

Law Enforcement Procedures for Police Members Involved in Drugs Abuse in the Polda Bengkulu

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ABSTRACT

The aims of this study are: To analyze law enforcement procedures for members of the police who are involved in drug abuse. As well as a review of fiqh siyasa on law enforcement procedures for members of the police who are involved in drug abuse. This study is based on the fact that there are still members of the police who commit criminal acts of drug abuse. This type of research is qualitative-empirical research by examining documentation and interviewing informants. This study concludes that: (1) Law Enforcement Procedures for members of the Police in enforcing the law against members of the Police who commit or abuse drugs in the field of service, enforcement of discipline, order and internal security have been going well, the implementation of law enforcement has been carried out but not yet optimal, marked by the fact that there is still drug abuse by police officers, while efforts to prevent drug abuse by members of the police are carried out by carrying out activities related to religion, increasing supervision in terms of the discipline of members of the police, and applying strict sanctions against persons who abuse drugs. (2) In the review of fiqh siyasa syar'iyah, the efforts of the police in taking action against members who are involved in drug abuse are in accordance with Islamic values, namely imposing disciplinary punishment and trial on the police code of ethics, which aims to bring benefits to members of the police, the National Police institution and society and prevent harm that will occur.

Introduction

The police are one of the professions in the legal world that are bound or subject to the Professional Code of Ethics issued by the Polri institution, and are subject to the Disciplinary Regulations for Members of the Indonesian National Police. Every member of the Police has a duty mandated by the 1945 Constitution to create security and order in society. Article 13 of Law Number 2 of 2002 concerning the Police states that: the main duties of the Indonesian National Police are to maintain public order and security, enforce the law and provide protection, protection and service to the community. The success of this main task is largely determined by the professionalism of the Police,

The police are the spearhead in carrying out their duties and authorities as law enforcers, but there are some police officers who even abuse their authority by taking part in using and distributing illegal drugs or narcotics. This of course can lead to a loss of public trust in the police to guarantee legal certainty or provide legal protection to the public (Rahadi, 2007). In addition, the police have abused their position, duties and

authority. Their duty should be to provide role models to the community, set a good example and even participate in the process of eradicating narcotics crimes.

Police officers who use narcotics violate the rules of discipline and the code of ethics because every member of the police is obliged to uphold the law and protect the honor, reputation and dignity of the Indonesian National Police. Violations of disciplinary rules and the code of ethics will be examined and if proven, sanctions will be imposed. The imposition of disciplinary sanctions and sanctions for violating the code of ethics does not eliminate criminal charges against the police officer concerned. Therefore, police officers who use narcotics will still be given disciplinary sanctions and sanctions for violating the code of ethics, as the police professional code of ethics is formulated in the Regulation of the Indonesian National Police Number 14 of 2011 and the Disciplinary Regulations for members of the Indonesian National Police formulated in PP Number 2 of 2003,

Basically, the increasing and complex demands of tasks, authority and responsibilities from all parties, in government and private agencies, in completing tasks, it is increasingly felt that the completion of tasks is correct and good, precise and useful. the task (Warsito, 2005).

This can be seen in the Law of the Republic of Indonesia Number 2 of 2016 concerning the Indonesian National Police, this law is a change in the previous Law, namely the Law of the Republic of Indonesia Number 28 of 1997 (State Gazette of 1987 Number 81, additional Gazette State Gazette Number 3710) as a refinement of Law Number 13 of 1961 concerning Main Provisions of the State Police (State Gazette of 1961 Number 245 Supplement to State Gazette Number 2280) (UU No 2 of 2016).

Based on the Decree of the People's Consultative Assembly of the Republic of Indonesia Number: VII/MPR/2000 concerning the separation of the Indonesian National Armed Forces and the Indonesian National Police established on August 18, 2000, the Indonesian National Police, in their implementation, is responsible to the President.

The role of the Indonesian National Police as administrative actors in an organization is very important so that the organization can run as mutually desired. The smooth running of the government and the implementation of National Development listed in the Outline of National Policy (GBHN) depends, among other things, on the perfection of the State Apparatuses, in this case the Indonesian National Police, awareness of the importance of the role of the Indonesian National Police in national development is the benchmark for its implementation. governance and development itself and to the sensitivity and implementation of the work order of the Indonesian National Police is running well and smoothly (Rahadi, 2007).

The existence of the National Police alone has not been able to minimize drug cases that are rampant in this country, especially if there is no institution that deals with these problems, efforts are made to stop narcotics cases but the reality is still far from expectations. Here the public must be aware and understand their respective roles, not only is the government the main target when a case occurs, but the community should be able to help the government's performance, when the government issues a regulation it should be implemented, not vice versa. these rules.

In Islamic teachings teach humans to always do good and also regulate various things in human life on this earth including regulations regarding drugs or alcohol. As the word of Allah SWT. In the Qur'an surah al-Jasiah verse 18:

ثُمَّ جَعَلْنَاكَ عَلَىٰ شَرِيعَةٍ مِّنَ الْأَمْرِ فَاتَّبِعْهَا وَلَا تَتَّبِعْ أَهْوَاءَ الَّذِينَ لَا يَعْلَمُونَ

“Then We made you (Muhammad) follow the Shari'a (rules) of that Religion, so follow (the Shari'a) and do not follow the desires of people who do not know”.

From the above argument it can be explained that the life of every human being has been regulated in religious law so that human nature is to hold fast to the Al-Qur'an and the Hadith of the Prophet Muhammad. So that human life in this world is more directed towards the right path and avoid going astray. The position of the Shari'a is as a guideline and benchmark for how humans can live on the right path or not. As long as in life you stick to the provisions of the Qur'an and the Hadith of the Prophet, your life will be directed (Rohidin, 2016).

The condition of the weakening of the discipline and professionalism of members of the National Police that is happening at this time is starting to become a frequent topic of public discussion. With the frequent reporting in various mass media regarding disciplinary actions taken by members of the National Police, for example the many cases of drug abuse by members of the Police, there are many other cases which illustrate the lack of discipline of members of the Indonesian National Police. public order, order and upholding of law, implementation of protection, protection and service to the community, as well as maintenance of public tranquility by upholding human rights.

Narcotics in the context of Islamic law are not mentioned directly in the Al-Qur'ān or in the Sunnah. In the Al-Qur'ān only mentions the term khamr. But because in the theory of fiqh science, if a law has not yet determined its legal status, then it can be resolved through the qiyās method (legal analogy). Furthermore, the word khamr is understood as the name of a drink that makes the drinker drunk or impaired consciousness. Therefore, narcotics are qiyāskan to khamar because drugs can make the user lose consciousness and disturb consciousness. Therefore, illat is the same as khamr, that is, they both cause loss of consciousness and disturbance of consciousness (Aaron, TT).

The Al-Qur'ān stipulates the prohibition of drinking khamr by emphasizing that khamr, gambling, idols and lottery are heinous acts and include acts of Satan that must be shunned by Allah SWT says in the Al-Quran Surah Al-Ma'idah verse 90, namely:

يَا أَيُّهَا الَّذِينَ آمَنُوا إِنَّمَا الْخَمْرُ وَالْمَيْسِرُ وَالْأَنْصَابُ وَالْأَزْلَامُ رَجْسٌ مِّنْ عَمَلِ الشَّيْطَانِ فَاجْتَنِبُوهُ لَعَلَّكُمْ تُفْلِحُونَ

“O you who believe. In fact (drinking) intoxicants, gambling, (sacrifice to) idols, raffle fate with arrows, are among the acts of the devil. So stay away from those (deeds) so that you will get good luck.” (Q. S Al-Maidah [5] : 90)

Narcotics abuse in the view of siyasa syar'iyah is anything that can make the mind damaged which is confirmed by the use of khamr, the types that are categorized as khamr are heroin, morphine, cocaine, marijuana and the like. Narcotics abuse not only violates positive law but also Islamic law (Afifah, 2017). acts of drug abuse are also very inconsistent with the goals to be achieved in Islamic law, namely maqashid sharia (Andriyani & Dewi, 2020).

The *siyasa syar'iyah* is Islamic government or politics. And its relation to the police is that the police are the government's direct subordinates for the process of securing the state from within. In Aceh, it is known as the sharia police or Muslim police whose job is to maintain and organize public order and peace, as well as enforce local regulations (*Qanun*).

The law that is built in constitutional life in Islam or *siyasa* is to regulate the interests of the state and organize the affairs of the people in line with the spirit of Islamic law and in accordance with its universal foundations (*kulli*) to realize its societal goals (Saebani, 2015).

According to Imam Adz-Dzahabi, all objects that can eliminate reason (if drunk or eaten or put into the body), whether they are solid, liquid, food or drink, are included in *khamr*, and have been forbidden by Allah SWT until the Day of Resurrection (Faizal, 2015), in this case it is clearly seen that drugs are a substance that can eliminate reason, of course when someone who loses his mind will cause a new problem, because he is not in his conscious mind so that it creates an action that is detrimental to both himself and others. others (Irfan, 2016).

From this, the National Police or the Indonesian National Police need to make changes to the handling of narcotics by members of the Police in the field, and the Police need to provide guidance and supervision to Polri members who have or have not yet entered the field in carrying out the functions and duties of the National Police. Meanwhile, the number of members of the Indonesian National Police who become users of narcotics and drugs has increased from year to year. This fact refers to data collected by the Propam Polda division from the last year, namely 2022. In detail, based on reports from the Bengkulu Propam Polda members, in 2022 there were 10 police officers involved in drugs.

Irregular behavior of police officers is a violation of the disciplinary regulations for members of the Indonesian National Police as stipulated in the government regulation of the Republic of Indonesia Number 2 of 2003 concerning Disciplinary Regulations for Police Members. Efforts to uphold discipline and the Polri code of ethics are urgently needed in order to realize the implementation of assigned duties and achieve Polri professionalism. It is very unlikely that law enforcement can run well if the law enforcers themselves are undisciplined and unprofessional. The task of the police in the field of law enforcement is to carry out investigations and investigations, especially on criminal acts of Narcotics abuse both as dealers and as users. In eradicating Narcotics abuse both prosecutors,

Cases of violations of the police code of ethics in narcotics abuse cases within the Bengkulu Regional Police, the arrest process was carried out based on reports from the public and based on routine operations carried out within the Bengkulu Regional Police. There are two handlings related to narcotics abuse carried out by members of the Bengkulu Regional Police based on reports from the public. If after the report from the community is processed and a hand-catching operation is carried out then there is evidence in the form of a type of narcotics and proves that it is true that the suspect was involved in narcotics abuse, then the criminal law will immediately proceed. After the court issues a decision that has permanent legal force, then it will proceed with the imposition of a code of ethics sanction.

Reflecting on the many cases of violations that have arisen, the police should avoid giving the impression of applying the principle of immunity to protect fellow corps members in various abuses. So far, the National Police has often been accused of protecting its members who violate the code of ethics because of the light punishment and enforcement of the code of ethics which is a little less transparent. As one of the elements within the Polri body, it has a role in helping uphold the police code of ethics. In fact, there are still members of the police who violate the police code of ethics in the field.

Members of the National Police, who are supposed to be state law enforcement tools in eradicating criminal acts, especially the use of narcotics and psychotropic substances, will regret it if this noble profession is injured by the actions of its members which are in contrast to the duties they have to carry out as members of the police force. Reviewing the concept of law enforcement, every citizen is obliged to uphold the law. A person who violates the law must be held accountable for his actions before the law.

Violating the behavior of individual members of the National Police is a violation of Police disciplinary regulations, therefore enforcement or coaching efforts are needed which must be carried out as explained in Law Number 2 of 2016 article 21 states that:

Professional development for officials of the State Police of the Republic of Indonesia is carried out through fostering professional ethics and building knowledge and experience in the technical field of police through education and training as well as tiered and continuous assignments.

Professional development in the Republic of Indonesia National Police is very important in order to create a professional Republic of Indonesia National Police in carrying out all its duties, this is also carried out in the Bengkulu Regional Police in an effort to uphold the rule of law, it is hoped that they can become Protectors, Protectors, Law Enforcers and Service Providers. Public.

Based on the regulations above, members of the National Police already have regulations regarding coaching for members of the police who violate them. In fact there are still some members of the Police who violate discipline, in terms of discipline in work is very important because with this discipline it is expected that most of the rules are obeyed by members, work according to procedures and so on so that work is completed effectively and efficiently and can increase productivity. Therefore, if members do not use the rules set in the organization, then disciplinary action and disciplinary punishment are the last steps that can be taken against members whose performance is below standard or who are not disciplined.

The situation above when connected with the law on State Administration is very clear because the implementation of the duties of the Indonesian National Police is an administrative law rule both as an element of the government apparatus and also as a decision-making element. As servants of the nation and the State, the role of the Indonesian National Police, especially the Bengkulu Regional Police, must be able to carry out their role in accordance with the existing doctrine of the Indonesian National Police itself. Thus, the background in the preparation of this thesis concerns the legal review of state administration regarding the Indonesian National Police according to the Law of the Republic of Indonesia Number 2 of 2016.

Based on the description of the background above and curiosity, it aroused interest in discussing and studying this matter, so that this proposal was put forward with the title:

Law Enforcement Procedures for Police Members Involved in Drug Abuse Within the Bengkulu Regional Police.

Method

This type of research is field research (field research). The research informant subject used in this research informant was purposive sampling. The data in this study the authors use primary and secondary data sources. researchers used data collection techniques with observation, interviews and documentation. the researcher uses an analytical technique of inductive thinking method, namely reasoning that departs from specific facts, concrete events, then from specific facts or concrete events, then from specific facts or concrete events generalizations or conclusions are drawn general.

Results and Discussion

Law Enforcement Procedures for Members of the Police who are involved in Drug Abuse

Members of the Indonesian National Police are subject to the powers of the general judiciary. This shows that members of the police force are civilians and are not subject to military law according to Article 29 paragraph 1 of Law Number 2 Year 2002 concerning the Indonesian National Police. Even though members of the police force are civilians, the provisions of the Disciplinary Regulations and the Professional Code of Ethics also apply to them.

Not a day without news about drugs. Production, trafficking, trafficking and abuse of drugs is a crime. As with other crimes, where it is axiomized that crimes never stand alone and immediately exist (happen) is impossible. Actually such a statement is pointless. Even though officials and the Police will be in a losing position, in the sense that the drugs will not be stopped and the Police will be overwhelmed. The more they are attacked, the more they try to find better and more careful ways to fight (Kunarto, 1999).

Drug abuse is growing, drug distribution is increasingly easy to find anywhere. It's not that law enforcers can't handle it, but the actors involved have a thousand ways to distribute and manufacture it. Not only civil society such as adults, both men and women, children are also free to use or use these illicit goods. The drug dealers are clever in the distribution of illicit goods. They use minors and housewives as couriers or as transporters between drug dealers and users. Because in this case the police officers will not be suspicious of minors and housewives. But because there are those who are caught, supervision is getting tighter, because as it is known that drugs are illegal goods that can damage the soul of the nation's children and can make death pointless. Drug abuse is not only carried out by civil society, but also by members of the police.

The abuse of drugs (other than alcohol) by police officers in recent years has received great attention. This issue is making headlines in cities across the country where drug abuse is showing up in ways that attract the attention of the mass media. Since the true extent of the problem is not known, the implications of drug abuse by police officers indicate, (although only about half are reported to the general public), that a serious problem has emerged. In many cases where police officers discover drug use by police officers, the recourse that is often taken is dismissal/resignation of the officer, departmental disciplinary proceedings, collective negotiating unit arbitration, or referral of the matter to

Employee Assistance Programs. This action is often motivated by the desire to remove the problem as quickly and quietly as possible. Unfortunately, there is often no full understanding of the policy issues involved. Although the police sometimes address drug problems on a case-by-case basis, it is only in the last two or three years that the problem of drug abuse by the police has become the subject of open discussion (Thomas Barker and David L. Carter, 1999).

Abuses are people who use narcotics, psychotropics and other addictive substances without rights or unlawfully, with the intention not to treat and/or research and are used without the knowledge and supervision of a doctor. Drug abuse is pathological drug use, which has lasted at least one month, causing disruption in work and social functioning. Drugs are widely used for medicinal purposes, for example calming clients or reducing pain. But because the effect can calm the wearer, drugs are then misused, namely not for treatment but to get a sense of pleasure.

Drug abuse is a pathological pattern of use and must be brought to the attention of the authorities. Even though there has been a lot of information stating the negative impact caused by drug abusers in consuming drugs, on average there are many numbers indicating that many people are the subject or object, both teenagers and the elderly because the effects are extraordinary.

The current circulation and impact of drugs is very troubling, the ease of obtaining these dangerous substances makes their use increase. Regardless of gender and age, everyone is at risk of experiencing addiction if they have tasted this dangerous substance. Indeed, it cannot be ruled out that narcotic substances and the like have considerable benefits in the world of medicine, in the fields of research, education and scientific development and their application, the use of regular doses will provide benefits, but the use of narcotic-type substances in doses that are not regularly even abused will bring negative effects.

Prevention is all efforts, efforts or actions that are carried out consciously and responsibly with the aim of eliminating, avoiding and/or blocking the public from the factors that cause the abuse and illicit traffic of Narcotics, Psychotropics and Addictive Substances. Countermeasures are all efforts aimed at suppressing the abuse and illicit traffic of Narcotics, Psychotropics and Addictive Substances in society through social rehabilitation as well as guidance and supervision.

The history of drug abuse prevention is divided into two, namely prevention based on intuition and prevention based on theory. Prevention based on intuition is a prevention program developed by individuals who feel compelled to carry out prevention programs and without sufficient academic background. Generally programs focus on giving information Drugs, for example, how they form, how to use them, how they get drugs, and the consequences of drug users.

While prevention based on theory is a prevention program Which made based on formal research. Various disciplines carry out prevention programs according to their respective theories. Social psychologists use social learning theory. According to this theory, a person's behavior depends on his expectation of an outcome when he does something.

Efforts to prevent drug abuse aim to prevent, slow down or reduce the emergence of problems caused by drug abuse, for example the emergence of various diseases and psychopathologies. It should be noted that efforts to deal with drug addiction are very

difficult efforts, especially in the relapse prevention phase. Therefore, if you can prevent addiction before it occurs, the results will be more satisfactory, both in terms of health and costs. Effort comprehensive prevention with strong political power, and carried out by all levels of society, including the mass media, homes, schools, jobs, public places, and various social places. These efforts are accompanied by monitoring of personal-social factors from families and individuals.

In preventing drug abuse, there is no known single method. There is no perfect drug abuse prevention method that can be applied to the entire population. Different populations require reaction or different preventive intervention methods.

The Polri Disciplinary Session is a public representation of the Polri profession in framework glorification of the police profession from disgraceful acts committed by members of the Police. Examination in the Disciplinary Session is an attempt to prove allegations of violations of the Police Professional Code of Ethics, which are based on a careful trial decision process so that it does not become a means of engaging in unfair competition between members.

Penalty is an important part in every statutory regulation, even ten Berge mentions that sanctions are the core of administrative law enforcement. Sanctions are usually placed at the end of each regulation in *cauda venenum* (literally means poison at the end), meaning that at the end of a rule of law there are sanctions. Sanctions are needed to guarantee administrative law enforcement (Ridwan, 2007).

Penalty in Administrative Law is a tool of public law power that can be used by the government as a reaction to non-compliance with the obligations contained in the legal norms of state administration. According to Philipus M. Hadjon, the application of sanctions jointly between administrative law and other laws can occur, namely internal cumulation and external cumulation. External accumulation is the application of administrative sanctions together with other sanctions, such as criminal sanctions and civil sanctions (Ridwan, 2007).

The code of ethics is owned by every agency, especially the agencies owned by the state government apparatus and the code of ethics is very important to uphold. The code of ethics functions as a control for every professional bearer, namely government officials. The code of ethics regulates how a professional carrier acts, behaves in carrying out his duties. the code of ethics is the standard rule for the state apparatus, especially the National Police, in carrying out their duties and authorities. The police code of ethics certainly does not conflict with existing laws. Because the police code of ethics which is currently regulated in Perkapolri Number 14 of 2011 concerning the Code of Ethics for the Indonesian National Police is in line with Law Number 2 of 2002 concerning the Indonesian National Police which mandates regulation of the professional code of ethics for the Indonesian national police. The code of ethics is a guide in carrying out the duties and functions of the police. Whether or not the enforcement of the code of ethics is carried out again is up to the respective personnel as well as its enforcement. In the police itself the code of ethics is very important. One rule of code of ethics that is violated by members of the police will become a problem for him in the future. because it will leave a bad impression not only for himself but also for future agencies. The code of ethics is a guide in carrying out the duties and functions of the police. Whether or not the enforcement of the code of ethics is carried out again is up to the respective personnel as well as its enforcement. In the police itself the code of ethics is very important. One rule of code of

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Guidelines for the implementation of the application of administrative sanctions against members of the police who commit criminal acts are to first attend the general court, if it has been decided willingly or permanently, then a trial will be held. code ethics by Bid Propam.

After reading the verdict, there were administrative sanctions imposed on the violator, specifically from police officers who committed the Narcotics Crime, PTDH (Disrespectful Dismissal) sanctions were imposed, because it refers to Article 12 PP No. 1 of 2003, a member of the National Police is dishonorably discharged from the Police service if he is convicted based on a court decision that has permanent legal force and according to the judgment of the competent authority he cannot be maintained in the Police service. In addition, referring to Article 22 paragraph (1) letter a Regulation of the Head of the Indonesian National Police Number 14 of 2011 concerning the Professional Code of Ethics for the Indonesian National Police, it is stated: Administrative sanctions in the form of PTDH recommendations are imposed through the KKEP Session on violators who deliberately commit crimes with the threat of imprisonment of four years or more and have been decided by a court with permanent legal force. And so those who have the right to carry out the PTDH sanction are the HR functions of the National Police after obtaining a decision from Anjum's superiors.

Efforts made by the Police to prevent criminal acts from occurring for members of the Bengkulu Regional Police, namely, in addition to binding regulations, the Police Leaders, both directly and indirectly, often give directions and pressure on members of the Bengkulu Regional Police not to do things that deviate damage the dignity of being a member of the National Police and imposing sanctions on any violations, in accordance with applicable regulations.

Basically members of the National Police are subject to the authority of the general judiciary just like ordinary civilians. In Article 29 paragraph (1) of Law no. 2 of 2002 concerning the Police Country Indonesia has shown that Polri is a civilian and not subject to military law.

However, because of their profession, Polri members must comply with the Disciplinary Regulations and the Code of Ethics Profession regulated in Government Regulation no. 2 of 2003 concerning Disciplinary Regulations for Members of the Indonesian National Police, then in Perkap No. 14 of 2011 concerning the Police Professional Code of Ethics. So, if a member of the Police commits a violation or a criminal act, they will undergo a law enforcement process against members of the Police and receive three types of justice, namely a general court trial, a disciplinary court session, and a code of ethics trial.

Thus ethics is a reflection of what is called self-control which is made and applied from and for the benefit of the social group (profession) itself. Because of that, it can be

concluded that a profession can only gain the trust of the public, if within the professional elite there is a strong awareness to heed professional ethics when they want to provide professional expertise services to people who need them.

A Review of Siyasa Fiqh Against the Implementation of Police Administration Involved in Drug Abuse

The term police that applies in Indonesia comes from the term "politie" which is used in the Netherlands. The police are defined as government agencies whose job is to maintain security and public order (such as arresting people who violate the law, and so on). In Indonesia, the police are state organs whose job is to maintain public order and security. Meanwhile, according to Siyasa Syar'iyah's perspective, the Police is known as the Muhtasib institution. Muhtasib is one type of supervisor and controller of public order like the police in Indonesia. The task of the muhtasib is amar ma'ruf nahi munkar (Fitri, 2012). In law enforcement, hisbah institutions function as security officers, entering the field of amar ma'ruf nahi munkar (Mujahidin, 2017). This task is one of the tasks that must be carried out by the ruler. Therefore, the ruler or government must appoint people who are deemed suitable and capable to carry out this task. The argument that requires the existence of this hisbah institution is QS. Ali 'Imran (3): 104 reads:

Amen. نَهَوْنَ عَنِ الْمُنْكَرِ وَأُولَئِكَ هُمُ الْمُفْلِحُونَ

"And let there be a group of people among you who call for good, order what is good and forbid what is evil. They are lucky people.

The task of the hisbah institution is to oversee actions that are contrary to positive law and moral norms. Among them are ordering people to perform the five daily prayers on time and imposing sanctions on people who do not perform their prayers by being caned. In addition, the muhtasib is in charge of ordering people to tell the truth and truth, fulfilling mandates and preventing evil, such as controlling trade so that there are no frauds committed by market traders (Iqbal, 2014).

Muhtasibis a supervisory and controlling agency. He is a law enforcement tool, so he can impose sanctions on someone if that person has actually violated the applicable law or *ijma'* regarding the prohibitions of these actions (Mujahidin, 2017).

From this explanation it appears that although the police in Islam and the National Police have almost the same duties, namely as law enforcers and security guards and order in society. However, because the law enforced by the police in Islam is Islamic law which covers all aspects of people's lives, both *muamalah* and *ubudiyah*, the scope of responsibility of the police in Islam is wider than that of the Police.

So, if there is evil in society, the muhtasib is obliged to reprimand him. In Indonesia there is an institution that handles order and security also under the name of the police as regulated in Law no. 2 of 2002 concerning the police states: "That the police have the duty to carry out arrangements, patrols, escorts maintain security and public order, provide protection, protection, service to the community and participate in fostering national law".

According to the preventive theory of the role of the police which has been regulated in a special law concerning the police which is regulated in law No. 2 of 2002 in article 2 that the function of the police is one of the functions of the state government in the

field of maintaining security and public order, law enforcement, protection, protection , and service to the community.

According to the researcher, article 2 is in line with the muhtasib's role, namely overseeing trade order and public security. And according to the repressive theory in article 14 paragraph 1 letter G of Law Number 2 of 2002 that one of the roles of the police is as an investigator, including investigating cases related to drugs. In contrast to the muhtasib, whose duties are broader, not only related to things that are forbidden by religion, such as: khamr, gambling, drugs, and all things that are intoxicating. But also, something that is ordered by religion such as prayer orders, zakat, and other things related to *Amar Ma'ruf Nahi Munkar*.

Drugs are not mentioned directly in the Qur'an or in the hadiths. What is directly mentioned in the Qur'an is only in the term khamr. However, in the theory of ushul fiqh, if there is a law whose status has not yet been determined in the Shari'a, then the qiyas method (legal analogy) can be used (Afifah, 2017). Drugs are approved as khamr and all kinds of them are clearly and explicitly forbidden in the Al-Quran, but illegal drugs such as narcotics are not mentioned in the Al-Quran and Hadith. In Islam, narcotics and illegal drugs such as cannabis, heroin and so on are referred to as mukhaddirat and the ulema define mukhaddirat law as khamr law.

Khamris anything that closes the mind and interferes with consciousness, then narcotics are included in the scope of the definition of khamr because narcotics can confuse, close and remove the mind from its character which can distinguish between things and is able to determine something. So basically the muhtasib prohibits khamr, the significance of which is that the muhtasib also prohibits drugs.

Islam pays so much attention to maintaining the protection of life for each individual, it also provides guarantees for security and what is needed in life which is the main goal of Islamic law. When all kinds of what we need during life cannot be guaranteed, it will cause chaos in the five very important needs, namely primary needs (*dharuriyah*).

Narcotics abuse violates the rules that have been set, both against the rules in positive law and in violation of the rules in Islamic law. Islamic law has a goal, namely the goal to maintain and protect religion, soul, mind, lineage and property. For someone who abuses narcotics, can be classified against all the protections above that have been mentioned. Narcotics abuse certainly has harmful effects on life and the effects will directly arise from this abuse. The resulting effects include causing damage to the body and mind, which can potentially cause loss of belief in religion and loss of property caused by addiction and dependence on narcotics use.

So based on the researcher's analysis that the efforts of the police are with the muhtasib institution, in which the police only regulate and implement normative laws that apply in Indonesia. Meanwhile, the muhtasib institution has a role to maintain and regulate society so that it is in accordance with the guidance of Islamic law. Besides that, the muhtasib also prohibits khamr, so the muhtasib also prohibits drugs.

One of the importance of this research is to find out the views of *siyasah syar'iyah* on the police's efforts to eradicate drug abuse among members of the Bengkulu Regional Police. The efforts of the police in eradicating drug abuse in the community have quite an important meaning in efforts to overcome and overcome drugs in the community. By knowing the efforts or steps of the police in following up on drug cases, we can also find

out what efforts should be made to prevent drug abuse from increasing in the Bengkulu Regional Police. Therefore professionalism and policies must be upheld for police personnel as in the rules of *fiqhiyyah* in the field of politics or *Siyasa* states:

Any policy that benefits or benefits the people. So, that's what must be planned, implemented, organized, and assessed or evaluated its progress. Instead, policies that bring *mafsadah* and harm the people, that is what must be removed and shunned.

Islam provides solutions to drug abuse in a very broad and comprehensive manner. Both the law on drug abuse for treatment, as well as criminal provisions related to drugs. Be it drug producers, distributors or distributors, users, couriers, sellers, customers, payments or users of sales proceeds. In addition, those who use drugs are whipped 40 to 80 lashes. If there have been 4 cases, then the fourth time he was sentenced to death (killing). If the law user is strict and severe like that, moreover the manufacturer of the punishment is the death penalty (Arif, 2004).

In Islam has a goal for the benefit of human life, spiritually and physically, as well as individually or socially. We can conclude from the statement above that Islam has a legal purpose which is so suggestive to always do good deeds or actions, and also stay away from bad deeds such as committing crimes, so that Muslims do not become *fasiq*. As we know that a person who is *fasiq* is a person who violates reality, commits immorality, and also commits a grave sin. For example, by abusing narcotics, which have a lot of negative effects, it is highly recommended to tackle narcotics abuse and prevent narcotics abuse.

Drugs as a crime and a threat to all levels of society and even the state, should be handled properly and correctly.

Thus it can be concluded that *siyasa syar'iyah* is the provision of wisdom in managing state affairs based on *sharia*. Therefore *siyasa syar'iyah* aims to treat general problems in Islamic government in order to create benefits and avoid harm.

In addition, researchers can conclude that Islam prohibits abusing narcotics, because narcotics are dangerous substances and can also cause death. Narcotics have a bad impact on human life. Humans as God's creatures were created in the best form, therefore we must preserve, guard, protect what God has given. Such as protection against *hifdz al-din* (safeguarding religion), *hifdz al-aql* (safeguarding the mind), *hifdz an-nasl* (protecting offspring), *hifdz an-nafs* (guarding the soul) and *hifdz al-maal* (safeguarding property). If we abuse narcotics, then we will destroy the five essentials for life.

Conclusion

Administrative implementation, especially in fostering police officers in enforcing the law against members of the police who commit or abuse drugs in the field of service, enforcement of discipline, order and internal security, has been going well, law enforcement has been carried out but has not been optimal, marked by there is drug abuse by police officers, while efforts to prevent drug abuse by members of the police are carried out by carrying out activities related to religion, increasing supervision in terms of the discipline of members of the police, and imposing strict sanctions on individuals who abuse drugs.

In a review of *siyasa syar'iyah fiqh*, the efforts of the police in taking action against members who are involved in drug abuse are in accordance with Islamic values, namely

imposing disciplinary punishment and trial of the police code of ethics which aims to bring benefit to members of the police, Polri institutions and the community as well as prevent future harm.

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