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## Research Article

# Criminological Analysis of Narcotics Addicts in the Study of Differential Association and Sub Culture Theory

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**Abstract:** The problem of drugs in Indonesia is still something that is urgent and complex. In the past decade this problem has become widespread. Evidenced by the increase in the number of drug abuse or addicts significantly, along with the increasing disclosure of drug crime cases which are increasingly diverse in patterns and increasingly massive in their syndicate networks. Indonesian society, even the world community, in general is currently faced with a very alarming situation due to the rampant use of various types of illegal drugs. This concern is further heightened due to the rampant illegal circulation of narcotics that has spread in all walks of life, including among the younger generation. The behavior of some adolescents who have clearly ignored the values and norms and laws that apply in the midst of community life is one of the causes of the rampant use of drugs among the younger generation. In everyday life in the midst of society there are still many teenagers who still do drug abuse.

**Keywords:** Narcotic Addict; Criminology; Differential Association, Sub Culture Theory

## Introduction

The issue of justice and human rights in relation to criminal law enforcement is not a simple job to realize. There are many events in people's life that show that these two things do not get serious attention from the government even though it is very clear in Pancasila, as the philosophy of life of the Indonesian people, the issue of Humanity and Justice has a very important place as the embodiment of just and civilized

Humanitarian Precepts and Justice social for all Indonesian people.

Children in Indonesia are a mandate and a gift from God Almighty, who is inherent in their dignity as whole human beings. Therefore, children as human beings have human rights which are recognized by the nations of the world and are the foundation for freedom, justice and peace throughout the world. Besides that, it should be acknowledged that the family is an environment for children's growth and well-being, and the development of children's

personalities as a whole and in harmony requires a happy, loving and understanding family environment. In essence, children cannot protect and protect themselves from various acts of violence or discrimination that cause mental, physical, social and life damage to the child.

Drugs which are short for narcotics, psychotropic substances and other addictive substances. Another term for drugs is Narcotics (Narcotics, Psychotropics, and addictive substances), this term is widely used by health and rehabilitation practitioners. Narcotics are substances or drugs derived from plants or non-plants, both synthetic and semi-synthetic, which can cause decreased or altered consciousness, loss of taste, reduce pain, and can lead to dependence. Psychotropics are substances or drugs, both natural and synthetic, not narcotics that have psychoactive properties through a selective influence on the central nervous system which causes distinctive changes in mental activity and behavior. Doctors are more often used to treat mental disorders (Priyambodo: 2009). Other addictive substances are substances or other substances that are not narcotics and psychotropic substances that affect the work of the brain and can cause dependence, these substances can direct or act as a type of addiction to narcotics.

Narcotics abuse no longer looks at age, starting from children, adolescents, adults to the elderly, although it is not free from this narcotics abuse trap. According to the Deputy for the Eradication of the National Narcotics Agency (BNN), Inspector General Pol Arman Depari, who was reported by *kompas.com*, based on the results of a survey on the prevalence of drug abuse, the number of drug users in Indonesia reached more than 4 million people. The problem of

narcotics distribution is also worrying, because it does not only happen in big cities but also to remote areas of Indonesia.

Law of the Republic of Indonesia Number 35 of 2009 concerning Narcotics states that importing, exporting, producing, planting, storing, distributing, and using narcotics without strict control and supervision, and contrary to the prevailing laws and regulations is a crime. The Narcotics Law also states that narcotics is a crime because it is very detrimental and is a very big danger to humans, society, the nation and the State as well as Indonesia's National security.

## Method

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This research on the Relationship between Drug Addicts and Criminology and Victimology uses a qualitative approach, where this approach tends to lead to descriptive research methods (in the form of written or spoken words). This research method focuses its attention on the general principles that are fundamental to the manifestation of the units of symptoms that exist in human social life. Qualitative research is based on a research process that aims to understand a humanitarian problem based on the preparation of a complex overall picture according to the detailed views of the informants or sources.

Bogdan and Taylor (Moleong, 2005) define a qualitative method as a research procedure that produces descriptive data in the form of written or spoken words from people and observable behavior and its theoretical basis using a phenomenological approach, here the author tries to understand the meaning of events and their relationships. relation to the person experiencing it. Moleong (2005), a researcher who conducts qualitative

research (which is common in classical research) is oriented towards existing theories.

The qualitative approach emphasizes the meaning, reasoning, the definition of a particular situation (in a certain context), and examines more things related to everyday life. This approach is directed at the background and the individual as a whole, this observation report uses a qualitative approach because this report analyzes and describes how the relationship between drug addicts and criminology and victimology is obtained from the words of interviews with informants.

This research was conducted in stages according to the schedule stated above, namely to obtain complete data. The data that has been obtained from the interview and observation process are presented in the form of descriptions using words that are easy to understand, besides that, supporting data is also recorded, namely in the form of videos, photos, and interview locations.

The interview is a method of collecting data by means of one-sided question and answer which is carried out systematically and based on research objectives. The interview conducted in this study was to interview a drug addict.

Sources of data in descriptive qualitative research are through interviews, observations, photos, and others. Sources of data used in this study are:

### **1. Primary Data Sources**

Primary data sources were obtained through interviews and direct observation in the field. Primary data sources are data taken directly by compilers of informants without any intermediaries by digging up the original sources directly through the informants. The primary data source in this research is a drug addict whose identity is

disguised, but there is a video / recorded image to strengthen the data.

### **2. Secondary Data Sources**

Secondary data sources were obtained through documentation and literature study with the help of print and internet media (journals) as well as field notes. Secondary data sources are indirect data sources that can provide additional data and strengthen research data.

In accordance with the form of qualitative research approach and data sources to be used, the data collection techniques used were document analysis, observation, and interviews. Data collection methods used to collect data in qualitative research generally use observation techniques, interviews, and observational studies. On the basis of these three concepts, the data collection techniques above were used in this study. The three data collection techniques are as follows:

#### **1. Observation**

Observation is a research activity in order to collect data related to research problems through direct observation in the field. Compilers are in that place, to get valid evidence in the report to be submitted. Observation is a data collection method in which researchers record information as they witnessed it during the study (W.Gulo, 2002: 116).

In this observation, the researcher uses a type of observation that involves an informant or a source who is a drug addict. To obtain data, researchers met a drug addict at Cafe Moo in the Sampangan area, Semarang. Researchers obtained this addict based on information from a close friend, who was then introduced to a Nakoba addict. This data collection technique is done by interviewing a resource person who is expected to obtain data that is appropriate or relevant to the research topic.

## 2. Interview

An interview is a conversation with a specific purpose. The conversation was carried out by two parties, namely the interviewer (interviewer) who asked the question and the interviewee (interviewee) who gave the answer to the question (Lexy J. Meleong, 2010: 186). The main characteristic of the interview is direct, face-to-face contact between information seekers and sources of information. In the interview various kinds of questions had been prepared but various other questions emerged when researching.

Through this interview, the researcher digs up data, information, and a description of the research subject. The interview technique used is a guided free interview, meaning that the questions asked are not fixed on the interview guide and can be deepened or developed according to the situation and conditions in the field. An interview was conducted with a drug addict whose identity was disguised. Researchers found a drug addict because they were introduced by a close friend in order to obtain data that was appropriate or relevant to the research topic.

## 3. Documentation

The use of documents has long been used in research as a data source because in many cases documents as data sources are used to test, interpret, and even predict (Lexy J. Meleong, 2010: 217). There is documentation to support the data that has been obtained. The things that are documented in this research are video recordings / recorded images from interviews with drug addicts.

This research was conducted at the House of Moo which is located at Jalan Menoreh Raya No. 83, Sampangan, Kec. Gajahmungkur, Semarang City, Central Java 50232. The reason the compilers chose

the research location at the House of Moo was based on an agreement with the informants and also because the location of the House of Moo was easy to reach from both parties.

# Result and Discussion

## 1. Criminological Perspective on Narcotics Addict

The science that deals with the problem of crime is criminology and is one of the supporting sciences in criminal law. When talking about the definition of criminology, etymologically criminology comes from the word crime which means crime and logos which means knowledge or science, so criminology is the science / knowledge of crime. Criminology is referred to as the study of humans in conflict with certain social norms, so that criminology is also referred to as the sociology of criminals.

Criminology seeks to gain knowledge and understanding of social phenomena in the field of crimes that occur in society, or in other words why the accused committed the evil act (Sahetapy, 1982: 82). The term criminology was first used in 1879 by P. Topinard, a French anthropologist, while the term previously used was criminal anthropology (Susanto, 2011: 1).

Criminology studies crime as a social phenomenon so that criminal behavior is inseparable from social interactions, meaning that crime attracts attention because of the influence of the act that is felt in human relationships. Suppose a person is declared by the community to have committed an evil act, then such an act is committed against himself - for example, taking his belongings to enjoy or the act is committed against animals in a free forest, for example abusing a wild boar that he captures the act is not considered evil and

the behavior does not attract attention (Dirdjosisworo, 1994: 152).

Several prominent scholars provide the following definitions of criminology: (Santoso and Zulfa, 2009: 11). According to Edwin H. Sutherland, criminology is the body of knowledge regarding delinquency and crime as social phenomena (criminology is a collection of knowledge that discusses juvenile delinquency and crime as social symptoms). Criminology is divided into 3 (three) main branches of science, namely:

- a. Sociology of law, studies crime as an act that is prohibited by law and is threatened with sanctions. So what determines that an action is a crime is the rule of law;
- b. Criminal etiology, which is a branch of criminology that seeks to carry out a scientific analysis of the causes of crime. In criminology, the etiology of crime is the most important study;
- c. Penology is basically the science of punishment, but Sutherland includes rights related to crime control efforts, both repressive and preventive.

According to W.A. Bonger, Criminology is a science that aims to investigate the broadest possible symptoms of crime. Bonger divides criminology into Pure Criminology (Criminal Anthropology, Criminal Sociology, Criminal Psychology, Criminal Psychopathology, Psychopathology, Penology) and Applied Criminology (Criminal Hygiene, Criminal Politics, Criminalism).

According to J. Constant, criminology is a science that aims to determine the factors that cause crimes and criminals. WME. Noach, Criminology is a science that investigates the symptoms of crime and indecent behavior, its causes and consequences.

From the various definitions of criminology above, the position of

criminology is debated, whether criminology is an independent science or is it part of another science. Wolfgang argues that criminology should be viewed as an independent knowledge, separate because criminology already has well-ordered data and theoretical concepts that use the scientific method. Szabo argues that criminology is on the threshold of becoming a reality (because of the unity of modern knowledge) and being recognized as a new science. In the development of criminology to become an independent scientific discipline (Atmasasmita, 2005: 13-14) draws the following conclusions:

- 1) Criminology is the study of human behavior that is not different from the study of other non-criminal behavior.
- 2) Criminology is an inter and multidisciplinary science, not a monodisciplinary science.
- 3) Criminology develops in line with the development of other sciences.
- 4) The development of crime studies has distinguished between crime as a behavior and the perpetrator of crime as the subject of treatment by means of criminal justice.
- 5) Criminology has positioned itself equal to other sciences, no longer a part of it.

Distinguishing criminology in a narrow sense and in a broad sense. Criminology in the narrow sense studies crime. Criminology in a broad sense, studies theology and methods related to crime and the problem of crime prevention with non-penal acts. Because studying crime is studying human behavior, the approaches used are descriptive, causality and normative approaches. Criminology is not like engineering, medicine, literature and so on, but rather as a science that can be used by law enforcers, psychologists, psychiatrists, educators, economists, and others. So

criminology cannot independently handle problems about practice, as said by Roger Hood and Richard Sparks in *Key Issues in Criminology*: Criminology is not an apologia for judge or criminal instead, it is an objective survey which tries to uncover the truth in what is necessarily a complex and often hidden field (Hood and Sparks, 1978: 1).

## 2. Theoretical Basis on Narcotic Addicts Case

Criminological theories can be used to analyze problems related to crime or the causes of crime. In essence, criminological theories attempt to study and explain matters relating to the problem of criminals and crime. Each existing criminological theory has its own characteristics with the point of view of each theorist.

### a. *Differential Association Theory*

This theory was put forward by Edwin H. Sutherland. According to Edwin H. Sutherland, no behavior is passed down based on inheritance from his parents. Patterns of evil behavior are not inherited, but are learned through close association. Bad behavior is learned in groups through interaction and communication, and what is learned in groups are techniques for committing crimes and excuses that support evil deeds. Therefore, there are nine propositions from the Theory of Differential Association (Hendrojono, 2005: 78-81), namely:

- 1) Evil behavior is learned, not inherited, so there cannot be mechanically bad people.
- 2) Evil behavior is learned from others in a process of interaction or communication. The communication is mainly verbal and using sign language.
- 3) The most important part of learned evil behavior is found in close association.

Negatively, this means that non-personal communication, such as through cinemas, newspapers, has relatively no important role in the occurrence of criminal behavior (Susanto, 2011: 93).

- 4) When learned evil behavior is learned is
  - a) How to commit the crime;
  - b) Specific guidance regarding motives, rationalizations, attacks, and attitudes.
- 5) Specific guidance regarding motives and attacks was learned from interpretation of the law.
- 6) A person who becomes delinquent is due to the excess of the meaning which is considered a violation of the law rather than the arrangement of the applicable law.
- 7) The social environment which is characterized by differences, can vary or change, and the changes depend on the frequency, time period, past, and intensity. In this relationship, the differential association can start in childhood and last throughout life.
- 8) The process of studying evil behavior through associating with criminal and anti-crime patterns includes all mechanisms as well as studying any other.
- 9) If criminal behavior is an expression of common needs and values, it cannot be explained by those general needs and values. This is because behavior that is not evil is an expression of the same needs and values. Thieves generally steal because they need to get money, but honest workers also work with the aim of getting money (Susanto, 2011: 94).

### b. *Theory of Anomy*

Anomy theory put forward by Robert K Merton. The concept of Anomy Theory itself was originally introduced by a French sociologist, Emile Durkheim (1893), who

defined it as a deregulation in society. The deregulation or normless state then causes deviation behavior. Furthermore, this concept was formulated by Merton to explain the relationship between social class and the tendency to adapt to group attitudes and behavior. The word anomie has been used for people or groups of people in a society, who experience chaos because there are no explicit or implicit rules that are mutually recognized regarding good behavior or, worse, those rules that are powerful in increasing isolation or even mutual isolation. prey and not cooperation.

Merton bases his analysis on the dangers inherent in any form of mismatching human needs and the means by which to meet them. In his theory, Merton saw that certain stages of the social structure would increase the circumstances in which violations of societal rules would result in a "normal" response. Merton tries to show that some social structures in fact have made certain people in society to act deviantly rather than obey social norms (Susanto, 2011: 96).

According to Merton, there are two elements of social and cultural structure that are considered important for compiling this theory. First, it consists of cultured goals and interests which encompass the framework of basic human aspirations such as the original human life impulse. These objectives are more or less unified, the degree to which they depend on empirical facts, and are based on an order of values, such as different levels of sentiment and meaning. The second consists of the accepted rules and means of control to achieve these goals.

Merton argues that in every society there are certain goals that are instilled in all its citizens. To achieve this goal, there are means that can be used, but in reality not everyone can use the available facilities. This results in the use of unauthorized means

of achieving the goal. Thus, deviations will arise in achieving the goal. However, in his development, Merton no longer emphasized the inequality of the available means, but rather on the different structures of opportunity.

Unequal facilities and differences in opportunity structures will cause frustration among residents who do not have the opportunity to achieve goals, causing conflict, dissatisfaction, frustration, and irregularities resulting in the emergence of a situation when the citizens no longer have strong ties to the goals and means or opportunities that exist in society, and this is called anomie. Then, Merton suggested 5 (five) ways to overcome anomic conditions (Hendrojono, 2005: 83-84), namely:

- 1) Conforming is a condition when community members continue to accept the goals and facilities that exist in society because of moral pressure;
- 2) Innovation is a condition when the goals contained in society are recognized and maintained, but they change the means used to achieve these goals;
- 3) ritualism (ritualism), which is a condition when members of the community reject predetermined goals and choose predetermined means;
- 4) Withdrawal (retriatism), which is a situation when citizens reject the goals and means that are available in society;
- 5) Rebellion is a condition when the goals and means contained in society are rejected and seek to change the whole. Rebellion takes humans out of existing social structures and replaces them with new ones, namely the separation of goals and methods that apply deliberately.

### c. *Subculture Theory*

Salomon Kobrin is a figure who has had a profound influence on subculture theory.

Salomon Kober examines the relationship between street gangs and men who come from the lower class (lower class). There are 2 (two) subculture theories, namely:

a) Delinquent Subculture Theory

This theory was put forward by A. K. Cohen in his book *Delinquent Boys* (1995) which discusses juvenile delinquency in the United States. Cohen tried to combine several theoretical perspectives put forward by Shaw and Mc Key, Sutherland, and Merton. Through his research, Cohen stated that Delinquent's behavior was more common in lower-class males and they formed more gangs. Subcultural gang behavior is useless, malicious, and evil. There are rational reasons for the Delinquent subculture to steal (in addition to seeking commonalities) to seek pleasure by causing anxiety in others. They also try to belittle the values of the middle class.

According to Cohen, all children or adolescents seek status and even so, not all teenagers can compete together to achieve status. Based on their position in the social structure, lower class adolescents tend not to have material and symbolic advantages. As long as they compete with middle class youth through the same position, lower class youth will feel disappointed and this is what is said to be a status problem among teenagers. The first status problem is the problem faced by lower class youth in the school system. The problem lies not only in what lower class adolescents do to compete, but the assessment of them is done by adults. by using the middle class size is a standard or standard that is difficult to achieve by young people of the lower classes. In such competition the youth will lose the foundation for achieving status. Those who feel more deprived suffer status frustration. Cohen, using Sigmund Freud's term about reactionformation (ie, a coping mechanism

to overcome anxiety) argues that there will be transgressions that are hostile to middle class values. To overcome the frustration of status experienced by lower class adolescents, adolescents make various adaptations to middle class values. Adjustment to the sizes of the middle class will produce mutual adjustments to status problems (Hendrojono, 2005: 86-87).

b) Differential Opportunity Theory

This theory was introduced by RA Cloward in 1959. According to Cloward, there are not only legitimate ways to achieve cultural goals but also illegal opportunities (Hendrojono, 2005: 88). With this second opportunity, Cloward and LE Ohlin wrote their book entitled *Delinquency and Opportunities, A Theory of Delinquent Gangs* with a theory called "differential opportunity system" which discusses delinquency or subcultures that are common among lower class boys in regions central areas of major cities. According to Cloward and Ohlin, that the form of subculture delinquency depends on the "degree of integration" that exists in society. Without a fixed criminal structure, lower class adolescents will not have a greater chance of succeeding in life through criminal opportunities than through conventional means. In this theory, Cloward and Ohlin distinguish three forms of delinquent subcultures, namely:

- a. *criminal sub culture*, is a form of gang that emphasizes activities that generate material benefits and tries to avoid the use of force;
- b. *sub culture conflict*, a form of gang that seeks to seek status by using violence, showing free behavior, expropriation of property rights, and other behaviors that are signs of the gang;
- c. *subculture retreatis*, is a form of a gang with the characteristics of withdrawal



from a conventional purpose and role, therefore seeking an escape using narcotics and committing a form of crime related to it, drinking, and gang activities that prioritize making money for the purpose of drinking.

The three delinquent sub-culture patterns not only show differences in lifestyle among its members, but also because of different problems in the interests of social control and prevention. In theory, Cloward and Ohlin stated that the incidence of juvenile delinquency is more determined by class differences that can cause obstacles to its members, for example the opportunity to gain education resulting in limited opportunities for members to achieve their aspirations.

#### *d. Labelling Theory*

Key figures in the development of label theory were Howard S. Becker and Edwin Lemert. This theory emerged in the early 1960s to answer questions about crime and criminals using a new perspective. The discussion of this label theory emphasizes two things, namely:

- 1) Describe the problem of why and how certain people purchased labels,
- 2) The influence of the label is a consequence of the actions he has done

According to Howard Becker, crime is problematic and is a limitation of society, because the standards or norms that are violated are not universal and cannot change. Deviation occurs through social decisions against individuals by the people present there. It is the social group that creates by making rules violations of these rules are deviations. The imposition of these regulations on certain people and labeled them as deviant (Susanto, 2011: 116). The problem according to label theory is the reaction of the community. A person being

labeled will feel that the people around him have known his actions and this often causes the label recipient to feel that he is always being watched.

#### *e. Conflict Theory*

This conflict theory questions the relationship between power in lawmaking (criminal) and crime, especially as a result of the spread and many patterns of conflict acts as well as pluralistic societal phenomena (race, ethnicity, religion, social class). Conflict theory assumes that people have different levels of power in influencing the making and operation of laws. Those who have a greater level of power have a greater chance of pointing out actions that are considered contrary to their values and interests as crimes.

Conflict theorists are Austin Turk, Chambliss, RB Seidman, Quinney, Karl Marx. According to conflict theory, a society is more precisely characterized by conflict than consensus. Conflict theory thinking is rooted in German social theorists such as Hegel, Simmel, and Weber. The form of conflict theory consists of two parts as follows:

- 1) Conservative conflict theory, which emphasizes power and its use. Conservative conflict theory argues that conflict arises between groups that try to exert control over situations or events. Those who have power will influence decision-making, and they can also impose values on lower social classes. The applicable law will contain middle class values. The group values formed in the law will be used by the group concerned. The formation of laws is an embodiment of the values of lawmakers, and they will be better protected by law. Conservative conflict theory is put forward by G. Vold and Austin T. Turk

(1958) who emphasized that in a society there are natural groups (naturegroup) and various interest groups that compete against natural groups. Between these groups there will be a conflict of interest. Finally, Vold argues that if minority groups lose the power to influence the legislative process, their behavior will often be categorized as crimes. Turk argues that crime is only obtained under the criminal law. Turk tries to find a connection between crime and criminal law. According to Turk, crime is an acquired status against those who oppose accepted norms as social norms. Vold argues that if minority groups lose the power to influence the legislative process, their behavior will often be categorized as a crime. Turk argues that crime is only obtained under the criminal law. Turk tries to find a connection between crime and criminal law. According to Turk, crime is an acquired status against those who oppose accepted norms as social norms. Vold argues that if minority groups lose the power to influence the legislative process, their behavior will often be categorized as a crime. Turk argues that crime is only obtained under the criminal law. Turk tries to find a connection between crime and criminal law. According to Turk, crime is an acquired status against those who oppose accepted norms as social norms.

- 2) Radical conflict theory, the characters are Chambliss, Quinney, Karl Marx. According to Karl Marx, conflict in society is caused by the existence of human rights over scarce resources and historically there are no similarities in the distribution of these sources, especially regarding power. The existence of this inequality will cause conflict between those who have power and those who do

not. In the industrial community, conflicts will arise between workers and owners of capital. The workers will develop the principle of struggle, and they consider their position as owner of capital in society to be the position which is of greatest interest to them.

#### f. *Social Control Theory*

Social control theory is a theory that tries to answer why people commit crimes. Control theory no longer questions why people commit crimes, but questions why not everyone breaks the law or why people obey the law. Social control theory tries to explain juvenile delinquency which Steven Box says is the primary deviation, namely:

- 1) Every individual who deviates periodically
- 2) Every individual who does without being organized
- 3) The perpetrator does not see himself as an offender
- 4) Every individual who basically does something is not seen as a deviation by the authorities

Social control theory views every human being as a being who has pure morals. Therefore, everyone has the freedom to choose to do something. Will he act according to the applicable rules or violate the applicable rules. The action chosen is based on the social ties that have been formed. Social control theory focuses on the techniques and strategies that regulate human behavior and lead to adaptation or adherence to the rules of society.

### **3. Victimology Approach on Narcotics Addict**

Victimology comes from the Latin victim which means victim and logos which means knowledge. In terms of terminology, victimology means a study that studies the

causes of victims and the consequences of victims which are human problems as a social reality (Yulia, 2010: 43). Victimology is a scientific knowledge or study that studies a criminalization as a human problem which is a social reality.

Victimology is an English term. Victimology comes from Latin, namely "Victima" which means victim and "logos" which means study or science. The understanding of victimology undergoes 3 (three) phases of development. At first, victimology studied only crime victims. In this phase, it is said to be penal or special victimology. In the second phase, victimology does not only examine the problem of crime victims but includes accident victims. This phase is known as general victimology. In the third phase, victimology has developed more broadly, namely examining the problems of victims of abuse of power and human rights, in this phase it is called new victimology.

According to JE Shateapy, the definition of Victimology is a knowledge or discipline that addresses the problems of victims in all aspects. Victimology provides a better understanding of victims of crime as the result of human actions that cause mental, physical and social suffering. The aim is to provide an explanation of the real role of victims and the awareness that everyone has the right to know the dangers they face in relation to their environment, work, profession and so on. When talking about victims of crime, our perspective cannot be separated from victimology. Through victimology, various aspects related to victims can be identified, such as: factors that cause crime, how a person can become a victim, efforts to reduce the incidence of crime victims.

An understanding of the scope, in particular about the extent of the problem

that is the target of criminological attention, can be derived from several definitions and formulations of the scope of criminology put forward by a number of criminologists who are recognized as having a major influence on this field of scientific knowledge.

In 1960, Manheim in the book *Pioneers in Criminology* (Atmasasmita, 2005: 19) has suggested three types of problems which are the scope of the discussion of criminology as follows (Ptiyanto, 2009: 15):

- a. The problem of detecting the law breaker (criminalist).
- b. The problem of the custody and treatment of the offender (peneology).
- c. The problem of explaining crime and criminal behavior (the problem of scientifically accounting for the presence of crime and criminals in a society)

The extent of the field of criminology with all its details, can be concluded by referring to the writings of Elmer Hubert Johnson in his book *Crime, Correction and Society* as follows (Johnson, 1964: 6):

- a. Crime causation and criminal behavior and etiology.
- b. The nature of the societal reaction as a symptom of the characteristics of the society, and
- c. The prevention of crime.

There are still many formulas from experts, but ranges like the example above. As a reference, the formulation of EH Sutherland and Kathrine S. Williams is chosen, so that the scope of the formulation is as follows: "Criminology is the body of knowledge, regarding crime as a social phenomenon, includes the study of characteristics of the criminal law, extends of crime. , the effects of crime on victims and on society, methods of crime prevention, the attributes of criminals and the characteristics and workings of the

criminal justice system ”(Dirdjosisworo, 1984: 12).

Criminology, in a narrow sense, is the study of crime, that is, studying certain forms of criminal behavior, so that it always adheres to limits in a juridical sense. In this way, it is hoped that not only uniformity can be achieved in studying the objects of criminology with different juridical boundaries in each country, but it is also hoped that the object of criminology study can be developed more youthfully, perhaps with or without being tied to juridical formulations. Criminology in its broadest scope is the study of penology (the study of punishment) and methods related to non-punitive actions.

Criminology is a science from a variety of sciences that studies crime as a social phenomenon which includes the study of:

- 1) Characteristics of criminal law
- 2) The existence of criminality
- 3) The influence of crime on its victims
- 4) Crime prevention methods
- 5) Villain's attribute
- 6) Characteristics and operation of the criminal law system.

Victimology examines topics concerning victims, such as the role of the victim in the occurrence of a criminal act, the relationship between the perpetrator and the victim, the vulnerability of the victim's position and the role of the victim in the criminal justice system. According to JE Sahetapy, the scope of victimology includes how a person (can) become a victim which is determined by a victimity which is not always related to the problem of crime, including the pattern of victims of accidents and natural disasters apart from victims of crime and abuse of power. Victimology does not limit its scope, both to the limits of criminal law and to the limits of criminology. Thus, the focus of victimology

is on those who are victims. Whereas those who become victims can because of the victim's own fault, the role of the victim directly or indirectly.

Thus, the scope of victimology includes how a person can become a victim or in other words, the scope of victimology is determined by what is called victimity or victimity. With a starting point of victimism, according to Sahetapy, the problem of victims should not always be connected with the crime factor, because victimity is not the same as crime.

#### 4. Legal Basis of Narcotics Abuse

The law regulating narcotics is Law Number 22 of 1997 which was promulgated on September 1, 1997 in the State Gazette of the Republic of Indonesia of 1997 Number 57 and Supplement to the State Gazette of the Republic of Indonesia Number 3698 and declared in effect since the law was promulgated and -The law does not apply since the enactment of Law Number 35 of 2009 concerning Narcotics (Law No. 35 of 2009).

In the preamble to Law Number 35 of 2009, among other things, that in the context of realizing people's welfare, it is necessary to make efforts in the field of treatment and health services, on the one hand by seeking the availability of certain types of narcotics which are urgently needed as drugs and on the other hand taking preventive and eradication measures. against the dangers of abuse and illicit trafficking of narcotics and Narcotics Precursors. In Law Number 35 of 2009 concerning Narcotics, it implicitly describes who can be called a Distributor based on their role and who can be called a User.

- 1) Narcotics dealers, there are several mentions according to their respective roles, namely:

- a. Parties who produce Narcotics illegally (Article 1 number 3 in conjunction with Article 113)
  - b. Parties that Import Narcotics illegally (Article 1 number 4 jo 113)
  - c. Parties that Export Narcotics illegally (Article 1 number 5 jo Article 113)
  - d. Parties who carry out the transportation or transit of Narcotics against the law (Article 1 number 9, 12 jo Article 115)
  - e. The party conducting the trafficking of Narcotics and the Preskursor of Narcotics (Article 1 number 6 jo 111,112,129)
- 2) Narcotics users, there are also several mentions, namely:
- a. Narcotics addicts (Article 1 number 13 jo Article 54 jo Article 127)
  - b. Narcotics Abuse (Article 1 number 15 jo Article 54 jo Article 127).

In Law Number 35 of 2009 there are only three categories of narcotics. Narcotics class I are not used for medicinal purposes, but their use is the same as psychotropic drugs group I which are only for scientific purposes. In Article 8 of Law Number 35 Year 2009 it is stated that in a limited number, Narcotics category I can be used for the benefit of developing science and technology and for diagnostic reagnation, as well as laboratory reagnasia after obtaining the Minister's permission on a recommendation from the Head of the Food and Drug Administration.

Furthermore, in the case of weighting in Article 53 of Law no. 35 of 2009 states that for the purpose of treatment and based on medical indications, doctors can provide narcotics class II or group III in limited quantities and certain preparations to patients in accordance with the provisions of the legislation.

## 5. Interview Report

Since he was young until now at the age of 26 (twenty six) years, Dilan (*real name changed*) has gone through dozens of phases. Students from the Faculty of Law, on one of universities in Semarang, Semester 5 (five) who now have to take leave due to financial constraints to continue their studies. And now he started his career to make ends meet and his family by working in Toko Oen, a kind of shop that provides cakes and bread and a small restaurant beside the shop. Dilan was born from a poor family and he has 6 (six) siblings and he is the youngest child.

When he was 10 (ten) years old, Dilan dreamed of becoming a teacher, then an engineer. However, this dream failed because he later found out that many engineers were unemployed or did not have a job. When asked about their goals, they answered with excessive enthusiasm. Teachers, presidents, engineers, soldiers, civil servants, and careers that promise establishment. Then he changed his desire from the 3rd grade of high school to become a law enforcer, so he took the major in college.

Dilan is known as a good boy so that he is respected by many of his friends. At the age that is about to enter adolescence, to be precise grade 3 SMP which is in a stressful phase because the exams that are in front of the eye are increasingly visible. So he often spends time with his friends and his friend happens to be a drug user. Dilan doesn't differentiate between the status and background of his friends, so it doesn't matter who he gets along with. I don't know from which whisper he was influenced by his friends who were trying drugs in front of him, so he was persuaded by his friend to take drugs. Dilan still remembers, at that time the slanted hat was mixed with beer.

Sometimes white wine or vodka. The funny thing is, they drink in an empty lot right next to the police station. Sometimes young people are like cockroaches with a sixth sense on their backs. Know immediately if there is any suspicious movement in the vicinity.

Drugs can haunt anyone due to several factors, including unharmonious family relationships so that many young people seek refuge outside the home, and often meet and go to the wrong place. The next factor is still related to the search for identity, namely the desire to get recognition and be seen by the environment. "Even though humans are leaders and were created at least to lead themselves".

Dilan has fallen into a black circle of juvenile delinquency, because of the frustration factor that is supported by his environment and his friends' associations. The environment is indeed the greatest stimulant. And adolescents are the chameleons with the best copying abilities. Unfortunately, this ability is not accompanied by adequate filters, so it is only cow science. Just follow it without knowing its purpose and consequences.

Adolescence is considered a vulnerable period due to the many changes that occur in him (physically and emotionally). The results showed that adolescents who were able to control themselves (not following out-of-the-box urges) were more likely to avoid drug problems. So big is the danger of barkoba that it seems that adolescents who are still mentally unstable don't pay much attention to it. All they think of is the momentary pleasure that drugs cause. In fact, drugs that are consumed continuously and also in inappropriate doses can cause damage to body organs (such as the heart, lungs, liver, kidneys, blood vessels and also the central nervous system / brain) which

can undoubtedly damage the teenager's future. Damage to the reproductive organs that will make it difficult to get offspring, HIV / AIDS (which until now has not found a cure for it), to psychological disorders (insecure, lazy so that they distance themselves from achievement) and social impacts (being shunned from social interactions which later results in the lives of adolescents increasingly isolated). This nation will lose a lot of teenagers due to drug abuse and the spread of HIV / AIDS. Losing teenagers is the same as losing human resources for the nation, because teenagers are the holders of the baton and the future successor of the nation. This nation will lose a lot of teenagers due to drug abuse and the spread of HIV / AIDS. Losing teenagers is the same as losing human resources for the nation, because teenagers are the holders of the baton and the future successor of the nation. This nation will lose a lot of teenagers due to drug abuse and the spread of HIV / AIDS. Losing teenagers is the same as losing human resources for the nation, because teenagers are the holders of the baton and the future successor of the nation.

Stepping on high school, Dilan's wayward life became increasingly serious. His association is increasingly free. On the weekends, he often doesn't come home to hang out with his friends. "I started to stubbornly not go home. Try hanging out, until you enter a discotheque," said Dilan. Dilan was 16 years old when he was in the first grade of high school, but he was familiar with alcoholic drinks and drugs. It is not difficult for Dilan to find the 2 (two) types of illicit goods to be consumed with his friends. As he graduated from grade 2 high school, he became more courageous in distributing drugs, not just users. He does not feel the slightest loss because he is used alone and makes a profit. The item he got

from his friend. Dilan usually takes Eximer (a type of illegal drug) which for the common people costs Rp. 25000, - fill in 10 joint items with friends. According to him, Zolam (a type of illegal drug) is tastier than Eximer, but the price is more expensive, namely Rp. 20000, - and now it's a bit difficult to find it, so the price reaches Rp. 40000, - grains.

The economic capacity of a drug addict cannot be used as a benchmark for why he can afford it or not. To be sure, every addict in a state of compulsion will try somehow to buy drugs or other illegal drugs. It is as if the seller already knows the market mechanism, so he knows the right price for students or groups of workers.

He admitted that taking drugs at least 2 pills a day and the maximum depends on ability. In his environment, he has his own code for conducting transactions, but not all languages or codes are used by people, each region is different. Dilan finds that taking drugs is calmer, but Eximer makes his throat dry.

Efforts to prevent the spread of drugs among students should be our responsibility. In this case, all parties including parents, teachers, and the community must play an active role in being aware of the threat of drugs, especially teenagers / students today. Until now there has been no treatment that is so effective for sufferers of drug users and drug addicts. People who take drugs are buying tickets for an hour's journey without being able to return. That means that even though there is healing, there is still a harmful effect. Not only the impact on health if we use drugs but we can also get punished. So whatever the reason, drugs are not a way to help the enjoyment or pleasure of life.

## 6. Drugs or Illegal Drugs: Analysis of the Case

*Narkoba* stands for Narcotics and Dangerous Drugs or Drugs (Narcotics, Alcohol, Psychotropics and Addictive Substances or Substances) (Mitra Bintibmas; 2005). This drug is delivered in the sense of a substance or substance that is harmful to human health. There are many types of psychotropic substances, some of the substances or substances are dangerous, some are for medicinal purposes and are addictive in nature (Hawari, 2001: 19). Law Number 35 of 2009 defines narcotics as substances or drugs derived from plants or non-plants, both synthetic and semisynthetic, which can cause a decrease or change in consciousness, loss of taste, reduce to eliminate pain, and can lead to dependence. The classification of narcotics according to the law is as follows:

### 1) Narcotics Category I

Narcotics of this class can only be used for the purpose of developing science and are not used in therapy, and have a very high potential for causing dependence. The types of narcotics group I are:

- a. Papaver Somniferum L plant and all parts thereof including fruit and straw, except seeds;
- b. Raw opium, namely sap that freezes itself, is obtained from the fruit of the Papaver Somniferum L plant, which only undergoes processing for packaging and transportation regardless of morphine levels. Cooked opium consists of:
  - a) Opium, the product obtained from crude opium by means of a series of treatment typically by dissolving, heating and fermenting with or without the addition of other ingredients, with the

intention of converting it into an extract suitable for compaction.

- b) Jicing, the remnants of opium after being smoked, regardless of whether the opium is mixed with leaves or other ingredients.
- c) Jicingko, the result obtained from jicing processing.
- c. Coca plant, plants of all genus Erythroxlaceae of the Erythroxlaceae family including its fruit and seeds;
- d. Coca leaves, leaves that have not been or have been dried or in powder form from all plants of the Erythroxlaxon genus of the Erythroxlaceae family that produce cocaine directly or through chemical changes;
- e. Raw cocaine, all products obtained from coca leaves which can be processed directly to obtain cocaine;
- f. Cocaine, methyl ester-1-benzoyl ekgonine
- g. The cannabis plant, all plants of the genus cannabis and all parts of the plant including seeds, fruit, straw, processed cannabis plants or parts of the plant including hemp resin and hasis.

## 2) Narcotics Category II

Narcotics class II are narcotics that are efficacious in medicine or therapy and / or for scientific purposes and have the potential for dependence. Types of narcotics belonging to this group are:

- a. Morphine, is a substance used to relieve pain, such as in cancer patients, surgery patients, and others. The form is white powder;
- b. Fentanyl, used for general anesthesia;
- c. Pethidine, widely used in the delivery of pregnant women, has the same effect as morphine.

## 3) Narcotics Category III

Narcotics class III are narcotics that are efficacious for treatment and are widely used in therapy and / or scientific development purposes and have a mild potential for dependence. Types of narcotics belonging to this group are:

- a. Codeine, found in opium or opium or in the synthesis of morphine which is a white powder in tablet form.
- b. Ethyl morphine, almost the same as codeine.

In Law Number 5 of 1997, it is explained that psychotropic substances are substances or drugs, both natural and synthetic, not narcotics, which have psychoactive properties through selective influence on the central nervous system which causes distinctive changes in mental activity and behavior. Psychotropic abuse can result in a dependency syndrome if its use is not under the supervision and guidance of a health professional who has the expertise and authority to do so. This is not only detrimental to abusers, but also has social, economic and national security impacts, so that it is a threat to the life of the nation and state. Psychotropics that have the potential to cause dependency syndrome as referred to in paragraph (1) are classified into:

### 1) Psychotropic Group I

Class I psychotropics are psychotropic substances that can only be used for scientific purposes and are not used in therapy, and have a very strong potential to cause dependency syndrome. Examples of this psychotropic include:

- a. MDMA (Methylene Dioxy Meth Amphetamine), or Inex is a derivative of amphetamine, in the form of a yellowish-white powder that is strong hallucinogenic, other



- names used are ADAM Essence, XTC, and others. The form is brown and white tablets and pink, yellow and clear capsules. Use is done by swallowing with mineral water. Physical effects that will be felt include sweating, dry mouth, stiff jaw, increased blood pressure and heart rate and body temperature, watery eyes, excess energy, and loss of appetite. Some even had nausea and vomiting and a feeling of insecurity. Psychic effects in the form of feelings of relaxation, joy, warmth, energy and mutual understanding. Its use in high doses causes feelings of depression, panic, confusion and sleeplessness.
- b. Shabu-shabu, another name Ubas. These substances include methylamphetamine which is a derivative of amphetamines. It looks like MSG, white crystals that dissolve easily in water. Originally an artificial stimulant drug, but the effect is stronger and faster than Ecstasy, can accelerate body activity, increase heart rate and blood pressure, dry mouth and always sweating. While the psychological effects will be the emergence of a sense of joy, increased energy, feeling of health, power and confidence, increased concentration, decreased appetite, not easily drowsy and the appearance of hallucinations. The use of methamphetamine can be traced from urine until 2-4 days after use. This drug dependence causes mood swings, anxiety, irritability, confusion and paranoia.
- c. Psilobina and psilosine, these materials are easily obtained from a type of fungus and in Indonesia are commonly found in cow dung.
- d. LSD or Lisergic Acid Dietilamine which comes from a type of ergot mushroom that grows on white wheat and rye. This species has very strong hallucinogens, causing the wrong perception of thoughts, sounds, colors. LSD results in physical, psychological and also tolerance. In general, LSD is in the form of a tablet or sticker, which is worn on the user's tongue.
- e. Meskalina (peyote), derived from a cactus-type plant native to the Southwestern United States, causes physical and psychological dependence.
- 2) Psychotropic Group II  
Class II psychotropic is psychotropic with medicinal properties and can be used in therapy and / or for scientific purposes and has a strong potential to cause dependency syndrome. Substances belonging to this group are: amphetamines, methamphetamine, metakualona, methylphenidate, and others.
- 3) Psychotropics Group III  
Psychotropic category III is psychotropic which has medicinal properties and is widely used in therapy and / or scientific purposes and has the potential to cause dependency syndrome. The types of psychotropic substances in this group are: amobarbital, flunitrazepam, katina, and others.
- 4) Psychotropic Category IV  
Group IV psychotropic is a psychotropic which has medicinal properties and is very widely used in

therapy and / or scientific purposes and has a mild potential to cause dependency syndrome. Examples of this group are barbitol, bromazepam, diazepam, estazolam, phenobarbital, clobazam, lorazepam, nitrazepam and others. The emergence of New Psychoactive Substance (NPS) in recent years has the potential to endanger society because it is not under international control. The substance has caused addiction to increase, many people have been hospitalized because of this substance and even caused death. These psychoactive substances on the market are often called "legal" alternatives as substances that are not under international control.

### **7. Consuming Drugs: Some Main Factors**

Drug abuse in Indonesia is currently very concerning, as seen by the increasing number of drug users from all walks of life. However, what is more concerning is that drug abuse is currently being carried out by teenagers. Even though they are the future generation of the nation in the future. The drug addicts are generally aged 11 (eleven) to 24 (twentyfour) years, meaning that the age is classified as productive age or student age.

The results of our research obtained data and conclusions that the case of drug abuse by our informant (Dilan) was carried out in adolescence because in adolescence he was experiencing an unstable emotional state and had a great desire to try and was easily influenced by the environment and peers. Our informant gave the initial information that he started using drugs when he graduated from junior high school, namely when he first entered vocational school, while our informant knew drugs since he was in junior high school because at that

time many of his peers in junior high school had been using drugs.

Among students, especially those in junior high and high school, they usually begin with their introduction to cigarettes and have become a habit because of this smoking habit, which is a natural thing among students today and then continues to take drugs. This usually occurs due to offers, persuasion, or pressure from a person or group of people to him, for example by peers or it could be prolonged stress, lack of parental attention, broken homes or being driven by curiosity, wanting to try, or want to wear. Based on the sources we have interviewed, the reason for daring to use drugs is to try or want to know and go along with their peers until finally they feel addicted to drugs.

Drug abuse is a special form of juvenile delinquency. Everyone who abuses illegal substances must have their own reasons so that they can fall into the trap of narcotics, drugs or addictive substances. Some of the factors that cause someone, especially adolescents, to become addicts or users of illegal substances is trial and error or curiosity by feeling attracted to see the effects caused by a substance that is prohibited, someone can have a strong curiosity to taste the pleasure of the prohibited substance. A person can try drugs to just treat his curiosity. Without realizing it and being wanted, the person will be addicted and will do it again and again without being able to stop.

According to WHO (World Health Organization) adolescence is defined as the transition period from childhood to adulthood. While the adolescent age limit according to WHO (World Health Organization) is 12 (twelve) to 24 (twenty four) years, but if at the age of adolescence they are married, they are classified as

teenagers. Whereas in psychology, the age range of adolescents is divided into three, namely: early adolescence (10-13 years), middle adolescence (14-16 years) and late adolescence (17-19 years). It is said that adolescents are humans at a certain age who are being dynamic, so that at that age teenagers are faced with problems that arise both from themselves and from their environment. Adolescence is marked by physical, emotional, intellectual, sexual and social changes. These changes can have the following impacts: searching for identity, rebellion, unstable stance, changing interests, being easily influenced by fashion, conflicts with parents and siblings, strong curiosity and trying, intense interaction with peers and forming peer groups that become his reference. Therefore, adolescence becomes a prone period for adolescents to fall into all forms of juvenile delinquency.

Individual factors are one part of the causes of drug abuse (Narcotics, Alcohol, Psychotropics, and Addictive Substances). Individuals who experiment with drugs usually have little knowledge of the drugs and the harmful effects of the drugs themselves. This is in accordance with the opinion of Gunarsa (Hikmat; 2008) that in adolescence there are biological, psychological and social changes that can encourage someone to abuse drugs.

In general, the internal factors that cause individual drug abuse (Narcotics, Alcohol, Psychotropics, and Addictive Substances) include:

- 1) Great curiosity to try, without thinking about the consequences;
- 2) The desire to experiment out of curiosity;
- 3) The desire to have fun or just for fun;
- 4) The desire to follow a trend or style (fashionable);

- 5) The desire to be accepted by the environment or group (conformity);
- 6) Run away from boredom, problems or bitterness in life;
- 7) The misconception is that occasional use is not addictive;
- 8) Inability or not dare to face pressure from the environment or group, association to use drugs; and
- 9) Can't say no to drugs

External factors, namely causal factors that come from outside a person who influence in carrying out an action, in this case drug abuse. The external factors themselves include:

- a. Peer association has a strong enough influence on the occurrence of drug abuse, usually starting from joining with friends, especially for adolescents who have quite weak mental and personality traits.
- b. Social or community environment that is well controlled and has a good organization will prevent drug abuse, and vice versa if the social environment that tends to be apathetic and does not care about the circumstances of the surrounding environment can cause rampant drug abuse among adolescents.

Social factors are very influential on children, because most of the children's time is spent at home, while their home is in the community. There are many things in the community that can cause negative actions. As pointed out by Sheldon and Eleanor Clueck, (Dirdjosisworo: 1985) more than 95% of naughty children are those who have been in contact with "band companions" and "bad habits" (bad friends and bad places).

With the information provided by our sources, it can be said that the strongest factor influencing the informant's behavior

to use drugs is external factors, especially external factors that come from the influence of peer interaction in their social environment. The social environment factor (peers) of peer groups is the main source of reference for adolescents in terms of perceptions and attitudes related to lifestyle.

## 8. Criminological Theory to Explain Cases of Drug Use

According to Muhammad criminologically, crime is a pattern of behavior that is detrimental to society (in other words there are victims) and a pattern of behavior that gets social reactions from society. Theory is a useful tool in helping humans to understand and explain the world around us. In criminology, theory will help humans understand the working mechanisms of the criminal justice system and the role holders in the justice system. Theory can provide solutions to the ways a person can solve problems. Theories that can be used to explain the informant's behavior are:

### 1. Differential Association Theory

Differential Association Theory (Differential Association Theory) was put forward by an American sociologist, Edwin H. Sutherland in 1939 which was later refined in 1947. Sutherland argues, the notion of differential association is the contents of the patterns presented in association would differ from individual to individual. In this sense, it is revealed that the contents of the exemplary patterns introduced in the association will differ from individual to individual. However, it does not mean that only association with criminals will cause evil behavior, but the most important thing is the content of the communication process with other people.

Sutherland made the Differential Association Theory in his view a theory that

could explain the causes of crime. Differential association theory prioritizes a person's learning process, so that crime, like other human behavior, is something that can be learned. Based on the differential association theory, malicious behavior is learned in groups through interaction and communication. The objects studied in the group are techniques for committing crimes and the reasons (values, motives, rationalizations, and behaviors) that support the evil act.

Based on the description above, it can be seen that in the theory of Differential Association, it is recognized that the nature and effects of environmental influences on one's behavior are recognized. This theory is sociological because its teaching is centered on social relationships which include the frequency, intensity, and role of associations.

Based on the description above, it can be concluded that Sutherland believes that a person will experience changes according to his expectations and views, namely when dealing with close friends. If these conditions are met, evil behavior can arise as a result of social interactions (Dj Sophisticated and Qamar, 2018: 14-16).

### 2. Sub-Culture Theory

Basically, sub-culture theory discusses and explains forms of juvenile delinquency and the development of various types of gangs. In sub-culture theory there is a category of differential opportunity theory proposed by Richard A. Cloward and Leyod E. Ohlin in his book *Delinquency and Opportunity: a Theory of Delinquent Gang* (1960) which discusses delinquent behavior among adolescents (gang) in America with a Shaw and McKay and Sutherland perspective.

Basically, the theory of Differential Opportunity is oriented and discusses deviations in urban areas. This deviation is a function of the different opportunities children have to achieve legal or illegal goals. Cloward and Ohlin stated 3 (three) types of sub-culture delinquency gangs, one of which is the Retreatist Sub-culture, where adolescents do not have an opportunity structure and engage in more deviant behavior, such as drinking, drug abuse and so on.

Forms of juvenile crime or the number of cases of crimes and special violations committed by children and adolescents that are often reported or handled by the police (Setiawan: 2015):

1. Crime / Crimes:

- a. Theft with weight / burglary;
- b. Aggravated assault;
- c. Light Abuse / assault;
- d. Robbery / violent theft;
- e. Destruction;
- f. Fraud / swindle;
- g. Light theft / theft;
- h. Gambling / gambling;
- i. Rape, adultery / rape;
- j. Violating modesty / sex offenses;
- k. Embezzlement / embezzlement;
- l. Murder / murder;
- m. Fence;
- n. Extortion / blackmail;
- o. Burning / arson;
- p. Against public order / crime against public order;
- q. Stamp forgery, letters, brands / seals, documents, and trade marks forgery;
- r. Adultery / adultery.

2. Offenses:

- a. Traffic violation;
- b. Criminal Code violations / penal code offenses.

Apart from the aforementioned forms of criminality (theft, assault, vandalism, penny, gambling, rape, embezzlement, murder, extortion, adultery, etc.), there are also acts that violate the law outside the Criminal Code, in Indonesia, Narcotics is already on an alarming level and could threaten the country's security and sovereignty. Many cases are caused by narcotics cases. Areas that have never been touched by narcotics trafficking have gradually turned into centers for the circulation of narcotics. Likewise, children under 21 years of age who should still be taboo regarding this haram, have recently turned into addicts who are difficult to let go of their dependence as regulated in Law Number 35 of 2009 concerning Narcotics.

Narcotics is an extraordinary crime because of the importance of the development of opium and narcotics distribution in Indonesia. According to Saparinah Sadli as quoted by Barda Nawawi Arief; crime or crime is a form of deviant behavior that is always present and inherent in every form of society, no society is free from crime. According to him, deviant behavior is a real threat or threat to social norms that underlie life or social order, can cause individual tensions or social tensions, and is a real or potential threat to the continuation of social order (Hartanto: 2017).

**Table 1. Types of Sanctions and Forms of Witnesses for Narcotics Traffickers Based on Law Number 35 of 2009**

| Article             | Types of Sanctions  | Form of Sanctions   |
|---------------------|---|---|
| Article 111 112     | Imprisonment and fine                                       | <ol style="list-style-type: none"> <li>1) Imprisonment for a minimum of 4 (four) years and a maximum of 12 (twelve) years and a fine of at least Rp. 800,000,000.00 (eight hundred million rupiah) and a maximum of Rp. 8,000,000,000,000.00 (eight billion rupiah).</li> <li>2) Life imprisonment or imprisonment for a minimum of 5 (five) years and a maximum of 20 (twenty) years and a fine of at least Rp.800,000,000.00 (eight hundred million rupiah) and a maximum fine as referred to in paragraph ( 1) plus 1/3 (one third)</li> </ol> |
| Article 113 116     | Imprisonment and fine                                       | <ol style="list-style-type: none"> <li>1) Imprisonment for a minimum of 5 (five) years and a maximum of 15 (fifteen) years and a fine of at least IDR 1,000,000,000.00 (one billion rupiah) and a maximum of IDR 10,000,000,000,000.00 (ten billion rupiah).</li> <li>2) Death penalty, or life imprisonment or imprisonment for a minimum of 5 (five) years and a maximum of 20 (twenty) years and the maximum fine as referred to in paragraph (1) plus 1/3 (one third).</li> </ol>   |
| Art 115             | Life sentence or imprisonment and a fine                    | <ol style="list-style-type: none"> <li>1) Imprisonment for a minimum of 4 (four) years and a maximum of 12 (twelve) years and a fine of at least Rp. 800,000,000.00 (eight hundred million rupiah) and a maximum of Rp. 8,000,000,000,000.00 (eight billion rupiah).</li> <li>2) Life imprisonment or imprisonment for a minimum of 5 (five) years and a maximum of 20 (twenty) years and the maximum fine as referred to in paragraph (1) plus 1/3 (one third)</li> </ol>  |
| Article 117         | Imprisonment and government fines (mapping of affairs)      | <ol style="list-style-type: none"> <li>1) Imprisonment for a minimum of 3 (three) years and a maximum of 10 (ten) years and a fine of at least Rp. 600,000,000.00 (six hundred million rupiah) and a maximum of Rp. 6,000,000,000,000.00 (six billion rupiah).</li> <li>2) Imprisonment for a minimum of 5 (five) years and a maximum of 15 (fifteen) years and the maximum fine as referred to in paragraph (1) plus 1/3 (one third)</li> </ol>  |
| Article 118 119 121 | Death penalty, life imprisonment or imprisonment and a fine | <ol style="list-style-type: none"> <li>1) Imprisonment for a minimum of 3 (three) years and a maximum of 10 (ten) years and a fine of at least Rp. 600,000,000.00 (six hundred million rupiah) and a maximum of Rp. 6,000,000,000,000.00 (six billion rupiah).</li> <li>2) Imprisonment for a minimum of 5 (five) years and a maximum of 15 (fifteen) years and the maximum fine as referred to in paragraph (1) plus 1/3 (one third)</li> </ol>  |
| Article 120 123 124 | Imprisonment and fine                                       | <ol style="list-style-type: none"> <li>1) Imprisonment for a minimum of 3 (three) years and a maximum of 10 (ten) years and a fine of at least Rp. 600,000,000.00 (six hundred million rupiah) and a maximum of Rp. 5,000,000,000,000.00 (five billion rupiah).</li> </ol>  |

|                 |                       |  |
|-----------------|-----------------------|--|
|                 |                       | 2) Imprisonment for a minimum of 5 (five) years and a maximum of 15 (five) years and the maximum fine as referred to in paragraph (1) plus 1/3 (one third)   |
| Article 122 125 | Imprisonment and fine | 1) Imprisonment for a minimum of 2 (two) years and a maximum of 7 (seven) years and a fine of at least Rp.400,000,000.00 (four hundred million rupiah) and a maximum of Rp.3,000,000,000,000.00 (three billion rupiah).<br>2) Imprisonment for a minimum of 3 (three) years and a maximum of 10 (ten) years and the maximum fine as referred to in paragraph (1) plus 1/3 (one third). |

**Table 2. Types of Sanctions and Forms of Witnesses on Narcotics Users Based on Law Number 35 of 2009**

| Article     | Types of Sanctions   | Form of Sanctions   |
|-------------|--|---|
| Article 116 | Death penalty, life imprisonment, or imprisonment and a fine | 1) Imprisonment for a minimum of 5 (five) years and a maximum of 15 (fifteen) years and a fine of at least IDR 1,000,000,000.00 (one billion rupiah) and a maximum of IDR 10,000,000,000,000.00 (ten billion rupiah).<br>2) Death penalty, or life imprisonment or imprisonment for a minimum of 5 (five) years and a maximum of 20 (twenty) years and the maximum fine as referred to in paragraph (1) plus 1/3 (one third).       |
| Article 121 | Death penalty, life imprisonment, or imprisonment and a fine | 1) Imprisonment for a minimum of 4 (four) years and a maximum of 12 (twelve) years and a fine of at least Rp. 800,000,000.00 (eight hundred million rupiah) and a maximum of Rp. 8,000,000,000,000.00 (eight billion rupiah).<br>2) Death penalty, life imprisonment, or imprisonment for a minimum of 5 (five) years and a maximum of 20 (twenty) years and the maximum fine as referred to in paragraph (1) plus 1/3 (one third). |

Article 127 of the Narcotics Law which states:

1. Every Abuser:

- a. Narcotics Category I shall be sentenced to a maximum imprisonment of 15 (fifteen) years;
- b. Narcotics Category II shall be sentenced to a maximum imprisonment of 12 (twelve) years; and
- c. Narcotics Category III shall be punished by a maximum imprisonment of 10 (ten) years.

2. In deciding cases as intended in paragraph (1), judges are obliged to observe the provisions as intended in Article 116.

3. In the event that Abusers as intended in paragraph (1) can be proven or proven to be victims of Narcotics abuse, the Abusers must undergo medical rehabilitation and social rehabilitation.

## 9. Protection That Can Be Applied To Drug Users

Efforts to protect the law against children can be carried out in the form of protection of children's freedom and human rights or fundamental rights and freedoms of children. Children's rights based on the Convention on the Rights of the Child, can be formulated as follows, namely:

- 1) The right to survival or the right to life;
- 2) The right to develop or the right to grow and develop;
- 3) The right to protection or the right to protection;
- 4) The right to participation or the right to participate;

Legal protection of children's rights aims to protect various interests related to children's welfare. One form of legal protection for children's human rights, namely legal protection for children who are in the juvenile criminal justice system. In order to maximize protection for children in Indonesia, especially legal protection, Law Number 23 of 2002 concerning Child Protection was issued. As the development progressed, the Child Protection Law was later amended through Law Number 35 of 2014 concerning Amendments to Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection (hereinafter referred to as the Child Protection Law).

In 2016, with the increase in cases of violence, especially sexual violence against children, a Regulation in Lieu of Law (Perppu) on Child Protection was issued. The Perppu was subsequently stipulated as law through Law Number 17 of 2016 concerning Stipulation of Government Regulations in Lieu of Law Number 1 of 2016 concerning the Second Amendment to Law Number 23 of 2002 concerning Child Protection.

From the long journey of the formation of the Child Protection Law, it can be seen that the State pays serious attention to the problem of child protection in Indonesia. This serious concern is in the context of protecting and enforcing the rights of children, including children who abuse narcotics. The Child Protection Law has stipulated that there is special protection for children who are victims of abuse of narcotics, alcohol, psychotropic substances and other addictive substances (drugs). The government and other state institutions have the obligation and responsibility to provide special protection to children, one of which is children who are victims of abuse of narcotics, alcohol, psychotropic substances and other addictive substances (NAPZA).

In addition, Indonesia also has a Narcotics Law, which regulates that the government conducts guidance for all activities related to narcotics including efforts to prevent minors from being involved in the abuse and trafficking of narcotics. Preventing the younger generation and school age children from abusing narcotics, including by including education related to narcotics in the primary to secondary school curriculum. The juvenile criminal justice system can be defined as all elements of the criminal justice system, which are involved in handling juvenile delinquency cases. First, the police are a formal institution when bad boys first come into contact with the justice system. Second, the prosecutor and parole institutions will determine whether the child will be released or processed in juvenile court. Third, juvenile court, the stage when the child will be placed in options, from release to inclusion in the institution of punishment. The fourth or the last is the institution of punishment.



The juvenile justice system includes all activities of examining and terminating cases involving the interests of children, namely all activities carried out by the police, prosecutors, judges and other officials, must be based on a principle that is for the welfare of the child and the interests of the child. Thus, the juvenile criminal justice system includes all activities for examining and terminating juvenile cases, which have been carried out since the investigation / investigation by the police, prosecution by prosecutors, trials in court by judges and punishment by prisons, this whole series of activities is of course carried out by considering the interests. child. As a vulnerable party, there are many negative impacts on children (especially children of criminal offenders) if they are placed in the criminal justice process. As for the bad effects, among others, acts of violence. Physical, psychological, and sexual violence acts. Physical violence, including torture, having their hair shaved, slapping, burning cigarettes, being put in mixed detention with adult criminals, or other cruel and inhuman acts, it is common for children to experience psychological violence, including yelling, threats, insults, profanity, insults, and so on.

Psychological or psychological influences will also have a negative impact on children, as a result of the criminal justice process. This psychological violence can be traumatic for children. Sexual violence includes, rape, sexual abuse, torture, sexual harassment. Another bad impact, the criminal justice process remains in the memory of children. The experience of undergoing a series of tiring judicial processes will remain in the memory of the child. The negative effects can be in the form of fear, anxiety, sleep disturbances, appetite disorders or mental disorders.

As a result, the child becomes restless, tense, loses emotional control, cries, shakes, feels embarrassed, and so on. The negative effects also continue after the child is convicted, such as the continuing stigma. Adverse effects of the formal criminal justice process can also be in the form of trauma, stigma, and children being expelled from school. Various abuses received by children have caused trauma. The stigma or label of evil in the children of the perpetrators of delinquency is also attached, so that the child is always worried that he will do evil again. Children also have the potential to be expelled from school, because to face the legal process that involves them, children are forced to go to the police station several times or not attend school. The school certainly has rules regarding attendance, if the number of children's attendance does not meet, then the school will give strict sanctions to the child. According to Apong Herlina, these bad effects can be described as follows:

First, at the pre trial stage. Bad effects on children in the form of fear, anxiety, sleep disorders, appetite disorders and can become mental disorders. Other adverse effects include medical examinations, unsympathetic, repetitive and harsh, and unfeeling questions by examining officers, having to retell unpleasant experiences or events, and carrying out reconstruction, interviews and media coverage, waiting for trial, trial process delayed, separation from family or residence. Second, at the trial stage. The bad effects include, the child becomes restless, crying, embarrassed, depressed, thinking disorders and others, namely waiting in the courtroom, lack of knowledge of the ongoing process, the setting of the trial, dealing with witnesses and victims, speaking before court officials, the process of examination in court. Third or

last, at the stage after the trial. The bad effects are in the form of a judge's decision, no follow-up, continuing stigma, guilt, anger from the family. The whole effect or bad impact must be experienced by the child when placed in the criminal justice process, as a result of being held accountable for his naughty actions. To avoid these bad effects, the Juvenile Criminal Justice System Law (UU SPPA) accommodates a program called diversion. The whole effect or bad impact must be experienced by the child when placed in the criminal justice process, as a result of being held accountable for his naughty actions. To avoid these bad effects, the Juvenile Criminal Justice System Law (UU SPPA) accommodates a program called diversion. The whole effect or bad impact must be experienced by the child when placed in the criminal justice process, as a result of being held accountable for his naughty actions. To avoid these bad effects, the Juvenile Criminal Justice System Law (UU SPPA) accommodates a program called diversion.

In short, diversion is the transfer of settlement of juvenile cases from the criminal justice process to the non-criminal justice process. According to Jack E. Bynum, diversion is an attempt to divert or channel out, youthful offenders from the juvenile justice system. Diversion is an act or treatment to divert or place child offenders, including children who abuse narcotics, out of the judicial system. Diversion can take the form of, peace with or without loss, re-submission to parents or guardians, participation in education or training and community services.

As for the conditions for diversion, namely diversion can be carried out on children who have committed a criminal act which is punishable by imprisonment of under 7 years and does not constitute a

repetition of a criminal act. Children who abuse narcotics, if placed in the formal criminal justice system, will certainly suffer negative impacts. This clearly violates children's rights. Through diversion, children who abuse narcotics get protection. Diversion provides protection for children's human rights. Therefore, diversion is one of the legal protection efforts for children who abuse narcotics, to prevent children from the negative effects of the criminal justice process, as regulated in the SPPA Law.

This version of being a narcotics abuser is possible by resubmitting it to parents / guardians or by participating in education and training and community services. The authority for this assessment, of course, lies in the area of investigation, namely the Indonesian National Police (Polri) or the National / Regional Narcotics Agency (BNN / D). So that children really get protection. Children who abuse narcotics are diversified, by helping the child to be free from narcotics bondage in the future.

Narcotics are classified into three groups as stipulated in Article 6 of the Narcotics Law. Narcotics class I, group II and group III. The classification of narcotics into three types is based on the level of drug efficacy, purpose, and potential for dependence. In the Explanation and Attachment I section of the Narcotics Law, the definitions and types of narcotics are mentioned. The types of narcotics are also mentioned in the Minister of Health Regulation Number 13 of 2014 concerning Changes in the Classification of Narcotics.

The overall classification of narcotics also greatly impacts the law enforcement against children who abuse narcotics. In practice, there are at least two articles that are often used in ensnaring children of narcotics offenders, namely Article 111 and Article 127 of the Narcotics Law. Article

111 regulates that every person who without rights or against the law cultivates, maintains, owns, keeps, controls, or supplies narcotics class I in the form of a plant, shall be punished with imprisonment for a minimum of 4 (four) years and a maximum of 12 (twelve) years. . Meanwhile, Article 127 regulates every abuse of narcotics group I, II, III for himself, shall be punished with imprisonment of 4 (four) years, 2 (two) years, and 1 (one) year respectively. If you look at the two articles, Article 111 The perpetrator is threatened with imprisonment of up to 12 (twelve) years, then the penalty of punishment, over 7 (seven) years or more than what is required in the diversion. Article 127, the perpetrator is subject to imprisonment for a maximum of 4 (four) years or less than 7 (seven) years and must be subject to diversion. Thus, Article 127 is the most likely article for diversion. Article 111 of the Narcotics Law, does not meet the requirements for diversion while Article 127 of the law fulfills the requirements for diversion. Apart from diversion, legal protection for children who abuse narcotics who are in the juvenile justice system in Indonesia can be carried out through rehabilitation. Article 127, the perpetrator is subject to imprisonment for a maximum of 4 (four) years or less than 7 (seven) years and must be subject to diversion. Thus, Article 127 is the most likely article for diversion.

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If a child is declared to have abused narcotics, then based on statutory regulations, the child is obliged to be rehabilitated. Parents or guardians of underage narcotics addicts are required to report to community health centers, hospitals, and / or medical and social rehabilitation institutions appointed by the Government to receive treatment and / or treatment through medical rehabilitation and social rehabilitation. In general, this rehabilitation effort is divided into three stages, namely the detoxification stage, the rehabilitation stage, and the coaching stage.

First, the detoxification stage, which is the stage to remove poisons from narcotic substances in the victim's body until no narcotic substances are found in the victim's body. Second, the rehabilitation stage, which consists of mental rehabilitation,

which is an effort to provide guidance and counseling provided by experts, such as doctors and psychiatrists. Physical rehabilitation, namely efforts to carry out activities. Physical to forget or keep away from dependence on drugs, such as sports, arts, and courses. This is more about positive activities and giving creativity to child victims of narcotics abuse, so that they can forget or distance themselves from dependence on these dangerous drugs, even though this effort takes a long process. Third, the development stage, namely special coaching after the victim leaves the treatment and is declared cured. In this case, the cooperation of parents, social workers and psychologists is needed. This guidance includes improving the attitudes and behavior of victims who were disturbed by the influence of drugs, and preparing themselves to return to the midst of society or social interactions (Harefa: 2017).

## Conclusion

The strongest factor influencing the informant's behavior to use drugs is external factors, especially external factors that come from the influence of peer groups in their social environment. The social environment factor (peers) of peer groups is the main source of reference for adolescents in terms of perceptions and attitudes related to lifestyle.

Based on the description above, it can be concluded that Sutherland believes that a person will experience changes according to his expectations and views, namely when dealing with close friends. If these conditions are met, then evil behavior can arise as a result of social interaction. The Retreatist Sub-culture theory explains, where adolescents do not have an opportunity structure and engage in more

deviant behaviors, such as drinking, drug abuse and so on.

To avoid these bad effects, the Juvenile Criminal Justice System Law (UU SPPA) accommodates a program called diversion. In short, diversion is the transfer of settlement of juvenile cases from the criminal justice process to the non-criminal justice process. Diversion is an act or treatment to divert or place child offenders, including children who abuse narcotics, out of the judicial system. Diversion can take the form of, peace with or without loss, re-submission to parents or guardians, participation in education or training and community services.

Through diversion, young people who abuse narcotics get protection. Diversion provides protection for children's human rights. Therefore, diversion is one of the legal protection efforts for children who abuse narcotics, to prevent children from the negative effects of the criminal justice process, as regulated in the SPPA Law.

Apart from diversion, legal protection for children who abuse narcotics who are in the juvenile justice system in Indonesia can be carried out through rehabilitation. If a child is declared to have abused narcotics, then based on statutory regulations, the child is obliged to be rehabilitated. Parents or guardians of underage narcotics addicts are required to report to community health centers, hospitals, and / or medical and social rehabilitation institutions appointed by the Government to receive treatment and / or treatment through medical rehabilitation and social rehabilitation. In general, this rehabilitation effort is divided into three stages, namely the detoxification stage, the rehabilitation stage, and the coaching stage.

In the early stages of human life the first agent of socialization is the family. Therefore, parents are important people (significant other) in socialization. In order to prevent the nation's successors from falling into the world of drugs, parental interference and responsibility play an important role here. Because good or bad children's behavior really depends on how the parents are role models for their children.

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