

## The Countermeasures Against Alcohol Abuse in Central Buntulia

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### ABSTRACT

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The use of liquor in Central Buntulia is still a bad habit that is often practiced by children, teenagers, and adults. The cause of liquor in the Central Buntulia environment is one of the problems that are troubling to the surrounding community, as well as to people who visit it because many people do not care about the bad effects of liquor which is very dangerous and detrimental. This research aims to know the prevention of liquor in Central Buntulia. Based on the title raised in this article, the researcher uses the type of empirical research. The process of collecting data from the object studied in this study is to use observation techniques, interviews, and literature study so that the data obtained by the researcher was analyzed descriptively. The results of the study showed that there were several countermeasures against liquor in Central Buntulia, starting from the efforts of the village government to the efforts of the police.

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## 1. Introduction

Indonesia as the State of Law. This statement indicates that all actions must be based on the Law. Affirmation of the adherence to the principle of the rule of law as regulated in article 1 paragraph (3) of the 1945 Constitution. One of the objectives of the establishment of Indonesia as a state of the law is to obtain legal certainty.

Community life usually often brings problems almost every time and of course, the problem is certainly related to the existence of the law that regulates it. The term life is never flat has the meaning that human life in this world is never flat and can change at any time. Everyone will experience different problems, both adults and children. A problem is something that stands in the way of someone in achieving the conditions that have been previously achieved.

The size of the problem faced by a person is still said to be something that needs to be followed up and handled by the law. Humans as social beings who need other people to help each other, share, and exchange information. Therefore, every human being cannot be separated from communicating with one another.

In each stage of development, humans have certain roles, especially for the social environment and for themselves. For this reason, every choice and action was taken by humans usually starts from every factor that influences the occurrence of life in society. One of the habits that are often carried out by each person or group is often a reference for stepping into the introduction or adjustment stage in life, both to establish friendship and to recognize what has become a habit carried out by the community itself. Some of the pleasures of each person or group often underestimate legal interests only for personal gain.

Liquor is a drink that is forbidden to be consumed or traded by humans, in the daily environment some people use alcohol as an ingredient in seeking their satisfaction. especially for children and may be very difficult to eliminate, alcohol is often used as public entertainment in associations or used as a factor that influences someone to commit a crime, and of course, it will be very worrying and disturbing to others. However, in this case, the alcohol control process has been regulated in several regulations that have been implemented.

In Indonesia, the regulations and laws regarding the circulation of alcoholic beverages and alcoholic beverages are regulated in the Presidential Decree of the Republic of Indonesia (Keppres) Number 3 of 1997 concerning the Supervision and Control of Alcoholic Drinks. Consuming liquor is essentially *haram*, both in Islam and in applicable law, liquor is often a reference for everyone for a momentary benefit and the use of liquor may often make everyone ensnared by law with unwanted actions, one of which is a criminal act. In determining the factors and impacts that affect people in consuming liquor, it is caused by the social environment. Drunk alcohol will be quickly absorbed into the blood vessels and then disseminated throughout the tissues

and body fluids, the higher the alcohol content in our body, the faster the absorption process enters the body. If alcohol is more and more and longer in the body then the person will experience the process of drowsiness and then falling asleep can even cause death.

Article 204 paragraphs (1) and (2) of the Criminal Code explains "Anyone who sells, offers, delivers or distributes goods which he knows to endanger the life or health of people, while the dangerous nature is unknown to him, is threatened with a maximum sentence of 15 years. And in paragraph (2) it is explained "A person who sells something dangerous and causes death will be sentenced to prison up to 20 years".

In addition to the law having a symbolic effect, the purpose of the law also has an instrumental effect where if the law succeeds in changing the behavior of the community, initially the act was not regulated in the realm of law until it has a rule of law. So, the instrumental effect is if the community has complied and stopped consuming liquor because of the applicable law. The Criminal Code (KUHP) regulates the provisions regarding intoxicating drinks in Article 300, and Article 536.

Article 300 of the Criminal Code is formulated:

- a. Whoever knowingly sells or orders intoxicating drinks to someone who is already visibly drunk;
- b. Whoever deliberately intoxicates a child who is not yet sixteen years of age;
- c. Whoever by force or threat of violence compels a person to drink intoxicating drinks.

Whereas in Article 536 it is formulated that:

Whoever is caught drunk on a public road, is threatened with a maximum fine of two hundred twenty-five thousand rupiahs.

The regulation regarding alcoholic beverages/alcohol has been regulated in various laws and regulations, starting from the level of legislation to the level of regional regulations. Regulations regarding the supervision of alcoholic beverages are regulated in Presidential Regulation Number 74 of 2013 concerning Control and Supervision of Alcoholic Beverages. In this Presidential Regulation, alcoholic beverages are grouped into 3 (three) groups, namely:

- a. Group A is a drink containing ethyl alcohol or ethanol (C<sub>2</sub>H<sub>5</sub>OH) with levels up to 5%.
- b. Group B is a drink containing ethyl alcohol or ethanol with a level of more than 5% - 20%; and
- c. Group C, namely drinks containing ethyl alcohol or ethanol with levels of more than 20% - 55%.

In addition to the Presidential Regulation (Perpres), there is also a Regulation of

the Minister of Trade and a Regulation of the Minister of Industry. In the Regulation of the Minister of Trade Number 53/M-DAG/PER/12/2010 concerning Provisions for Procurement, Distribution, Sales, Supervision and Control of Alcoholic Drinks, it is stated in Article 4 Paragraph (4), namely, "Alcoholic Drinks can only be traded by business actors. which already has a license to trade Alcoholic Drinks from the Minister of Trade".

From the Regulation of the Minister of Trade above, there are certain places which are classified into 3 (three) parts, namely as follows:

- a. Hotels, bars, and restaurants meet the requirements according to the legislation in the tourism sector.
- b. Duty-free shop, and
- c. Certain places have been determined by the Regent/Mayor and Governor.

For the Regulation of the Minister of Industry Number 71/M-IND/PER/7/2012 concerning Control and Supervision of the Alcoholic Beverage Industry (which also regulates Traditional alcoholic beverages). This regulation regulates the Control and Supervision of the Alcoholic Beverage Industry. Some terms are classified into 3 (three) groups, namely as follows:

- a. Every establishment of an alcoholic beverage industry company is required to have an industrial business license (IUI),
- b. Permits are granted by the provisions in closed and open business fields. And
- c. Companies that for 2 (two) consecutive years do not carry out production activities, the Industrial Business License (IUI) will be revoked and declared invalid.

The Gorontalo Provincial Regulation Number 16 of 2015 concerning "Supervision and Control of Alcoholic Beverage Circulation" formulates:

- a. That alcoholic beverages can endanger physical and spiritual health, threaten the future life of the nation's generation, trigger disturbances in security, peace, and public order, and become one of the driving factors for acts of violence and crime as well as other disgraceful acts that are contrary to the values of life. and the philosophy of the Gorontalo region. "Tradition is based on Sara, Sara is based on the Book of Allah."
- b. That based on the considerations as referred to in letter A, it is necessary to establish a Regional Regulation concerning Supervision and Control of the Circulation of Alcoholic Drinks. To carry out supervision on the distribution and sale of alcoholic beverages as referred to in paragraph (1), an integrated team is formed consisting of the Provincial Government and Regency/Municipal Government, related agency services, and law enforcement officers.

In Article 3 paragraph (2) it is clearly stated that "The production of alcoholic

beverages is traditionally prohibited, except for the needs of the community according to local customs and customs based on the permit of the Regent/Mayor of Level II Regional Heads." This rule strictly prohibits the production of bootleg liquor. However, this prohibition is always ignored by manufacturers. As a result, many shops and retailers are willing to sell bootleg liquor to anyone without understanding the applicable regulations.

On the other hand, the development of the Draft Law (RUU) on the Prohibition of Alcoholic Drinks which was approved as an initiative bill of the DPR RI on June 24, 2014. The bill has included a prohibition on entering, storing, distributing and or selling alcoholic beverages with classes A, B, and C. and traditional alcoholic beverages, to alcoholic beverages produced in Indonesian territory, this may be in line with Perpres 3/1997 above. In the end, this Law has been passed and can be used as a goal to control or stop the production of liquor and bootleg liquor in the country.<sup>1</sup>

Director General of Domestic Affairs No.04/PDN/PER/4/2015, namely Controlling, Circulation, and Sales of Alcoholic Beverages consists of several groups. With the existence of a legal umbrella for the production and distribution of liquor in Indonesia, it is not easy to eradicate the act of liquor trafficking. Thus, it is proven that regional regulations are not yet fully effective, as can be seen from the population level of death to alcohol which is still categorized as quite high.<sup>2</sup>

Based on the description of the rules above, it can be concluded that alcoholic beverages are beverages containing ethyl alcohol and ethanol (C<sub>2</sub>H<sub>5</sub>OH) which are processed from various materials that have been successfully fermented. Alcohol use has different effects in the short term and long term. It can even trigger the initial potential level of criminal acts committed by everyone who consumes it. So, it is possible that many people have committed elements of crime without thinking about the impact of liquor, so that many people who are victims including children and adolescents can fall into the influence of this alcohol and cause them to commit criminal acts up to depression and even suicide.

In the era of globalization, people's behavior related to liquor has deviated a lot and needs to be considered by the government as well as law enforcement. The facts that are happening today show that the behavior that often plunges everyone into consuming alcoholic beverages is very worrying and without realizing the bad effects can become a habit that is often carried out by every community. So, it is possible that there will be many problems that stem from

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<sup>1</sup>Mulyadi. M, (2014). EMERGENCY OF MIRAS OPLOSAN. 4.24.h11.

<sup>2</sup>Nasrudin. K, (2017). INTEGRATED LAW ENFORCEMENT AGAINST THE CRIMINAL ACT OF CIRCULATION OF THE CRIME OF LIQUID CIRCULATION. JOURNALHUUMKHAIRAUMMA.30.4

the influence of liquor.<sup>3</sup> People's habits in consuming liquor always have an impact on everyone in it, especially children and adolescents.

Every act of juvenile delinquency is taken from the term juvenile delinquency, according to Kartini Kartono (1992), that what is meant by juvenile delinquency is bad behavior / immorality, or juvenile crime / delinquency.<sup>4</sup> From the habits carried out by every society towards the abuse of liquor, it has become an example for every child as a result, this liquor is often the subject of experimentation and entertainment for children and adolescents. Therefore there are several factors ranging from environmental factors, economic factors, and educational factors.<sup>5</sup>

Regarding what happened in Central Buntulia, many people do not care about the impact of alcohol on the environment. So, this has become a habit that is often done by children and adolescents. From the results of initial observations, there are several locations where the use of liquor has an impact on the environment in Central Buntulia, one of which is Campaka Hamlet. From the name of the hamlet, there are several people who often do alcohol parties. As a result, the potential of this environment for every child and teenager has unfavorable conditions for their lives. The village head revealed that there were approximately 25 children and teenagers who had fallen into the influence of alcohol.<sup>6</sup>

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<sup>3</sup>Maryani Podungge (2016). OVERVIEW OF THE CRIMINOLOGY OF THE CRIME OF THEFT PERFORMED BY UNDERAGE CHILDREN IN HELEDULAA UTARA KEC. KOTA TIMUR". Essay. Faculty of Law, State University of Gorontalo.h1

<sup>4</sup>Ariefulloh et al, (2019). THE DILEMMA OF IMPLEMENTING TRAFFIC VIOLATION SANCTIONS AGAINST CHILDREN. JAMBURA LAW REVIEW FH UNG.1.2

<sup>5</sup>Riama and E. Zuriana. (2018). FACTORS THAT INFLUENCE THE OCCURENCE OF ADOLESCENT DELAY, JOURNAL TOWER OF SCIENCE. 12.11. h115

<sup>6</sup>Results of interviews with the Head of Central Buntulia Village. On June 23, 2021 research.

Director-General of Domestic Affairs No.04/PDN/PER/4/2015, namely Controlling, Circulation, and Sales of Alcoholic Beverages consists of several groups. With the existence of a legal umbrella for the production and distribution of liquor in Indonesia, it is not easy to eradicate the act of liquor trafficking. Thus, it is proven that regional regulations are not yet fully effective, as can be seen from the population level of death to alcohol which is still categorized as quite high.

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Every act of juvenile delinquency is taken from the term juvenile delinquency, according to Kartini Kartono (1992), that what is meant by juvenile delinquency is bad behavior/immorality, or juvenile crime/delinquency. From the habits carried out by every society towards the abuse of liquor, it has become an example for every child as a result, this liquor is often the subject of experimentation and entertainment for children and adolescents. Therefore several factors are ranging from environmental factors, economic factors, and educational factors.

Regarding what happened in Central Buntulia, many people do not care about the impact of alcohol on the environment. So, this has become a habit that is often done by children and adolescents. From the results of initial observations, there are several locations where the use of liquor has an impact on the environment in Central Buntulia, one of which is Campaka Hamlet. From the name of the hamlet, several people often do alcohol parties. As a result, the potential of this environment for every child and teenager has unfavorable conditions for their lives. The village head revealed that there were approximately 25 children and teenagers who had fallen under the influence of alcohol.

Law enforcement by the Marisa police (Bhabinkamtibmas) stated that Central Buntulia, recorded a high level of alcohol use by the community compared to other villages in the district. Buntulia. Because legal awareness by the public regarding the influence of liquor is still quite lacking due to several factors, ranging from environmental factors that do not understand the impact of alcohol to the lack of legal compliance by the police, plus the fact that a separate sector police force has not been established in the Buntulia district.

## **2. Problem Formulation**

How to handle liquor in Central Buntulia?

## **3. Research Method**

This research is a type of empirical legal research. This research is intended to conduct research directly on the topic of understudy in the area of Central Buntulia Village. This empirical approach is carried out by interviewing several informants related to this research, to obtain operational data and materials, in this case, the researcher conducts observations and field studies. The locations for the research review are in the area of Central Buntulia Village and the Marisa Police Sector in the Pohuwato Regency.

## **4. Discussion**

### **4.1. Liquor Control in Central Buntulia**

In dealing with liquor in Central Buntulia, the following researchers researched by conducting interviews and direct observations for less than 3 (three) days to Central Buntulia Village Officials and Marisa Sector Police, as well as to people who consume liquor. Based on the results of research on the control of liquor in Central Buntulia, namely, divided into 2 countermeasures:

#### **4.1.1 Efforts from the Village Government**

From the results of interviews conducted with the Head of Central Buntulia Village, several community groups often consume liquor. from this information he revealed that liquor consumed by adults is a supplement drink to increase their energy at work, why is this because the majority of the adult group are miners and managers of coconut plantations. On the other hand, alcohol is used as an entertainment material for young people, and alcohol is the main trigger for every teenager in doing all kinds of actions, from domestic acts to criminal acts. Every teenager who falls under the influence of alcohol is caused by various factors, ranging from economic factors, educational factors, and especially friendship/association factors. So that this is the life for every child and teenager, many of whom are no longer continuing their education and choose to work or get married. This proves that the abuse of liquor in the village of Central Buntulia needs more attention because it tends to worry about the future of the nation's generation.



There are several village government efforts in tackling the alcohol problem above. The government has begun to run various programs, especially for the community, especially young people, namely:

- a. Organizing sports and arts facilities and competitions for the people of Central Buntulia
- b. Start activating and supporting performance programs for Youth Youth Organizations in Central Buntulia Village
- c. Establishing a TPA for the people of Central Buntulia, and
- d. Always provide counseling/appeal to the village community.<sup>7</sup>

#### **4.1.2 Efforts from Marisa Police Sector**

Based on the researcher's interview with the Marisa Police, Mr. Ramli Pulu sometimes as Bhabinkamtibmas Central Buntulia Village, that there are several countermeasures for people who consume liquor in Central Buntulia, namely:

- a. Conduct raids on people who consume liquor illegally.

One of the efforts made by the National Police to reduce the number of alcohol parties occurring in the people of Central Buntulia Village is to conduct raids on the community for illegally consuming liquor (party alcohol). The task of controlling this is following what is mandated by the criminal act of trafficking in liquor and mixed liquor with Article 204 paragraph (1), Article 205 paragraph (1) of the Criminal Code (KUHP). Thus, the Police have the right and obligation to control illegal liquor without permission in the community following the applicable laws and regulations. The raids carried out will be carried out by members of the Sat Sabhara Polres Pohuwato independently or in collaboration with other institutions such as the Civil Service Police Unit (Satpol PP).

In addition, the Police also often conduct routine raids on children and teenagers who often hang out from the streets, stalls that produce liquor, and public places such as the Love Tree (Pocin), Café, Hotel, and Karaoke Place in Pohuwato Regency. . The police conducted raids and searches on liquor producers and investigated any children suspected of being drunk by bringing them to the police station and confiscating evidence such as liquor.

The Marisa Sector Police's efforts to control illegal liquor will greatly affect the reduction in the distribution and crime rate caused by alcohol, because according to residents' reports several incidents occurred in Central Buntulia due to the impact of liquor, Central Buntulia residents who use liquor is usually from the middle to lower economic class who consume illegal local liquor such

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<sup>7</sup> Results of Interview with the Head of Central Buntulia Village, On June 24, 2021

as Cap Tikus, Pinaraci, Bohito, Red Wine, Jack Daniel, Kasegaram, Beer, and so on. With the raid and control of illegal liquor, Marisa Sector Police hopes that alcohol consumption will decrease, both adults, teenagers, and even children who are still studying. So that,

- b. Take control of liquor sellers who do not comply with the rules.

In addition to drinking illegal liquor, the use of liquor is usually carried out in public places such as on the side of the road, field, or basecamp which is located adjacent to a kiosk selling unlicensed liquor. These unlicensed liquor sellers have a high contribution to the use of liquor because the government as a social institution cannot control the sale of goods in their kiosks, in contrast to minimarkets or licensed shops which regularly report their sales to the government. The position of stalls selling unlicensed liquor, which are usually close to settlements or community gathering places, can also be a stimulant for passersby. The presence of these unlicensed stalls makes people who have no intention of drinking liquor become interested in drinking liquor after seeing it. Seeing the magnitude of the encouragement caused by these unlicensed liquor sellers, it is appropriate for the Police to discipline liquor sellers who are not by the rules so that they can reduce the number of incidents of alcohol use in the community of Central Buntulia Village.

- c. Provide input to the government to participate in prevention by the community in consuming liquor (party alcohol).

Police can only enforce the law if the law itself has been created by the government. Sometimes there are also obstacles experienced by the Police when carrying out control, namely the absence of rules that regulate so that the Police cannot carry out control to the maximum. For this reason, it is necessary to have feedback from the National Police to the government in charge of making public policies in the form of laws and regulations so that public problems can be handled properly. The role of community leaders and village officials in tackling alcohol is also very much needed by the police. The use of liquor by every community in the village of Central Buntulia. With this effort, every child will also have an awareness of legal compliance and the dangers of consuming liquor through direct appeals from the Central Buntulia Village government. This refinement of police policy is also a natural and customary process to obtain an ideal deterrent for alcoholics. In this case, the efforts of the police to regulate liquor to the people of Central Buntulia Village can be overcome

- d. Advise the public to avoid alcohol.

In addition to repressive efforts such as controlling or enforcing the law, preventive measures such as appeals and counseling to the community are also carried out by the police. This effort can be done by making direct appeals to the community to avoid the use of liquor. This effort can not only encourage residents not to drink alcohol, but it can also prevent the younger generation

who have never tried alcohol from doing so. This then forms an anti-alcohol culture in the community. When this anti-alcohol culture has been formed, social control efforts can be carried out not only by the Police but also by the community. This situation will also make it easier to handle liquor in Central Buntulia Village.

e. Giving Sanctions To People Who Consume Alcohol

In addition to giving appeals to the public, the police also often provide light sanctions for children who are subject to raids, law enforcement transports the perpetrators and confiscates evidence (liquor) to be taken to the police station, provides light rewards such as push-ups, running around the office, cleaning the bathroom (WC), and making an agreement in the form of a statement not to repeat it, even the children will be detained or jailed for 1 (one) night at the Marisa Sector Police office so that they get a deterrent effect then the children must be picked up by their respective parents so that every parent knows that their underage child has fallen into drinking alcohol. Liquor often causes a lot of problems.

Therefore, this is prohibited in law and religion because the consequences often have a detrimental impact. Many criminal cases are caused by excessive use of liquor such as fights (commotion), persecution and rape, domestic violence, and brawls between villages. According to Mr. Ramli Pulu sometimes because of the influence of liquor, a person can commit crimes above the average due to the influence of liquor. Everyone who is in a drunken state is completely unaware of what is happening to him at that time so that whatever he does is no longer considered logically even though it is a crime. A person who is drunk and commits a criminal act is fully responsible for his actions because before he was drunk he did not think about the impact that would cause him when he was drunk. Even in the occurrence of every commotion in a place of entertainment (hangout), every problem that occurs is often triggered by the actions of people who are semi-conscious caused by influencing alcohol. Ironically, the circulation of liquor has now reached the village plains and affects every resident, even children, and teenagers.

In the efforts of the Marisa police sector, they often experience various kinds of obstacles and obstacles in dealing with liquor, namely:

- a. There are still some potential points for liquor consumption. Consuming liquor has become a tradition to celebrate various events, such as weddings, youth birthdays, and offering ceremonies.
- b. There are still some unscrupulous police officers who protect illegal liquor dealers and sellers in the community.
- c. There are no effective rules for following up on the eradication of illegal liquor within the Central Buntulia Community.

- d. There are no strict sanctions against dealers, sellers, and buyers of illegal liquor.
- e. There is still a lack of support and community participation in preventing the use of alcohol by every child and teenager in the Central Buntulia community.

## 5. Conclusion

Based on the previous discussion, the conclusion that can be drawn from the research is that the handling of liquor in Indonesia has been regulated in several regulations ranging from the Criminal Code to Regional Regulations (Perda). From the efforts of the village government and law enforcement in tackling the use of liquor by the community in Central Buntulia, namely:

1. Village Government Efforts
  - a. Organizing sports and arts facilities and competitions for the people of Central Buntulia
  - b. Start activating and supporting performance programs for Youth Youth Organizations in Central Buntulia Village
  - c. Establishing a TPA for the people of Central Buntulia, and
  - d. Always provide counseling/appeal to the village community
2. And in police efforts, namely:
  - a. Conduct raids on people who consume liquor illegally.
  - b. Take control of liquor sellers who do not comply with the rules.
  - c. Provide input to the government to participate in prevention by the community in consuming liquor.
  - d. Advise the public to avoid alcohol.
  - e. Giving Sanctions To People Who Consume Liquor.

This aims to prevent the level of alcohol use by the community from decreasing to achieve public interest and order.

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