

CHAPTER IV

CONCLUSION

Based on the previous chapters, both countries believe that the implementation of war-on-drugs is absolutely needed. Therefore, The implementation of shoot-to-kill order is a form of the existences of state in order to protect the society from harm that will destroy the state future. Therefore, it can be concluded that the implementation of war-on-drugs is important even though it has consuming a lot of casualties.

Therefore, Jokowi and Duterte have used human body as a subject to send a message to criminals about the existence of state in order to protect the citizen. Therefore, although in 3 years of administration under Jokowi, BNN has succeeded to uphold the number of drug users in Indonesia and Duterte movement have succeeded to reduce the number of crime. Therefore, the violation of the human body and replace it as a subject to sending a thread to criminal are effective.

However, the differences between Jokowi and Duterte concept about war on drugs are lies in the execution. Jokowi on the implementation of war on drugs put forward the values of law due to process.. Thus, drugs suspect who surrender have the chance to prove themselves not guilty and safe their face. Jokowi also did not encourage citizens to be vigilanties habit and all

enforcement against drug are only from the state. Therefore, the state has the main control and became the main instrument of the policy.

On the other hand, Duterte's implementation of drugs has led it into another stage of the war on drugs. Duterte's war on drugs is basically based on police assessment toward the individual in society. In the implementation, there were no jurisdiction, nor law that the suspect can use to protect and defend themselves. Therefore, the role of state in this case is to judge the individual on the society based on the involvement on drug related.

The involvement of society to join the war on drugs as a vigilante is a big step that Duterte made. Therefore, in Duterte case, the instruments on the implementation of war on drugs is not the only state but also society. society has right to execute another society based on the name of the state (justice). Duterte's method before the execution of the drug dealers also can be seen as a brutal method. This is because of how Duterte humiliated the target by spreading the list of drugs suspect in television and radio before taking the action. Therefore, the suspect knows that they are being targeted even before the police come to their home. After that basically the police will give the target two option to choose, is it to stop the activities or to be killed.

However, other differences between Indonesia and Philippines war-on-drugs policy are to whom the implementation of war on drugs actually implemented. In Indonesia, most of the victim was coming from other counties such as Australia, Brazil, and Tiongkok, but the case of the Philippines, most of the victim were the citizen of the country.

Therefore, both policy serves as a justice against the suspects and acted as a justice into the criminal by eliminating the life. The effectiveness that it brings has cost human life.

Therefore, this state action have caused problems especially when the state executed the wrong person. In Philippines, Duterte believes that the number of death that occure on the implementation of war-on-drugs is the price that need to be paid, and for Jokowi, the approach through the implementation of laws should be the first that need to be taken.

However, in the commitment aspect to eradicate the drugs in their country, Duterte seems like have more commitment rather than Jokowi. It can be seen by the support that Duterte gave to the law enforcement are much higher that Jokowi did. This is because Jokowi cut on BNN budget and no improvement on law enforcement equipment such as weaponry or vehicle. In the other hand, Duterte raises the law enforcement budget against drugs almost 100%. There is an enchanchment refreshment of weaponry such as firearm and vehicle. In addition, an immunity was givenn for law enforcement agencies.

Therefore, on the implementation of the war-on-drugs policy is affected by a various factor such as the economy, law, and diplomatic factor. On the economy factor, in order to implemented war on drugs in Indonesia, it cost a lot of money and became a burden to Indonesia's national budget. As for the Philippines, the rise of the PDEA's budget that almost 100%. On the legal aspect, in Indonesia is the corruption on Judicial levels that make the decision became questionable. In the Philippines aspect is the method that PNP used to neutralize the suspect and the investigator that has immunity by the president.

On the diplomatic sector, the strong response that Jokowi and Duterte receive from other countries was a challenge on the implementation of war-on-drugs. The cooperation between another countries was at stake in the execution of the policy. The withdraw of the ambassador from Australia and Brazil which happen in Indonesia, and the cooperation that being held by

America to Philippines became the price that needs to pay in order to implement the war-on-drug policy.

However, on the comparison, the implementation of war-on-drugs in the Philippines seems more aggressive than Indonesia. The implementation of war-on-drugs policy in Philippines presumes that the criminals life have no meaning when in Indonesia the value of the law is still the main instrument. In addition, the suspect in Indonesia still have the right to defend them self on court, on the other hand in Philippines, the suspect will be accused as a drugs user or dealer and only have two choices, got killed, or went to rehabilitation. On the punishment, Indonesia separated between drug user and drug dealer.

Durg user will have lesser punishment than drug dealer. The portion of the punishment are equal to the criminal act that committed. In another hand, shoot-to-kill order in Philippines is applied to both drugs suspect and drugs dealer. Therefore, in comparison on Human Right and Democracy, Indonesia's war-on-drugs have a better concept rather than Philippines. In addition, also by judging the number of user, Indonesia seems facing more problem than the Philippines. However, in comparison of effectiveness, Philippines war-on-drugs seems to be more effective.

In addition, in order to implement war-on-drugs, the establishment of law should be considered as important. As stated in the first chapter that war-on-drugs cannot be winning in one night and violent act will only effect on a certain point. Therefore, the recommendation by the author based on what has been explaining in the previous chapter are:

1. Toward Joko Widodo's Commitment on Illegal drugs

The commitment of Joko Widodo is questionable since the cutting on BNN budget. Also, the implementation of shoot-to-kill order should be followed by the

improvement of the equipment of law enforcement. Also, the cutting on rehabilitation budget implied the lack of government seriousness in order to rehabilitate the addict. In additional, the establishment of drugs law in Indonesia about death penalty seems still have weaknesses as Mary Jane, the drugs suspect from Philippines still able to avoid the execution because of the cases in Philippines. Therefore, the establishment of drugs regulation should be tighter so that it is not only about killing but also about justice.

2. Toward Rodrigo Duterte Method

Duterte should evaluated the concept of humiliation to the drug suspects. Hence, Duterte needs to evaluate that method about the immunity given to the police. Also, the participation of society as vigilantes are gone to far as the job of President to protect the society, and not opted them for the dangerous operation.