

## A LEGAL REVIEW OF CRIMINAL ACTS OF DRUG ABUSE IN THE CITY OF GUNUNG SITOLI, NIAS

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### ABSTRACT

The distribution and abuse of narcotics in Indonesia has spread to almost all regions of Indonesia, especially in big cities. The influence of globalization and the results of technological advances can be enjoyed for the common good. However, behind that, there is a very worrying negative side for the survival of the younger generation. The flow of information and transformation that can no longer be stopped has caused narcotics abuse to become increasingly difficult to control. Efforts to prevent, enforce the law, and reduce the criminal act of narcotics abuse are clearly a concern of the government, which is also inseparable from the role of judges as one of the law enforcement and justice officers whose job is to try suspects or defendants. Judges have a very important role in a series of law enforcement processes, especially in criminalization, because all legal cases culminate in their decisions. The role of the community in eradicating drug trafficking at the Nias Police Resort is greatly needed in order to assist law enforcement officers to prevent and eradicate the abuse of illicit drug trafficking and prevention efforts by the police which include non-penal policy efforts, namely pre-emptive efforts (counseling) and preventive (prevention).

### 1. Introduction

Drugs, when used irregularly according to dosage, can cause physical and mental harm to those who use them and can lead to dependency. This means a strong psychological desire to use the drug continuously due to emotional reasons.

Drugs affect both the physical and mental health. When used in the correct dosage and under the supervision of an anesthesiologist or psychiatrist, they can be used for medical or research purposes, thus benefiting physical and mental health. Narcotics include opium and its active components, such as morphine, heroin, codeine, marijuana, and cocaine, as well as hashish, crystal methamphetamine, koplo, and similar substances.

The dangers of abuse are not limited to the individual addict; they can have far-reaching consequences, disrupting social order and potentially leading to the collapse of a nation and the world. Countries that fail to address drug abuse and



illicit trafficking will be labeled as dens of crime. This, of course, negatively impacts a nation's image. The illegal distribution of narcotics and psychotropic drugs in Indonesia has increased in recent years. Indonesia, once a transit country, has recently become a destination for international drug trafficking networks. This is evident in the numerous arrests of foreign dealers and the subsequent seizure of large quantities of narcotics and psychotropics.

Drug trafficking in the community is not only perpetrated by men but also by women. Drug trafficking is a violation of the law and has become a serious phenomenon that must be addressed and resolved by both the public and the authorities.

The circulation of narcotics in Indonesia is in stark contrast to the goals of national development, which aim to realize a just, prosperous, orderly, and peaceful Indonesian society as a whole, based on Pancasila and the 1945 Constitution. To achieve this prosperous Indonesian society, continuous improvement in medical and health services, including the availability of narcotics as medicine, is necessary, in addition to the development of scientific knowledge.

Efforts to eradicate narcotics abuse by the Indonesian National Police (Polri), specifically within the jurisdiction of the Nias Police, require further law enforcement measures against perpetrators of narcotics abuse and trafficking. Eradicating narcotics abuse and trafficking also requires cooperation from various parties, including community participation. This participation can take the form of providing information to the police regarding criminal acts of narcotics abuse and trafficking, as well as through non-governmental organizations and community organizations focused on comprehensive narcotics eradication.

## 2. Research Method

This research is descriptive and analytical, that is, it describes, examines, explains, and analyzes laws and regulations related to the research objectives. The purpose of descriptive research is to accurately describe the characteristics of individuals, circumstances, phenomena, or specific groups, or to determine the frequency or distribution of a phenomenon or the frequency of certain relationships between a phenomenon and other phenomena in society.

The types of legal research used are normative legal research and empirical legal research. Normative legal research is research that places norms as the object of research, both legal norms within statutes and legal norms derived from statutes.





The approaches used in this research are the statute approach and the case approach in analyzing cases (case studies) in court. The case approach is carried out by examining cases related to the legal issue at hand that have become legally binding court decisions.

### 3. Results And Discussion

#### Results

The circulation of narcotics has become a matter of grave concern, as it has spread everywhere, from the upper classes to the lower classes. Children, the elderly, and even the young, regardless of profession, have entered the drug trafficking circle. This is deeply disturbing to society, as it poses a very dangerous threat not only to the community but also to the nation, posing a serious threat to the nation, with the potential to undermine the national order and the nation's future generations.

In reality, whether perceived or not, it is clear that many problems arise from the circulation of narcotics, which violates the rules and procedures established by the government, both through laws and regulations. The circulation of narcotics is generally influenced by advances in science and technology, as well as by the development of communications, which influence human culture.

The crime of drug trafficking, which frequently occurs in society, can lead to low morale, caused by economic pressures that trigger reactions, or also by the mental habits of individuals with mental disorders. Often, crimes, particularly drug trafficking crimes, are made possible by opportunity and premeditation.

Economic factors are the dominant cause or incentive to commit drug trafficking crimes. This is because drug trafficking generates income that can be directly used to meet daily needs. Economic factors are the root cause of every crime. People will engage in illegal activities if their basic needs are not met, including police officers.

The high cost of living forces police to seek additional income through various means, including abusing their authority for activities they should be combating, such as accepting bribes, protecting drug dealers, and even participating in drug use and distribution.

Effective marketing strategies have allowed narcotics to spread throughout Indonesia. Drug syndicates can even organize or help fund drug abuse prevention programs, actively infiltrating organizations and non-governmental organizations (NGOs) working to combat drug abuse to mislead programs, undermine organizations, or gain strategic knowledge and identify officials who





can be approached for the benefit of their syndicates and facilitate drug trafficking.

As one of the most densely populated countries in the world and with a strategic geographic location, Indonesia has the potential to become a producer, transit, and even destination country for drug trafficking. Narcotics serve a vital role in healthcare and scientific research. Furthermore, they are also vulnerable to abuse by individuals and groups. When narcotics are abused by perpetrators, this act constitutes a violation of the law, which carries criminal sanctions and can result in punishment.

The influence of globalization, marked by advances in communication technology, trade liberalization, and the rapid growth of the tourism industry, has made Indonesia increasingly vulnerable to illicit drug trafficking. The illicit drug trafficking in Indonesia is on the rise, as evidenced by the numerous drug cases occurring in the country. The mass media, both print and electronic, feature almost daily news about narcotics. Law enforcement officials are not hesitant to pursue and eradicate illicit drug trafficking down to its roots.

#### 4. Discussion

The rapid spread of narcotics, reaching even the lower classes, disregards social status and does not discriminate against its victims. Narcotics have now affected and damaged the very fabric of society. Many people, from the upper classes—such as the wealthy, officials, political elites, and so on—to the lowest levels, the poor, are affected by drug abuse. Both perpetrators and victims are not limited to a certain age group. Everyone, from the elderly to the young, can fall victim to the illicit drug trade.

The severity of drug abuse within society, affecting both physical and social conditions, is such that if not addressed seriously from an early stage, it is feared it will ruin the future of individuals and the nation's future generations. If the next generation is destroyed, who will build and lead this country to a better civilization? Therefore, continuous efforts are needed to control and prevent the illicit drug trade so that Indonesia can escape the dangers posed to future generations by drug abuse. The existence of a social problem such as drug abuse will elicit a response from the community. This response takes the form of collective action to implement natural changes in the form of rehabilitative measures, or even to prevent undesirable events from occurring. Community response measures are more structured and institutionalized, becoming part of the social fabric. Furthermore, community actions can assist the government in addressing drug abuse.





In general, communities that can manage and overcome drug abuse have a higher level of well-being than others. Communities have the capacity to manage drug abuse by utilizing existing resources and creating or exploiting opportunities. All of this will enable people who are already abusing drugs to quickly break free from the dependence caused by their use.

Community participation is essential in helping prevent and eradicate drug abuse. The three basic components in combating this crime are the community/schools, the government, and the police or law enforcement. The community plays both the subject and the object of drug prevention efforts. Law enforcement officers, primarily the police, act as facilitators, and the government plays a supporting role in community-led drug prevention activities. Community-led drug prevention is based on the belief that each organization or group within a region possesses unique resources that can contribute to drug prevention efforts.

In efforts to prevent drug abuse and illicit trafficking, community leaders are expected to play a key role in mobilizing the community, particularly parents, youth, schools, community groups, and social organizations in their neighborhoods, to prevent drug abuse and illicit trafficking in an integrated manner.

Drug use tends to be among children from troubled families; nowadays, even children from good families are vulnerable to drug use. There is ample evidence, either through being trapped by friends or simply trying it out for fun. Furthermore, drug dealers are highly skilled at finding consumers. Nearly every day, print and electronic media report on the deaths and arrests of suspected drug dealers and users.

The rise in drug use is inextricably linked to the intense distribution that has expanded to schools, universities, and rural areas. Indonesia is no longer a transit country but has become a target for drug marketing. It has even been listed as a producing country. Several types of psychotropic drugs, such as ecstasy pills and narcotics, are already produced and compounded domestically. The circulation and abuse of narcotics, including putau, inex, and other types, is truly alarming. The dealers are diverse, ranging from professional traders to amateurs, unemployed teenagers, prostitutes, students, and others, regardless of social status. Even more concerning, these drugs are not limited to urban areas; the fact is, the circulation of these illicit substances has become so open and widespread that it even reaches remote villages, including Huta Godang Village, Sungai Kanan District.

Parents must understand what narcotics, such as marijuana, are and should avoid finding strange objects in their child's room without knowing they are





drugs. Parents should be aware of the signs of children who have started using narcotics. Children may become lazy, daydream, withdrawn, experience hallucinations, experience a change in their personality, and often laugh alone.

The effects of narcotics are so powerful that people can become instantly addicted. According to Martinus Lahagu, Village Head/Community Leader of Gunung Sitoli, Nias, the nature of narcotics creates an overwhelming craving. The longer a person uses them, the more frequent the craving becomes, and the dosage increases. Delays in supply can lead to anxiety and rage. There are only two possible outcomes for those who refuse to quit: arrest by the police for breaking the law, or death from an overdose.

Generally, drug addiction is indiscriminate; everyone can be affected: the rich, the poor, the middle class, the children of doctors, the children of religious scholars, the children of officials, the children of police officers, and so on. Now, it's a mixed bag. Drugs have become a lifestyle, despite knowing that if family relationships are poor, the risk of children becoming addicted to drugs is 7-8 times higher than in harmonious families. Therefore, it's important to create a harmonious family.

Children who don't experience a comfortable and warm atmosphere at home, and don't have the opportunity to talk with their parents because they're busy, are more likely to be exposed to drugs, and then restrictions are tightened to keep them at home. If parents don't want their children to fall into drug addiction, they must maintain a good relationship with them. Create a warm and open family atmosphere so children can openly share their experiences. This way, parents can monitor their children daily. Active communication between parents and children is one effective way to prevent children from becoming infected with drugs.

Preventing drug abuse cannot be relied on solely by the family; schools where children study must also play an active role in keeping them away from drug abuse. Schools are strongly encouraged to have their own methods to keep students away from drugs, as drug abuse can be acquired not only at home but also at school.

## 5. Conclusion

Factors contributing to drug trafficking are divided into two categories: first, internal factors, which originate from within a person, leading to drug abuse. Internal factors are divided into several categories: individual factors. Individuals who are unstable, less than ideal, and easily influenced by others are more likely to fall into drug abuse. Internal factors include an inability to adapt to the environment, a weak personality, a lack of self-confidence, an inability to



control oneself, a drive to learn, a desire to imitate, a desire for adventure, and psychological stress, a lack of consideration for future consequences. External factors, which originate outside of a person's self, lead to drug use, including environmental and economic factors.

The role of the community in eradicating drug trafficking at the Nias Police Resort is crucial to assist law enforcement officers in preventing and eradicating drug abuse and illicit drug trafficking, as well as police prevention efforts, which include non-penal policy measures, namely pre-emptive (education) and preventive (prevention). Pre-emptive measures include dialogue patrols, while preventive measures include raids on nightlife venues. Penal policy efforts focus more on repressive measures (direct action). Repressive measures (direct action) taken by the police are intended to provide a deterrent effect for perpetrators of drug crimes.

Obstacles to eradicating drug trafficking in the Nias Police Resort jurisdiction are limited investigative personnel, budget constraints, and the investigators' ability to investigate drug crimes.

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