



Efforts to Eradicate Alcohol in The City of Gorontalo (A Study of the Principles of Adat Philosophy based on Sara, Sara based on Kita Bullah)

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ABSTRACT

In 2020, as a form of government concern for the high circulation of alcoholic beverages (Miras) in the Serambi Medina area, the Regional People's Representative Council (DPRD) of Gorontalo Province continues to revise the Regional Regulation on Alcoholic Beverages (Perda), which was previously Perda Number 16 of 2015 (concerning the Supervision and Control of Distribution of Alcoholic Drinks). Which is considered not strong enough to stem the circulation of liquor. The results of a 2018 study by the Ministry of Health's Ministry of Health (Kemenkes) research, alcohol consumption in Gorontalo is ranked fourth nationally, only losing to North Sulawesi, East Nusa Tenggara and Bali. The purpose of this study is to see that efforts to eradicate liquor in Gorontalo City are not in accordance with Adat Principles. The novelty of this research helps provide input for local governments to perfect the draft local regulation on controlling liquor in Gorontalo City.

Keywords: Eradication; Efforts; Gorontalo; Liquid

1. Introduction

Gorontalo Is One Region That Upholds Religious and Cultural Values, and has the nickname Veranda of Medina, it is believed that every action and behavior of the Gorontalo people always prioritizes customs and religious values, as is the belief of the Gorontalo people who combine religion and custom as a form of collaboration philosophy of life of the people of Gorontalo in daily life "Association in society should be in accordance with customs and syarak" which is believed to provide great benefits in the environment of the people of Gorontalo.(Mashadi & Suryani, 2018)

In the people of Gorontalo, before the arrival of Islamic influence, the customs and culture of the local community were influenced by naturalistic philosophy, in which cultural values and norms originate from natural phenomena. During the time when Eyato became king of the unitary u Duluwo limo lo Pohalaqa and king of the unitary Gorontalo- Limboto, Islam officially became the royal religion. Adat as a form of culture, which is also called a cultural system, is the same as the customary principles of Aceh andMinangkabau, namely "Adat with Syarak, and Syarak with the Kitabullah (Al Quran)". This term in the Gorontalo language is called "Adati hula-hula'a to sara'a, sara'a hula- hula'a to kuru'ani". In historical reality this term does not appear by itself, but through a historical process.(Baruadi, 2012)

The problem that will be studied regarding the expansion of the philosophy of "Adat with Syarak, and Syarak with the Book of Allah" in the people of Gorontalo is starting to erode due to the widespread circulation of liquor (Miras) which is not in accordance with their philosophy. the life of the people of Gorontalo, the rampant circulation of liquor as the data obtained Thousands of liters of liquor were successfully secured by the Directorate of Narcotics of the Gorontalo Police for efforts to smuggle alcohol to be marketed in the city of Gorontalo with details that as many as 36,792 liters with the assumption that if it is converted into 2.7 billion rupiahs, that is were caught from the Directorate of Narcotics Res at each Polres in Gorontalo Province, with 22 suspects, while the results of basic health research by the Health Research and Development Agency of the Indonesian Ministry of Health (Kemenkes) in 2018 stated that alcohol consumption in Gorontalo was ranked fourth nationally. The area known for its philosophy of "Adat with Sara' and Sara' with the Book of Allah" only lost to North Sulawesi, East Nusa Tenggara and Bali.(F. Adiyanta, 2019) while the results of basic health

research by the Health Research and Development Agency, Ministry of Health (Kemenkes) RI in 2018 stated, alcohol consumption in Gorontalo was ranked fourth nationally. The area which is known for its philosophy of "Adat with Sara' and Sara' with the Book of Allah" only lost to North Sulawesi, East Nusa Tenggara and Bali.

In 2020 until now, as a form of government concern for the high circulation of liquor (Miras) in the Serambi Medina area, the Regional People's Legislative Council (DPRD) of Gorontalo Province continues to seek revisions to the Regional Regulation (Perda) concerning Alcohol, which was previously Perda No. 3 of 2017 (concerning the Supervision and Control of the Distribution of Alcoholic Beverages) which is considered not strong enough to stem the circulation of alcoholic beverages and can damage the potential of existing human resources, regarding the impact of the high circulation of alcoholic beverages can result in high accident rates and high law violations among the public which may disturb public order (Une, 2021)

Based on the background above, the problem to be studied is the first, how are the efforts to eradicate liquor in the city of Gorontalo that are not in accordance with the principles of local wisdom based on Sara, Sara and Kita Bullah).

The specific objective of this research is the first to see how the Efforts to Eradicate Liquor in the City of Gorontalo are not in accordance with the Principles of Local Indigenous Arts with Sara, Sara and Kita Bullah).

2. Method

The type of research used is Juridical Empirical research, namely with a sociological legal research approach which is also called field research, which examines the legal provisions that apply in society, in order to reveal what phenomena occur in the midst of society. (F. C. S. Adiyanta, 2019)

3. Result and Discussion

The city of Gorontalo is the capital of the province of Gorontalo where the city of Gorontalo is an economic point in the province of Gorontalo as quoted by Bambang Utomo that "The city of Gorontalo (in Gorontalo is called Kota Hulontalo) is the capital of the Province of Gorontalo, Indonesia. The City of Gorontalo is the largest and most populous city in the Tomini Bay region, thus making Gorontalo City a center for economy and services, trade, education, and a center for the spread of Islam in Eastern Indonesia, in 2020 as a form of government concern regarding the high circulation of liquor (alcohol) in the Serambi Medina area, made the Gorontalo Province Regional People's Legislative Council (DPRD) continue to draft revisions to the Alcohol Regional Regulation (Perda) which was previously Perda Number 3 of 2017 (concerning the Supervision and Control of the Distribution of Alcoholic Beverages) which was deemed not strong enough to stem the circulation of liquor and can damage the potential of human resources today (Bd. Shomad, 2010)

Based on the results of basic health research by the Health Research and Development Agency, the Indonesian Ministry of Health (Kemenkes) in 2018, alcohol consumption in Gorontalo was ranked fourth nationally. The area known for its philosophy of "Adat with Sara' and Sara' with the Book of Allah" only lost to North Sulawesi, East Nusa Tenggara and Bali (Maria Nauw, 2019)

3.1 What are the Efforts to Eradicate Liquor in the City of Gorontalo That Are Not In Accordance with the Principles of Local Traditional Wisdom based on Sara, Sara based on Kita Bullah)

a. Law Enforcement of Regional Regulation Number 3 of 2017 Concerning the Control and Supervision of Alcoholic Beverages in the City of Gorontalo

Regional Regulation Number 3 of 2017 concerning the Control and Supervision of Alcoholic Beverages in the City of Gorontalo is a regional regulation made by the Regional People's Representative Council of the City of Gorontalo with the joint approval of the Mayor, which was promulgated on 25 July 2017. (Gorontalo, 2017)

The purpose of establishing and enacting this regional regulation is based on the fact that the City of which is known as the city of Veranda of Medina, must be a figure in eradicating, controlling, various beverages. alcoholic beverages, both those produced and those distributed in the City of Gorontalo. Furthermore, in the consideration of Regional Regulation Number 3 of 2017, it is stated. (Gorontalo, 2017)

- a. That Alcoholic Beverages can cause negative impacts, both on individuals, families, and the social environment and can trigger the emergence of various health problems, security, peace, and public order;

- b. That in an effort to protect the public from the negative impacts of Alcoholic Beverages, it is necessary to have Control and Supervision of Alcoholic Beverages by the Regional Government
- c. That based on the provisions of Article 7 paragraph (4) of Presidential Regulation Number 74 of 2013 concerning Control and Supervision of Alcoholic Beverages and the provisions of Article 20 paragraph (4) of the Regulation of the Minister of Trade Number 20/M-DAG/PER/4/2014 concerning Control and Supervision of the Procurement of Beverages Alcoholic as it has been amended several times, most recently by Regulation of the Minister of Trade Number 6/M/DAG/1/2015 concerning the Second Amendment to Regulation of the Minister of Trade Number 20/MDAG/PER/4/2014 concerning Control and Sales of Alcoholic Beverages, the Regional Government has the authority to carry out Control and Supervision of Distribution of Alcoholic Drinks through the Regional Government;
- d. That based on the considerations referred to in letter a, letter b, letter c it is necessary to stipulate a Regional Regulation concerning the Control and Supervision of Alcoholic Beverages;

In Article 2 of Regional Regulation Number 3 of 2017 it states that the Control and Supervision of Alcoholic Beverages is based on:

1. Protection;
2. Legal certainty
3. Sustainability; and
4. integration

Furthermore, Article 3 of Regional Regulation Number 3 of 2017 states that the objectives of Control and Supervision of Alcoholic Beverages in Gorontalo City are:

1. Protecting the public from the negative impacts caused by Alcoholic Beverages;
2. Growing public awareness about the dangers of Alcoholic Beverages;
3. Creating order and peace in the community from disturbances caused by the consumption of Alcoholic Beverages.

In terms of Sales and Licensing of Alcoholic Drinks in Regional Regulation Number 3 of 2017 it is regulated in article 5 to article 12 as follows:

1. Retail sales of group A Alcoholic Drinks are only sold by Retailers in supermarkets or hypermarkets.
2. Retailers selling group A Alcoholic Drinks in retail as referred to in paragraph (1) are required to have SIUP-MB from the Mayor or appointed Official and SKP-A from the Director General of Domestic Trade, Ministry of Trade of the Republic of Indonesia.

Article 6

- 1) Retailers as referred to in Article 5 paragraph (1) are required to place Alcoholic Drinks in a special or separate place and not together with other products.
- 2) Retailers prohibit buyers of Alcoholic Beverages from drinking directly at the sales location.
- 3) The alcoholic beverage retailer as referred to in paragraph (1) is held from 09.00 to 17.00 WITA.

Article 7

- 1) Direct Sales of Alcoholic Drinks class A, B and C can only be sold in 3, 4 and 5 star hotels.
- 2) Direct Sales of Alcoholic Beverages class A, group B, and/or group C as referred to in paragraph (1), must have SIUP-MB from the Mayor or appointed Official.
- 3) Direct Sales of Alcoholic Beverages class A, group B, and/or group C which are sold in certain places as referred to in paragraph (1), can be drunk in hotel rooms provided that each package contains a maximum of 187 ml (one hundred and eighty seven milliliters) .

Article 8

- 1) Retailers and Direct Sellers of Alcoholic Beverages class A, class B, and class C, are required to submit reports on the realization of sales of Alcoholic Beverages to regional apparatuses who carry out government affairs in the trade sector
- 2) Submission of reports as referred to in paragraph (1) is carried out every quarter of the current calendar year as follows:
 - a. Quarter I submitted no later than March 31;
 - b. Quarter II submitted no later than June 30;
 - c. Quarter III submitted no later than 3- September; and
 - d. Quarter IV is submitted no later than December 31.

Article 9

- 1) Retailers are prohibited from selling Alcoholic Drinks to consumers or buyers who are under 21 (twenty one) years of age.
- 2) Direct Sellers are prohibited from selling Alcoholic Drinks to be drunk other than on the premises/inside the Hotel and to buyers who are not yet 21 (twenty one) years old
- 3) Retailers and/or direct sellers as referred to in paragraph (1) and paragraph
- 4) are prohibited from selling Alcoholic Drinks to consumers or buyers who do not show identity cards or Resident Identity Cards

In addition to criminal offenses referred to in paragraph (1), criminal offenses can also be imposed in accordance with applicable laws and regulations

Gorontalo City Police in the last 3 years since 2019,2020,2021 the number of confiscations of supplier and container alcohol in the Gorontalo City Region according to data from the Gorontalo City Police Narcotics Research Unit in 2019 there was only 1 case. Then in the following year, namely in 2020 the Gorontalo City Police Narcotics Research Unit had 5 cases, and in 2021 there were 9 cases of alcoholic beverages. But in terms of handling cases of alcoholic beverages, in 2020 the Gorontalo City Police will use Article 25 paragraph (1) of Regional Regulation Number 3 of 2017 concerning the Control and Supervision of Alcoholic Beverages in Gorontalo City, while in 2021 the Gorontalo City Police will no longer adhere to this regulation. , and replaced with Article 204 paragraph (1) of the Criminal Code.

According to Mr. Adiwarsa, this was done because in 2021 they will carry out a joint raid with the City Government. So the legal basis used is according to the City Government, whereas in 2022 the police investigators are conducting their own investigations, so they no longer use Regional Regulation Number 3 of 2017 Concerning the Control and Supervision of Alcoholic Beverages in the City of Gorontalo

So from this statement the application of criminal sanctions to Regional Regulation Number 3 of 2017 Concerning the Control and Supervision of Alcoholic Beverages in Gorontalo City is only enforced when the Gorontalo City Police carry out a joint raid with the Gorontalo City Government, in this case this regional regulation only runs for 1 year, namely 2020, then no longer uses the legal basis of Regional Regulation Number 3 of 2017

b. Revise Regional Regulation Number 3 of 2017 Concerning the Control and Supervision of Alcoholic Beverages in the City of Gorontalo

In 2020, as a form of government concern regarding the high circulation of liquor (Miras) in the Serambi Medina area, the Regional People's Representative Council (DPRD) of Gorontalo Province continues to work on the revision of the Regional Regulation (Perda) on Alcohol, which was previously Perda No. 3 of 2017 (concerning the Supervision of Alcohol) and Control of Distribution of Alcoholic Beverages) which are considered not strong enough to stem the circulation of alcoholic beverages and can damage the current potential of human resources

Based on the results of basic health research by the Health Research and Development Agency, the Indonesian Ministry of Health (Kemenkes) in 2018, alcohol consumption in Gorontalo was ranked fourth nationally. The area which is known for its philosophy of "Adat with Sara' and Sara' with the Book of Allah" only lost to North Sulawesi, East Nusa Tenggara and Bali.

Based on the results of the report above, it is necessary to make changes in terms of regulations regarding regional regulations that oversee the control of alcoholic beverages in the city of Gorontalo

Community Report

The community, in this case, can be a supporting factor in implementing Regional Regulation Number 3 of 2017 concerning the Supervision and Control of Alcoholic Beverages in the City of Gorontalo. This is stated in Chapter V of Regional Regulation Number 3 of 2017 which regulates community participation (Gorontalo, 2017)

Article 19

- 1) The community can play a role in the Supervision and Control of Alcoholic Beverages, either by themselves and/or by community groups
- 2) Participation as referred to in paragraph (1) is carried out by submitting a report to the competent authority in the event of a violation of the prohibitions and or obligations as stipulated in this Regional Regulation.
- 3) In the event that information is needed or obtained regarding violations of this Regional Regulation, government officials at the Subdistrict, Kelurahan, Head of Community Units and Head of Neighborhood Units can play an active role in carrying out Control and Supervision in their respective Regions to report to the integrated team

From the results of an interview with Mr. Adiwarsa Irsan Siby, SH on August 16, 2022 as a member of the Assistant Investigator for Narcotics Satres of the Gorontalo City Police, he stated "from the results of several cases that have been resolved the community's participation in it, the community helps investigators in reporting that sale of alcoholic beverages."

Meanwhile, from the results of interviews with several residents of the city of Gorontalo on August 17 2022 they were not aware of the existence of Regional Regulation Number 3 of 2017 concerning the Control and Supervision of Alcoholic

Beverages in the City of Gorontalo. According to some members of the public, they know several places selling alcoholic beverages, but do not know the procedures for reporting them. There are also those who admit that they let them go because they feel compassion because the seller's source of income usually comes from there. There were also those who answered because they were afraid to report because usually the sellers of alcoholic beverages were thugs in the area.

In this case there are still many people who do not understand the problem of alcoholic beverages in their environment, therefore it is necessary to socialize the problem of alcoholic beverages to the people in the City of Gorontalo so that the community gets education about the role of the community to help the government to eradicate the problem of alcoholic beverages in the City. Gorontalo

3.2 Factors That Hamper Efforts to Eradicate Liquor in the City of Gorontalo

a. Human Resources

According to the Government Regulation of the Republic of Indonesia Number 58 of 2012 concerning Amendments to Regulation Number 27 of 1983 concerning Implementation of the Criminal Procedure Code in article 3 paragraph (1) states. (Zainnudin Ali, 2002)

- 1) The lowest rank is a brigadier, two police officers
- 2) Participate in and pass education for the development of specialization in criminal detective functions
- 3) Served in the field of investigative function for a minimum of 2 (two) years
- 4) Physically and mentally healthy as evidenced by a doctor's certificate
- 5) Have the ability and high moral integrity.

From the results of an interview on August 16, 2022 with Mr. Adiwarsa Irsan Siby, SH as a member of the Gorontalo Police Narcotics Research Unit Investigator, it was stated that all members of the Police Investigators had met the standards. therefore according to the author that the existence of participation between law enforcers, especially civil service police units and the police, cooperation is needed to realize the eradication of the circulation of alcoholic beverages above

According to the Government Regulation of the Republic of Indonesia Number 58 of 2012 concerning Amendments to Regulation Number 27 of 1983 concerning Implementation of the Criminal Procedure Code in Article 3A paragraph (1) states

- a. The minimum working period as a civil servant is 2 (two) years;
- b. The lowest rank is a young supervisor/grade iii/a;
- c. Have at least a bachelor's degree in law or other equivalent degrees;
- d. Served in the operational technical field of law enforcement;
- e. Physically and mentally healthy as evidenced by a doctor's certificate at a government hospital
- f. Each element of the evaluation of the implementation of the work in the list of evaluation of the implementation of civil servants has at least a good score in the last 2 (two) years;
- g. Participate in and pass education and training in the field of investigation."

From the results of an interview on August 9, 2022 with Mr. Muhammad Harris as a member of the PPNS Satpol PP for Gorontalo City, he is a bachelor's graduate and has attended education and investigative training, and has met several standards from the Regulation of the Minister of Law and Human Rights Number M.HH.01.AH.

09.01. Of the 6 members of PPNS Satpol PP Kota Gorontalo, all members are bachelor graduates and have met the standards of the regulations above.

From the interview, it means that the factors influencing the application of criminal sanctions Article 25 Regional Regulation Number 3 of 2017 concerning the Supervision and Control of Alcoholic Beverages in the City of Gorontalo are not from the human resources, in this case the quality of the investigators themselves. Because the human resources of the investigators, both Gorontalo City Police Investigators and Gorontalo Municipal PPNS Satpol PP, have met the standards as investigators.

In terms of handling cases, the number of investigative members certainly has an effect on being able to carry out their duties and authorities, the more investigators, the better, but in this case, if the quality of investigators' human resources is inadequate, it is useless if there are many of them.

From the results of an interview with Mr. Adiwarsa as a member of the Drug Investigator Satres Gorontalo City Police, he stated "that there is 1 member of Investigators in the Gorontalo Police Satres Narcotics Investigator, namely the Head of the Gorontalo Police Narcotics Investigation Unit, while the number of Assistant Investigators is 6 people". From the number of investigators at the Gorontalo City Police Satres, in my opinion, it is sufficient to handle cases of criminal acts of alcoholic beverages, especially Article 25 of Regional Regulation Number 3 of 2017 concerning Supervision and Control of Alcoholic Beverages in Gorontalo City. This is because the quality of human resources from these investigators has met the standards as investigators.

Meanwhile, from PPNS Satpol PP Gorontalo City after conducting an interview with Mr. Sucipto Ayahu as a member of PPNS Satpol PP Gorontalo City, he stated "The number of PPNS members is 6 people, each divided into 2 parts, namely PPNS Management and PPNS Non-Management, PPNS Management 2 people and 4 people PPNS Non Management".

From this statement, the number of investigators from the Gorontalo City Police Narcotics Investigation Unit is 6 people and the Civil Service Investigators (PPNS) of Gorontalo Municipal Police Satpol PP is 6 people, which is enough to overcome the problem of alcoholic beverages in Gorontalo City

b. Facilities and Infrastructure

Facilities and infrastructure are very important to support the activities of investigators, so that they can maximize the tasks and authorities to be carried out. According to Soerdjono Soekanto without certain means or facilities, it is impossible for law enforcement to run smoothly. These facilities or facilities include, among other things, educated and skilled human resources, good organization, adequate equipment, adequate finances, and so on. Facilities or facilities have a very important role in law. (Soekanto, 2008)

1) Means

Facilities are things or facilities needed to carry out duties and authorities, facilities are more dominant for moving objects, such as Operational Cars and others. In an interview on 16 August 2022 with Mr. Adiwarsa as a member of the Assistant Investigator for Drugs at the Gorontalo City Police, according to him "The Drug Research Unit does not have a special operational car for investigators, but there is a car for patrolling with other members". This of course can hinder the ongoing investigation process, where the operational vehicle can be very helpful when it comes to carrying out investigations, investigations, up to the stage of handing over case files.

Meanwhile, according to Mr. Sucipto as a member of the PPNS Satpol PP for the City of Gorontalo, he stated that "PPNS Satpol PP for the City of Gorontalo does not have his own operational car". This can also be an obstacle for PPNS members in carrying out their duties and authorities.

In this case the facility is one of the factors influencing the application of criminal sanctions to Regional Regulation Number 3 of 2017 concerning the Control and Supervision of Alcoholic Beverages in the City of Gorontalo. The need for improved facilities from both the Gorontalo City Police and the Gorontalo City Satpol PP regarding operational cars will greatly assist investigators in carrying out their duties and authorities.

2) Infrastructure

Infrastructure is a facility provided by the state to be used as best as possible in carrying out its duties and authorities. Infrastructure is usually in the form of immovable objects such as rooms, tables, chairs, etc. Soerjono Soekanto predicts benchmarks for the effectiveness of certain elements of infrastructure, where it is clear that the infrastructure must indeed be a part that contributes to the smooth running of the duties of officials at their place or work location. The elements are:

- a. Existing infrastructure is well maintained.
- b. Infrastructure that does not yet exist needs to be procured taking into account the timeframe for its procurement.
- c. Infrastructure that is less immediately equipped
- d. Damaged infrastructure needs to be repaired immediately
- e. Infrastructure that is jammed needs to be launched immediately
- f. Infrastructure that is experiencing a decline in its function needs to be improved again.

From the results of an interview with Mr. Adiwarsa as a member of the Gorontalo City Police Narcotics Research Assistant Investigator on August 16, 2022, he stated "The existing infrastructure in the Gorontalo City Police Narcotics Research Unit is sufficient, from the investigator's room, table chairs, and other tools to carrying out investigations is standard".

Meanwhile, from the results of an interview with Mr. Sucipto Ayahu, a member of PPNS on 9 August 2022, according to him, "the investigator's room is still not well- facilitated and is still joined by other staff rooms. This makes investigators sometimes distracted by the activities of other staff."

It is not only facilities that are a factor affecting the implementation of criminal sanctions by Regional Regulation Number 3 of 2017, infrastructure also needs to be improved so that investigators can carry out their duties and authorities. Such as creating a separate room for Civil Servant Investigators (PPNS) for Satpol PP in Gorontalo City. and making the Gorontalo City Police Narcotics Investigator Room better

4. Conclusion

Efforts to Eradicate Liquor in the City of Gorontalo That Are Not In Accordance with the Principles of Local Indigenous Indigenous Peoples with Sara, Sara and Kita Bullah) are started with Law Enforcement of Regional Regulation Number 3 of 2017 concerning Control and Supervision of Alcoholic Beverages in Gorontalo City and revising Regional Regulation Number 3 of 2017 Concerning the Control and Supervision of Alcoholic Beverages in the City of Gorontalo and providing opportunities for Community Reports

The factors that impede the eradication of liquor in the city of Gorontalo are, firstly, human resources that carry out law enforcement, such as civil service police units and the police, and especially from the local government, there is still a lack of enforcement of rules and a lack of facilities and infrastructure used to eradicate the circulation of alcoholic beverages. , such as patrol vehicles and anti-alcohol kits

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