

Analysis of the Drug-Free Village Program from the Perspective of Progressive Law in Law Enforcement

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Abstract

ARTICEL INFO

Articel history:

Received 27, 06, 2026

Revised 01, 08, 2026

Accepted 02, 09, 2026

Available online December
12, 2026

Keywords: *The Drug Clean Village Program, Progressivity, Enforcement of Justice.*



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The Drug-Free Village Program (Desa Bersinar) is an initiative of the National Narcotics Agency of the Republic of Indonesia (BNN RI) aimed at preventing and eradicating narcotics abuse and illicit trafficking within communities. However, the program's implementation requires further examination regarding regulatory developments, the effectiveness of law enforcement, and the fulfillment of justice principles for all segments of society. This study aims to analyze the trajectory of legal development and the administration of justice in the implementation of the Desa Bersinar Program, based on prevailing laws and regulations. The study employs a normative-juridical method, utilizing both the statute approach and the conceptual approach. The findings indicate that the *Desa Bersinar* Program should be understood not merely as an effort to prevent and eradicate narcotics, but also within the context of legal reform—encompassing regulatory refinement, the strengthening of law enforcement mechanisms, and the application of justice principles. Consequently, legal reform is essential to ensure that narcotics eradication policies are implemented effectively, proportionately, and with a focus on justice for the community.

INTRODUCTION

Indonesia continues to face serious challenges in addressing narcotics abuse and illicit drug trafficking. Although narcotics have legitimate functions in medical treatment, health services, and scientific development, their misuse can cause dependence and significant harm to individuals and society. Indonesian law recognizes this dual character by emphasizing that certain narcotics are necessary for medical purposes while, at the same time, requiring strict control to prevent abuse and illicit circulation (Republic of Indonesia, 2009). The problem has become increasingly complex because narcotics trafficking involves organized networks, evolving modes of distribution, and the use of technology, all of which create serious risks to public health, social order, and national development.

The urgency of the problem is reflected in national prevalence data. The National Narcotics Board reported that the prevalence of drug abuse in Indonesia increased from 1.73 percent in 2023 to 2.11 percent in 2025, equivalent to approximately 4.15 million people aged 15–64 years (National Narcotics Board of the Republic of Indonesia [BNN RI], 2026). The spread of narcotics is no longer concentrated only in urban areas but has increasingly reached rural communities and vulnerable groups, including workers, women, and economically disadvantaged populations. This situation demonstrates that drug abuse and trafficking should not be viewed solely as criminal justice issues, but also as social problems that require prevention, community participation, rehabilitation, and effective law enforcement.

One of the government's preventive strategies is the establishment of the *Desa Bersih Narkoba* or *Desa Bersinar* program. *Desa Bersinar* is a village- or urban-village-level program in which activities related to the Prevention and Eradication of Drug Abuse and Illicit Trafficking (*Pencegahan dan Pemberantasan Penyalahgunaan dan Peredaran Gelap Narkotika* or P4GN) are implemented intensively through the participation of communities, village governments, local governments, non-governmental institutions, and other stakeholders (BNN RI, n.d.). The program emphasizes community participation because villages constitute an important social environment in which families, young people, religious leaders, community leaders, and local government interact directly. Therefore, strengthening the capacity of villages to prevent narcotics abuse is an important component of the national strategy against illicit drug trafficking.

The relevance of this program can be observed in Beleka Daya Village, Praya Timur District, Central Lombok Regency. In January 2025, a joint operation involving the West Nusa Tenggara Regional Police, Central Lombok Police, and the Indonesian National Armed Forces was conducted in Beleka Daya, which

had been identified as an area vulnerable to narcotics trafficking. The operation resulted in the detention of 25 people, consisting of 17 men and eight women. Three of them were identified as operational targets suspected of selling narcotics and providing places for methamphetamine consumption, while evidence including methamphetamine, drug-use equipment, cash, weapons, mobile phones, and vehicles was confiscated (West Nusa Tenggara Regional Police, 2025). This case demonstrates that narcotics trafficking at the village level may involve various social groups and therefore cannot be addressed solely through repressive law-enforcement measures.

The condition in Beleka Daya also demonstrates the importance of preventive and community-based approaches. Drug trafficking may develop in an environment influenced by economic vulnerability, unemployment, social networks, and limited community resilience. In such circumstances, the implementation of the Desa Bersinar program becomes important because prevention cannot depend exclusively on the police or the National Narcotics Board. It requires the involvement of village officials, religious leaders, youth organizations, families, community figures, and other local actors. The Desa Bersinar model itself emphasizes that P4GN activities should be planned, implemented, and evaluated through cooperation between the community and government institutions (BNN RI, n.d.). Therefore, socialization, education, community empowerment, and local participation become essential instruments for strengthening community resistance to narcotics abuse and trafficking.

Nevertheless, prevention programs must operate alongside effective law enforcement. Law plays an important role in regulating the legitimate use of narcotics, preventing illicit trafficking, imposing sanctions on offenders, and providing mechanisms for treatment and rehabilitation. Law Number 35 of 2009 on Narcotics regulates not only criminal sanctions, but also prevention, treatment, rehabilitation, supervision, investigation, prosecution, and community participation (Republic of Indonesia, 2009). Consequently, narcotics law enforcement should not be understood merely as the imposition of punishment, but as part of a broader legal policy aimed at protecting society while also addressing the social and human dimensions of narcotics problems.

This perspective is closely related to Satjipto Rahardjo's concept of progressive law. Progressive law is based on the principle that law exists for human beings and should therefore serve human dignity, justice, and social welfare rather than become trapped in rigid formalism. Rahardjo argues that law should remain responsive to social change and should not be treated as an end in itself, but as an instrument for achieving substantive justice (Rahardjo, 2005; Rahardjo, 2009). From this perspective, law enforcement officials are not merely expected to apply legal provisions mechanically. They are also required to

interpret and enforce the law in a manner that responds to social realities and promotes justice for the community.

The principle that “law is for human beings” is particularly relevant to narcotics cases because offenders may occupy different positions within narcotics networks. Some actors may function as major dealers or distributors, while others may become involved because of economic pressure, social vulnerability, addiction, or environmental influence. A purely formal and punitive approach may therefore be insufficient to respond to the complexity of narcotics problems. Progressive law requires law enforcement to examine the social circumstances surrounding each case while remaining committed to the purposes of law, namely justice, public protection, and human welfare (Rahardjo, 2009; Rahardjo, 2010).

The role of law-enforcement officials is therefore crucial. Integrity, responsibility, social sensitivity, and commitment to the public interest are important elements in the implementation of progressive law. According to Rahardjo, progressive law enforcement does not necessarily reject existing legal rules; rather, it seeks to interpret and apply those rules in ways that produce substantive justice and respond to changing social realities (Rahardjo, 2005). This approach is particularly important in the context of narcotics enforcement, where technological development, new methods of distribution, and changing social conditions continuously create new challenges.

Based on these conditions, the narcotics problem in Beleka Daya Village cannot be understood merely as an issue of criminal conduct or law enforcement. It also involves economic, social, environmental, and community factors that influence the emergence and persistence of narcotics trafficking. Therefore, the implementation of the Desa Bersinar program and the enforcement of narcotics law need to be examined within a framework that combines legal certainty, community prevention, and substantive justice. In this context, Satjipto Rahardjo’s progressive law provides an important analytical perspective for assessing whether law enforcement and community-based prevention in Beleka Daya are capable of responding to social realities while still achieving the objectives of narcotics control, public protection, and justice.

METHOD

This study employs a normative juridical research method, which focuses on examining legal norms, principles, doctrines, and statutory regulations relevant to the prevention and control of narcotics abuse and illicit trafficking. The approaches used are the statute approach and the conceptual approach. The statute approach is applied by examining laws and regulations concerning narcotics, the authority of the National Narcotics Board (BNN), cooperation between government institutions, and the implementation of the *Desa Bersih*

Narkoba or *Desa Bersinar* program. Meanwhile, the conceptual approach is used to analyze the implementation of narcotics prevention and law enforcement from the perspective of Satjipto Rahardjo's progressive law, particularly regarding the principle that law should serve human beings, substantive justice, social protection, and community welfare (Marzuki, 2017; Rahardjo, 2009).

The legal materials used in this study consist of primary, secondary, and tertiary legal materials. Primary legal materials include Law Number 35 of 2009 concerning Narcotics, relevant government regulations, regulations of the National Narcotics Board, and other statutory regulations related to narcotics prevention, law enforcement, rehabilitation, community participation, and the *Desa Bersinar* program. Secondary legal materials consist of books, scientific journals, research reports, and scholarly articles, while tertiary legal materials include legal dictionaries, encyclopedias, and other supporting references (Soekanto & Mamudji, 2015). The legal materials are collected through library research by identifying, classifying, and examining relevant legal sources. The collected materials are then analyzed qualitatively using descriptive and prescriptive legal analysis to systematically describe the applicable legal framework and assess whether its implementation is consistent with legal principles, progressive law, substantive justice, and the objectives of narcotics control.

RESULT AND DISCUSSION

The Drug-Free Village Program and the Strengthening of Law Enforcement

The Drug-Free Village Program—known as **Desa Bersinar**—represents a government initiative to bolster efforts in preventing and eradicating narcotics abuse and illicit trafficking through the active involvement of the community and village government. This program positions the village as a strategic setting for building community resilience against the threat of narcotics. Its implementation requires coordination among the National Narcotics Agency (BNN), local governments, village administrations, law enforcement agencies, and the community. The involvement of village government is also linked to its authority regarding village administration and community development, as stipulated in Law Number 6 of 2014 concerning Villages (Republic of Indonesia, 2014). Thus, *Desa Bersinar* is not merely a prevention program; it also serves to strengthen community participation in creating a safe and orderly environment.

From a legal perspective, the program's success cannot be measured solely by the execution of awareness campaigns or narcotics prevention activities. Evaluations must also consider the effectiveness of regulations, the consistency of law enforcement, public access to justice, and the protection of groups vulnerable to narcotics abuse. Fundamentally, law enforcement is the process of realizing the values of justice, legal certainty, and utility through the application

of regulations within society. Therefore, the success of law enforcement is determined not only by the existence of regulations but also by the quality of implementing officials and the level of public compliance.

Lawrence M. Friedman explains that a legal system consists of three primary elements: legal structure, legal substance, and legal culture. Legal structure encompasses the institutions and officials that administer the law; legal substance comprises the prevailing norms and rules; and legal culture relates to the values, attitudes, and orientations of the community toward the law (Friedman, 1975). This framework can be utilized to analyze the implementation of Desa Bersinar in a more comprehensive manner. In terms of structure, coordination and integrity among law enforcement officials are essential. Regarding substance, clear and consistent regulations are required. Meanwhile, regarding legal culture, public awareness is needed to prevent narcotics abuse and to foster participation in efforts to combat it.

Issues arise when the implementation of the law fails to align with the principles of justice that should underpin law enforcement. Inconsistent application of rules to cases with similar characteristics can raise questions regarding legal certainty and equality before the law. Similarly, allegations of involvement by individual officers in narcotics abuse or trafficking must be addressed through transparent investigation and accountability mechanisms. However, such issues must be substantiated by reliable data and sources rather than being generalized to characterize the entire law enforcement apparatus.

Advancements in digital technology also present new challenges for narcotics eradication efforts, particularly regarding communication, transaction, and distribution patterns that exploit digital networks. This situation necessitates enhanced investigative capabilities, strengthened inter-agency coordination, and policy adjustments that keep pace with the evolution of criminal activity. Nevertheless, policy reform need not always be interpreted as the creation of new regulations; evaluating the implementation of existing rules, strengthening oversight, and improving the quality of law enforcement are also vital components of legal system reform.

Narcotics Law Enforcement and the Principle of Justice

Law enforcement regarding narcotics offenses must take into account the differing characteristics of offenders, the nature of the acts committed, the level of involvement, and the legal circumstances of each case. Traffickers who profit from the illicit narcotics trade cannot simply be equated with users suffering from dependency or victims of narcotics abuse. This distinction is crucial to ensure that the imposition of sanctions is not solely oriented toward punishment but also considers the objectives of public protection and the rehabilitation of individuals requiring medical or social intervention.

Law Number 35 of 2009 concerning Narcotics establishes criminal provisions while simultaneously allowing for rehabilitation under specific circumstances. Article 103 empowers judges to order narcotics addicts to undergo medical treatment and/or care through rehabilitation—whether as part of a criminal judgment or in instances where an addict is not proven guilty of a narcotics offense. Meanwhile, Article 127 outlines criminal provisions for individuals who abuse narcotics for personal use, while also addressing the possibility of rehabilitation in accordance with applicable regulations (Republic of Indonesia, 2009, Articles 103 and 127).

These provisions demonstrate that the handling of narcotics cases should not rely exclusively on an incarceration-based approach. The determination of the appropriate course of action must be grounded in legal facts, examination findings, the level of involvement, and statutory regulations. Furthermore, rehabilitation cannot be automatically applied to every individual involved in a narcotics case, as its implementation must satisfy relevant legal requirements. Thus, achieving justice in narcotics cases demands precision in identifying each individual's legal status and consistency in the application of the law.

In practice, issues may arise when narcotics abusers are processed under provisions that focus primarily on the possession or control of narcotics, without giving adequate consideration to the specific characteristics of their actions. Therefore, the processes of investigation, prosecution, and court proceedings must be conducted based on evidence, the elements of the criminal offense, and the facts revealed in the case. Any discrepancy between the factual circumstances and the applied legal provisions requires analysis through court rulings, case documents, and relevant laws. Without empirical data, the assertion that substance abusers are invariably sentenced to imprisonment cannot be regarded as a proven conclusion.

The principle of justice also demands equal accountability for everyone before the law, including law enforcement officials found to have committed violations. The integrity of these officials is a crucial component of the judicial system's legitimacy. Consequently, internal and external oversight, public complaint mechanisms, and the enforcement of disciplinary or criminal sanctions—commensurate with the nature of the violation—must be consistently implemented. This approach aligns with Friedman's legal system framework, which identifies legal structure as a key element in determining the effectiveness of legal implementation (Friedman, 1975).

Progressive Law in Handling Narcotics Cases

Progressive law offers the perspective that law should not be understood merely as a set of written norms, but also as an instrument for realizing justice and human well-being. Satjipto Rahardjo emphasized that the law must be

oriented toward human interests and should not stop at the formal application of rules if such application disregards the law's humanitarian purpose (Rahardjo, 2009). In the context of handling narcotics cases, this perspective is relevant for evaluating whether legal processes appropriately distinguish between illicit trafficking offenders, substance abusers, addicts, and victims of substance abuse.

Applying the progressive law perspective does not mean disregarding statutory regulations or granting law enforcement officials unlimited discretion. Instead, this approach encourages the application of law in a manner that is meticulous, contextual, and justice-oriented, while remaining grounded in positive law. Sentencing must take into account the offender's culpability, the severity of the offense, the need to protect the public, and the potential for rehabilitation. At the same time, enforcement actions against illicit narcotics trafficking networks must continue to be carried out firmly in accordance with applicable legal provisions.

Within this framework, narcotics law reform needs to focus on enhancing consistency between regulations and law enforcement practices. Reforms can be achieved through the evaluation of sentencing policies, capacity building for officials, strengthened oversight, and improved inter-agency coordination. Furthermore, legal policies must take into account changing patterns of narcotics trafficking, including the use of digital technology. These measures should be grounded in research, case-handling data, and policy evaluations to ensure that reform proposals are not merely normative but also address actual issues encountered in practice.

Thus, progressive law can serve as an analytical framework for assessing the alignment between the application of narcotics laws and the objectives of justice. A humanitarian orientation does not eliminate criminal liability; rather, it encourages the handling of cases in a proportionate manner. For the *Desa Bersinar* (Shining Village) Program, this perspective implies that drug prevention efforts must be accompanied by access to legal information, appropriate rehabilitation services, community participation, and accountable law enforcement mechanisms. The program would be more meaningful if it could link village-level prevention with a fair and effective case-handling system.

Rehabilitation and Restorative Justice in Handling Narcotics Cases

Rehabilitation is a mechanism for addressing narcotics abuse that aims to restore an individual's health and social functioning in accordance with their needs and legal provisions. In this context, a rehabilitative approach must be distinguished from enforcement actions taken against perpetrators of illicit narcotics trafficking. Addicts and victims of narcotics abuse may require medical or social intervention, whereas illicit trafficking offenders must be processed

based on their specific roles and actions. This distinction is crucial to ensure that narcotics management policies do not overlook public health aspects while simultaneously protecting society from narcotics-related crime (Republic of Indonesia, 2009, Articles 103 and 127).

Restorative justice is a case resolution approach that emphasizes restoration, accountability, and the involvement of interested parties, tailored to the specific characteristics of the case. Within the Indonesian judicial system, its application is grounded in policy frameworks, such as the Decree of the Director General of the General Courts Agency Number 1691/DJU/SK/PS.00/12/2020 regarding Guidelines for the Implementation of Restorative Justice within the General Courts (Directorate General of the General Courts Agency, 2020). However, applying a restorative approach to narcotics cases does not imply that all cases can be resolved outside the judicial process or that criminal sanctions can always be substituted with rehabilitation. Implementation must adhere to applicable requirements, jurisdictional authority, and legal provisions.

A restorative approach to narcotics abuse cases should focus on identifying rehabilitation needs, assessing the individual's condition, and determining a form of intervention that complies with the law. If implemented appropriately, such an approach has the potential to support individual recovery and mitigate the social impact of narcotics abuse. Nevertheless, its effectiveness must be assessed based on data regarding access to rehabilitation, recovery success rates, rates of reoffending, and the consistency of policy implementation. Therefore, claims that restorative justice directly reduces the number of narcotics users or alleviates prison overcrowding must be supported by empirical research.

The implementation of restorative justice also faces challenges such as differing understandings among officials, issues with inter-institutional coordination, the availability of rehabilitation facilities, and the monitoring of decision implementation. Addressing these issues requires clear guidelines, inter-agency coordination, and transparent evaluation mechanisms. Law enforcement officials must ensure that the application of a restorative approach does not become a means to evade criminal liability, particularly for parties involved in illicit narcotics trafficking. Instead, this approach should be positioned proportionately as one of several legally compliant instruments for case handling.

Consequently, legal reform regarding narcotics management cannot simply focus on increasing criminal penalties. Reform must also encompass the refinement of rehabilitation policies, improvements in the quality of law enforcement, strengthened oversight of officials, and expanded public access to

prevention and recovery services. A progressive legal perspective can serve as a basis for evaluation to ensure that law enforcement remains oriented toward justice and humanity without disregarding legal certainty (Rahardjo, 2009). In the context of the *Desa Bersinar* (Shining Village) Program, this approach needs to be integrated with community empowerment, early detection, public awareness initiatives, and the facilitation of rehabilitation, as outlined in Minister of Home Affairs Regulation Number 12 of 2019 (Ministry of Home Affairs of the Republic of Indonesia, 2019).

CONCLUSIONS

The Drug-Free Village Program (Desa Bersinar) is an initiative by the National Narcotics Agency of the Republic of Indonesia (BNN RI) aimed at preventing and eradicating narcotics abuse and illicit trafficking within communities. The implementation of this program involves not only prevention and eradication efforts but also requires analysis from the perspectives of regulatory evolution, the effectiveness of law enforcement, and the fulfillment of justice principles for all segments of society. This study aims to analyze legal developments and the administration of justice in the implementation of the Desa Bersinar Program, based on applicable laws and regulations. The study employs a normative-juridical method, utilizing both the statute approach and the conceptual approach.

The research findings indicate that the Desa Bersinar Program requires support from a comprehensive legal framework so that its implementation extends beyond mere prevention and eradication activities to foster just law enforcement. Developing the program entails evaluating regulations, strengthening law enforcement mechanisms, and applying principles of justice when addressing narcotics-related issues at the village level. Consequently, legal reform is a crucial aspect of aligning narcotics eradication policies with community needs and principles of justice. Thus, the Desa Bersinar Program is expected to contribute not only to creating an environment free from narcotics abuse and illicit trafficking but also to establishing a law enforcement system that is effective, proportionate, and oriented toward social justice.

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