POLICE EFFORTS IN COMMANDING DRUG CRIMINAL ACTIONS IN THE MUSLIM COMMUNITY

Markuat
Sekolah Tinggi Ilmu Hukum Painan
email: Markuat00@gmail.com

Abstract: This study aims to comprehensively describe the role of the Police in tackling drug crimes in Muslim communities. The research used is juridical empirical. This research is descriptive analysis, namely research that aims to clearly and accurately describe the things in question; then the problems are analyzed based on legal theories or applicable laws and regulations to obtain accountable answers. Based on the results of the study, it was concluded that the role of the Police in tackling drug crimes in Muslim society is the role of preventing, the role of law enforcement and the role in conducting therapy and rehabilitation for narcotics crimes. The efforts made by the Police to tackle drug crimes in Muslim communities are using pre-emptive and preventive methods. Pre-Emtif Effort is a policy that looks at the root causes of crime through a social approach, a situational approach and a community approach to eliminate the elements of potential disturbances. At the same time, preventive efforts are preventing the community so as not to abuse narcotics.

Keywords: Police, Muslim Community, Drugs, Crime

Abstrak: Penelitian ini bertujuan mendiskripsikan secara komprehensip peranan kepolisian dalam menanggulangi tindak pidana narkoba di Masyarakat Muslim. Penelitian ini menggunakan pendekatan yuridis empiris yang bersifat deskriptif analisis, yakni penelitian yang bertujuan untuk dapat menggambarkan dan mendeskripsikan secara jelas dan cermat hal-hal yang dipersoalkan, kemudian permasalahan tersebut dialisis berdasarkan teori-teori hukum atau peraturan perundang-undangan yang berlaku guna memperoleh jawaban yang dapat dipertanggung jawabkan. Berdasarkan hasil penelitian, diperoleh kesimpulan Peranan kepolisian dalam rangka menanggulangi tindak pidana narkoba di masyarakat muslim yaitu peranan dalam melakukan pencegahan, peranan melakukan penegakan hukum dan peranan dalam melakukan terapi dan rehabilitasi terhadap tindak pidana narkotika. Adapun upaya yang di lakukan Kepolisian untuk menanggulangi tindak pidana narkoba di Masyarakat Muslim yaitu dengan cara Pre-Emtif dan preventif. Upaya Pre-Emtif adalah kebijakan yang melihat akar masalah utama penyebab terjadinya kejahatan melalui pendekatan sosial, pendekatan situasional dan pendekatan kemasyarakatan untuk menghilangkan unsur potensi gangguan yang terjadi. Sedangkan upaya preventif adalah pencegahan terhadap masyarakat agar tidak melakukan penyalahgunaan narkotika.

Kata Kunci: Kepolisian, Masyarakat Muslim, Narkoba, Tindak Pidana
Introduction

Indonesia is a state of Law, and the term "state" is intended to make Indonesia a state governed by Law. Indonesia is a developing country, and the crime rate in developing countries is relatively higher than in developed countries. This seems reasonable because the educational and socio-economic standard of living of developed countries is already higher than that of developed countries, and the level of legal literacy is higher than that of developing countries. This is a challenge for law enforcement officers, especially in countermeasures against narcotics and other illegal drugs.¹

Narcotics have been a problem before Indonesia's independence, since the Dutch colonial era in 1926/1927 when the Chinese began to open up opium stalls with their economic value. For this, the Dutch colonial Government issued regulations regarding the existence of opium shops and the use of narcotics which was limited to raw opium, cooking opium, drug opium, opium receipts, jitting (opium dregs), morphine, marijuana, cocaine, through the eogonine staatblat in 1927. No. 278, which was amended by Staatblat No. 635 of 1927.²

As a form of the Indonesian Government's commitment to supervising the transnational narcotics illicit trade, it ratified the 1961 Single Convention on Narcotics and its Protocol which amended it through Law No. 8 of 1976. In the same year, the Indonesian Government also issued Law No. the purpose is to regulate the method of supplying and using narcotics for medical and/or scientific purposes as well as to prevent and overcome the dangers that may be caused by the side effects of the use and abuse of narcotics, as well as the rehabilitation of addicts. Law No. 9 of 1976 has provided rules regarding the treatment and rehabilitation of victims of narcotics abuse and efforts to overcome them; in this provision, narcotics users are also considered victims of narcotics abuse.

Lately, narcotics and illegal drugs have become transnational in nature, carried out with a high modus operandi and sophisticated technology; law enforcement officers are expected to be able to prevent and overcome these crimes to improve the morality and quality of human resources in Indonesia, especially for the next generation. Among law enforcement officers who also have an important role in drug crime cases are investigators, in this case POLRI investigators, where investigators are expected to assist in the settlement process of drug offences.³

Narcotics abuse in Indonesia has reached a very worrying stage. Narcotics no longer recognize age limits; older adults, young people, teenagers, and even children are users and dealers of narcotics. The illegal circulation of narcotics in Indonesia is no less worrying, and narcotics are not only circulating in big cities in Indonesia but also have penetrated small areas. Indonesia, which was formerly a transit country for narcotics illicit trade traffic due to Indonesia's very strategic geographical location, has become a Narcotics producing

² Adi Sujatno, Enlightenment Behind Prison from a Cage to a Studio to Become an Independent Human, (Teraju, Jakarta, 2008). h.45
country. This can be seen from the disclosure of several laboratories that produce narcotics in Indonesia (data from IPDA informant Choiril Aman Soleh, Head of Investigation Unit of the Narcotics Unit of the Buleleng Police). The era of globalization marked by advances in communication technology, trade progress and the rapid progress of the tourism industry has made Indonesia a potential country as a producer of narcotics.⁴

Narcotics are 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, reduction to eliminate pain, and cause dependence. This is explained in Article 1 paragraph (1) of Law no. 35 of 2009 concerning Narcotics. The word narcotics comes from the Greek "Drug", which makes paralyzed or numb.

With the issuance of Law No. 22 of 1997 concerning Narcotics and Law No. 5 of 1997 concerning Psychotropics, the legal sanctions and things that are allowed are regulated. With the issuance of this Law, investigators are expected to be able to assist in resolving cases against someone or more who have committed drug crimes today.

The investigation process is the most crucial stage in the Criminal Justice System, where the investigation task assigned to the National Police is very complex. The complexity of the tasks of Polri investigators is increasing along with the passage of reforms in all areas of life in Indonesia. Investigators are required to successfully uncover all cases indicated to have violated the criminal Law they are handling.

Special laws are regulated outside of general criminal Law; deviations from criminal law regulations in the criminal code are the benchmark that distinguishes general criminal Law or special criminal Law. What can be explained is that special criminal Law is a law that is regulated separately outside of the criminal law code. Authority is the power to do something or to order others to do something to achieve certain desires. Concerning investigators and investigations, investigators are officials or part of the Indonesian National Police who are given the power of Law to carry out an investigation. The investigation in question is a series of actions by investigators to find out or find something in the form of an incident that is suspected of being a criminal act so that it can be determined whether or not further investigations see the series regulated in the Law. In criminal acts, there are certain crimes; in this case, we will discuss certain crimes regarding Narcotics. Narcotics are not something to be afraid of for the community because Narcotics are very useful in the medical world to treat certain diseases that require the content Narcotics. So far, violations of Narcotics have been polluted by those who do not understand the intent and purpose of these drugs to damage generations or enjoy the illicit goods; therefore, there are many violations of Narcotics abuse who want to take advantage of the situation to enrich themselves or It also destroys the nation's generation by abusing Narcotics.⁵

Two factors encourage someone to use narcotics, namely internal factors, including attitudes, personality, gender, age, desire for enjoyment, feelings of curiosity, and to escape from the problems at hand; the second external factors are the surrounding environment, such as the workplace, a messy family, economic and social level and pressure within the group. Regulations on

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⁵Danny I. Orphans, Personality, Family and Narcotics: A Socio-Psychological Review, (PenArcan: Jakarta, 1989), p.100
Narcotics aim to ensure the existence of drugs in the common interest for health and science to avoid drug abuse. Interestingly, there is a tendency to threaten criminal sanctions between imprisonment and fines simultaneously. Such a system is not known in the criminal penalties in the Criminal Code because imprisonment and fines are the main crimes. 

In narcotics and psychotropic crimes, the Police have a very large role because the Police are one of the authorized institutions in overcoming the rise of narcotics and psychotropic crimes, where the role of the Police itself aims to provide services, protection and protection to the community easily, responsive/responsive and non-discriminatory so that it is free from physical and psychological disturbances, maintains security and public order at all times while taking into account the norms and values that apply in the community for the sake of the smooth movement of regional development, guiding the community to increase awareness and compliance with laws and regulations. Applicable non-norms.

In carrying out their duties as protectors or community coaches, the Police shall coordinate and cooperate with organizations/agencies/agencies inside and outside the Police at the regional level to participate in efforts to foster public order.

**Method**

The type of research used is empirical juridical, which uses library research and field studies. This research is descriptive analysis, namely research that aims to clearly and accurately describe the things in question; then, the problems are analyzed based on legal theories or applicable laws and regulations to obtain accountable answers. The data analysis used in this study is qualitative, i.e. the data obtained are processed and linked to one another and then described descriptively, namely by describing or describing the state of the subject and object based on the existing facts and linked to the results of the literature study.

**Results and Discussion**

**The Role of the Police in Combating Drug Crimes in Muslim Society**

The main duties of the Indonesian National Police are regulated in Article 13 of Law No. 2 of 2002 concerning the National Police. The main tasks of the National Police in Article 13 are classified into three: maintaining public security and order; enforcing the Law; and providing protection, protection and service to the community. In maintaining security and public order, the National Police has the responsibility to create and maintain a safe and orderly condition in people's lives. According to Soebroto Brotodirejo's opinion, as sifted by R. Abdussalam argued, security and order is a state of being free from damage or destruction that threatens the whole or individual and provides a sense of freedom from fear and worry so that there is certainty and a sense of certainty from the guarantee of all interests or a situation. Free from violations of legal norms.

Investigations have consequences for the increasingly professional investigators from certain civil servants within the department whose scope of duties and responsibilities include narcotics issues that are given special authority. The granting of this authority shall consider the coordination with investigators from the Indonesian National Police Officer, whose function is as the main holder of authority in the investigation of criminal acts. An investigation is in line with the notion of investigation, which means preliminary examination by officials for that purpose.

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appointed by Law, as soon as they receive the news with excuses that there has been a violation of the Law.7

The Authority of the Police consists of general authority and special authority. General authority as defined in Article 15 paragraph (1) of Law no. 2 of 2002 concerning the National Police, including:

a. Receive reports and complaints;
b. Help resolve community disputes that may disrupt public order;
c. Preventing and overcoming the growth of community diseases;
d. Supervise the flow that can cause division or threaten the unity and integrity of the nation;
e. Issue police regulations within the scope of police administrative authority;
f. Carry out special inspections as part of police action in the context of prevention;
g. Take the first action at the scene;
h. Taking fingerprints and other identities and taking pictures of people;
i. Looking for information and evidence;
j. Organizing a national criminal information centre;
k. Issuing permits and certificates required in the context of community service;
l. Provide security assistance in the trial and implementation of court decisions, activities of other agencies, as well as community activities;
m. Receive and store findings temporarily.8

Meanwhile, according to law number 8 of 1981 concerning the Criminal Code in article 1 point (2), it is determined that what

is meant by the investigation is a series of investigator actions in terms of and according to the method regulated by this Law to reach and collect evidence based on that evidence. Make clear the crime that occurred and determine the suspect.9

In the context of preventing and eradicating the abuse and illicit traffic of narcotics and narcotics precursors, with this Law, the National Narcotics Agency was established, in the future abbreviated as BNN. Furthermore, coordinating with the Head of the State Police of the Republic of Indonesia in preventing and eradicating abuse and illicit trafficking of Narcotics and narcotics precursors is carried out based on statutory regulations unless otherwise stipulated in the Law.10 Efforts to overcome drug crime can be carried out preventively and repressively. Preventive countermeasures against narcotics crimes are carried out by the Resort Police in collaboration with Bappenkbar by distributing brochures, warning boards, and seminars on the dangers of narcotics abuse. Meanwhile, the countermeasures against narcotics crimes are carried out in the context of POLRI's efforts to uncover criminal acts that occurred through investigations and investigations of narcotics crimes.11

In the investigation of narcotics crimes, the role of handling the problem is the narcotics detective section, in this case, the narcotics unit. This kind of division of tasks is found in every Regional Police in Indonesia. The investigation carried out by the POLRI is the initial process of the criminal case process. In principle, the purpose of an investigation is to seek and collect evidence, which with that evidence tries to make light

9 Djoko Prakoso, et al., Crimes That Are Harmful and Dangerous to the State , (Bina Aksara: Jakarta, 2003), p.54
10 Erna Devi, Indonesian Criminal Justice System , (Unila Publisher: Bandar Lampung, 2013), p.32
11 Gatot Suparmo, Indonesian Drug Law , (Djambatan: Jakarta, 2007), p.79
of the crime that occurred and to find the suspect.\(^\text{13}\) Abusing narcotics and psychotropic substances is a very harmful danger for a country. This is because narcotics crimes by the younger generation will have a negative impact both physically and spiritually on the younger generation, thus providing a very large loss for the country and the Indonesian nation in particular. From what has been mentioned above, it can be seen that to reduce drug abuse in the Muslim community, it is better first to suppress the existing unemployment rate. Own busyness to someone so as not to spend time-consuming narcotics.\(^\text{15}\)

The abuse and illicit trafficking of narcotics have become increasingly out of control, making the National Narcotics Agency form the Provincial National Narcotics Agency; the Provincial BNN has the same duties, functions, and authorities as the National Narcotics Agency. Narcotics abuse in the 1970s grew out of control so that on September 8, 1971, the President issued Instruction No. 6 of 1971, which essentially was to eradicate juvenile delinquency, narcotics abuse, smuggling, subversive counterfeit money and surveillance of foreigners.\(^\text{10}\) Narcotics abuse is considered urgent enough to encourage the birth of Law Number 9 of 1976, which was later refined by Law Number 22 of 1997 concerning Narcotics, which was then revised again with the ratification of Law Number 35 of 2009 concerning Narcotics on December 14, 2009.

Responding to the development of narcotics problems that continue to increase and become increasingly serious, the National Narcotics Agency is considered unable to work optimally and is less able to deal with narcotics problems in various regions in Indonesia. Therefore, the Government issued Presidential Regulation Number 83 of 2007 concerning the National Narcotics Agency, the Provincial National Narcotics Agency (BNNP) and the Regency/City Narcotics Agency (BNNK), which have operational authority through the authority of the relevant BNN Members in the task force, which BNN, BNNP, BNNKab/City are working partners at the national, provincial and district/city levels, each of which is responsible to the President, Governor and Regent/Mayor.

In dealing with narcotics and psychotropic crimes, the Police do not work alone but synergize with several related agencies and institutions, namely the Regional Government, the Prosecutor's Office, the Court, BNN, BNP, BNK, NGOs, and the TNI. Where the relationship is in the context of law enforcement, counseling, rehabilitation, and also in the judicial process. In doing the work, the relationship does not always run smoothly. The Police, as law enforcers, have a very important role in combating the abuse and illicit trafficking of narcotics and psychotropic substances. The role of the Police in overcoming narcotics and psychotropic crimes. In this case, the role of the Police in question is not as an investigator but as a police officer who provides protection and guidance as well as law enforcement against the dangers of narcotics and psychotropic abuse in people's lives.\(^\text{14}\)

The forms of strategy in the field of prevention can be in the form of appeals, seminars and anti-narcotics movements, distributing posters and appeal boards with anti-narcotics themes, and printing special anti-narcotics magazines to make the strategy a success. Prevention of drug abuse. Criminal sanctions for perpetrators of

\(^\text{13}\)Day of Sasangka, *Narcotics and Psychotropics in Criminal Law*, (Bandung: Mandar Maju, 2003), p.145

\(^\text{15}\)Hadiman, *Supervision and Active Role of Parents and Apparatus in Combating and Abusing Drugs*, (PT. Erlang, Jakarta, 2005), p.321

\(^\text{14}\)Makarao, Moh. Taufik., et al., *Narcotics Crime*, (Ghalia Indonesia: Jakarta, 2003), p.45
criminal acts have been determined in Articles 111 to 148 of Law Number 35 of 2009 concerning Narcotics. Three types of criminal sanctions are regulated in this Law, including 1. Criminal sanctions for narcotics criminals; 2. Criminal sanctions for perpetrators of narcotic precursor crimes; and 3. Criminal sanctions are imposed on the management or leadership, which hinder recidivists, money laundering, foreigners and others. Criminal sanctions for narcotics crime perpetrators are divided into three groups: 1. Criminal sanctions for narcotics crime group I; 2. Criminal sanctions for committing narcotics class II; and 3. Criminal sanctions for committing narcotics class III crimes.

The conclusion of Law Number 35 of 2009 concerning Narcotics regulates efforts to prevent and eradicate narcotics abuse and illicit trafficking, namely, the first Effort from the "demand" side, namely preventing new Narcotics abusers from happening. Old Narcotics abusers are rehabilitated by reporting themselves to IPWL (Recipient Mandatory Reporting Institutions) to get treatment. Failure to report to IPWL will become the target of investigators for arrest, who will then be forced to be placed in a rehabilitation institution as a form of punishment because the period of rehabilitation is counted as a period of serving a sentence (Article 103 paragraph 2). The second Effort is to eradicate the illicit trafficking of Narcotics with targets ranging from cultivation, production, dealers, dealers, and couriers with appropriate punishments and simultaneously prosecution of money laundering crimes by seizing assets owned by dealers and enforced with reversed evidence in court. The third Effort is to encourage the community to participate as widely as possible in prevention and eradication efforts.

**Police Efforts in Combating Drug Crimes in Muslim Communities**

One element of law enforcement in Indonesia is the Indonesian National Police as an instrument of the state; law enforcers are required to be able to carry out law enforcement duties professionally by breaking the network of drug syndicates through collaboration with relevant agencies in eradicating drug syndicates, where disclosure of drug cases is specifically that require the POLRI to be proactive in searching for and finding the perpetrators and always oriented to the arrest of the perpetrators of criminal acts in the application of laws and regulations in the field of drugs.15

The role of the Police in dealing with drug crimes is focused on law enforcement alone and all efforts shown to reduce the demand and need for illicit drugs. Based on the basic economic principles of demand (demand) and supply (supply), as long as the demand is still there, the supply will always be there, and if the demand stops or decreases, the supply will decrease, including the market. The concept of law enforcement by the Police, of course, cannot be separated from the realization of security and public order. The laws and regulations that are used as guidelines by each member of the police force are Law Number 2 of 2002 concerning the Indonesian National Police, especially in Article 13 concerning the Main Duties of the Indonesian National Police, namely:

Maintain public security and order, enforce the Law, and provide community protection, shelter and service. The Police of the Republic of Indonesia, as the central element in overcoming every threat of drug abuse and illicit trafficking, must have efforts to overcome drug abuse in a Pre-

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emptive, Preventive and Repressive manner. Pre-emptive efforts are basically in the form of fostering positive activities for the community, while preventive efforts are in the form of controlling and supervising the official channels of illicit drug trafficking. Repressive efforts include follow-up and law enforcement to make the perpetrators become a deterrent and not repeat their actions. Drug crimes have been transnational in nature, carried out using a high modus operandi, sophisticated technology supported by an extensive network of organizations and have caused many victims, especially among the nation's young generation, which is very dangerous to live in the community, nation and state. The spread of drugs has reached a very alarming level.16

According to Saparinah Sadli, as quoted by Barda Nawawi Arief; crime or crime is a form of deviant behaviour that is always present and inherent in every form of society; no society is free from crime. According to him, deviant behaviour is a real threat or threat to social norms that underlie social life or order, can cause personal and social tensions and is a real or potential threat to the continuity of social order. It can be said that the privileges given to addicts/users who are addicted to narcotics in Indonesia have the right to be rehabilitated so that many young people use narcotics for themselves because law enforcement in Indonesia is not firm and does not provide a deterrent effect.

Law enforcement has a goal so that people obey the Law. People's obedience to the Law is caused by three things, namely: (1) fear of sinning; (2) fear because the power of the authorities is related to the nature of the Law, which is imperative; (3) afraid of being ashamed of doing evil. Law enforcement with non-penal means has goals and objectives for internalization purposes. The statutory provisions governing narcotics issues have been drafted and enforced through the Narcotics Law. However, crimes related to narcotics have not been appeased. In many recent cases, many drug dealers and traffickers have been caught and received severe sanctions, but this does not seem to have a deterrent effect on other perpetrators; there is even a tendency to expand their area of operation.17

One part of law enforcement officers who also have an important role in drug abuse cases are "Investigators", in this case, POLRI investigators, where investigators are expected to be able to assist in the settlement process of drug abuse cases, which are directly related to POLRI investigators and law enforcers. Other. That is in the process of law enforcement. This is law enforcement in eradicating narcotics and psychotropic abuse to make light of a criminal act suspected of having occurred in the investigation process, which is very substantial and has very basic interests. This is part of the Police, especially police investigators, because of the investigation function that can reveal law enforcers in eradicating narcotics abuse.18

Members of the Police are deployed directly to suspicious areas to be used as shelters, storage, and distribution of narcotics. The Police also conduct raids for investigation and investigation and even arrest people suspected of abusing


18 Setiawan Widagdo, Legal Dictionary, (Library Achievement: Jakarta, 2012). h.675
narcotics. These raids are usually carried out at night entertainment venues and places where information is obtained from the public. To minimize drug abuse and circulation, the East Jakarta Police BPN (Drug Eradication Agency) continues to socialize the Prevention, Eradication of Drug Abuse and Circulation (P4GN) Program to schools and universities.

In this strategy, as revealed by Wiryono in his theory, he said that prevention is carried out by normalizing, namely by providing education, announcements and clear knowledge to the public of a crime. It means that the public must be notified in advance that the act is wrong if it is done, namely by conducting seminars and appeals. In particular, the steps that the Police have taken to tackle drug trafficking and abuse include: Counseling schools to provide an understanding of the dangers of drugs so that students, especially young people, understand and do not try to consume drugs. Install billboards, banners, and pamphlets containing warnings about the dangers of drugs. This is to provide understanding and warning to the general public.

Similarly, drug abuse prevention is mainly directed at the younger generation, such as children, youth, students, youth, and university students. Drug abuse is the result of complex individual interactions with various elements of the environment, especially with parents, schools, the community, and other youth or youth. Preventive strategy eliminates or reduces factors that encourage opportunities to abuse illicit drugs by carrying out activities that can create awareness, concern, vigilance, community deterrence, and foster healthy living conditions and behaviours without drugs.

All parts of the Police carry out this preventive prevention effort by carrying out activities that can provide knowledge to the public about the dangers of drugs, such as conducting counselling, both in educational institutions such as schools and campuses and also through direct approaches to the community such as conduct counselling in mosques and provide places of rehabilitation and therapy for those who are already drug users. In preventive efforts, the emphasis is on eliminating opportunities to commit Crimes. Preventive efforts (prevention) are intended to make positive changes to the possibility of disturbances in society and to create legal stability. The efforts made by the Boyolali Police in this preventive Effort are as follows: first, conducting patrols to areas suspected of being a place for illicit drug abuse. Second, conduct raids in cafes, karaoke, and nightclubs. Third, conduct a campaign to stop illicit trafficking and drug abuse. Fourth, put up banners or banners that read about the dangers of drugs. Fifth, urge the public to report if there are families who become drug addicts for further treatment and rehabilitation.

Conclusion

After conducting in-depth research, an important conclusion was found that the role of the Police in tackling drug crimes in Muslim communities is the role of preventing, the role of law enforcement and the role in conducting therapy and rehabilitation for narcotics crimes. The

20 Siswanto Sunarso, Psychotropic Law Enforcement in the Study of Sociology of Law, (PT Raja Grafindo Persada: Jakarta, 2004), p.87
efforts made by the Police to tackle drug crimes in Muslim communities are through pre-emptive and preventive methods. Pre-Emitif Effort is a policy that looks at the root causes of crime through a social approach, a situational approach and a community approach to eliminate the elements of potential disturbances. At the same time, preventive efforts are preventing the community so as not to abuse narcotics. Members of the Police are deployed directly to suspicious areas to be used as shelters, storage, and distribution of narcotics. Preventive strategy eliminates or reduces factors that encourage opportunities to abuse illicit drugs by carrying out activities that can create awareness, concern, vigilance, community deterrence, and foster healthy living conditions and behaviours without drugs.

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