

The Properties of Law Enforcement of Narcotic Use of Criminal Acts for Children in South Sulawesi Province

Muh. Nur As'ad*, Hambali Thalib**, La Ode Husen**, Syamsuddin Pasamai**

**Student of Postgraduate Doctoral Program in Legal Studies, Universitas Muslim Indonesia*

***Professor of the Faculty of Law, Universitas Muslim Indonesia*

Corresponding Author: Muh. Nur As'ad

Abstract: This study aims to explain and analyze and discover the nature of law enforcement of narcotics abuse crimes for children, explain and analyze and find the effectiveness of law enforcement against narcotics abuse for children and find factors that influence the effectiveness of narcotics abuse law enforcement among children in the province South Sulawesi. The type of this research is socio-juridical research or including descriptive research with a non-doctrinal approach, which views the law as socio-empirical symptoms observed in experience. For this reason, law is not only examined from its normative aspects, but also by law as in reality, the method used is descriptive research with the type of merging between normative legal research and sociological legal research related to the implementation of law enforcement of narcotics misuse on children.

Keywords: Narcotics, Children, South Sulawesi

Date of Submission: 14-02-2020

Date of Acceptance: 29-02-2020

I. INTRODUCTION

Narcotics crime has been transnational in nature which is carried out using high-modus operandi, sophisticated technology, supported by a broad network of organizations, and has caused many victims, especially among the young generation of the nation which is very dangerous to the lives of the people, nation, and country so that the existence of the Act Law No. 35 of 2009 concerning narcotics has a very urgent meaning in combating narcotics abuse in Indonesia.

To achieve this it requires state awareness of all the elements that exist, and optimally strives to create a just, prosperous and prosperous society. People are said to be prosperous if the middle and upper economic levels and harmonious security conditions. This can be achieved by means of each society behaving in harmony with the interests that prevail in people's lives, which is manifested by behaving in accordance with the norms prevailing in society. This can be seen from the increasing crime, especially narcotics abuse.

Narcotics crime is no longer done individually, but involves many people who together - even an organized syndicate with an extensive network that works neatly and very secret both at national and international level.

To more effectively prevent and eradicate the abuse and illicit trafficking of narcotics and precursors, it is regulated regarding the strengthening of existing institutions, the National Narcotics Agency (BNN). The BNN is based on Presidential Regulation No. 83 of 2007 concerning the National Narcotics Agency, Provincial Narcotics Agency, and Regency/City Narcotics Agency.

According to the Head of Rehabilitation for BNN South Sulawesi Province, Sudaryanto admitted that narcotics users in South Sulawesi Province were mostly teenagers, aged 15 to 25 years. The No. was proven by the data of users who participated in the rehabilitation program. In 2016, the most in the late adolescent age group (aged 17 – 25 years) was 44.27%. Early adulthood (age 26 – 35 years) amounted to 25.74%. Then followed by late adulthood (age 36 – 45) as much as 14.07%. While early adolescents (age 12 – 16 years) as much as 12.87%; early elderly (age 46 – 55 years) as much as 2.18%; late elderly (aged 56 – 65 years) as much as 0.54%; and children (aged 5 – 11 years) as much as 0.33%. What is of concern is that there are already age groups of children involved in narcotics abuse

II. STATEMENT OF THE PROBLEM

1. What is the nature of law enforcement on the misuse of narcotics for children?
2. What is the effectiveness of the law enforcement of narcotics abuse for children in South Sulawesi Province?
3. What factors influence the effectiveness of law enforcement in eradicating narcotics abuse for children in South Sulawesi Province?

III. THEORETICAL FRAMEWORK

A. Theoretical Basis

1. Rule of Law Theory

The rule of law is a term that, although it may seem simple, contains a relatively long history of thought.¹ Thoughts about the rule of law emerged long before the Revolution of 1688 in England, but only reappeared in the XVII Century and began to gain popularity in the XIX Century. The background to the emergence of the rule of law is a reaction to past arbitrariness. Therefore the elements of the rule of law have a close relationship with the history and development of the people of a nation. The history of the emergence of thoughts or ideals of the rule of law itself is actually very old, far older than the age of the state or even the science of the state. The ideals of the rule of law were for the first time put forward by Plato and then this thought was confirmed by Aristotle.²

The concept of the rule of law is undergoing changes, in terms of time, it turns out that the concept of the rule of law is dynamic and not static. Brian Z. Tamanaha,³ said that there are two versions of the developing state of law, namely the formal and substantive versions, each of which develops in three forms. The concept of a formal version of the rule of law begins with the concept of rule by law that the law is interpreted as an instrument of government action. Then it develops in the form of formal legality, where the concept of law is interpreted as a norm that is general, clear, prospective and certain. While the latest development of the formal version of the concept of the rule of law is democracy and legality, where agreement is what determines the content or substance of the law. Whereas the substantive version of the rule of law concept develops from individual rights, where privacy and individual autonomy and contracts are the most basic foundation. Then it develops on the principle of the rights to personal freedom and/or justice (dignity of man) and develops into the concept of social welfare that contains substantive principles, equality, welfare and community survival.

2. Legal Purpose Theory

Law is a system that can play a good role and not passive where the law is able to be used in the community, if its implementation instruments are equipped with authorities in the field of law enforcement. In connection with this, Lawrence M. Friedman, said that law is composed of legal sub-systems in the form of legal substance, legal structure, and legal culture.

The elements of the legal system determine whether a legal system can work well or not. The substance of the law concerns all aspects of legal regulation or laws and regulations, the legal structure emphasizes the performance of the legal apparatus and legal facilities and infrastructure itself, while the legal culture concerns the behavior of the people.

In essence, the existence of law enforcement officers in the process of law enforcement in Indonesia is to achieve legal objectives, namely legal certainty, justice, and legal benefits for justice seekers.⁴

3. Legal Effectiveness Theory

Theory of Legal Effectiveness of Selo Soemardjan⁵, explained that there are 3 (three factors which are very closely related to legal effectiveness as follows:

- 1) Efforts to instill law in the community, namely the use of human labor, tools, organizations and methods so that community members know, respect, acknowledge and obey the law.
- 2) Community reaction based on the prevailing system of values. That is, the community may reject or oppose or may obey the law because compliance, identification, internalization or their interests are guaranteed.
- 3) The period of legal planting is the long or short time period in which the investment efforts are carried out and is expected to produce results.

4. Legal Protection Theory

Legal protection is all efforts to fulfill rights and provide assistance to provide security for witnesses and/or victims, legal protection for victims of crime as part of community protection, can be realized in various forms, such as through the provision of restitution, compensation, medical services, and legal assistance.⁶

¹Muhtaj, Majda El. (2005). *Hak Asasi Manusia dalam Konstitusi Indonesia: Dari UUD 1945 Sampai dengan Perubahan UUD 1945 Tahun 2002*. Jakarta: Kencana Prenada Media Group, p. 1.

²Huda, Ni'matul. (2005). *Negara Hukum, Demokrasi dan Judicial Review*. Yogyakarta: UII Press, p. 1.

³Tamanaha, Brian Z. (2006). *On the Rule of Law: History, Politics, Theory*. New York: Cambridge University Press, pp. 91 – 101.

⁴Effendy, Marwan. (2005). *Kejaksaan RI: Posisi dan Fungsinya dari Perspektif Hukum*. Jakarta: PT. Gramedia Pustaka Utama, p. 151.

⁵Soemardjan, Selo. (1993). *Masyarakat dan Manusia dalam Pembangunan: Pokok-Pokok Pikiran Selo Soemardjan (Deziree Suraidah & Jufri Rizal Eds.)*. Jakarta: PT. Pustaka Sinar Harapan, p. 26.

⁶Soekanto, Soerjono. (1984). *Pengantar Penelitian Hukum*. Jakarta: UI Press, p. 133.

According to Satjipto Rahardjo, defining legal protection is to provide protection for human rights that are harmed by others and the protection is given to the community so that they can enjoy all the rights provided by law.⁷

5. Law Enforcement Theory

Law enforcement according to Satjipto Rahardjo is a concrete form of law enforcement in everyday community life.⁸ Whereas according to RiduanSyahrani that law enforcement is the implementation of law with the help of state equipment because of violations of law.⁹

According to Jimly Asshiddiqie, law enforcement in the broadest sense includes activities to implement and apply the law and take legal action against any violations or legal deviations committed by legal subjects, either through judicial procedures or through arbitration procedures and dispute resolution mechanisms. others (alternative disputes or conflicts resolution).¹⁰

6. Theories of Causes of Child Crimes

a. Anomie Theory

1) Emile Durkheim, according to this French sociologist, stressed on “Normlessness, lessens social control” which means loosening of social control and control that affects the occurrence of moral decline. This makes it difficult for individuals to adjust to changes in norms, often even conflicting with social norms.¹¹

2) Robert Merton, In social theory and social structure related to Durkheim’s anomie theory, Robert Merton suggested that anomie is a condition when the goal is not achieved by the desire in social interaction. in other words, “anomie is a gap between goals and means creates deviance”. But Merton’s concept of anomie is somewhat different from Durkheim’s. The real problem is not created by sudden social change but by social structures that offer the same goals to achieve it.

3) Cloward and Ohlin, Cloward and Ohlin’s anomie theory emphasizes the existence of Differential Opportunity in the life structure of society. Cloward and Ohlin’s opinion was stated in *Delinquency and Opportunity*, that the lower class youth would tend to choose another type of subcultural (gang) that was appropriate to their anomie situation and depended on the structure of opportunities against the law in their environment.

4) Cohen, For anomie theory, according to Cohen, is called in the *Lower Class Reaction Theory*. The core of this theory explains that Delinquency arises from middle class reactions felt by lower class adolescents as injustice and must be resisted.

b. Cultural Deviance Theories

This theory of cultural deviation focuses on the social forces that cause people to carry out criminal activities cultural deviance theories view crime as a set of values that are typical of the lower class. The process of adjusting to the lower class value system that determines behavior in slums, causing conflicts with community laws.¹²

c. Theory of Social Control (Social Control Theory)

Control theory or theory refers to every perspective that discusses the control of human behavior. Meanwhile, the notion of social control theory refers to the discussion of delinquency and crime associated with sociological variables, including family structure, education, and dominant groups. Regarding social control theory, there are opinions of several figures, one of which is Albert J. Reiss, Jr. Reiss, argues that there are three components of social control in explaining juvenile delinquency, including:

- 1) Lack of reasonable internal control during childhood.
- 2) The loss of control that should be the thing that needs to be focused on childhood.
- 3) The absence of social norms in the immediate environment, at school, and parents.

B. Overview of Children

1. Definition of Children

Understanding children in relation to the child’s delinquency behavior, usually done by basing on the level of age, in the sense of what age level can be categorized as a child.¹³

⁷Rahardjo, Satjipto. (2000). *Ilmu Hukum*. Bandung: PT. Citra Aditya Bakti, p. 53.

⁸*Ibid.*, p. 81.

⁹Syahrani, Riduan. (1991). *Rangkuman Intisari Ilmu Hukum*. Bandung: PT. Citra Aditya Bakti, p.191.

¹⁰Asshiddiqie, Jimly. (2009). *Menuju Negara Hukum yang Demokratis*. Jakarta: PT. Bhuana Ilmu Populer, p. 22.

¹¹Alam, A. Syamsu, & Ilyas, Amir. (2010). *Pengantar Kriminologi*. Makassar: Pustaka Refleksi, p. 462.

¹²*Ibid.*, pp. 52 – 53.

¹³Hadisuprpto, Paulus. (2010). *Delinkuensi Anak: Pemahaman dan Penanggulangannya*. Malang: Bayumedia Publishing, p. 11.

So, what is used to determine the age limit for maturity for children is to see the problem first. The age limit for maturity in general is 18 years, on the basis of the *lex specialis derogat legi generali* (the law specifically defeats general laws). The exceptions to marriages are the minimum age for marriage for men is 19 years and for women is 16 years. Children who have not reached the age of 18 years are under the authority of their parents as long as they are not revoked, their parents are the ones who represent the children in legal matters inside and outside the court building. In addition, the child has the right to care and protection both while still in the mother's womb and after birth, so that when the interests of the child want, the child in the womb of a woman is considered to have been born. While children who die at birth are considered to have never existed.¹⁴

2. Age Limit of Children

In Law No. 35 of 2014 concerning Amendment of Law No. 23 of 2002 concerning Child Protection. Article 1 No. 1 states that the meaning of a child is someone who is not yet 18 (eighteen) years old, including children who are still in the womb. Every child is protected by this law. What is meant by child protection is (Article 1 No. 2) all activities to guarantee and protect children and their rights so that they can live, grow, develop, and participate optimally in accordance with human dignity and dignity, and get protection from violence and discrimination. In relation to legal issues, the treatment of children is not the same as the treatment of people who are considered capable or capable or mature by law. Regarding this matter recorded in Articles 16, 17 and 18.

In Article 34 of the Child Protection Act it is stated that a guardian appointed based on a court ruling can represent a child to carry out legal actions, both inside and outside the court in the best interest of the child. The age limit for children aged 18 years in this law, in the opinion of the author, looks at the substance of the promulgation of this law which is more emphasis on aspects of protection. Even though the child is physically large, but to guarantee a more prospective children's future, it is necessary to protect and guarantee their rights in order to be able to live, grow, develop, and participate optimally in accordance with human dignity and dignity, and get protection from violence and discrimination. So the age limit of 18 years is in accordance with the current socio-cultural conditions of Indonesian society.

C. Children in conflict with the law

Defining children in the context of Indonesian law is very difficult because the laws and regulations relating to the status of children provide general limitations that differ.

National definitions of children are based on the age limit of children according to criminal and civil law. Internationally, the definition of a child is contained in the United Nations Convention on the Rights of the Child or the United Nations Convention on the Right of the Child in 1989. The United Nations Minimum Standards on the Implementation of juvenile justice or the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules) 1985 and the Universal Declaration of Human Rights in 1948.

Conceptually, children who are in conflict with the law (children in conflict with the law) are interpreted as: "*Someone under the age of 18 who is dealing with the criminal justice system because the person concerned is suspected or accused of a criminal offense.*"¹⁵

The juvenile justice system which is now based on retributive and restitutorial justice only gives authority to the state delegated to law enforcement officials (Police, Prosecutors, Judges and Bapas). Child offenders who are dealing with the law and their victims have very little opportunity to deliver the version of justice they want. Countries that determine the degree of justice for victims by giving prison sentences to perpetrators. No wonder if criminal acts committed by children who are dealing with the law are increasing because they are imprisoned (correctional institutions) children who are dealing with the law will gain additional knowledge to commit crimes and recruit other children to follow them.

¹⁴Satrio, J. (1999). *Hukum Pribadi: Persoon Alamiah* (Vol. 1). Bandung: PT. Citra Aditya Bakti, p. 23.

¹⁵YPHA. (2011, April). Anak yang Berhadapan dengan Hukum dalam Perspektif Hukum Hak Asasi Manusia Internasional. Retrieved from <http://www.ypha.or.id/web/wp-content/uploads/2011/04/Anak-yang-Berhadapan-dengan-Hukum-dalam-Perspektif-Hukum-HAM-Internasional.pdf>

D. Narcotics Crimes

1. Definition of Narcotics

HendroSatmoko argues, narcotics are substances or drugs that can reduce brain activity or stimulate the central nervous system and cause behavioral disorders, accompanied by hallucinations, illusions, impaired ways of thinking, changes in feelings that cause dependence.¹⁶

Another formula about narcotics stated by Dwi Yanny, that narcotics are substances or drugs, both natural and synthetic, which have psychoactive properties through selective influences on the central nervous system that cause specific changes in mental activity and behavior.¹⁷

Juridical understanding of narcotics has been formulated in Article 1 point 1 of Law No. 35 of 2009, as follows:

“Narcotics are substances or drugs that come from plants or not plants, both synthetic and semi-synthetic, which can cause a decrease or change in circumstances, loss of taste, reduce to eliminate pain and can cause dependence”.

2. Narcotics Classification

Law No. 35 of 2009, classifies narcotics into three types, namely narcotics group one, second group, and third group. This classification is explicitly stated in Article 6 paragraph (1) to paragraph (3) as follows:

- a. The scope of the regulation in the field of narcotics in this law is all activities related to all activities related to narcotics which have the potential to cause dependency syndrome.
- b. Narcotics which have the potential to cause dependency syndrome as referred to in paragraph (1) are classified as:
 - (a) Narcotics group I
 - (b) Narcotics group II
 - (c) Narcotics group III
- c. The types of Narcotics class I, class II, class III as referred to in paragraph (2) are first stipulated and attached to this law, which constitutes an inseparable part.
- d. Further provisions for the stipulation and change of types of Narcotics as referred to in paragraph (3) shall be regulated by the Minister.

Even though the regulation of narcotics types in Law No. 35 of 2009 only covers three types of groups, but there are still other types of narcotics that do not have the potential to cause dependency syndrome, but are classified as hard drugs (Official explanation of the last part of Article 6 paragraph (2) of the Act – Law No. 35 of 2009).

3. Crimes of Narcotics Abuse

As has been stated that narcotics is basically a drug that can benefit health and the development of science and health. But if it is misused or used other than its intended purpose, it is very dangerous for humans. Narcotics misuse causes harm in the form of addiction, which is a desire or need to continue using it in any way and try to get it in various ways.

Sudarsono stated that narcotics abuse is an illegal act in the form of producing, distributing, marketing, selling and using narcotics apart from purposes that are beneficial for the treatment and development of science.¹⁸

IV. DISCUSSION

A. The Nature of Law Enforcement of Narcotics Abuse for Children

1. Principles of Protection in Law Enforcement

Law enforcement against children both in general and specifically involved in criminal acts of narcotics abuse certainly different handling with adults, the handling of these children is special because it is also regulated in separate regulations.

Legal protection for children can be done as an effort to protect the law against various freedoms and children's rights. Protection of children also includes interests related to child welfare. Protection of children in conflict with the law is a shared responsibility of law enforcement officials. Law enforcement officials involved in handling children who are in conflict with the law do not only refer to Law No. 11 of 2012 concerning the Juvenile Justice System or other legislation, but rather prioritize peace efforts rather than formal legal processes.

The purpose of imprisonment for children is not intended to provide punishment or suffering for children for the actions they have done but is directed to the guidance and education needed for the development of their souls and is intended to provide opportunities for children so that through coaching their identity is

¹⁶Satmoko, Hendro. (2001). *Penanggulangan Penyalahgunaan Narkotika dan Psicotropika*. Jakarta: Kepolisian Negara Republik Indonesia, p. 6.

¹⁷L., Dwi Yanny. (1999). *Narkoba: Pencegahan dan Penanganannya*. Jakarta: Elex Media Komputindo, p. 15.

¹⁸Sudarsono. (1995). *Kenakalan Remaja*. Jakarta: PT. Rineka Cipta, p. 23.

obtained to become an independent human being, responsible and useful for himself, his family, community, nation and country.

In relation to child protection, in general we can interpret the definition of child protection according to Article 1 of Law No. 23 of 2002 concerning Child Protection, all activities to guarantee and protect children and their rights so that they can live, grow, and participate in a participatory manner. optimally in accordance with human dignity and dignity, and get protection from violence and discrimination.

Legal protection for children who become drug offenders does not actually use detention or imprisonment. Prison crimes cannot provide guarantees that children who are admitted to child prisons will be good. Efforts that need to be put forward by the Police to children are advice and appeals and involve the participation of parents and the community, prevention of narcotics crime involving children is more appropriate when using non-penal means because they see children as individuals who do not yet have physical and mental skills.

2. Principles of Justice in Law Enforcement

The juvenile justice system is all elements of the criminal justice system that are involved in handling ABH cases. Police, Attorney and Court and Community Guidance or Correctional Centers, Advocates or aid providers, Special Child Development Institutions (LPKA), Temporary Child Placement Institutions (LPAS) and Social Welfare Organizing Institutions (LPKS) as institutions or institutions that treat ABH starting from children in contact with the justice system, determine whether the child will be released or processed in juvenile court to the stage when the child will be placed in choices, ranging from being released to being included in a punitive institution in the corridor of restorative justice.

The restorative justice method used is a deliberation on recovery by involving victims and perpetrators along with their respective families, plus community representatives who are expected to represent the environment in which the criminal act with the child offender occurred. With the support of the local environment to solve problems outside the juvenile justice system, it is expected to produce decisions that are not punitive in nature, but will continue to prioritize the interests and responsibilities of children who have committed crimes, victims and the community.¹⁹

Implementation of diversion can be a form of restorative justice if the implementation of this diversion can encourage children to be responsible for their actions, provide opportunities for children to replace mistakes made by doing good for the victim, provide opportunities for victims to participate in the process, provide opportunities for the child to be able to maintain family relations and provide opportunities for reconciliation and healing in a society that is harmed by a crime.²⁰

3. The Principle of Non-Discrimination in Law Enforcement

According to Osgar S. Matompo et.al said the principle of non-discrimination is a central concept in the Human Rights method. These principles can be found in general human rights instruments. The affirmation of this principle of non-discrimination is clearly stated in several human rights instruments, including Article 2 of the Universal Declaration of Human Rights which states that everyone has the right to all rights and freedoms contained in this declaration with no exceptions whatsoever, such as differentiation race, color, sex, language, religion, politics or other views, national or social origin, property rights, birth or other position.²¹

On the principle or principle of Non-Discrimination later people or humans will be equalized to get equal rights before the law or better known as the principle or principle of Equality Before The Law. The principle of equality before the law is a principle that applies universally in the rule of law, because in this principle it contains the equality of human dignity and dignity before the law. This principle is also contained in Article 6 of the Universal Declaration of Human Rights, which translates "Every person has the right to recognition as a private person of the Law wherever he is.

The implementation of law enforcement against children in conflict with the law is based on the principle of non-discrimination. Based on Article 2 letter c of Law No. 11 of 2012 concerning the Criminal Justice System for Children, what is meant by non-discrimination is that there is no different treatment based on ethnicity, religion, race, class, gender, ethnicity, culture and language, legal status child, child birth order, and physical and/or mental condition.

¹⁹Marshall, Tony F. (1999). *Restorative Justice: An Overview*. London: Home Office Research, Development and Statistics Directorate, p. 25.

²⁰Sianturi, Kristina Agustiani. (2016). Perwujudan Keadilan Restoratif dalam Sistem Peradilan Pidana Anak Melalui Diversi. *De Lega Lata: Jurnal Ilmu Hukum, Universitas Muhammadiyah Sumatera Utara*, 1(1), p. 204.

²¹Matompo, Osgar S., Muliadi, & Achmad, Andi Nurul Isnawidiawinarti. (2018). *Hukum dan Hak Asasi Manusia*. Malang: Intrans Institute, p. 16.

B. The Effectiveness of Law Enforcement on Narcotics Abuse for Children in South Sulawesi Province

Law enforcement of narcotics abuse for children in South Sulawesi Province, can be described through various tables which are the results of processed primary data (Questionnaires) obtained at predetermined sample locations. Primary data (Questionnaire), then processed by doing data recap, and then described through frequency distribution that describes the tendency of the respondents' views in tabular form.

Table 1 (one) below gives an overview of the respondents' views on the effectiveness of the implementation of law enforcement against narcotics abuse crimes among children in South Sulawesi Province.

Table 1. Effectiveness of Law Enforcement Implementation Against Narcotics Abuse in Children

No	Description	Frequency	Percentage
1.	Effective	15	15%
2.	Less Effective	76	76%
3.	No Effective	9	9%
Amount		100	100%

Data Source: Primary data after processing, 2019.

Looking at the table above, it is clear that only 15% of respondents answered that the implementation of law enforcement against narcotics misuse among children in South Sulawesi Province has been effective.

Furthermore, 76% of respondents answered that the implementation of law enforcement against narcotics abuse crimes among children in South Sulawesi Province was less effective. And 9% of respondents answered that the implementation of law enforcement against criminal acts of drug abuse among children in South Sulawesi Province was ineffective.

Narcotics abuse committed by children can be resolved through a diversion process at each stage. In the practice of law in the field, not all narcotics cases committed by children can be applied to diversion at the investigation stage, for articles on narcotics abuse that can be sought diversion. There are still cases of children who abuse narcotics which are resolved through ordinary courts such as the provisions of Law No. 11 of 2012 concerning the Juvenile Justice System.

The following table 2 presents the respondents' views on whether there are still criminal acts of drug abuse among children who are not sanctioned in the Province of South Sulawesi.

Table 2. The Narcotics Abuse Act of a Child without Sanction

No	Description	Frequency	Percentage
1.	Yes	83	83%
2.	No	17	17%
Amount		100	100%

Data Source: Primary data after processing, 2019.

Looking at the table above, it is clear that 83% of respondents answered that there were still criminal acts of narcotics abuse among children who were not sanctioned in South Sulawesi Province.

Furthermore, 17% of respondents answered that there were no criminal acts of drug abuse among children who were not sanctioned in the Province of South Sulawesi.

When examined, the Juvenile Justice System Law has not been implemented properly. This is because most of the provision of diversion without trial to children who abuse drugs is given regardless of age restrictions. Whereas diversion without a trial can be given to children under the age of 12 years based on sociological, psychological, and pedagogical considerations that children who have not reached the age of 12 (twelve) years are deemed unable to account for their actions, as stated in the explanation of Article 21 Paragraph (1) of the Law - The Criminal Justice System for Children.

The Provincial National Narcotics Agency (BNNP) of South Sulawesi, which has sought to deal with children only at the level of the BNNP investigator only, and children immediately carried out rehabilitation. In this regard, BNNP has asked, even though it has not been formally, to the Regional Office of the Ministry of Law and Human Rights of South Sulawesi regarding the possibility of one of the prisons which can be entrusted to children who abuse drugs without a court decision. In the process, a child who is caught and turns out to be positive using narcotics is already a legal case even without evidence. In such cases, it can include integrated assessment and rehabilitation of children in one of the blocks in the child prison. However, to date there has been no response from the Regional Office of the Ministry of Law and Human Rights in South Sulawesi. Therefore, if there are cases of child drug abuse, outpatient treatment will be carried out at the clinic owned by South Sulawesi BNNP. In addition, BNNP also cooperates with private-owned Rehabilitation Institutions.

The following table confirms the respondent's view of the severity of sanctions for drug abuse among children in South Sulawesi Province.

Table 3. The Severity of the Imposition of Sanctions Against Narcotics Abuse in Children

No	Description	Frequency	Percentage
1.	Yes	72	72%
2.	No	28	28%
Amount		100	100%

Data Source: Primary data after processing, 2019.

Looking at the table above, it is clear that only 28% of respondents answered that sanctioning narcotics misuse among children in South Sulawesi Province was severe.

Furthermore, 72% of respondents answered that sanctioning narcotics misuse on children in South Sulawesi Province is neither serious nor mild.

Basically, imprisonment will not bring changes to drug users, the best solution is to rehabilitate drug users so that they become aware and able to change, and indeed that is the goal of imposing penalties for drug users, so that sanctions imposed are more beneficial for them and not sanctions in the form of retaliation. There are several rationale underlying a drug user to get the right to be rehabilitated, namely: 1) That every victim has the right to his rights as a victim. 2) Whereas the right to heal the victims one of which is the right to rehabilitation. 3) That the term rehabilitation is used as one of the rights of recovery from victims both in national law and in international law, from the existing definition found no indication of weakening the rights of victims or decreasing the degree of victims as humans.

Next Table 4 illustrates the respondents' views on the success of law enforcers in dealing with criminal acts of drug abuse among children in South Sulawesi Province.

Table 4. The Success of Law Enforcement Officers in Overcoming Narcotics Abuse in Children

No	Description	Frequency	Percentage
1.	Success	18	18%
2.	Less successful	65	65%
3.	Not successful	17	17%
Amount		100	100%

Data Source: Primary data after processing, 2019.

Observing Table 4 above clearly illustrates that only 18% of respondents view the success of law enforcement in overcoming the crime of drug abuse among children in South Sulawesi Province.

Furthermore 65% of respondents who answered that law enforcement in overcoming the crime of drug abuse among children in South Sulawesi Province, were less successful. And 17% of respondents who answered that law enforcement in overcoming the crime of drug abuse among children in South Sulawesi Province, was unsuccessful.

The problem that arises is from differences in perceptions among law enforcement officers which then lead to the handling of different narcotics abusers. Law enforcement officials should be more observant in seeing the mandate of laws and other regulations governing the handling of narcotics abusers. It was clearly stated in Article 54 that prioritizes even the legal obligation of addicts and victims of narcotics abuse to undergo medical rehabilitation and social rehabilitation.

The Government Regulation aims to fulfill the right of narcotics addicts to get treatment and/or treatment through medical rehabilitation and social rehabilitation. What is meant in Government Regulation No. 25 of 2011 should also be carried out by law enforcement officers considering that Government Regulation is included in the hierarchy of laws.

Law No. 11 of 2012 concerning the Juvenile Criminal Justice System states that Judges are obliged to consider a community research report from the Community Guidance before making a case decision. In fact, the considerations contained in the articles and laws and regulations and the results of community research conducted by Bapas are often not used by judges in deciding the child's roots in drug abuse. One of them can be known from the Makassar Class I Bapas which states that sometimes the judge considers the child is not the main offender, so the diversion is done in court even though the child is threatened with a sentence of more than 7 years and has committed 2 violations.

C. Factors Affecting the Effectiveness of Law Enforcement to Eradicate Narcotics Abuse for Children in South Sulawesi Province

The following is stated about various factors which are suspected to influence the effectiveness of law enforcement in eradicating narcotics abuse for children in South Sulawesi Province.

1. Legal Substance Factors

The table below explains the respondents' views on the influence of legal substance factors on the enforcement of criminal acts of narcotics abuse among children in South Sulawesi Province.

Table 5. Effect of Legal Substance Factors on Law Enforcement of Narcotics Abuse in Children

No	Description	Frequency	Percentage
1.	Influence	60	60%
2.	Less Influence	30	30%
3.	No Effect	10	10%
Amount		100	100%

Data Source: Primary data after processing, 2019.

Listening to the table above, it would seem clear that there are 60% of respondents who answered that the substance of the law affects the law enforcement of criminal acts of drug abuse among children in South Sulawesi Province.

Furthermore, it appears that there are 30% of respondents who answered that the legal substance factor is less influential on the law enforcement of criminal acts of drug abuse among children in South Sulawesi Province

The table above also confirms that only 10% of respondents answered that the substance of the law had no effect on the law enforcement of criminal acts of drug abuse among children in South Sulawesi Province.

Based on the results of the above analysis, theoretically according to Lawrence M. Friedman see that the success of law enforcement always requires the functioning of all components of the legal system. One of the elements of the legal system is the legal substance (legal substance) Legal substance (legal substance) the actual rules and norms used by institutions, reality, forms of behavior of the actors observed in the system.²²

2. Legal Structure Factors

a. Effect of General Legal Structure factors

The table below explains the respondents' views on the effect of general legal structure factors on the enforcement of criminal acts of narcotics abuse among children in South Sulawesi Province.

Table 6. The Influence of Legal Structural Factors on the Law Enforcement of Narcotics Abuse in Children

No	Description	Frequency	Percentage
1.	Influence	68	68%
2.	Less Influence	30	30%
3.	No Effect	2	2%
Amount		100	100%

Data Source: Primary data after processing, 2019.

Listening to the above table, it seems clear that there are 68% of respondents who answered that the legal structure factor influences the law enforcement of criminal acts of drug abuse among children in South Sulawesi Province. Furthermore it appears that there are 30% of respondents who answered that the legal structure factor is less influential on law enforcement of criminal acts of narcotics abuse among children in South Sulawesi Province. The above table also confirms that only 2% of respondents answered that the legal structure factor does not affect the law enforcement of narcotics abuse crimes among children in South Sulawesi Province.

²²Friedman, Lawrence M. (1977). *Law and Society: An Introduction*. New Jersey: Prentice Hall, p. 6.

b. Effects of Formal Education Factors on Legal Structure

The following table below describes the views of respondents about the influence of formal education factors of law enforcement officials, on law enforcement of narcotics abuse crimes among children in South Sulawesi Province.

Table 7. Effect of Formal Education Factors of Law Enforcement Officials Against Law Enforcement of Narcotics Abuse in Children

No	Description	Frequency	Percentage
1.	Influence	75	75%
2.	Less Influence	19	19%
3.	No Effect	6	6%
Amount		100	100%

Data Source: Primary data after processing, 2019.

Listening to the table above, it seems clear that there are 75% of respondents who answered that the formal education factors of law enforcement officers influence the law enforcement of drug abuse among children in South Sulawesi Province. Furthermore it appears that there are 19% of respondents who answered that the formal education factors of law enforcement officers had less effect on the law enforcement of criminal acts of narcotics abuse among children in South Sulawesi Province. The above table also confirms that only 6% of respondents answered that the formal education factor of law enforcement officials had no effect on the law enforcement of criminal acts of drug abuse among children in South Sulawesi Province.

c. Effects of Non-formal Education Factors in Law Officers

The following table below explains the respondents' views on the effect of non-formal education factors on law enforcement officials, on law enforcement of criminal acts of drug abuse among children in South Sulawesi Province.

Table 8. The Influence of Non-Formal Education Factors of Law Enforcement Officials Against Law Enforcement of Narcotics Abuse in Children

No	Description	Frequency	Percentage
1.	Influence	60	60%
2.	Less Influence	33	33%
3.	No Effect	7	7%
Amount		100	100%

Data Source: Primary data after processing, 2019.

Based on the above table, it would seem clear that there are 60% of respondents who answered that non-formal education factors of law enforcement officers influence the law enforcement of drug abuse among children in South Sulawesi Province. Furthermore it appears that there are 33% of respondents who answered that non-formal education factors of law enforcement officers had less influence on the law enforcement of criminal acts of drug abuse among children in South Sulawesi Province. The table above also confirms that only 7% of respondents answered that non-formal education factors of law enforcement officers had no effect on the law enforcement of criminal acts of drug abuse among children in South Sulawesi Province.

d. Effect of Moral Factors of Law Enforcement Officials

The following table below presents the respondents' views on the influence of the moral factors of law enforcement officials, on law enforcement of narcotics abuse crimes among children in South Sulawesi Province.

Table 9. Effect of Moral Factors of Law Enforcement Officials on Law Enforcement of Narcotics Abuse in Children

No	Description	Frequency	Percentage
1.	Influence	82	82%
2.	Less Influence	8	8%
3.	No Effect	10	10%
Amount		100	100%

Data Source: Primary data after processing, 2019.

Listening to the table above, it would seem clear that there are 82% of respondents who answered that factorial law enforcement officials influence the law enforcement of criminal acts of drug abuse among children in South Sulawesi Province. Furthermore, it appears that there are 8% of respondents who answered that the factual law enforcement officers had less influence on law enforcement for the misuse of narcotics abuse among children in South Sulawesi Province. The table above also confirms that only 10% of respondents answered that factorial law enforcement officials had no effect on the law enforcement of criminal acts of drug abuse among children in South Sulawesi Province.

e. Influence of Commitment Factors of Law Enforcement Officials

The following table below explains the respondents' views on the effect of the commitment factors of law enforcement officers, on the law enforcement of criminal acts of narcotics abuse among children in South Sulawesi Province.

Table 10. The Effect of Commitment Factors of Law Enforcement Officials on Law Enforcement of Narcotics Abuse in Children

No	Description	Frequency	Percentage
1.	Influence	76	76%
2.	Less Influence	17	17%
3.	No Effect	7	7%
Amount		100	100%

Data Source: Primary data after processing, 2019.

Listening to the table above, it would seem clear that there were 76% of respondents who responded that the fact that the commitment of law enforcement officials had an effect on law enforcement of drug abuse among children in South Sulawesi Province. Furthermore, it appears that there are 17% of respondents who answered that the fact that the commitment of law enforcement officers had less influence on the law enforcement of criminal acts of drug abuse among children in South Sulawesi Province. The table above also confirms that only 7% of respondents answered that the commitment of law enforcement officials had no effect on the law enforcement of criminal acts of drug abuse among children in South Sulawesi Province.

f. Effect of Quality Factors for Law Enforcement Officials

The following table below explains the respondents' views on the influence of the quality factors of law enforcement officials, on law enforcement of narcotics abuse crimes among children in South Sulawesi Province.

Table 11. Effect of Quality Factors of Law Enforcement Officials Against Law Enforcement of Narcotics Abuse in Children

No	Description	Frequency	Percentage
1.	Influence	87	87%
2.	Less Influence	9	9%
3.	No Effect	4	4%
Amount		100	100%

Data Source: Primary data after processing, 2019.

Listening to the table above, it would seem clear that there were 87% of respondents who answered that the quality of law enforcement officials affected the law enforcement of criminal acts of drug abuse among children in South Sulawesi Province. Furthermore, it appears that there were 9% of respondents who answered

that the quality of law enforcement officers had less influence on the law enforcement of criminal acts of drug abuse among children in South Sulawesi Province. The table above also confirms that only 4% of respondents answered that the quality of law enforcement officials had no effect on the law enforcement of criminal acts of drug abuse among children in South Sulawesi Province.

g. Effect of Quantity Factors for Law Enforcement Officials

The following table below presents the respondents' views on the influence of the quantity factor of law enforcement officials, on law enforcement of criminal acts of drug abuse among children in South Sulawesi Province.

Table 12. Effect of Quantity Factors of Law Enforcement Officials on Law Enforcement of Narcotics Abuse in Children

No	Description	Frequency	Percentage
1.	Influence	61	61%
2.	Less Influence	33	33%
3.	No Effect	6	6%
Amount		100	100%

Data Source: Primary data after processing, 2019.

Considering the above table, it seems clear that there are 61% of respondents who answered that the fact that the quantity of law enforcement officers had an effect on the law enforcement of criminal acts of drug abuse among children in South Sulawesi Province. Furthermore, it appears that there are 33% of respondents who answered that the fact that the quantity of law enforcement officers is less influential on law enforcement of criminal acts of narcotics abuse among children in South Sulawesi Province. The above table also confirms that only 6% of respondents answered that the fact that the quantity of law enforcement officers had no effect on the law enforcement of criminal acts of drug abuse among children in South Sulawesi Province.

According to Antonius Sujata, that the success of law enforcement is determined by the person who enforces it, namely law enforcement officers. Citing the opinion of a Dutch legal expert Professor Taverne, said that "give me a good judge, a good prosecutor and a better police officer, then even with a bad law will get better results".²³ The same thing was stated by Jimly Asshiddiqie, that the main actors whose roles were very prominent in the law enforcement process were the police, prosecutors, lawyers and judges.²⁴

3. Facility or facility factor

a. Effect of Factors for Law Enforcement Officials

The following table below presents the respondents' views on the influence of the factors of law enforcement officials, on law enforcement of the misuse of narcotics abuse among children in South Sulawesi Province.

Table 13. Influence of Factors of Facilities for Law Enforcement Officials on Law Enforcement of Narcotics Abuse in Children

No	Description	Frequency	Percentage
1.	Influence	85	85%
2.	Less Influence	9	9%
3.	No Effect	6	6%
Amount		100	100%

Data Source: Primary data after processing, 2019.

Listening to the table above, it seems clear that there are 85% of respondents who answered that the factor of law enforcement facilities influences the law enforcement of criminal acts of narcotics abuse among children in South Sulawesi Province. Furthermore, it appears that there are 9% of respondents who answered that the factor of law enforcement apparatus was less influential on law enforcement of criminal acts of narcotics abuse among children in South Sulawesi Province. The table above also confirms that only 6% of respondents answered that the factors of law enforcement officials had no effect on the law enforcement of criminal acts of drug abuse among children in South Sulawesi Province.

²³Sujata, Antonius. (2000). *Reformasi dalam Penegakan Hukum*. Jakarta: Djambatan, p. 7.

²⁴Asshiddiqie, Jimly. (2006). *Pembangunan Hukum dan Penegakan Hukum di Indonesia*. In *Seminar "Menyoal Moral Penegak Hukum" dalam rangka Lustrum XI Fakultas Hukum Universitas Gadjah Mada*. Yogyakarta: Universitas Gadjah Mada, p. 23.

b. Influence of Infrastructure Factors for Law Enforcement Officials

The following table below presents the respondents' views on the influence of infrastructure factors of law enforcement officials, on law enforcement of narcotics misuse among children in South Sulawesi Province.

Table 14. Influence of Infrastructure Factors of Law Enforcement Officials Against Law Enforcement of Narcotics Abuse among Children

No	Description	Frequency	Percentage
1.	Influence	81	81%
2.	Less Influence	10	10%
3.	No Effect	9	9%
Amount		100	100%

Data Source: Primary data after processing, 2019.

Looking at the table above, it seems clear that there are 81% of respondents who answered that the infrastructure factors of the law enforcement apparatus influence the enforcement of criminal acts of drug abuse among children in South Sulawesi Province. Furthermore, it appears that there are 10% of respondents who answered that the infrastructure factors of law enforcement agencies had less influence on the law enforcement of criminal acts of drug abuse among children in South Sulawesi Province. The table above also confirms that only 9% of respondents answered that the factors of law enforcement infrastructure had no effect on the law enforcement of criminal acts of drug abuse among children in South Sulawesi Province.

Facilities and infrastructure factors become its own constraints in providing special protection for children who are perpetrators of narcotics crime, obstacles arising from this factor are caused by the lack of budget support to build adequate infrastructure to carry out the process of investigating child cases in a proportional and accountable manner such as Space Many Special Services (RPK) are not yet feasible.

According to Soerjono Soekanto, that it is impossible for law enforcement to proceed smoothly without adequate facilities or facilities, it is not possible for law enforcers to harmonize their supposed roles with actual roles.²⁵

Facilities or facilities have a very important role in law enforcement. Without these facilities or facilities, it is not possible for law enforcement to harmonize their proper roles with their actual roles. Especially for such facilities or facilities, it should be followed by the way of thinking.²⁶

4. Community factors

a. The Influence of Citizens' Legal Awareness Factors

The following table below explains the respondents' views on the influence of the community's legal awareness factors on the enforcement of narcotics abuse among children in South Sulawesi Province.

Table 15. The Influence of Citizens' Legal Awareness Factors Against Law Enforcement of Narcotics Abuse in Children

No	Description	Frequency	Percentage
1.	Influence	80	80%
2.	Less Influence	15	15%
3.	No Effect	5	5%
Amount		100	100%

Data Source: Primary data after processing, 2019.

Paying close attention to the table above, it would seem clear that there were 80% of respondents who answered that the community's legal awareness factor influenced the enforcement of criminal acts of drug abuse among children in South Sulawesi Province. Furthermore, it appears that there are 15% of respondents who answered that the legal awareness of citizens is less influential on the enforcement of criminal acts of drug abuse among children in South Sulawesi Province. The table above also confirms that only 5% of respondents answered that the legal awareness of citizens does not affect the law enforcement of narcotics misuse among children in South Sulawesi Province.

²⁵Soekanto, Soerjono. (2003). *Faktor-Faktor yang Mempengaruhi Penegakan Hukum*. Jakarta: Rajawali Pers, p. 44.

²⁶*Ibid.*

b. Influence Factors of Legal Understanding of Citizens

The following table below explains the respondents' views on the influence of the community's understanding of the law, on law enforcement of drug abuse among children in South Sulawesi Province.

Table 16. The Influence of Factors of Legal Understanding of Citizens Against Law Enforcement of Narcotics Abuse in Children

No	Description	Frequency	Percentage
1.	Influence	82	82%
2.	Less Influence	15	15%
3.	No Effect	3	3%
Amount		100	100%

Data Source: Primary data after processing, 2019.

Considering the above table, it seems clear that there are 82% of respondents who answered that the understanding of the law of citizens affected the law enforcement of criminal acts of drug abuse among children in South Sulawesi Province. Furthermore, it appears that there are 15% of respondents who answered that the legal understanding of citizens was less influential on the enforcement of criminal acts of drug abuse among children in South Sulawesi Province. The table above also confirms that only 3% of respondents answered that the legal understanding of citizens does not affect the law enforcement of narcotics misuse among children in South Sulawesi Province.

c. Influence Factors of Legal Behavior of Citizens

The following table below explains the respondents' views on the influence of the legal behavior factors of citizens, on law enforcement of the misuse of narcotics abuse among children in South Sulawesi Province.

Table 17. Influence of Factors of Legal Conduct of Citizens Against Law Enforcement of Narcotics Abuse in Children

No	Description	Frequency	Percentage
1.	Influence	71	71%
2.	Less Influence	19	19%
3.	No Effect	10	10%
Amount		100	100%

Data Source: Primary data after processing, 2019.

Considering the above table, it seems clear that there are 71% of respondents who answered that the legal behavior factor of the community influences the law enforcement of criminal acts of drug abuse among children in South Sulawesi Province. Furthermore, it appears that there are 19% of respondents who answered that the legal behavior of citizens was less influential on the enforcement of criminal acts of drug abuse among children in South Sulawesi Province. The table above also confirms that only 10% of respondents answered that the legal behavior of citizens does not affect the law enforcement of narcotics misuse among children in South Sulawesi Province.

Regarding the legal awareness of the victim or her family, Soerjono Soekanto was quoted by Hambali Thalib as saying that the indicators of the legal awareness problem were: knowledge of legal regulations; knowledge of the contents of legal regulations (law acquaintance); attitude towards legal regulations (legal attitude); and patterns of legal behavior (legal behavior).²⁷

²⁷Thalib, Hambali. (2013). *Sanksi Pidana dalam Konflik Pertanahan, Kebijakan Alternatif Penyelesaian Sengketa Pertanahan di Luar Kodifikasi Hukum Pidana*. Jakarta: Kencana Prenada Media Group, p.143.

5. Cultural Factors

a. The Influence of Factors of Legal Culture of Citizens

The following table below presents the respondents' views on the influence of the legal cultural factors of citizens, on law enforcement for the misuse of narcotics abuse among children in South Sulawesi Province.

Table 18. The Influence of Factors of the Legal Culture of Citizens on Law Enforcement of Narcotics Abuse in Children

No	Description	Frequency	Percentage
1.	Influence	76	76%
2.	Less Influence	13	13%
3.	No Effect	11	11%
Amount		100	100%

Data Source: Primary data after processing, 2019.

Taking into account the above table, it would seem clear that there are 76% of respondents who answered that the legal cultural factors of the community affected the law enforcement of criminal acts of drug abuse among children in South Sulawesi Province. Furthermore it appears that there are 13% of respondents who answered that the legal cultural factors of the community were less influential on the enforcement of criminal acts of drug abuse among children in South Sulawesi Province. The table above also confirms that only 11% of respondents answered that the legal cultural factors of citizens do not affect the law enforcement of criminal acts of drug abuse among children in South Sulawesi Province.

b. The Influence of Community Habitual Factors

The following table below presents the respondents' views on the influence of community habitual factors on the enforcement of narcotics abuse among children in South Sulawesi Province.

Table 19. The Influence of Community Habitual Factors on Law Enforcement of Narcotics Abuse in Children

No	Description	Frequency	Percentage
1.	Influence	71	71%
2.	Less Influence	18	18%
3.	No Effect	11	11%
Amount		100	100%

Data Source: Primary data after processing, 2019.

Paying close attention to the table above, it would seem clear that there were 71% of respondents who responded that the factor of community habits influences the enforcement of criminal acts of drug abuse among children in South Sulawesi Province. Furthermore, it appears that there were 18% of respondents who answered that the fact that the habits of the community members had less influence on the enforcement of criminal acts of drug abuse among children in South Sulawesi Province. The table above also confirms that only 11% of respondents answered that the fact that the habits of the community did not affect the law enforcement of criminal acts of narcotics abuse among children in South Sulawesi Province.

Legal cultural factors; there is a culture of "shame" or a culture of guilt from the citizens. In everyday culture, people often talk about culture. Culture according to Soerjono Soekanto, has a very large function for humans and society, namely regulating so that people can understand how they should act, act, and determine their attitudes when they relate to others. Thus, culture is a main line of behavior that sets rules about what must be done, and what is prohibited.²⁸

Regardless of whether the patterns of behavior that are allowed to occur continuously are good or bad for the life of law in society, this is how a legal culture will be created. Here the unwritten law applies, that repetitive patterns of behavior will eventually be "agreed" binding on all citizens. A good legal culture will contribute to establishing a healthy legal system, while a bad legal culture will encourage the emergence of a sick legal system.

²⁸Rosana, Ellya. (2014). Kepatuhan Hukum sebagai Wujud Kesadaran Hukum Masyarakat. *Jurnal Tapis: Jurnal Teropong Aspirasi Politik Islam, Universitas Islam Negeri Raden Intan Lampung*, 10(1), p. 78.

V. CONCLUSION

1. Basically, law enforcement against children who are dealing with law in cases of narcotics misuse is the implementation of laws and regulations based on the principle of legal protection to children, the principle of justice and the principle of non-discrimination.
2. Law enforcement carried out by law enforcement officials is intended to reduce the negative impact of children's involvement in the judicial process. The implementation of law enforcement based on legal protection is less effective.
3. Effectiveness of law enforcement on narcotics misuse for children in South Sulawesi Province which is less effective because it is influenced by several factors, namely: legal substance factor, legal structure factor, facility/infrastructure factor, community factor and legal culture factor.

REFERENCES

- [1]. Alam, A. Syamsu, & Ilyas, Amir. (2010). *Pengantar Kriminologi*. Makassar: Pustaka Refleksi.
- [2]. Ali, Achmad. (1996). *Menguak Tabir Hukum: Suatu Kajian Filosofis dan Sosiologis*. Jakarta: Gunung Agung.
- [3]. Ali, Achmad. (2009). *Menguak Teori Hukum (Legal Theory) dan Teori Peradilan (Judicialprudence): Termasuk Interpretasi Undang-Undang (Legisprudence)*. Jakarta: Kencana Prenada Media Group.
- [4]. Ali, Zainuddin. (2006). *Filsafat Hukum*. Jakarta: Sinar Grafika.
- [5]. Amiruddin, Husen, La Ode, Nuh, Muhammad Syarif, & Agis, Abdul. (2019). The Essential of Criminal Sanction Against Perpetrators of Corruption Committed by State Administrators in Indonesia. *Journal of Humanities and Social Science, IOSR, 24(9)*, 34 – 48.
- [6]. Arief, Barda Nawawi. (1998). *Beberapa Aspek Kebijakan Penegakan dan Pengembangan Hukum Pidana*. Bandung: PT. Citra Aditya Bakti.
- [7]. Asshiddiqie, Jimly. (2006). Pembangunan Hukum dan Penegakan Hukum di Indonesia. In *Seminar "Menyoal Moral Penegak Hukum" dalam rangka Lustrum XI Fakultas Hukum Universitas Gadjah Mada*. Yogyakarta: Universitas Gadjah Mada.
- [8]. Asshiddiqie, Jimly. (2009). *Menuju Negara Hukum yang Demokratis*. Jakarta: PT. Bhuna Ilmu Populer.
- [9]. Bachmid, Fahri, Sampara, Said, & Husen, La Ode. (2018). The Rights of the Constitutional Court's Decision on the House of Representatives 'Representatives about the President's Prospective and/or the President's Vice Representatives According to the State Basic Law of the Republic of Indonesia. *Journal of Humanities and Social Science, IOSR, 23(10)*, 43 – 61.
- [10]. Bagus, Lorens. (2000). *Kamus Filsafat*. Jakarta: PT. Gramedia Pustaka Utama.
- [11]. Effendy, Marwan. (2005). *Kejaksaan RI: Posisi dan Fungsinya dari Perspektif Hukum*. Jakarta: PT. Gramedia Pustaka Utama.
- [12]. Friedman, Lawrence M. (1977). *Law and Society: An Introduction*. New Jersey: Prentice Hall.
- [13]. Friedrich, Carl Joachim. (2004). *Filsafat Hukum: Perspektif Historis* (RaisulMuttaqien, Trans.). Bandung: Nuansa dan Nusamedia.
- [14]. Garner, Bryan A. (1999). *Black's Law Dictionary*. Minnesota: West Publishing.
- [15]. Gea, Antonius Atosokhi, Wulandari, Antonina Panca Yuni, & Babari, Yohanes. (2005). *Character Building II: Relasi dengan Sesama*. Jakarta: Elex Media Komputindo.
- [16]. Gosita, Arif. (1998). *Masalah Korban Kejahatan*. Jakarta: Akademika Pressindo.
- [17]. Gosita, Arif. (2004). *Masalah Perlindungan Anak (Kumpulan Karangan)*. Jakarta: PT. Bhuna Ilmu Populer.
- [18]. Hadisuprpto, Paulus. (2010). *Delinkuensi Anak: Pemahaman dan Penanggulangannya*. Malang: Bayumedia Publishing.
- [19]. Hadjon, Philipus M. (1987). *Perlindungan Hukum Bagi Rakyat di Indonesia: Sebuah Studi tentang Prinsip-Prinsipnya, Penanganannya oleh Peradilan dalam Lingkungan Peradilan Umum dan Pembentukan Peradilan Administrasi Negara*. Surabaya: PT. Bina Ilmu.
- [20]. Harahap, Zairin. (2001). *Hukum Acara Peradilan Tata Usaha Negara*. Jakarta: PT. Raja Grafindo Persada.
- [21]. Hartono, Sunaryati. (1991). *Politik Hukum Menuju Satu Sistem Hukum Nasional*. Bandung: PT. Alumni.
- [22]. Huda, Ni'matul. (2005). *Negara Hukum, Demokrasi dan Judicial Review*. Yogyakarta: UII Press.
- [23]. Husen, La Ode. (2005). *Hubungan Fungsi Pengawasan Dewan Perwakilan Rakyat dengan Badan Pemeriksa Keuangan dalam Sistem Ketatanegaraan Indonesia*. Bandung: CV. Utomo.
- [24]. Husen, La Ode. (2019). *Negara Hukum, Demokrasi dan Pemisahan Kekuasaan*. Makassar: CV. Social Politic Genius (SIGn).
- [25]. Husen, La Ode, Baharuddin, Hamzah, Kamal, Muhammad, & Purnawati, Andi. (2017). Legal Protection of Protected Wildlife in the Criminal Law System in Indonesia. *Imperial Journal of Interdisciplinary Research (IJIR), 3(6)*, 301 – 306.

- [26]. Husen, La Ode, Rahman, Sufirman, Sampara, Said, & Arsyad, Nasrullah. (2017). The Enforcement Of Ethics Of State Officials In The Indonesian Legal System. *Imperial Journal of Interdisciplinary Research (IJIR)*, 3(5), 1684 – 1689.
- [27]. Jalil, Husni, Husen, La Ode, Abidin, Andi, & Rezah, Farah Syah. (2017). *Hukum Pemerintahan Daerah dalam Perspektif Otonomi Khusus*. Makassar: CV. Social Politic Genius (SIGn).
- [28]. Kusnardi, Moh., & Saragih, Bintan Regen. (2000). *Ilmu Negara* (Revisi ed.). Jakarta: Gaya Media Pratama.
- [29]. Kusumaatmadja, Mochtar. (1970). *Fungsi dan Perkembangan Hukum dalam Pembangunan Nasional*. Bandung: Fakultas Hukum, Universitas Padjadjaran.
- [30]. L., Dwi Yanny. (1999). *Narkoba: Pencegahan dan Penanganannya*. Jakarta: Elex Media Komputindo.
- [31]. Lotulung, Paulus Effendi. (1993). *Beberapa Sistem tentang Kontrol Segi Hukum terhadap Pemerintah*. Bandung: PT. Citra Aditya Bakti.
- [32]. Marshall, Tony F. (1999). *Restorative Justice: An Overview*. London: Home Office Research, Development and Statistics Directorate.
- [33]. Matompo, Osgar S., Muliadi, & Achmad, Andi Nurul Isnawidiawinarti. (2018). *Hukum dan Hak Asasi Manusia*. Malang: Intrans Institute.
- [34]. Mertokusumo, Sudikno. (1985). *Hukum Acara Perdata Indonesia*. Yogyakarta: Liberty.
- [35]. Mochtar, Akil. (2009). *Pembalikan Beban Pembuktian Tindak Pidana Korupsi*. Jakarta: Sekretariat Jenderal dan Kepaniteraan Mahkamah Konstitusi RI.
- [36]. Muhammad, Mukmin, & Husen, La Ode. (2019). State Civil Apparatus in Indonesia in the Conception of Welfare State: A Study of Legal Material Law Number 5 Year 2014 on State Civil Apparatus. *Asian Social Science, Canadian Center of Science and Education*, 15(3), 64 – 72.
- [37]. Muhtaj, Majda El. (2005). *Hak Asasi Manusia dalam Konstitusi Indonesia: Dari UUD 1945 Sampai dengan Perubahan UUD 1945 Tahun 2002*. Jakarta: Kencana Prenada Media Group.
- [38]. Muladi. (1995). *Kapita Selekta Sistem Peradilan Pidana*. Semarang: Badan Penerbit Universitas Diponegoro.
- [39]. Muladi, & Arief, Barda Nawawi. (1992). *Teori-Teori dan Kebijakan Pidana*. Bandung: PT. Alumni.
- [40]. Mulyadi, Lilik. (2007). *Putusan Hakim dalam Hukum Acara Pidana: Teori, Praktik, Teknik Penyusunan dan Permasalahannya*. Bandung: PT. Citra Aditya Bakti.
- [41]. Napang, Marten, Husen, La Ode, & Mamonto, Lexsy. (2017). Refund Losses of State Assets of Perpetrators of Criminal Acts Of Tax Through Means Legal Penal And Non-Penal Law Systems in Indonesia. *Journal of Humanities and Social Science, IOSR*, 22(11), 10 – 19.
- [42]. Pasamai, Syamsuddin, Husen, La Ode, Rahman, Sufirman, & Maisa. (2017). Factors Affecting the Protection of Indigenous Peoples' Rights under the National Agrarian Law System (Case Study in Central Sulawesi Province). *Imperial Journal of Interdisciplinary Research (IJIR)*, 3(5), 1958 – 1970.
- [43]. Pratiwi, St. Dwi Adiyah, Husen, La Ode, & Baharuddin, Hamzah. (2018). Analysis Of Norma Law Without Disclaimer Sanctions In Law Of Number 25 Of 2009 On Public Services. *Journal of Humanities and Social Science, IOSR*, 23(4), 18 – 26.
- [44]. Priyatna, Aan, Husen, La Ode, & Fadhila, M Nur. (2018). The Effectiveness Of Criminal Implementation On The Criminal Activities Of Marriage Drugs. *Journal of Humanities and Social Science, IOSR*, 23(5), 01 – 07.
- [45]. Rahardjo, Satjipto. (2000). *Ilmu Hukum*. Bandung: PT. Citra Aditya Bakti.
- [46]. Rahardjo, Satjipto. (2003). *Sisi-Sisi Lain dari Hukum di Indonesia*. Jakarta: Kompas.
- [47]. Rahman, Sufirman, Husen, La Ode, Badaru, Baharuddin, & Idrus, M. Ikmal. (2020). The Independence and Accountability of the Judge's Decision in The Process of Law Enforcement in Indonesia. *Journal of Humanities and Social Science, IOSR*, 25(1), 26 – 44.
- [48]. Rasjidi, Lili, & Putra, I. B. Wyasa. (1993). *Hukum Sebagai Suatu Sistem*. Bandung: PT. Remaja Rosdakarya.
- [49]. Rosana, Ellya. (2014). Kepatuhan Hukum sebagai Wujud Kesadaran Hukum Masyarakat. *Jurnal Tapis: Jurnal Teropong Aspirasi Politik Islam, Universitas Islam Negeri Raden Intan Lampung*, 10(1), 61 – 84. doi: <https://doi.org/10.24042/tps.v10i1.1600>
- [50]. Sampara, Said, & Husen, La Ode. (2016). *Metodologi Penelitian Hukum*. Makassar: Kretakupa Print.
- [51]. Satmoko, Hendro. (2001). *Penanggulangan Penyalahgunaan Narkotika dan Psikotropika*. Jakarta: Kepolisian Negara Republik Indonesia.
- [52]. Satrio, J. (1999). *Hukum Pribadi: Persoon Alamiah* (Vol. 1). Bandung: PT. Citra Aditya Bakti.
- [53]. Sianturi, Kristina Agustiani. (2016). Perwujudan Keadilan Restoratif dalam Sistem Peradilan Pidana Anak Melalui Diversi. *De Lega Lata: Jurnal Ilmu Hukum, Universitas Muhammadiyah Sumatera Utara*, 1(1), 184 – 210.
- [54]. Soekanto, Soerjono. (1982). *Kesadaran Hukum & Kepatuhan Hukum*. Jakarta: Rajawali Pers.

- [55]. Soekanto, Soerjono. (1984). *Pengantar Penelitian Hukum*. Jakarta: UI Press.
- [56]. Soekanto, Soerjono. (2003). *Faktor-Faktor yang Mempengaruhi Penegakan Hukum*. Jakarta: Rajawali Pers.
- [57]. Soemardjan, Selo. (1993). *Masyarakat dan Manusia dalam Pembangunan: Pokok-Pokok Pikiran Selo Soemardjan* (DezireeSuraidah&Jufrina Rizal Eds.). Jakarta: PT. Pustaka Sinar Harapan.
- [58]. Sudarsono. (1995). *Kenakalan Remaja*. Jakarta: PT. Rineka Cipta.
- [59]. Sujata, Antonius. (2000). *Reformasi dalam Penegakan Hukum*. Jakarta: Djambatan.
- [60]. Syahrani, Riduan. (1991). *Rangkuman Intisari Ilmu Hukum*. Bandung: PT. Citra Aditya Bakti.
- [61]. Tamanaha, Brian Z. (2006). *On the Rule of Law: History, Politics, Theory*. New York: Cambridge University Press.
- [62]. Tanya, Bernard L., Simanjuntak, Yoan N., &Hage, Markus Y. (2010). *Teori Hukum: Strategi Tertib Manusia Lintas Ruang dan Generasi*. Yogyakarta: Genta Publishing.
- [63]. Thalib, Hambali. (2013). *Sanksi Pidana dalam Konflik Pertanahan, Kebijakan Alternatif Penyelesaian Sengketa Pertanahan di Luar Kodifikasi Hukum Pidana*. Jakarta: Kencana Prenada Media Group.
- [64]. Thalib, Hambali, Husen, La Ode, Pasamai, Syamsuddin, &Mulyawan. (2017). The Nature of Justice in Criminal Peneemby under the Minimal Limitation in Decision Judge of Corruption. *Imperial Journal of Interdisciplinary Research (IJIR)*, 3(9), 147 – 154.
- [65]. YPHA. (2011, April). Anak yang Berhadapan dengan Hukum dalam Perspektif Hukum Hak Asasi Manusia Internasional. Retrieved from <http://www.ypha.or.id/web/wp-content/uploads/2011/04/Anak-yang-Berhadapan-dengan-Hukum-dalam-Perspektif-Hukum-HAM-Internasional.pdf>

Muh. Nur As'ad, etal. "The Properties of Law Enforcement of Narcotic Use of Criminal Acts for Children in South Sulawesi Province." *IOSR Journal of Humanities and Social Science (IOSR-JHSS)*, 25(2), 2020, pp. 09-26.