

**PENEGAKAN HUKUM YANG BERKEADILAN SOSIAL
DAN BERDIMENSI HAM**
(Studi Terhadap Penggusuran Kelompok Masyarakat Marginal)

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Abstract

Law enforcement in the current era of globalization, but to have to uphold the rule of law, expediency, social justice must also consider human rights. Likewise, law enforcement, especially the regional regulation should consider the values social of justice and human rights. The fact, in particular law enforcement often conflict with the values social of justice and violation of human rights. PERDA (Regional Regulation of) DKI Number No. 8 of 2007 on Public order tends to conflict with the values of social justice and violation of human rights. The most of obvious human rights are violated of human rights in field of economics, sosial and cultural.

Kata Kunci: Penegakan Hukum, Keadilan Sosial dan HAM.

I. PENDAHULUAN

A. Latar Belakang

Eksistensi masyarakat kelompok marginal seperti pedagang kaki lima, penghuni kolong jembatan, kolong jalan tol, tempat-tempat kumuh, lahan-lahan yang terlantar dan pinggiran rel kereta api seringkali digusur oleh Pemerintah Daerah tanpa memperhatikan aspek keadilan dan dimensi hak asasi manusia (HAM). Dengan dalih penegakan hukum (*law enforcement*) khususnya kepastian hukum yang berdasarkan pada Peraturan Daerah (Perda) dan demi ketertiban, kelompok masyarakat marginal tersebut digusur tanpa rasa