2023
A new decade for social changes

Technium
Social Sciences
A Study of Drug Abuse Prevention and Law Enforcement in Indonesia From The Perspective of Social Control and Neurocriminology

Utari Dwi Pratiwi1*, Margaretha Hanita2, Kurniawaty Iskandar3
School of Strategic and Global Studies, University of Indonesia.

utari.dwi11@ui.ac.id

Abstract. Indonesia as a good market and good price, meaning that Indonesia is considered a good market and also has good business prospects for the circulation of these prohibited goods. Drug cases during the COVID-19 pandemic have increased significantly. Drug dealers take advantage of the momentum of the COVID-19 pandemic by distributing drugs in Indonesia. Innovation is needed in the current narcotics problem. This research aims to describe the situation and conditions of drug abuse in Indonesia during the COVID Pandemic, the criminalization of drug abuse in the perspective of neurocriminology and the prevention of drug abuse in the inherent supervision of the community. The writing method uses a qualitative method with a literature study model. The results show that neurocriminology can be used in sentencing drug abusers for rehabilitation while social control theory can be used in prevention efforts involving the community.

Keywords. Neurocriminology, Social Control, Drug Abuse, Covid 19

1. Introduction

1.1. Background

The problem of illegal drugs has recently made countries in the world become worried and restless. This concern and unrest is based on at least 271 million people around the world with an age range between 15 and 64 years or 5.5% of the global population recorded by the United Nations Office on Drugs (UNODC) known to have consumed drugs. Drug cases in the COVID-19 pandemic have increased significantly. According to Metro Jaya Police Chief Inspector General Nana Sudjana (in Natalisa et al., 2020) said, in April the number of cases increased by 120% compared to March 2020. Drug dealers are taking advantage of the momentum of the COVID-19 pandemic by distributing drugs in Indonesia. The dealers estimate that the police are focusing on COVID-19 prevention efforts. According to Sumirat (in Putranto, 2015), who is a public relations officer at National Narcotics Board Republic of Indonesia (BNN), Indonesia is a good market and good price, meaning that Indonesia is considered a good market and also has good business prospects for the distribution of illicit goods.

The government has issued several policies and programs to prevent and eradicate drug abuse. One of them is the "National Movement for the Rehabilitation of 100,000 Victims of
Drug Abuse”, which aims to reduce the number of drug users. Rehabilitation efforts are carried out by the Ministry of Social Affairs and the Ministry of Health. The Ministry of Social Affairs deals with social rehabilitation for victims of drug abuse, while the Ministry of Health deals with medical rehabilitation for victims of drug abuse. BNN in this case plays a role in prevention efforts and links to the legal aspects of drug abusers. This is because the prevention and handling of drug abuse cannot be done by one leading sector ( Saputra, 2017). Meanwhile some drug abusers must imprisoned, Spohn & Holleran (in Christiana, 2023) written that imprisoned drug offenders are evidence that incarceration has a greater crime-inducing effect comparison of drug offenders with other offenders. Imprisonment therefore does not prevent criminal offenses from occurring in drug cases. Imprisonment of drug offenders has no particular deterrent effect. In fact, drug offenders sentenced to prison have a higher risk of reoffending.

There needs to be cooperation from various parties, both government and private, to reduce the number of crimes caused by drugs. In addition, various disciplines are expected to solve the drug problem in Indonesia. As a science, criminology uses social factors to explain the etiology of antisocial behavior, but in recent years there has been increasing evidence that biology is also needed when studying antisocial consequences ( Jorgensen et al., 2016). Fields of study that study genetics, biology, neuroscience, and the social impacts of antisocial behavior and the crime of drug use (and abuse) are examples of how these two disciplines overlap ( Jorgensen et al., 2016).

Drug abuse is a crime. Biological and social factors greatly influence it ( Volkow & Fowler, 2000). This is closely related to other forms of antisocial behavior (Karberg & James in Jorgensen et al., 2016). We need to understand how biology influences individual behavioral differences, to know the impact of biology on substance abuse and crime. Neuroscientists understand this connection as research increasingly uncovers how biology and the environment change brain function, and how brain function influences our behavior ( Jorgensen et al., 2016).

Criminology would benefit from examining some basic principles of neuroscience and their relationship to practical problems in criminology ( Jorgensen et al., 2016). Kent Kiehl is a psychologist who has devoted his career to identifying the neural correlates of psychopathy using functional magnetic resonance imaging (fMRI) (Fallin et al., 2018). By bringing together prisoners and fMRI technology, Kiehl hopes to show exactly how the psychopathic brain functions differently from the 'normal' brain, and how these dysfunctional neural pathways produce the antisocial behavior that leads to criminality (Seabrook in Fallin et al., 2019). Kiehl’s research is characteristic of neurocriminology, or the scientific study of the "neural basis of crime" ( Raine in Fallin et al., 2019). Neurocriminology is part of a broader research program called "biosocial criminology" that examines "biological correlates of antisocial behavior" and "innate predispositions to criminal behavior" (Nodstrom in Fallin et al., 2019). Neurocriminology adapts neuroscience methods, particularly the use of fMRI, to make claims about crime, deviance and aggression. It is an interdisciplinary scientific field consisting of researchers from various disciplines, who "apply techniques and principles from neuroscience to improve our understanding of crime" (Glenn and Raine in Fallin et al., 2019). In his research, Jorgensen provides an understanding of brain imaging techniques and their value in contemporary neuroscience and criminological research. He explains how drugs affect the brain and examines the extent to which neuroscience and genetics influence current models of addiction. Research conducted on biological factors so far has largely shown that they can help predict future crime and violence. Jorgensen also attempts to summarize the writing on drug abuse sentencing in the perspective of neurocriminology ( Jorgensen et al., 2016).
In addition to biological factors in criminology viewed from a neurocriminology perspective, the phenomenon of drug abuse behavior can be viewed from social control theory. Ross (Henry et al., 2019) defines social control as: "social domination that is 4 intended and that fulfills a function in people's lives". Ross sees social control as being exercised both formally by government instruments on behalf of society, and informally by spontaneous institutions that serve social interests. He sees society as a living organism and social control as one way of maintaining itself as alive and healthy. According to Kusumastuti et al. (2017), cases that occur in the abuse of narcotics, psychotropic drugs, and other addictive substances (NAPZA) become complex cases that arise not only from one factor. These complex factors consist of internal and external factors. Internal factors concern the individual as a person (personality). Internal factors include knowledge, attitude, self-efficacy, sensation seeking, and have been studied by Afiatin (2008); Gatins & White (2006); Gerra, et al. (2004); Hadad, Shotar, Umlauf, & Al-Zyoud (2010); and Puente, Gutierrez, Abella'n, & Lopez (2008). While external factors include: relationships with peers, family conditions, at school, in the neighborhood, and have been studied among others by Akers, et al. (1979); Akers, et al. (2007); Barnes, et al. (2006); Calafat, et al. (2008); Connel, et al. (2010); Davis, et al. (2004); Dishion, et al. (1999); Drapela (2006), Fleming, et al. (2010); and Kaplow, et al. (2002). To carry out social control of illicit drug trafficking does not only rely on government agencies working, but needs massive cooperation between the government and the community. The community must be the target of drug abuse prevention efforts so that citizens or individuals in it can understand and understand the dangers of drug abuse. In prevention efforts, it will be very effective if parents join and cooperate with other parents in the neighborhood, both to communicate, disseminate correct information, and gain the necessary skills in educating children properly and preventing drug abuse (BNN in Putranto, 2015). Social control, in a broad sense, is a means of encouraging, persuading, or forcing individuals to conform to the norms, rules, and laws of society (Henry et al., 2019). This attitude is expected to be an effort in preventing drug abuse under the inherent supervision of the community.

1.2. Theoretical Background

1.2.1. Neurocriminology as a perspective

Research in neuroscience, particularly neurocriminology, has searched for neurobiological markers that appear to be associated with an individual's predisposition to antisocial behavior. In particular, neurocriminology studies have identified certain brain traits (structurally and functionally) that have been identified over the last two decades (Coppola, 2018). Neurocriminology is a nascent interdisciplinary scientific field that has gained credibility through its association with neuroscience, while at the same time remaining a "fringe field of study" within criminology (Rocque and Posick, 2017). The claims of biosocial criminology, of which neurocriminology is a part, are met with skepticism by mainstream criminologists, whose research emphasizes sociological explanations for crime and deviance. As such, many leading researchers in the field of biosocial criminology have complained about the marginalization of their research within mainstream criminology (Rocque and Posick, 2017). Neuroscientists have responded to this position by capitalizing on the cultural popularity of neuroscience, generating knowledge claims that emphasize the neurological dimensions of crime to position themselves in opposition to mainstream criminology (O'Connor et al., 2012).

Based to neurocriminologists, early detection of neurobiological traits related to certain antisocial tendencies can be used to improve the accuracy of calculating a person's likelihood of committing or repeating an offense, thus predicting and preventing criminal behavior.
There are three main areas of neurocriminological research that clearly define how certain neurobiological traits may increase the risk of developing criminal or antisocial behavior. First, there are neurocriminological insights that help predict future criminal behavior by increasing the predictive value of existing risk assessment methods such as actuarial tools. Second, findings in the neurocriminology literature can influence perceptions of how criminal behavior is punished. Third, neurocriminology research can lead to the development of better ways to be able to treat or intervene in abusive and antisocial behavior before or after criminal behavior occurs (Brisman, et al., 2017).

1.2.2. Social Control or Control Theory

Edward A. Ross (Henry et al., 2019) sees social control as a way to shape individuals' desires and feelings to fit the needs of the group. He says this is partly achieved through "social influence" and partly through "social control," which he describes as deliberate and conscious group power over individual goals and actions. Ross defines social control as: "social domination that is intended and that fulfills a function in people's lives". Ross sees social control as being exercised both formally by government instruments on behalf of society, and informally by spontaneous institutions that serve social interests. He sees society as a living organism and social control as one way of maintaining itself as alive and well. In discussing the foundations of social control, Ross was the first to distinguish between internal control exercised within the individual, which can produce a temporary natural order, and external control which produces an artificial social order.

According to sociologist James J. Chriss (Henry et al., 2019), social control, since the 1920s, has become:

"a general concept to describe all sorts of activities involving the coordination, integration, regulation or adjustment of individuals or groups to some ideal standard of behavior ... synonymous with regulation”.

He characterizes social control into three categories: informal, medical, and formal or legal control, as follows:

- **Informal**: Affects interpersonal relationships;
- **Medical**: Changing human behavior using medicine, psychology, psychiatry;
- **Formal/Legal**: Enforce the law and punish offenders.

1.3. Method

This writing method includes qualitative research. Sugiyono describes qualitative research methods as research methods used to research on natural object conditions, (as opposed to experiments) where the researcher is the key instrument, data collection techniques are triangulated (combined), data analysis is inductive, and qualitative research results emphasize meaning rather than generalization (Sugiyono, 2020) The approach used in writing is a literature study model regarding the application of relevant theories in narcotics issues and related studies that have existed before, both in the form of books, articles, and other documents. The data required in this writing is obtained from secondary data obtained from legal materials such as legislation, books, journals, both published and unpublished, as well as other internet sources related to the object of this research.
2. Result and Discussions

2.1. Situation and Condition of Drug Abuse in Indonesia during the COVID-19 Pandemic

COVID-19 has had the effect of a national service restriction policy continues to regional level institutional scope. This policy has significant implications for government agencies operating in the public service sector. Traditional services will be forced to rapidly change and adapt to the COVID-19 situation. As a government agency providing public services to drug addicts, BNN Rehabilitation Center also implements policies several new policies (Renel & Samputra, 2023) which result in limited access to services. COVID-19 pandemic makes a condition that caused pressure that triggers negative basic feelings such as anger, depression, rejection, pain/torment, and others. These negative basic feeling are are shaped by social experiences and cultural references (Bandura, 2016). A person will act according to the situation, and the situation itself is his perception of the environment (Glanz et al., 2017). According to WHO and the Centers for Disease Control and Prevention (CDC), there are several groups that are vulnerable to COVID-19 infection, namely the elderly and also those with certain health problems have a higher potential to get this virus. In addition, there are groups that are easily affected by this virus, namely people who smoke, vape users and drug abusers. According to Dr. Nora Volkow, director of the National Institute on Drug Abuse, the coronavirus affects some populations who use drugs. Because this virus is a type of virus that attacks the lungs, so those who use marijuana can be threatened. Because when a person's lungs are affected by flu or other infections, the adverse effects of smoking or vaporized substances on the person's use are much more serious than people who do not use drugs (BNN, 2020). Therefore, the health risks for drug users during the pandemic will double. Considering the dangers of drugs themselves are already very threatening, plus those who use are vulnerable to being infected with COVID-19 and will likely worsen their condition (Natalia, 2020).

There have been several cases of drug abuse in the midst of the COVID-19 pandemic. Especially cases involving public figures (artists, officials, etc.) have the potential to become peer models and direct observational learning of bad (unhealthy) behavior. As one example of a case, in July 2021 various newspaper headlines were filled with the arrest of an artist husband and wife, Nia Ramadhani and Ardi Bakrie, caught abusing methamphetamine drugs. Kapolda Metro Jaya said that the couple started abusing methamphetamine 4 or 5 months ago and explained their confession, due to the COVID-19 pandemic situation and work pressure problems. However, this pandemic situation cannot be used as an excuse and justification for drug abuse behavior, because if the self-concept and standards are strong, there will still be positive feelings in any situation (Nurfadhilah, 2021).

Meeting restrictions during the COVID-19 pandemic have created new problems in efforts to reduce the number of drug abusers. The situation that requires most people to do activities at home has reportedly resulted in an increase in alcohol and cigarette consumption behavior at the same time. This has the potential to become a new crisis now and in the future. The next anticipated behavior is the attempt to harm oneself and others (Rani in Nurfadhilah, 2021). Drug abusers are very likely to experience stigma and discrimination, especially if they have experienced mental disorders. Many people around him become worried and try to avoid or stay away from him. In fact, someone with mental illness needs support, especially from the closest environment (family and neighbors) in addition to adequate treatment (Nurfadhilah, 2021).
2.2. Drug Abuse Criminalization in the Perspective of Neurocriminology

Narcotics crime is a serious humanitarian crime, which has an extraordinary impact, especially on the younger generation of a civilized nation. Narcotics crime is a transnational crime, because the distribution and trafficking of narcotics is carried out across countries. In relation to the state of Indonesia, as a state of law, the state of law in question is a state that upholds the rule of law to uphold truth and justice. In general, in every country that adheres to the rule of law, there are three basic principles, namely the supremacy of law, equality before the law, and law enforcement in a manner that is not contrary to the law (due process of law). The criteria for a modern state is a state that accepts and implements new innovations for a continuously better life for the people (Samosir, 2020).

Criminology as a social science that questions all kinds of social symptoms and the scope of the meaning of the turmoil itself so that criminologists provide understanding according to their respective disciplines. One of the criminology disciplines that is considered applicable in drug abuse punishment is neurocriminology.

In previous research, it was found that psychoactive drugs are chemicals that affect brain function. They apply their impacts by mirroring the activity of characteristic neurotransmitters on chemical receptors that have particular capacities within the brain and other organs. Each neurotransmitter can tie to diverse subtypes of receptors that eventually apply distinctive impacts on neurotransmission. For illustration the neurotransmitter dopamine can tie to around five major sub-types of dopamine receptors, each advancing distinctive activities in different brain areas. Hence, psychoactive drugs apply their profoundly assorted impacts by specially official to neural receptors that perform particular useful parts in recognition, excitement, temperament, cognition and common physiology (Glenn, 2014).

Some occurrences of substance dependence can result from physiological disabilities commonly referred to as: reward-deprivation disorder. It can be concluded that the intrinsic limitation in the influence of normal reward enhancing behaviors leads to increased levels of dopamine in the brain's compensatory circuits, making some people physically and mentally more sensitive to the effects of drugs that pharmacologically enhance dopaminergic action. This includes evidence of the action of dopamine (D2) receptors in the striatal brain area of addicts (Glenn, 2014).

Neurocriminology interacts with the penal system at three levels: punishment, prediction, prevention. The extent to which knowledge is growing about the neuroscience of crime and violence means that we need to rethink this approach. While it is unlikely to produce dramatic or rapid changes, it is inconceivable that, at some point, gradual changes on the ground could occur, assuming a challenge. Over the last two decades this has shown a change. In America, a legal system in practice carries out a fundamentally dichotomous decision-making process, for example in determining guilt or innocence. Risk factors associated with antisocial and criminal violence are also usually dimensional (eg, degree of prefrontal cortex dysfunction, resting heart rate) but categorical (presence of traumatic brain injury). In contrast to the United States, judicial practice in the Netherlands follows a five-point scale to assess the degree of criminal responsibility, which includes personality tests and neuropsychological tests (Glenn, 2014).

In Indonesia, the involvement of neuroscience in sentencing has not yet been implemented due to the absence of regulations governing the validity of the results of a person's 'neurological disorder' in relation to their criminal behavior. In recent times, evidence has been accumulating about the importance of biological factors in antisocial behavior and is widely acknowledged to be able to explain the crime and violence that occurs. Advances in
neuroscience and long-term study design have made studies methodologically more robust. Overall, it is increasingly difficult to say that biology predisposes some people to commit crimes in adulthood. This conclusion does not diminish or replace social and environmental perspectives on the causes of crime (Glenn, 2014).

The existence of research and the application of neurocriminology that has been carried out in other countries can change the criminalization system for drug abusers for the better. With the existence of neurocriminology, it is hoped that the article on rehabilitation punishment is better than punishment for drug abusers in Law Number 35 Year 2009 on Narcotics can be applied so as to reduce the number of drug abusers who can recover with rehabilitation.

2.3. Preventing Drug Abuse through Community Supervision

Social control theory can be used as an analytical tool to look for factors that cause people to commit crimes or drug deviations. According to this theory, offenders commit crimes because the social ties within a person are weakened or even a person no longer has social ties with their community. This happens especially among teenagers. The position of adolescents in society positions adolescents as a social group that has a lower status than other people, especially adults, and higher than children.

This dilemma is what makes teenagers break away from social ties or anti-social. In order to overcome the acts of deviant behavior and antisocial actions, social control is needed to create social order or social order. Social control is an action taken to overcome the occurrence of antisocial behavior. Social control can be in the form of repressive and preventive reactions that can be carried out formally or informally.

In research conducted by Putranto (2018) In carrying out social control in the community regarding the problem of drug abuse in Sukoharjo district, the P4GN team has several activities or several things that the author can explain as a way carried out by the Sukoharjo district P4GN team to carry out social control. Social control in this preventive way contains programs or activities to prevent acts of drug abuse in Sukoharjo district, the preventive activities themselves consist of various activities, namely, counseling on the formation of anti-drug communities, and making anti-drug abuse campaign media. Then for social control efforts carried out by the P4GN team and the community are more preventive in nature, these preventive activities can be categorized as follows:

a. First. Language as a means of social control, in which researchers can give examples such as counseling activities, which are carried out indoors and on the streets.

b. Second, symbols as a means of social control. In this social control model, the activities carried out are through the distribution of anti-drug symbols such as the provision of anti-drug logos on geber stall covers, tetrical action activities, toring and idol messages.

c. Third, the stage as a social control tool. In this model, it contains an appeal not to commit acts of drug abuse through stage media, for example when there is a music community that is holding a concert or gathering with its music community, it is at such times that the P4GN team enters and joins to communicate about the dangers of drugs, through various ways such as giving the P4GN team time by the community to provide light counseling on the dangers of drug abuse. This challenge in preventive action can be conveyed to the relevant government sectors to be proposed as a community control program. So that the expected social control can run optimally.
3. Conclusion

The health risks for drug users during the pandemic will double. Considering that the dangers of drugs themselves are already very threatening, plus those who use are vulnerable to being infected with COVID-19 and will likely worsen their condition. The judicial system in practice makes fundamentally dichotomous decisions, such as the determination of guilt and innocence. With advances in neuroscience and longitudinal investigation designs, research is becoming more methodologically robust. Overall, it is becoming increasingly difficult to argue that biological factors predispose some people to commit crimes in adulthood. The existence of research and the application of neurocriminology that has been carried out in other countries can change the criminalization system for drug abusers for the better. With neurocriminology, it is hoped that the article on rehabilitation punishment is better than punishment for drug abusers in Undang-undang Nomor 35 Tahun 2009 tentang Narkotika can be applied so as to reduce the number of drug abusers who can recover with rehabilitation. Preventive measures that can be taken by the community: counseling, distribution of symbols, and the establishment of a stage used to educate the dangers of drug abuse.

References


