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Implementation of Bandung City Regional Regulation Number 5 of 2021 on the Prevention and Eradication of Narcotics Abuse and Illicit Trafficking of Narcotics and Narcotics Precursors: A Siyasa Dusturiyah Perspective

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Abstract

Bandung City is one of the regions with the highest rate of narcotics abuse vulnerability in West Java, marked by a continuously rising trend of cases. The Bandung City Government responded to this condition through Regional Regulation Number 5 of 2021 concerning P4GNPN, particularly Article 15, which governs prevention efforts through socialization, community empowerment, and cross-sector coordination. This study analyzes the implementation of Article 15 using George C. Edward III's policy implementation theory, measures its effectiveness through Soerjono Soekanto's legal effectiveness theory, and examines its conformity with the principle of *siyasa dusturiyah*, employing an empirical juridical approach based on interviews and observations of Kesbangpol, the Regional Legal Bureau, community leaders, religious scholars, and academics. The findings show that implementation has proceeded with a fairly positive public response, although its effectiveness remains constrained by limited budget, weak inter-agency (OPD) coordination, discontinuity of the program, insufficient sanctions, and restricted access to data. From the perspective of *siyasa dusturiyah*, this policy holds strong legitimacy as it aligns with the principle of *tasharruf al-imam 'ala ar-ra'iyah manuthun bi al-mashlahah* and the objectives of *maqashid al-syari'ah*, particularly *hifz al-nafs* and *hifz al-'aql*.

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Introduction

Narcotics abuse is a serious problem that threatens the sustainability of the younger generation. Bandung City is one of the regions with the highest level of narcotics vulnerability in West Java Province, surpassing Bogor, Sukabumi, and Cianjur in 2021 (Republika, 2024). This narcotics emergency is also reflected in rehabilitation data. In 2023, more than 800 cases of narcotics abuse involving school-aged individuals were recorded in Bandung City (BPS Kota Bandung, 2024).

The trend did not decline. In 2024, the Bandung Metropolitan Police (Polrestabes Bandung) uncovered 380 narcotics-related criminal cases involving 516 suspects. Of these, 300 cases involved methamphetamine abuse, followed by 31 cases involving synthetic tobacco, 26 marijuana cases, 9 ecstasy cases, 5 psychotropic substance cases, and 1 cocaine case. Throughout the year, law enforcement authorities also confiscated more than 19 kilograms of methamphetamine and 12.9 kilograms of dried marijuana. The dominant *modus operandi* consisted of the "drop-off" system (*sistem tempel*) and online transactions using courier services, making law enforcement tracking increasingly difficult. (Media Indonesia, 2024).

Furthermore, according to the official Instagram account of Polrestabes Bandung, officers apprehended a man identified by the initials S.A.R. on March 6, 2026, at approximately 6:00 p.m. WIB in Gang Winata, Jalan Kopo, Leuwipanjang Village, Bojongloa Kaler District, Bandung City, on suspicion of illegally selling restricted pharmaceutical drugs without authorization. During the operation, officers seized 94 Tramadol tablets and IDR 174,000 in cash.

Subsequently, on Wednesday, May 6, 2026, at approximately 3:00 p.m. WIB, the Special Task Force 2 of the Narcotics Investigation Unit of Polrestabes Bandung arrested three suspected offenders identified by the initials S, AW, and M in the Kartini Street area, Kebon Pisang Village, Sumur Bandung District, Bandung City. The operation resulted in the seizure of 290 Tramadol tablets, 100 Trihexyphenidyl tablets, 360 Hexymer MF tablets, 75 Hexymer DMF tablets, cash amounting to IDR 1,557,000 believed to be proceeds from the illegal sale of restricted pharmaceutical drugs, as well as four mobile phones together with the data stored on them. (Media Indonesia, 2024).

In response to these problems, the Bandung City Government enacted Bandung City Regional Regulation Number 5 of 2021 concerning the Prevention and Eradication of Narcotics Abuse and the Illicit Trafficking of Narcotics and Narcotics Precursors. This regional regulation serves as the legal foundation for local government efforts to prevent and combat narcotics abuse and illicit trafficking within the jurisdiction of Bandung City. The regulation implements the provisions of Law Number 35 of 2009 on Narcotics, which explicitly authorizes local governments to actively participate in the prevention and eradication of narcotics abuse.

Nevertheless, the existence of legal regulations does not automatically guarantee their effective implementation in practice. Various challenges remain in implementing Article 15 of Regional Regulation Number 5 of 2021. Article 15 paragraphs (1) and (2) stipulate the following provisions.

Paragraph (1) provides that the Bandung City Government is responsible for implementing various narcotics prevention measures through seminars, workshops, religious activities, public awareness campaigns, arts and cultural festivals, outdoor

activities such as jamborees, camping, and historical expeditions, competitions including speech contests, healthy walks, and songwriting contests, community empowerment and training programs, scientific writing activities, as well as dissemination, technical assistance, and guidance programs. In addition, prevention efforts may also be conducted through other activities consistent with the objectives of preventing and combating narcotics abuse and illicit trafficking.

Paragraph (2) further stipulates that these prevention efforts may be implemented through multiple channels, including families, educational institutions, community organizations, regional government agencies, Regional-Owned Enterprises (BUMD), Regional People's Representative Councils (DPRD), mass media, and business actors. Prevention activities may also include data collection and mapping of the potential for the Prevention and Eradication of Narcotics Abuse and Illicit Trafficking (P4GNPN), as well as the development of an integrated P4GNPN information system. (Perda No 5 Tahun 2021)

Challenges persist in several aspects, including coordination among stakeholders, the availability of resources, implementation approaches, and the monitoring and evaluation of prevention programs. Therefore, an in-depth assessment is required to determine the extent to which the implementation of Article 15 has achieved its objective of preventing narcotics abuse in Bandung City. According to Soerjono Soekanto, legal effectiveness refers to the extent to which law is capable of achieving its intended objectives. He identifies five principal factors influencing legal effectiveness: the legal substance itself, law enforcement officers, supporting facilities and infrastructure, society, and culture. (Soekanto, 2018)

From the perspective of Islamic constitutional law (*Siyasah Dusturiyah*), the enactment of regional regulations as public policy instruments possesses strong legal legitimacy. *Siyasah Dusturiyah*, as a branch of *fiqh siyasah*, governs constitutional and legislative matters within an Islamic state and provides the theological basis for governmental efforts to protect society from all forms of harm (*mafsadah*). (Khallaf, 1977)

Imam Al-Ghazali, through the doctrine of *maslahah mursalah*, explains that every policy aimed at safeguarding the five essential objectives of Islamic law (*al-kulliyat al-khams*) the protection of religion (*hifz al-din*), life (*hifz al-nafs*), intellect (*hifz al-'aql*), lineage (*hifz al-nasl*), and property (*hifz al-mal*) is considered permissible under Islamic law. Narcotics abuse clearly violates the principles of protecting the intellect (*hifz al-'aql*) and protecting life (*hifz al-nafs*). Therefore, preventive measures through regional legislation possess a strong normative justification within the framework of *Siyasah Dusturiyah*.

Several previous studies have examined narcotics prevention from different perspectives. (Adam, 2018)) analyzed the implementation of the P4GN policy by the National Narcotics Agency (BNN) of Jakarta Province using a qualitative approach and concluded that the effectiveness of prevention programs largely depends on the institutional performance of the provincial BNN. (Lukman et al., 2021) identified the factors contributing to narcotics abuse and general prevention strategies at the national level through descriptive qualitative research. Meanwhile, (Imani, 2024) examined the implementation of Article 40 of Bandung City Regional Regulation Number 5 of 2021 concerning rehabilitation services for narcotics addicts from the perspective of *Siyasah Dusturiyah*.

The novelty of this research is further strengthened by integrating George C. Edward III's policy implementation theory, which evaluates policy success through four principal variables communication, resources, disposition, and bureaucratic structure (Edwards III, 1980) with Soerjono Soekanto's theory of legal effectiveness, which emphasizes that the effectiveness of law is determined by five factors: the law itself, law enforcement agencies, facilities and infrastructure, society, and culture. (Soekanto, 2018) The integration of public policy implementation theory (Edward III), legal effectiveness theory (Soekanto), and Islamic constitutional law theory (Siyasah Dusturiyah) constitutes the methodological novelty of this study, as no previous research has simultaneously combined these three theoretical frameworks to examine the implementation of Article 15 of Bandung City Regional Regulation Number 5 of 2021.

Although the regulation has been in force for several years, comprehensive studies evaluating the implementation of Bandung City Regional Regulation Number 5 of 2021 concerning Anti-Narcotics measures in preventing narcotics abuse remain relatively limited. Such evaluation is essential to determine the extent to which the regulation has been implemented in accordance with its intended objectives and to identify both supporting and inhibiting factors affecting its implementation. Furthermore, analysis from the perspective of Siyasah Dusturiyah provides an additional analytical dimension by examining the implementation of the regulation not only through the lens of positive law but also through Islamic values that constitute the moral foundation of the majority of Indonesian society.

Based on this urgency, this study aims to: (1) analyze the implementation of Article 15 of Bandung City Regional Regulation Number 5 of 2021 concerning the Prevention and Eradication of Narcotics Abuse and the Illicit Trafficking of Narcotics and Narcotics Precursors using George C. Edward III's policy implementation theory; (2) evaluate the effectiveness of the implementation of the provision using Soerjono Soekanto's theory of legal effectiveness; and (3) examine the conformity of its implementation and effectiveness with the principles of Siyasah Dusturiyah in order to promote more effective prevention and eradication of narcotics abuse and the illicit trafficking of narcotics and narcotics precursors in Bandung City.

Method

This study employed an empirical juridical approach using a descriptive-analytical method. This approach combines the examination of applicable legal norms and related legal documents with field research to obtain empirical evidence regarding the implementation of the law. It was selected because the study not only examines the normative provisions of Article 15 of Bandung City Regional Regulation Number 5 of 2021 but also investigates how these provisions are implemented in practice in preventing narcotics abuse. Consequently, the study enables a comparison between the law as it ought to be (*das sollen*) and its actual implementation in society (*das sein*).

The research utilized both primary and secondary data. Primary data were collected through interviews with officials from the Bandung City National Narcotics Agency (BNNK Bandung), the National Unity and Political Affairs Agency of Bandung City (BAKESBANGPOL), the Legal Affairs Division of the Bandung City Government, community leaders, Islamic scholars, and academics with expertise in *Siyasah Dusturiyah*. Secondary

data were obtained from relevant legal instruments, including the 1945 Constitution of the Republic of Indonesia, Law Number 35 of 2009 on Narcotics, Law Number 23 of 2014 on Regional Government, Bandung City Regional Regulation Number 5 of 2021, and other supporting legal literature and scholarly publications.

Data collection was conducted through both library research and field research. Library research was undertaken to collect secondary data from statutory regulations, academic literature, and other relevant references. Field research was conducted through structured in-depth interviews, direct observation, and documentation. Structured interviews were carried out with key informants possessing relevant knowledge and authority concerning the implementation of the regional regulation. Observations focused on the implementation of narcotics prevention programs in Bandung City, while documentary evidence was obtained from official reports, program documentation, and relevant statistical data.

The collected data were analyzed using a qualitative descriptive approach involving the stages of data collection, data reduction, data presentation, and conclusion drawing. Subsequently, an empirical juridical analysis was conducted to identify the gap between the legal provisions and their practical implementation. The implementation of Article 15 was analyzed using George C. Edward III's policy implementation theory, which evaluates policy implementation through four principal variables: communication, resources, disposition, and bureaucratic structure. This framework was complemented by Soerjono Soekanto's theory of legal effectiveness, which assesses the effectiveness of law based on five interrelated factors: the legal substance, law enforcement, supporting facilities and infrastructure, society, and legal culture.

The findings generated from these analytical frameworks were subsequently examined from the perspective of *Siyasah Dusturiyah* by considering the principle of public welfare (*maslahah*) and the objectives of Islamic law (*maqasid al-shariah*), particularly the protection of life (*hifz al-nafs*), intellect (*hifz al-'aql*), religion (*hifz al-din*), lineage (*hifz al-nasl*), and property (*hifz al-mal*). To ensure the credibility of the findings, data validity was strengthened through source and method triangulation before drawing conclusions that addressed the research questions.

Integrated Conceptual Model of Policy Implementation, Legal Effectiveness, and Siyasah Dusturiyah

Beyond treating the three theoretical lenses as parallel analytical steps, this study advances an integrated conceptual model in which policy implementation theory, legal effectiveness theory, and *Siyasah Dusturiyah* operate as sequential and mutually reinforcing stages of analysis. In this model, Edward III's four implementation variables constitute the input stage, identifying the operational conditions under which Article 15 is carried out in the field. Soekanto's five factors of legal effectiveness constitute the evaluative stage, converting these operational conditions into a judgment on whether the norm functions as intended. *Siyasah Dusturiyah* then constitutes the normative validation stage, testing whether both the design and the practical performance of the regulation remain consistent with the higher-order objective of public welfare (*maslahah*) and the protection of life and intellect (*hifz al-nafs*, *hifz al-'aql*). The three stages are connected by a feedback loop, in which normative gaps identified at the *Siyasah Dusturiyah* stage are

read back into the implementation stage as concrete recommendations for strengthening resources, coordination, and sanctions. Table 1 summarizes the dimensions, indicators, and function of each stage within this integrated model, which constitutes the principal theoretical contribution of this study.

Table 1. Integrated Conceptual Model of Policy Implementation, Legal Effectiveness, and Siyasa Dusturiyah

Analytical Stage	Theoretical Dimension	Key Indicators		Function within the Integrated Model
Input (Policy Design)	Edward III's Implementation Variables	Communication; Disposition; Structure	Resources; Bureaucratic	Identifies the operational conditions shaping how Article 15 is carried out in the field
Evaluative (Legal Effectiveness)	Soekanto's Factors of Legal Effectiveness	Legal substance; enforcement apparatus; Facilities and infrastructure; Society; Legal culture	Law	Converts operational conditions into a judgment on whether Article 15 functions as intended
Normative (Siyasa Dusturiyah)	Islamic Constitutional Law Principles	Maslahah; Maqasid al-shariah (hifz al-nafs, hifz al-'aql); al-dhararu yuzal; sadd al-dhari'ah		Validates the legitimacy of the policy's design and performance against public welfare, feeding normative gaps back into implementation recommendations

Results

Implementation of Article 15 of Bandung City Regional Regulation Number 5 of 2021

The implementation of Article 15 involves a division of responsibilities between the Legal Affairs Division of the Bandung City Regional Secretariat and the Bandung City National Unity and Political Affairs Agency (Kesbangpol). The Legal Affairs Division facilitates the preparation of academic manuscripts, regulatory harmonization, and submission of draft regulations through the Regional Legislative Program. It does not directly implement the Prevention and Eradication of Narcotics Abuse and the Illicit Trafficking of Narcotics and Narcotics Precursors (P4GNPN) program.

Kesbangpol serves as the leading agency for implementing Article 15. Following the enactment of the regulation, it established an Integrated P4GNPN Task Force involving the Department of Education, Department of Social Affairs, Department of Women's Empowerment and Child Protection, Department of Health, Department of Manpower, and the National Narcotics Agency. Interview data showed that the task force had been formally established, although several participating agencies had not fully performed their assigned responsibilities.

Implementation activities consisted of public education for junior high school students, establishment of Drug-Free Villages (Bersinar), empowerment of Karang Taruna, the Family Welfare Movement, Integrated Health Service Posts, Community Empowerment Institutions, and Neighborhood Community Forums, appointment of school anti-narcotics ambassadors, and dissemination through social media, banners, and other public communication channels.

The program also emphasized family resilience and prioritized junior high school students as the main educational target. Interview findings indicated that program continuity became limited when students entered senior high school because educational authority shifted from the municipal government to the provincial government.

Informants reported generally positive responses to social-media campaigns, direct counseling, and community empowerment activities. Public participation was observed through attendance at educational activities, use of reporting mechanisms, neighborhood supervision, and involvement in community-based prevention initiatives. However, these responses were concentrated in areas and groups reached by the existing programs.

Empirical Challenges in Implementing Article 15

The first challenge was limited financial and human resources. Kesbangpol reported approximately 232 target schools, while only around fifteen outreach activities could be conducted annually: ten for schools, two for the general public, and three for community organizations. The number of personnel assigned to the P4GNPN program was also limited in relation to the number and geographical distribution of target groups.

The second challenge was uneven inter-agency participation. Although the Integrated P4GNPN Task Force provided a formal coordination mechanism, interview data indicated that several participating Regional Government Agencies had not fully carried out their responsibilities under the regulation.

The third challenge was discontinuity across educational levels. Municipal prevention programs primarily targeted junior high schools, but responsibility for senior high schools rested with the provincial government. This division of authority limited the continuation of the same intervention after students completed junior secondary education.

The fourth challenge concerned the regulatory substance. The informant from Kesbangpol stated that the regulation did not provide sufficiently explicit administrative sanctions for institutions that failed to perform their coordination, implementation, or reporting duties.

The fifth challenge was restricted access to detailed implementation data. The Legal Affairs Division explained that individual identities, specific case locations, and other personal information could not be publicly disclosed. Consequently, the study could access only aggregated statistics and general program information.

The results therefore identified five recurring implementation constraints: limited financial and human resources, incomplete participation by task-force members, discontinuity between municipal and provincial educational authority, weak administrative-sanction provisions, and restricted access to detailed implementation data.

Discussion

Integrated Interpretation of the Implementation Findings

Table 2. Matrix of Interview Findings and Implementation Factors

Implementation Factor	Key Interview Finding	Informant Source	Siyasah Dusturiyah Implication
Resources (Edward III); Facilities and Infrastructure (Soekanto)	Only around fifteen awareness activities are conducted annually against 232 target schools, owing to limited budget and personnel	Kesbangpol representative	Insufficient resourcing weakens the state's capacity to fulfill <i>hifz al-nafs</i> and <i>hifz al-'aql</i>
Bureaucratic Structure (Edward III); Law Enforcement Apparatus (Soekanto)	Integrated P4GNPN Task Force formally established, but several OPDs have not carried out their assigned responsibilities	Kesbangpol representative	Formal coordination without functional commitment falls short of <i>tasharruf al-imam 'ala al-ra'iyyah manuthun bi al-maslahah</i>

Disposition and Continuity (Edward III); Society (Soekanto)	Prevention programs concentrate on junior high school students; continuity breaks once educational authority shifts to the provincial government	Kesbangpol representative	Discontinuity undermines the sustained protective function required by sadd al-dhari'ah
Legal Substance (Soekanto)	The Regional Regulation provides comparatively weak sanctions for non-compliant agencies	Legal Affairs Division representative	Weak enforceability limits al-dhararu yuzal, since eliminating harm requires a credible coercive mechanism
Communication (Edward III); Legal Culture (Soekanto)	Public access to implementation data is restricted by personal-data protection requirements, limiting external oversight	Legal Affairs Division representative	Confidentiality protects individual maslahah but must be balanced against the collective maslahah of public accountability

Table 2 interprets the five empirical constraints through Edward III's policy implementation variables and Soerjono Soekanto's legal-effectiveness factors, then evaluates their implications through *Siyasah Dusturiyah*. The matrix shows that resource limitations relate directly to implementation capacity; uneven task-force participation reflects weaknesses in communication, disposition, and bureaucratic structure; discontinuity across educational levels reveals institutional fragmentation; weak sanctions reduce the force of the legal substance; and restricted data access limits public evaluation. Read normatively, these constraints reduce the state's capacity to translate formal authority into effective protection of life and intellect.

Comparison with International Policy-Implementation Literature

The finding regarding limited budgetary and human resource capacity is not unique to Bandung City but resonates with broader patterns identified in subnational drug-policy research elsewhere in Southeast Asia. A composite index measuring provincial capacity to implement alcohol control policy in Thailand found that implementation strength varies considerably across provinces and is driven largely by the availability of dedicated staff and sustained local funding rather than by the ambition of the legal text itself (Jankhotkaew et al., 2024). This parallels the situation in Bandung City, where the formal mandate of Article 15 is comprehensive, yet Kesbangpol's operational reach remains bounded by staffing and budget limits that leave the majority of target schools without direct intervention. Read together, these cases suggest that in decentralized governance systems, the effectiveness of narcotics-related regional regulations depends less on the ambition of legal drafting than on whether local implementing agencies receive resources proportionate to their assigned mandate.

The coordination gap identified among Regional Government Agencies mirrors a well-documented pattern in the international public administration literature. A systematic review of interagency coordination research concludes that formally established coordinating bodies frequently fail to translate into functioning cooperation unless reinforced by shared incentives, regular joint routines, and clear accountability lines among participating institutions (Syarien & Samarah, 2023). Scholarship introducing a special issue on collaborative governance implementation likewise emphasizes that announcing a coordinating structure is only an upstream step, while the harder downstream problems of implementation, evaluation, and accountability are where most collaborative arrangements falter (Bianchi et al., 2021). The Integrated P4GNPN Task Force in Bandung

City illustrates precisely this downstream problem: its establishment satisfied the formal requirement of cross-sectoral collaboration, but interview findings indicate that several participating OPDs have not internalized coordination as an operational obligation, a gap consistent with what the international literature describes as a frequent disconnect between coordination design and coordination practice.

More broadly, these findings can be situated within the international literature on the policy-implementation gap, which argues that policies rarely succeed or fail purely on the strength of their legal drafting, but on the practical capacity of the delivery system charged with carrying them out (Hudson et al., 2019). This observation carries particular weight in developing-country contexts, where research on street-level bureaucracy shows that frontline implementers often operate under institutional conditions substantially different from those assumed in classical implementation theories developed in the Global North, including chronic resource scarcity, overlapping mandates, and limited administrative autonomy (Peeters & Campos, 2023; Lotta, 2022). Viewed through this lens, the implementation challenges facing Article 15 are not merely local shortcomings but a localized expression of a wider structural condition affecting narcotics-related and other social policies across decentralized, resource-constrained local governments. This comparative reading reinforces the case for treating the five challenges identified in this study not as isolated administrative failures, but as an instance of a broader implementation dynamic documented across a range of national contexts, one that *Siyasah Dusturiyah*, with its emphasis on ensuring that governmental authority translates into actual protection of the people's welfare, is well positioned to evaluate normatively.

Siyasah Dusturiyah Evaluation of Article 15

Within the discourse of *fiqh siyasah*, *Siyasah Dusturiyah* concerns constitutional and legislative governance, focusing on how laws and regulations are enacted by legitimate public authorities to promote public welfare (*maslahah*) while safeguarding the rights of citizens, provided that such legislation does not contradict the fundamental principles of Islamic law (*Sharia*) (Pulungan, 2002). In this context, the authority of regional executives and local legislative bodies to enact regional regulations, including Bandung City Regional Regulation No. 5 of 2021 on the Prevention and Eradication of Narcotics Abuse and the Illicit Trafficking of Narcotics and Narcotics Precursors (P4GNPN), may be understood as a manifestation of the concept of *ulil amri* (legitimate governing authority), which is entrusted with regulating public affairs for the common good. Such authority is considered legitimate insofar as it is directed toward achieving public welfare (*maslahah*) and preventing harm (*mafsadah*) (Djazuli, 2003). Accordingly, Article 15 of the Regional Regulation, which mandates preventive measures against narcotics abuse through public education and awareness campaigns, the establishment of an integrated coordination team, and community empowerment initiatives, represents a concrete application of the principles of *Siyasah Dusturiyah*. Through this provision, the state, acting through the local government, exercises its legislative authority to protect society from the serious threats posed by narcotics abuse to both human life and intellectual well-being. As such, the regulation reflects the Islamic constitutional principle that governmental authority should be exercised to preserve the public interest and protect society from preventable harm, thereby fulfilling the broader objectives of governance in Islamic law.

When further examined from the perspective of *maqasid al-shariah*, the narcotics prevention measures stipulated in Article 15 are consistent with two of the five fundamental objectives of Islamic law, namely *hifz al-nafs* (the protection of life) and *hifz al-'aql* (the protection of intellect). Studies on narcotics abuse from the perspective of *maqasid al-shariah* affirm that narcotics cause serious harm by endangering the lives of users, damaging their physical health, and impairing their mental capacity and cognitive functions, as these substances directly affect the brain and nervous system. Consequently, narcotics abuse is fundamentally incompatible with the objectives of *maqasid al-shariah*, particularly the preservation of human life and intellect. Therefore, preventive policies mandated under Article 15 such as public awareness campaigns on the dangers of narcotics targeting junior high school students, the establishment of Drug-Free Villages (Bersinar), and family resilience strengthening programs implemented by Kesbangpol may be regarded as concrete measures undertaken by the state to fulfill its obligation under Islamic law to protect the lives and intellect of the younger generation from the harmful effects of narcotics abuse. Although these policies are embodied in a regional regulation within Indonesia's positive legal system, their substantive objectives are consistent with the principles of *maqasid al-shariah*.

The authority of regional executives and local legislative bodies to enact regional regulations, including Bandung City Regional Regulation No. 5 of 2021 on the Prevention and Eradication of Narcotics Abuse and the Illicit Trafficking of Narcotics and Narcotics Precursors (P4GNPN), is consistent with the well-established principle of *usul al-fiqh* that serves as one of the fundamental maxims of *siyasah shar'iyah*, namely *tasharruf al-imam 'ala al-ra'iyah manuthun bi al-maslahah* (تصرف الإمام على الرعية منوط بالمصلحة), which means that every policy adopted by a ruler toward the people must be directed toward the realization of public welfare. Accordingly, Article 15 of the P4GNPN Regional Regulation, which mandates preventive measures against narcotics abuse, may be regarded as a concrete manifestation of *Siyasah Dusturiyah*. Through this provision, the local government exercises its legislative authority not for institutional interests, but to safeguard the public welfare by protecting the community from the real and significant dangers posed by narcotics abuse.

The threat posed by narcotics to human life and intellect also has a strong foundation in the Qur'an.

Allah SWT states in Surah Al-Baqarah (2):195:

وَأَنْفِقُوا فِي سَبِيلِ اللَّهِ وَلَا تُلْقُوا بِأَيْدِيكُمْ إِلَى التَّهْلُكَةِ وَأَحْسِنُوا إِنَّ اللَّهَ يُحِبُّ الْمُحْسِنِينَ

"And spend in the way of Allah and do not throw [yourselves] with your [own] hands into destruction [by refraining]. And do good; indeed, Allah loves the doers of good."

Although this verse was revealed in the context of encouraging charity (*infaq*) and striving in the cause of Allah (*jihad*), classical Qur'anic exegetes maintain that the term *al-tahlukah* (destruction) has a general meaning, encompassing all forms of conduct that lead a person to physical or spiritual harm, including the abuse of harmful substances such as narcotics. This interpretation is further reinforced by Surah Al-Baqarah (2):219, which states that the sin of *khamr* (all intoxicating substances) outweighs any potential benefit

derived from it, thereby providing one of the principal foundations for the prohibition of substances that impair the human intellect.

From the perspective of the Sunnah, the Prophet Muhammad SAW said:

كُلُّ مُسْكِرٍ خَمْرٌ وَكُلُّ خَمْرٍ حَرَامٌ

"Every intoxicant is khamr, and every khamr is prohibited (haram)." (Sahih al-Bukhari, Hadith No. 5586; Sahih Muslim, Hadith No. 2001).

The legal maxim *kullu muskirin khamr* ("every intoxicating substance is khamr") has been interpreted by Islamic jurists to extend beyond alcoholic beverages to encompass all substances that impair or obscure the proper functioning of the human intellect (*khamara al-'aql*), regardless of their form or method of consumption whether ingested, inhaled, injected, or administered in any other manner. Accordingly, narcotic substances, as understood in the contemporary context, fall within the scope of this Prophetic tradition.

In addition, the Prophet Muhammad SAW said:

لَا ضَرَرَ وَلَا ضِرَارَ

"There should be neither harming nor reciprocating harm." (Sunan Ibn Majah; authenticated as *hasan* by Shaykh al-Albani).

This hadith constitutes one of the principal textual foundations for several Islamic legal maxims concerning the prevention and elimination of harm (*darar*), making it highly relevant as a normative basis for the narcotics prevention policies stipulated in Article 15. Building upon this Prophetic tradition, scholars of *usul al-fiqh* formulated a number of legal maxims that provide the methodological framework for evaluating preventive public policies such as those embodied in Article 15 of the P4GNPN Regional Regulation. One of the most fundamental maxims is *al-dhararu yuzal* (الضرر يزال) meaning "harm must be eliminated," a universal legal maxim codified in Imam al-Suyuti's *Al-Ashbah wa al-Naza'ir*.

The preventive character of Article 15 may also be analyzed through the doctrine of *sadd al-dhari'ah*, which refers to blocking means that may lead to harm (*mafsadah*), even when the initial act is not inherently prohibited. The educational campaigns for junior high school students, appointment of school anti-narcotics ambassadors, and strengthening of family resilience can be understood as applications of this doctrine. Through these initiatives, the local government seeks to reduce opportunities for narcotics abuse before the anticipated harm occurs.

From the perspective of *maqasid al-shariah*, the narcotics prevention measures stipulated in Article 15 are consistent with two of the five fundamental objectives of Islamic law, namely *hifz al-nafs* (the protection of life) and *hifz al-'aql* (the protection of intellect). Studies examining narcotics abuse from the perspective of *maqasid al-shariah* affirm that narcotics cause severe harm by endangering human life, damaging physical health, and impairing mental capacity and cognitive functions, as these substances directly affect the brain and nervous system. Consequently, narcotics abuse is fundamentally incompatible with the objectives of *maqasid al-shariah*, particularly the preservation of human life and

intellect. Accordingly, the preventive policies embodied in Article 15 may be regarded as concrete measures through which the state fulfills its obligation under Islamic law to safeguard the lives and intellect of the younger generation—an objective that is substantively consistent with *maqasid al-shariah*, notwithstanding its positivist legal basis as a regional legislative instrument.

From the perspective of *Siyasah Dusturiyah*, it may therefore be concluded that Article 15 of Bandung City Regional Regulation No. 5 of 2021 represents the exercise of local governmental authority in promoting public welfare (*maslahah*) through preventive measures against narcotics abuse. The policy is consistent with the principle of *tasharruf al-imam 'ala al-ra'iyah manuthun bi al-maslahah*, as it is directed toward protecting the public interest. Furthermore, the substantive provisions of Article 15 are in harmony with the objectives of *maqasid al-shariah*, particularly *hifz al-nafs* and *hifz al-'aql*, which emphasize the protection of human life and intellect. This conformity is reinforced by the Qur'an, the Sunnah, the legal maxim *al-dhararu yuzal*, and the doctrine of *sadd al-dhari'ah*, all of which underscore the importance of preventing harm before it occurs. Accordingly, the implementation of Article 15 possesses not only legal legitimacy within Indonesia's positive legal system but also a strong normative foundation in the principles of Islamic law. Nevertheless, the effectiveness of its implementation in practice requires further evaluation in light of the various implementation challenges identified in this study

Conclusion

The implementation of Article 15 of Bandung City Regional Regulation No. 5 of 2021 is led by the Bandung City National Unity and Political Affairs Agency (Kesbangpol) as the leading sector through the Integrated P4GNPN Task Force, which involves various Regional Government Agencies (OPDs). The implementation includes educational campaigns targeting junior high school students, the establishment of Drug-Free Villages (Bersinar), and the empowerment of community organizations such as Karang Taruna, the Family Welfare Movement (PKK), and Neighborhood Community Forums (Forum RW). Although cross-sectoral coordination has been formally established, its implementation has not yet reached an optimal level because several participating agencies have not fully performed their assigned responsibilities. Furthermore, program continuity is disrupted by the transfer of educational authority from the municipal government at the junior high school level to the provincial government at the senior high school level. Public responses to educational campaigns and community empowerment initiatives have generally been positive, as reflected in increased public awareness of the dangers of narcotics and greater community concern regarding prevention efforts. However, these positive outcomes have not been evenly distributed due to the limited coverage of existing programs. The findings also demonstrate that community participation in educational activities, reporting mechanisms, and neighborhood surveillance significantly influences the effectiveness of the implementation of Article 15.

The implementation of Article 15 faces five principal challenges. First, limited financial resources and human capacity are evident from the fact that only approximately fifteen awareness programs can be conducted annually despite there being 232 target schools. Second, coordination among Regional Government Agencies remains inadequate, even though the Integrated P4GNPN Task Force has been formally established. Third, the

continuity of prevention programs is interrupted by the transfer of educational authority from the municipal government at the junior high school level to the provincial government at the senior high school level. Fourth, the Regional Regulation provides relatively weak sanction mechanisms for institutions that fail to fulfill their statutory obligations. Finally, public access to implementation data is constrained by legal protections concerning the confidentiality of personal information related to narcotics users. Collectively, these five challenges limit both the effectiveness and the sustainability of the narcotics prevention programs established under the Regional Regulation.

From the perspective of *Siyasah Dusturiyah*, Article 15 of Bandung City Regional Regulation No. 5 of 2021 represents the exercise of local governmental authority in promoting public welfare (*maslahah*) through the protection of human life and intellect from the dangers of narcotics abuse. The substantive provisions of the regulation are consistent with the Islamic legal *principle tasharruf al-imam 'ala al-ra'iyah manuthun bi al-maslahah* (governmental policies toward the people must be based on public welfare), the objectives of *maqasid al-shariah*, particularly the protection of life (*hifz al-nafs*) and intellect (*hifz al-'aql*), and are further supported by the Qur'an, the Sunnah, the *legal maxim al-dharar yuzal* ("harm must be eliminated"), and the principle of *sadd al-dhari'ah* (blocking the means to harm). Accordingly, this Regional Regulation possesses not only legal legitimacy within Indonesia's positive legal system but also a strong normative foundation in Islamic law as an instrument for realizing public welfare. Nevertheless, achieving these objectives more effectively requires strengthening institutional capacity, enhancing inter-agency coordination, and providing greater financial and human resource support for policy implementation at the operational level.

References

- Adam, D. F. (2018). *Implementasi Kebijakan Pencegahan Pemberantasan Penyalahgunaan dan Peredaran Gelap Narkoba (P4GN) di Provinsi DKI Jakarta (Studi pada Badan Narkotika Nasional Provinsi DKI Jakarta)*.
- Al-Ghazali, A. H. (1993). *Al-Mustashfa min 'Ilm al-Ushul*. Dar Ihya' al-Turath al-'Arabi.
- al-Jauziyah, I. Q. (n.d.). *I'lam al-Muwaqqi'in*.
- As-Suyuthi, J. (n.d.). *Al-Asybah wa an-Nazha'ir fi Qawa'id wa Furu' Fiqh asy-Syafi'iyyah*. Maktabah Syamilah.
- Bandung, B. P. S. K. (2024). *Kota Bandung dalam Angka 2024*. BPS Kota Bandung.
- Bianchi, C., Nasi, G., & Rivenbark, W. C. (2021). *Implementing collaborative governance: models, experiences, and challenges*. *Public Management Review*, 23(11), 1581–1589. <https://doi.org/10.1080/14719037.2021.1878777>
- Cahyono, Y. (2026). Koordinasi Antar Lembaga dalam Implementasi Kebijakan Publik: Studi Kualitatif Tata Kelola Kolaboratif. *Journal of Law, Policy, and Governance (JLPG)*, 1(1), 14–19.
- Djazuli, A. (2003). *Fiqh Siyasah: Implementasi Kemaslahatan Umat dalam Rambu-Rambu Syariah*. Kencana Prenada Media Group.
- Edwards III, G. C. (1980). *Implementing Public Policy*. Congressional Quarterly Press.
- Hadis Riwayat Bukhari No. 5586 dan Muslim No. 2001, dari hadis Ibnu Umar RA. (n.d.).
- Hadis Riwayat Ibnu Majah No. 2340; dinilai hasan oleh Muhammad Nashiruddin Al-Albani dalam *Silsilah al-Ahadits ash-Shahihah*. (n.d.).

- Hudson, B., Hunter, D., & Peckham, S. (2019). *Policy failure and the policy-implementation gap: can policy support programs help?* Policy Design and Practice, 2(1), 1–14. <https://doi.org/10.1080/25741292.2018.1540378>
- I, K. A. R. (2019). *Al-Qur'an dan Terjemahnya*.
- Imani, S. N. (2024). *Implementasi Pasal 40 Peraturan Daerah Kota Bandung Nomor 5 Tahun 2021 tentang P4GNPN terhadap Pemberian Rehabilitasi bagi Pecandu Penyalahgunaan Narkoba Perspektif Siyasah Dusturiyah*.
- Jankhotkaew, J., Casswell, S., Huckle, T., et al. (2024). *A composite index of provincial alcohol control policy implementation capacity in Thailand*. International Journal of Drug Policy, 130, Article 104504. <https://doi.org/10.1016/j.drugpo.2024.104504>
- Julina, F., Widiasih, S., & Sekarsari, D. (2024). Tantangan dan Peluang dalam Implementasi Kebijakan Lingkungan di Pemerintahan Daerah. *Irpia: Jurnal Ilmiah Riset Dan Pengembangan*, 9(4), 46–51.
- Khallaf, A. W. (1977). *As-Siyasah Asy-Syar'iyah*. Dar al-Ansar.
- Lotta, G. (2022). *Recontextualizing street-level bureaucracy in the developing world*. Public Administration and Development, 42(1), 3–10. <https://doi.org/10.1002/pad.1968>
- Lukman, G. A., Alifah, A. P., Divarianti, A., & Humaedi, S. (2021). Kasus Narkoba di Indonesia dan Upaya Pencegahannya di Kalangan Remaja. *Jurnal Penelitian Dan Pengabdian Kepada Masyarakat (JPPM)*, 2(3), 405–417.
- Mahadir. (2024). Penyalahgunaan Narkoba dalam Perspektif Maqashid Syariah. *Brilliant: Journal of Islamic Economics and Finance*, 2(1), 30–48.
- Nugroho, M. R., Mukarom, Z., & Astuti, D. R. (2023). Kampanye Public Relations Program P4GN untuk Menekan Angka Penggunaan Narkoba di Kota Bandung. *Reputation: Jurnal Ilmu Hubungan Masyarakat*, 8(2).
- Peeters, R., & Campos, S. A. (2023). *Street-level bureaucracy in weak state institutions: A systematic review of the literature*. International Review of Administrative Sciences, 89(4), 977–995. <https://doi.org/10.1177/00208523221103196>
- Peraturan Daerah Kota Bandung Nomor 5 Tahun 2021 Tentang Pencegahan Dan Pemberantasan Penyalahgunaan Narkotika Dan Peredaran Gelap Narkotika Serta Prekursor Narkotika (2021).
- Pulungan, J. S. (2002). *Fiqh Siyasah: Ajaran, Sejarah dan Pemikiran*. PT. Raja Grafindo Persada.
- Sasmitha, H., Umar, & Yamin, A. (2024). Pengaruh Partisipasi Masyarakat terhadap Efektivitas Program Pencegahan Pemberantasan Penyalahgunaan dan Peredaran Gelap Narkotika di Kelurahan Telaga Bertong Kecamatan Taliwang Kabupaten Sumbawa Barat. *JlIP: Jurnal Ilmiah Ilmu Pendidikan*, 7(2).
- Soekanto, S. (2018). *Faktor-Faktor yang Mempengaruhi Penegakan Hukum*. PT RajaGrafindo Persada.
- Syarien, M. I. A., & Samarah, G. (2023). *Interagency coordination drivers, instruments, and success factors: A systematic literature review*. Jurnal Borneo Administrator, 19(3), 301–318. <https://doi.org/10.24258/jba.v19i3.1296>
- Syarifuddin, A. (2014). *Ushul Fiqh*. Logos Wacana Ilmu.