
THE RELEVANCE OF ISLAMIC LAW TO CRIMINAL SANCTIONS FOR NARCOTICS USERS IN INDONESIA

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ABSTRACT

The increasing number of drug users netted in Indonesia has made prisons and detention centres over capacity. The high number of narcotics cases has filled prisons and detention centres, mainly with those who stumble on narcotics cases. This study aims to describe Islamic punishments for cases of drug users that are relevant, based on benefit and does not cause new polemics. This type of research is library research using a descriptive-analytic method by looking for primary and secondary references related to this study. Based on the results of the analysis, it is stated that sanctions against drug users have so far not yielded good results and have even created several new polemics. Meanwhile, Islamic punishment, ta'zir, is more appropriate and relevant to narcotics users. Ta'zir punishment is preventive, which can prevent a person from getting away from drugs; repressive, which makes offenders deterrent; curative, which can provide changes in the perpetrators; and educative, both for drug offenders and other people. The implementation of Law No. 35 of 2009 on narcotics is still unable to overcome the problem of drug abuse properly, even causing new problems such as exceeded prison capacity, increased state budget burden, and punishments that do not have a positive impact on perpetrators. Islamic punishment, with a more humane and effective approach, can be a viable alternative to address this problem.

Keywords: islamic law, narcotics, ta'zir punishment.

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INTRODUCTION

The geographical location is very strategic and one of the factors for the rapid circulation of narcotics in Indonesia. Indonesia, which is in the Southeast Asia region, is one of the targets of narcotics trafficking. Drug dealers around the world have made this area their main business target (Fathun et al., 2019). The Southeast Asian region, mostly surrounded by sea, including Indonesia, makes it easy to smuggle narcotics from abroad. Narcotics can be smuggled using fishing boats and sailing to remote island mainland points with minimal supervision. Trafficking narcotics by sea is more accessible and has fewer obstacles than on land (Prayuda, 2020).

Quoting data from the National Narcotics Agency (BNN), the number of drug cases in the last three years has increased compared to previous years. Even though these are the years of the Covid-19 storm. The Head of the National Narcotics Agency (BNN) reports that in 2022 the prevalence will increase to almost two per cent of the total population of Indonesia. This drug case has affected around four million people in their productive age, from those aged 15 to adults aged 58 years (Putu Indah Savitri, 2022). This is, of course, very concerning for the government. Drug cases are thriving in urban areas and have penetrated into rural and remote areas (Prayuda, 2020).

Unlike other criminal cases, drug cases have a broad negative impact on personal health, mental health, family harmony, society, defence and national economic stability. Many teenagers, whose minds are chaotic, lose concentration on studying and even drop out of school due to drug addiction. The students forget their obligation as a student of knowledge. Parents forget their primary task of making a living for their children and wife (Hidayataun & Widowaty, 2020).

Narcotics can make a person's health disturbed. Blood circulation is disturbed, resulting in heart infection, hallucinations, convulsions, fatigue, hepatitis and other serious illnesses. Likewise, mentally, a drug addict feels fear, irritability, memory loss, unconsciousness, etc. Even excessive drug consumption will cause death to the user (Mintawati & Budiman, 2021).

On the other hand, drug addiction also impacts the family economy. Money and property were used up to buy narcotics. Children's school fees, health contributions, and food and clothing costs are also depleted. In a downturn, a person can do bad things like stealing and lying for the sake of his desire to buy drugs (BKD DIY, 2022). In addition, when a father is arrested, the family will lose a figure that protects the household. Moreover, no one can provide for his family, so they live in hunger, and their children are abandoned (Fathun et al., 2019).

Narcotic abuse has spread to all age levels, from elementary school to junior high school to adults who are already working and have families and even the elderly. The invitation of others generally initiates drug abuse. Someone is initially invited and offered narcotics for free and free of charge until they finally become narcotics addicts, addicted and willing to buy them at high prices (Nebi, 2019).

Apart from circulating to all age levels, drug trafficking has also penetrated all corners of the region. Drugs have possessed not only urban areas but also rural areas. Drugs also do not recognize a person's social status. Drugs are consumed not only by non-educated people but also by students and even teachers or government officials (Asyharuddin et al., 2020).

Drugs were only a meal for the upper middle class, such as entrepreneurs and artists. However, now the lower middle class can also enjoy them, such as workers, the unemployed, and others. The many variants and types of drugs with varying prices make it possible for everyone to buy them. From very expensive to very cheap drugs, they are available and purchased by the lower middle class of the economy (Lukman et al., 2022).

Prison as a place for drug convicts is not spared from being the target of narcotics trafficking. Prisoners may use drugs clandestinely in detention or rehabilitation. Some even become dealers and can control drug trafficking transactions in the community through detention. They have an extensive network outside of prisons or detention centres. They can control drug trafficking only remotely, even overseas (Fathun et al., 2019).

The lack of supervision by officers also triggers drug trafficking in prisons. The number of inmates that exceed capacity makes it difficult for officers to supervise. Comparison of the number of officers and prisoners so far away makes drugs easily distributed (Djibril Muhammad, 2012). This situation is exacerbated by correctional officers involved in this circulation. This makes developing and rehabilitating drug victims in prisons or detention centres difficult (Saputro, 2016).

Drugs spread so quickly to various corners, from the young to the old generation, from the elite to the difficult, and from the less educated to the educated, urging the government to reform the Law on narcotics. The government updated Law 7 of 1997 concerning narcotics to become Law

35 of 2009. The aim of reforming the narcotics law in 2009 was to reduce drug cases significantly. However, the reality is that the number of narcotics cases is increasing (Setya et al., 2020).

Based on the background above, the purpose of this study is to describe Islamic punishments for cases of drug users that are relevant, based on the principle of benefit and do not cause new polemics. This research will provide benefits to provide a better understanding of Islamic views on the use of narcotics. This research can help people, especially Muslims, to understand Islamic punishments for using narcotics and avoid actions that are contrary to Islamic values and increase public awareness about the dangers of using narcotics. This research can provide useful information about the dangers of using narcotics and can help increase public awareness about the importance of avoiding narcotics use

METHODS

This type of research is library research using descriptive analytic methods by looking for primary and secondary references related to this study. These references are reviewed and analyzed in detail so that conclusions can be drawn correctly and correctly. The primary references used are books by previous scholars on the punishment of drug users in Islam, recent journals that discuss narcotics and their sanctions in positive Law, and Law no. 35 of 2009 concerning narcotics.

RESULTS AND DISCUSSION

Referring to the language, narcotics come from English "narcotics". Narcotics or narcotics can be etymologically interpreted as sleep aids or pain relievers (Lukman et al., 2022). In the medical world, these medicines help relieve patient pain. These drugs function to relieve pain and awareness, especially during surgery, but in the end, they are misused (Saputro, 2016).

Meanwhile, the general public knows him by the term drug. Drugs are an abbreviation for narcotics and dangerous drugs. Another term is NAPZA. NAPZA, termed by the Indonesian Ministry of Health, is an abbreviation of narcotics, psychotropics and addictive substances. These terms have the same meaning: substances that can eliminate a person's consciousness and impact addiction (Mintawati & Budiman, 2021).

Judging from the material of origin, drugs come from plants, several types of which are treated with chemical processes (Muhammad Ridwan Lubis, 2019). In terms of processing, these narcotics can be classified into three types, namely;

1. Natural narcotics are a type of narcotics that plants produce without going through a chemical process. These plants come from three types of plants: the papaver somniferum plant, which is used to make opium or opium; the coca plant which produces cocaine; and cannabis sativa, or what is often called marijuana.
2. Semi-synthetic narcotics, this type of narcotics is the result of a chemical process derived from opium alkaloids and pentathalon core, which are used as narcotic ingredients such as codeine and heroin.
3. Synthetic narcotics are also the result of chemical processes, and the materials used are taken from chemicals that have properties like narcotics. Examples of these manufacturers are methadone, megadose and Pethidine (Lubis & Siregar, 2020).

Penalties for Drug Users In The Republic of Indonesia Law

Once the outbreak of cases of abuse of narcotics that have become rampant hit the country from urban residents to remote villages, this has made the government act more seriously in handling this case, one of which is by reforming the Law against narcotics.

With the existence of this new Law, it is hoped that it can reduce the number of drug cases, which are constantly increasing, and their distribution will be easier. This ease of drug access cannot be separated from the help of sophisticated technology, the practice of enormous bribes, and an extensive network. So it is necessary to update the Law so that it can ban drug cases that have spread widely to all groups.

In Law number 35 of 2009, several aspects related to narcotics have been touched upon, both in terms of types and classes, the process of crime, the status of the perpetrators, to the punishment that will be imposed on the perpetrators. Related to the group, narcotics are divided into three groups. The three groups are as follows:

1. First-class narcotics. This type of group has the most decisive influence on the other groups. Examples of this type of group can be known as heroin, opium, marijuana, cocaine, methamphetamine and others.
2. Second-class narcotics. This group is a class of narcotics with the second most substantial effect from cannabis, methamphetamine et al., such as Pethidine, morphine and others.
3. Third-class narcotics. This group has a lower influence than the two groups above but is still harmful to the body. Examples of this type of group can be known as codeine and others (Latumaerissa, 2019).

Law 35 of 2009 also mentions punishment for narcotics users following related articles. The articles relating to punishment for narcotics users are as follows:

1. Article 54, this article explains the obligation of drug addicts or users to participate in the rehabilitation process. The rehabilitation process is either related to medical or social.
2. Article 127, this article explains the types of punishment for addicts or narcotics users according to their class. The details are as follows:
 - a. Narcotics class I. Addicts or users of this class of narcotics can be subject to a maximum prison sentence of 4 years.
 - b. Narcotics class II. Addicts or users are subject to a maximum prison sentence of 2 years.
 - c. Narcotics class III. Addicts or users of this lighter class of narcotics can be subject to a maximum prison sentence of 1 year (RI Law No. 35 of 2009 Concerning Narcotics, 2009).

The Problem of Punishment for Drug Users in Indonesia

Over time with the implementation of Law number 35 of 2009 concerning narcotics, according to this 2022 report, there has been a surge or overcapacity of prisoners in prisons, both what has happened in correctional institutions (prisons) and detention centres (remand centres). According to data from the Directorate General of Corrections (Ditjenpas) of the Ministry of Law and Human Rights (Kemenkumham), in 2022, the number of prisoners in detention will reach 276,000. Meanwhile, the available capacity is only 130,000 people. So there is an excess capacity of 100% more (Yunus, 2022).

According to the Directorate General of Pasture of the Ministry of Law and Human Rights again, according to data for April 2022, the number of prisoners with drug cases is more than

137,000. This figure is half of the total of inmates prisons or detention centres. The numbers are so large, and the cases dominate the prisoners (Karnadi, 2022).

Applying for Law number 35 of 2009 concerning narcotics has created a new polemic in handling narcotics cases. The polemic originates from the ambiguity in the contents of these articles, such as confusion in the use of terms, or arises from the impact of applying these irrelevant penalties.

For example, there are various terms in the mention of narcotics users in Law number 35 of 2009 concerning narcotics. These various terms make law enforcers confused and confused in making decisions (Hikmawati, 2011). As an example of ambiguous decisions related to the right to rehabilitation of drug users. In Article 4 letter d number 35 of 2009, it explains that "The Narcotics Law aims: To guarantee the arrangement of medical and social rehabilitation efforts for narcotics abusers and addicts", while in another article, namely Article 54 of the Law, explains that "Narcotics Addicts and Narcotics Abuse Victims are obliged to undergo rehabilitation medical and social rehabilitation". Referring to Article 54, narcotics users cannot get the right to rehabilitation. The reality is that most drug users are subject to criminal sanctions rather than action sanctions (Michaels, 2018).

The subsequent confusion is that there is an element of the double track system principle in Law number 22 of 1997 and Law number 35 of 2009 concerning narcotics which makes judges arbitrarily give a sentence between criminal and action sanctions. However, in reality, the verdict for the use of narcotics by the judge chose criminal sanctions rather than action sanctions, even though the case differed from other criminal cases. In drug crime cases, the victim is himself, not someone else. Therefore the Supreme Court issued a circular regarding the placement of drug users in therapy and rehabilitation homes (Hikmawati, 2011)

The government's efforts to tackle narcotics crime cases by changing Law number 21 of 1997 to Law number 35 of 2009 have remained relatively the same. These changes only add to rehabilitation obligations, a broader scope of BNN authority, and excessive use of punishment. The provision of heavier prison sentences does not have a deterrent effect on perpetrators. Many ex-convicts released from prison have been re-arrested for repeating the same case (Hikmawati, 2011).

Narcotics users are people who are sick both physically and mentally. Treatment efforts require a long process with proper medical treatment and exceptional assistance. This lengthy process will gradually improve his physical and mental health, so it is not enough to send him to jail (Saputro, 2016).

About prisons of the more than 270,000 people in prison who have been convicted of narcotics cases, there are around 15,000 people who have the status of dealers or drug dealers. They live together as narcotics users and dealers. This phenomenon is so vulnerable in recovery or rehabilitation efforts. What happened was that initially, the status of drug users was now promoted to become drug dealers (Karnadi, 2022). Director of Kamtib of the Directorate General of PAS Tejo Harwanto said that smuggling and distributing drugs in prisons and detention centres are very diverse. With the help of sophisticated technology, increasing networks and members and less-than-optimal service, prisons have become headquarters for drug dealers. Coupled with the existence of police officers who are also involved in the drug business in prison, the initial goal of imprisonment is to become a better person (Ratih Frayunita Sari, 2021). However, on the contrary, it becomes even worse (Widodo, 2018).

In addition, with the large number of drug convicts sent to prison yearly, the prisoner's APBN budget is increasing. Based on information from the Directorate General of Corrections, the food budget for prisoners is increasing. In 2017 the budget for convicts exceeded 1.088 trillion. In 2018 it rose to 1.391 trillion (Saputra, 2018). In 2022 the budget will increase significantly to 2 trillion. This budget is only for the cost of eating more than 275,000 prisoners. In addition to the food budget, the APBN also disburses a significant amount of funds for infrastructure. Moreover, the current infrastructure is minimal, cannot accommodate convicts, and is inhumane (Singgih Wiryono, 2022).

In other lives outside of prison, cases of arrests of drug users who are the backbone of the family will be a source of chaos to the harmony of the family. Being imprisoned for many years will leave a void in the figure of the father, who is the guide and the foundation of the lives of his children and wife. No one provides a living for their family or pays for their children's schooling. His wife and children's life and finances became difficult. The life of his wife and children has been thrown out of whack. His case had a sombre impact on his family life (Fathun et al., 2019).

Applying punishment or guidance to convicts of drug cases in the form of prisons like this creates new problems. Legal confusion, sanctions that do not have a deterrent effect, the causes of neglect of a family and the increase in the burden on the state budget require this Law be reviewed. Reforming the Law on narcotics so that it is following the benefit, both for the benefit of the inmates and for the affected state and society (Saputro, 2016).

Punishment of drug users in Islam

There has been a debate between the scholars of the four schools of thought regarding the halal status of the use of narcotics. Regarding material, most scholars think that narcotics are holy and not unclean like khamr. In addition, the intoxicating nature of narcotics is not the same as that of khimar. The existence of these two differences creates a legal difference between the two. According to jumar, consuming narcotics in small amounts is not a problem for treatment. However, if consumed in large quantities, the Law is unlawful, and the perpetrators can be subject to punishment.

The school of thought is that consuming narcotics in small quantities is permissible. However, if consumed in large quantities, it will be given a ta'zir penalty, not had. The type of punishment is up to the judge. Meanwhile, the Malikiyah school of thought argues that consuming narcotics, even in small amounts, is forbidden because they cover the mind. However, the level of prohibition is not the same as khamr, so the punishment is only ta'zir, not had. Had punishment only applies to khamr drinkers. Meanwhile, the Syafi'iyah school of thought believes that narcotics users are only subject to ta'zir punishment. The reason is that it is neither liquid nor intoxicating, nor is its intoxicating effect unlike that of khamr (Siregar & Fasa, 2022). Meanwhile, the opinion of the Hambali scholars differs from that of the jumper. They argue that drugs are unclean just like khamr. Because its status is the same as khamr, the culprit is also sentenced to had.

According to contemporary Ulama Wahbah az-Zuhaili, narcotics users are given ta'zir punishment. The judge is free to choose the type of ta'zir punishment in the form of lashes, fines, imprisonment or anything else that has a deterrent effect on perpetrators (Nur Aini Savitri, 2018). From several opinions of the scholars of the four schools of thought, it can be concluded that using narcotics in small quantities, such as for medical purposes, is not a problem. However, if it is consumed in large quantities that it makes it addictive, it is subject to ta'zir punishment. The ta'zir

punishment imposed must be following his benefit. The judge can choose the appropriate ta'zir punishment for him, such as caning, imprisonment, or only limited to verbal advice and reprimands and so on.

Ta'zir is a product of fiqh jinayah which educates perpetrators not to commit or to stop committing crimes. Ta'zir is a preventive punishment for acts that break the law not regulated by the hudud (Adam, 2019). These violations are both related to God's rights and human rights (Misran, 2021). Ta'zir punishment is given so that someone does not act outside the bounds of reasonableness and does not commit new crimes such as marrying animals, consuming narcotics, etc (Darsi & Husairi, 2018).

A judge can give ta'zir or sanctions to the perpetrators of a crime. The imposition of this ta'zir sentence is based on a judge's consideration. It is hoped that the judge's sanctions will make the perpetrators aware and not want to repeat them (Syarbaini, nd). In order for the ta'zir to be imposed on the target and following benefit, Islam requires that the ta'zir punishment given by a judge to the perpetrator must fulfil the following four elements;

1. Ta'zir punishment must be preventive. This preventive nature is expected to prevent others from staying away from these prohibited things. The punishment given to drug offenders must also be a lesson for others not to do it.
2. Repressive. Ta'zir punishment must also have a deterrent effect so that the perpetrator does not want to repeat it. The punishment received by narcotics users must be a reminder and a lesson so that the perpetrator does not dare to repeat it.
3. Curative. The ta'zir punishment given must be able to provide change for the perpetrator in improving himself in the future. Ta'zir punishment for drug users must have an awareness effect in living a better life.
4. Educative. The ta'zir punishment given must have educational values so that the perpetrators can stay away from criminal acts with full awareness not because of fear of punishment. Narcotics perpetrators understand and understand the purpose of the punishment given to them. This punishment is one of the triggers and lessons in order to organize a better life (Adam, 2019).

The four elements of ta'zir punishment in Islam against narcotics users must be given special attention by law enforcers so that every decision-making in sentencing for drug use is appropriate and valuable. Apart from giving punishments, law enforcers can also educate the drug offenders themselves or others.

CONCLUSION

It can be concluded that the abuse of narcotics and the application of law No. 35 of 2009 concerning narcotics is that the Law has not been able to address this problem adequately and has even created various kinds of new problems, such as the number of narcotics convicts exceeding the capacity of prisons or rattan, increasing the burden state budget, and punishments that do not have a positive impact on the perpetrators. In this case, Islamic punishment that is humane and line with noble values can be a solution that is no exception in sanctions for narcotics crimes. Islamic Law emphasizes the positive functions and effects behind the imposition of punishment. It uses the type of ta'zir punishment following each perpetrator's benefit, which must contain preventive, repressive,

curative, and educative elements. Therefore, Islamic punishment can be a feasible alternative to address the problem of narcotics abuse more humanely and effectively.

REFERENCES

- Adam, P. (2019). The Existence of Prison Penalties in Jarîmah Ta'zîr. *Tahkim (Journal of Civilization and Islamic Law)*, 2 (2), 39–66. <https://doi.org/10.29313/tahkim.v2i2.5114>
- Asyharudddin, M., Badaru, B., & Hidjaz, MK (2020). Analysis of Criminal Sanctions Against Narcotics Offenders. *Jure Plenary*, 9 (1), 58–71. <https://doi.org/10.37541/plenojure.v9i1.390>
- BKD DIY. (2022). *Avoid Drugs And Recognize The Dangers Of Drugs*—July 4th.
- Darsi, D., & Husairi, H. (2018). Ta'zir in the Perspective of Fiqh Jinayat. *Al-Qisthu: Journal of Legal Studies*, 16 (2), 60. <https://doi.org/10.32694/010500>
- Djibril Muhammad. (2012). *Is this the cause of the rampant circulation of drugs in prisons?* November 6th.
- Fathun, LM, Situmeang, N., & Rosdiana, H. (2019). Community Empowerment Against the Impact of Narcotics Trafficking and the Role of Youth in Minimizing Narcotics Circulation Among Adolescents. *Developing Nagari Scientific Bulletin*, 2 (4), 281–291. <https://doi.org/10.25077/bina.v2i4.157>
- Hidayataun, S., & Widowaty, Y. (2020). Equitable Rehabilitation Concept for Narcotics Users. *Journal of Law Enforcement and Justice*, 1 (2), 166–181. <https://doi.org/10.18196/jphk.1209>
- Hikmawati, P. (2011). Analysis of Criminal Sanctions for Narcotics Users. *The Rule of Law*, 2 (2), 329–350.
- Karnadi, A. (2022). *The Majority of Indonesian Prison Residents from Drug Cases*. April 27th.
- Latumaerissa, D. (2019). Application of Special Minimum Criminal Sanctions for Narcotics Crime (Decision Study Number 111/Pid.Sus/2017/PN Sag). *Belo's Journal*, 5 (1), 67–85. <https://doi.org/10.30598/belovol5issue1page67-85>
- Lubis, MR, & Siregar, GTP (2020). Socialization on Prevention and Eradication of Narcotics in Bandar Khalifah Village, Percut Sei Tuan Deli Serdang District, North Sumatra Province. *Journal of Community Service*, 1 (1), 37–41.
- Lukman, GA, Alifah, AP, Divarianti, A., & Humaedi, S. (2022). Drug Cases in Indonesia and Their Prevention Efforts Among Adolescents. *Journal of Research and Community Service (JPPM)*, 2 (3), 405. <https://doi.org/10.24198/jppm.v2i3.36796>
- Michael, D. (2018). The Implementation of the Narcotics Law From a Human Rights Perspective. *De Jure Journal of Legal Research*, 19 (10), 415–432.
- Mintawati, H., & Budiman, D. (2021). The Dangers of Drugs and Their Countermeasures Strategies. *Journal of Community Service Abdi Putra*, 1 (2), 27–33. <https://doi.org/10.52005/abdiputra.v1i2.95>
- Misran, M. (2021). Criteria for Crimes Punished by Ta'Zir. *LEGITIMATION: Journal of Criminal Law and Legal Politics*, 10 (1), 25. <https://doi.org/10.22373/legitimasi.v10i1.10515>
- Muhammad Ridwan Lubis, GTPS (2019). Analysis of Factors Causing Children to Commit Narcotics Crimes. *Journal of Humanities Social Education Research*, 4 (2), 580–590. <https://doi.org/10.32696/jp2sh.v4i2.348>
- Nebi, O. (2019). Factors Causing Narcotics Users Among the Community. *The face of the Law*, 3 (1), 81. <https://doi.org/10.33087/wjh.v3i1.59>
- Nur Aini Savitri, M. (2018). *Punishment for Narcotics Crime Perpetrators According to Ibn Taimiyah and Wahbah Az-Zuhaili*. ii–76.
- Prayuda, R. (2020). Transnational Organized Crime in Border Areas: A Study of the Modus Operandi of Narcotics Smuggling in Riau and Malaysia. *Andalas Journal of International Studies (AJIS)*, 9 (1), 34. <https://doi.org/10.25077/ajis.9.1.34-47.2020>
-

- Putu Indah Savitri. (2022). *BNN: The prevalence of drug users in 2021 will increase to 3.66 million—* by February 10th.
- Ratih Frayunita Sari. (2021). *Integrated Drug Prevention System in Prisons*. August 13th.
- Saputra, A. (2018). *Continues to Swell, the State Disburses IDR 1.3 Trillion to Eat Prisoners—* December 31st.
- Saputro, D. (2016). *The Effectiveness of Prison Sentences for Narcotics Abuse According to the Law of the Republic of Indonesia Number 35 of 2009 concerning Narcotics* . 4 (1), 1–23.
- Setya, D., Yuherawan, B., Rosdiana, BS, Prison, P., & Narcotics, P. (2020). *the Inappropriateness of Punishing Prisoners* . 5, 177–195.
- Singgih Wiryono. (2022). *Directorate General of Corrections: The state spends Rp. 2 trillion a year for food for prisoners—* September 21st.
- Siregar, R., & Fasa, MI (2022). Sale and Purchase of Drugs Containing Addictive Substances and Narcotics From the Perspective of Sharia Economic Law. *Journal of Civilization Balance*, 2 (1), 22–30. <https://doi.org/10.55182/jnp.v2i1.89>
- Syarbaini, A. (nd). *Theory of ta'zir in Islamic Criminal Law*. 1–10.
- Republic of Indonesia Law no 35 of 2009 concerning Narcotics, (2009).
- Widodo, DI (2018). Law Enforcement Against Members of the Police Who Abuse Narcotics and Psychotropics. *Magnum Opus Journal of Law*, I (1), pp. 11–17.
- Yunus, M. (2022). *The latest data on detainees in Indonesia is more than 276 thousand people—* September 29th.



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