

Persoalan keadilan dalam politik hukum agraria pascaproklamasi 1945 hingga pascareformasi 1998 kajian teori keadilan amartya sen = Justice issues in politic of agrarian law post proclamation to the post reform 1945 1998 study of the theory of justice amartya sen

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Abstrak

This dissertation examines the question of justice in the implementation of the Right of Indonesia Nations and the Right of State to Control in agrarian legal policy domain since post independence of 1945 to post reformation of 1998 Problems of justice in their manifestation of injustice has become the focus of analysis using Sen rsquo s theory of justice This study belongs the realm of normative legal research or literature The results of the analysis in the three periods of the practice of agrarian legal policy 1945 1965 1965 1998 and 1998 2020 applying the perspective of 39 Matsyanyaya 39 in theory of justice of Sen found the dominant factor causing injustice namely the practice of political dominance of neo imperialism and capitalism Theoretical justification of the relationship between law and politics can be found either in Zamboni 39 s theory or the work of Kahin Tully Pilger Roosa van ittersum Perkins The study provides recommendations in the realm of the theoretical and legal agrarian policy practices In the domain of the theoretical perspective of legal studies this study suggests to review the inconsistencies in the legal and legal policy systems in the agrarian law research and teaching of legal studies realms In the practical domain then the virtual values of Pancasila ought to be implemented in the practice of law in the realm of the executive legislative and judicial branches of government in dealing with domination of neoimperialism neo capitalism and neo liberalism in the practice of agrarian law politics and the entire realms of life.