

ABSTRACT

Filling Leadership Primary in the Perspective of Performance Accountability of the State Civil Apparatus in Batam City Government, under the guidance and of the Promoter of Prof. Dr. Zudan Arif Fakrulloh SH, MH and Co Promoter Dr. H Idham SH, M.Kn..

The dissertation is to answer the question on the procedure for filling the vacant structural positions openly in government agencies that refer to Ministerial Decrees No.13/2014. If referring to the existing legal rules, the process of post high leadership inside liability is vulnerable and to become a legal dispute, this is because when implementing the application of the legal system it is already incorrect and contradicts parameters that have been explicitly regulated through Constitution of No. 12/2012 concerning the Formation of Legislation.

The process of implementing open bidding according to Constitution No. 5/2014 on bureaucrat Government, especially post high leadership inside liability should refer to Government Regulations, But the Ministry of Administrative Reform and Bureaucratic Reform of Indonesia adopted a policy specifically issuing Ministerial Regulations as the basis for a product law with a lower level , it is feared to cause problems in the perspective of public and private liability that do not reflect the protection of law based on substantive justice

This dissertation research uses normative type or legal research qualifications and is supported by empirical legal research. Some theories are used and become a touchstone namely Organizational Theory, Webberian Theory, Theory of Authority, Rule of Law, Bureaucratic Theory, Organ Theory and Responsive Law.

Findings from the results of this dissertation research to Constitution No. 5/2014 on bureaucrat Government has firmly set the commitment and willingness to realize an ethical and moral bureaucracy that must be carried out on an ongoing basis, but in the practice of state administration when issuing a policy between out-in and out-come a policy has a process flaw and is contrary to the principles of State administrative law and the principles of product formation law, so that there is a concern that State Administration disputes will occur with officials appointed and appointed to occupy certain structural positions in order to fill vacant positions so that the management and control of resources and the implementation of policies to achieve true objectives so that good accountability is created and in line with expectations Public. Not only that, an agile and responsive bureaucratic system was also conveyed in this research, which was intended to implement a quality bureaucracy that is efficient and capable of responding to the challenges of developing bureaucratic needs

Keywords: Bureaucratic Reform that is transparent and sustainable.