

**PERLINDUNGAN HUKUM TERHADAP KORBAN PENGADAAN TANAH BAGI
PEMBANGUNAN UNTUK KEPENTINGAN UMUM DI SUMATERA BARAT**

DISERTASI

**Diajukan Untuk Memperoleh Derajat Doktor Ilmu Hukum
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ABSTRACT

In line with the development of society and facilitating the development of infrastructure for the benefit of the people, on the one hand the government needed the land / land relatively wide, while on the other hand land owners / holders of land rights required land by the government, should not be harmed and should be acknowledged interests.

Development of infrastructure of roads (State roads, provincial roads, district roads or road by pass), highways, reservoirs, dams, airports, ports and other forms undertaken by the government or private parties held by the pattern of land procurement for public interest or not public interest, as well as through the activity patterns of urban Land Consolidation (Urban Land Consolidation).

Procurement of land needs to be done quickly and transparently with due regard to the principle of respect for and protection of the law against land owners / holders of legal land rights. Organizers of land acquisition as one of the three (3) components dialectic legal basis interrelated components namely a legal substance (substance of the rule), structure (structure), and the culture of law (legal culture). Legal substance is the material, the process is a structure that, while the output is legal culture.

The author conducted research in three (3) locations with three (3) activities, namely in the Municipality of Padang with activities Consolidated Urban Land Padang by Pass, in the district of Padang Pariaman, with development activities Airport Ketapiang (now BIM), and the location Limapuluh City the Company's development activities reservoir Water Power (hydropower) Koto Panjang.

In all three locations on land acquisition for public purposes is the case of victimization by various implications. The sacrifice is viewed from the aspect of deliberation that is not balanced, intimidation when people follow the deliberations so that it has the potential course of deliberation away from the element of deliberation. In the implementation of deliberation is not all landowners were present and not all give power of attorney to another person, but the organizers determine the form and amount of compensation of land and claimed that the meeting had a quorum.

In the payment of compensation of land disagreements and the imbalance between land be compensated with a given value. After the submission of a number of compensation to land owners / holders of land rights, their living standards are not improving, quite the opposite that is getting worse, poor and live in conditions unworthy economy. The accumulation of things over there was a violation of Human Rights (HAM).

Keywords: community development, the construction of the Infrastructure, Land, Government.