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Criminal Law Politics and Reform to Strengthen Law Enforcement Roles in Indonesia in Combatting Narcotics Crimes

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ABSTRACT
This research aims to analyze the criminal law policy on narcotics in Indonesia and evaluate the reform of strengthening the role of law enforcement officials in combating narcotics offenses. The study focuses on examining the existing legal framework governing narcotics crimes, assessing the effectiveness of its implementation, and identifying the challenges faced in the law enforcement process. Through a comprehensive analysis, this research highlights various obstacles, including limitations in resources, inconsistencies in legal interpretation, and gaps in inter-agency coordination, which hinder the effectiveness of narcotics law enforcement. Furthermore, this study explores reform efforts to enhance the professionalism, capacity, and integrity of law enforcement officials as key agents in addressing narcotics-related offenses. It emphasizes the importance of improving training, adopting technology-driven approaches, and fostering accountability to ensure a more transparent and efficient enforcement system. The findings of this research are expected to contribute to the development of a more effective, just, and sustainable law enforcement policy that can better respond to the ongoing threat of narcotics in Indonesia. By addressing systemic challenges and implementing strategic reforms, this study advocates for a holistic approach to combating narcotics offenses and safeguarding society from their adverse impacts.

Introduction

Drug abuse in Indonesia has become a serious issue affecting various aspects of community life, from health to security. According to data from the National Narcotics Agency (BNN), the number of drug users continues to increase, with concerning prevalence among teenagers and other vulnerable groups. In efforts to address this crisis, the Indonesian government has implemented various legal policies, one of which is Law Number 35 of 2009 concerning Narcotics, which regulates the control of narcotics circulation and abuse (Mustofa, 2021). According to Article 28H (1) of the 1945 Constitution, everyone has the right to live prosperously, both physically and mentally, to have a proper residence, and to obtain a good and healthy environment, including the right to healthcare services. Narcotics are known to cause addiction, damage physical health, and negatively impact an individual's life (Kadarmanta, 2022). Therefore, human life should be free from anything that could disrupt health. The circulation of narcotics and dangerous drugs in Indonesia in recent years has become a serious problem that has reached an alarming level and become a national issue. Victims of narcotics abuse have spread across various social strata, ages, and genders. The widespread nature of narcotics in society causes significant economic and social losses, prompting various parties to collectively combat narcotics and other illegal drugs (Herie, 2016).

Although narcotics can have therapeutic benefits, their abuse results in detrimental consequences. Such abuse often originates from uncontrolled access, where individuals use narcotics without medical supervision, leading to potential addiction and serious health impacts. Narcotics crimes are often committed by organized groups that can efficiently manage distribution networks, making it more difficult to capture and stop them. This threat is not limited to individual users but is beginning to disrupt the broader social environment. The impacts can be felt across societal layers, from families devastated by addiction to schools affected by the presence of narcotics among students. Efforts to combat narcotics must involve all elements of society, including parents, educators, and communities, to effectively address the spread of narcotics and raise awareness of their dangers. Without this synergy, narcotics circulation will continue to expand, leading to even greater negative impacts on society (M. Mulyadi, 2021).

This is regulated in Law Number 35 of 2009 concerning Narcotics, which aims to regulate, supervise, and penalize the circulation and abuse of narcotics. Narcotics not only cause addiction but can also lead to rapid and unnatural death. Humans need a clean environment and a healthy body to continue their lives. Narcotics abuse has been regarded as a crime against humanity. Therefore, narcotics are seen as the enemy of our nation in creating a healthy and drug-free generation (Fithri, 2018).

Article 1, item 1 of Law Number 35 of 2009 concerning Narcotics states that narcotics are substances or drugs derived from plants or non-plants, whether synthetic or semi-synthetic, that can cause a decrease or change in consciousness, loss of pain sensation, and may lead to dependence, which is classified into categories as annexed to this law. Meanwhile, Article 1, item 13 of Law Number 35 of 2009 states that drug addicts are individuals who use or abuse narcotics and are in a condition of physical or psychological dependence on narcotics. Then Article 1, item 15 states that drug abusers are individuals who use narcotics without rights or against the law (Barda Nawawi Arief, 2018).

Narcotics use is often associated with crime, where drugs are considered to have negative effects that encourage users to commit criminal acts. Crime, in essence, is a relative concept. According to Mustafa, crime as a social phenomenon does not just encompass acts prohibited by law but also behaviors related to biological or psychological abnormalities that ultimately harm and violate societal norms. If we refer to the definition of crime presented by Mustafa, the focus on determining whether a behavior is considered a crime should not solely be based on formal rules (D. R. L. Mulyadi & SH, 2023).

Narcotics, long considered the enemy of the nation, have now become a very concerning problem for Indonesia and countries worldwide. The production and distribution of narcotics have developed massively within society. The role of narcotics mafias seems unstoppable, even poisoning law enforcement officers as both users and dealers in Indonesia and various other countries, despite efforts to combat this crime being implemented by many nations. Society often hears calls to build a collective commitment to combat narcotics at both the domestic and global levels (Sunarso, 2012). Narcotics crimes have garnered international attention because of their widespread impact. First, from a social perspective, narcotic abuse can damage family and community structures, creating insecurity and conflict. Second, in terms of culture, narcotics can alter community norms and values, affecting the younger generation. Third, economically, narcotics circulation potentially harms the country's economy by diverting resources that should be used for development. Lastly, the political impact can result in corruption within law enforcement agencies and trigger instability. Given this complex problem, a firmer approach to law enforcement is necessary, including the application of tougher penalties, to effectively address the serious threats posed by narcotics crimes (Nugroho & Susilo, 2018).

Law Number 35 of 2009 provides a clear legal framework concerning narcotics use, stipulating that the use of narcotics must be under medical supervision or for research purposes. However, in reality, many individuals use narcotics without adhering to these regulations, which results in abuse. The massive circulation of narcotics in Indonesia highlights the challenges in supervision and enforcement of the law. Although the law regulates narcotics use, many users do not comply with these provisions, either due to insufficient understanding or easy access (Putri & Ahmad, 2020).

This law aims to regulate the use, circulation, and abuse of narcotics with a stricter approach. The hope is that the law's implementation can provide a deterrent effect to violators and reduce narcotics abuse in society. However, real-world conditions show that despite increasingly intensive enforcement efforts, illicit circulation and narcotics abuse continue to experience significant increases (Jainah, 2021). Some factors contributing to this problem include a lack of education and awareness, where many people do not yet have sufficient understanding of the dangers of narcotics and the long-term effects of their use. Inadequate education in schools and family environments also contributes to the rising number of new users (Wahyuningsih & Rismanto, 2016). Additionally, the social stigma against drug users, often labeled negatively by society, makes them reluctant to seek help. This stigma also obstructs rehabilitation and social reintegration efforts, causing many to become trapped in cycles of abuse. Easy access to narcotics also presents a problem, particularly due to widespread distribution through organized syndicates, especially in urban environments where narcotics circulation is more intense. Resource limitations for rehabilitation remain a challenge, as even though rehabilitation programs exist, available facilities are often insufficient and cannot reach all who need help, making it difficult for users to obtain proper treatment to overcome addiction (Andrikasmi, 2022).

The phenomenon of narcotics abuse reflects deeper issues within society. Although narcotics should be used for medical and scientific purposes, in reality, many people become trapped in their use for recreational reasons or as an escape from life's problems. Using high doses without medical supervision not only increases the risk of dependence but also brings serious health consequences. The rapid development of the narcotics trade indicates high demand in the market. Drug syndicates exploit this situation to gain huge profits, while their impacts harm the younger generations who should be the nation's hope. Their mental and physical states are disrupted, which can lead to broader social problems, including increased crime rates and decreased quality of life. The proliferation of narcotics abuse involving all layers of society highlights that this is a complex issue requiring serious attention. A comprehensive and collaborative approach among the government, law enforcement agencies, and society is necessary to create effective education programs, rehabilitation for users, and stringent law enforcement against dealers (Darmawan et al., 2021).

The issues surrounding narcotics abuse and trafficking pose complex challenges for the legal system and law enforcement in Indonesia. Although strict laws and law enforcement actions have been implemented, the results have not aligned with expectations. This failure may stem from various factors, including the existence of well-organized syndicate networks, corruption among law enforcement officers, and a lack of public awareness regarding the dangers of narcotics. While the arrest of narcotics dealers and the application of severe penalties serve as tangible steps in law enforcement, a purely repressive approach is insufficient to effectively tackle this problem. Many new dealers and traffickers continue to emerge, and their strategies become more advanced in evading law enforcement (Partodiharjo, 2020).

Effective law enforcement is crucial in creating a safe and prosperous society. The government has a responsibility to design policies that not only focus on legal aspects but also consider social welfare. By integrating law enforcement policies into the framework of social policy, the government can be more responsive to community needs. Law enforcement policies encompass legal aspects and involve legislation that creates the necessary legal framework to tackle crime. Legislative policies aim to establish clear and firm laws that serve as the basis for law enforcement. Meanwhile, crime prevention policies focus on strategies and programs designed to reduce crime rates and improve public safety.

The impact of drug abuse encompasses various aspects. Socially, drug use can cause damage to family structures, increase crime rates, and lower community quality of life. Economically, the costs incurred for rehabilitation, healthcare, and law enforcement become a heavy burden for the state. Moreover, drug abuse also affects workforce productivity, disrupting economic development. Therefore, it is vital to evaluate the extent to which the implementation of narcotics criminal law can influence the drug abuse situation in Indonesia. More comprehensive efforts are necessary, including effective education, improving access to rehabilitation, and reducing social stigma. With a more holistic and collaborative approach, it is hoped that drug-related problems can be addressed more effectively and sustainably.

This research offers a unique perspective by integrating a comprehensive analysis of Indonesia's criminal law policies on narcotics with specific reform strategies aimed at strengthening the role of law enforcement. Unlike previous studies that often focus solely on the punitive aspect of law enforcement, this study emphasizes a balanced approach that includes enhancing professionalism, capacity building, and integrity among law enforcement officials. It also highlights the importance of adopting technology-driven approaches and fostering multi-agency and international collaboration to address the complex and evolving nature of narcotics crimes. The novelty lies in the proposed holistic framework that combines repressive, preventive, and rehabilitative measures to create a more just and effective system for combating narcotics offenses.

The primary objective of this research is to analyze Indonesia's criminal law policies on narcotics and evaluate reform strategies to strengthen the capacity and roles of law enforcement officials in combating narcotics-related crimes. This study aims to identify existing challenges, propose concrete solutions for improving the effectiveness of law enforcement, and advocate for systemic reforms to address narcotics distribution and abuse more efficiently.

The benefits of this research are twofold. For law enforcement institutions, it provides actionable recommendations to improve investigation techniques, enhance coordination, and implement stricter oversight to combat corruption and inefficiencies. For policymakers, it offers insights into designing better regulatory frameworks that align with societal needs. Additionally, for the broader community, this research contributes to raising awareness about the importance of a collaborative approach to narcotics prevention, fostering a safer and healthier environment for all.

Research Methods

The methodology used in this study is a qualitative approach, aimed at deeply understanding the dynamics of drug abuse and the impact of narcotics criminal law enforcement in Indonesia. This approach involves several data collection techniques, including in-depth interviews with relevant parties, such as legal practitioners, health workers, and drug users themselves. These interviews are designed to explore the perspectives, experiences, and views of each informant regarding drug abuse, challenges faced, and the effectiveness of law enforcement. Alongside interviews, this research also involves case studies in several regions with high rates of drug abuse. The selection of case study locations is based on statistical data that shows significant prevalence of drug abuse. In this context, case studies enable researchers to analyze the social, cultural, and economic contexts influencing drug abuse patterns in the areas studied.

Results and Discussions

The Politics of Criminal Law in Addressing Narcotics Crime in Indonesia

According to Soedarto, legal politics is an effort to create regulations that align with specific situations and conditions. More deeply, legal politics is defined as state policy that utilizes various tools to establish desired regulations, aimed at reflecting existing societal values and achieving common goals. In line with this, Solly Lubis states that legal politics is the political policy that dictates which legal rules should apply to regulate various aspects of society and the state. Mahmud M.D. also defines legal politics as national policy about the law that will be or has been implemented by the government. This includes an understanding of how politics influences law, examining the power configurations underlying the creation and enforcement of the law. In this context, law cannot merely be seen as binding articles but must be understood as a subsystem that can be heavily influenced by politics, both in drafting its material (articles) and in the enforcement process.

The politics of criminal law plays a crucial role in determining how criminal law will develop and be applied. By considering the current law enforcement situation, we can identify existing challenges and formulate better policies for the future. This approach helps ensure that criminal law is not just a rigid regulation but can also adapt to the constantly evolving social dynamics. Furthermore, the right choices in criminal law politics involve selecting laws that do not solely impose sanctions but also serve as tools to achieve justice and community welfare. This includes a thorough assessment of community needs and the effectiveness of various imposed sanctions to ensure that criminal law can function well and positively impact citizens' lives. Efforts and policies to formulate good criminal law regulations fundamentally cannot be separated from the objective of crime prevention. Therefore, criminal law policy or politics is also part of criminal political policy. In other words, from a criminal political perspective, criminal law politics can be understood as "policy to address crime through criminal law."

Efforts to combat crime through criminal law are essentially part of law enforcement efforts, particularly in the context of criminal law enforcement. Therefore, legal politics can be viewed as part of law enforcement policies. Additionally, the efforts to deal with crime through the creation of criminal law are also an integral part of community protection efforts. Hence, it is reasonable for criminal law policy to be considered part of social policy. Social policy can be interpreted as all rational efforts aimed at achieving social welfare while encompassing protection for society. Thus, the definition of social policy includes both social welfare policy and social defense policy.

Criminal law policy is a strategic effort to create relevant regulatory frameworks for current situations (ius constitutum) and for the future (ius constituendum). In this context, it is crucial for criminal law policies to respond to existing social, economic, and cultural dynamics. This includes adjusting criminal law to meet society's needs and expectations while addressing emerging new challenges. In other words, criminal law policy should not only be static but also dynamic and adaptable to changes over time. The logical consequence of this approach is that criminal law policy is closely related to thoughts on penal reform, particularly in a narrower sense. This reform includes structural and substantial changes within the legal system, wherein law is viewed as an entity comprising culture, structure, and substance. Thus, criminal law policy must consider these three elements to be effective in its enforcement and implementation. Law, as part of the substance of law, plays a crucial role in this renewal process. Penal renewal is not limited to revising existing regulations but also encompasses renewing the fundamental ideas underpinning criminal law itself. This means that while formulating criminal law policy, deep reflection is necessary concerning values of justice, legal certainty, and community protection. Additionally, the development of criminal law scholarship also forms an integral part of this process to ensure that the resulting regulations are not only valid in a formal sense but also acceptable and comprehensible to society.

In today's criminal legal system concerning narcotics, there are several prohibited acts related to Narcotics and the role of investigators from BNN according to Law Number 35 of 2009 concerning Narcotics. The penal provisions regulated in Law Number 35 of 2009 are detailed in Chapter XV, which includes Articles 111 to 148. Within this law, there are four categories of unlawful acts that are prohibited and subject to criminal penalties, namely:

1. The first category involves actions of possessing, storing, controlling, or providing narcotics and narcotic precursors, regulated in Articles 111 and 112 for category I narcotics, Article 117 for category II, Article 122 for category III, and Article 129 letter (a).
2. The second category involves actions of producing, importing, exporting, or distributing narcotics and narcotic precursors, which are regulated in Article 113 for category I, Article 118 for category II, Article 123 for category III, and Article 129 letter (b).
3. The third category includes actions of offering for sale, selling, purchasing, receiving, being an intermediary in transactions, swapping, or handing over narcotics and narcotic precursors, regulated in Articles 114 and 116 for category I, Articles 119 and 121 for category II, Articles 124 and 126 for category III, and Article 129 letter (c).

4. The fourth category encompasses actions of transporting, sending, carrying, or transiting narcotics and narcotic precursors, regulated in Article 115 for category I, Article 120 for category II, Article 125 for category III, and Article 129 letter (d).

Law Number 35 of 2009 concerning Narcotics has stipulated the types of penalties imposed for narcotics offenses, including:

1. Criminal offences for abusers or those as victims of narcotics abuse, whereby the abuser is required to undergo medical and social rehabilitation.
2. Criminal offences for parents/guardians of narcotic addicts underage individuals (Article 128) are punishable by imprisonment for a maximum of 6 (six) months or a fine of up to Rp1,000,000.00 (one million rupiahs).
3. Corporate crimes (Article 130) are punishable by imprisonment and fines increased by three (3) times. Corporations can also be subject to additional penalties such as: a. Revocation of business licenses and/or b. Revocation of legal entity status.
4. Criminal offences for not reporting narcotics crimes (Article 131). Punishable by imprisonment for up to 1 (one) year or a fine of up to Rp50,000,000.00 (fifty million rupiahs).
5. Criminal offences for attempts and conspiracies to commit narcotics crimes and precursors (Article 132) section (1), punished with the same imprisonment as specified in the articles aforementioned. Subsection (2), punished with imprisonment and a maximum fine added by 1/3 (one-third).
6. Criminal offences for coercing, giving, enticing, or compelling with violence, fraudulent tricks, and enticing minors (Article 133) section (1), punishable by death penalty or life imprisonment or a sentence of imprisonment for a minimum of 5 (five) years and a maximum of 20 (twenty) years with a fine of at least Rp2.000.000.000.00 (two billion rupiahs) and at most Rp20.000.000.000.00 (twenty billion rupiahs). Section (2), punished with imprisonment for a minimum of 5 (five) years and a maximum of 15 (fifteen) years with a fine of at least Rp1,000,000,000.00 (one billion rupiahs) and at most Rp10.000.000.000.00 (ten billion rupiahs).
7. Criminal offences for narcotics addicts who do not report themselves (Article 134) section (1), punishable by imprisonment for a maximum of 6 (six) months or a fine of up to Rp2.000.000.00 (two million rupiahs). Section (2), punishable by imprisonment for a maximum of 3 (three) months or a fine of up to Rp1.000.000.00 (one million rupiahs).
8. Criminal offences for pharmaceutical industry managers failing to fulfill obligations (Article 135); punished with imprisonment for a minimum of 1 (one) year and a maximum of 7 (seven) years with a fine of at least Rp40.000.000.00 (forty million rupiahs) and a maximum of Rp400.000.000.00 (four hundred million rupiahs).
9. Criminal offences for products derived from narcotics crimes (Article 137) letter (a), punished with imprisonment for a minimum of 5 (five) years and a maximum of 15 (fifteen) years with a fine of at least Rp1.000.000.000.00 (one billion rupiahs) and a maximum of Rp10.000.000.000.00 (ten billion rupiahs). Letter (b), punished with imprisonment for a minimum of 3 (three) years and a maximum of 10 (ten) years with a fine of at least Rp500.000.000.00 (five hundred million rupiahs) and a maximum of Rp5.000.000.000.00 (five billion rupiahs).
10. Criminal offences for obstructing or complicating investigations, prosecutions, and examination of cases (Article 138) are punishable by imprisonment for up to 7 (seven) years and a maximum fine of Rp500.000.000.00 (five hundred million rupiahs).

11. Criminal offences for skippers or pilots failing to adhere to provisions of Articles 27 and 28 (Article 139) are punishable by imprisonment for a minimum of 1 (one) year and a maximum of 10 (ten) years with a fine of at least Rp100.000.000.00 (one hundred million rupiahs) and a maximum of Rp1.000.000.000.00 (one billion rupiahs).
12. Criminal offences for investigators, police investigators, and BNN investigators failing to adhere to regulations regarding evidence (Article 140) are punishable by imprisonment for a minimum of 1 (one) year and a maximum of 10 (ten) years with a fine of at least Rp100.000.000.00 (one hundred million rupiahs) and a maximum of Rp1.000.000.000.00 (one billion rupiahs).
13. Criminal offences for Heads of District Prosecutors who fail to comply with provisions of Article 91 paragraph (1) (Article 141) are punishable by imprisonment for a minimum of 1 (one) year and a maximum of 10 (ten) years with a fine of at least Rp100.000.000.00 (one hundred million rupiahs) and a maximum of Rp1.000.000.000.00 (one billion rupiahs).
14. Criminal offences for laboratory officers falsifying test results (Article 142) are punishable by imprisonment for a maximum of 7 (seven) years and a maximum fine of Rp500.000.000.00 (five hundred million rupiahs).
15. Criminal offences for witnesses providing false testimony (Article 143) are punishable by imprisonment for a minimum of 1 (one) year and a maximum of 10 (ten) years with a fine of at least Rp60.000.000.00 (sixty million rupiahs) and a maximum of Rp600.000.000.00 (six hundred million rupiahs).
16. Criminal offences for anyone committing repeated offenses (Article 144) are punishable by a maximum penalty increased by 1/3 (one-third).
17. Criminal offences committed by Hospital Directors, heads of scientific institutions, Pharmaceutical Industry leaders, and Pharmaceutical traders (Article 147) are punishable by a minimum of 1 (one) year and a maximum of 10 (ten) years with a fine of at least Rp100.000.000.00 (one hundred million rupiahs) and a maximum of Rp1.000.000.000.00 (one billion rupiahs).

Article 136 of Law Number 35 of 2009 concerning Narcotics establishes that narcotics, narcotics precursors, and results of narcotics crimes, whether movable or immovable assets, tangible or intangible, will be confiscated for the state's benefit. Article 146 also regulates penalties for foreigners involved in narcotics crimes, who will be expelled from the Republic of Indonesia and banned from re-entering. Meanwhile, Article 148 states that if the narcotics crime perpetrator does not pay the imposed fine, they will serve a maximum of two years of imprisonment as a substitute for the unpaid fine.

Prevention and eradication of drug abuse and the illicit trade of narcotics and narcotics precursors are imperative, spotlighting the mandate for the establishment of the National Narcotics Agency (BNN). BNN is a government agency not under any ministry and is directly accountable to the President, headquartered in the capital city with jurisdiction covering the entire territory of the Republic of Indonesia, including representatives at the provincial and district/city levels. Provincial BNN is located in the provincial capital while the district/city BNN is in the district/city capital, where the district/city BNN serves as a vertical institution. The tasks and powers of BNN as outlined in Article 70 of Law Number 35 of 2009 concerning Narcotics include:

1. Formulating and implementing national policies on the prevention and eradication of narcotics abuse and illicit drug trafficking.

2. Preventing and fighting against the abuse and illicit trade of narcotics and narcotic precursors.
3. Coordinating with the Chief of the National Police in the prevention and eradication of narcotics abuse and illicit drug trafficking.
4. Enhancing the capacity of medical and social rehabilitation institutions for narcotic addicts, whether organized by the government or community.
5. Empowering communities in preventing narcotics abuse and illicit drug trafficking.
6. Monitoring, directing, and enhancing community activities for the prevention of narcotics abuse and illicit drug trafficking.
7. Engaging in bilateral and multilateral cooperation, both regionally and internationally, to prevent and eradicate illicit narcotics trade and precursors.
8. Developing narcotics and narcotics precursor laboratories.
9. Conducting administrative investigations and inquiries into narcotics abuse and illicit trade of narcotics and narcotics precursors.
10. Preparing annual reports on the implementation of its tasks and authority.

Reform to Strengthen Law Enforcement Roles in Combating Narcotics Crimes

One of the main issues in law enforcement concerning narcotics crimes is the difficulty of tracing the perpetrators. This poses a significant obstacle to narcotics eradication efforts, hindering the processes of arrest, exposing networks, and seizing evidence. The process of tracking targets often consumes unpredictable amounts of time, and the perpetrators tend to move quickly to avoid capture. Time constraints make it difficult to precisely identify the target's location. Furthermore, a lack of knowledge regarding investigative tactics, evidence handling, and legal procedures relating to narcotics crimes hampers effective law enforcement. The reasons for increasing narcotics crimes in Indonesia are highly complex, involving various factors, with the abundance of readily available narcotics in the environment being one major contributing factor. High consumer demand encourages dealers to operate more aggressively.

Low community involvement and awareness is another significant factor contributing to the rise in narcotics crimes across Indonesian cities. Insufficient understanding of narcotics' dangers and a lack of knowledge regarding existing law enforcement efforts lead to a lack of community support in the fight against narcotics crimes.

Narcotics crimes not only negatively impact society as a whole but also cause detrimental effects for the individuals involved. Long-term narcotics use can lead to significant damage to a person's physical and mental health. Socially, these problems disrupt community stability. Conflicts among groups involved in narcotics trafficking can create an unsafe atmosphere and increase anxiety among residents. Additionally, drug abuse often causes individuals to neglect their social responsibilities, reflected in declining workplace productivity, where drug users may struggle to perform their duties or may even be absent. There is also an increase in accidents occurring in both workplaces and the broader community due to the impact of narcotics that disrupt concentration and decision-making capabilities.

Law enforcement agencies carry out their roles in confronting the increasing challenge of narcotics crime. Combating narcotics crime requires a comprehensive and collaborative effort from all parties involved. Only through collective action can we hope to eradicate this threat and guarantee community safety and welfare. Moreover, law enforcement agencies have heightened their law enforcement efforts, including the arresting and prosecuting of narcotics offenders. They also conduct joint operations with other law enforcement agencies to restrict the activities of drug traffickers.

Many factors contribute to the challenges in tracing narcotics networks, including its generally organized and closed nature. Narcotics criminals often possess high mobility and are connected through well-structured networks. They can quickly relocate and employ various methods to evade detection, such as using fake identities, carefully planned travel routes, and secure communication technologies. The utilization of encrypted communications and unpredictable movements further complicate infiltration and intelligence gathering. Additionally, the lack of personnel can hinder effective targeting and tracking of individuals. Narcotics criminals often exploit advanced technologies to conceal their tracks, implementing sophisticated laundering techniques and secure communication tools that impede law enforcement's ability to effectively trace and gather the necessary evidence. Many law enforcement agencies in developing countries face resource constraints in terms of technology, personnel, and budget. Furthermore, the lack of specialized training in addressing cybercrime and digital forensics can impede tracking perpetrators who leverage advanced technologies.

The difficulty in tracking the whereabouts of targets poses a serious problem in enforcing the law regarding narcotics crimes. This issue hampers the arrest process, allowing perpetrators to continue their illegal activities. To address this, comprehensive efforts must include technology enhancement, human resource capacity development, strengthening inter-agency collaboration, and continuous preventive approaches. With these steps, it is hoped that law enforcement against narcotics crimes can become more effective and functional in combating narcotics circulation and protecting the community.

In tracking processes, maintaining the confidentiality of operations is crucial. Leaked information can jeopardize the safety of officers and diminish the effectiveness of arrests. Thus, police often conduct undercover operations in suspicious areas to monitor the movements of drug offenders. Sudden arrests of narcotics offenders without rigorous investigation and adequate evidence are not feasible. However, a lack of information concerning the movements and structure of narcotics networks complicates efforts to dismantle and apprehend all members of these networks. Inability to track target whereabouts and their networks could result in insufficient evidence seizure which, in turn, weakens legal processes and prosecutions against perpetrators.

The role of law enforcement officers in narcotics case handling is crucial and involves several key institutions, namely the police, the prosecutor's office, and the judiciary. The police are responsible for preventing, investigating, arresting, and conducting preliminary inquiries regarding narcotics crimes. They engage in education and outreach to prevent drug abuse and investigate drug trafficking networks. Moreover, police carry out raids and monitoring in high-risk areas associated with drug trade. Enhancing the capabilities of officers through training and preparation is essential for strengthening law enforcement against narcotics.

The prosecutor's office plays a role in prosecution, investigation, and oversight of judicial decisions. Prosecutors act as public prosecutors representing the state in judicial processes, drafting indictments, presenting evidence, and proving the case in court. Furthermore, they bear the responsibility for monitoring the execution of judicial verdicts to ensure compliance with regulations. The judiciary, as a judicial institution, plays a crucial role in rendering fair and transparent verdicts based on available evidence. Judicial decisions are expected to serve as a deterrent to perpetrators while upholding principles of justice, truth, and legal certainty for the community.

Reform to strengthen the roles of law enforcement in combating narcotics crimes must begin with enhancing the capacity and professionalism of the police, prosecutors, and judges. For the police, this can be realized through training focused on more effective investigation techniques and strategies for monitoring narcotics trade. The police must be equipped with adequate tools and technology to identify, arrest, and dismantle narcotics networks. Moreover, regular and intensive operations in high-risk areas, such as borders and ports, need to be bolstered, supported by community collaboration to gather information regarding suspicious activities.

The prosecutor's office needs to be reinforced concerning its independence and professionalism, so that prosecutorial processes run fairly and without interference. Prosecutors must be equipped with deeper knowledge regarding narcotics case handling, particularly in preparing strong and accurate indictments based on obtained evidence. Furthermore, the prosecutor's role in overseeing judicial verdicts must be optimized to ensure that sentences are carried out in accordance with legal provisions, thereby preventing loopholes that allow offenders to evade justice.

The judiciary must also carry out its functions assertively and transparently, ensuring that judges can hand down fair decisions that provide a deterrent effect for narcotics offenders. Enhancing judge integrity and overseeing judicial processes is critical to avoiding potential abuse of power or injustices in rulings. Moreover, the judiciary must also ensure that rehabilitation programs function effectively for drug abuse offenders so that they can reintegrate into society. International cooperation, such as information and intelligence exchange, is also crucial to breaking the chain of narcotics circulation at a global level, often involving transnational syndicates.

Reform with regulatory updates for law enforcement in Indonesia is necessary to enhance effectiveness in tackling crimes, including narcotics offenses. This renewal should begin with revising regulations and procedures governing the duties and powers of law enforcement agencies to better meet the challenges of modern crime. Clearer and stricter regulations concerning penalties for narcotics offenders, including dealers and producers, must be enforced to exert greater deterrent effects. Additionally, regulations governing inter-agency coordination, such as between the police, prosecutor's office, and judiciary, should be perfected to ensure more efficient and integrated case handling, free from bureaucratic obstacles or overlaps.

Reform should also incorporate greater scrutiny over law enforcement itself to prevent corruption or abuses of power that could undermine crime-fighting efforts. Stricter rules on integrity and accountability for officers should be implemented along with fair and transparent law enforcement for those who violate the code of ethics. Strengthening these regulations will increase public trust in the legal system in Indonesia and ensure that undertaken reforms have a tangible impact in creating more effective and just law enforcement.

Conclusion

The politics of narcotics criminal law in Indonesia aims to strengthen community protection against narcotics threats through stricter regulations and improved enforcement effectiveness, combining stringent law enforcement against drug offenders with preventive measures like drug awareness campaigns and rehabilitation programs for users. To adapt to the complex landscape of narcotics crime, including international syndicates, regulations are continuously updated, ensuring a transparent judicial process that delivers justice for both offenders and victims. Reforms focus on enhancing the capacity, professionalism, and integrity of law enforcement agencies, such as the police, prosecutor's office, and judiciary, through regulatory updates, increased training, and stricter oversight to prevent corruption and abuse of authority. Additionally, these reforms emphasize inter-agency and international cooperation to effectively combat narcotics circulation and reinforce the integrity of the legal system in the eyes of the community.

References

Andrikasmi, S. (2022). Penegakan Hukum Tindak Pidana Pencucian Uang Dalam Pemulihan Ekonomi Pasca Pandemi Covid-19. *Riau Law Journal*, *6*(2), 246–264. Https://Doi.Org/10.30652/Rlj.V6i2.7945

Barda Nawawi Arief, S. H. (2018). *Masalah Penegakan Hukum Dan Kebijakan Hukum Pidana Dalam Penanggulangan Kejahatan*. Prenada Media.

Darmawan, A. D. D., Ruslan, A., & Musakkir, M. (2021). Politik Hukum Pengaturan Tindak Pidana Peredaran Narkotika Berdasarkan Hukum Indonesia. *Hermeneutika: Jurnal Ilmu Hukum*, *5*(2).

Fithri, B. S. (2018). Pendekatan Integral Penal Policy Dan Non Penal Policy Dalam Penanggulangan Kejahatan Anak. *Doktrina: Journal Of Law*, *1*(2), 69–89.

Herie, F. H. (2016). Kenakalan Remaja Dan Penyalahgunaan Narkotika Serta Penanggulangannya. *Pekalongan: Bahagia*.

Jainah, Z. O. (2021). *Budaya Hukum Penegak Hukum Dalam Pemberantasan Tindak Pidana Narkotika-Rajawali Pers*. Pt. Rajagrafindo Persada.

Kadarmanta, A. (2022). *Kejahatan Narkotika: Extraordinary Crime Dan Extraordinary Punishment*.

Mulyadi, D. R. L., & Sh, M. H. (2023). *Bunga Rampai Hukum Pidana, Perspektif, Teoretis Dan Praktik*. Penerbit Alumni.

Mulyadi, M. (2021). Politik Hukum Pidana. *Bahan-Bahan Kuliah Fakultas Hukum Universitas Sumatera Utara, Sumatera Utara*.

Mustofa, M. (2021). *Kriminologi: Kajian Sosiologi Terhadap Kriminalitas, Perilaku Menyimpang, Dan Pelanggaran Hukum*. Prenada Media.

Nugroho, B., & Susilo, D. (2018). Problematika Penegakan Hukum (Law Enforcement) Tindak Pidana Penyalahgunaan Narkotika Di Wilayah Hukum Kota Surabaya. *Justitia Jurnal Hukum*, *2*(2).

Partodiharjo, S. (2020). Kenali Narkoba Dan Musuhi Penyalahgunaannya. *Jakarta: Erlangga*.

Putri, I. I., & Ahmad, G. A. (2020). *Penerapan Restorative Justice Dalam Rangka Penyelesaian Perkara Penyalahgunaan Narkotika Di Polres Mojokerto Kota*.

Sunarso, S. (2012). *Politik Hukum Dalam Undang-Undang Narkotika (Uu Nomor 35 Tahun 2009)*. Rineka Cipta.

Wahyuningsih, S. E., & Rismanto, R. (2016). Kebijakan Penegakan Hukum Pidana Terhadap Penanggulangan Money Laundering Dalam Rangka Pembaharuan Hukum Pidana Di Indonesia. *Jurnal Pembaharuan Hukum*, *2*(1), 46–56.