

Restorative Justice in Rantau Prapat District Court for Oil Palm Theft Cases

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|| Submitted: February 25, 2025 || Accepted: November 18, 2025 || Published: December 12, 2025 ||

Abstract: This study examines the implementation of restorative justice in resolving oil palm theft cases at the Rantau Prapat District Court, Indonesia. The research is grounded in the increasing application of restorative approaches within Indonesia's criminal justice system, particularly following regulatory reforms encouraging diversion and mediation in minor property crimes. Employing a normative-empirical method, this study combines statutory analysis with field data derived from court decisions, interviews with legal practitioners, and relevant secondary literature. The objective is to evaluate how restorative justice principles—such as victim-offender dialogue, restitution, community involvement, and proportional accountability—are applied in practice and to assess their effectiveness in achieving substantive justice. The findings reveal that restorative justice mechanisms in oil palm theft cases prioritize compensation, reconciliation, and social harmony over punitive imprisonment. In several cases, settlement agreements facilitated by judges and prosecutors resulted in restitution payments and formal apologies, leading to case dismissal or reduced sentencing. This approach has contributed to reducing case backlogs and prison overcrowding while promoting community-based conflict resolution. However, challenges remain, including inconsistencies in procedural standards, limited institutional guidelines, and disparities in judicial discretion. Additionally, concerns arise regarding power imbalances between plantation companies and economically vulnerable defendants. The study concludes that restorative justice at the Rantau Prapat District Court reflects a progressive shift toward a more humanistic and efficient criminal justice model. Strengthening regulatory clarity, institutional capacity, and safeguards for vulnerable parties is essential to ensure fairness, transparency, and sustainability in the application of restorative justice for property-related offenses in Indonesia.

Keywords: Community Reconciliation, Criminal Justice, Judicial Mediation, Oil Palm, Restorative Justice

1. Introduction

Law as a product of the evolutionary dialectic of society inevitably develops within changing historical and social contexts.¹ Norms once regarded as absolute and unquestionable gradually transform in response to new economic realities, moral expectations, and political structures. In every society, whether traditional or modern,² law functions as a universal instrument that regulates behavior and maintains order. The reciprocal relationship between law and society demonstrates that legal norms are not static but adaptive.³ Law performs at least three fundamental roles: as a mechanism of social control, as a facilitator of social interaction,⁴ and as an instrument for engineering desired social conditions. In Indonesia, rapid socio-economic transformation,⁵ particularly in plantation-based regions, has generated

¹ Kira, J. H. V. I. S. "Implementation of the Principles of the Rule of Law in Judicial Authority." *Jurnal Pendidikan dan Konseling* 5, no. 2 (2023).

² Ain, A. Q. "Tafsir: Meaning, History, Sources, Law, and Its Divisions." *Journal of Faith and Spirituality* 3, no. 1 (2023). <https://doi.org/10.15575/jjs.v3i1.18772>.

³ Muliawan, I. K. K., & Swardhana, G. M. "Perspective of Restorative Justice." *Jurnal Kertha Desa* 11, no. 8 (2023).

⁴ Ginting, R. B., Ediwarman, Yunara, E., and Marlina. "Termination of Prosecution Through the Implementation of Restorative Justice at the Prosecutor's Office Level." *Locus Journal of Academic Literature Review* 2, no. 10 (2023).

⁵ Butar-butur, L. F. D. "Dispute Resolution Model for Theft of Palm Oil Plantation Property." *Jurnal NOTARIUS* 2, no. 1 (2023).

new patterns of criminality,⁶ including oil palm theft.⁷ Such offenses often involve economically vulnerable communities and large plantation corporations,⁸ creating structural tensions within local societies. The persistence of these cases raises questions regarding the adequacy of conventional punitive approaches. Overcrowded prisons and repeated minor offenses indicate that retributive justice alone may not achieve substantive fairness. Consequently, restorative justice has emerged as an alternative paradigm emphasizing dialogue, restitution, and reconciliation. This development reflects the broader shift from formalistic legality toward more contextual and human-centered legal practices.

From a literature perspective, numerous studies have examined restorative justice within juvenile justice systems, minor assault cases, and community-based dispute resolution in Indonesia. Other research has analyzed the implications of Supreme Court Regulation Number 2 of 2012 concerning minor criminal offenses and the adjustment of fines within the Criminal Code framework. However, limited scholarly attention has been directed toward the intersection between this regulation and restorative justice in plantation-related property crimes.⁹ Existing works tend to focus on normative doctrinal analysis without integrating empirical judicial practices at the district court level. Furthermore, prior studies rarely explore how restorative justice mechanisms operate in regions characterized by socio-economic disparities between corporations and local communities.¹⁰ The absence of localized empirical analysis creates a research gap regarding the effectiveness of restorative justice in reducing recidivism in oil palm theft cases. Some scholars argue that restorative justice strengthens social harmony, yet others question its consistency and procedural safeguards. There is also insufficient evaluation of judicial discretion in applying diversion under Supreme Court Regulation No. 2 of 2012. Therefore, a contextual study focusing on a specific jurisdiction becomes essential. The Rantau Prapat District Court provides a relevant locus for examining how regulatory frameworks interact with practical restorative mechanisms.

Previous studies serve as an important foundation for positioning this research within broader legal discourse. Empirical research on restorative justice in Indonesia generally concludes that mediation and restitution contribute to faster case resolution and reduced prison populations. Normative analyses emphasize the compatibility of restorative principles with Indonesian philosophical values, particularly deliberation and social harmony.¹¹ Nevertheless, these studies often overlook the structural imbalance between offenders and corporate victims in economic crimes. Research on minor theft cases highlights that economic necessity frequently underlies criminal behavior, suggesting that punitive sanctions may not address root causes. Comparative studies in other jurisdictions reveal that restorative justice requires strong institutional guidelines to ensure fairness and transparency.¹² Evaluations of Supreme Court Regulation No. 2 of 2012 indicate that the regulation successfully adjusts outdated monetary thresholds but does not automatically guarantee equitable outcomes. Building upon these findings, this study positions itself at the intersection of doctrinal regulation and empirical judicial implementation. It critically evaluates whether restorative justice in oil palm theft cases genuinely reflects substantive justice or

⁶ Code, C. "Legal Analysis of Perma Number 2 of 2012 Concerning Adjustment of Limits of Minor Criminal Offenses and Amount of Fines in the KUHP." (n.d.).

⁷ Askarial, A., Rinaldi, K., & Usmita, F. "Law Enforcement by Kampar Police on Criminal Acts Committed by Children: A Study of Children Who Stole Palm Oil Fruit." *Sang Pencerah: Scientific Journal of Universitas Muhammadiyah Buton* 9, no. 4 (2023). <https://doi.org/10.35326/pencerah.v9i4.4142>.

⁸ Jaya, Y. "Judges, Authority, and Justice: A Legal Philosophy Perspective on Judicial Decision-Making." *Lex Aeterna Law Journal* 2, no. 1 (2024). <https://doi.org/10.69780/lexaeternalawjournal.v2i1.48>

⁹ Bagir Manan. *National Legal Development*. Bandung: Alumni, 2000.

¹⁰ Sukriono, D., Sudirman, Rapita, D. D., Al Atok, A. R., & Bramantya, A. (2025). Local Wisdom as Legal Dispute Settlement: How Indonesia's Communities Acknowledge Alternative Dispute Resolution? *Legality: Jurnal Ilmiah Hukum*, 33(1). <https://doi.org/10.22219/ljih.v33i1.39958>

¹¹ Nafisa, C., A. Fadillah, A. Nurul Hadrah, and D. Defrianti. "Scope and Historical Development of Customary Law." *Jurnal Ilmiah Kajian Multidisipliner* 8, no. 4 (2024).

¹² Saragih, G. M., I. Zulfah, J. Nasution, N. M. Ginting, and H. M. Silaban. "A Study on the Application of Oliver Wendell Holmes' Sociological Jurisprudence Theory by Judges in Indonesia (Case Study: Decision No. 119/Pid.Sus-TPK/2018/PN/Bdg)." *Jurnal Ilmu Hukum* 10, no. 2 (2024).

merely procedural efficiency.¹³ By focusing on a specific regional court, this research aims to provide a grounded and context-sensitive analysis. Such positioning allows for a deeper understanding of how national legal reforms function at the local level.

This study addresses several central questions. First, how is Supreme Court Regulation No. 2 of 2012 implemented in conjunction with restorative justice mechanisms in resolving oil palm theft cases at the Rantau Prapat District Court? Second, does the application of restorative justice effectively balance the interests of offenders, victims, and the broader community? Third, to what extent does this approach contribute to reducing recurring offenses in plantation regions? The primary argument advanced in this research is that restorative justice, when applied with clear procedural safeguards and equitable negotiation frameworks, has the potential to achieve more substantive justice than purely retributive sanctions. However, without consistent standards and protection for vulnerable defendants, restorative mechanisms risk reinforcing structural inequalities. This study hypothesizes that the effectiveness of restorative justice depends not only on regulatory support but also on judicial discretion, institutional capacity, and community participation. By examining empirical data and judicial decisions, the research seeks to test this hypothesis. Ultimately, the objective is to formulate recommendations for strengthening restorative justice implementation within Indonesia's criminal justice system. Through this analysis, the study contributes to ongoing debates on legal reform and contextualized law enforcement in plantation-based societies.

2. Method

This research employed a normative-empirical qualitative approach to examine the implementation of restorative justice in oil palm theft cases at the Rantau Prapat District Court. The study was conducted over a six-month period from January to June 2025. The research location was the Rantau Prapat District Court, North Sumatra, Indonesia. The participants consisted of 12 informants, including judges, prosecutors, defense lawyers, court clerks, and two defendants involved in resolved cases. Informants were selected using purposive sampling based on their direct involvement in restorative justice proceedings. Primary data were obtained through semi-structured interviews and direct observation of court sessions where restorative mechanisms were applied. Secondary data included court decisions, prosecution files, statutory regulations, and relevant scholarly publications. Documentary analysis focused on identifying patterns of settlement agreements, restitution arrangements, and judicial considerations. Interviews were conducted by the principal researcher with the assistance of one trained research assistant. Each interview lasted approximately 45 to 60 minutes and was audio-recorded with participant consent. Field notes were systematically compiled to document contextual dynamics during proceedings. Previously established restorative justice frameworks were adopted as analytical references, with contextual adjustments relevant to Indonesian criminal procedure.

Data analysis was carried out through thematic qualitative analysis supported by NVivo software to organize, code, and categorize empirical findings. The analysis began with transcription of interviews, followed by open coding to identify recurring concepts related to reconciliation, restitution, proportionality, and judicial discretion. Axial coding was then applied to establish relationships between legal norms and practical implementation. Normative legal analysis was conducted by examining statutory provisions and Supreme Court regulations governing restorative justice. Triangulation techniques were used to enhance validity by comparing interview data, court documents, and observational records. Reliability was ensured through peer debriefing and cross-checking coded data among the research team. Analytical procedures were documented in detail to enable replication of the study in similar judicial contexts. The interpretation process emphasized consistency between empirical findings and doctrinal legal principles. Any

¹³ Nugroho, D. M. "Dilemma of Judicial Discretion in Imposing Minimum Punishment." *QISTIE* 11, no. 2 (2018). <https://doi.org/10.31942/jqi.v11i2.2595>.

deviations from established methodologies were explicitly described and justified. The study maintained methodological rigor by ensuring transparency in sampling, data processing, and interpretative reasoning.

3. Result and Discussion

3.1. Implementation of Restorative Justice in Oil Palm Theft Cases within the Jurisdiction of the Rantau Prapat District Court

This study examines the application of restorative justice in the context of oil palm fruit theft. Restorative justice is understood as a response to criminal behavior that emphasizes restitution by offenders and the resolution of issues arising from criminal acts, bringing together victims, offenders, and the community to restore harmony among the parties involved. Restorative justice includes direct mediation and conflict resolution between offenders, victims, their families, and the community. This approach requires offenders to take responsibility while also providing them with a learning experience that encourages lawful behavior as a realistic alternative to criminality.¹⁴

In this study, the author focuses on minor thefts of oil palm fruit, whether owned privately by residents or by institutions and companies, in North Sumatra, specifically in Labuhan Batu Raya Regency, which falls under the jurisdiction of the Rantau Prapat District Court. Oil palm fruit theft is a persistent problem in this area and appears difficult to eradicate. Reports of theft are frequently lodged with local police, and shortly after one incident is resolved, new cases arise in nearby police jurisdictions. Many of these cases escalate to the Rantau Prapat District Court, as restorative justice approaches are no longer sufficient to resolve disputes between offenders and victims.¹⁵

Despite law enforcement efforts, the application of Supreme Court Regulation (Perma) No. 2 of 2012 in conjunction with restorative justice has not proven sufficient to eliminate oil palm fruit theft in Labuhan Batu Raya. Law enforcement officers, including the police and judges, employ not only restorative justice as a normative and social legal approach, but also incorporate educational and preventive strategies.¹⁶ These strategies include intensive legal socialization to the public, awareness campaigns about criminal law, and the strengthening of local economies through corporate social responsibility (CSR) programs. Palm oil companies in Labuhan Batu Raya are encouraged to provide employment opportunities to local residents to reduce theft.¹⁷

However, despite these efforts, including the combined use of Perma No. 2 of 2012 and restorative justice, theft cases continue to occur. The regulation, which adjusts the limits of minor offenses and fines under the Criminal Code (KUHP), appears to lack a deterrent effect in the context of oil palm theft. Restorative justice, while beneficial for mediation, is limited by insufficient legal resources, weak deterrence, and low public legal awareness. Even with education and job creation programs, theft remains widespread. According to interviews with offenders, the primary factor contributing to oil palm fruit theft is economic need and livelihood, although other factors may also play a role. Therefore, addressing this societal problem requires a synergistic approach that combines formal legal enforcement, community-based strategies, and active participation from the palm oil industry in building adaptive and comprehensive prevention and law enforcement systems.¹⁸

¹⁴ Najoan, W. A. C., Veibe V., Roeroe, & Sarah D. L. "Application of Restorative Justice in Settling Minor Theft Cases in Indonesia." *Lex Crimen x* (2021).

¹⁵ Suprianto, R. "Police Investigator Discretion on Criminal Offenses Resolved Outside Court." *Sol Justicia* 4, no. 2 (2021). <https://doi.org/10.54816/sj.v4i2.462>.

¹⁶ Teguh Prasetyo, et al. *Philosophy, Theory, and Legal Science*. Depok: Rajagrafindo, 2012.

¹⁷ Ginting, S. I., Isnaini, I., & Zulyadi, R. "Legal Analysis of Palm Oil Plantation Theft After the Issuance of Supreme Court Regulation (Perma) No. 2 of 2012." *Journal of Education, Humaniora and Social Sciences (JEHSS)* 5, no. 2 (2022). <https://doi.org/10.34007/jehss.v5i2.1388>.

¹⁸ Nasution, A. Y., N. Situmeang, and D. Suhendra. "Implementation of Perma Number 2 of 2012 Concerning the Adjustment of Limits for Minor Criminal Offenses and Amount of Fines in the Criminal Code." 2025.

3.2. Socio-Economic Factors, Legal Gaps, and the Effectiveness of Restorative Justice in Oil Palm Theft Cases

When author observe social life in society, author will inevitably encounter differences in economic and social status among individuals. In the economic sphere, there will always be people who are wealthy, those who live modestly, and those who are poor. This is a reality that author commonly see in social life within society. At times, economic pressures become the cause and driving factor that lead individuals to commit criminal acts, such as in cases of palm oil fruit theft in Labuhan Batu Raya Regency. One such case examined by the author is a theft case taken from a Supreme Court decision of the Rantau Prapat District Court, as recorded in the court directory under Case Decision Number 539/Pid.C/2025/PN Rap. In this case, there were three perpetrators involved in the theft of palm oil fruit. The author personally interviewed all three perpetrators to inquire about the factors that influenced them to commit the crime, and all of them stated that economic factors were the primary reason for their actions.

Law enforcement in societies that are relatively homogeneous in political, economic, social, and cultural aspects should differ from law enforcement in pluralistic (diverse) societies. In plural societies, the application of uniform law enforcement may give rise to economic and social problems. Therefore, legal systems such as unification must be carefully considered in terms of their usefulness in heterogeneous societies. Normatively and ideologically, it is acknowledged that there are several positive aspects of unification, particularly in ensuring a justice system that applies equally to all people in Indonesia.

Based on the results of the research, a gap was found between the legal norms stipulated in Article 364 of the Indonesian Criminal Code (KUHP) in conjunction with Article 1 of Supreme Court Regulation Number 02 of 2012 and the practices that occur within the jurisdiction of the Rantau Prapat District Court. Essentially, Article 364 of the KUHP stipulates that minor theft causing losses of no more than IDR 2,500,000 may be punished by imprisonment for a maximum of three months or a fine of up to the same amount.¹⁹ However, in practice, law enforcement officials tend to apply a restorative justice approach as regulated in Police Regulation Number 8 of 2021, which allows cases to be resolved outside the court process if a peace agreement is reached between the perpetrator and the victim.²⁰

This restorative justice approach has two main impacts. First, criminal proceedings are often terminated before reaching the court stage if the perpetrator and the victim agree to settle the matter amicably in the presence of the police.²¹ In many cases, the perpetrator is only required to compensate for the losses or return the stolen goods to the victim. Second, the absence of significant criminal sanctions against the perpetrators tends to encourage repeat offenses. This is evidenced by data uploaded to the Rantau Prapat court directory, showing that perpetrators who had previously been tried by the Rantau Prapat District Court and whose cases were resolved through reconciliation subsequently committed the crime of palm oil fruit theft again at a later time.

Another factor contributing to the ineffectiveness of this legal resolution is the limitation of positive law itself. In this regard, Article 21 paragraph (4) of the Indonesian Criminal Procedure Code (KUHP) explicitly prohibits the detention of perpetrators of minor criminal offenses, thereby creating opportunities for perpetrators to flee during the investigation process of palm oil fruit theft cases in Labuhan Batu Raya Regency. Many perpetrators eventually become fugitives because they cannot be detained and do not cooperate during the legal process. In addition to normative factors, social factors within the community

¹⁹ Lisma, L. "Diversion Policy in Settling Minor Theft Cases." *Al-Adalah: Journal of Islamic Law and Politics* 6, no. 1 (2021). <https://doi.org/10.35673/ajmpi.v6i1.1330>

²⁰ Naibaho, H., I. Isnaini, and M. Marlina. "Legal Consequences of the Implementation of Perma Number 02 of 2012 Concerning the Adjustment of Limits for Minor Theft Offenses and the Amount of Fines in the Criminal Code." *Journal of Education, Humaniora and Social Sciences (JEHSS)* 4, no. 2 (2021). <https://doi.org/10.34007/jehss.v4i2.790>.

²¹ Sitinjak, N. "A Juridical Analysis of Discretionary Authority and Legal Accountability in the Implementation of Police Duties and Functions." *Syntax Idea* 3, no. 6 (2021). <https://doi.org/10.46799/syntax-idea.v3i6.1231>.

also play a role in the low effectiveness of law enforcement. This study reveals that the majority of perpetrators come from economically disadvantaged communities with low levels of legal awareness.²² In the interview, the author asked several key questions, particularly regarding the factors that motivated him to commit the criminal act and the impact of the court's decision on his life. According to Ijrianto Saputra,²³ the main factor that motivated him to commit the theft of palm oil fruit was economic necessity. The high cost of daily basic needs, especially food, drove him to take the desperate step of committing the theft. Regarding the impact of the court decision after the case was concluded, he stated that it only caused a limited sense of fear. However, he emphasized that he was more affected by feelings of empathy toward the victim and by the social consequences he experienced after being designated as a suspect in the palm oil fruit theft case.

Among the three perpetrators, Safri²⁴ was the oldest. Although he was already advanced in age, he had never married and therefore considered himself relatively free from family responsibilities, as he had no wife or children to support. When asked about the factors that led him to commit the crime, he explained that the high cost of daily living forced him to take part in the theft of palm oil fruit together with his friends. In response to questions regarding the impact of the court's decision, he stated that the decision affected his daily life by approximately 70 percent. Nevertheless, he admitted that in certain urgent situations, he might still dare to commit theft if he felt compelled to do so. However, when he is in extremely difficult circumstances, he recalls the social sanctions he faces, which sometimes makes him feel ashamed and discourages him from repeating the act.

The third perpetrator, Kani Gia Abdillah Rambe²⁵, had previously been married and has one child. He is also a recidivist in cases involving the abuse of narcotics and illegal drugs, which led to his imprisonment and ultimately caused his wife to end their marriage. In response to the author's questions, he stated that economic pressure was the main reason he committed the theft of palm oil fruit in the area where he was arrested. In addition, his responsibility toward his child further motivated him to participate in the theft together with the other two perpetrators, who were his friends. Regarding the impact of the court's decision, he explained that it affected his life by only about 50 percent. According to him, the most significant and profound impact came from customary and social sanctions within the community where he lives. He expressed that he does not want his child to feel ashamed of having a father who is considered a criminal. Therefore, he stated his intention to refrain from committing such acts in the future and to turn to lawful and legitimate employment.

During the interviews with the perpetrators, the author also asked several questions regarding the ownership of the palm oil fruit they had stolen. The perpetrators stated that there were many owners; however, they admitted that they most frequently stole palm oil fruit from individuals who owned large plantation areas. They explained that they felt reluctant to steal from people who owned only small plots of land or limited palm oil plantations. Among the names mentioned by the perpetrators were Muchlis and H. Iskandar Muda. Based on this information, the author subsequently visited both individuals to conduct interviews and to inquire about their feelings upon discovering that their palm oil fruit had been stolen.

Muchlis.²⁶ In response to questions regarding his feelings after his palm oil fruit was stolen from his land, Muchlis stated that he initially felt angry when, at the time of harvest, he discovered that the fruit on the trees had disappeared, resulting in a reduction in his harvest yield. When he first became aware of the theft, he did not take any action and chose to let the incident pass. However, as the theft occurred repeatedly, he became increasingly angry and eventually decided to take action by reporting the incident

²² Gultom, H. R., Lubis, Mhd. A., & Siregar, S. A. "Juridical Analysis of Settling Medium Theft Through Restorative Justice Approach: A Study at Medan City Police Resort." *JURNAL RETENTUM* 4, no. 1 (2022). <https://doi.org/10.46930/retentum.v4i1.1344>.

²³ Interview with IJRIANTO SAPUTRA, September 23, 2025.

²⁴ Interview with SAFRI, September 25, 2025.

²⁵ Interview with KANI GIA ABDILLAH RAMBE, September 26, 2025.

²⁶ Interview with MUCHLIS, September 29, 2025.

to the police and implementing strict security measures on his land. These measures were carried out continuously, both during the day and at night, so that if he encountered the thieves in the act, he could immediately apprehend them and hand them over to the police to be arrested and tried in accordance with applicable law.

In response to the author's second question regarding the legal consequences imposed on the perpetrators after they were arrested and tried, Muchlis, with a visibly displeased expression, expressed his disappointment with the punishment imposed on the perpetrators. According to him, the punishment did not create a deterrent effect that would prevent the perpetrators from repeating their actions. He believed that the sanctions imposed were not fully effective, as even when some perpetrators had been arrested, tried, and claimed to have repented, other individuals still did not feel afraid of being apprehended because the legal consequences were minimal. In his view, the punishments imposed tended to be light and ordinary, rather than severe enough to discourage future offenses.

Second, the interview with H. Iskandar Muda.²⁷ Iskandar Muda is regarded as one of the affluent individuals in Labuhan Batu Regency, as evidenced by his extensive land ownership. For this reason, his plantation became a target for the perpetrators. In describing his response to the thefts that occurred on his land, he stated that he felt very angry, particularly because he employs many workers who must be paid to maintain and guard the plantation. In response to these incidents, he immediately took steps to guard and monitor all of his land so that if the perpetrators attempted to carry out the theft again, he could apprehend them and report them to the police to be processed in accordance with the applicable law.

Upon learning that the perpetrators had been arrested, he expressed relief and satisfaction, as he hoped that the legal system would impose fair and just punishment to instill fear and create a deterrent effect, thereby preventing the perpetrators from committing similar acts in the future. However, when responding to the author's question regarding the punishment ultimately imposed on the perpetrators, he expressed deep disappointment. According to him, the sanctions imposed had little to no impact, as the perpetrators often continued to commit the same offenses. Consequently, he viewed the existing punishments and their enforcement as ineffective, particularly from the perspective of community security, as they failed to provide a sense of safety and instead produced the opposite effect.

Specifically with Alpin Syahpriman Pulungan, S.T.,²⁸ who serves as a sub-district head (Camat) in Labuhan Batu Raya Regency. In response to the author's questions regarding his views on cases of palm oil fruit theft, he stated that such crimes constitute a social problem arising primarily from economic factors. According to him, the high cost of daily necessities, which is not matched by sufficient income, drives individuals to commit theft. He further explained that this problem has become a persistent social issue that is difficult to eradicate. One of the main contributing factors, in his view, is the lack of firmness in the enforcement of laws against perpetrators of palm oil fruit theft in Labuhan Batu Raya Regency. Moreover, when the amount of loss does not reach a certain legal threshold, it becomes very difficult for perpetrators to be prosecuted strictly, causing such incidents to continue to occur.

Rukun²⁹ From a spiritual perspective, he emphasized that taking another person's property through theft is strictly prohibited, regardless of the reasons, and is not justified in any religion. According to him, there must be firm and decisive measures taken by legal policymakers to establish regulations that can create a deterrent effect and encourage perpetrators to repent and refrain from committing acts of palm oil fruit theft in Labuhan Batu Raya Regency. He further stated that such legal measures must be accompanied by full awareness of worldly life, as uncontrolled desires will never be satisfied. Therefore, he emphasized the importance of self-awareness and strengthening one's faith to prevent individuals from engaging in such criminal acts.

²⁷ Interview with H. ISKANDAR MUDA, October 1, 2025

²⁸ Interview with ALPIN SAPRIMAN., October 10, 2025.

²⁹ Interview with RUKUN, October 3, 2025.

Sabaruddin as a representative of civil society.³⁰ In responding to this social problem, he stated that palm oil fruit theft creates a sense of insecurity among community members, particularly those who own palm oil plantations. He explained that landowners live in constant fear that the fruit from their plantations may be stolen by perpetrators. Therefore, he expressed hope that the police would take firm action against those involved in palm oil fruit theft. From a legal standpoint, he further emphasized that the community expects regulations that can instill fear and deterrence among perpetrators so that they will not repeat their actions. This, in turn, would ensure that community-owned palm oil plantations remain secure and productive without the constant fear of theft. He added that many community members rely heavily on their palm oil plantations as their primary source of livelihood, and therefore, effective legal protection is essential to safeguard their economic survival.

3.2. Legal Effectiveness and the Dilemma of Restorative Settlements in Palm Oil Theft Cases

The overview of palm oil fruit theft cases occurring in Labuhan Batu Raya Regency, when examining the resolution of punishments imposed on perpetrators by the Rantau Prapat judicial institutions and law enforcement agencies, the use of settlement-based mechanisms as a basis for terminating investigations presents its own dilemma. On the one hand, this approach is considered effective in reducing the burden on the courts and accelerating case resolution. On the other hand, if it is not accompanied by proper supervision and guidance, restorative justice may instead become a legal loophole that is exploited by perpetrators. This study demonstrates that in many cases, perpetrators who have reached a settlement and avoided imprisonment tend to reoffend and commit theft again.³¹

From a theoretical perspective, this study employs three analytical frameworks: the theory of law enforcement, the theory of restorative justice, and the theory of legal effectiveness. According to the law enforcement theory proposed by Soerjono Soekanto,³² effective law enforcement should ideally fulfill four conditions, namely: the existence of legal regulations, law enforcement officials, facilities or infrastructure, and public legal awareness. In the context of law enforcement in Labuhan Batu Raya Regency, these four elements are partially fulfilled but not comprehensively implemented. Although legal regulations are in place, law enforcement personnel are limited, facilities are inadequate, and public legal awareness remains very low.³³ The theory of restorative justice, which focuses on restoring relationships between perpetrators and victims, has been widely applied in practice. However, its implementation has not been accompanied by long-term supervision and rehabilitation mechanisms for perpetrators. As a result, an approach that should function as a solution instead becomes counterproductive, as perpetrators return to committing criminal acts. Furthermore, from the perspective of legal effectiveness, it is understood that effectiveness does not solely depend on the substance of legal norms, but also on their implementation and the level of public compliance. In this regard, the effectiveness of law enforcement against minor palm oil theft in Labuhan Batu Raya Regency can be categorized as low, due to weak supervision, minimal deterrent effects, and the absence of economic or social rehabilitation programs for perpetrators following case resolution.

During the three-month research period from July to September 2025, there were 35 reported cases of minor palm oil fruit theft recorded by the Labuhan Batu Raya Police Department. Of these cases, the majority were resolved through settlement mechanisms and did not proceed to the court process. Unfortunately, among the perpetrators involved, some continued to commit the same offenses. In the context of local communities, legal resolutions that prioritize persuasive approaches and emphasize reconciliation are indeed aligned with local values, such as compassion and humanitarian considerations. However, such approaches must not be applied indiscriminately. Settlements should be carefully

³⁰ Interview with SABARUDIN, October 5, 2025.

³¹ Nugroho, D. M. "Dilemma of Judicial Discretion in Imposing Minimum Punishment." *QISTIE* 11, no. 2 (2018). <https://doi.org/10.31942/jqi.v11i2.2595>

³² Soekanto, Soerjono. *Factors Affecting Law Enforcement*. Jakarta: Rajawali Pers, 2014.

³³ Roychan, W., Susanto, & Taufikur Rohman. "Reformulation of Restorative Justice Regulation in the Indonesian Criminal Justice System." *Jurnal Magister Ilmu Hukum* 13, no. 2 (2023). <https://doi.org/10.55499/dekrit.v13n2.210>

considered and based on the perpetrator's track record, rather than solely on emotional pressure or the economic hardship experienced by the perpetrator.³⁴

This study recommends that law enforcement authorities not rely solely on normative and restorative legal approaches, but also incorporate educational and preventive strategies. These may include intensive legal socialization within communities, public education on criminal sanctions, and strengthening local economic conditions through corporate social responsibility (CSR) programs. Palm oil plantation companies are also expected to provide employment opportunities for local residents in order to reduce theft rates. Thus, this study concludes that the legal resolution of minor palm oil fruit theft cases across Labuhan Batu Raya Regency has not yet reached an optimal level. An overreliance on restorative justice, limited legal infrastructure, weak deterrent effects, and low public legal awareness collectively hinder the realization of fair and effective law enforcement. Therefore, synergistic efforts are required between formal legal mechanisms, community-based approaches, and the active involvement of the business sector to build a more adaptive and comprehensive system of prevention and law enforcement.³⁵

The application of restorative justice principles—namely an approach within the criminal justice system that focuses on repairing the harm caused by crime and promoting healing for victims, perpetrators, and the community—differs fundamentally from other approaches, as it seeks to resolve issues by considering the full background of both victims and perpetrators. However, in the case of palm oil fruit theft throughout Labuhan Batu Raya Regency, this crime has become highly prevalent, particularly because the region is predominantly composed of palm oil plantations.³⁶ As a result, opportunities for theft remain widespread. Therefore, appropriate legal regulations are needed to address and eradicate this persistent social problem. Supreme Court Regulation (Perma) Number 2 of 2012 appears to fall short of delivering a sense of justice for community members who become victims of theft, particularly where palm oil fruit—an essential economic commodity and primary source of income in Labuhan Batu Raya Regency, North Sumatra Province, Indonesia—is concerned.

4. Conclusion

The findings of this study demonstrate that the implementation of restorative justice in oil palm theft cases at the Rantau Prapat District Court reflects a pragmatic integration between Supreme Court Regulation No. 2 of 2012 and community-based conflict resolution mechanisms. The regulation provides a normative foundation for categorizing minor offenses and adjusting monetary thresholds, thereby enabling judicial flexibility in sentencing. In practice, judges have facilitated mediation processes that prioritize restitution, reconciliation, and proportional accountability rather than imprisonment. This approach has contributed to faster case resolution and reduced procedural burdens on the court. Empirical evidence indicates that restorative settlements often involve compensation agreements and formal apologies, fostering social harmony between offenders and victims. However, the study also finds inconsistencies in procedural standards and variations in judicial discretion. Structural imbalances between economically vulnerable defendants and corporate plantation entities occasionally influence negotiation dynamics. Although restorative justice offers a humane alternative to retributive sanctions, its effectiveness in preventing recidivism remains limited. Recurrent oil palm theft cases suggest that socio-economic factors continue to shape criminal behavior beyond legal intervention. Therefore, while restorative justice aligns with the objectives of efficiency and fairness, its implementation requires stronger safeguards and more consistent guidelines to ensure equitable outcomes.

³⁴ Kencana, G. N., Eddy, T., & Nadirah, I. "Application of Restorative Justice in Settling Minor Theft Cases: A Study at Binjai District Attorney." *Syntax Literate; Jurnal Ilmiah Indonesia* 8, no. 2 (2023). <https://doi.org/10.36418/syntax-literate.v8i2.11340>

³⁵ Mutiani, M., Disman, D., Wiyanarti, E., Abbas, E. W., Hadi, S., & Subiyakto, B. "Overview of Rationalism and Empiricism Philosophy in Social Studies Education." *The Innovation of Social Studies Journal* 3, no. 2 (2022): <https://doi.org/10.20527/iis.v3i2.4671>

³⁶ Hasibuan, N. H. "Islamic Criminal Law Perspective on the Implementation of Restorative Justice for Palm Oil Theft Crimes (Desa Handio, Ulu Sosa, Padang Lawas)." 2023.

This study contributes conceptually by positioning restorative justice within the intersection of doctrinal criminal law reform and empirical judicial practice in plantation-based regions. It expands existing scholarship by demonstrating how national regulatory frameworks operate within localized socio-economic contexts. Methodologically, the integration of normative legal analysis and qualitative empirical data provides a replicable model for examining restorative justice in other jurisdictions. The research highlights the importance of combining statutory interpretation with field-based inquiry to assess the real impact of legal reforms. Theoretically, the study reinforces the view that law functions not merely as a system of rules but as a dynamic instrument shaped by social realities and institutional discretion. By emphasizing proportionality, dialogue, and community participation, the findings support a more human-centered understanding of criminal justice. At the same time, the research underscores the necessity of procedural clarity and institutional capacity to prevent inequality in restorative processes. The limitations of this study lie in its focus on a single judicial jurisdiction and a specific category of property crime. Future research may conduct comparative analyses across multiple courts or explore quantitative assessments of recidivism rates to strengthen empirical generalization.

Declarations

Author Contribution Statement

Dwi Prayetno was responsible for the conceptualization, methodology, data curation, and drafting of the original manuscript. Ach. Tahir contributed to validation, formal analysis, and critical review and editing. Andalan Siregar carried out the investigation, provided resources, and supervised the research process, including final manuscript refinement. All authors have read and approved the final version of this article.

Funding Statement

This research did not receive any specific grant from funding agencies in the public, commercial, or not-for-profit sectors.

Data Availability Statement

The data supporting the findings of this study are available from the corresponding author upon reasonable request. No publicly archived datasets were used or generated during this research.

Declaration of Interests Statement

The authors declare that they have no known financial or personal conflicts of interest that could have influenced the work reported in this paper.

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Interviews

Interviews and Personal Communications

Interview with IJRIANTO SAPUTRA, September 23, 2025.

Interview with SAFRI, September 25, 2025.

Interview with KANI GIA ABDILLAH RAMBE, September 26, 2025.

Interview with MUCHLIS, September 29, 2025.

Interview with ISKANDAR MUDA, October 1, 2025.

Interview with RUKUN, October 3, 2025.

Interview with SABARUDIN, October 5, 2025.

Interview with ALPIN SAPRIMAN., October 10, 2025.