



## Implementation of Law Number 20 Of 2023 As A Strengthening of the Implementation of the Functions and Authority of the Civil Service Based on Distributive Justice (Study by the BKPSDM of Mataram City)

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### Article Info

#### Article history:

Received 25 Nov, 2025

Revised 19 Dec, 2025

Accepted 09 Jan, 2026

#### Keywords:

Civil Servants; Law Number 20 of 2023; Distributive Justice; Merit System

### ABSTRACT

Law Number 20 of 2023 concerning State Civil Apparatus (ASN) is a new regulation that aims to transform state apparatus management through strengthening the merit system and applying the principle of distributive justice. This study aims to analyze the regulation of ASN functions and authorities, examine the implementation of ASN duties, and formulate an ideal concept for the implementation of ASN functions and authorities based on distributive justice within the BKPSDM of Mataram City. This study uses an empirical juridical method with a qualitative approach. Data was collected through interviews, observation, and documentation studies. The results of the study show that the implementation of Law Number 20 of 2023 has been running normatively, but has not been optimal in realizing distributive justice due to the limited number of ASN, workload imbalances, and the uneven distribution of career development and performance rewards. This study recommends strengthening the merit system, optimizing supervision, and establishing a bureaucratic culture oriented towards fairness and professionalism.

### INTRODUCTION

The Republic of Indonesia has a legal foundation that governs the life of the nation and state. Pancasila, as the ideological foundation, is the basic ideology of the state, built on communal values, born from the noble values of the nation, and the 1945 Constitution of the Republic of Indonesia (UUD 1945) as the constitutional foundation is a state foundation that is closely related to all rules and provisions of a nation's state administration, has clearly determined that its purpose is to provide certainty, maintain order, and protect the legal rights of every citizen. Citizens referred to herein, whether residing in Indonesia or abroad. Theoretically, the purpose of law is to achieve justice, benefit, and certainty.

Philosophically, Law Number 20 of 2023 was born from the ideals of the nation and the objectives of the state as stated in the Preamble to the 1945 Constitution of the Republic of Indonesia, which calls for a state apparatus capable of providing the best public services and acting as a unifying force for the nation. The State

Civil Apparatus (ASN) plays a strategic role as the implementer of public policy, the provider of public services, and the glue and unifier of the nation. Therefore, the management of civil servants must be carried out based on the principles of professionalism, integrity, neutrality, and fairness.

Constitutionally, the basis and ideal conditions for the formation of Law Number 20 of 2023 are to implement the mandate of Articles 20 and 21 of the 1945 Constitution of the Republic of Indonesia. Law Number 20 of 2023 concerning the State Civil Apparatus was born as a response to the need for a more adaptive renewal of ASN management in line with the dynamics of modern governance. This law replaces Law No. 5 of 2014, which was deemed unable to fully address the challenges of bureaucratic reform, government digitization, and demands for quality public services.

Law Number 20 of 2023 concerning State Civil Apparatus (ASN) is the latest regulation governing the management, functions, and authorities of the state civil apparatus in Indonesia. This law is designed to strengthen the role of ASN in public service and ensure the effective and efficient implementation of government tasks. The implementation of this Law is important to establish a more modern and adaptive civil service system in line with the current dynamics of government.

One of the main principles emphasized in Law No. 20 of 2023 is distributive justice, namely justice in the distribution of rights, obligations, workloads, career development, and performance rewards for civil servants. This principle is important given the continuing disparities in treatment of civil servants, particularly between civil servants (PNS) and government employees with work agreements (PPPK), as well as between work units in different regions.

The Mataram City BKPSDM, as the regional apparatus responsible for managing civil servants, has a strategic role in implementing Law Number 20 of 2023. However, based on empirical findings, there are still complaints from civil servants regarding workload inequality, lack of support from leadership, and limited access to competency and career development. This situation indicates a gap between legal norms and the reality of implementation at the regional level.

The implementation of the functions and authorities of ASN in this Law is guided by the principles of professionalism, accountability, and distributive justice. The strengthening of distributive justice focuses on the fair and equitable provision of rights, obligations, and rewards to all ASN without discrimination. This is an important foundation for every civil servant to perform their duties optimally and in a balanced manner, thereby creating a transparent and accountable government.

The functions and authorities of ASN in Law Number 20 of 2023 include human resource management related to improving the quality of public services. Thus, strengthening the role of ASN also means providing opportunities for capacity and competency building through training, promotion, and performance-based reward systems. This approach is expected to encourage ASN to become professional and dedicated agents of change. The Mataram City BKPSDM, as the agency responsible for ASN management, has a strategic role in implementing this Law. A study of the implementation of the Law at the Mataram City BKPSDM is important to understand how the policy is translated into daily work practices, both in terms of regulations, recruitment mechanisms, guidance, and enforcement of ASN discipline. This evaluation also helps identify obstacles and opportunities in the implementation of civil servant functions and authorities.

### **Problem Statement**

Based on the background and issues described above, the research questions in this study were formulated to provide clear direction for the focus of the study, as follows:

How does the regulation of civil servant duties based on Law No. 20 of 2023 improve civil servant performance?

How are civil servants' duties implemented based on Law No. 20 of 2023 within the Mataram City BKPSDM?

What is the ideal concept for implementing the functions and authority of civil servants based on distributive justice?

### **RESEARCH METHODS**

This study uses an empirical juridical method, which is a legal research method that examines law not only as written norms (law in books), but also as actual behavior that is alive and applied in the practice of governance (law in action). This method is used to examine the normative provisions in Law Number 20 of 2023 concerning State Civil Apparatus while also reviewing its implementation in ASN management within the BKPSDM of Mataram City.

The research approach used is qualitative. This approach was chosen because the research focuses on a deep understanding of the processes, policies, and practices of the implementation of civil servant functions and authorities, particularly those related to the principle of distributive justice. The qualitative approach allows researchers to comprehensively explore the views, experiences, and perceptions of officials.

The data sources in this study consist of primary and secondary data. Primary data was obtained through in-depth interviews with BKPSDM Mataram City officials and civil servants directly involved in the

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implementation of personnel management. Secondary data was obtained through literature studies of laws and regulations, personnel policy documents, previous research results, and legal literature relevant to the research topic.

Data collection techniques were conducted through interviews, observations, and documentation studies. The collected data were analyzed descriptively and analytically by systematically describing and interpreting the data to assess the conformity between legal norms and their implementation practices. The results of this analysis are used as a basis for drawing conclusions and formulating recommendations regarding the implementation of civil servant functions and authorities based on distributive justice.

## DISCUSSION

Based on the research questions and methods described above, the following discussion will elaborate on the Regulation of Civil Servant Duties Based on Law Number 20 of 2023, the Implementation of Civil Servant Functions and Authorities at the Mataram City BKPSDM, and the Ideal Concept of Civil Servant Function and Authority Implementation Based on Distributive Justice.

### Regulation of Civil Servant Duties Based on Law Number 20 of 2023

Law No. 20 of 2023 explicitly regulates the functions of ASN as stated in Articles 10 to 12, namely as implementers of public policy, public servants, and unifiers of the nation. This regulation emphasizes that civil servants not only function as administrative officials, but also as key actors in the implementation of governance and national development.

The regulation of ASN functions is reinforced by the regulation of ASN authority through the ASN management system as stipulated in Article 31 of Law Number 20 of 2023. ASN management includes needs planning, procurement, performance management, competency development, career development, and rewards and recognition. These provisions form the normative basis for the application of a merit system in ASN management.

The merit system places qualifications, competence, and performance as the main basis for civil service management, without discrimination based on political background, employment status, or other non-objective factors. Thus, the regulation of civil servant functions and authorities in Law No. 20 of 2023 has normatively accommodated the principle of distributive justice.

### Implementation of Civil Servant Functions and Authorities at BKPSDM Mataram City

The implementation of Law No. 20 of 2023 at BKPSDM Mataram City has been carried out through internal policy adjustments, particularly in performance management and ASN development. BKPSDM acts as a facilitator and coordinator in the implementation of ASN management within the Mataram City Government.

Based on the results of interviews and observations conducted at the Mataram City BKPSDM, it is known that the implementation of the ASN's function as a public policy implementer and public servant has been carried out through various ASN management activities, such as employee requirement planning, performance assessments based on Employee Performance Targets (SKP), and personnel administration services. ASN in general have understood their duties and functions in accordance with the provisions of Law Number 20 of 2023. The clarity of these functions and duties is considered to help ASN carry out their work in a more focused manner and in line with organizational targets.

However, the results of the study show that the implementation of regulations governing the performance of civil servants' duties is not yet fully optimal. One of the main obstacles found is the uneven understanding among civil servants of the substantive changes in Law No. 20 of 2023, particularly regarding the strengthening of the merit system and performance orientation. Some civil servants still view the implementation of duties as an administrative routine, so that performance appraisals have not been fully utilized as an instrument for evaluation and improvement of work quality. These findings are in line with Manuel's (2022) research which states that changes in civil service regulations often require time for adaptation and internalization of new values in the ASN work culture.

This situation shows that there is still a gap between legal norms and implementation practices. Therefore, it is necessary to strengthen the role of BKPSDM in supervising and evaluating the implementation of the merit system so that the functions and authorities of ASN can be carried out fairly and proportionally.

In terms of civil service supervision, the Mataram City BKPSDM has adjusted to the latest regulation, namely Law Number 20 of 2023. as evidenced by the imposition of sanctions on civil servants who violate personnel regulations, whether they are structural officials or implementers. These sanctions are imposed regardless of the employee's background, as shown in Tables 1 and 2 below, where in 2024 and 2025, the BKPSDM of Mataram City imposed minor and major sanctions on 12 civil servants in Mataram City.

**Table 1.** Data on Disciplinary Punishments in 2024 by the Mataram City Government

No	Nama	Jabatan	Hukuman	SK	Tanggal	Keterangan
1	Samsul Haerun Nizar, A.Md.Rad (BKPSDM)	Pengelola Sarpras Kantor	Berat	800.1.6.2/996/BKPSDM/III/2024	01/03/2024	Pemberhentian dgn Hormat tdk atas permintaan sendiri sbg PNS
2	H. FE Achmad Muslehaddin, S.H (DAMKAR)	Sekretaris	Berat	800.1.6.2/1365/BKPSDM/VI/2024	05/06/2024	Pembebasan dari jabatan sekretaris menjadi pelaksana selama 12 bulan
3	Akhmad Asriana, S.Pd (SDN 2 Cakra)	Guru Penjas	Berat	800.1.6.2/2949/BKPSDM/IX/2024	19/09/2024	Pembebasan dari jabatan menjadi pelaksana selama 12 bulan
4	Asmini, S.Pd (SDN 19 Cakra)	Guru Muda	Berat	800.1.6.2/2950/BKPSDM/IX/2024	19/09/2024	Pembebasan dari jabatan menjadi pelaksana selama 12 bulan
5	Tri Kristanto, S.H (DISHUB)	Penalaah Teknis Kebijakan	Berat	800.1.6.2/2955/BKPSDM/IX/2024	20/09/2024	Penurunan kelas yg semula menduduki kelas jabatan 7 menjadi kelas jabatan 6 selama 12 bulan
6	Ni Kadek Devi Ardianti, A.Md. Bid (Puskesmas karang Pule)	Bidan Terampil	Berat	800.1.6.2/2956/BKPSDM/IX/2024	20/09/2024	Pembebasan dari jabatan bidan terampil menjadi pelaksana selama 12 bulan
7	Lalu Kuswadi Jayadipura, S. Sos (Kelurahan Selagalas)	Kasi Ekofispra	Berat	800.1.6.2/2072/BKPSDM/XII/2024	23/12/2024	Pemberhentian dgn Hormat tdk atas permintaan sendiri sbg PNS

Data Source: BKPSDM Mataram City 2025

**Table 2.** Data on Disciplinary Punishments in 2025 by the Mataram City Government

No	Nama	Jabatan	Hukuman	SK	Tanggal	Keterangan
1	Muzzakir Walad, S.STP (Kecamatan Ampenan)	Camat	Ringan	800.1.6.2/21/BKPSDM/I/2025	06/01/2025	Pernyataan tdk puas secara tertulis

2	Ihwan M Rahman, S. Adm (DISDIK)	Pengelola data dan verifikasi	Ringan	800.1.6.2/22/BKPSDM/I/2025	06/01/2025	Pernyataan tdk puas secara tertulis
3	Masitah (Kecamatan Ampenan)	Pengadministrasi perkantoran	Ringan	800.1.6.2/23/BKPSDM/I/2025	06/01/2025	Pernyataan tdk puas secara tertulis
4	Andi Kasman Toha (Sekretariat Daerah)	Pengadministrasi perkantoran	Berat	800.1.6.2/1339/BKPSDM/V/2025	05/05/2025	Penurunan jabatan setingkat lebih rendah
5	Nanok Subiyanto, S. Adm (DISHUB)	Kasubag TU UPTD Perparkiran	Berat	800.1.6.2/397/BKPSDM/VII/2025	23/07/2025	Pembebasan dari Jabatan menjadi Jabatan Pelaksana selama 1 tahun

Data Source: BKPSDM Mataram City 2025

### The Ideal Concept of Implementing the Functions and Authorities of ASN Based on Distributive Justice

The ideal concept of implementing the functions and authorities of civil servants based on distributive justice must place the merit system as the main principle in civil servant management. Every civil servant must receive fair and proportional treatment based on their qualifications, competencies, and performance.

In addition, it is necessary to strengthen supervision, transparency in performance appraisal, and the development of a bureaucratic culture that upholds the values of fairness, professionalism, and accountability. Thus, distributive justice is not only a legal norm, but is also realized in everyday bureaucratic practice.

### CONCLUSION

Based on the results of research and discussions regarding the implementation of Law Number 20 of 2023 concerning State Civil Apparatus within the BKPSDM of Mataram City, it can be concluded that the normative regulation of the functions and authorities of ASN has been well designed and progressive, particularly through the strengthening of the merit system and the affirmation of the principle of distributive justice in ASN management. Conceptually, this law has provided a strong legal basis for realizing professional, objective, and performance-oriented state apparatus governance.

However, the implementation of Law Number 20 of 2023 at BKPSDM Mataram City has not been fully optimal in realizing substantive distributive justice. Limitations in the number of civil servants that are not proportional to the organization's workload, imbalances in task distribution, and unequal opportunities for career development and performance rewards indicate that there is still a gap between the legal norms (law in books) and their implementation in practice (law in action). This situation has the potential to affect the performance of civil servants, reduce work motivation, and hinder the achievement of bureaucratic reform goals.

Therefore, strategic and sustainable measures are needed to strengthen the implementation of the principle of distributive justice in ASN management. The merit system must be strengthened consistently through objective, transparent, and accountable performance assessments, accompanied by the optimization of internal oversight functions. In addition, transforming the bureaucratic culture to uphold the values of fairness, professionalism, and integrity is an important prerequisite so that Law Number 20 of 2023 does not merely remain a normative regulation, but is actually implemented effectively in the practice of regional administration. Thus, the implementation of the functions and authorities of ASN in BKPSDM Kota Mataram is expected to support the creation of quality, fair, and sustainable public services.

Based on the results of this study, it is recommended and necessary to have more adaptive and equitable technical policies in the management of civil servants, particularly in the distribution of workloads and career development. In addition, the Mataram City BKPSDM needs to strengthen the application of the principle of distributive justice so that the implementation of civil servant duties can run effectively and sustainably.

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