

The Nature of Law Enforcement against Drug Abusers in the South Sulawesi Police Jurisdiction

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ABSTRACT

This study examines the essence and effectiveness of law enforcement against narcotics abuse offenders within the jurisdiction of the South Sulawesi Regional Police (Polda Sulawesi Selatan). Narcotics crimes in Indonesia have transformed into complex, transnational, and technologically driven criminal networks that demand extraordinary legal responses. Although Law No. 35/2009 on Narcotics provides broad investigative authority—including wiretapping, undercover buy operations, and controlled delivery—the practical implementation of these provisions faces substantial structural, technical, and cultural barriers. Using a juridical-empirical approach and the systems theory of Lawrence M. Friedman, this research explores how legal structure, substance, and legal culture interact in shaping enforcement outcomes. The findings reveal that law enforcement has not yet achieved the expected level of effectiveness due to limited investigative resources, insufficient operational budgets, disharmonization of procedural regulations, low public participation, and cultural tolerance toward narcotics misuse. The gap between *das sollen* (normative law) and *das sein* (law in action) remains prominent. To enhance effectiveness, this study recommends strengthening institutional capacity, improving inter-agency coordination, optimizing investigative technology, and revitalizing legal awareness within communities.

Keywords: narcotics crime, law enforcement, police, legal effectiveness, South Sulawesi.

INTRODUCTION

The problem of narcotics abuse has developed into one of the most serious forms of transnational organized crime, threatening public health, national security, and social stability. Indonesia, once known primarily as a transit country, has now shifted into a consumer, producer, and even exporter of illicit narcotics, particularly synthetic drugs distributed through highly sophisticated and concealed networks. The expansion of narcotics circulation, facilitated by globalization, technological advancement, and digital communication platforms, has created complex patterns of criminality that require equally complex law enforcement responses. Empirical data consistently show that narcotics abuse has penetrated all levels of society, from adolescents aged 15–24 to adults and women, indicating a systemic problem that undermines the nation's social and moral foundations. **HASIL DISERTASI ANDI LULU** From a legal perspective, Indonesian law acknowledges the existence of narcotics for medical and scientific purposes; however, their illicit use and distribution are criminalized under Law No. 35/2009 on Narcotics. The law provides a comprehensive framework for prevention, eradication, and rehabilitation, but its implementation often confronts profound challenges. The gap between law in books and law in action remains one of the central legal issues, as the enforcement process is impeded by limited resources, inconsistent application of the law, and varying degrees of professionalism among law enforcement agencies. This gap becomes even more pronounced in narcotics cases, where offenders often operate in clandestine, well-organized networks that surpass traditional policing methods. In the context of Indonesia's criminal justice system, the Indonesian National Police (POLRI) holds a strategic and pivotal role in narcotics law enforcement. As mandated under Law No. 2/2002, the

police are responsible not only for maintaining public order but also for conducting investigations into narcotics offenses, including the use of special investigative techniques such as wiretapping, undercover buy operations, and controlled delivery. Despite this broad legal authority, empirical findings indicate that law enforcement in narcotics cases frequently encounters operational, structural, and cultural obstacles. These include insufficient investigative equipment, limited operational budgets, and inadequate coordination between law enforcement agencies such as POLRI, the National Narcotics Board (BNN), prosecutors, and customs authorities. **HASIL DISERTASI ANDI LULU** Adding to these challenges is the difficulty faced by investigators in distinguishing among categories of narcotics actors—users, addicts, couriers, and distributors—whose roles often overlap. Misclassification of offenders may result in wrongful application of punitive measures, such that individuals who qualify for rehabilitation are prosecuted instead, while major distributors evade arrest. These disparities highlight the inconsistency of legal interpretation and law enforcement practices in narcotics cases. The Province of South Sulawesi represents one of the regions experiencing a significant rise in narcotics-related crimes. The police, particularly the Direktorat Reserse Narkoba (Ditresnarkoba) Polda Sulawesi Selatan, have undertaken various preventive and repressive measures to address the surge in narcotics cases. However, investigations reveal that the Directorate still faces structural constraints, including a shortage of investigators, limited financial support for undercover operations, and insufficient forensic facilities. On the societal level, cultural acceptance, fear of retaliation, and low community engagement further complicate enforcement efforts. These conditions demonstrate that narcotics law enforcement in South Sulawesi cannot be viewed solely as a legal issue but must be understood through a broader socio-legal lens. According to Lawrence M. Friedman's legal system theory, the interplay of legal structure, legal substance, and legal culture determines the effectiveness of law enforcement. Findings from this research indicate that all three elements present obstacles, thereby preventing the legal system from functioning as intended in addressing narcotics crimes. Given the severity and complexity of narcotics crimes, coupled with their negative implications for national development, youth integrity, and societal well-being, it is crucial to examine the essence and effectiveness of narcotics law enforcement within the jurisdiction of Polda Sulawesi Selatan. A deeper understanding of these dimensions is essential for formulating strategic reforms that align normative expectations with empirical realities. Thus, this study aims to analyze (1) the philosophical and practical essence of law enforcement against narcotics abuse offenders, and (2) the effectiveness of such law enforcement as implemented by Polda Sulawesi Selatan, especially in light of structural, procedural, and cultural limitations. Understanding these dynamics is expected to contribute to the broader discourse on improving criminal justice responses to narcotics crimes in Indonesia.

RESULT AND DISCUSSION

The Essence of Law Enforcement Against Narcotics Abuse Offenders in the Jurisdiction of the South Sulawesi Regional Police

Law enforcement against narcotics abuse offenders, in essence, is a systematic, comprehensive, and continuous effort to realize public order, substantive justice, and social protection from the destructive and multidimensional threat of narcotics. Law enforcement cannot be narrowly understood as merely imposing criminal sanctions; rather, it is a socio-legal process aimed at realizing the basic values of law as formulated by Gustav Radbruch, namely justice, utility, and legal certainty. These three fundamental values must be actualized simultaneously so that the purposes of law can be achieved proportionally in the context of narcotics crime control.

From a sociological perspective, narcotics crime is a form of modern crime, characterized by organized structures, cross-regional networks, and the use of digital technology. Consequently, law enforcement cannot rely solely on traditional approaches. It requires multi-level strategies involving prevention, repressive action, rehabilitation of users, and the dismantling of criminal networks in a structured manner.

Within the jurisdiction of the South Sulawesi Regional Police (Polda Sulawesi Selatan), the essence of narcotics law enforcement involves four key components:

Prevention (Preventive Efforts)

Preventive efforts serve as a form of social protection aimed at minimizing both the intent and opportunity for narcotics abuse. These efforts are carried out through:

- a. legal education in schools, universities, and youth communities;
- b. public campaigns and socialization on the dangers of narcotics in cooperation with various institutions;
- c. empowering communities to report suspicious activities;
- d. establishing Anti-Narcotics Resilient Villages (Kampung Tangguh Anti Narkoba) to build community resilience in rejecting narcotics.

- e. As a pre-emptive process, prevention is a fundamental strategy. When the community's legal awareness is high, the illicit narcotics market will find it harder to survive and expand.

Firm Enforcement (Repressive Measures)

Repressive measures are implemented through investigation, inquiry, and prosecution of those involved in the circulation, distribution, and trade of narcotics. Enforcement targets include:

- a. dealers and traffickers;
- b. users who are proven to be actively involved in criminal networks;
- c. organized crime groups that rely on narcotics as a source of funding.
- d. In this context, the principle of legal certainty becomes central. The police are required to uphold due process of law, ensuring that every stage of investigation is conducted professionally, proportionally, and accountably.

Rehabilitation (Corrective and Restorative Measures)

Rehabilitation is the tangible expression of the value of utility in law enforcement. Narcotics users are, in many cases, victims of narcotics trafficking and should therefore be given the opportunity for physical, psychological, and social recovery. Many studies show that a purely punitive approach towards users is often ineffective, as they typically occupy the lowest rung in the distribution chain. Rehabilitation thus plays a crucial role in breaking the cycle of dependency and preventing users from being recycled as instruments within narcotics networks.

Eradication of Organized Networks

This strategy is structural and long-term, focusing on the systemic dismantling of narcotics criminal organizations. Its implementation includes:

- a. tracing supply chains vertically and horizontally;
- b. mapping patterns of digital transactions;
- c. uncovering cross-district and cross-provincial networks;
- d. conducting wiretapping, undercover buy, and controlled delivery operations in accordance with Law No. 35 of 2009 on Narcotics;
- e. strengthening coordination with other institutions such as the National Narcotics Board (BNN), the Prosecutor's Office, Customs, and local governments.

The dismantling of these networks is the core of effective narcotics law enforcement, as cutting the supply chain will in turn suppress demand.

The Practical Nature of Law Enforcement in South Sulawesi

Interviews conducted in this study show that narcotics law enforcement is highly complex in practice. An investigator from Polrestabas Makassar emphasized that narcotics offenses are particularly dependent on the presence of physical evidence:

“Because narcotics crime is a special crime, different from others, we must have the narcotics themselves as evidence in the suspect's possession. We cannot make an arrest based only on a report without evidence, nor solely on a urine test result that is positive for use.”

This indicates that, unlike many other offenses that can be proven primarily through witnesses and general forensic evidence, narcotics cases usually require strict material evidence, compelling investigators to work more intensively and carefully.

Furthermore, according to another officer (AKP BR), the police apply a layered strategy: guidance, prevention, and enforcement. The police role is not limited to uncovering crimes after they occur but also includes early intervention as part of their moral and social responsibility.

This layered approach is consistent with the basic duties of the Indonesian National Police under Law No. 2 of 2002, namely to protect, serve, and safeguard the community. Within this framework, the police must confront so-called “social diseases” such as narcotics. Programs Implemented by the Narcotics Unit of Polrestabas Makassar Broadly speaking, there are three categories of programs carried out:

f. Pre-Emptive Programs (Community Guidance)

The objective is to ensure that communities remain law-abiding citizens before they even come into contact with narcotics.

g. Activities include:

1. awareness-raising on the dangers of narcotics for youth organizations, students, and the general public;

2. educational visits to schools and agencies;
3. cooperation with community and religious leaders;
4. public campaigns and social media outreach.

The research data indicate that in 2024–2025, such outreach programs were conducted in various districts including Bone, Soppeng, Wajo, and Sidrap, demonstrating a relatively broad preventive coverage.

Preventive Programs (Risk Reduction)

Preventive measures focus on eliminating opportunities for narcotics offenses. This includes:

- a. establishing Anti-Narcotics Resilient Villages in rural and urban areas;
- b. conducting patrols at high-risk locations;
- c. organizing raids in entertainment venues and other vulnerable spots;
- d. monitoring pharmacies and transportation routes.

According to the Head of the Narcotics Unit, the establishment of these resilient villages represents the practical implementation of Presidential Instruction No. 2 of 2020 on narcotics prevention and the National Police Chief's Instruction of 14 June 2021 on the formation of Anti-Narcotics Resilient Villages.

Repressive Programs (Enforcement and Suppression)

Repressive programs are implemented through a series of actions ranging from initial intelligence gathering to the destruction of evidence.

An illustrative case from the field:

The South Sulawesi Regional Police destroyed 4 kg of methamphetamine and 900 ecstasy pills, with an estimated economic value of approximately IDR 4.9 billion, thus potentially saving around 17,000 people from narcotics exposure.

Two suspects, AD (38) and SD (48), were charged under Article 114(2) in conjunction with Article 112(2) of Law No. 35/2009, facing the death penalty, life imprisonment, or a minimum of seven years' imprisonment.

This example demonstrates the strong formal commitment of the police to eradicate large-scale narcotics distribution through decisive law enforcement.

Obstacles in Law Enforcement

Based on interviews with investigators, several key obstacles to effective narcotics law enforcement have been identified:

1. Limited Number of Investigators

The number of investigators in the Narcotics Unit is not proportional to the size of the jurisdiction and the volume of cases. As a result:

- a. many areas cannot be covered optimally;
- b. investigations are often constrained by workload;
- c. case handling becomes reactive rather than proactive.

2. Technological Sophistication of Offenders

- d. Offenders increasingly exploit technology:
- e. encrypted messaging applications;
- f. anonymous or disposable phone numbers;
- g. online banking and digital wallets.

This makes interception and tracing significantly more difficult and often leads to investigations stopping at users and small-scale dealers instead of reaching the main traffickers.

Mutual Protection Within Networks

- a. Narcotics networks operate in closed structures where:
- b. actors often do not know each other's true identity;
- c. those arrested tend to be uncooperative due to fear, loyalty, or direct threats;
- d. information flow is deliberately compartmentalized.
- e. This mutual protection mechanism severely limits the ability of investigators to dismantle entire networks.

Ease of Concealing and Destroying Evidence

Due to the small and portable nature of narcotics (powder, crystals, pills), suspects can quickly dispose of

evidence during pursuit, for example by throwing it into drains or public spaces. In such situations, the police must rely on urine or blood tests. If test results are negative and no physical evidence is found, suspects must be released, even if there are strong suspicions, and investigations must continue covertly.

Empirical Trends: Case Data Analysis

The research also analyzed the trend of narcotics cases handled by Polrestabes Makassar and the Makassar District Court.

Cases at Polrestabes Makassar:

- a. 2020: 76 cases
- b. 2021: 95 cases
- c. 2022: 60 cases
- d. 2023: 35 cases
- e. 2024: 34 cases
- f. 2025: 25 cases

Cases at Makassar District Court:

- g. 2020: 74 cases
- h. 2021: 90 cases
- i. 2022: 52 cases
- j. 2023: 28 cases
- k. 2024: 27 cases
- l. 2025: 18 cases

Dominant Types of Narcotics:

- m. 2020: Cannabis
- n. 2021: Opium
- o. 2022: Cocaine
- p. 2023: Morphine
- q. 2024 & 2025: Cannabis

Although there is a downward trend in the number of recorded cases, this decline cannot be simplistically interpreted as a sign of full effectiveness of law enforcement. The continued emergence of new cases each year indicates that narcotics circulation remains active and has not been fully controlled. The decrease may also reflect underreporting, investigative limitations, or increasingly sophisticated modus operandi.

General Conclusion on the Essence of Law Enforcement

From the analysis above, the essence of law enforcement against narcotics abuse offenders in the jurisdiction of Polda Sulawesi Selatan can be summarized as follows:

- a. Law enforcement is multidimensional—it encompasses pre-emptive, preventive, repressive, and rehabilitative measures.
- b. The police hold a strategic and central role as the front line in combating narcotics.
- c. Significant structural, technological, and cultural obstacles continue to hinder effective enforcement.
- d. South Sulawesi requires a more integrated and collaborative approach involving multiple agencies and community participation.
- e. Current law enforcement practices are still dominated by repressive measures and have not yet consistently reached the upper levels of organized networks.

CONCLUSION

This study concludes that narcotics law enforcement in the jurisdiction of the South Sulawesi Regional Police is a multidimensional process that integrates preventive, pre-emptive, repressive, and rehabilitative strategies. Law enforcement is not limited to punishment but aims to realize justice, utility, and legal certainty in accordance with Radbruch's legal philosophy. Although the legal framework provides modern investigative tools, the implementation still faces major structural and operational barriers. Limited numbers of investigators, inadequate technological support, sophisticated offender methods, and tightly protected criminal networks hinder the ability of police to dismantle higher-level traffickers. Consequently, most enforcement outcomes remain focused on users

and low-level couriers. Preventive and community-based programs have been implemented, yet the continuous emergence of new cases indicates that narcotics circulation remains active and resilient. The decline in recorded cases cannot be fully interpreted as increased effectiveness but may instead reflect investigative constraints or shifting criminal patterns. In essence, effective narcotics enforcement in South Sulawesi requires stronger institutional capacity, greater inter-agency collaboration, improved community involvement, and a balanced approach between punishment and rehabilitation. Only through these integrated efforts can the region achieve a more effective, just, and sustainable narcotics control system.

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