

## ABSTRAK

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### **ANALISIS PENYALAHGUNAAN WEWENANG BUPATI JEMBER TERKAIT PUTUSAN MA NO. 2P/KHS/2020 (KASUS PEMAKZULAN BUPATI JEMBER)**

(xii + 259 halaman: 210 lampiran)

Pada skripsi ini membahas tentang kasus pemakzulan kepala daerah dalam hal ini adalah bupati jember. Tindakan pemakzulan yg dilakukan oleh DPRD harus memperhatikan konstruksi dari pemakzulan presiden dan unsur-unsur yg telah dilanggar oleh Bupati Jember.

Oleh karenanya muncul permasalahan yaitu: Pertama, Kabupaten Jember tidak mendapatkan quota farmasi seleksi CPNS untuk tahun 2019, sebagaimana pengumuman Menteri Pemberdayaan Aparatur Negara dan Reformasi Birokrasi Republik Indonesia Nomor: B/1069/M.SM.01.00/2019 di Lingkungan Pusat dan Daerah. Kedua, Bupati Jember tidak mematuhi rekomendasi dari KASN melalui surat nomor: R-3419/KASN/10/2019, tanggal 15 Oktober 2019, perihal Rekomendasi atas pelanggaran system merit dalam mutase pegawai di lingkungan Kabupaten Jember. Ketiga, Bupati Jember tidak mematuhi surat Gubernur Jawa Timur Nomor: 131/25434/011.2/2019, tanggal 10 Desember 2019 perihal Rekomendasi atas Pemeriksaan Khusus, atas tindak lanjut Surat Mendagri Republik Indonesia Nomor: 700/12429/SJ, tanggal 11 November 2019, perihal Rekomendasi atas pemeriksaan khusus.

Dalam skripsi ini menggunakan tipe penelitian yuridis normatif melalui pendekatan *Statute Approach*, *Conceptual Approach*, dan, *Case Approach*.

Dalam penelitian ini MA memberikan putusan menolak permohonan DPRD dengan alasan permohonan tidak berdasarkan hukum. Namun dari analisis pembahasan bahwa DPRD sudah melakukan sesuai prosedur dan sesuai dengan aturan yg berdasarkan hukum sehingga putusan MA adalah tidak benar apabila menyatakan tidak berdasarkan hukum.

**Kata Kunci: Pemakzulan, Bupati Jember, Mahkamah Agung, DPRD**

Referensi: 33 (tahun 1945 - 2021)

## **ABSTRACT**

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### ***ANALYSIS OF AUTHORITY ABUSE REGENT OF JEMBER, RELATED TO AN SUPREME COURT DECISION NUMBER 2P/KHS/2020 (THE IMPEACHMENT CASE ABOUT REGENT OF JEMBER)***

(xiii + 259 pages; 210 attachment)

This thesis discusses the case of the impeachment of the regional head in this case *the regent of Jember. The impeachment action carried out by the DPRD must pay attention to the construction of the impeachment of the president and the elements that have been violated by the Regent of Jember.*

*Therefore, problems arise, namely: First, Jember Regency did not get a pharmaceutical quota for CPNS selection for 2019, as announced by the Minister of State Apparatus Empowerment and Bureaucratic Reform of the Republic of Indonesia Number: B/1069/M.SM.01.00/2019 in the Central and Regional Environments. Second, the Regent of Jember did not comply with the recommendation from KASN through letter number: R-3419/KASN/10/2019, dated October 15, 2019, regarding Recommendations for violations of the merit system in employee transfers within the Jember Regency. Third, the Regent of Jember did not comply with the letter from the Governor of East Java Number: 131/25434/011.2/2019, dated December 10, 2019 regarding Recommendations for Special Examinations, as a follow-up to the Letter of the Minister of Home Affairs of the Republic of Indonesia Number: 700/12429/SJ, dated November 11, 2019, regarding Recommendations for special examinations.*

*This thesis uses a normative juridical type of research through the Statute Approach, Conceptual Approach, and Case Approach.*

*In this study, the Supreme Court gave a decision to reject the DPRD's application on the grounds that the application was not based on law. However, from the analysis of the discussion that the DPRD has carried out according to the procedure and in accordance with the rules based on law so that the Supreme Court's decision is not correct if it states that it is not based on the law.*

**Keywords: Impeachment, Regent of Jember, Supreme Court, DPRD**

**Reference: 33 (in 1945 – 2021)**