedes the action is not adequately examined. The operational flow generated by the research demonstrates that, from the situation identification stage, officers need to distinguish whether a case can be resolved through routine standard operating procedures (SOPs) or requires discretion. This initial distinction determines the type of testing that will follow and prevents excessive use of discretion in situations that already have adequate normative guidance.

Furthermore, this flowchart demonstrates that documentation and evaluation are not additional steps after the action is completed, but rather are inherent parts of discretion. The quality of discretion is measured not only by the accuracy of the action chosen, but also by the

institution's ability to record the reasons, allow for correction, and use the experience of handling as learning material to improve the SOP. In other words, the operational flow in Table 6 positions discretion as a governmental instrument compatible with the principles of the rule of law, as each stage can be traced, tested, and improved. The synthesis of findings concludes the results section by providing the most applicable operational form of all the normative constructs previously developed.

Overall, this study yields six normative outputs: a classification of Satpol PP actions between routine and discretionary authority; formal and material requirements for the use of discretion; a matrix for testing the limits of discretion; a typology of normative risks of deviation; a model of legal accountability; and operational discretion. These findings demonstrate that the apparent orderliness of the results does not solely determine the quality of enforcement, but rather the administrative legal manner in which the actions are formulated, implemented, and accounted for. Thus, the study positions Satpol PP discretion not as an exception to the rule of law, but rather as a legitimate governmental instrument, provided it adheres to the testable parameters of legality, AUPB (Authorized Public Order), the purpose of authority, proportionality, and accountability.

Methodologically, the research results demonstrate that the normative juridical approach goes beyond the mere inventory of regulations and can produce operational analytical tools for concretely assessing government actions. By classifying actions, separating discretionary requirements, establishing a boundary test matrix, developing a normative risk typology, adopting a multilevel accountability model and outlining a synthetic operational flow, the research develops an evaluation framework that be used academically and institutionally. This framework emphasizes that the quality of Regional Regulation enforcement by the Satpol PP can only be adequately assessed if legality, AUPB, the purpose of authority, proportionality, and accountability are read as a series of interrelated tests.

Discussion

The findings of this study demonstrate that the Public Order Agency (Satpol PP)'s discretion cannot be understood as unlimited freedom, but rather as conditional legal authority, valid only when the mechanism of bound authority is no longer adequate to address the concrete situation on the ground. From an administrative law perspective, this position is important because it shifts the perspective that often positions discretion solely as a matter of officer subjectivity, when in fact the core issue lies in the structure of legality, the purpose of authority, and the quality of accountability. Within this framework, the research findings align with the view that discretion is a necessary administrative instrument for maintaining the continuity of public services and order, but must be limited by norms, authority, principles of good governance, and clear testing parameters (Erlyn et al., 2022; Suparto et al., 2024).

Conceptually, the research findings reinforce the debate in administrative law about whether enforcement effectiveness is determined by the flexibility of official decisions or by strict adherence to formal procedures. This research demonstrates that this dichotomy is unproductive. In Satpol PP practice, the effectiveness of public order enforcement is not the result of freedom of action alone, but rather the ability to balance swift action with verifiable legal justification. At this point, the research findings are closer to a position that views discretion as controlled judgment, namely, administrative judgment, whose rationality, the purpose of its authority, and the proportionality of its consequences must be examined. Thus, the primary problem is not the existence of discretion itself, but rather the lack of an adequate institutional structure to oversee its use.

From the perspective of street-level bureaucracy, every field decision by the Public Order Agency (Satpol PP) almost always involves judgment, so discussions of discretion cannot stop at the normative formulation of the law. The public administration literature shows that frontline bureaucrats fundamentally shape policy in practice by translating general norms

into concrete actions for citizens (de Boer & Raaphorst, 2023). This is relevant to the research finding that the quality of the Satpol PP's discretion is determined not only by legal texts but also by the organization's capacity to provide guidelines for interpretation, supervision, and documentation of decisions.

However, the perspective of street-level bureaucracy should not be used to legitimize actions that exceed the limits of authority. This is where this research takes a more normative position: the administrative assessment space is always returned to the principle of legality, which not only demands a basis for authority but also a rationale for its use. This debate is important because, in the practice of enforcing public order, the justification of public order is often used and risks obscuring procedural flaws or disproportionality of actions. Therefore, research findings that emphasize examining the purpose of authority, the factual basis, and the impact of actions are an important contribution to distinguishing legitimate discretion from abuse of authority disguised as urgency.

This discussion is also closely related to the dimensions of leadership and supervision. The literature shows that superior leadership styles influence how field officers implement enforcement, which may tend to be repressive, persuasive, or balanced (Klijn et al., 2022; Vinopal, 2020). Furthermore, research on professional discretion confirms that organizations can influence discretion through a combination of rules, learning, and work climate, rather than solely through repressive control (Zhang et al., 2022). In this context, the implication is clear: reforming discretion should be directed toward a supervisory architecture that promotes consistent legal reasoning, not merely enhancing administrative discipline.

From an accountability perspective, these findings demonstrate the need for a more multi-layered model. Discretionary accountability cannot be adequately understood as ex-post accountability when a dispute has reached the State Administrative Court (PTUN) or when an alleged violation arises. Instead, discretion is placed within a continuum of ex-ante, concurrent, and ex-post accountabilities. Public accountability literature has long emphasized that accountability is not a single entity; rather, it comprises multiple dimensions that reinforce each other and conflict with each other if not clearly defined (Farmbry & Harper, 2005; Hupe & Hill, 2007). This research finding furthers this debate in the context of the Satpol PP. When officers are burdened solely with public order targets without explicit legal reasoning parameters, accountability tends to shift to evaluating outputs rather than the legitimacy of actions.

At this point, the relationship between discretion and judicial review of abuse of authority becomes a central issue. Studies of Indonesian administrative law show that expanding the scope of judicial review for elements of abuse of authority through the government administration regime opens up opportunities for more substantive corrections to official actions, but its implementation still faces problems of consistent interpretation (Efendi, 2020; Widhi Antoro, 2021). These findings emphasize that without adequate operational parameters at the Satpol PP organizational level, judicial review often occurs after losses or conflicts occur. Therefore, a practical contribution lies in emphasizing that preventing abuse of authority must begin with the design of administrative decisions, rather than relying solely on litigation corrections at the final stage.

Another aspect that is strengthened in the discussion is the importance of the principle of proportionality as a bridge between effective enforcement and the protection of citizens' rights. In the context of maintaining order, proportionality is relevant not only as a judicial test but also as the internal logic of decision-making: whether the chosen action is necessary, whether there are less severe alternatives, and whether the resulting burden is proportionate to desired goal of order. Comparative administrative law literature shows that proportionality provides a more transparent argumentative structure than merely elastic propriety (Boyron & Marique, 2021). Therefore, the findings, which place proportionality as an evaluative parameter, are an important step in strengthening the justification quality of the Satpol PP

discretion, particularly in actions that have the potential to restrict economic activity or citizen mobility.

In this respect, the proportionality principle acts as a mediator between formal legality and material justice. An action may be formally lawful because it is taken by a competent official under a valid normative basis, yet still be materially problematic if the intensity of the intervention exceeds what is necessary to achieve public order. Proportionality therefore converts legality into a substantive fairness test by asking whether the chosen measure is suitable to the disturbance, necessary in light of less restrictive alternatives, and balanced against the burden imposed on citizens (Boyron & Marique, 2021; Craig, 2024).

For Satpol PP, this means proportionality should guide the escalation ladder of enforcement. Before resorting to stronger measures, officers should be able to justify why warning, communication, relocation, administrative instruction, or other less intrusive steps were insufficient in the concrete situation. In this sense, proportionality does not weaken enforcement; rather, it disciplines discretion so that each action remains connected to the purpose of authority, supported by relevant facts, and defensible in documentation. The principle thus mediates between order and justice by ensuring that formally legal action also remains materially reasonable, non-excessive, and publicly accountable.

Academically, this research contributes to the dialogue between administrative law and public administration. Administrative law provides normative boundaries regarding when discretion is justified and when it becomes an abuse of authority. At the same time, public administration explains why, in practice, field decisions often deviate from normative design. The strength of this research lies in its effort to reconcile these two perspectives in the context of the Satpol PP. Future research agendas can be expanded through more systematic decision analysis, empirical studies of field decision documentation practices, and testing discretionary supervision models in various regions. This direction is crucial to ensure that discretion is no longer positioned as a gray area of enforcement, but rather as a legitimate, measurable, and accountable administrative instrument within the framework of the rule of law.

CONCLUSION

This research positions the Satpol PP's discretion in enforcing regional regulations as a central issue in administrative law, one that cannot be assessed solely by enforcement outcomes in the field, but rather by the quality of the legal framework underpinning these actions. Using a normative juridical approach, this article demonstrates that the primary issue lies not in the presence or absence of discretion, but rather in the lack of uniform parameters for distinguishing actions that remain within the scope of authority from those that have shifted toward abuse of authority.

The contribution lies in strengthening the position of discretion as a legitimate instrument of government in a state governed by the rule of law, provided its use can be explained, recorded, and tested. The research findings demonstrate that discretion should not be understood as a free policy space entirely dependent on officer intuition, but rather as an administrative decision that remains constrained by legal structures and public rationality. Therefore, the quality of the Satpol PP is not solely measured by the speed of response or the firmness of enforcement, but rather by the institution's ability to ensure that every discretionary decision has a basis in authority, relevant reasons, objectives consistent with the mandate, and an intensity of action commensurate with the concrete situation at hand.

This research also emphasizes a shift in perspectives on legal accountability. Accountability for the Satpol PP discretion is inappropriate if it is always directed solely at the most severe sanction regime. This research demonstrates the need for a tiered accountability model that differentiates between administrative correction, ethical and disciplinary guidance, judicial administrative review, civil liability, and potential criminal prosecution under certain circumstances. This tiered approach aligns with the principle of proportionality in law

enforcement because it allows for a response appropriate to the quality of the error, the impact of the action, and the degree of deviation from authority.

In terms of policy implications, this research recommends strengthening governance of the Satpol PP's discretion through improvements at the organizational and procedural levels. Regional governments and Satpol PP leaders need to develop operational guidelines that not only outline action steps but also specify formats for justifying discretion, standards for documenting reasons, proportionality parameters, and post-action evaluation mechanisms.

Accordingly, discretion should be reaffirmed not as limitless freedom, but as a form of flexible authority that remains bound by documented justification. The legitimacy of Satpol PP discretion depends on the officer's and institution's ability to record why routine authority was insufficient, what legal and factual grounds supported the action, why the chosen measure was proportionate, and how correction or review can be undertaken afterward. In this way, flexibility remains compatible with the rule of law because every discretionary step can still be traced, tested, and held accountable.

The limitations of this research lie in its juridical-normative nature, which focuses on the construction of norms, testing parameters, and accountability design rather than on empirical measurement of variations in Satpol PP practices across regions. Therefore, further research is crucial, focusing on integrating normative analysis with empirical studies of discretionary documentation practices, field supervision patterns, and decision-making tendencies in disputes over government actions. With further development, the framework can be tested, refined, and strengthened as a reference for updating standard operating procedures, institutional oversight and fostering the professionalism of Satpol PP officers in enforcing regional regulations.

REFERENCE

- Arias, J., Moreno-Rebato, M., Rodriguez-García, J. A., & Ossowski, S. (2024). Automated legal reasoning with discretion to act using s(LAW). *Artificial Intelligence and Law*, 32(4), 1141–1164. <https://doi.org/10.1007/s10506-023-09376-5>
- Bellamy, R. (2017). *The Rule of Law and the Separation of Powers* (R. Bellamy (ed.)). Routledge. <https://doi.org/10.4324/9781315085302>
- Boyron, S., & Marique, Y. (2021). Proportionality in English Administrative Law: Resistance and Strategy in Relational Dynamics. *Review of European Administrative Law*, 14(1), 65–93. <https://doi.org/10.7590/187479821X16190058548736>
- Craig, P. (2024). Proportionability and Proportionality. In *English Administrative Law from 1550* (pp. 423–448). Oxford University PressOxford. <https://doi.org/10.1093/oso/9780198908326.003.0014>
- de Boer, N., & Raaphorst, N. (2023). Automation and discretion: explaining the effect of automation on how street-level bureaucrats enforce. *Public Management Review*, 25(1), 42–62. <https://doi.org/10.1080/14719037.2021.1937684>
- Efendi, A. (2020). Interpretasi Modern Makna Menyalahgunakan Wewenang Dalam Tindak Pidana Korupsi. *Jurnal Yudisial*, 12(3), 327. <https://doi.org/10.29123/jy.v12i3.380>
- Erlyn, P., Hidayat, B., Cahyo, A., & Saksono, H. (2022). Investment in Human Resources to Increase Achievement Levels of Sustainable Development. *Jurnal Bina Praja*, 14(1), 135–146. <https://doi.org/10.21787/jbp.14.2022.135-146>
- Evans, T. (2020). Street-Level Bureaucrats: Discretion and Compliance in Policy Implementation. In *Oxford Research Encyclopedia of Politics*. Oxford University Press. <https://doi.org/10.1093/acrefore/9780190228637.013.1422>
- Farmbry, K., & Harper, R. (2005). Institutional Legitimacy Building in a Context of Transition: The South African Land Claims Court. *Public Administration Review*, 65(6), 678–686. <https://doi.org/10.1111/j.1540-6210.2005.00497.x>
- Hart, H. L. . (2013). Discretion. *Harvard Law Review*, 127(2), 652–665.

- <http://www.jstor.org/stable/23742020>
- Hupe, P., & Hill, M. (2007). Street-Level Bureaucracy and Public Accountability. *Public Administration*, 85(2), 279–299. <https://doi.org/10.1111/j.1467-9299.2007.00650.x>
- Peraturan Pemerintah Nomor 16 Tahun 2018 tentang Satuan Polisi Pamong Praja, (2018).
- Undang-Undang Nomor 30 Tahun 2014 tentang Administrasi Pemerintah, (2014).
- Klijn, E. H., de Boer, N., & Eshuis, J. (2022). Leading frontline enforcers: how supervisors' leadership style impacts inspectors' enforcement style. *Public Management Review*, 24(3), 398–417. <https://doi.org/10.1080/14719037.2020.1833610>
- Lina, L., Hidayat, R., & Chandrawati, T. (2023). Kinerja Satpol PP dalam Tugas dan Fungsi Sebagai Penegak Peraturan Daerah di Kabupaten Tana Tidung. *NeoRespublica : Jurnal Ilmu Pemerintahan*, 4(2), 520–528. <https://doi.org/10.52423/neoresjurnal.v4i2.98>
- Negara, T. A. S. (2023). Normative Legal Research in Indonesia: Its Originis and Approaches. *Audito Comparative Law Journal (ACLJ)*, 4(1), 1–9. <https://doi.org/10.22219/aclj.v4i1.24855>
- Pratiwi, C. S., Yulita, C., Fauzi, F., & Purnamawati, S. A. (2016). *Penjelasan Hukum Asas-Asas Umum Pemerintahan Yang Baik (AUPB)*. https://leip.or.id/wp-content/uploads/2016/05/Penjelasan-Hukum-Asas-Asas-Umum-Pemerintahan-yang-Baik-Hukum-Administrasi-Negara.pdf?utm_source=chatgpt.com
- Putra, H. O. A., Taifur, W. D., Games, D., & Handra, H. (2023). The Effect of Sense of Place Towards Social Capital on Millennials in A Semi-Urban City (A Case Study in Padang, West Sumatera - Indonesia). *Ilomata International Journal of Social Science*, 4(2), 211–220. <https://doi.org/10.52728/ijss.v4i2.724>
- Qindi, A. E. Al. (2024). Implementasi Wewenang Satuan Polisi Pamong Praja (Satpol PP) dalam Penegakan Peraturan Daerah di Surabaya. *JISP (Jurnal Inovasi Sektor Publik)*, 4(1), 95–105. <https://doi.org/10.38156/jisp.v4i1.230>
- Rizkyta, A. P., & Ningsih, B. R. (2022). Penyalahgunaan Wewenang Berdasarkan Pengadilan Tata Usaha Negara dan Pengadilan Tindak Pidana Korupsi. *Jurnal Esensi Hukum*, 4(2). <https://doi.org/https://doi.org/10.35586/esensihukum.v4i2.161>
- Suparto, S., Adinda, F. A., Esanov, A. E., & Normurotovna, Z. E. (2024). Administrative Discretion in Indonesia & Netherland Administrative Court: Authorities and Regulations. *Journal of Human Rights, Culture and Legal System*, 4(1), 75–100. <https://doi.org/10.53955/jhcls.v4i1.189>
- Ughude, V. N. (2015). Tugas dan Wewenang Polisi Pamong Praja dalam Penegakan Hukum. *Lex Et Societas*, 3(3). <https://doi.org/https://doi.org/10.35796/les.v3i3.7919>
- Vinopal, K. (2020). Socioeconomic Representation: Expanding the Theory of Representative Bureaucracy. *Journal of Public Administration Research and Theory*, 30(2), 187–201. <https://doi.org/10.1093/jopart/muz024>
- Widhi Antoro, B. H. (2021). Pengujian Penyalahgunaan Wewenang di PTUN. *Jurnal Yudisial*, 13(2), 207. <https://doi.org/10.29123/jy.v13i2.350>
- Yu, L. (2009). Judicial review on abuse of power by administrative authority. *Frontiers of Law in China*, 4(1), 61–81. <https://doi.org/10.1007/s11463-009-0004-5>
- Zhang, H., Yang, L., Walker, R., & Wang, Y. (2022). How to influence the professional discretion of street-level bureaucrats: transformational leadership, organizational learning, and professionalization strategies in the delivery of social assistance. *Public Management Review*, 24(2), 208–232. <https://doi.org/10.1080/14719037.2020.1805919>