

The Efforts To Overcome Narcotics Abuse Performed By Children

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Abstract. As part of the younger generation, children are the successors to the aspirations of the nation's struggle and human resources for national development. So that efforts are needed to foster and protect children so that children avoid narcotics abuse. Narcotic abuse by children is a deviant behavior or an unlawful act. The normative juridical research used in this study based on the principles or norms regulated in Law Number 22 of 1997 concerning narcotics. Protection for child victims of narcotics abuse was by placing narcotics users/addicts as victims and including it as one of the thoughts in making regulations related to narcotics. In Narcotics Law, protection is provided by the application of a double-track system by judges in formulating sanctions. For example, in addition to imprisonment, children as victims of narcotics abuse are placed in rehabilitation centers.

Keywords: Narcotics, Rehabilitation, Abuse

1. Introduction

Children are the future of the nation's aspirations and human resources for its development as members of the younger generation. So that efforts are needed to foster and protect children so that children avoid narcotics abuse. Narcotic abuse by children is a deviant behavior or an unlawful act.

Based on Pancasila and the Republic of Indonesia's 1945 Constitution, government policy in the area of health services aims to build a just, prosperous, and prosperous Indonesian society. in addition to attempting to eliminate the dangers of drug abuse and the illegal trade in narcotics and their precursors. [1]

Despite the fact that narcotics are extremely useful and necessary for the advancement of science and medicine. However, if it is used improperly or in violation of health regulations, it will lead to dependence, which is extremely harmful when used without strict and thorough supervision. [2] According to people who are experts in the health sector, drugs are painkillers or are called psychotropic. Usually used by doctors to anesthetize patients when they want to operate on drugs for certain diseases. Therefore, if it is misused or used not following health standards, it will become a health hazard. [3]

According to Article 1 of the Law of the Republic of Indonesia Number 35 of 2009 Concerning Narcotics, narcotics are substances or drugs derived from plants or non-plants, both synthetic and semi-synthetic, that can cause a decrease or change in consciousness, loss of taste, and fall into one of the groups listed in Article 6 paragraph (1) of the Law.[4] Specifically, Narcotics Group 1 are controlled substances that can only be utilized for the advancement of

science and cannot be abused. Cocaine, marijuana, and opium—frozen latex derived from the papaver somniferum plant—make up drug class 1. Narcotics in Category II are those that can lead to moderate dependence and should only be used for medical and scientific research. Morphine, a white powder used to alleviate cancer surgery-related pain, is a member of this group. The drugs in Narcotics Group III have a low dependence. Most of the time, medical and scientific applications make use of Class III narcotics. Codeine, which comes in the form of white powder or tablets and is typically used as a painkiller and cough suppressant, is a member of this category. [5]

The quantity of criminal acts of narcotics abuse is increasing day by day, both dealers and their victims are due to the value system adopted by members of the community where there has been a shift from disciplinary values in the household, school, and social life. This is due to the fading social order or social control system of the community. On the other hand, the law which is seen as one of the suggestions of social engineering is incapable of dealing with threats from the symptoms of social deviation that are currently occurring. [2]

At present narcotics crimes which are usually carried out in the form of narcotics abuse and distribution have become a global problem and pose a serious threat to the existence and future of a nation and state, so efforts must be made to prevent, overcome and eradicate narcotics which are carried out together. The disaster that will be experienced at first will only damage the drug user or user himself and then will escalate to become a problem for his family, then a problem for the community and then it will become a big problem for the country and the nation as a whole, which will result in damage to the value of -the cultural values of a nation and can also destroy the foundations of national and state life.

2. Method

This study is part of the normative juridical type of legal research, in which the law is thought of as what is written in laws and regulations (law in books) or as rules or norms, which are standards for human behavior that are thought to be appropriate.[6] The principles or norms regulated in Law Number 22 of 1997 concerning narcotics against the criminal acts of narcotics abusers serve as the foundation for the normative juridical research used in this study.

Wellsprings of exploration information in this source from optional information. Primary legal materials, secondary legal materials, and tertiary legal materials make up the secondary data used by researchers.

- 1) The primary legal materials that the researchers used were legal documents in the form of Indonesian laws and regulations that are related to the legal issues being studied, including:
 - a) The 1945 Constitution of the Republic of Indonesia.
 - b) The Criminal Code.
 - c) Law Number 22 of 1997 concerning narcotics
 - d) Other regulations related to narcotics crime [7].
- 2) In order to analyze legal issues related to the application of cumulative criminal sanctions against criminal acts of narcotics abuse in Indonesia, researchers use secondary legal materials obtained from textbooks, journals, scientific papers, and the opinions of criminal law experts.
- 3) The primary and secondary legal materials that researchers use come from legal

dictionaries, encyclopedias, and internet searches that have relevance to the legal issues studied. These tertiary legal materials provide meaningful instructions or explanations of the primary and secondary legal materials.

3. Findings And Discussion

3.1 The Factors that Causing Narcotics Abuse by Children

Narcotics abuse is a phenomenon that occurs due to several factors that coincidentally have intertwined into one, resulting in this. According to Dwi Yanny L, these factors can be divided into three major parts, namely: individual factors, environmental factors, and factors due to other criminal acts in the field of narcotics. [8]

Individual Factors

The fact that humans have a body, a soul, and a spirit is a given. The body, soul, and spirit ought to be in harmony in the ideal state. There are three parts to the human soul: cognition (thinking), affection (feelings, emotions), and constitution (will, will, and psychomotor). Humans go through psychological development in addition to physical development. Dwi Yani L says that personality is formed and heavily influenced by the dynamics of his self-concept's development during this time of psychological development. Every individual has a different perspective on this change. As a result, no two people are exactly alike; inborn characteristics play a significant role.

Concerning narcotics abuse, individual factors that cause a person to fall easily include:

- 1) Personality disorders, which include thinking disorders, emotional disturbances, volitional disorders, and behavior
- 2) The age factor, during the transition from childhood to adolescence, Adolescents experience feelings of uncertainty because, on the one hand, they believe they are no longer children and, on the other, they are unable to accept responsibility as adults because they are still young and do not have much experience. Great curiosity and a desire to experiment, but a lack of experience and reasoning prevents them from comprehending the dangers. Teens are more likely than not to engage in narcotics abuse or juvenile delinquency under these conditions.
- 3) Negative opinions, erroneous beliefs, and taking dangerous things lightly so that they disregard the opinions of others, believe they can definitely overcome the danger, or are certain that their own opinion is correct can lead to drug abuse.
- 4) Low religious, low spiritual. So that there is no standard to control his behavior, so that his behavior is as he pleases, does not know what is good and what is bad, and is not afraid to sin. One of the sinful/negative acts that one does not hesitate to do is the crime of narcotics abuse.

Environmental factor

The environment has a major influence on a person's fall into drug abuse, especially family and environmental factors around the place of residence, the influence of friends, and the condition of society in general.

1) Family Factor

The family has a very important role in education and character formation. There is no family education, there is no encouragement or guidance for children and other family members, and families that do not know God, are not harmonious or have too many demands placed on them. For example, husband and wife do not know love and affection and pay no attention to each other, excessive finances or deficiency, this can be one of the factors that cause a person psychologically or emotionally not to develop properly. Finally, it can easily fall into various criminal acts including narcotics abuse. And this can also occur due to a lack of harmony (disagreement) in the family for those who are already married.

2) Environmental factors around the place of residence

Living in a dark area or one that is too crowded offers a tempting atmosphere of entertainment. For someone whose lifestyle is influenced negatively by people who engage in activities in places of entertainment, it is evident that.

3) Friends Influence

Social environment/friendship is very influential on a person. Everyone has friends in their social circle, this friendship has a very big influence on one's life, they feel close to one another and not a few who form a group (Genk) they have a sense of shared destiny, a high sense of solidarity among friends. Thus, they will easily do things that are considered fun in their group. They don't think about good or bad, but only think about whether it's fun or not. Also, not considered the risks to himself.

4) The State of society

For someone who has not yet had a strong faith, or lacks an understanding of the noble values of Indonesian culture, it will be easy for someone to adapt to foreign cultures which are sometimes not following the culture of the Indonesian nation. In the hustle and bustle of discotheques and places looking for entertainment, the distribution of narcotics is also increasing so that narcotics are very easy to obtain and the prices also vary, some are cheap and some are expensive. Starting from fads and try and finally falling into the abyss of narcotics abuse.

3.2 The Efforts to Combat Narcotics Abuse

According to Barda Nawawi Arif, efforts or policies to carry out prevention or control include criminal policies (criminal policies). This criminal policy cannot be separated from a larger policy, social policy, which includes efforts to improve social welfare. [9] According to

Hoelnagels, who were cited by Barda Nawawi Arif, crime prevention must be pursued through a policy approach, in the sense of: [10]

Penal Attempt

Penal Efforts to combat crime through criminal (legal) sanctions are the oldest strategy, dating back to the beginning of human civilization. According to Barda Nawawi Arif, criminal (legal) sanctions as one of the policies in dealing with crime problems is a criminal policy (as one of the means of criminal policy). [11] In the fight against crime, criminal politics, also known as criminal policy, is a component of social policy. When a criminal organization employs penal means, it does so primarily through the application of criminal law, both formal and material, to accomplish specific objectives. The short-term objective is to re-socialize criminals, the long-term objective is to prevent crime, and the long-term objective is to achieve social welfare.

Thus, the penal legal remedy focuses on the nature of the repressive after the crime has occurred, and has limitations in limiting social problems. This effort is the most appropriate because it contains a regulation that includes punishment. According to M. Hamdan, a law like this is said to be necessary because: [12]

- 1) A criminal sanction is a sanction that is really needed;
- 2) Criminal sanctions are the best means or are the best tools in dealing with crime;
- 3) Although on the one hand criminal sanctions are the best guarantor, on the other hand they are the main threat to human freedom.

Law enforcement officials have a considerable responsibility in efforts to combat narcotics abuse. It is hoped that the existing legal apparatus (police, prosecutors, and judges) will be truly consistent in handling cases of narcotics abuse. The police as investigators carry out their duties properly in their efforts to investigate cases of narcotics abuse, to obtain evidence that can shed light on a case, and the police can also make efforts to eradicate illicit drug trafficking by arresting the perpetrators and destroying goods. illegal narcotics. Judges in handling narcotics abuse cases, should in carrying out sanctions decisions, must examine the existing legal provisions, to provide an appropriate decision besides that in imposing sanctions, judges in giving decisions can also decide to take a form of action besides sanctions criminal. And the prosecutor as the public prosecutor, also in carrying out his duties, especially in providing indictments and charges, must also review the elements of law and existing legal regulations, so that the indictments and charges are appropriate. If the police, judges, and prosecutors as law enforcement officers have carried out their duties properly, they will automatically also support efforts to tackle narcotics abuse, as disclosing narcotics cases and issuing decisions can deter people from committing narcotics abuse again and prevent people from daring to do the same thing, out of fear of punishment.

Non-Penal Efforts

The primary requirements for dealing with conducive factors that cause crime include, among other things, social problems or conditions that directly or indirectly directly can give rise to or foster crime. Non-penal efforts to deal with crime are more in the nature of preventative measures against the occurrence of a crime. Regarding the factors of narcotics abuse, several ways can be taken:

1) Handling by The Victim Himself

You are the party that plays the most important role in efforts to tackle drug abuse, because you are the most able to recognize yourself personally, and you can monitor yourself whenever and wherever you are compared to other people.

2) Treatment by The Family

A child's personality is shaped in large part by his or her family, from birth and grows to become a teenager, it is family life that has provided the pattern, the basic style of education, and the formation of his personality. The family plays an important role in guiding or fostering a child so that he does not fall into negative things, including narcotics abuse.

3) Countermeasures through The Application of Religious Values

Returning to religious values can prevent acts of narcotics abuse because a true understanding of religion will form a good personality, able to distinguish between what is good and what is bad. Through religious teachings, someone will be able to think that the act of drug abuse is a sinful act that is prohibited by religion so they are afraid to do it.

4) Community Response

In order to achieve success in overcoming narcotics abuse, the community can play an active role, for example by holding/forming movements that have an agenda and hold counseling about the dangers of narcotics abuse. Communities can also form/establish institutions engaged in the field of services in the care/treatment of narcotics addicts.

5) Government Countermeasures

The government is responsible for efforts to overcome the problem of narcotics abuse, the government can make several efforts, namely:

- To formulate policies on crime in the field of narcotics
- Organizing communication, education and outreach about narcotics abuse and the dangers of several counseling sessions.
- Organizing services in the care / treatment of victims of narcotics addicts

3.2 Law Enforcement of Narcotics Abuse by Children

Under Article 64 and Article 65 of Law No. 35 of 2009 Concerning Narcotics, the government established an institution with the goal of preventing and eradicating narcotics

abuse, illicit trafficking, and narcotics precursors in Sleman Regency. The National Narcotics Agency (BNN) is the organization. BNN is a non-pastoral establishment that is situated under the president and is straightforwardly capable to the president.

In dealing with cases of abuse of psychotropic and narcotics by children, BNN strives to always use preventive measures (non-penal) and repressive measures (penal policy), namely:

Preventive steps are carried out with:

1) Socialization

Sleman BNN routinely conducts socialization every month with the theme of the dangers of drugs (narcotics, psychotropic, and other addictive substances). The target for socialization is children so that they understand the dangers of drugs from an early age so that it is hoped that children can stay away from drugs that will endanger their lives.

2) Empowerment

Empowerment is an action from BNN Sleman to build better community resources. This is an effort by BNN Sleman to foster understanding in the community about the dangers of drugs and the emergence of initiatives so that people can remind each other to create a drug-free society.

Repressive measures (penal-policy) include:

1) Shine Operation

BNN in dealing with the problem of drug abuse uses an action called "Operation Shine". The operation is carried out by combing the boarding area or nightclubs. During the shining operation, BNN Sleman conducted a urine test to find out whether or not drug abuse was present. However, from January to September 2017 during the screening operations, there was no evidence of drug abuse being carried out in boarding houses or nightclubs.

2) Rehabilitation

In accordance with Article 54 of Law No. 35 of 2009, which mandates that drug addicts undergo both medical and social rehabilitation, rehabilitation is one of the measures taken by law enforcement.

According to BNN, rehabilitation is carried out in several types, namely:

a. Medical Rehabilitation

BNN in carrying out medical rehabilitation by means of treatment supervised by an appointed doctor. In practice addicts are given certain drugs to prevent addicts from consuming drugs again. According to Article 56 of Law Number 35 of 2009, which regulates the stages of addiction rehabilitation, medical rehabilitation is carried out in a hospital designated by the Minister of Health or a rehabilitation institution with the Minister's approval.

b. Social Rehabilitation

1) Psychosocial Therapy

This therapy is carried out by psychologists to encourage psychological and mental addicts who aim to eliminate the nature of dependence. In addition to eliminating the nature of dependence, this therapy also aims for the addict to be able to carry out social functions in community life.

2) Motivation Interviewing

Therapy in the form of motivational therapy is done by motivating addicts to get off drugs. This therapy directs the addict to live a healthy life without drugs and motivates him to become a better person.

3) Counseling

Counseling has a goal of a recovery program. Addicts will be more directed to overcome situations where there is a risk of recurring drug use. The counselor is fully responsible for knowing how opiates are owned by drug addicts as a whole, as well as understanding how the social environment that exists around addicts prevents recurrence of drug abuse.

4) Religious Rehabilitation

In this rehabilitation, addicts try to be closer to religion to be close to God. This is an effort so that addicts can realize that using drugs is something that is prohibited by religion and creates fear for addicts to violate the rules of the Almighty.

According to Barda Nawawi Arief, in essence, the policies issued by criminal law are not merely legislative technical work that is carried out in a normative and systematic-dogmatize juridical manner. In addition to a normative juridical approach, a factual juridical approach is also needed in the form of a sociological, historical, and comparative approach.[13] In this case, both the National Narcotics Agency and the Police have carried out their duties by carrying out a series of penal approaches, namely carrying out investigations and investigations to tackle drug abuse by children, as well as non-penal, namely conducting outreach, coaching, empowerment and rehabilitation for those who have abused narcotics.

In addition to BNN, the Resort Police also contributed to Indonesian law enforcement efforts in cases of drug abuse. Children who break the law in cases of drug abuse are not held by investigators or public prosecutors because of Law Number 11 of 2012, which says that children can't be held if they get bail from someone else. This means that children who break the law in cases of drug abuse are not held. that the child will not run away, that the evidence will not be lost or damaged, or that the crime will not be repeated. However, in Sleman Regency, the way law enforcement deals with drug abuse by children has never been different. The SPPA Law, as is common knowledge, calls for child cases to be diverted. The police also did not provide clear information regarding the reasons for not conducting a diversion in the case of children who abused narcotics in Sleman Regency, so this cannot be confirmed with certainty. 7 years are required for drug abuse crimes.

4. Conclusion

Narcotics abuse has a juridical impact where children who are involved in narcotics abuse, besides being victims are also subjects of the law, even though the perpetrators suffer from the bad consequences of narcotics abuse, those concerned are also threatened with

punishment as stipulated in the legislation. Damaging the nation's future, health, and mental disorders, and causing various unrest in society because it is a source of crime.

Protection for child victims of narcotics abuse is by placing narcotics users/addicts as victims and including it as one of the thoughts in making regulations related to narcotics. In Narcotics Law, protection is provided by the application of a double-track system by judges in formulating sanctions. For example, in addition to imprisonment, children as victims of narcotics abuse are placed in rehabilitation centers.

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