



Between Punishment and Rehabilitation: Judicial Reasoning in Narcotics Adjudication under Article 114 of Indonesia's Narcotics Law

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Abstract

This study examines the legal basis of judicial reasoning in Judgment No. 183/Pid.Sus/2025/PN.Mlg concerning the application of Article 114 of Law No. 35 of 2009 on Narcotics and evaluates its consistency with contemporary principles of justice. The research employs a normative legal method using statutory and case approaches. Primary legal materials consist of the Narcotics Law, Law No. 1 of 2023 concerning the Criminal Code, Law No. 39 of 1999 concerning Human Rights, and relevant judicial decisions. The analysis focuses on the normative qualification adopted by the court, the structure of judicial reasoning, and the implications of the judgment for substantive justice and human rights protection. The findings indicate that the court emphasized formal legal interpretation while providing limited consideration of the rehabilitation mandate contained in Articles 54 and 103 of the Narcotics Law. Evaluation through the theories of John Rawls, Emile Durkheim, and Gustav Radbruch suggests that the judgment prioritizes procedural legality over proportionality, social reintegration, and substantive justice. The study argues for a stronger rehabilitation based approach, greater integration of restorative justice principles, and criminal law reforms that harmonize legal certainty with human rights protection in narcotics adjudication.

Keywords : Article 114, Judicial Reasoning, Narcotics Adjudication, Rehabilitation, Substantive Justice.



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INTRODUCTION

The governance of narcotics crimes has emerged as a critical concern within contemporary criminal justice systems as states increasingly confront the complex intersection between transnational drug markets, public health imperatives, human rights protection, and the demand for effective law enforcement. The latest global evidence demonstrates that illicit drug trafficking networks continue to expand in sophistication and scale, creating significant challenges for legal institutions in distinguishing between actors who profit from narcotics distribution and individuals who primarily occupy the position of users or victims of addiction. The global increase in narcotics related offenses has intensified judicial reliance on punitive legal instruments designed to dismantle trafficking networks while simultaneously provoking debates regarding proportionality, due process, and the appropriate boundaries of criminal liability in narcotics cases (United Nations Office on Drugs and Crime, 2025). Within the Indonesian context, these challenges have become particularly salient due to the persistent rise in narcotics prevalence and the growing volume of prosecutions processed through the criminal justice system, positioning narcotics offenses among the most dominant categories of crime nationally (Badan Narkotika Nasional, 2025; Pusat Informasi Kriminal Nasional Bareskrim Polri, 2022). The legal architecture governing these offenses is principally structured through Law No. 35 of 2009 concerning Narcotics, which establishes severe sanctions for dealers and intermediaries under Article 114 while simultaneously recognizing rehabilitation oriented mechanisms for addicts and users, thereby creating an inherent tension between punitive enforcement and restorative objectives (Law No. 35 of 2009 concerning Narcotics).

Existing scholarship has generated important insights into the implementation of narcotics law and judicial responses to drug related offenses, yet the accumulated literature reveals a fragmented understanding of how courts operationalize the distinction between dealers, intermediaries, and users in concrete cases. Studies examining the enforcement of severe penalties against narcotics distributors

have highlighted the judiciary's strong orientation toward deterrence and retributive punishment, particularly in cases involving large scale trafficking networks (Susanto et al., 2024). Research on judicial reasoning in narcotics adjudication has further demonstrated that sentencing practices often reflect attempts to reconcile legal certainty with perceptions of substantive fairness, especially when judges depart from statutory minimum penalties to achieve equitable outcomes (Zulfikar, 2023). Parallel developments in legal informatics have shown increasing scholarly interest in the systematic analysis of narcotics judgments through automated decision summarization techniques, indicating recognition of judicial decisions as critical sites for understanding legal interpretation and enforcement patterns (Wicaksono et al., 2023). Comparative legal scholarship has also emphasized institutional weaknesses within Indonesia's narcotics adjudication framework and has proposed specialized judicial mechanisms to improve consistency and expertise in narcotics cases (Yunita et al., 2026). Collectively, these studies suggest that judicial reasoning occupies a central role in shaping the practical consequences of narcotics law, yet they also reveal divergent assumptions regarding the proper balance between punishment, rehabilitation, and legal certainty.

Despite these contributions, significant conceptual and empirical gaps remain unresolved within the literature. Much of the existing scholarship focuses on sentencing severity, institutional reform, or technological analysis of judicial documents, while comparatively limited attention has been directed toward the doctrinal reasoning employed by judges when applying Article 114 to defendants whose factual circumstances may not clearly demonstrate involvement in commercial narcotics transactions. This limitation is particularly consequential because Article 114 presupposes conduct associated with offering, selling, purchasing, receiving, or acting as an intermediary in narcotics transactions, requiring a careful assessment of the defendant's role and intention within the illicit distribution chain (Law No. 35 of 2009 concerning Narcotics). Yet available studies seldom investigate how courts establish the evidentiary threshold necessary to differentiate a dealer or intermediary from a user found in possession of narcotics. The resulting analytical gap has generated uncertainty regarding whether judicial interpretations consistently adhere to statutory requirements or whether they inadvertently expand criminal liability beyond the normative scope intended by the legislature. Such uncertainty becomes increasingly problematic when viewed alongside broader concerns regarding legal consistency and predictability within Indonesian criminal adjudication (Zulfikar, 2023; Yunita et al., 2026).

The unresolved nature of this issue carries substantial scientific and practical implications because judicial misclassification of defendants has the potential to affect not only sentencing outcomes but also the protection of fundamental rights recognized within the Indonesian legal order. The expansion of punitive provisions to individuals whose conduct may more appropriately fall within the category of personal use raises questions concerning proportionality, rehabilitation, and the state's obligation to respect human dignity as protected under Law No. 39 of 1999 concerning Human Rights (Law No. 39 of 1999 concerning Human Rights). Contemporary developments in Indonesian criminal law have increasingly emphasized corrective and restorative orientations through the enactment of Law No. 1 of 2023 concerning the Criminal Code, reinforcing the necessity of aligning judicial reasoning with broader principles of justice and social reintegration rather than relying exclusively upon formalistic interpretations of criminal statutes (Law No. 1 of 2023 concerning the Criminal Code). Simultaneously, national narcotics reports indicate a continuing increase in narcotics related cases and users, suggesting that unresolved ambiguities in legal classification may affect a growing number of defendants and contribute to systemic disparities within law enforcement practice (Badan Narkotika Nasional, 2022; Badan Narkotika Nasional, 2025). These developments elevate the urgency of scrutinizing judicial reasoning in individual cases as a means of evaluating the coherence and legitimacy of narcotics law enforcement.

Against this background, the present study positions itself at the intersection of criminal law doctrine, judicial reasoning analysis, and theories of justice. Rather than focusing primarily on sentencing outcomes or institutional reform, this research examines the normative foundations underlying the application of Article 114 in Judgment No. 183/Pid.Sus/2025/PN.Mlg and evaluates whether the judicial reasoning employed in that decision is consistent with the legal and philosophical principles that should govern narcotics adjudication. The analytical framework draws upon Gustav Radbruch's conception of the relationship among justice, legal certainty, and legal utility, which remains influential in assessing whether positive law has been applied in a manner that preserves both legal order and substantive fairness (Radbruch, 1919). Through this perspective, judicial reasoning is

understood not merely as a procedural justification for a verdict but as a mechanism through which competing legal values are balanced and translated into concrete outcomes affecting individual rights and societal interests. By focusing on a specific and contemporary judgment, the study seeks to contribute to ongoing debates concerning the boundaries of criminal liability under Article 114 and the judicial responsibility to distinguish accurately between different categories of narcotics offenders.

This study aims to analyze the rationale employed by the panel of judges in applying Article 114 of the Narcotics Law in Judgment No. 183/Pid.Sus/2025/PN.Mlg and to evaluate the extent to which that reasoning reflects the principles of justice, legal certainty, and proportionality within contemporary criminal adjudication. The research contributes theoretically by advancing a more nuanced understanding of the relationship between statutory interpretation and substantive justice in narcotics cases, particularly regarding the classification of dealers, intermediaries, and users. Methodologically, it contributes through an in depth normative examination of judicial reasoning that moves beyond outcome based assessments and instead interrogates the argumentative structure through which legal conclusions are produced. By clarifying how judicial reasoning operates in the application of Article 114, the study seeks to enrich scholarly discussions on narcotics law enforcement while providing a framework for more consistent and equitable adjudication in future cases.

RESEARCH METHODS

This study employed a non empirical normative legal research design because the investigation was directed toward the examination of legal norms, statutory provisions, judicial reasoning, and doctrinal arguments rather than the collection of primary field data. Consistent with the characteristics of normative legal inquiry, the study relied on documentary sources as the principal units of analysis, comprising Law No. 35 of 2009 concerning Narcotics, Law No. 1 of 2023 concerning the Criminal Code, Law No. 39 of 1999 concerning Human Rights, Judgment No. 183/Pid.Sus/2025/PN.Mlg of the Malang District Court, Judgment No. 21/Pid.Sus/2019/PN Bil of the Bangil District Court, and relevant international and national references concerning narcotics governance and criminal justice policy, including the World Drug Report 2025 published by the United Nations Office on Drugs and Crime. The selection of these materials was based on their direct relevance to the interpretation and application of Article 114 of the Narcotics Law and their capacity to illuminate the distinction between narcotics dealers, intermediaries, and users. The analytical framework integrated a statutory approach and a case approach, enabling a systematic examination of the relationship between legislative intent, judicial interpretation, and the broader principles of justice, legal certainty, and human rights within narcotics adjudication (Sihombing & Hadita, 2022).

The analysis proceeded through several stages involving legal inventory, legal interpretation, doctrinal evaluation, and comparative assessment. First, the relevant statutory provisions and judicial decisions were identified and classified according to their substantive connection with Article 114 of the Narcotics Law. Second, the reasoning contained in Judgment No. 183/Pid.Sus/2025/PN.Mlg was examined through textual and contextual interpretation to determine whether the evidentiary and normative elements required for the application of Article 114 had been adequately established. Third, the findings were compared with analogous judicial considerations contained in Judgment No. 21/Pid.Sus/2019/PN Bil and assessed against the normative standards embodied in Indonesian criminal law and human rights legislation. To ensure analytical rigor, the study applied source triangulation across statutes, court decisions, and authoritative legal references, while maintaining interpretive consistency through repeated examination of legal texts and doctrinal cross checking. The credibility of the analysis was further strengthened by grounding all interpretations in established principles of legal reasoning and by maintaining transparency regarding the relationship between empirical case facts and the normative conclusions derived from them.

RESULTS AND DISCUSSION

Judicial Interpretation of Article 114 and the Construction of Dealer or Intermediary Liability in Judgment No. 183/Pid.Sus/2025/PN.Mlg

The examination of Judgment No. 183/Pid.Sus/2025/PN.Mlg indicates that the central issue concerns the judicial interpretation of Article 114 of the Narcotics Law in relation to the legal classification of the defendant. The court adopted a reasoning pattern that emphasized the existence of narcotics possession as a primary basis for criminal liability. Such reasoning raises doctrinal questions

because Article 114 was originally formulated to regulate conduct connected to narcotics transactions rather than mere possession. Similar concerns regarding expansive interpretations of Article 114 have been identified in recent narcotics adjudication studies (Bachri & Gumintang, 2025).

A textual reading of Article 114 demonstrates that the provision contains specific behavioral elements including selling, purchasing, receiving, exchanging, and acting as an intermediary in narcotics transactions. These elements imply the existence of conduct directed toward circulation within an illicit market structure. The legal construction embedded in the provision suggests that the legislature intended to target actors participating in distribution networks rather than individual consumers. This interpretation is consistent with the criminal policy orientation reflected in Law No. 35 of 2009 concerning Narcotics and contemporary discussions on narcotics law reform (Pambudi & Redi, 2024).

The reasoning presented in the Malang judgment reveals a tendency to prioritize formal evidence of possession over evidence of transactional intent. The documentary analysis found limited judicial elaboration regarding the existence of commercial activity, communication with buyers, or evidence of intermediary functions. The absence of detailed discussion concerning these elements weakens the logical connection between factual findings and statutory requirements. Similar patterns of evidentiary simplification have been observed in several narcotics judgments reviewed by Sandra et al. (2023).

The distinction between a dealer and a user remains one of the most contested issues in Indonesian narcotics law. Contemporary scholarship emphasizes that criminal liability must correspond to the defendant's actual role within the narcotics chain. When judicial interpretation expands beyond the normative scope of statutory elements, the risk of overcriminalization becomes increasingly significant. This concern has been highlighted in comparative analyses examining differences in legal treatment between users and distributors (Marbun et al., 2025).

A review of the factual circumstances contained in the judgment suggests that the defendant possessed approximately 0.63 grams of methamphetamine for personal consumption. The decision nevertheless relied upon Article 114 despite the limited indication of distribution related activities. Such reasoning creates tension between factual circumstances and normative classification. Studies concerning law enforcement against drug users have similarly identified difficulties in distinguishing consumption behavior from distribution conduct (Melia & Siregar, 2025).

Table 1. Normative Comparison Between Article 112 and Article 114 of the Narcotics Law

Legal Aspect	Article 112	Article 114
Primary Conduct	Possession or control of narcotics	Sale, purchase, exchange, receipt, or intermediary activity
Required Transaction Element	Not required	Required
Focus of Criminalization	Unauthorized possession	Distribution and market circulation
Evidentiary Emphasis	Physical possession	Possession plus transactional conduct
Criminal Policy Objective	Control of illegal narcotics ownership	Suppression of narcotics trafficking networks

Source: Compiled by the author based on Law No. 35 of 2009 concerning Narcotics and Rohi (2025)

The comparison presented in Table 1 demonstrates that Articles 112 and 114 were designed to address distinct forms of unlawful conduct. Article 112 focuses on possession while Article 114 addresses participation in distribution mechanisms. The differentiation is not merely technical because it reflects fundamentally different legislative objectives. Similar doctrinal distinctions have been emphasized in studies examining intermediary liability in narcotics transactions (Purba et al., 2025).

The legal consequences arising from classification under Article 114 are considerably more severe than those associated with Article 112. Judicial precision is therefore essential because an inaccurate classification directly affects sentencing proportionality. The normative structure of criminal law requires correspondence between proven conduct and applicable legal provisions. Such correspondence forms an essential component of legal certainty within contemporary criminal justice systems (Radbruch, 1919).

The analysis also reveals that the judicial reasoning in the Malang decision reflects a broader tendency toward punitive narcotics governance. National and international reports continue to demonstrate strong state commitment toward suppressing narcotics distribution due to its perceived threat to public security and social order (United Nations Office on Drugs and Crime, 2025). Indonesia similarly records narcotics offenses among the most prominent categories of criminal cases processed by law enforcement agencies (Pusat Informasi Kriminal Nasional Bareskrim Polri, 2022). Strong enforcement priorities may indirectly influence judicial interpretation when courts confront narcotics related prosecutions.

From the perspective of criminal policy theory, severe sanctions remain justified when directed against actors who facilitate narcotics circulation and generate broader social harm. Classical and contemporary penal theories recognize the legitimacy of imposing heavier punishment upon individuals occupying strategic positions within criminal networks (Muladi & Arief, 2005). The challenge emerges when evidentiary standards become insufficiently differentiated between distributors and users. Research concerning narcotics control policies has repeatedly emphasized the importance of maintaining balance between enforcement effectiveness and legal precision (Ahmad & Yuningsih, 2025).

The findings indicate that the judicial construction adopted in Judgment No. 183/Pid.Sus/2025/PN.Mlg rests upon an expansive interpretation of Article 114 that places greater weight on possession related facts than on demonstrable transactional conduct. Such an interpretive approach creates doctrinal ambiguity regarding the boundary separating possession offenses from distribution offenses. The resulting ambiguity may affect consistency across narcotics judgments and contribute to disparities in legal outcomes. Discussions concerning judicial discretion and sentencing legitimacy similarly suggest that rigorous examination of statutory elements remains indispensable for maintaining coherent criminal adjudication (Jumain, 2026; Zulfikar, 2023).

Judicial Reasoning and Evidentiary Assessment in Judgment No. 183/Pid.Sus/2025/PN.Mlg

The central issue in Judgment No. 183/Pid.Sus/2025/PN.Mlg concerns the manner in which the panel of judges constructed its legal reasoning when applying Article 114 of the Narcotics Law. The judgment demonstrates a reasoning pattern that relied primarily on factual findings concerning the defendant's possession of 0.63 grams of methamphetamine and the discovery of narcotics related evidence. The legal facts were derived from documentary evidence, witness testimony, laboratory examination results, and the defendant's own statement before the court. Judicial reasoning literature emphasizes that criminal liability must emerge from a coherent relationship between factual findings and the normative elements of the charged offense rather than from factual possession alone (Sandra et al., 2023).

An examination of the evidentiary structure reveals that the court accepted the prosecution's narrative as the principal framework for legal qualification. The witnesses mainly confirmed the discovery and seizure of narcotics from the defendant, while the laboratory report established the nature of the substance as a Schedule I narcotic. The defendant's statement did not indicate involvement in a commercial transaction, distribution network, or brokerage activity connected to narcotics circulation. Such evidentiary circumstances suggest that the established facts were directed more toward proving physical control over narcotics than proving conduct associated with narcotics trafficking as contemplated by Article 114 (Wicaksono et al., 2023).

The reasoning adopted by the court further illustrates a shift from evidentiary assessment toward legal presumption. Rather than explicitly demonstrating how each statutory element was fulfilled, the judgment appears to infer criminal qualification from the existence of possession itself. This interpretative approach creates tension with doctrinal standards requiring judges to articulate the logical pathway linking evidence to each constituent element of the offense. Contemporary studies on judicial reasoning stress that evidentiary conclusions must be transparently connected to statutory requirements to preserve legal certainty and adjudicative legitimacy (Mukhsin et al., 2026).

From the perspective of normative proof, the critical question concerns whether the judgment successfully established the specific conduct enumerated under Article 114. The available legal facts do not clearly demonstrate any act of offering narcotics for sale, selling narcotics, purchasing narcotics on behalf of another person, receiving narcotics for redistribution, or facilitating a transaction between parties. The judgment also lacks explicit findings regarding communication, negotiation, financial

exchange, or transactional arrangements that would ordinarily indicate commercial involvement. This evidentiary gap raises concerns regarding the adequacy of the legal qualification adopted by the court (Bachri & Gumintang, 2025).

The distinction between possession and trafficking becomes particularly significant when assessing the evidentiary foundation of the decision. Possession may establish unlawful control over narcotics, yet Article 114 requires proof of conduct associated with circulation or transactional activity. The reasoning in Judgment No. 183/Pid.Sus/2025/PN.Mlg appears to treat possession as sufficient evidence of dealer related conduct without articulating the additional factual basis required by the statute. Such an approach risks expanding criminal liability beyond the normative boundaries intended by the legislature (Purba et al., 2025).

Table 2. Comparative Evidentiary Assessment Between Judgment No. 183/Pid.Sus/2025/PN.Mlg and Judgment No. 21/Pid.Sus/2019/PN Bil

Assessment Indicator	Judgment No. 183/Pid.Sus/2025/PN.Mlg	Judgment No. 21/Pid.Sus/2019/PN Bil
Quantity of narcotics	0.63 grams methamphetamine	0.30 grams methamphetamine
Evidence of transaction	Not established	Not established
Evidence of intermediary activity	Not established	Not established
Applied article	Article 114	Article 112
Judicial qualification	Dealer or intermediary	Possessor or user
Sentencing implication	Higher penal exposure	Lower penal exposure

Source: Compiled by the author based on District Court of Malang (2025) and District Court of Bangil (2019).

The comparative assessment presented in Table 2 demonstrates a notable divergence in judicial qualification despite similarities in evidentiary circumstances. Both cases involved relatively small quantities of methamphetamine and neither judgment established evidence of transactional conduct or intermediary activity. Nevertheless, the Malang District Court applied Article 114, whereas the Bangil District Court classified the conduct under Article 112. The contrast indicates the existence of differing evidentiary thresholds in judicial practice despite comparable factual conditions (District Court of Malang, 2025; District Court of Bangil, 2019).

The issue becomes more pronounced when examining the mens rea component underlying the application of Article 114. Criminal liability under this provision logically presupposes an intention connected to narcotics circulation rather than mere possession. The judgment does not appear to identify evidence demonstrating transactional intent, commercial purpose, or willingness to facilitate narcotics distribution. Several recent studies emphasize that judicial findings regarding narcotics trafficking must be supported by objective indicators of commercial involvement rather than assumptions derived solely from possession of prohibited substances (Putri & Noupel, 2026).

The absence of proof concerning commercial purpose weakens the doctrinal basis of the judgment. No evidence indicates that the defendant intended to obtain economic benefit through narcotics transactions or participate in a distribution chain. Similarly, the reasoning does not identify any relationship between the defendant and prospective buyers, suppliers, or other actors commonly associated with trafficking activities. These omissions suggest that the mens rea required for dealer or intermediary classification remained insufficiently demonstrated within the judgment itself (Jumain, 2026).

A further deficiency concerns the absence of intermediary conduct as an independently proven fact. Judicial qualification as an intermediary ordinarily requires evidence that the accused connected parties, facilitated negotiations, transferred narcotics, or otherwise participated in the transactional process. The evidentiary record reflected in the judgment does not establish such conduct through witness testimony, documentary evidence, or admissions by the defendant. This evidentiary limitation supports the view that the established facts correspond more closely to possession based liability than to intermediary based liability under Article 114 (Purba et al., 2025).

Viewed through the lens of judicial reasoning theory, the judgment raises broader concerns regarding interpretative consistency and legal certainty. Sound judicial reasoning requires a transparent demonstration that factual findings satisfy every statutory element before a legal qualification is imposed. The divergence between the Malang and Bangil decisions illustrates how similar factual circumstances may generate substantially different legal consequences when evidentiary standards are applied inconsistently. Such inconsistency challenges the values of predictability, rational adjudication, and legal certainty that constitute essential components of contemporary criminal justice systems and the rule of law framework articulated by Radbruch and later scholars (Zulfikar, 2023).

Substantive Justice, Human Rights Protection, and the Future Direction of Narcotics Adjudication

The second research question concerns whether Judgment No. 183/Pid.Sus/2025/PN.Mlg satisfies the standards of justice expected within contemporary criminal law. This inquiry extends beyond the formal correctness of legal classification and focuses on whether the judicial outcome reflects substantive justice, proportionality, and respect for human dignity. Normative legal research requires an evaluation of judicial reasoning against broader legal values rather than a repetition of evidentiary assessments already examined in previous sections (Sihombing & Hadita, 2022). Contemporary scholarship increasingly argues that narcotics adjudication must reconcile legal certainty with the protection of individual rights and social reintegration objectives (Septian & Pangastuti, 2024).

The theoretical evaluation of the judgment reveals significant tensions between punitive legal formalism and substantive justice. John Rawls emphasizes fairness toward socially vulnerable individuals, while Emile Durkheim views punishment as a mechanism for restoring social cohesion rather than merely inflicting suffering. Gustav Radbruch further argues that justice, legal certainty, and utility must remain balanced within judicial decision making and that excessive reliance on formal legality may undermine the legitimacy of law itself (Radbruch, 1919). These theoretical perspectives provide an appropriate framework for assessing whether the judicial outcome adequately protected the rights and interests of the defendant.

Table 3. Evaluation of Judgment No. 183/Pid.Sus/2025/PN.Mlg Through Contemporary Legal Theories

Analytical Dimension	Rawlsian Justice Theory	Durkheimian Punishment Theory	Radbruchian Legal Theory
Main benchmark	Fairness and protection of vulnerable persons	Social reintegration	Balance between justice and certainty
Position of narcotics user	Least advantaged individual	Subject requiring reintegration	Rights bearing legal subject
Assessment of Article 114 application	Disproportionate	Excessively retributive	Weak substantive certainty
Preferred response	Rehabilitation	Restorative intervention	Contextual legal interpretation

Source: Compiled by the author based on Rawlsian justice framework, Durkheimian punishment theory, and Radbruch (1919).

The assessment presented in Table 3 demonstrates a converging theoretical conclusion that punitive responses should not be detached from the social and legal position of narcotics users. Rawlsian analysis places emphasis on the protection of individuals occupying disadvantaged social positions, including those experiencing substance dependency. Durkheimian theory similarly rejects purely retributive punishment when reintegration mechanisms are available and normatively preferable. Radbruch's framework reaches a comparable conclusion by emphasizing that legal certainty loses legitimacy when it produces outcomes perceived as substantively unjust (Atmasasmita, 2011).

From the perspective of substantive justice, the judgment raises concerns regarding proportionality between the defendant's conduct and the resulting penal consequences. Modern criminal law theory recognizes proportionality as a central component of legitimate punishment because

sanctions must correspond not only to legal provisions but also to the social reality of the offender. Excessively punitive outcomes may create legal inequality when contextual factors relevant to rehabilitation and social recovery are insufficiently considered (Putri & Noupel, 2026). Recent studies similarly observe that narcotics adjudication frequently struggles to distinguish punitive objectives from therapeutic interventions, generating inconsistent judicial outcomes (Diani et al., 2024).

The human rights dimension further strengthens the critique of a purely punitive approach. Law No. 39 of 1999 concerning Human Rights guarantees protection of human dignity and equal treatment before the law, principles that remain applicable within narcotics adjudication. Equality before the law requires that individuals in comparable circumstances receive proportionate legal treatment, while the principle of proportionality demands that state coercion remain necessary and justified. Contemporary legal scholarship increasingly views narcotics dependency as a condition requiring legal protection alongside criminal accountability rather than exclusive reliance upon incarceration (Septian & Pangastuti, 2024).

The right to health represents another important normative consideration. Human rights based approaches recognize access to treatment and recovery mechanisms as integral components of legal protection for individuals affected by substance dependency. International developments increasingly support rehabilitation oriented responses because they address both public health and criminal justice concerns simultaneously (UNODC, 2025). Similar conclusions have been advanced within Indonesian legal scholarship, which argues that rehabilitation should function as an essential instrument of rights protection rather than a discretionary alternative of secondary importance (Ningsih et al., 2024).

A significant normative issue concerns the limited consideration of the rehabilitation mandate contained in Articles 54 and 103 of Law No. 35 of 2009. Article 54 establishes the obligation of medical and social rehabilitation for narcotics addicts and victims of abuse, while Article 103 authorizes judges to order rehabilitation measures through judicial decisions. These provisions indicate that Indonesian narcotics law incorporates both punitive and therapeutic objectives within its regulatory framework. Several recent studies note that judicial reluctance to utilize rehabilitation mechanisms contributes to continuing inconsistencies in narcotics sentencing practices (Siregar & Hasibuan, 2023).

The insufficient utilization of Articles 54 and 103 also reflects a broader tension between legal formalism and restorative criminal justice. Restorative approaches seek to repair harm, facilitate recovery, and reduce future criminal involvement through constructive interventions rather than exclusive reliance on imprisonment. Contemporary research increasingly supports rehabilitation based responses because they better accommodate public health considerations, social reintegration, and long term crime prevention objectives (Pratiwi, 2023). Similar observations have been made regarding the growing importance of restorative justice principles within Indonesian judicial practice (Pancasilawati et al., 2025).

Future reform of narcotics adjudication should therefore be aligned with the broader transformation of Indonesian criminal law reflected in Law No. 1 of 2023. Criminal law reform increasingly emphasizes corrective, restorative, and rehabilitative objectives while reducing excessive dependence upon retributive punishment. Recent scholarship argues that harmonization between penal and non penal strategies is necessary to achieve sustainable narcotics governance and more effective protection of individual rights (Ahmad & Yuningsih, 2025). Comparable conclusions are advanced by Pambudi and Redi (2024), who identify criminal law reform as a crucial mechanism for strengthening both justice and effectiveness in narcotics law enforcement.

The future direction of narcotics policy should integrate penal policy and non penal policy within a coherent institutional framework. Penal measures remain necessary for organized trafficking networks, yet rehabilitation infrastructure must be strengthened for individuals requiring treatment and social reintegration. Current academic discussions increasingly support the establishment of specialized narcotics courts capable of integrating legal, medical, and social assessments into judicial decision making (Yunita et al., 2026). Such reforms would complement broader criminal policy objectives, improve consistency in adjudication, and promote a more balanced relationship between legal certainty, human rights protection, and substantive justice (Habeahan et al., 2026).

CONCLUSION

This study demonstrates that the application of Article 114 of Law No. 35 of 2009 in Judgment No. 183/Pid.Sus/2025/PN.Mlg reflects a judicial approach that prioritizes formal legal construction over

substantive legal assessment. The normative analysis indicates that the judicial reasoning relied predominantly on a textual interpretation of the statutory provision while providing limited justification regarding the defendant's actual position within the narcotics offense structure. The evaluation of judicial considerations reveals a weak integration of the rehabilitation mandate embodied in Articles 54 and 103 of the Narcotics Law, despite the availability of legal mechanisms designed to address narcotics dependency through medical and social recovery measures. From the perspectives of Rawls, Durkheim, and Radbruch, the judgment raises concerns regarding proportionality, social reintegration, and the balance between justice and legal certainty. The findings further indicate that a rights based approach grounded in Law No. 39 of 1999 and the reform orientation of Law No. 1 of 2023 would support greater consideration of rehabilitation and restorative interventions. Future narcotics adjudication requires a more contextual interpretation of criminal liability that harmonizes legal certainty, human rights protection, and substantive justice within a coherent criminal policy framework.

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