



Review of the Legal Sociology of Brondolan Theft at PT AMP Plantation Bawan

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Abstract. In this era of rapid development, people in Indonesia face various challenges, particularly those pertaining to living standards and economic necessities. A prime example of this shifting landscape is the widespread use of the internet, which introduces new implications for daily life. However, the growth in needs often outpaces the community's economic advancement. Phenomena like unemployment frequently underpin economic imbalances, subsequently fostering criminal behaviour such as theft. This article zooms in on the phenomenon of loot theft in the vicinity of the PT AMP Plantation. Typically, this theft is perpetrated by unemployed youths residing in the vicinity of the company. The article aims to explore the social factors contributing to theft using a legal sociology approach. Furthermore, it delves into the sanctions enforced by the company against theft perpetrators. The research methodology employed is normative legal research, characterized by descriptive analytical techniques. The findings reveal that social factors, such as economic circumstances and living environments, significantly influence theft behavior. Additionally, the study identifies PT AMP Plantation's implementation of sanctions, including warning letters and employee dismissal for involvement in theft activities. Thus, the article concludes that comprehending social factors and implementing appropriate sanctions can mitigate crime rates like bag theft. Moreover, the research underscores the importance of a multidisciplinary approach, such as legal sociology, in comprehending and addressing social issues like crime.

Keywords: Sociology Of Law, Punishment, Habits

1. Introduction

As time progresses, people around the world face increasingly complex challenges. This is particularly evident in Indonesia, where evolving circumstances greatly impact individual needs. An example of such evolution, experienced across social strata, is the widespread adoption of the internet. This phenomenon introduces new societal needs; prior to the internet era, people did not incur expenses on internet quotas, leading to greater savings. As societal needs escalate, they exert a corresponding influence on the economy. With rising needs, individuals must augment their income to maintain a balance between expenditure and earnings. However, the reality we observe in our environment often deviates from this ideal; economic disparities abound in society. Unemployment emerges as a significant contributor to economic inequality, compelling some individuals to resort to unlawful means, such as theft, to fulfill their needs. Theft is addressed in the Criminal Code (KUHP), specifically in Book Two Chapter XXII, pertaining to Crimes against Property, encompassing Articles 362 to 367. Punishments for theft vary depending on the nature and severity of the offense committed. It is crucial to note that theft is unequivocally prohibited and carries penalties for offenders (Adnan Lutfi et al., 2022).

Given the context provided about PT AMP Plantation, a subsidiary of Wilmar International Limited, it's evident that the company operates as a private business entity with foreign investment status in the plantation and palm oil processing sectors. Within the

company's environment, there has been a noticeable increase in theft of company property, specifically palm oil, primarily perpetrated by young individuals residing in the vicinity of PT AMP. This type of theft, particularly of loose fruit bunches known as "brondol" or "brondolan," has become rampant in recent times (Anggry & Feriadi, 2022). The perpetrators typically consist of unemployed youth from nearby villages who resort to unlawful activities to sustain themselves financially. Consequently, various social factors contribute to their involvement in these criminal acts. The escalating number of reported theft incidents has prompted the author to investigate the issue further. The research will focus on the problem of loose fruit theft committed by young individuals around PT AMP, formulated with two key inquiries: firstly, exploring the social factors driving the theft, examined through the lens of legal sociology, and secondly, examining the sanctions imposed by PT AMP Plantation on the perpetrators of this brondolan theft. This study is titled "Reviewing the Legal Sociology of Brondolan Theft Actions at PT AMP Plantation Bawan(Silfia, 2023).

2. Methods

This research adopts a normative legal research methodology characterized by descriptive analytical techniques. The utilized approaches include the statutory approach, the conceptual approach, and the legal principles approach. Additionally, this study employs empirical legal research methods, specifically field research, involving data collection in the research field (Akbar et al., 2023). The research focuses on addressing the issues outlined in the Legal Sociology Review of Brondolan Theft Actions at PT AMP Plantation Bawan.

3. Results and Discussion

3.1. What social factors are the causes of the theft as viewed from the sociology of law

In society, events typically occur due to underlying causes or factors that prompt them. Similarly, individuals' actions are often influenced by various factors. The theft committed by young individuals residing around PT AMP Plantation is not exempt from this pattern; it constitutes a legal violation with discernible social factors underlying its occurrence. Thus, it aligns with the scope of legal sociology review(Hanani, 2018).

3.1.1 Sociology of Law

From a sociological perspective, the definition of law diverges from its general understanding. The sociology of law directs attention towards the legal realities present within society, rather than solely focusing on the legal conceptual framework. There are various interpretations of legal sociology put forth by experts. Satjipto Raharjo views legal sociology as the study of law grounded in its application within society. Donald Black posits that legal sociology delves into the examination of specialized rules aimed at maintaining societal order through enforcement. Soetandyo Wignjosoebroto defines legal sociology as a sociological inquiry concentrating on legal matters integrated into people's daily lives (Dirdjosisworo, 1996). In the realm of legal sociology, three prominent theories and approaches exist, namely:

3.1.1.1 understand structuralism

Structuralism delves deeply into the cross-cultural structure of language, a concept that finds application in sociological studies, including the sociology of law. This approach underscores that meaning isn't inherent within individual elements but rather emerges from the relationships among these elements within a structure. For instance, in a structuralist examination of literary texts, the analysis extends beyond word or sentence meanings to encompass the interrelations between words and how these patterns contribute to broader

meanings. While structuralism has significantly influenced various social science and humanities domains, it also faces criticism, particularly for its tendency to overlook historical and cultural contexts, as well as its limitations in comprehending societal and cultural changes and dynamics (Manshur, 2019).

This perspective challenges the conventional notion of individual human nature by conceptualizing individuals as products of specific relationships rather than creators of social reality. Consequently, it undermines the notion that individuals can freely choose their actions, suggesting instead that they are primarily influenced by concepts rooted in structure or by the roles played by external factors. An example of this structuralist understanding is observed in the distinct speech patterns of individuals residing in coastal areas versus those living in hilly regions. Typically, individuals living by the sea tend to have a louder speaking style compared to their counterparts in hillside communities. This divergence is not arbitrary; rather, it is shaped by the structural or patterned dynamics inherent to particular environments. Within the context of the company, structuralism is evident in the diverse ethnic and racial backgrounds of its members, spanning from Batak, Minang, Javanese, Lombok, to even Nias (Hanani & Nelmaya, 2022).

This diversity makes Indonesian serve as a connecting language bridging significant linguistic differences. Consequently, individuals frequenting markets outside PT AMP become familiar with the accents and speech patterns of PT AMP children, who often speak Indonesian with a Batak accent. The amalgamation of various ethnicities and languages within the PT AMP environment shapes the personality of its children, fostering a predominantly Batak-accented speech and instilling a Batak mentality. The Batak mentality is renowned for its strength, persistence, and values such as courage, honesty, and tenacity (Suciati & Agung, 2017). Courage, a prominent trait of the Batak mentality, unfortunately manifests in misplaced actions such as theft, which negatively impacts the surrounding environment. The actions of perpetrators from village settings reflect upon the village's reputation, while within the PT AMP community, theft affects numerous employees. PT AMP frequently receives reports of theft, exacerbating concerns regarding this issue.

3.1.1.2 Understand functionalism

This sociological perspective posits that society can be comprehended through an examination of its structural components, namely social systems and subsystems. It views society as inherently structured, comprising diverse systems and factors, each with its unique roles and functions. These components function interdependently to sustain the existence of society, where the understanding of one part necessitates consideration of the others. Consequently, any alteration in one aspect of society can trigger repercussions across other parts (Salman Alfarisi & Muhammad Syaiful Hakim, 2022).

Functionalism, a social science approach, underscores the significance of functions or roles performed by various parts within a social system to uphold balance and stability in society. This perspective posits that each aspect of society, including social institutions, norms, and values, serves a specific function or contributes to maintaining the system's harmony and sustainability. Functionalism is closely associated with prominent figures such as Émile Durkheim, Talcott Parsons, and Robert Merton. Durkheim, for instance, stressed the importance of social integration and solidarity in preserving societal stability. Parsons formulated a functional-structural theory, emphasizing the diverse social functions essential for meeting society's requirements. Meanwhile, Merton highlighted the concept of social dysfunction, referring to the discrepancy between the goals of social institutions and their actual outcomes (Nugroho, 2021).

The functionalist approach perceives society as a system comprising interconnected parts, each playing a crucial role in preserving the stability of the entire system. A commonly used analogy is the human body, where each organ performs specific functions essential for the overall health of the body. While the functionalist approach offers valuable insights into societal functioning and interactions, criticisms of this approach often arise due to its tendency to overlook social conflict, inequality, and social change. Additionally, it may lack attention to the dimensions of individuality and agency within society (Sitorus, 2022).

Within the framework of functionalism, theft can be analyzed from multiple perspectives to grasp its broader societal implications. Functionalism sheds light on the role of the legal system in addressing instances of theft. While theft disrupts social equilibrium, legal responses to such acts serve as social control mechanisms aimed at preserving stability and security in society (Bahri, 2016).

However, it is crucial to acknowledge that the functionalist perspective may not offer a comprehensive or entirely accurate understanding of theft. Numerous other factors can influence theft, encompassing intricate economic and social dynamics. For instance, in this scenario, the thief fulfils a function; without theft, there would be no need for security guards to patrol the palm oil plantations at PT AMP Plantation. Consequently, theft prompts the establishment of rules and regulations against theft, ensuring law enforcement's role. Thus, a change in one aspect triggers a ripple effect on others.

3.1.1.3 understand Behaviourism

Behaviourism, a psychological approach, places emphasis on the examination of observable behaviour and the correlation between external stimuli and individuals' or organisms' responses. This perspective asserts that behaviour can be comprehended through empirical observation, without delving into internal mental processes. Behaviourism encompasses several key principles: firstly, Stimulus-Response (SR) posits that an individual's behaviour is a reaction to the stimuli they encounter in their environment. This relationship between stimulus and response forms the foundation of behaviour understanding. Secondly, Reinforcement is a central concept, whereby the consequences of behaviour determine its likelihood of repetition. Positive reinforcement increases the chances of behaviour recurrence, whereas negative reinforcement decreases them. Lastly, Formation, or Shaping, underscores the notion that complex behaviour can be developed through gradual learning of smaller components reinforced over time. (Auliya, 2018)

Fourthly, Behaviorism emphasizes observable behavior, which can be directly measured and analyzed empirically. Internal mental processes are disregarded as they cannot be directly observed. Fifthly, Behaviorism employs experimentation and observation to study behavior systematically. These methods aim to identify consistent behavioral patterns and elucidate the principles governing behavior formation, maintenance, and change.

Behaviorism has undoubtedly played a pivotal role in shaping psychology as a science, particularly in areas such as learning, behavior therapy, and behavior analysis. However, it has faced criticism for its failure to consider the crucial role of internal mental processes and subjective experiences in shaping behavior.

Behaviorism aligns with the tabula rasa theory, suggesting that humans are born devoid of inherent characteristics, akin to blank slates, and develop attitudes and character traits based on environmental influences throughout their lives. Experimental conditioning processes, typically conducted with various "intelligent" animals assumed to possess attitudes analogous to humans, exemplify this theory. According to behaviorist doctrine, an individual's societal actions stem less from innate traits and more from life experiences. However, societal atmosphere during the action also plays a significant role, though less easily discernible

compared to genetic predispositions and past experiences. In the context of theft, behaviorism suggests that the perpetrator's actions are influenced by their environment. Interviews conducted by the author with PT AMP security guards shed light on the perpetrator's background in relation to this theft case.

3.2. Sanctions imposed by the company PT AMP Plantation on perpetrators of brondo theft

The primary form of the criminal act of theft, as outlined in Article 362 of the Criminal Code, encompasses both subjective and objective elements. The subjective element involves the intention to unlawfully control the object, while the objective element pertains to whoever takes an object, part or whole of which belongs to another person (Adnan Lutfi et al., 2022).

From the explanation above, it is evident that stealing is strictly prohibited and carries legal penalties. In enforcing sanctions against theft perpetrators, PT AMP Plantation adheres to legal regulations but also has its own internal rules for handling violations. When perpetrators are apprehended, they are initially assessed to determine the extent of their theft. If the stolen goods are minimal, such as two or three sacks of loose nuts, the perpetrator is instructed to return the stolen items. This applies to non-employees of PT. In some instances, perpetrators attempt to flee, abandoning their vehicles, which are then confiscated by the company as part of the sanctions for loose leaf theft. However, the consequences are different for employees of PT. If caught stealing, they receive a warning letter (SP), and repeat offenses may lead to termination and dismissal.

4. Conclusions

In essence, legal sociology delves into the study of legal phenomena within society, drawing from various ideologies like structuralism, functionalism, and behaviorism. Structuralism underscores the significance of societal structure in shaping human experiences and social dynamics, while functionalism emphasizes the pivotal role of each societal component in upholding balance and stability. Conversely, behaviorism concentrates on the examination of directly observable behaviors, overlooking internal mental processes. In the context of addressing perpetrators of loose leaf theft at PT Amp Plantation, the company enforces rules and sanctions in alignment with legal statutes and internal regulations. Perpetrators apprehended for stealing loose goods undergo interrogation initially, with sanctions tailored to the circumstances and severity of the offense. These may entail returning stolen items, vehicle confiscation in certain instances, as well as issuing warning letters (SP) or terminating employment for employees engaging in repeated violations.

Acknowledgements

Once again, I extend my gratitude to all those who contributed to this research. It is my hope that the findings of this study will yield substantial benefits for the advancement of science.

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