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## Drug Abuse as an Extra-Ordinary Crime: Some Legal and Political Debates

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**Abstract:** As though a double-edged knife, on the one hand, Narcotics can be a panacea for various critical illnesses, but on the other hand, Narcotics can destroy all joints and organs of the human body. Both sides are very much determined by who the narcotics are used for. As one type of Narcotics, Drugs are the type most abused. However, the problems arising from drugs are in fact not only about abuse. Drug abuse is then used as a momentum to form an organized business sector with a structured and systematic sales mechanism. Of course, this is what makes drug abuse categorized as an extraordinary crime that requires extraordinary handling as well. This research will reveal various types of drug abuse as well as national and international efforts and efforts in fighting drug crimes. This research uses qualitative research methods with a literature approach. The data obtained comes from several regulations, such as Law Number 35 of 2009 concerning Narcotics and several other regulations and policies, as well as international cooperation carried out by Indonesia. The results of the study state that Indonesia is currently in a state of drug emergency, so it is necessary to strengthen and innovate government policies to tackle drug crimes that have been committed at this time, as a form of government commitment to eradicating drugs from the base to the upstream of the problem.

**Keyword:** Narcotics, Drugs, & Extra Ordinary Crime

### INTRODUCTION

Drugs have been able to paralyze every part of people's lives. Influence from these illegal objects can also harm a community's health and well-being, as well as the country's future. In fact, the number of people who die from drug abuse is going up all over the world, not just in Indonesia. The public has seen for itself that people who use drugs are not in good shape. This is because the substances in drugs can harm all parts of the body and the brain. Not surprisingly, drug users tend to be skinny and look bad. It's also common for drug users to get sick and have convulsions because their nerves have been damaged. The public can also figure out that drug users tend to be gloomy and hard to get along with on the inside. In addition, people who use drugs are easily anxious, angry, depressed, apathetic, and motivated to do bad things. This is because of the addictive substances in drugs that can make people addicted to them. Thus, drug users are encouraged to keep taking drugs. So, drug users come up with different ways to be

able to keep taking the drug. It is not unusual for drug users to do things like steal or even kill in order to get drugs to treat their addiction.

As well as profiting commercially, drug trafficking serves a far more evil purpose: it threatens the very existence of a nation as a whole. For obvious reasons, drugs are readily available since they're intentionally priced low. As a result, narcotics can now affect everyone, male or female, old or young, rich or poor, with or without a college degree, including state leaders, especially those in their prime earning years (<https://www.rappler.com>).

Drugs, if not stopped, will achieve their primary purpose of ruining the nation's future if they are not stopped now. Society's greatest asset will be steadily harmed, both physically and intellectually, under the influence of drugs. There's a lack of clarity in people's minds when it comes to thinking about the country's future. As a result of drug overdoses and other unplanned fatalities, the population of the United States was reduced by hundreds of millions. As a result of their inability to think rationally, drug addicts are also draining the government's resources. Addiction and people's reliance on these addictive substances cost the government tens of trillions of dollars every year. Health care costs, rehabilitation, and other related expenses accounted for the majority of this loss.

The Indonesian government has taken a variety of measures to combat the hazards of these substances. Starting with the creation of national legislation and regulations, the establishment of the National Narcotics Agency, adherence to different international conventions pertaining to the eradication of drugs, and ending with the execution of drug traffickers. It would appear, however, that the goal of these initiatives is to increase the number of people who take drugs. Contrary to expectations, drug trafficking has been on the rise in recent years rather than declining. There are currently more than five million drug-dependent Indonesians.

There are many complex, well-coordinated, and systematic methods of drug delivery in use today. The government's efforts alone will not suffice to address this critical issue. This doesn't mean talking about criminal behavior or breaching the law when discussing drugs. Instead, he focuses on offenses that could have a devastating impact on the nation and the state. Because of the increasing influx of drugs and the need to mobilize all efforts to achieve a drug-free Indonesia, all parties must contribute.

These narcotics have been likened to acts of corruption and terrorism because of their devastating impact and pattern of criminality. That drug crime is a systemic and organized crime cannot be overstated. As a result, drug offenses are Exceptional Crimes (extraordinary crimes), need special treatment.

As stated above, the subject of this study is drug abuse and the government's efforts to combat drug criminality. For the purpose of formulating the problem in the form of questions. How, for example, does Indonesia's drug crime epidemic work? What progress has been made in treating drug misuse in Indonesia as a special case of criminal behavior?

## **METHOD**

The method used in this research is a qualitative method, where the research sources come from scientific articles in the form of journals and books that are relevant to the research title. While the approach used is a qualitative descriptive approach. Qualitative research is a scientific approach that reveals certain social situations by properly describing reality, formed by words based on relevant data analysis techniques and obtained from scientific situations.

## **RESULTS AND DISCUSSION**

### **1. Definition of Drugs/Narcotics**

According to etymology or linguistics, narkoba is derived from the words for narcotics or narcosis, which means "to sleep and be awakened" in English. As a Yunani language term, the term "narke" or "narkam" means "terbius," which means that the narrator won't notice

anything. For this reason, it is described as an anti-syrraffic and anti-skite medicine in the Standard Indonesian Medical Dictionary. As a result of its traditional use as a pain reliever and nyeri, rongga dada and rongga perut, narkoba is now known as a herbal remedy for these ailments. Narkoba is also a drug that can provide a halusinasi effect as well as adiksi for those who use it (Eleanora, 2011).

Furthermore, it can be seen in Law Number 22/1997 that what is meant by narcotics is Papever Plants, Raw Opium, Cooked Opium, such as Opium, Jicing, Jicingko, Medicinal Opium, Morfina, Coca Plants, Coca leaves, Raw Cocaine, Ecgonina, Cannabis Plants, Cannabis resin, Garamgaram or its derivatives from morphine and cocaine. These medications can produce hallucinations, addiction, and other side effects in those who use them, as described above. Narcotics, then, are any drugs that act as pain relievers or anesthetics.

## 2. Types of Drugs

The types of drugs that are often abused by people in the community are as follows:

First; Law Number 35 of 2009 concerning Narcotics defines narcotics as substances or drugs derived from plants or non-plants, both synthetic and semi-synthetic, which can cause a decrease or change in consciousness, loss of taste, reduce to eliminate pain, and can cause dependence.

There are three classes of narcotics, including:

- a. Category 1: Narcotics used only for the development of science. This type of narcotics has a very high dependency potential. Such as: opiates (heroin, putau, opium), marijuana (cannabis, marijuana, hasis) and cocaine.
- b. Category 2: Narcotics that are used to develop knowledge and are used as a last resort for medical needs. This type of narcotics has a very high dependency potential. Such as: morphine and pethidine.
- c. Group 3: Narcotics used for treatment, therapy, and scientific development. This type of narcotics has a relatively low dependency potential. Like: codeine.

Second; Natural and synthetic chemicals and medications, both natural and synthetic, that have psychoactive qualities through selective actions on the central nervous system that induce discrete changes in mental activity and behavior are defined as psychotropics by Law No 35 of 2009. Based on this law, psychotropics are divided into four groups, namely:

- a. Group 1: psychotropic substances used only for scientific development. This type of psychotropic has a very high dependency potential. Such as: ecstasy, (LSD) Llysergic Acid Dyethylamide.
- b. Group 2: psychotropics used for therapy and scientific development. This
- c. type of psychotropic has a very high dependency potential. Such as: ampbblackine, methylphenidate, ritalin.
- d. Group 3: Psychotropics that are widely used for therapy and scientific development. This type of psychotropic has a very high dependency potential. Such as: pentobarbital, flunitrazepam.
- e. Group 4: Psychotropics that function as drugs are widely used for therapy and scientific development. This type of psychotropic has the potential for mild dependence. Such as: koplo pills, MG, BK pills, dum, nipam pills.

In addition to "drugs," NAPZA, which stands for narcotics, psychotropics, and other addictive substances, is frequently used by the ministry of health. The addictive properties of all medications can be found in a variety of substances. In the medical field, narcotics are mostly used to put patients to sleep before surgery or to treat certain ailments. Personal enjoyment can lead to harming one's health if this medicinal function is overused.

### **3. Addictive Substance**

First; Alcoholic drinks. This drink contains a substance called ethanol.

These substances can suppress the human central nervous system. This substance will increase the effect of narcotics or psychotropics if the two are mixed. There are three categories of alcoholic beverages, including:

- a. Group A: ethanol content between 1%-5% like beer.
- b. Group B: ethanol content between 5% -20% such as drinks made from wine.
- c. Group C: ethanol content between 20%-45% like liquor.

Second; Inhalants (inhaled gases) and volatile solvents. This substance is an organic compound found in household goods and engine fuels. Such as: glue, thinner, nail polish remover, and gasoline. Third; Tobacco. Tobacco as the main raw material in making cigarettes contains nicotine. Nicotine is what gives smokers the addictive effect. No wonder, smokers are very difficult to stop their smoking habit (Wijayanto, 2014).

### **4. The development of the period of consuming narcotics**

Since narcotics are known by the public, the way to consume these drugs continues to develop from time to time. At first the Roman people consumed narcotics whole by swallowing. Slightly different from the British people at that time, they consumed drugs by diluting it with water, then mixing it with cinnamon, ginger and alcoholic wine. Then the community is more fond of consuming drugs by powdering it and then smoking it. This is more popular because the effects of drugs react more quickly and are considered not to cause stomach problems. Furthermore, when people have used powdered and diluted drugs, people have started injecting it into their bodies. Nowadays, when the types of drugs begin to vary, people often consume two or three types of drugs simultaneously or alternately, either by swallowing, smoking using cigarettes, or by injection (Eskasasnanda, 2014).

The description above shows that the use of narcotics which is currently developing has in fact been practiced for a long time. It is no exaggeration to say that drug use is entrenched and very difficult to eradicate.

### **5. Drug Abuse Among Adolescents**

Teenagers are the most vulnerable to being affected by the dangers of drugs. The youth they are experiencing is fueling a spirit of curiosity about all things. It is not uncommon for teenagers to satisfy their curiosity by consuming drugs. This is certainly dangerous for their survival as the nation's successors. Drugs can easily destroy the superior seeds of the nation's successors, because the substances contained in them make the younger generation unable to think clearly to advance the country.

The rise of drug users from among teenagers who end up becoming addicts. This, as stated in the research journal and ppm entitled Drug Abuse Among Adolescents (Adolescent Substance Abuse) is caused by several factors, namely: First; Want to look stylish. Substances contained in certain types of drugs, have the effect of increasing the confidence and courage of the users. This makes the wearer feel more slang, fashionable, and trendy.

Second, Group cohesiveness. Teenagers usually have certain groups or gangs in their association. Not infrequently when one group member uses drugs, other group members also participate in using drugs as a form of solidarity. Third; Painkiller. Substances in drugs are known as pain relievers. Teenagers often use drugs to relieve certain pains they suffer. Fourth; Curiosity. Many of the teenagers who consume drugs because of curiosity. Curiosity is what

then unwittingly leads to continuous use. Fifth; Go along. People who have used drugs, don't want themselves to be the ones who use drugs. They always try to get people around them to take drugs too. Sixth; Relieve stress.

The effects of hallucinations and hangovers caused by drugs are often used as an excuse for drug users to use it as a stress reliever they are experiencing. Seventh; Feeling great.

Drugs can make the user act arbitrarily without fear. Teenagers who want to look great use drugs so they can get everything they want. Eighth; Eliminate boredom. Drugs that can make users hallucinate or fantasize with pleasure, make drugs used as an alternative to relieve fatigue by the wearer. Ninth; Want a challenge. After becoming more courageous and confident that arises from drug use, drug users often consume drugs first to face a challenge they want to face. Tenth; Feeling Mature. Younger drug users want to be seen as adults by older users. By using drugs, users feel entitled and able to do whatever adults can do (Amanda, et.all, 2017).

From the ten things mentioned above, it is known that drug users from among teenagers are motivated to get sheer pleasure. High curiosity makes teenagers do not hesitate to consume these harmful substances. Thus, it is very important the role of the family in particular and society in general to oversee the association of teenagers who are very vulnerable to being haunted by drug abuse.

## **6. The development of drug crime in Indonesia**

Drug crimes in Indonesia are increasingly worrying. At first, Indonesia was only a place to market drugs, but now Indonesia is also starting to become a place for the production of these illegal drugs. From year to year, many drug users, dealers, and even drug labs have been caught, which continues to grow in number in Indonesia.

Statistical data from the National Narcotics Agency (BNN) noted that the circulation of methamphetamine (methamphetamine) has continued to increase since 2006. This increase can be seen with the increase in the number of cases and suspects of the type of methamphetamine in 2009, namely 10,742 cases and 10,183 suspects. Likewise, the number of methamphetamine confiscations by the Directorate General of Customs and Excise. Then until the end of November 2011, there were 26, 560 cases handled by the National Narcotics Agency and the National Police, namely 17,383 narcotics cases, 1,478 cases of psychotropic substances, and 7,639 cases of hazardous materials. At that time the number of suspects arrested was 32,763 people (Jainah, 2013). This figure continued to rise until in 2017, the number of suspects arrested by BNN was 58,365 people (<https://tirto.id>).

The data above shows an increase in both the number of dealers and the number of drug users. This increase in number can result in a decrease in the level of public trust in the state government, especially the National Narcotics Agency which is given a special task to deal with narcotics problems. However, the role of BNN optimally will not succeed in dealing with drug problems without strong synergy between the government, educational institutions, families and Indonesian society in general.

## **7. Dark Drug Laboratory or clandestine laboratory in Indonesia**

Along with the development of drug use in Indonesia, Indonesia has made Indonesia a market as well as a place for drug production itself. From time to time, illegal drug laboratories are found in Indonesia. This is certainly one of the Indonesian government's homework that must be resolved immediately.

The illicit drug laboratory or clandestine laboratory is a place for illegal drug production. The illegal laboratory is a combination of chemical materials and equipment to produce drugs

that operates under cover. The National Narcotics Agency (BNN) itself defines a clandestine laboratory as a drug illicit laboratory, as follows: "An illegal activity carried out in a location by using a number of tools and chemicals to produce or synthesize illegal drugs (Taskarina, 2010).

The increase in the distribution of drugs, of course, encourages the production of far more drugs. In Indonesia itself, there are several phenomena of the emergence of illicit drug laboratories which are very prominent as stated by Leebarty Taskarina in his journal, these cases include:

a. Cikande case

Seeing the large quantity of goods produced in the Cikande clandestine laboratory, which is 2,244,000,000 (two billion two hundred and forty four million) ecstasy tablets, this clandestine laboratory is classified as a super clandestine laboratory (a clandestine laboratory on a large scale). Before starting this large-scale clandestine laboratory operation, a chemical compounder or drug designer who is a Dutch citizen conducted a small-scale drug production experiment first, by mixing 10 liters of PMK (Peripenyl Methyl Ketone), 10 liters of Methanol, 10 liters of Methylamine, 1 kilograms of aluminum, 500 grams of Mercurychlorid, 100 liters of Acetone, and 200 liters of Hydrochloric Acid (<https://www.liputan6.com>). Based on the chronology of events in the case file resume of the clandestine laboratory in Cikande, this drug designer conducted several experiments (Research and Development), and several times the product results were unsatisfactory. The clandestine laboratory intermediary admitted that he only took care of the issue of location, regarding equipment and chemicals, Peter Wong from Hong Kong had sent it directly 7 times in stages. Thus, we can see that deliveries for large-scale operations are still carried out on a small scale but gradually as well as chemical equipment that arrives at the clandestine laboratory TKP factory itself.

b. Batam case

As a result of the October 20, 2007, arrest of Batam's clandestine laboratory, their illicit activities were spread out across a number of locations. There is a chemical storage warehouse, a mixing area, a drying area, and a packaging area (tablet printing) for mixing MDMA and Meth. The syndicates use this strategy to evade the law in Indonesia, especially in the year this case was caught, when there was no legal regulation explaining narcotics precursors, still relying on the Ministerial Decree and Ministerial Regulation from the Ministry of Industry and Trade of the Republic of Indonesia, as well as the Indonesian Ministry of Health, for guidance (<https://www.antaraneews.com>).

As a result of Batam's proximity to Singapore and the lack of oversight in its waterways, all raw materials are readily identifiable as being smuggled. By writing detergent powder on the sacks, they were able to sneak pseudoephedrine (cough medicine) into the country. Organizing drug production is a crime pattern that no longer focuses on local distribution, but has already moved through one country and is even being planned outside of Indonesia, specifically Taiwan and Singapore, according to the author. This case also involved immigrants who were skilled at dispensing pharmaceuticals (designer medications) obtained through intermediaries or clandestine laboratories.

c. Depok Case

At the end of April 2009, while the Narcotics Law had not yet been passed, this instance was brought to light. There is no longer a large-scale clandestine laboratory, but one of the individuals engaged is a dentist, who has easy access to ordering chemicals and drugs, making this case fascinating. A prescription from a doctor is used to order huge quantities

of chemicals from chemical shops and pharmacies, which are then delivered gradually to the doctor's house without raising suspicions from residents or other parties." (Taskarina, 2010)

### **8. Pattern of Money Laundering from Drug Trafficking**

Not only the types and patterns of drug use vary. Money generated from drug trafficking is hidden or disguised in various ways. Money laundering proceeds from drug trafficking has three phases, namely the placement phase, the layering phase and the integration phase.

The placement phase is the process of placing cash from drug trafficking through the banking system. Not all banking institutions become targets for placing money from drug trafficking, usually it is banks abroad which are classified as high risk/high risk foreign banks which are places for storing money from drug trafficking. These banks become a means of placing money from drug trafficking because they have financial mechanisms and instruments, such as: a). Anonymous account; b). Internet banking and phone banking services; c). ATM cards and credit cards; d). Availability of banking services anywhere; e). Unlimited cash withdrawals; and f). Financial transfer without the need to include the sender's name (Nurhadiyanto, 2010).

The layering phase of money laundering proceeds from drug trafficking is carried out with the aim of disguising money from drug trafficking through a complicated financial system so that it is not easily traceable. In this process, funds are transferred from certain accounts or locations to other places through a series of complex transactions to obscure the source of the money that comes from the proceeds of the drug trade. Layering activities in money laundering proceeds from drug trafficking are usually done by smurfing, money changing and buying stock portfolios on the stock market (Perbawa, 2015).

The final process in money laundering proceeds from drug trafficking is Integration. In this process money from drug trafficking activities is diverted to official activities such as investments in restaurant, entertainment, sports and property businesses. This was carried out as if the activity had nothing to do with the initial activity, namely drug trafficking (Nurhadiyanto, 2010).

### **9. ASEAN Regional Cooperation in Combating Drugs in Indonesia**

In the 2010-2014 interval, drug trafficking in Indonesia increased quite high. The high circulation of drugs in Indonesia is inseparable from international trafficking syndicates such as those from Malaysia, Singapore, China, and Nigeria. Thus, in order to solve these problems, ASEAN countries are able to carry out cooperation, so that the handling of drug crimes committed can be more effective. One of these cooperative efforts is regional cooperation through ASEANAPOL at the Regional Counter Narcotics.

The ASEANAPOL cooperation framework at the Regional Counter Narcotics refers to the Treaty of Amity and Cooperation in Southeast Asia dated February 24, 1976 in Bali. The treaty entered into force on June 21, 1976 when each member country signed the instrument that had been ratified. It was only after the 34th ASEANAPOL conference was held in the Philippines that ASEAN countries agreed to work together to eradicate drugs in Indonesia. The forms of cooperation carried out by ASEANAPOL in dealing with drug trafficking in Indonesia include holding regular meetings, developing the e-ADS system (Electronic ASEANAPOL Database System), and developing investigative capacity in each ASEAN country.

The Jakarta Center for Law Enforcement Cooperation (JCLEC) was held in Semarang, the International Law Enforcement Academy (ILEA) was held in Bangkok, and the Joint

ASEAN Senior Police Officers Course (JASPOC) was held in each ASEAN country every other year. Some of the other groups that ASEANAPOL works with are the ASEANAPOL Database System Technical Committee (ADSTC), ASEANAPOL Contact Officers, and the ASEANAPOL Communication and Coordination Protocol for Crisis Management (ACCPCM). With the help of ASEANAPOL, Indonesia has been able to fight crimes that go across borders. This has made the Indonesian government think about how it can get help from other countries, so it can find a solution for its drug problem (Pamungkas, 2017).

It is necessary to maximize efforts to eradicate and prevent narcotics crimes both on a national and international scale, considering that narcotics crimes are classified as extraordinary crimes that require extraordinary handling. Indonesia will not be able to handle this big problem alone, without the help of the surrounding countries to control the entry of drug smuggling into Indonesia.

### **10. Actualization of Pancasila Values in Overcoming Drug Abuse**

Pancasila as a guideline for the Indonesian people in the nation and state must always be embedded in every line of social life. The values of Pancasila, which now seem to be fading, need to be reaffirmed. Pancasila must also be used as a shield in protecting the nation's next generation from the dangers of drug crime. Thus, Pancasila must be actualized concretely in a real form.

The actual forms of the actualization of Pancasila include: (Nurhadianto, 2014). First; Every individual in Indonesian society must really realize that drugs are not in accordance with divine values, as contained in the first precepts of Pancasila. No religion allows its adherents to live in unhealthy conditions. As it is well known that the effects of drugs are damage to all internal organs and the human brain. If every community explores their respective religions, then people will realize that no religion allows the use of drugs.

Second; Every individual in Indonesian society must instill a sense of humanity in treating himself and the people around him. Thus, of course, people are reluctant to use drugs, because the impact of drug use will damage their social interactions. Thus, the harmonious relationship between each individual and other individuals as aspired by society will never be realized.

Third; Every individual in society must instill his love for the homeland, as stated in the third principle, namely the unity of Indonesia. In fact, drug users are individuals who only care about themselves. For the sake of his personal enjoyment, he forgot his responsibility to build the nation. Drug users certainly cannot think clearly, unite, and work together to build the country, because they are busy thinking about themselves.

Fourth; Every individual in society must understand that by consuming drugs, drug users will continue to buy these drugs from drug dealers. In this case, drug dealers often impose their will on drug users to return to giving the drug. Of course this is contrary to the fourth precept, that every problem must be resolved by deliberation. Fifth; Society must understand that with drugs, prosperity and social welfare would not be possible. Addiction caused by drugs has pushed its users to spend all available possessions, that encourages users to commit criminal acts, in order to fulfill their addiction.

It is important that collective and massive awareness is needed in every community, so as not to allow drugs to enter the life of the nation and state from any side. Eradication of drugs is not only the obligation of the state and the government alone, but also the obligation of the community together (Inggar. 2017).

According to the author, what should be done to overcome the drug problem is the actualization of Pancasila which is taught from an early age to the next generation of the nation

in the family. This early learning is then strengthened by every level of educational institution and is also actualized by all components of society. Thus, the government must strictly provide punishments that are as effective as possible to create a deterrent effect for drug dealers. This must also be accompanied by massive rehabilitation supported by correctional institutions and the Indonesian ministry of health.

## CONCLUSION

People are using more and more drugs, both in the types they use and the ways they use them. This is true for both the types of drugs they use and the ways they use them. At first, Indonesia was only a market for drug dealers. This is shown by the number of drug users in Indonesia, which grows each year. Now, Indonesia isn't just a place where people buy and sell drugs. It's also a place where people make drugs illegally. The number of illegal drug labs in Indonesia shows that the government needs to do even more to get rid of drugs.

Drugs in Indonesia is no longer a new thing. For decades, Indonesia has continued to fight and eradicate drugs. Various efforts have been made by the Indonesian government, both by enforcing national legal instruments, carrying out international cooperation, to punishing drug dealers to death. Of course, this is not enough to eradicate drug trafficking in Indonesia. As a civilized country, Indonesia must always actualize Pancasila values in every line of national and state life.

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