

The Role of Local Government in Preventing Drug Abuse: A Legal Pluralism Approach

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ABSTRACT

Drug abuse is a serious problem that requires attention and collaborative action from various parties, including the government, social institutions, and the community, especially the Traditional Village. This study aims to explore the role of the Bali Provincial Government and Traditional Villages in efforts to prevent and eradicate drug abuse. The research method used is normative law with a legislative approach and qualitative analysis. The results of the study indicate that the Bali Provincial Government has implemented various programs, such as collaboration with the National Narcotics Agency (BNN), socialization to the community, strengthening regulations, and providing rehabilitation facilities for drug users. In addition, Traditional Villages play an important role in educating the community about the dangers of drugs, forming anti-drug cadres, and providing social support for individuals at risk. Cooperation between Traditional Villages and the government, as well as a cultural-based approach, are key to creating a safe and drug-free environment. This study emphasizes the importance of collaboration between the government, institutions, and the community in overcoming drug abuse in Bali, in order to create a healthy society that is free from the dangers of drugs.

Keywords: Drug Abuse Prevention, Traditional Villages' Role, Government Collaboration.

1. INTRODUCTION

In criminological studies, drug abuse offenses can be classified as victimless crimes. This classification refers to the nature of the crime, in which two parties engage in a prohibited transaction or relationship, yet neither perceives themselves as suffering harm from the other. Drug users are, in fact, victims of drug-related offenses themselves, but they do not see themselves as such because they intentionally use drugs whether due to peer influence, persuasion, or mere curiosity [1], [2].

Globally, trends also indicate an increase in drug users. According to the 2023 World Drug Report (WDR) by the UNODC, the number of drug users worldwide reached 296 million in 2021, marking a 23% increase over a decade. The WDR 2023 also states that only 13% of drug users experience disorders related to drug use. Therefore, we must emphasize the importance of ensuring that the rise in drug users does not lead to unfair policies that punish users and increase the negative health and social risks associated with drug use [3].

Article 54 of Law Number 35 of 2009 on Narcotics mandates that medical and social rehabilitation services be provided to individuals suffering from drug addiction or dependence. This is particularly important given that punitive policies in handling drug cases in our country have not significantly reduced drug abuse rates [4]. The prevalence rates of drug abuse are as follows:

Table 1. Prevalence Rate of Drug Abusers in Indonesia

	Prevalence (%)	Estimated Population aged 15-64 years exposed to narcotics (Thousand People)	Percentage Change in Population Aged 15-64 Years Exposed to Narcotics

	2019	2021	2023	2019	2021	2023	2019- 2021	2021- 2023
One Year Use	1,80	1,95	1,73	3.419	3.662	3.337	8,33	-11,28
Ever Used	2,40	2,47	2,20	4.534	4.827	4.244	2,92	-10,93

Source: Public Test Report on The Results of Measuring The Prevalence of Drug Abuse in 2023 Conducted by BNN, BRIN and BPS

Based on the table above, the national prevalence rate comparing the number of drug abusers in Indonesia to the total population has shown dynamic movement. In 2021, there was an increase of 0.15%, rising from 1.80% to 1.95%. However, in 2023, a decline of 0.23% occurred, bringing the rate down from 1.95% to 1.73%.

Imprisonment alone is not sufficient to address addiction issues. Furthermore, overly punitive policies can have negative consequences on Indonesia's correctional system, leading to suboptimal rehabilitation and supervision conditions in prisons across the country. The priority should be to provide medical and social rehabilitation to effectively address addiction. Indonesia must learn from other countries' failures in implementing a "war on drugs" policy and shift towards a more humane, medical-based approach [5], [6].

As a rule, the law regulates human behavior by defining what is permitted and prohibited. It also serves to guide individuals on how to behave in society to maintain public order. According to media reports, drug circulation in Indonesia continues to rise. Statistical data indicates that drug trafficking has reached alarming levels, demonstrating that the current legal system has not been effective in curbing the spread of narcotics [7], [8].

Drug users arrested for drug abuse should receive rehabilitation rather than imprisonment [9]. Rehabilitation provides an opportunity for drug users to recover and reintegrate into society as productive individuals. Moreover, monitoring drug users undergoing rehabilitation can be carried out more effectively, helping to reduce drug abuse and prevent the increasing circulation of narcotics in Indonesia.

The approach to handling drug users in our country differs from that of Malaysia and Portugal. Both Malaysia and Portugal view drug users as victims and prioritize rehabilitation over punishment. In Malaysia, drug addicts are given up to three opportunities for rehabilitation, while Portugal classifies personal drug possession as an administrative offense rather than a crime. These policies have successfully reduced the number of drug users, HIV/AIDS cases, and drug-related deaths in both countries. This contrast with our country highlights how different drug policies directly impact drug users and society as a whole.

Drug abuse in Indonesia, including in Bali Province, remains a serious and growing issue despite the government's efforts through the Drug Abuse Prevention and Eradication Program (P4GN). The government remains committed to addressing the nation's drug problems. The President and Vice President of Indonesia, Prabowo Subianto and Gibran Rakabuming Raka, have put forward the vision "Together for an Advanced Indonesia Towards Golden Indonesia 2045." This vision will be realized through eight missions known as "Asta Cita." The issue of narcotics is included in Point 7 of Asta Cita, which focuses on strengthening political, legal, and bureaucratic reforms, as well as reinforcing anti-corruption and anti-narcotics efforts. Furthermore, drug prevention and eradication are emphasized as the fourth priority goal of the Indonesian government's program. In

this regard, the government is making maximum efforts to close all loopholes that could allow drug smuggling.

From a legal perspective, the Indonesian government has established various regulations to address this issue, one of which is Law No. 35 of 2009 on Narcotics, granting both central and regional governments the authority to take strategic measures in the Drug Abuse Prevention and Eradication Program (P4GN). [10] Additionally, Presidential Regulation No. 23 of 2010 on the National Narcotics Agency (BNN) outlines the role of BNN at both the central and regional levels in coordinating drug eradication efforts across different areas.

At the regional level, the Bali Provincial Government has also implemented various policies, including regional regulations (Perda) and collaborations with traditional villages (desa adat) through the enforcement of regulations based on customary law [9].

In Bali, the rapid growth of the tourism sector makes the region vulnerable to drug abuse, with cases continuing to rise. The government, through the vision "Together for an Advanced Indonesia Towards Golden Indonesia 2045," emphasizes the importance of addressing narcotics issues as part of political and legal reform. In addition to law enforcement, preventive approaches are also necessary, involving the community in drug prevention efforts. Within this context, traditional villages (desa adat) in Bali play a crucial role, as local wisdom can be leveraged to combat drug-related issues through customary laws, such as *pararem* (customary regulations).

Although there are 140 *pararem* related to narcotics in Bali, their implementation has not been fully optimized across all traditional villages. The customary sanctions imposed in these villages aim to restore social balance and create a deterrent effect for offenders.

This research aims to further explore the role of regional governments in preventing drug abuse through a legal pluralism approach and to seek more effective solutions in addressing this issue.

2. METHODS

The author employs a normative legal research method, also known as doctrinal legal research. In this type of legal research, "legislation (law in books) or law is conceptualized as a set of guidelines or norms that serve as the benchmark for appropriate human behavior" [4], [11].

Normative legal research examines legal materials from primary, secondary, and tertiary sources. Additionally, this study uses a problem-solving approach specifically, a legislative approach related to the issue under discussion. Both a statutory approach and an analytical approach are employed in this research. The author also utilizes document study techniques, and the analysis conducted is qualitative.

The purpose of this research is to analyze the role of the Government and Traditional Villages (Desa Adat) in the Province of Bali in preventing drug abuse, as well as to identify the constraints encountered in the implementation of the P4GN policy. By using a juridical-empirical approach, this study is expected to contribute to the development of more adaptive legal policies that are rooted in local wisdom to prevent drug abuse in Bali.

3. RESULTS AND DISCUSSION

As a step in addressing the issues related to the role of the Bali Provincial Government in the Prevention and Eradication of Drug Abuse and Illicit Drug Trafficking (P4GN), this study will divide the discussion into two scopes: First, an explanation of the role of regional governments in preventing drug abuse and the challenges they face; and second, the role of traditional villages in

Bali in supporting the prevention of drug abuse through customary law approaches, as well as the challenges encountered.

3.1 The Role of Local Government in Preventing Drug Abuse in Bali Province

Drug abuse is a serious issue that affects not only individuals but also families, communities, and the nation. Bali, as one of the world's premier tourist destinations, faces unique challenges related to drug abuse. Therefore, the National Narcotics Agency, together with all relevant stakeholders including local governments bears a significant responsibility to address this issue through various integrated policies and programs. Article 104 of the Narcotics Law states, "Society has the widest possible opportunity to participate in assisting the Prevention and Eradication of Drug Abuse and Illicit Drug Trafficking, including drug precursors." In this context, "society" refers to all Indonesian citizens, both individually and collectively, who can participate in P4GN efforts. [12], [13].

In addition to Law No. 35 of 2009 on Narcotics, the Province of Bali has its own regional regulation governing efforts to prevent and eradicate drug abuse. One such regulation is Bali Provincial Regulation No. 7 of 2017 on Facilitating the Prevention of Drug Abuse. This regulation aims to provide guidance for local governments in facilitating drug abuse prevention through early anticipatory measures, prevention, handling, rehabilitation, collaboration, development, monitoring, community participation, funding, and reporting. Moreover, several regencies/cities in Bali have also issued regional regulations on narcotics, such as Denpasar City Regulation No. 12 of 2022, Badung Regency Regulation No. 2 of 2022, Karangasem Regency Regulation No. 3 of 2022 on Facilitating the Prevention and Eradication of Drug Abuse and Illicit Drug Trafficking (P4GN), Gianyar Regency Regulation No. 1 of 2023, Buleleng Regency Regulation No. 6 of 2023, and Klungkung Regency Regulation No. 5 of 2023 on the Prevention and Eradication of Drug Abuse and Illicit Drug Trafficking (P4GN). All these regulations emphasize facilitating the implementation of measures to prevent and eradicate drug abuse as well as the illicit trafficking of narcotics and drug precursors in their respective regions.

With these regulations in place, local governments in Bali are committed to enhancing efforts to prevent and eradicate drug abuse through a clear and structured legal framework. Based on the results of juridical analysis and empirical observation, the Bali Provincial Government has several strategic roles in implementing P4GN policies, including strengthening collaboration, enhancing preventive efforts through information and education, reinforcing regulations and policies, and optimizing the provision of rehabilitation facilities for drug abuse.

The Bali Provincial Government collaborates with the National Narcotics Agency (BNN) at both the provincial and regency/city levels, which includes:

1. P4GN Program (Prevention and Eradication of Drug Abuse):

The Bali Provincial Government, together with BNN, implements the P4GN program aimed at reducing the circulation and abuse of narcotics. This program involves various elements of society, including educational institutions, community organizations, and the private sector.

2. Training and Capacity Building:

BNN provides training for government officials and the public on how to detect and handle drug abuse. This includes training for health workers, teachers, and community leaders to recognize the signs of drug abuse.

3. Public Socialization and Education:

The Bali Provincial Government recognizes that effective prevention requires community awareness and knowledge. Therefore, various socialization and education programs are implemented, including:

- a. Awareness Campaigns

Through mass media, billboards, and social media, the government launches campaigns to raise public awareness about the dangers of narcotics. These campaigns also emphasize the important role of the family in preventing drug abuse.

b. School-Based Education Programs

The Bali Provincial Government collaborates with the Department of Education to integrate anti-narcotics education into the school curriculum. This includes seminars, workshops, and interactive discussions involving students, teachers, and parents.

c. Formation of Anti-Narcotics Cadres

The government encourages the establishment of anti-narcotics cadres at the school and community levels. These cadres are trained to act as change agents, providing information and support to peers and the community regarding the dangers of narcotics.

The Bali Provincial Government also strives to strengthen regulations and policies that support the prevention and eradication of drug abuse through the Rector's policy for drug-free campuses. The government encourages higher education institutions to implement policies affirming that campuses must be drug-free, including sanctions for students involved in drug abuse. Furthermore, strict law enforcement is crucial in reducing drug abuse rates in the Province of Bali. The Bali Provincial Government collaborates with law enforcement agencies to take firm action against drug-related violations, including arrest operations against drug traffickers and users involved in drug trafficking networks. The Bali Provincial Government is also committed to providing rehabilitation facilities for drug users through:

1. Rehabilitation Centers

The government establishes rehabilitation centers that provide medical and psychological services for drug users. These centers offer comprehensive rehabilitation programs, including individual and group therapy as well as social support.

2. Community-Based Recovery Programs

In addition to rehabilitation centers, the government also promotes community-based recovery programs involving families and communities. These programs aim to assist drug users in their recovery process and reintegration into society. BNN, through its Rehabilitation Deputy, implements a Community-Based Intervention program (abbreviated as IBM), in which recovery agents act as an extension of BNN to deliver rehabilitation programs to the community. The programs conducted by the government, with community participation, are one manifestation of the community's role in preventing drug abuse offenses as stipulated in Article 106 of Law No. 35 of 2009 on Narcotics. Article 106 states that:

The rights of the public in the prevention and eradication of drug abuse and drug precursors are manifested in the following forms:

1. Seeking, obtaining, and providing information regarding any suspected occurrence of drug and drug precursor offenses;
2. Receiving services to seek, obtain, and provide information about any suspected occurrence of drug and drug precursor offenses to law enforcement or the National Narcotics Agency (BNN) handling such cases;
3. Responsibly conveying suggestions and opinions to law enforcement or the BNN handling drug and drug precursor offenses;

4. Receiving answers to questions regarding the reports submitted to law enforcement or the BNN;
5. Obtaining legal protection when exercising these rights or when requested to appear in judicial proceedings.

The Bali Province National Narcotics Agency has coordinated with the community, it is hoped that the entire community will participate in helping to prevent criminal acts of drug abuse committed by foreign citizens. It is felt that the perpetrators are very close to the community, therefore it is expected that the community will participate in preventing drug abuse committed by foreign citizens. In preventing drug abuse committed by citizens, the community can act as a supervisor of the movements of foreign citizens who are considered suspicious by the community. This effort is certainly very effective and has been implemented by the BNN in Bali Province.

3.2 The Role of Traditional Villages in Efforts to Prevent Drug Abuse in Bali Province

Drug abuse in Bali has become a major challenge that requires the involvement of all parties in prevention and eradication efforts. One of the important elements within Bali's social structure that plays a role in addressing drug abuse is the Traditional Village (Desa Adat). Traditional Villages in Bali hold a very strategic position due to their close-knit community structures, deeply rooted traditional values, and strong social norms. The Balinese indigenous community operates within a system that not only focuses on spiritual life but also encompasses social and cultural aspects, which in turn serves as a potential platform for tackling various social issues, including drug abuse.

The role of Traditional Villages in preventing and eradicating drug abuse in Bali begins with strengthening the roles of traditional leaders and the Prajuru (the group of indigenous community leaders) in educating and informing the public about the dangers of drugs. Traditional Villages have long been known for their strict social oversight system, which enables them to prevent drug abuse at the community level. These villages actively engage in family-level outreach, as the family is considered the first line of defense against drug abuse. Through their indigenous autonomy, Traditional Villages are empowered to formulate regulations related to drug prevention. Indigenous autonomy is absolute and inherent, not granted by the government; rather, it is the government's duty to respect the inherent autonomy that Traditional Villages possess. As a cohesive unit of indigenous legal society with its own inherent special rights, Traditional Villages can engage in legal acts under both public and civil law [14], [15].

As part of the prevention efforts, Balinese Traditional Villages often collaborate with government agencies, such as the Bali Provincial National Narcotics Agency (BNN) and other related institutions, to conduct community education activities about the negative impacts of drugs. For instance, Anti-Drug Outreach programs carried out by the Prajuru in village communities through seminars, discussions, and training sessions aim to build collective awareness. In some cases, Balinese Traditional Villages also hold traditional ceremonies that remind the community of the importance of maintaining spiritual, physical, and social well-being, which indirectly functions to raise awareness about the dangers of drugs.

Furthermore, Traditional Villages also play an effective role as social oversight bodies. The social control system within these villages allows for the monitoring of the behavior of its citizens. If an individual is found to be involved in drug abuse, the Prajuru and the local community usually intervene early with a rehabilitative and educational approach. This approach, which emphasizes healing and social reintegration, reflects Balinese cultural values that stress social harmony and peace within the community.

Together with the indigenous community, the Prajuru act as facilitators in the individual recovery process through spiritual and social guidance. Traditional Villages in Bali play a crucial role in the prevention and eradication of drug abuse. With their local wisdom and strong social

structures, Traditional Villages can serve as the vanguard in addressing this issue. The roles of Traditional Villages in the prevention and eradication of drug abuse are as follows:

1. Drafting and Implementing Customary Regulations on Narcotics through Awig-awig and Pararem

Balinese traditional villages possess cultural values and local wisdom that can be leveraged to prevent drug abuse. The traditions and norms in these indigenous communities often emphasize the importance of health and well-being. By prioritizing these values, the traditional villages in Bali contribute to P4GN efforts through the formulation of anti-drug pararem, which include social sanctions for members of the customary legal community involved in drug abuse and illicit trafficking, and by enforcing them.

2. Education and Socialization

Traditional villages can play a significant role in educating and raising awareness about the dangers of narcotics. Through activities such as regular meetings, seminars, and workshops, accurate information about the negative impacts of drug abuse can be disseminated to the public. These initiatives can also involve community leaders and village youths as change agents who spread the information more broadly.

3. Formation of Anti-Narcotics Cadres

Traditional villages can establish anti-narcotics cadres responsible for monitoring and providing support to at-risk community members. These cadres can be trained to recognize the signs of drug abuse and to intervene early. With such cadres in place, it is expected that a safer and more supportive environment will be created for the community.

4. Cooperation with Authorities

Traditional villages can also form partnerships with the government and relevant agencies, such as the National Narcotics Agency (BNN), to implement drug prevention and eradication programs. This collaboration may include training for village officials, the socialization of programs, and the monitoring of drug circulation within the village area.

5. Rehabilitation Facilities and Social Support

Traditional villages can contribute by providing social support for drug users who wish to recover. This can be accomplished by establishing Community-Based Intervention (IBM) programs in collaboration with the Bali Provincial National Narcotics Agency or the relevant regency/city agencies to assist in the implementation of recovery efforts.

6. Monitoring

Although traditional villages adopt a more humane approach, they also need to help monitor drug circulation and impose social sanctions on offenders. This proactive monitoring can create a deterrent effect and encourage the community to avoid involvement with narcotics.

Although various policies and strategies have been implemented to support the Narcotics Prevention Program in Bali Province, its implementation still faces a series of complex challenges. Institutionally, there are coordination challenges among agencies, where the involvement of the central government, local government, law enforcement, and customary authorities often leads to overlapping jurisdictions and suboptimal synchronization mechanisms. This results in a lack of integrated policies, which in turn creates redundancy and operational conflicts, thereby dividing the effectiveness of enforcement.

On the regulatory side, although regional regulations and customary legal instruments such as the Anti-Narcotics Pararem have been implemented, there is a shortfall in adjusting these

regulations to the evolving dynamics of narcotics crimes. The perpetrators' modus operandi has become more sophisticated, particularly through the use of digital technology and international networks, making the existing regulations often insufficiently adaptive to these developments.

Limited human and financial resources also serve as significant obstacles. The capacity of law enforcement officers and rehabilitation personnel remains limited, both in terms of numbers and expertise, so monitoring, enforcement, and support for victims of drug abuse cannot be carried out to the fullest extent. Moreover, the limited budget allocation exacerbates the situation, given the substantial operational needs in confronting increasingly organized drug crimes.

Social and cultural factors further contribute to the barriers in implementing the P4GN program. The public's awareness of the dangers of narcotics needs to be enhanced, and some cultural values sometimes conflict with the principles of modern narcotics prevention, creating challenges in outreach and education. The influence of globalization also brings about behavioral changes, especially in tourist areas, which increases vulnerability to drug abuse.

Thus, to optimize the effectiveness of the P4GN program in Bali, a more comprehensive and integrated approach is needed. This includes harmonizing policies among various agencies, enhancing human resource capacities, and strengthening community participation through a combination of formal law enforcement and local wisdom. These strategic steps are expected to overcome the structural, technical, and cultural obstacles that currently hinder the success of P4GN efforts.

CONCLUSION

From this scientific paper, it can be concluded that drug abuse in Bali is a serious problem that requires collaborative efforts between the government, social institutions, and the community, including the Traditional Village. In this context, the Bali Provincial Government plays an important role through various integrated policies and programs to reduce drug abuse, such as through collaboration with the National Narcotics Agency (BNN), community outreach, strengthening regulations, and providing rehabilitation facilities for drug users. The government also encourages active community participation through education programs, the formation of anti-narcotics cadres, and strict law enforcement. Traditional Villages, with their local wisdom and strong social structures, also play an important role in efforts to prevent and eradicate narcotics. Through education, outreach, and the formation of anti-narcotics cadres, Traditional Villages can help educate the community about the dangers of narcotics as well as monitor and provide support for individuals at risk. In addition, cooperation between Traditional Villages and the government and other related institutions, such as the BNN, is a key factor in expanding the reach of drug prevention and eradication programs. The importance of a culturally based approach, strict social supervision, and rehabilitation facilities that support community-based recovery in the Traditional Villages show great potential in creating a safe and drug-free environment. Thus, collaboration between the government, institutions, and the community, especially the Traditional Villages, has a crucial role in overcoming drug abuse in Bali, in order to create a healthy, safe society that is free from the dangers of drugs.

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