# Estudiante Law Journal

Volume 6 Number 1, February 2024: Pp. 165-176 Faculty of Law, Universitas Negeri Gorontalo, City of Gorontalo, Indonesia https://ejurnal.ung.ac.id/index.php/eslaw/index



# The Effectiveness of The Role of the National Narcotics Agency in the City of Gorontalo in Preventing Drug Distribution

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**Abstract:** This study aims to identify and analyze the role of the Gorontalo City National Narcotics Agency (BNN) in preventing drug trafficking from the perspective of legal effectiveness and the challenges it faces. Using normative-empirical research with statutory and case approaches, the study finds that the legal framework and law enforcement factors are adequate but require increased capacity and resources. Facilities are sufficient but need laboratory upgrades. Community involvement must be strengthened, and deviant cultural behaviors among officials need elimination. Overall, the BNN's role is effective, but enhancements in these areas are necessary. Challenges include low community participation, poor public understanding of narcotics regulations, and insufficient funding for eradication efforts.

**Keywords:** Effectiveness; Narcotics Agency in Preventing; Drug; Trafficking.

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### How to cite (Chicago Style):

Isa, Mohamad Rizky and Puluhulawa, Irlan. "The Effectiveness of The Role of the National Narcotics Agency in the City of Gorontalo in Preventing Drug Distribution" *Estudiante Law Journal*, 6 (1), (February 2024): 165-176

### 1. Introduction

Narcotics crime is one of the extraordinary crimes (extraordinary crimes) that is the focus of the Government of Indonesia because of the impact of narcotics which can damage the nation's generation. This is because Indonesia has experienced a narcotics emergency because almost every time the number of people who die as a result of narcotics abuse is increasing. The victims were not only adults but also teenagers, even children.<sup>1</sup>

The abuse and illicit traffic of Narcotics is a collective problem, both for institutions appointed by the government to be responsible, students as intellectuals, and also for the whole community. Narcotics at this time have penetrated every corner of the life of Indonesian society. Starting from children to adults, from workers to students, and even public figures and state apparatus, are not spared from Narcotics abuse.<sup>2</sup> This is as presented in the data below:

Table. 1.1
Number of Drug Case Suspects by Occupation

No.	Pekerjaan Tersangka	Jumlah Tersangka		
		Polri	BNN	Jumlah
1.	PNS	291	11	302
2.	TNI	58	1	59
3.	Polri	497	9	506
4.	Swasta	19.057	297	19.354
5.	Wiraswasta	15.845	331	16.176
6.	Petani	2.654	55	2.709
7.	Buruh	7.141	97	7.238
8.	Mahasiswa	1.689	45	1.734
9.	Pelajar	1.075	33	1.108
10.	Pengangguran	9.152	120	9.272
11.	Narapidana	0	35	35
12.	Nelayan	0	30	30
13.	Sopir	0	44	44
14.	Pelaut	0	1	1
15.	Seniman	0	1	1
16.	Ibu Rumah Tangga	0	1	1
17.	Tidak Diketaui	0	194	194
	Jumlah	57.459	1.305	58.764

Source: Polri and BNN, 2021

For approximately 13 (thirteen) years (until the beginning of 2022) the enactment of Law Number 35 of 2009 concerning Narcotics (Narcotics Law) of course there have been several problems that have arisen in implementing the said law. The Narcotics Law has

<sup>&</sup>lt;sup>1</sup> Siregar, SA, Siahaan, AY, & Purba, MTK (2021). Death Penalty Policy Against Narcotics Convicts in Indonesia From Human Rights Viewpoint. Journal of Rectum: Juridical Review of Crime Handling, 3(2): p. 153.

<sup>&</sup>lt;sup>2</sup> Gabriella, S. (2019). Indonesia-Interpol Cooperation in Addressing the Issue of Drug Smuggling in the Indonesian Border Area. Intermestic: Journal of International Studies, 3(2), 147-172.

not provided a clear conception of narcotics addicts, narcotics abusers and victims of narcotics abuse so that it has an impact on equal treatment between narcotics addicts, narcotics abusers and victims of narcotics abuse with dealers or narcotics dealers, this was conveyed by the Minister of Law and Human Rights Yasonna H. Laoly, in a Working Meeting with Commission III of the Indonesian Parliament.

The treatment of narcotics addicts, narcotics abusers and victims of narcotics abuse should be focused on rehabilitation efforts through a comprehensive and accountable assessment mechanism. Meanwhile, the Narcotics Law does not regulate rehabilitation efforts obtained through assessment. In addition, the Narcotics Law does not regulate new psychoactive substances (New Psychoactive Substances/NPS) which are widely circulating in society even though they have the potential to damage health and cause addiction which is as dangerous as narcotics.

In Law Number 35 of 2009 in Article 1 it is explained: 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 feeling, reduce to eliminate pain, and can cause dependence, which is differentiated into groups attached to this Law. As for the groups attached to the Law, there are three groups. Group I has 65 species, Group II has 86 species, and Group III has 14 species.<sup>3</sup>

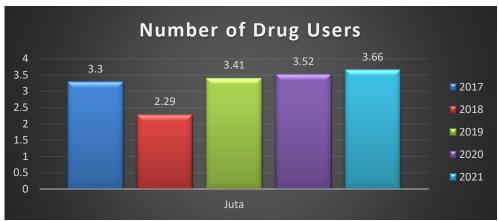
Based on data collected by researchers, that until now Indonesia is experiencing a drug emergency, this is based on data compiled from the National Narcotics Agency (BNN) and the National Police, in 2017 there were 3.3 million drug users, in 2018 there was a decrease in drug use, namely 2.29 million, but in 2019 there was an increase of 3.41 million users, in 2020 3.52 million users and in 2021 3.66 million users. observing the data as presented above, it can be seen that there is an increasing trend of drug users in the last 3 (three) years where by 2021 the number of drug abuse in Indonesia with an age range of 10 to 59 years has increased to 3.66 million people.<sup>4</sup>

Complete data published in the table below:

<sup>&</sup>lt;sup>3</sup> Uyat Suyatna. (2018). Evaluation of narcotics policies in 34 provinces in Indonesia. Socio humanities, 20(2), 168-176.

<sup>&</sup>lt;sup>4</sup> Ruzimah. (2020). Vice President: Drug Users Rise, Millennials are Vulnerable. Lancang Kuning.com.

Tebel. 1.2 Number of Drug Users in the Last 5 Years



Source: BNN and Polri in 2021

To deal with the increasingly widespread problem of Narcotics, the National Narcotics Agency was formed, as stipulated in Law number 35 of 2009 Article 64 paragraphs 1 and 2, states: In the context of preventing and eradicating the abuse and illicit traffic of Narcotics and Narcotics precursors, with the Law This law established the National Narcotics Agency, hereinafter abbreviated as BNN. BNN as referred to in paragraph (1) is a non-ministerial government institution which is under the President and is responsible to the President. The formation of the National Narcotics Agency which was previously explained in Law Number 35 of 2009, is based on Presidential Regulation (Perpres) Number 23 of 2010 concerning the National Narcotics Agency, which regulates the direction of movement of the BNN, especially its main tasks,

Gorontalo Province is at high risk of becoming an area prone to illicit drug trafficking. The reason is that in the last 5 (five) years there has been an increase in drug users in Gorontalo, this can be seen from the increase in the number of suspected drug users. In 2017, the number of drug cases disclosed by the Narcotics Directorate of the Gorontalo Police was 72 cases. In 2018 it increased to 91 cases, In 2019 it increased again to 109 cases. Meanwhile, in 2020 there was an increase again to 117 cases. The trend of increasing cases has reached 28.70 percent compared to 2019. Tand finally in 2021 it will increase again to reach

<sup>&</sup>lt;sup>5</sup> Gopos.id. (2019). BNNP-Gorontalo Regional Police Reveal 109 Drug Cases during 2019. accessed from: <a href="https://gopos.id/bnnp-polda-gorontalo-Revealed-109-case-narkoba-selama-2019/">https://gopos.id/bnnp-polda-gorontalo-Revealed-109-case-narkoba-selama-2019/</a> accessed on 10 January 2022.

<sup>&</sup>lt;sup>6</sup> Gorontalo Police Narcotics Investigation Directorate. (2020). During 2020, the Gorontalo Regional Police have uncovered 131 cases related to drugs. accessed from: <a href="http://ditnarkobagorontalo.id/berita/detail/selama-2020-polda-gorontalo-juang-131-case-narkobaaccessed">http://ditnarkobagorontalo.id/berita/detail/selama-2020-polda-gorontalo-juang-131-case-narkobaaccessed</a> on 10 January 2022

<sup>&</sup>lt;sup>7</sup> Handayani, DN, & Agussalim, A. (2021). Efforts to Handle Drug Abuse by the National Narcotics Agency (Bnn) of Gorontalo City. Muqoddimah Scientific Journal: Journal of Social Sciences, Politics and Humanities, 6(1), 223-228.

153 cases.<sup>8</sup> For the City of Gorontalo itself it is very vulnerable as the epicenter of narcotics circulation, this is clearly seen from several findings on cases handled by law enforcement officials in the City of Gorontalo, this is based on data obtained by researchers directly at the BNNK of Gorontalo City, where in 3 (three) In recent years there has been an increase in drug abuse. this is illustrated in the data starting from 2019 there were 58 cases, in 2020 there were 15 cases and in 2021 it rose again to reach 39 cases.<sup>9</sup>

The data above is important for analysis and review, this of course intersects with several law enforcement agencies or officials entrusted with the task of preventing and handling narcotics trafficking in Gorontalo City where researchers focus on the duties and powers of the National Narcotics Agency Gorontalo City. The Gorontalo City National Narcotics Agency, later abbreviated as the Gorontalo City BNN, became one of the vertical agencies.

As executor of P4GN national policy tasks in Gorontalo City. The role of the Gorontalo City National Narcotics Agency continues to be highlighted, one of which is research conducted by Misbahudin Djaba and Ellys Rachman which was published in the journal Human Resource Management, Administration and Public Services School of Administration Bina Taruna Gorontalo Volume VI Number 2 December 2019, 10 given that the City of Gorontalo is currently being overshadowed by the increasingly widespread abuse and illicit traffic of Narcotics, this is as described in the previous data above.

The task of the National Narcotics Agency is to formulate and implement national policies regarding P4GN, which is currently carried out by the Gorontalo City National Narcotics Agency. With three functional areas owned by BNN Gorontalo City, including the Prevention and Community Empowerment (P2M) Division, the Rehabilitation Division and the Eradication Division. In general carrying out tasks, such as: socializing evenly, especially among students, as a form of education about the dangers of Narcotics; eradication by carrying out arrests, confiscations as well as hacking and severing the Narcotics network in Gorontalo City; maximizing medical and social rehabilitation with continuous coordination with Medical Institutions and other organizations that can assist in the rehabilitation process. But, at the moment,<sup>11</sup>

Until now, the spread of drugs is almost unavoidable because it has spread to the grassroots, namely the younger generation in the area. In line with what was stated by

<sup>&</sup>lt;sup>8</sup> Body Gorontalo Province National Narcotics. (2021). Total Suspected Drug Cases in 2021. accessed from the website <a href="https://gorontalo.bnn.go.id/">https://gorontalo.bnn.go.id/</a> accessed on 10 January 2022.

<sup>&</sup>lt;sup>9</sup> The data source obtained by the researchers is sourced from the Gorontalo City National Narcotics Agency Data Base.

<sup>&</sup>lt;sup>10</sup> Misbahudin Djaba and Ellys Rachman (2019). Implementation of the Policy for the Prevention of Eradication of Narcotics Abuse and Illicit Trafficking (P4gn) by the Gorontalo City National Narcotics Agency. Public: Journal of Human Resource Management, Public Administration and Service, 6(2), 83-93. <sup>11</sup> *Ibid*.

Hariyanto<sup>12</sup> through the results of his research that drug abuse and its distribution have reached all corners of the region and no longer recognize the social strata of society, drug abuse currently does not only reach the uneducated but has spread to all circles even to the educated.

Thus, the Gorontalo City National Narcotics Agency (BNN) as one of the vertical agencies under the National Narcotics Agency as the executor of the central regional BNN tasks as stipulated in Law Number 35 of 2009 concerning Narcotics is constitutionally tasked with preventing and eradicating abuse and illicit traffic. narcotics and narcotic precursors

# 2. Formulation of the problem

Based on the description of the background of the problem, the authors formulate the problem regardingWhat is the role of the Gorontalo City National Narcotics Agency in Preventing Drug Trafficking from the Perspective of Legal Effectiveness theory and What are the Obstacles Faced by the Gorontalo City National Narcotics Agency in Preventing Drug Trafficking.

#### 3. Method

The type of this research is empirical legal research. Empirical legal research is oriented to primary data (research results in the field). According to Soerjono Soekanto and Sri Mamudji that empirical legal research is an approach carried out by field research by looking at and observing what is happening in the field, the application of these regulations in practice in society.<sup>13</sup>

Research Using this type of normative-empirical research. By using several approaches, namely: statutory approach (statue approach), case approach (case approach). Where data collection is done by interview, observation and several questionnaires to parties related to the research topic problem formulation.

### 4. Analysis or Discussion

# 4.1 The Role of the Gorontalo City National Narcotics Agency in Preventing Drug Trafficking From the Perspective of Legal Effectiveness Theory

Related to the role of the Gorontalo City National Narcotics Agency in Preventing Drug Trafficking, the BNN has the task of carrying out the government's mandate in terms of prevention, countermeasures for the many illicit spreads of psychotropics, precursors,

<sup>&</sup>lt;sup>12</sup> Hariyanto, BP (2018). Prevention and Eradication of Drug Trafficking in Indonesia. Journal of Sovereign Law, 1(1).

<sup>&</sup>lt;sup>13</sup> Soerjono Soekanto and Sri Mamudji. (2014). Normative Legal Research A Brief Review, cet. 16. Rajawali Press, Jakarta. Thing. 163

and other addictive subjects except for addictive subjects for tobacco and alcohol.<sup>14</sup>

Measuring whether a role carried out by an institution is running well or not, of course, requires a clear measurement mechanism so that the validation of the role carried out is running or not, will be determined in a final conclusion, therefore the researcher uses an effectiveness theory approach by referring to to the measure of effectiveness initiated by Soerjono Soekanto, where he said that whether a law is effective or not is determined by 5 (five) factors, namely:

- 1. The legal factor itself (law)
- 2. Law enforcement factors, namely the parties that form and apply the law.
- 3. Facility factors or facilities that support law enforcement.
- 4. Community factors, namely the environment in which the law applies or is applied.
- 5. Cultural factors, namely as a result of work, creativity and taste based on human initiative in social life.<sup>15</sup>

Based on data obtained by researchers directly at the BNNK, Gorontalo City, where in the last 3 (three) years there has been an increase in the abuse of narcotics. this is illustrated in the data starting from 2019 there were 58 cases, in 2020 there were 15 cases and in 2021 it rose again to reach 39 cases. <sup>16</sup>More details are presented in the table below:

No	Year		
1	2019	2020	2021
2	58 Cases	15 Cases	39 Cases

Statistically, the data as described above shows that the numbers seem to fluctuate, this is data that will be calculated as space to explain the effectiveness of the Gorontalo City BNN's performance in handling and preventing drug trafficking in Gorontalo City, where according to researchers, the performance of the Gorontalo City BNN is good enough, especially with the Covid-19 pandemic, of course it has its own challenges in carrying out its role as an agency for the Eradication of Drug Abuse and Illicit Trafficking in Gorontalo City.

The five factors described by the researcher are closely interrelated, because they are the essence of law enforcement. In the first element, what determines the functioning of the written law properly or not depends on the rule of law itself.

<sup>&</sup>lt;sup>14</sup> Setiaawan, IBT, Widiati, IAP, & Sudibya, DG (2020). The Role of the National Narcotics Agency (BNN) in Prevention of Narcotics Crime. Journal of Legal Analogy, 2(3), 361-365.

 $<sup>^{\</sup>rm 15}$  Soerjono Soekanto, (2008). Factors Influencing Law Enforcement, PT Raja Grafindo Persada: Jakarta. Thing. 8

<sup>&</sup>lt;sup>16</sup>The data source obtained by the researchers is sourced from the Gorontalo City National Narcotics Agency Data Base.

Related to the availability of a legal umbrella in carrying out the role in Prevention and Eradication of Drug Abuse and Illicit Trafficking, the Gorontalo City National Narcotics Agency is based on Presidential Regulation Number 23 of 2010 concerning the National Narcotics Agency, which in this Presidential Decree explains that the duties of the National Narcotics Agency, namely:

- a. Able to make and implement national policies on eradicating and preventing the abuse and illicit trafficking of narcotics;
- b. Eradicating in order to prevent the circulation of narcotics abuse;
- c. Coordinate with the Head of the Indonesian National Police regarding the prevention and eradication and illicit trafficking of narcotics;
- d. Improving the capacity of medical and social rehabilitation institutions for narcotics addicts, both organized by the community and the government;
- e. Able to empower the community in terms of preventing the abuse and illicit traffic of narcotics;
- f. Directing, monitoring, and increasing activities in the community in terms of preventing the abuse and illicit trafficking of narcotics;
- g. Establish bilateral and multilateral cooperation, both regionally and internationally, to prevent and eradicate the illicit traffic of narcotics;
- h. Developing narcotics laboratories and narcotics precursors;
- i. Carry out administrative investigations and investigations into cases of narcotics abuse and illicit traffic, and;

Presidential Regulation Number 23 of 2010 concerning the National Narcotics Agency as a normative framework which is the legal umbrella for the establishment of the BNN has regulated the roles and functions of this institution structurally and technically where until now this regulatory framework has provided sufficient space for the BNN in carry out Prevention and Eradication of Drug Abuse and Illicit Trafficking.

Based on the results of these interviews, the researcher conducted a regulatory review as stated by Sub-coordinator of the Prevention and Community Empowerment Section of BNN Gorontalo City, the researcher concludes that until now the regulations referred to have been sufficient in providing a regulatory framework for BNN Gorontalo City in carrying out their duties in carrying out efforts Prevention and Eradication of Drug Abuse and Illicit Trafficking in Gorontalo City, however according to researchers the presence of the BNN which is only regulated in the form of a Presidential Regulation needs to be strengthened by increasing the level of regulation to the level of the Law so that the position of the BNN can be even stronger.

The second element that determines the effectiveness or failure of written law performance is law enforcement officials. In this connection, it is desirable to have a

reliable apparatus so that the apparatus can carry out its duties properly. Reliability in relation here includes professional skills and has good metal.

The third factor, which determines whether or not the performance of the written law is related to facilities and infrastructure. Regarding facilities and infrastructure, where researchers in conducting research see directly the facilities and infrastructure available in efforts to Prevent Drug Trafficking in Gorontalo City, starting from the availability of office buildings as the main facility in supporting the work of the Gorontalo City BNN, there are official cars and field cars, various kinds of equipment are available support such as a lab in carrying out tests, an adequate organizational structure in describing the framework, as well as other facilities and infrastructure available, so that from the side of the facilities and infrastructure the researcher concludes that up to now the facilities and infrastructure have been well provided, but according to the researchers there needs to be an increase in the testing laboratory so that it is more adequate in increasing the accuracy in testing types of drugs or other things that are felt necessary to be tested.

The fourth factor, namely the community factor, which is conceptually Law enforcement comes from society and aims to achieve peace in society. Society has certain opinions about the law.<sup>17</sup>

Cultural factors have similarities with community factors. It's just that, in terms of cultural factors, more emphasis is placed on the problem of the value system that exists in society. In terms of community factors, it is said that the level of community compliance with the strictness of community rules is still low. This is due to the existence of a compromising culture that often occurs in Indonesian society. In fact, there will be a tendency for people's culture to get away from the rules that apply to the masses.<sup>18</sup>

Thus, the researcher concludes that of the five factors as described above to measure the performance of BNN Gorontalo City so far, according to the researcher, it is quite good, meaning that the five factors as described by the researcher see that in each factor there are efforts and steps have been implemented. and at the same time these efforts and measures need to be increased to maximize the role of the Gorontalo City National Narcotics Agency in efforts Eradication of Drug Abuse and Trafficking in Gorontalo City.

# 4.2 Obstacles Faced by the Gorontalo City National Narcotics Agency in Preventing Drug Trafficking.

Obstacles to Gorontalo City BNN in tackling narcotics abuse in Gorontalo City are:

<sup>&</sup>lt;sup>17</sup>Reyka Ayu Kartikasari, Nungki Maghfiroh, and Elok Eka Yuanita. (2021). Unfair Law Enforcement for Poor People. Law & Society Dynamics, 4(2).

<sup>&</sup>lt;sup>18</sup>Adrian Adi Hamzana. (2018). Implementation of standardization of halal tourism services in tourism development in West Nusa Tenggara. Pena Justisia: Communication Media and Legal Studies, 17(2).

# 1. Lack of Community Participation

One of the reasons for the lack of community participation is because the community does not understand the duties of the BNN, drug users are still considered taboo by the community, because the community feels ashamed that their families are involved in drugs, besides these things, BNN is constrained to catch drug users, lack of rehabilitation places for families some are afraid that their children will be arrested, even though actually being arrested does not mean going to prison, but there is a possibility that they can be rehabilitated and outpatient, this makes BNN constrained in taking action against drug users because the family does not want to cooperate with BNN.

### 2. Lack of Community Legal Knowledge

The community is still unfamiliar with the laws for drug abuse users, and some people are still confused about government regulation number 35 regarding drug abuse. There is a standard usage limit for users who use drugs as much as 3.5 grams, if it is below 3.5 grams it must be rehabilitated, this is still understood by the community. lack of human resources.

### 3. Inadequate Funding Allocation

Based on the results of interviews with Sub-coordinator of the Prevention and Community Empowerment Section of BNN City of Gorontalo that Allocation of funds in the implementation of prevention is minimal, especially in efforts to counsel, socialize and other efforts that support the implementation of such prevention or prevention efforts.

Thus, the researcher concludes that there are several essential factors that become obstacles in maximizing the role of the Gorontalo City National Narcotics Agency, these inhibiting factors are the inhibiting factors most often faced by the Gorontalo City BNN, starting from the lack of community participation, the lack of public understanding of the provisions or regulations related to narcotics and the lack of funding interventions in effort The Eradication of Drug Abuse and Illicit Trafficking in Gorontalo City is a big homework for the Gorontalo City BNN in maximizing its institutional role.

#### 5. Conclusion

Based on the results of the discussion as described in the previous chapter, the researcher concludes that:

1. The role of the Gorontalo City National Narcotics Agency in Preventing Drug Trafficking from the Perspective of Legal Effectiveness theory is legal factors are good enough to cover BNN institutions, Law Enforcement Factors are sufficient, but to maximize the program, it is necessary to increase the capacity and quantity of apparatus, Facilities and Infrastructure Factors are also sufficient, but laboratory upgrades are needed, Community Factors, BPN need to synergize massively with the community, especially increasing community participation in effortsEradication of Drug Abuse and Illicit Trafficking, and Deviant Cultural Factors by the community, especially the apparatus need to be eliminated to realizeeffortEradication of Drug Abuse and Trafficking in Gorontalo City.Until now, according to researchers, the role of the BNN in Gorontalo City is quite good, meaning that the five factors, as the researcher has described, the researcher sees that in each factor there are efforts and steps that have been carried out and at the same time these efforts and steps need to be increased to maximize the role of the Gorontalo City National Narcotics Agency. in an attemptEradication of Drug Abuse and Trafficking in Gorontalo City.

2. Obstacles Faced by the Gorontalo City National Narcotics Agency in Preventing Drug Trafficking are the lack of community participation, the lack of public understanding of provisions or regulations related to narcotics and the lack of funding interventions in effortseffortEradication of Drug Abuse and Trafficking in Gorontalo City.

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