

ANALYSIS OF CRIMINAL CIRCULATION TOWARD STUDENTS WHO DO CRIMINAL DRUG ACID (CASE STUDY IN MEDAN)

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Abstract: *Drug abuse as one of the social constraints in Indonesian society, especially in big cities - has only just begun to appear and has become the name of people who are increasingly everywhere in flashlight around 1969. Narcotics abuse, and other dangerous drugs by teenagers cannot be classified as reasonable mischief. As a result of the abuse of narcotics and psychotropic drugs in adolescents on this day will be felt tomorrow for teenagers as the next generation. Damage to the next generation means the fragility of a nation's national security. In this study, the formulation of the problem is how to convict students who commit criminal acts of narcotics in practice in the Medan District Court. What special treatment is given to students in convicting students who commit narcotics crimes. Special treatment must be given to children who are dealing with the law stipulated in Law No.3 of 1997 concerning Narcotics and Law No. 23 of 2002 concerning Child Protection. Special protection given to children who are faced with the law is pursued through a special court (formal justice system) based on Law No.3 of 1997 concerning Juvenile Justice. Some of the factors that become obstacles in combating narcotics crime among students are Legislation Factors, Organizational Factors / Syndicates, Law Enforcement Factors, Community Legal Awareness Factors, and Media Role Factors.*

Keywords: *drugs, child protection, law enforcement factors.*

1. INTRODUCTION:

National development cannot be separated from human life as the main driving motor. Human resources are the main thing in development because development will not run without humans quality [1]. Therefore the development of human resources becomes the main priority that must be worked on, because of the increasing quality of the source Indonesia's human power makes capital very important for competing in the current era of globalization. The age of adolescence is a critical period, puberty, the hardest period and dangerous because this period is seen as a preparation for becoming an adult [2].

Teenagers need to be equipped with all resilience, both mental, moral, education, personality, and religious beliefs. This resilience can be made a fortress defense to counteract the various trials and temptations that befall him. The thing this is very important because young people are leaders in the future (leader for tomorrow). Drug problems are a national problem, because of problems drugs are everywhere. It seems like there is no more urban area or villages in the Republic are sterile from drugs. Whether we realize it or not, drugs are already around us [3].

Drug abuse is one of the social constraints in society Indonesia, especially in big cities, is just beginning to appear and be called people who are increasingly flashlights everywhere around 1969. Abuse narcotics and other dangerous drugs by teenagers in this case including students, cannot be classified as reasonable delinquency. The consequence of the abuse of narcotics and psychotropic drugs in adolescents today feels the consequences for tomorrow for teenagers as the next generation. Damaged it the next generation means the fragility of a nation's national security [4].

Misuse and illicit circulation of narcotics and other addictive substances is a big problem that must be faced by many countries in the world. This problem cannot be dealt with in a piecemeal manner but must is a movement of humanity together to face "the people the heretic " [5].

In this case the government has paid great attention and serious to overcome abusing narcotics, and addictive ingredients others, especially among students or adolescents. From certain circles like The National Narcotics Agency is not tired of holding seminars, symposiums, workshops, etc. to get input to support the government's efforts and efforts. The role of the community, family, school, and also the surrounding environment is very important to support and prevent the danger of abuse of these drugs, especially narcotics which is the subject of this paper [6].

Therefore, since 1992 the UN has launched a movement "Campaigns are healthy and productive, and stay away from abuse narcotics, psychotropic substances and other addictive substances Steps prevention of abuse and illicit circulation of narcotics and addictive substances others regionally and internationally have been coordinated by UN agencies with substantial financial support for minimize the illicit production activities of narcotics and other addictive substances, to break the chain of illicit circulation from producer regions to consumers and efforts directed at handling victims narcotics abuse [7].

2. NARCOTICS AND CHILD LAW ARRANGEMENTS:

2.1. Narcotics Law

The birth of the new narcotics law was preceded with the issuance of Law No.7 of 1997 concerning Ratification Convention on the Eradication of Dark Circulation of Narcotics and Psychotropics 1988. Then because the narcotics crime has been transnational carried out with high modus operandi, and advanced technology, so that Law No.22 of 1997 is no longer compatible with the development of the situation and conditions, the Act was replaced with Law No. 35 of 2009, promulgated on October 12, 2009, in the Republic of Indonesia State Gazette The year 2009 Number 143 and Additional State Gazette of the Republic of Indonesia Number 5062 [8].

2.2. Legal Arrangements Regarding Children

The legal protection efforts of children are in principle long sought by the government, this is evident from various laws and regulations promulgated by the government. Various laws and regulations include Law Number 4 of 1979 concerning Child Welfare, Law Number 8 of 1981 concerning KUHAP which regulates legal protection for everyone involved in criminal acts including for children, Law Number 3 Year 1997 jo Law No. 11 of 2012 concerning the Juvenile Court which contains provisions formal criminal law and material criminal law provisions against children, Law Number 39 of 1999 concerning Human Rights Article 59 up to Article 66 and specifically in Law Number 23 of 2002 about Child Protection [9].

When stipulating Law Number 23 of 2002 concerning Child Protection promulgated in the Republic of Indonesia State Gazette in 2002 Number 19, Additional State Gazette of the Republic of Indonesia Number 4235 and promulgated on October 22, 2003, the government relied on a number of assumptions as to why compiled this Act. 17 Reasons for promulgating this Act are as follows:

- a. That the Indonesian state guarantees the welfare of every citizen his country, including the protection of children's rights which constitute human rights [10];
- b. That children are the mandate and gift of God Almighty, who in her inherent dignity and dignity as a whole person [11];
- c. That children are budding, potential, and young generation is the successor of dreams national struggle has a strategic role that has characteristics and special characteristics that guarantee the continuity of the existence of the nation and state in the future [14];

That every child will be able to assume this responsibility in the future. then he needs to get the widest opportunity to grow and develop optimally, both physically, mentally, and socially and noble, safeguards and for realizing child welfare by providing guarantees against fulfillment of his rights and the existence of treatment without discrimination. 18 Law Number 23 of 2002 concerning Child Protection the government has regulated criminal provisions, namely those contained within Article 77 to Article 90. If specified, the criminal provisions are in this law is reviewed in terms of formulating criminal sanctions (transport) using alternative types of cumulative and cumulative formulations, while in terms of the duration of maximum criminal sanctions (compliance) use maximum criminal system and length / maximum minimum system criminal threat [12].

Penal punishment is not merely revenge, which is the most important thing is the provision of guidance and protection which at the same time the community and to the criminal offender to be converted and able become a good member of society. As an influence of scientific progress knowledge and technology, cultural progress and development developments not only adults who are trapped in norm violations, especially legal norm [13].

3. METHOD OF RESEARCH:

This type of method research uses qualitative research with an approach descriptive in Medan. This study uses a descriptive qualitative approach. Type Descriptive qualitative research is more data collected take the form of words or images rather than numbers written research contains quotes from data for illustrating and provide presentation evidence "In qualitative research concepts and categories, not events or the frequency in question. In other words, qualitative research does not research a vacant land but he dug it up".

In normative law research, library material is basic data which in (science) research is classified as secondary data. Secondary data has a very broad scope, so that includes letters personal, diaries, books, and official documents issued by the government.

4. THE RESULTS OF A POLICY:

Crime prevention efforts using sanctions (legal) a criminal is the oldest, as old as human civilization itself. 23 Penal policy or criminal law policy in essence, how criminal law can well formulated and provide guidance to legislators (legislative policies), application policies (judicial policy) and implementing criminal law (executive policy).

Legislative policy constitutes a very decisive stage for the next stages, because of ethics criminal legislation is made so that the direction has been determined want to be addressed or in other words, what actions are seen need to be made as an act that is prohibited by criminal law.

If observed, there are several articles in the Law Number 35 of 2009 relating to children both as perpetrators or considered a victim. If these articles are studied more deeply through a criminal political perspective, it can be found that these articles contains efforts to deal with crime both in terms of reason and non penal.

Efforts to combat crime through the reasoning channel are handling through criminal law. Roughly speaking it can be said that the effort crime prevention through reasoning focuses more on character "Repressive" (suppression / eradication) after it occurs crime

There is no specific law that regulates criminal acts narcotics carried out by children or articles that specifically regulate about criminal acts of narcotics abuse committed by children in underage, especially related to the Narcotics Law. Conditions in the Narcotics Act Number 35 of 2009, there is more emphasis children as victims of narcotics crime are not perpetrators of criminal acts narcotics. This can be seen in articles 55, 128 and 133 of Law No. 35 years old 2009.

The above article is also an article that lists children as victims of narcotics abuse, but do not place children as perpetrators but as victims. Elements of giving, giving or promising something, give opportunity, advocate, provide convenience, a force with force, force with violence, do deception, or persuade children who are not old enough. Sending meaningful rule (in order to do something), giving means giving up (sharing, conveying) something, promising something means expressing willingness and the ability to do something to others. Providing facilities can be in the form of facilities, facilities or opportunities so that inconvenience those who are given deeds are carried out, forced by threats and a force with violence involves coercion of physical threats or psychic, do tricks . 25 Sanctions that may arise for the above criminal offenses are contained in Article 103, and 127 Law No. 35 of 2009

There are no articles above that link children as perpetrators but as a victim in narcotics crime. Because the age of the child is still considered immature in thinking and responsible for doing an action, this is seen in Article 55 which emphasizes parents the person who is responsible must report it, even if the child is under This age is the perpetrator of narcotics abuse The real. If intentionally not reporting it then sanctions also applied to parents of drug addicts. Article 133 more emphasize children as victims.

The result of Non Penal Policy or Non Penal Policy Crime prevention cannot be resolved only by the application of criminal law only, because criminal law has limitations. According to the viewpoint of criminal politics in a macro, non-reasoning manner policy is the most strategic crime prevention policy it is because the non-reason policy is more of a precautionary measure before the occurrence of a crime. The main objective of non-reasoning policy is to deal with and eliminate the conducive factors that cause it to occur criminal act. In this effort, good cooperation is needed government officials, law enforcers, and also the community in preventing the occurrence of crime, in this case the crime of theft with violence.

Non-reasoning approach, namely the prevention of crime without using the means of punishment, which can be done in various ways prevention in the fields of economy, education, environmental design or other strategies that can limit the movement of perpetrators of crime.

The policy is through a non-reasoning path in the act of mitigating actions narcotics crimes focus more on the "preventive" nature (prevention / deterrence / control) before the crime occurs. Then the main requirements in taking preventive actions against criminal acts this narcotics is in dealing with factors that are conducive to the cause of occurrence crime, which among other things focuses on problems or conditions social which directly or indirectly can cause or flourish katanatan. Efforts to divert the handling of children from the judicial route to non-judicial lines (diversion) are considered important.

4.1. Factors Cause Adolescents Abusing drugs in the city of Medan.

Abusing Drugs Is The Existence Of Factors From Individuals In This Case Themselves. themselves, environmental factors in this case influence from peers, friends share and a factor of availability that makes them abusedrugs.

One of the causes of teenagers abusing drugs is the factor of in themselves. there is curiosity, feeling like trying out new things so fall into the act violated by the law. This matter because they are less fortunate in socializing. Such that explained in control theory, that:

"Deviations are the result of a control vacuum or social control. The assumption is that every human being tends to disobey 8 law or have an urge to violate the law "5 Adolescence where the psychological or psychological level is still unstable and lack of awareness of adolescents that drug use outside medical indications is an act violated by law and will be imposed criminal sanctions or fines. as expressed by the head of the Dongi village, who said that the thought was still unstable, the curiosity big so try dabbling drugs without them knowing that what they do is an act that violates norms social and illegal. From the data obtained in the field that teenagers abuse drugs due to being a place for trial and error, to be accepted in groups, as an escape for forgetting problems in the family so that using drugs with high doses

that cause them addiction. This happens because the way of thinking is less effective and often think short in acting. In decision making they also do not think of causes and consequences that will occur. Like it has been explain to the study with the research on Abuse Prevention Strategies Adolescent Narcotics (Case Study of Participation in the District Narcotics medan north sumatera).

4.2. The Impact of Drug Abuse on Adolescents

The impact of drug abuse on someone depends on the type drugs used, user personality and situation and conditions users. In general, the impact of drug addiction or addiction can seen in physical, psychological and social or community environment.

a). Physical

As described in the results of the study that in Dongi Village Pituriawa Subdistrict, Sidenreng Rappang District, is a type of drug most widely used by adolescents, namely the type of methamphetamine and drugs such as distro. As for the effects on the physical headache, nausea and shortness of breath. This is due to drug use in numbers exaggeration. As the results of the research of informant O who were teenagers broke up schools that use drug effects caused when using drugs in this case the type of shabu-shabu is a headache, nausea and even out of breath.

Where when using methamphetamine excessively or even dismissal of the sudden use of shabu-shabu or due to decline the dose of shabu-shabu will experience a severe headache. Teenagers who are having a headache when using shabu-shabu in an amount that is a lot and due to a decrease in dosage namely informant S. When experiencing pain excessive head, red eyes, extreme pain, shortness of breath and nausea.

b). Psychic

The impact of drug abuse on adolescent psychology is that it cannot sleep, have high enthusiasm which can be a direct effect felt by teenagers. This is the effect of amphetamine found in shabu-shabu, so that energy will explode and have a spirit high as if the energy possessed will never end. This matter in line with the results of informant R's research that when using large amounts of shabushabu, he will experience insomnia and always laugh.

Psychological effects, namely anxiety. Methamphetamine gives more effect in teens who use it. This excessive energy will later impact on the condition of his body which is easy to feel anxious and unable to shut up. As the results of the S informant's research that when you are experiencing a disease, then his mind is not calm and always restless. Another impact is parno (paranoid). Paranoid is a condition where teenagers use methamphetamine feeling like being chased and feeling his life is threatened.

5. CONCLUSION:

Factors underlying the teenagers who abuse drugs on north Sumatera, medan due to the existence of self-factors that were initially just trial and error so experiencing addiction, environmental factors or peers and availability factors. The impact of drug abuse is impacting towards physical, psychological and environmental. Impacts on the physical include illness head, nausea, insomnia, no appetite. Impact on psychic between others, give a feeling that soars, gives a sense of happiness, and very much confidence. There is a sense of paranoia, anxiety when using and insomnia. Impacts on the environment are alienated in society, and difficult in socializing in society.

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