

The Attorney's Efforts in Eradicating Drug Abuse Crimes

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Abstract. *The rise of narcotics abuse in Indonesia has made several law enforcement officers, especially the Attorney General's Office, have difficulty dealing with drug abuse. Currently, the Attorney General's Office is making efforts to deal with drug abuse. The purpose of this study is to describe the efforts made by the Attorney General's Office in dealing with drug abuse and to describe the results of the efforts made by the Prosecutor's Office in dealing with this drug abuse. This research approach uses descriptive qualitative. Data analysis techniques use source triangulation by reducing data, presenting data, drawing conclusions or verifying. This study aims to determine the Attorney's efforts in tackling drug abuse and to find out the results of the Attorney's efforts in tackling drug abuse. The Attorney General's Office has made efforts both preventively and regressively. It was felt that the cooperation from the community who helped in eradicating drugs began to increase from the previous year. The Prosecutor's Office also cooperates with the Police to take legal action against drug crimes that occur in regions throughout Indonesia.*

Keywords: Attorney; Efforts; Drugs.

1. Introduction

To achieve national development aims to realizing a just and prosperous society that is materially and spiritually evenly distributed based on Pancasila and the 1945 Constitution sustainable efforts are needed in all fields, including the development of people's welfare including health by paying attention to health services in this case the availability and prevention of drug abuse and the eradication of illicit traffic, especially psychotropics.

Narcotics are substances which can have a harmful effect on the user by incorporating the drug into his body, usually these effects are in the form of refraction, loss of pain, excitement, and hallucinations. Narcotics are addictive

substances because they cause dependence and are classified as psychoactive substances, meaning they affect the brain and change the behavior of the wearer.¹ Drugs are not only prohibited by the state alone but in the teachings of Islam Allah SWT also forbids these actions, because taking drugs is the same as consuming poison which can be deadly (suicide).

God SWT said in the Al-Quran QS. Al-Baqarah Verse 195 and QS. An-Nisa Verse 29 and QS. Al-A'raf verse 157 which means:

"And do not throw yourself down in perdition." (QS. Al-Baqarah [2]: 195).

"And do not kill yourselves; verily Allah is Most Merciful to you". (QS. An-Nisa '[4]: 29).

"And made lawful for them all that is good and forbidden to them all that is bad." (QS. Al-Araf [7]: 157).

The 3 (three) verses above show that it is forbidden to self-destruct or self-destruct. Drugs are definitely destroying a person's body and mind. So from this verse we can state that drugs are haram.

Abuse of narcotics is already in a condition that it is quite concerning, almost all people from ties, to guitar players on the side of the road, educated to lay people, university students to junior high school students become drug abusers. They tend to make Narcotics a lifestyle or trend. It is not surprising that various analyzes predict that there will be lost generations or generations lost due to narcotics in the future.²

The abuse and illicit traffic of narcotics is nothing new in Indonesia. Narcotics crime is a form of violation of law and violation of social norms that has existed for a long time and is very difficult for a country to eradicate. Almost every day the mass media in Indonesia and outside Indonesia report about the abuse of narcotics. Narcotics crime is an international problem faced by many countries in the world, including Indonesia. The occurrence of this crime is influenced by various factors such as technological advances, globalization and the swift flow of information. In addition, the desire of the perpetrators to obtain large profits in a short period of time in a difficult economic situation has become a trigger for narcotics crimes.

¹Juliana Lisa and Nengah Sutrisna, *Psychotropic Drugs and Mental Disorders*. Yogyakarta: Nuha Medika, 2003.

²Mashuri Sudiro, *Islam Against Narcotics*, (Yogyakarta: Madani Pustaka, 2002), p. 7

Narcotics abuse is a threat to the country so Narcotics crimes are included in Extra Ordinary Crimes (extraordinary crimes) which are carried out using advances in the modus operandi, including the use of sophisticated technology and supported by an extensive network of organizations. At present the spread of narcotics has reached a very alarming level, almost all the world's population can easily get narcotics, from dealers or dealers who sell them in nightclubs, brothels, offices, campuses, to school environments.

The more complex the real problems and threats from narcotics abuse have become a scourge that can threaten our young generation, so the problem of narcotics abuse is appropriate to be designated as a national problem. Attention to narcotics abuse should be a priority, because the negative impacts it causes are very broad and complex. Continuous and unsupervised use of narcotics will plunge the user into a life that is counterproductive, such as: lazy to study or unable to work, increasingly collapsing morals, being asocial, and committing crimes to fulfill his addiction to these narcotics. This must be a priority for law enforcement officials so that our young generation is saved from the cruelty of narcotics.

Narcotics that were originally needed for treatment, in its development it is precisely causing addiction to sufferers or victims. Therefore, with the existence of crimes that pose a big threat to narcotics users among the public, the role of the law apparatus is very much needed, especially the prosecutor's office with synergy by the police which work together and are responsible for eradicating the crime of narcotics crimes.

Based on Pancasila and the 1945 Constitution, upholding law and justice is an absolute requirement in achieving national goals.³ One of the pillars of the Government that functions in realizing national goals is the Attorney General's Office of the Republic of Indonesia which is given the task, function and authority as a Public Prosecutor. The existence of the Attorney General's Office is desired as a law enforcement agency in the field of prosecution to realize a sense of justice, legal certainty and the benefits of law in the life of society, nation and state.⁴ Law and law enforcement are some of the law enforcement factors that cannot be ignored because if ignored it will result in not achieving the expected law enforcement.⁵

³Supriadi, *Ethics & Responsibilities of the Legal Profession in Indonesia*, (Jakarta: Sinar Graphic, 2006), p. 128.

⁴Yesmil Anwar and Adang, *Criminal Justice System, Concept, Components & Implementation in Law Enforcement in Indonesia*, (Bandung: Widya Padjadjaran, 2009), p. 189.

⁵Soerjono Soekanto, *Factors Influencing Law Enforcement*, (Jakarta: Rajawali, 1983), p.5

The Attorney General's Office as one of the government institutions that organizes will serve the public in terms of law enforcement as an effort to eradicate narcotics, has the task of carrying out the prosecution of criminal cases and the investigation of certain criminal acts as well as other tasks stipulated by law. It is clear that the prosecutorial power is the main task of the Attorney General's Office, so it is only natural that the public expects a lot from the Attorney General's Office to obtain justice.⁶

Legal basis regarding the current existence of the Attorney General's Office of the Republic of Indonesia is Act No. 16 of 2004 concerning the Attorney General's Office. According to article 2 paragraph (1) of the Attorney General's Law, it is stated that the Attorney General's Office of the Republic of Indonesia is a government institution that exercises state power in the field of prosecution and other powers based on law.

Based on the provisions above, it can be understood that the Prosecutor's Office is an institution, agency, government institution that exercises state power in the field of prosecution and other authorities. While the person who performs the duties, functions, powers is called the Prosecutor. This is confirmed in Article 1 Paragraph (1) of the Prosecutor's Law, namely, "Prosecutors are functional officials who are authorized by law to act in accordance with public prosecutions and implementation of court decisions that have obtained permanent legal force as well as other powers based on the law." "⁷So it needs to be underlined that in addition to his duties in the field of prosecution, he is also given other powers by law, for example as a State Attorney Attorney. Executor of court decisions that have obtained permanent legal force, as investigators of certain crimes, and others.

From case handling data, almost more than 60% of cases in all jurisdictions of the High Court and District Attorney's Office in all regions of the country are Narcotic/Psychotropic Crimes. Therefore it is very appropriate that on several occasions the President of the Republic of Indonesia, Joko Widodo, stated that Indonesia was in a state of "Drug Emergency". In line with that, the eradication of Narcotics Crime has become a priority, among others, by having proven that there is no compromise for kingpin dealers and drug dealers. In 2015, the Attorney General's Office executed narcotics offenders, both foreign nationals

⁶Niniek Suparni, 2016, Measuring the Level of Public Satisfaction with the Attorney's Performance in Handling Cases, Miswar, Jakarta, p. 1.

⁷Marwan Efendy, Attorney of the Republic of Indonesia Position and *Functions and Legal Perspective*, (Ghalia Indonesia: 2007). p.127.

and Indonesian citizens. Execution of death is not a pleasant job, but it must be done in order to save the nation from the dangers of narcotics.⁸

The Public Prosecutor performs the role prosecution of drug offenders. The rise of narcotics abuse in various regions in Indonesia makes it difficult for law enforcers to handle these cases, therefore the author feels the need to conduct a discussion on the Attorney's Efforts in Eradicating Drug Abuse Crimes.

The purpose of this research is to find out the Attorney's Efforts to Eradicate the Crime of Drug Abuse and how the results of the Attorney's Efforts to Eradicate the Crime of Drug Abuse are.

2. Research Methods

In writing this journal the author uses normative legal research methods, namely research regarding the prosecutor's efforts to eradicate drug abuse. The approach used is to use the statutory approach, the case approach and the facts approach. The data collection method is by interview and literature study. The data analysis method uses a qualitative descriptive technique, namely by first describing the results of the research and then matching them with existing theories and then analyzing them.

3. Result and Discussion

3.1. Attorney's efforts in Carry out the eradication of criminal acts of drug abuse

From case handling data, almost more than 60% of cases in all jurisdictions of the High Court and District Attorney's Office in all regions of the country are Narcotic/Psychotropic Crimes. The Attorney General's Office as one of the government institutions that organizes will serve the public in terms of law enforcement as an effort to eradicate narcotics, has the task of carrying out the prosecution of criminal cases and the investigation of certain criminal acts as well as other tasks stipulated by law. It is clear that the prosecutorial power is the main task of the Attorney General's Office, so it is only natural that the public expects a lot from the Attorney General's Office to obtain justice.

The State Attorney's Office formulated that effort eradication or control of narcotics abuse can be done in several ways, namely:⁹

⁸Ninie Suparni, 2016, *Measuring the Level of Public Satisfaction with the Attorney's Performance in Handling Cases*, Miswar, Jakarta, p. 63

⁹Maidim Gultom, *Legal Protection of Children and Women*, Refika Aditama, Bandung, 2014, p. 127-128

a) Pre-emptive effort, that is, in the form of educational activities by means of influencing causal factors known as correlative criminogen factors (FKK), so as to create an awareness of vigilance, comprehension and the creation of conditions of behavior or narcotics-free living norms, including the vigilance of relevant agencies and all levels of society.

b) Preventive Efforts, meaning that this attempt was made to prevent the occurrence of narcotics crimes through control and supervision of illicit circulation channels. This Preventive Effort is also referred to as a prevention program where this program is aimed at healthy people who have never known drugs at all so that they know about the ins and outs of drugs so that they are not interested in abusing them. Apart from being carried out by the government, this program is also very effective if it is assisted by an agency and other institutions including the Attorney General's Office and related professional institutions, non-governmental organizations, associations, community organizations and others. The form and agenda of activities in this preventive effort include:

- Anti-Drug Abuse Campaign

This is done by providing one-way information from the speaker to the listeners about the dangers of drug abuse. This campaign only provides information to listeners, without a question and answer session. Usually what the speaker explains is just an outline and is general information in nature. This information is usually conveyed by community leaders. This campaign can also be carried out through banners, posters or billboards.

- Counseling on the ins and outs of narcotics Unlike the campaign which is only providing information, this counseling is more of a dialog accompanied by a question and answer session. The form can be in the form of seminars or lectures. The purpose of this counseling is to explore various problems about drugs so that people become more aware of them and become less interested in using them after participating in this program. The material in this program is usually delivered by professionals such as doctors, psychologists, police, lawyers or sociologists according to the theme of the counseling.

c) **Repressive Efforts**, meaning that an attempt was made prosecution and law enforcement against factual threats with strict and consistent sanctions can deter narcotics abusers and traffickers. Repressive efforts (enforcement), namely taking action against and eradicating drug abuse through legal channels and based on law, are carried out by law enforcers or security forces assisted by the community. If the public knows about this, they must immediately report it to the authorities (the police) and cannot take justice into their own hands.

Government efforts to cope abuse and distribution of narcotics is carried out through the following channels:¹⁰

- Family;
- Education, both formal and informal;
- Self-help social institutions public;
- Religious institutions;
- Groups of playmates youth or youth, for example clubs, arts, sports, other skills;
- Led regional organization RT, RW, LKMD officials;
- Through mass media, print, electronic, film or traditional performing arts.

3.2. Results Attorney's efforts in Carry out the eradication of criminal acts of drug abuse

Results are something that is expected to be directly achieved from an activity that can be tangible or intangible. The results to be measured are the results of activities to prevent and eradicate drug users in the community. The results of the Attorney's efforts in dealing with drug abuse can be measured through the changes that have occurred in society regarding the decrease in drug abuse as well as the impacts on aspects that can benefit from the efforts that have been made by the State Attorney's Office.

The rapid spread of drugs occurs in the community, making it easy for some people to buy and sell them. Drug abuse that occurs a lot in the community has received treatment from the authorities, especially the Police and the State Prosecutor's Office. The Public Prosecutor's Office took action both in counseling and in investigative terms. It's actually very easy to fight against drugs that are rampant in Indonesia. One of them is to make yourself aware of how very bad the effects of drugs are. In addition, we can also draw closer to the Almighty so that we are kept away from these illicit goods. What is meant by getting closer to the Almighty is with a religious (religious) approach. Through this approach, people who are still clean from the world of drugs are always instilled with the teachings of their respective religions. Because no religion teaches its adherents to self-destruct in the future.

¹⁰ibid.,

In addition to the religious approach, a social approach for those who have not or have entered the world of drugs is also very important. Through this social approach they will be made aware that they are an important part of their environment and family. By instilling this approach, they feel that their presence has an important meaning. This approach is able to move the hearts of teenagers, and the younger generation who have not yet fallen into drugs, so that they don't get carried away and are easily tempted by the dark, misleading world of drugs.

Therefore, the role of the government and the surrounding community is very important to eradicate drugs in Indonesia. It's not only the government that has to work to eradicate these illegal drugs, but our role as a society is also very important. Indonesian people are just people who are tempted to try these illicit goods but the consequences have very fatal effects. That is the need for drug education and socialization from an early age. The role of parents is also very important, considering that many drug users in Indonesia are students.¹¹

4. Conclusion

Likewise, the role of the prosecutor is to make repressive efforts as a follow-up to handling if the crime occurs by taking legal proceedings against the suspect who committed the crime of drug abuse including coordinating with the police to catch the perpetrator and then handing it over to the prosecutor to be prosecuted in court until the panel of judges pass a criminal verdict on the accused. The results of the Attorney's efforts in tackling drug abuse in Indonesia, in this case the results carried out by local regional governments, have shown sufficient results even though the results have not been optimal. However, the Attorney General's Office has tried to deal with drug abuse by some people. Of the two efforts that have been made both preventively and regressively. It was felt that the cooperation from the community who helped in eradicating drugs began to increase from the previous year. The Prosecutor's Office also cooperates with the Police to take legal action against drug crimes that occur.

5. References

1945 Constitution

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https://digilib.uin-suka.ac.id/en/eprint/36675/1/15230063_BAB-I_BAB-IV_DAFTAR-PUSTAKA.pdf

¹¹ https://digilib.uin-suka.ac.id/en/eprint/36675/1/15230063_BAB-I_BAB-IV_DAFTAR-PUSTAKA.pdf accessed Saturday, January 7 2023 at 13.00 WIB

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