

CHILD PROTECTION FROM PARENTS ADDICTED TO NARCOTICS: An Islamic Law Perspective and the Implementation of National Law in Langkat Regency

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Received: 23-08-2025; Revised: 20-09- 2025; Accepted: 07-11-2025; Published regularly: December 2025

Abstract: This study examines child protection in families affected by parental narcotics addiction from the perspective of Islamic law and its implementation in Langkat Regency, Indonesia. Using a normative-empirical legal approach, the research combines analysis of statutory regulations, classical Islamic jurisprudence, and the Compilation of Islamic Law with field data obtained through interviews, observation, and documentation. The findings reveal that Islamic law regards children as a divine trust (*amanah*) whose protection aligns with the *maqâshid al-syarî'ah*, particularly the preservation of life, intellect, and lineage. Parents addicted to narcotics violate both moral and legal obligations, endangering their children's welfare. Indonesian legislation—particularly Law No. 35 of 2014 on Child Protection and Law No. 35 of 2009 on Narcotics—reflects similar principles, yet implementation in Langkat remains weak due to limited institutional capacity, poor coordination, and social stigma. Consequently, many children experience neglect and insufficient state protection. However, religious leaders and community organizations play a positive role in supporting affected families through preventive and rehabilitative programs. The study concludes that effective child protection requires integrating theological imperatives with national legal frameworks and strengthening community-based implementation. This research contributes to the discourse on harmonizing Islamic jurisprudence and national law to protect vulnerable children within Indonesia's social and legal context.

Keywords: child protection; parental narcotics addiction; Islamic law; legal implementation; Langkat Regency

Abstrak: Penelitian ini mengkaji perlindungan anak dalam keluarga yang terdampak kecanduan narkotika oleh orang tua, ditinjau dari perspektif hukum Islam dan implementasinya di Kabupaten Langkat, Indonesia. Dengan menggunakan pendekatan hukum yuridis-empiris, penelitian ini memadukan analisis terhadap peraturan perundang-undangan, literatur fikih klasik, serta Kompilasi Hukum Islam dengan data lapangan yang diperoleh melalui wawancara, observasi, dan dokumentasi. Hasil penelitian menunjukkan bahwa hukum Islam memandang anak sebagai amanah ilahi (*amanah*) yang wajib dilindungi sesuai dengan prinsip *maqâshid al-syarî'ah*, khususnya pemeliharaan jiwa, akal, dan keturunan. Orang tua pecandu narkotika telah melanggar tanggung jawab moral dan hukum, sehingga mengancam kesejahteraan anak. Peraturan perundang-undangan Indonesia—terutama Undang-Undang Nomor 35 Tahun 2014 tentang Perlindungan Anak dan Undang-Undang Nomor 35 Tahun 2009 tentang Narkotika—mencerminkan prinsip serupa, namun implementasinya di Langkat masih lemah akibat keterbatasan kapasitas kelembagaan, koordinasi yang kurang, dan stigma sosial. Akibatnya, banyak anak mengalami penelantaran dan minim perlindungan negara. Meskipun demikian, tokoh agama dan lembaga masyarakat memiliki peran positif dalam mendukung keluarga terdampak melalui program pencegahan dan rehabilitasi. Penelitian ini menyimpulkan bahwa perlindungan anak yang efektif memerlukan integrasi antara imperatif teologis dan kerangka hukum nasional, serta penguatan implementasi berbasis komunitas. Kajian ini berkontribusi pada upaya harmonisasi hukum Islam dan hukum nasional dalam melindungi anak-anak rentan di konteks sosial-hukum Indonesia.

Kata kunci: perlindungan anak; orang tua pecandu narkotika; hukum Islam; penerapan hukum; Kabupaten Langkat

Introduction

The phenomenon of narcotics abuse represents one of the most serious social problems faced by Indonesia in the 21st century. Narcotics are no longer perceived merely as an issue of individual criminality, but have become a structural problem that threatens the sustainability of young generations, undermines family institutions, and weakens national competitiveness. The National Narcotics Agency (BNN) reports that the majority of drug addicts in Indonesia are between the ages of 11 and 24, a productive age group that should serve as the driving force of national development.¹ This situation raises profound concerns, as the physical, psychological, and moral damage caused by drugs has the potential to create a lost generation, incapable of making meaningful contributions to society.²

The escalation of drug circulation and abuse in Indonesia has increasingly transcended boundaries. Whereas drug consumption was once associated with certain social groups, it has now permeated all strata of society regardless of social status, economic background, or age.³ This phenomenon indicates that narcotics have become a latent, cross-class, and cross-regional threat. It is therefore unsurprising that the government has placed drug eradication as a national priority, employing strategies of prevention, rehabilitation, and law enforcement.⁴

From a legal standpoint, the foundation for narcotics eradication in Indonesia is stipulated in Law No. 35 of 2009 on Narcotics. Previously, institutional arrangements were established through Presidential Decree No. 17 of 2002 on the National Narcotics Agency, later revised by Presidential Regulation No. 83 of 2007.⁵ These reforms strengthened the

¹ Ahmad Kamil and Fauzan, *Hukum Perlindungan Dan Pengangkatan Anak Di Indonesia* (Jakarta: PT RajaGrafindo Persada, 2008).

² Abu Ahmadi, *Psikologi Sosial* (Jakarta: Rineka Cipta, 2002).

³ R Ardi and N Suryani, "Intervensi Psikososial Untuk Anak Dari Keluarga Pecandu Narkoba," *Jurnal Psikologi Terapan* 9, no. 1 (2023): 44–59.

⁴ Badan Narkotika Nasional Republik Indonesia, "Dampak Penyalahgunaan Narkoba Terhadap Mental," 2023, <https://bnn.go.id>.

⁵ Badan Narkotika Nasional, *Pedoman Rehabilitasi Berbasis Keluarga* (Jakarta: BNN Press, 2022).

position of BNN as a structural institution with networks extending to provincial and district/city levels (BNP and BNK), granting it full authority to implement narcotics prevention, eradication, and rehabilitation across Indonesia.⁶

Despite this legal and institutional framework, illicit drug circulation and abuse in Indonesia continue to show an upward trend. The negative impacts extend beyond endangering the health of addicts, also disrupting social stability, economic resilience, and national security. One of the most severely affected dimensions is family life. Parents who become addicted to narcotics often lose the capacity to properly fulfill their parenting roles. They experience not only physical and mental deterioration but also moral degradation, loss of emotional control, and an inability to meet their children's basic needs. In many cases, this condition results in children becoming victims of neglect, abuse, and even exploitation.⁷

As the smallest unit of society, the family is ideally the primary and foremost protector of children. However, when parents fall into narcotics addiction, the family becomes dysfunctional. Children raised in such environments face numerous serious risks, including psychological trauma, anxiety, depression, low self-esteem, social isolation, and poor academic achievement.⁸ Frequently, these children also risk emulating their parents' behavior, falling into drug abuse themselves, thereby perpetuating an intergenerational cycle of addiction.

This phenomenon is also evident in various regions, including Langkat Regency, North Sumatra. The area is recorded as one of the regions with

⁶ Bambang Sulistyo, "Kebijakan Bimbingan Klien Narkoba Dalam Rangka Pencegahan Pengulangan Tindak Pidana Narkotika (Studi Kasus Di Balai Pemasyarakatan Pati)" (Semarang, 2012).

⁷ E I Cahyani and Sugiharto, "Peran Kepolisian Dalam Pencegahan Dan Penanggulangan Tindak Pidana Penyalahgunaan Narkotika Yang Dilakukan Oleh Anak (Studi Kasus Kepolisian Resor Kendal)," in *Prosiding Konstelasi Ilmiah Mahasiswa UNISSULA (KIMU)*, vol. 7, 2022, 55–60, <https://jurnal.unissula.ac.id/index.php/kimuh/article/download/20451/6591>.

⁸ Damon Barrett, "The Child's Right to Protection from Drugs: Understanding History to Move Forward," *Human Rights* 19, no. 2 (2017): 264.

relatively high levels of narcotics abuse. Data from BNNK Langkat indicate a significant year-to-year increase in narcotics cases, with parental involvement still prevalent among those who bear direct responsibility for childcare. This raises grave concerns, given the complex long-term psychosocial effects on children and the potential disruption to human resource development in the region.⁹

Children living with drug-addicted parents in Langkat face a double burden. On one hand, they must cope with the social stigma attached to their parents' status as addicts. On the other hand, they are deprived of proper care and protection to which they are entitled.¹⁰ Research has shown that children in such situations are vulnerable to mental health disorders, difficulties in social relationships, and even tendencies toward deviant behavior. Thus, this issue extends beyond health or criminality; it also concerns the fulfillment of children's rights as guaranteed by both the state and religion.¹¹

Within the framework of national law, child protection is regulated under Law No. 23 of 2002 on Child Protection (as amended by Law No. 35 of 2014). Article 1 affirms that a child is any person under the age of 18, including those still in the womb, and that child protection encompasses all efforts to guarantee their rights to live, grow, develop, and participate optimally.¹² This regulation is reinforced by Article 32, which specifically addresses child protection against narcotics and other addictive substances. However, implementation at the regional level continues to face numerous obstacles, particularly in Langkat, such as the limited capacity of child protection institutions, weak inter-agency coordination, and

a shortage of specialized child assistance personnel. These constraints create a gap between the ideal legal norms and empirical realities, often leaving affected children inadequately protected from legal, psychological, and social perspectives.¹³

From the perspective of Islamic law, children hold an exceptionally noble position. Islam emphasizes that every child is born in a state of purity (*fitrah*), and it is the responsibility of parents to nurture, educate, and guide them towards the right path. The Quran and Hadith strongly highlight parental obligations to fulfill children's rights, including the right to affection, education, sustenance, and protection from harm.¹⁴ In the context of drug-addicted parents, these obligations are clearly neglected. Moreover, such behavior contradicts fundamental principles of the sharia, which prohibits all actions that harm life (*hifz al-nafs*) and intellect (*hifz al-'aql*). Thus, narcotics abuse by parents constitutes not only a violation of positive law but also a transgression of Islamic law.

The urgency of this research lies in the need to thoroughly examine child protection in cases involving drug-addicted parents, both from the perspective of Islamic law and the implementation of national law, with Langkat Regency as a case study.¹⁵ Previous studies have generally focused on child protection in broader terms or on the rehabilitation of drug users, without giving specific attention to children growing up in drug-addicted families. Therefore, this study offers novelty by highlighting a particularly vulnerable group that has received limited attention in academic discourse and public policy.¹⁶

⁹ Erik H Erikson, *Childhood and Society* (New York: W. W. Norton & Company, 1993).

¹⁰ Badan Narkotika Nasional Provinsi Sumatera Utara, "Data Kasus Penyalahgunaan Narkoba Di Kabupaten Langkat Tahun 2023" (Medan, 2023).

¹¹ T N Febriana and I Winarsih, "Strategi Rehabilitasi Sosial Berbasis Keluarga Terhadap Penyalahguna Narkoba Di Komunitas," *Jurnal Kesejahteraan Sosial* 19, no. 1 (2023): 45–60.

¹² V J Felitti et al., "Relationship of Childhood Abuse and Household Dysfunction to Many of the Leading Causes of Death in Adults," *American Journal of Preventive Medicine* 14, no. 4 (1998): 245–258.

¹³ Badan Narkotika Nasional Provinsi Sumatera Utara, "Data Kasus Penyalahgunaan Narkoba Di Kabupaten Langkat Tahun 2023."

¹⁴ Fitri Suryani Sihombing and others, "Perlindungan Hukum Terhadap Anak Dari Orang Tua Pecandu Narkoba Perspektif Maqasid Syari'ah," 2020.

¹⁵ M Hasbi Umar and Bahrul Ma'ani, "Urgensi Hak Dan Perlindungan Anak Dalam Perspektif Maqashid Al-Syariah," *Ar-Risalah* 17, no. 2 (2017): 201–212.

¹⁶ Fransiska Novita Eleanor, "Bahaya Penyalahgunaan Narkoba Serta Usaha Pencegahan Dan Penanggulangannya: Suatu Tinjauan Teoritis," *Hukum* 25, no. 4 (2011): 439–452.

Against this background, this study aims to analyze child protection from parents addicted to narcotics within the framework of Islamic law and the implementation of national law in Langkat Regency. The study is expected to contribute academically to the development of legal and Islamic studies while also offering practical recommendations for policymakers and relevant institutions to strengthen a comprehensive system of child protection.

Method

This study employs a normative-empirical legal method.¹⁷ The normative approach is applied by analyzing relevant legal instruments, including Law No. 35 of 2009 on Narcotics, Law No. 35 of 2014 amending Law No. 23 of 2002 on Child Protection, as well as principles of Islamic law concerning child protection and parental obligations. This legal analysis is complemented by an empirical approach through field research conducted in Langkat Regency, North Sumatra, which was selected due to the high prevalence of narcotics abuse and its direct impact on children.¹⁸

The data sources of this study are divided into three categories: (1) primary legal materials, such as laws, presidential regulations, regulations of the National Narcotics Agency (BNN), and international conventions on the rights of the child; (2) secondary legal materials, consisting of academic literature, scholarly journals, previous research findings, and expert opinions in the field of law; and (3) tertiary legal materials, including legal dictionaries and encyclopedias.¹⁹ Empirical data were obtained through observations and in-depth interviews with five affected families, children of drug-dependent parents, police officers, prison officers, officials from the Social Affairs and Education Offices, and community leaders.²⁰

¹⁷ Suharsimi Arikunto, *Prosedur Penelitian Suatu Pendekatan Praktik* (Jakarta: Rineka Cipta, 2020).

¹⁸ Emzir, *Metodologi Penelitian Kualitatif: Analisis Data* (Jakarta: Rajawali Pers, 2016).

¹⁹ Huberman and Miles, *Analisis Data Kualitatif* (Jakarta: Universitas Indonesia Press, 1992).

²⁰ Levy J Moleong, *Metodologi Penelitian Kualitatif* (Bandung: Remaja Rosdakarya, 2004).

Data were collected through observation, interviews, and documentation involving affected families, law enforcement officials, social and educational officers, and community leaders. Primary legal materials included national laws and regulations, secondary materials comprised scholarly works and prior studies, and tertiary materials included legal dictionaries and supporting references.²¹ The data were analyzed qualitatively using the Miles and Huberman model—data reduction, presentation, and conclusion drawing—allowing integration between legal interpretation and empirical evidence.²²

Result and Discussions

Child Protection from Parents Addicted to Narcotics: Islamic Law and Indonesian Legal Context

Child protection is one of the most fundamental issues in both Islamic law and modern legal systems, as children are regarded as the most vulnerable members of society and the bearers of the future.²³ In Islam, children are viewed not only as members of a family unit but also as a trust (*amanah*) from Allah entrusted to parents, the wider community, and the state. This sacred trust brings with it responsibilities that extend beyond physical care to encompass moral, spiritual, and intellectual upbringing.²⁴ When parents become addicted to narcotics, however, this divine trust is often compromised. Addiction leads to severe neglect of parental duties, placing children in situations of risk that threaten their physical survival, emotional stability, spiritual growth, and social development. To address this reality, a normative examination of child protection from the perspective of Islamic law becomes essential.²⁵

²¹ Nana Syaodih and Sukma Dianta, *Metode Penelitian Pendidikan*, Cetakan I. (Jakarta: Remaja Rosda Karya, 1997).

²² Salim and Syahrur, *Metode Penelitian Kualitatif* (Bandung: Citapustaka Media, 2007).

²³ Zulkarnain, “Penyalahgunaan Narkoba Dalam Perspektif Hukum Islam Dan Hukum Positif Indonesia” (Medan, 2016).

²⁴ Fitri Suryani Sihombing and Yazid, “Perlindungan Hukum Terhadap Anak Dari Orang Tua Pecandu Narkoba Perspektif Maqasid Syari’ah,” *Jurnal Hukum* (2020): 199.

²⁵ Ahmad Nasoha Muhamad, Mustain Atqiyah, and Ashfiya Nur, “Analisis Kekerasan Terhadap Anak: Perspektif Hukum Positif

The Quran, which forms the supreme source of Islamic law, contains explicit guidance on the protection of family and children. In Surah al-Tahrîm [66]:6, believers are commanded to protect themselves and their families from the Fire, which implies a dual obligation: safeguarding family members from eternal punishment and shielding them from worldly harm. Parents addicted to narcotics fail in this fundamental duty, as addiction exposes children to material deprivation, moral corruption, and spiritual neglect. In Surah al-Isrâ' [17]:31, the Quran firmly prohibits the killing of children for fear of poverty, reminding believers that Allah is the true provider of sustenance. Though this verse addresses a pre-Islamic practice of infanticide, its spirit extends to all forms of neglect that deprive children of care.²⁶ When parents divert financial and emotional resources toward sustaining an addiction, their children often suffer neglect tantamount to the Quran's prohibition. The Quran also enjoins guardianship over vulnerable offspring in Surah al-Nisâ' [4]:9, warning believers to fear leaving behind children in a state of weakness. This directive establishes that the welfare of children is not only the responsibility of parents but also a collective duty of the community and state.

The hadith corpus further elaborates on parental responsibility. The famous tradition reported in both *Shâfi'i* al-Bukhârî and *Shâfi'i* Muslim affirms that "every one of you is a shepherd, and every one of you will be asked about his flock." This hadith establishes an unambiguous principle of accountability: parents are shepherds over their children and will be held answerable for neglect.²⁷ When narcotics addiction incapacitates a parent, leading to abandonment or abuse of children, this constitutes a severe breach of prophetic teaching. Equally significant are the Prophet's examples of compassion toward children,

Dan Perbandingan Fiqh Empat Madzhab," *Jurnal Hukum* 10 (2024).

²⁶ Marsaid, "Perlindungan Hukum Anak Pidana Dalam Perspektif Maqasid Asy-Syari'ah: Studi Kasus Penanganan Anak Pidana Di Lembaga Pemasyarakatan Jambi," *Nurani* 15, no. 2 (2015): 1-20.

²⁷ Umar and Ma'ani, "Urgensi Hak Dan Perlindungan Anak Dalam Perspektif Maqashid Al-Syariah."

such as carrying his grandsons on his shoulders and declaring that those who show no mercy to the young are not part of the Muslim community. Such traditions set the moral tone of parenting in Islam, which is grounded in love, mercy, and responsibility—qualities fundamentally absent in households destabilized by addiction.²⁸

Islamic jurisprudence (*fiqh*) provides detailed rules governing the rights of children and the duties of parents. Jurists across the major Sunni schools agree that children are entitled to *nafaqah* (maintenance), including food, shelter, clothing, and health care. The failure to provide such essentials, unless due to circumstances beyond a parent's control, is considered sinful neglect. When addiction drains family resources toward drugs, jurists would classify this as a violation of parental duties.²⁹ Similarly, in matters of *hadhânah* (custody), *fiqh* prioritizes the welfare of the child. Custody is conditional, not absolute, and may be revoked from parents who are deemed morally corrupt, negligent, or incapable. Narcotics addiction falls squarely within the scope of disqualification, since an addicted parent cannot safeguard the best interests of a child. Furthermore, Islamic jurisprudence emphasizes *tarbiyah* (upbringing), which includes moral and spiritual education. Scholars like al-Ghazâlî warned that children are a "pure trust" whose souls can be shaped toward righteousness or ruin depending on parental guidance. Drug addiction undermines this responsibility by depriving children of a stable and moral environment.³⁰

The Indonesian context provides a codified framework for these principles through the

²⁸ W P Julianna, *Pola Asuh Orang Tua Dalam Pembinaan Karakter Remaja Usia 13-17 Tahun Di Desa Sorimanaon Kecamatan Angkola Muara Tais Kabupaten Tapanuli Selatan* (etd.uinsyahada.ac.id, 2024), <http://etd.uinsyahada.ac.id/11065/>.

²⁹ Ahmatnijar et al., "WHEN RELIGIOUS JUDGES PROTECT CHILDREN'S RIGHTS Case of Divorce in Padangsidempuan Religious Court," *Al-Ahwal* 15, no. 2 (2022): .223-240.

³⁰ Rahmayanti Rahmayanti, "Kajian Kriminologi Terhadap Anak (Pelaku) Tindak Pidana Pencurian Sepeda Motor Dengan Kekerasan," *JURNAL HUKUM, POLITIK DAN ILMU SOSIAL* 2, no. 3 (September 29, 2023): 290–299, <https://ejurnal.politeknikpratama.ac.id/index.php/jhpis/article/view/2629>.

Compilation of Islamic Law (KHI). While rooted in classical *fiqh*, the KHI adapts rules to the Indonesian socio-legal landscape. Articles 77 and 98 explicitly state that parents are obliged to care for and educate their children until adulthood or financial independence, and failure to do so constitutes a legal breach. Article 105 regulates custody, specifying that children under twelve ordinarily remain with their mother, unless she is proven incapable. Narcotics addiction represents precisely such incapacity, allowing judges to transfer custody in the child's best interests. Religious courts in Indonesia have applied these provisions in various cases, affirming that parental addiction undermines eligibility for custody and invoking the principle of *mashlahah* (child's welfare) as the decisive consideration.³¹

National legislation complements Islamic law in protecting children from the consequences of parental addiction. Law No. 35 of 2014 on Child Protection provides a comprehensive guarantee of children's rights to life, development, and protection from neglect and abuse. It further specifies that state institutions, not only families, hold responsibility for safeguarding children when parents are incapacitated.³² Law No. 35 of 2009 on Narcotics criminalizes narcotics abuse but also provides for rehabilitation, reflecting awareness that addiction is both a crime and a public health issue.³³ Importantly, the law recognizes children as a vulnerable group requiring special protection, particularly when their parents are addicts. These laws align with Indonesia's ratification of the Convention on the Rights of the Child, which obliges the state to protect children from environments that are harmful to their health or development.

³¹ Yoga Prasetya and Muhamad Hasan Sebyar, "Legal Aspects of the Rights of Children from Siri Marriages," *Jurnal Hukum Keluarga* 1, no. 01 SE-Articles (June 17, 2024): 9–17, <https://journal-rabiza.com/index.php/JHK/article/view/1>.

³² Pruntus Sudarmaji and Muhamad Hasan Sebyar, "Perlindungan Hukum Bagi Anak Korban Kekerasan Seksual," *Journal of Law and Nation (JOLN)* 2, no. 4 (2023): 398–407.

³³ D W Piyata, *Peran BNN Kota Banda Aceh Dalam Penanggulangan Penyalahgunaan Narkotika Yang Dilakukan Anak Menurut Undang-Undang No. 35 Tahun 2009 Tentang ...* (repository.ar-raniry.ac.id, 2022), <https://repository.ar-raniry.ac.id/id/eprint/26422/>.

A normative comparison reveals deep harmony between Islamic law and national law in this domain. Both systems acknowledge that parents bear the primary responsibility for their children but also agree that parental rights are conditional upon the ability to fulfill duties. In Islamic law, narcotics addiction disqualifies a parent from custody on grounds of moral incapacity ('*adam al-ahliyyah*). Similarly, in Indonesian law, addicted parents may lose custody or face sanctions if they neglect their children. In both frameworks, the welfare of the child takes precedence over the rights of the parent, establishing the principle that children's best interests are paramount.³⁴

Moreover, both Islamic and national laws embrace a restorative approach rather than a purely punitive one. In Islam, repentance (*tawbah*) and rehabilitation can restore parental eligibility, while in national law, addicted parents may undergo medical and social rehabilitation programs. This dual approach reflects a balance between protecting children from harm and offering addicted parents a path toward reintegration.³⁵ Such harmonization underscores the broader objective of *maqâshid al-syarî'ah*, which seeks to preserve life, intellect, lineage, and morality. Protecting children of narcotics-addicted parents is therefore not only a matter of legal compliance but also a realization of divine wisdom in safeguarding humanity's future.³⁶

In conclusion, child protection in the context of parents addicted to narcotics is firmly grounded in Islamic legal principles and supported by national legislation. The Quran and Hadith unequivocally emphasize the duty of parents to safeguard their children, while *fiqh* doctrines establish mechanisms to revoke custody from unfit parents. The Compilation

³⁴ Nur Taufiq Sanusi et al., "Political Configuration of Islamic Law in Legal Development in Indonesia," *Jurnal Adabiyah* 23, no. 1 (June 30, 2023): 49–65, <https://journal.uin-alauddin.ac.id/index.php/adabiyah/article/view/35810>.

³⁵ Umar and Ma'ani, "Urgensi Hak Dan Perlindungan Anak Dalam Perspektif Maqashid Al-Syariah."

³⁶ Syariful Alam et al., "Islamic Criminal Law Study on The Seizure of Corruptor Assets as an Indonesian's Criminal Sanction in The Future," *Juris: Jurnal Ilmiah Syariah* 21, no. 2 (2022): 143–156.

of Islamic Law and Indonesian national statutes provide concrete legal instruments to implement these principles. Together, these frameworks affirm that the welfare of children is the highest legal priority, and that addiction, which compromises parental responsibility, justifies state intervention. From a normative perspective, the protection of children in such cases embodies the convergence of religious obligation and legal necessity, ensuring that vulnerable children are not abandoned but safeguarded in accordance with both Islamic law and national law.

Implementation of Child Protection in Langkat Regency

The issue of child protection in Langkat Regency presents a complex and multifaceted reality that reflects both the broader challenges faced by Indonesia in the context of narcotics abuse and the specific socio-legal conditions of the region. Langkat Regency, located in North Sumatra, is recognized as one of the areas with a significant prevalence of narcotics-related cases. This situation directly and indirectly affects the lives of children, particularly those whose parents are addicted to narcotics or incarcerated for drug-related offenses. The implementation of child protection in such a context must be analyzed through the lens of national law, local governance, social services, and religious as well as cultural frameworks that shape daily practices.³⁷

From a normative perspective, Indonesia has established a relatively robust legal framework for child protection. The Child Protection Law (Law No. 35 of 2014 as an amendment to Law No. 23 of 2002), together with Law No. 35 of 2009 on Narcotics, provides the foundation for ensuring children's rights to survival, development, protection, and participation. These statutes affirm the obligations of the state, families, and society to safeguard children from neglect, abuse, exploitation, and violence. In theory, these laws apply equally across Indonesia,

³⁷ Sihombing and Yazid, "Perlindungan Hukum Terhadap Anak Dari Orang Tua Pecandu Narkoba Perspektif Maqasid Syari'ah."

including in Langkat Regency. Yet, in practice, the implementation in Langkat is shaped by the local capacity of government institutions, the role of the National Narcotics Board (BNN) at the district level, law enforcement agencies, social and educational institutions, and the involvement of religious and community leaders.³⁸

The first dimension of implementation relates to the legal framework and its translation into operational policies within the region. Law No. 35 of 2014 stipulates that every child is entitled to protection from narcotics and other addictive substances. Article 59 explicitly requires the state to provide special protection to children in conflict with the law, children in emergency situations, and children affected by narcotics abuse. In Langkat, this provision translates into specific mandates for the District Office of Social Affairs, the Education Office, the local BNN, and the police force.³⁹ These agencies are tasked not only with law enforcement against offenders but also with preventive and rehabilitative measures directed at children whose parents are drug users. However, the capacity of these institutions often falls short of the normative ideals. Budgetary constraints, limited personnel, and insufficient coordination across agencies create structural barriers that hinder effective implementation.

The second dimension concerns institutional coordination. In principle, the protection of children affected by narcotics should involve a holistic collaboration among law enforcement, social services, educational institutions, and healthcare providers. In Langkat, the police have been actively involved in detecting narcotics cases, arresting offenders, and ensuring that children are not used as couriers or victims in drug transactions. Nevertheless, when parents are incarcerated, the responsibility for

³⁸ Badan Narkotika Nasional, *Pedoman Rehabilitasi Berbasis Keluarga*.

³⁹ Yusefri Yusefri, Mu'adil Faizin, and Wahyu Abdul Jafar, "Protecting Child Labor Rights: Maqasid Sharia Framework and Policy Recommendations," *Samarah: Jurnal Hukum Keluarga dan Hukum Islam* 8, no. 2 (July 31, 2024): 1188, <https://jurnal.ar-raniry.ac.id/index.php/samarah/article/view/24559>.

child care often shifts to extended families or, in some cases, to state-run or community-based social institutions. The Social Affairs Office is mandated to provide rehabilitation and social support, yet in practice, its reach is limited due to insufficient shelters, limited professional social workers, and inadequate psychological support systems. As a result, many children fall into gaps of protection, relying heavily on informal family or community networks.

The third dimension of child protection implementation in Langkat is the role of education. The Education Office is expected to ensure that children affected by parental narcotics addiction continue to access schooling without discrimination. Schools serve as crucial sites for early detection of psychosocial problems, behavioral challenges, and academic decline among affected children.⁴⁰ Teachers, counselors, and principals often become the first witnesses to the struggles of children from families with narcotics issues. Despite this, the system of psychosocial support in schools is often underdeveloped. Guidance and counseling services remain limited, with most teachers lacking specialized training in handling children experiencing trauma, neglect, or stigma due to their parents' narcotics use. In some cases, children are subjected to bullying or social exclusion from peers, further exacerbating their vulnerability.⁴¹

Religious and cultural frameworks also play a significant role in the implementation of child protection in Langkat. As a predominantly Muslim region, Islamic values strongly influence community perceptions of family, morality, and social responsibility. Islamic teachings emphasize the obligation of parents to care for and protect their children, as reflected in Quranic injunctions and hadith traditions. When parents fail in this duty due to narcotics addiction, community and religious leaders often intervene to provide

guidance, counseling, or even mediation between families and social services. Local branches of the Indonesian Ulema Council (MUI) and Islamic boarding schools (pesantren) occasionally take active roles in protecting and nurturing affected children.⁴² Nevertheless, the reliance on moral and religious authority cannot substitute for the systematic provision of state-supported child protection services. Instead, these religious and cultural actors often operate as complementary forces, filling gaps left by the formal system.

The implementation of child protection in Langkat also reveals significant challenges at the community level. Stigma toward families of narcotics users is widespread, leading to discrimination against children. Rather than being seen as victims, these children are often regarded with suspicion or treated as if they share in their parents' moral failings. Such stigma not only isolates children socially but also discourages families from seeking formal assistance, fearing public shame or further marginalization. Community-based organizations and non-governmental organizations (NGOs) working in the field of child protection have attempted to address this issue through awareness campaigns, counseling services, and advocacy for more inclusive approaches. Yet, their resources are often limited, and their influence depends on the willingness of local authorities to collaborate.

In terms of healthcare and psychosocial support, Langkat faces additional obstacles. Children of narcotics-addicted parents are at heightened risk of experiencing trauma, neglect, malnutrition, and mental health disorders such as depression and anxiety. Ideally, healthcare services should provide not only physical care but also psychological counseling and rehabilitation. However, Langkat's health infrastructure is not fully equipped to handle the scale of this problem. Clinics and hospitals prioritize general healthcare, while specialized services for children affected by narcotics addiction remain minimal. Psychologists, psychiatrists, and

⁴⁰ Member of the National Narcotics Agency (BNN) of Langkat Regency, "Research Interview", 2024.

⁴¹ Member of the Langkat Regional House of Representatives (DPRD), "Research Interview," 2024.

⁴² A Member of the Indonesian Council of Ulama (MUI) of Langkat, "Research Interview," 2024

trained counselors are in short supply, leaving many children without the necessary interventions to address their psychological needs.

Another crucial element in the implementation of child protection in Langkat is the role of law enforcement and the judiciary. While the primary role of the police is to enforce narcotics laws, there is also an expectation that they safeguard the interests of children indirectly affected by parental incarceration. Yet, this dual responsibility is not always carried out effectively. Police efforts often focus on punishing offenders, with limited attention given to the welfare of children left behind. Courts handling narcotics cases likewise prioritize sentencing parents, with little consideration of the parallel need to ensure that their children receive adequate guardianship, care, and support. In some cases, guardianship arrangements are left informal, entrusted to relatives without formal state oversight, thereby exposing children to risks of neglect or exploitation.

The implementation of child protection in Langkat also intersects with broader socio-economic conditions. Poverty, unemployment, and social inequality exacerbate the vulnerability of children from narcotics-affected families. Many parents who turn to narcotics come from economically disadvantaged backgrounds, and their addiction further undermines the family's financial stability. Consequently, children may be forced to drop out of school, engage in child labor, or even become indirectly involved in illicit activities to support themselves or their families. This socio-economic dimension demonstrates that child protection cannot be separated from broader development policies aimed at poverty reduction, employment creation, and social welfare. Without addressing these structural factors, efforts to protect children remain reactive rather than preventive.

Despite these challenges, there are examples of positive initiatives in Langkat that illustrate the potential for more effective child protection. The local BNN has organized community outreach programs that target not only narcotics prevention but also family resilience. These programs include educational

seminars, counseling sessions, and the promotion of healthy lifestyles among youth. In addition, certain schools have implemented peer-support groups and extracurricular activities designed to engage vulnerable children in constructive ways. Community leaders, including Islamic clerics and social activists, have occasionally organized campaigns to reduce stigma and promote compassion for families affected by narcotics. Such initiatives, though limited in scope, point toward the possibility of building a more integrated and compassionate system of child protection.

In analyzing the implementation of child protection in Langkat, it becomes evident that there exists a significant gap between normative legal frameworks and empirical realities. On paper, the laws are comprehensive and aligned with international conventions such as the UN Convention on the Rights of the Child. In practice, however, enforcement and implementation are fragmented, underfunded, and inconsistent. The reliance on family and community networks compensates for the weaknesses of state institutions but also leads to uneven outcomes. Children's access to protection depends largely on the strength of their extended family and the goodwill of community actors, rather than on a guaranteed system of state support.

Ultimately, the implementation of child protection in Langkat requires both structural reform and cultural transformation. Structurally, greater investment is needed in social services, healthcare, education, and law enforcement mechanisms specifically designed to protect children. Coordination among agencies must be improved through formal mechanisms and clear accountability. Culturally, stigma toward children of narcotics users must be reduced through sustained public education and advocacy. Religious and cultural institutions can serve as valuable partners in this effort, but they must be integrated into a coherent strategy led by the state. Only through such a combination of structural and cultural approaches can Langkat move toward fulfilling the normative promises of child protection embedded in national and international law.

The complexities surrounding the implementation of child protection in Langkat Regency become clearer when examined through the prism of institutional responsibility, community practices, and the lived experiences of children themselves. Although the statutory framework in Indonesia is relatively advanced, the translation of these laws into meaningful protections for children remains uneven. In Langkat, this unevenness is amplified by the interaction between legal mandates, resource constraints, cultural expectations, and the pervasive impact of narcotics abuse on family structures.

One of the persistent challenges is the absence of an integrated child protection system at the regional level. National legislation establishes rights and principles, but operationalization at the district level often lacks coherence. For example, when a parent is arrested for narcotics possession or distribution, there is no standardized protocol to assess the welfare of their children. In some cases, police officers informally leave children in the care of relatives without referring the case to social services. In other cases, children may temporarily stay in detention facilities with their parents until alternative arrangements are found. Both situations are inconsistent with the Child Protection Law and the Convention on the Rights of the Child, which emphasize the best interests of the child as a primary consideration. This gap between normative standards and actual practice underscores the need for a systematic mechanism that automatically triggers social service interventions whenever children are affected by parental narcotics cases.

Equally significant is the issue of data collection and monitoring. Accurate and reliable data are essential for formulating effective policies and allocating resources. Yet in Langkat, comprehensive data on the number of children living with narcotics-addicted parents, the types of protection services provided, and the outcomes of interventions are scarce. Each institution—police, social services, education, and healthcare—tends to maintain its own records, often without integration or coordination. As a result, policymakers and practitioners operate in a fragmented information environment, making

it difficult to design evidence-based interventions or to track progress over time. The absence of data also obscures the true magnitude of the problem, allowing the issue to remain under-prioritized in regional planning.

Another dimension of implementation relates to the role of non-governmental organizations (NGOs) and civil society actors. In Langkat, several NGOs have been active in addressing narcotics-related issues, including prevention campaigns, rehabilitation services, and advocacy for affected families. Some of these organizations extend their work to child protection, providing counseling, scholarships, or safe spaces for children whose parents are incarcerated. Their contributions are valuable, particularly in filling gaps left by the state. However, their activities are often project-based, dependent on external funding, and geographically limited. Without stable institutional support or consistent collaboration with government agencies, the sustainability of NGO-led initiatives remains precarious. Furthermore, the reliance on NGOs cannot absolve the state of its legal obligation to protect children, as stipulated in both national laws and international conventions.

The cultural dimension of child protection in Langkat also deserves close attention. As a region with strong Islamic traditions, community norms around morality, family, and social responsibility significantly influence how child protection is perceived and practiced. Religious leaders often emphasize the parental obligation to provide care and education for children, citing Quranic injunctions and Hadiths. When parents fail due to narcotics addiction, some community members interpret this as a moral failing requiring repentance, while others recognize it as a social problem requiring collective intervention. This dual perspective shapes community responses to children of narcotics users. On one hand, religious sermons and community gatherings may stigmatize drug addiction, reinforcing social exclusion. On the other hand, Islamic charitable practices, such as zakat and waqf, are sometimes mobilized to support vulnerable children. This ambivalence highlights the need to harness the

positive potential of religious teachings while mitigating the risk of stigmatization.

The economic aspect of implementation cannot be overstated. Many children in Langkat who are affected by parental narcotics addiction also live in poverty. The combination of economic deprivation and parental neglect creates a vicious cycle that increases vulnerability to exploitation, child labor, and early marriage. Government programs such as the Family Hope Program (PKH) and the Smart Indonesia Program (PIP) are intended to provide financial assistance and educational support to poor families, including those affected by narcotics. However, the effectiveness of these programs in reaching the most vulnerable children depends on accurate targeting and effective monitoring. In practice, bureaucratic inefficiencies, lack of awareness among families, and stigma associated with narcotics addiction often prevent eligible children from accessing these benefits. This failure undermines the broader goal of ensuring that all children enjoy equal opportunities for growth and development.

The role of the judiciary in Langkat also illustrates the limitations of child protection implementation. While narcotics cases involving parents are regularly prosecuted, there is little systematic attention to the collateral consequences for children. Judges and prosecutors primarily focus on applying statutory penalties to offenders, without considering complementary measures to safeguard the welfare of their dependents. For example, when a parent is sentenced to imprisonment, courts rarely issue orders concerning the care or guardianship of their children. Instead, responsibility informally falls to extended families or neighbors. This ad hoc approach leaves children vulnerable to neglect, abuse, or exploitation. Introducing child-sensitive procedures within the judiciary—such as mandatory child welfare assessments in narcotics cases—would represent a significant step toward aligning practice with normative standards.

In terms of healthcare, the situation in Langkat underscores the broader deficiencies of Indonesia's child protection system in addressing psychosocial needs. Children living with narcotics-addicted parents

often suffer from emotional trauma, anxiety, and behavioral problems. Yet, mental health services for children are severely underdeveloped in the region. Public health centers (*puskesmas*) prioritize maternal and child health in terms of physical well-being, with limited attention to psychological support. Specialist services such as child psychiatrists or clinical psychologists are virtually absent at the district level. This gap in services means that many children's psychosocial needs go unrecognized and untreated, perpetuating cycles of trauma and vulnerability. Integrating psychosocial support into primary healthcare and school-based health programs would be a critical step toward addressing this unmet need.

Implementation also faces challenges in terms of community awareness and participation. Child protection laws, while comprehensive, are not widely understood by ordinary citizens. Many families are unaware of their rights or the obligations of the state. In Langkat, this lack of awareness is compounded by cultural norms that prioritize family privacy and discourage the involvement of external actors in domestic affairs. As a result, cases of child neglect or abuse related to narcotics addiction are often concealed rather than reported. Community-based awareness campaigns, facilitated by religious leaders, teachers, and local NGOs, could play a vital role in changing attitudes and encouraging proactive engagement in child protection.

Despite these challenges, Langkat has also witnessed promising practices that illustrate pathways forward. For example, some schools have piloted inclusive education programs that explicitly target vulnerable children, including those from narcotics-affected families. These programs combine academic support with counseling and extracurricular activities designed to foster resilience and self-esteem. Similarly, certain community health programs have experimented with family-based interventions, where both parents and children receive counseling and education about the dangers of narcotics. In some villages, religious leaders have initiated community funds to support children whose parents are incarcerated, ensuring

continuity of education and basic needs. These localized practices demonstrate that while systemic reforms are necessary, grassroots initiatives can provide immediate and tangible benefits.

Looking ahead, the implementation of child protection in Langkat requires a multi-pronged strategy. First, institutional reforms are essential to ensure that every case of parental narcotics addiction triggers a coordinated response involving police, social services, healthcare, and education. Second, investment in human resources—such as social workers, counselors, and child psychologists—is needed to provide specialized support. Third, community engagement must be strengthened through awareness campaigns that reduce stigma and promote solidarity. Fourth, religious and cultural institutions should be systematically integrated into child protection strategies, not as substitutes for state responsibility but as complementary partners. Finally, sustained political commitment and adequate funding are indispensable to bridge the gap between normative ideals and empirical realities.

In conclusion, the implementation of child protection in Langkat Regency reveals the tension between strong normative frameworks and weak practical enforcement. Children of narcotics-addicted parents remain among the most vulnerable groups, facing risks of neglect, stigma, poverty, and psychosocial harm. While the legal and policy frameworks provide a solid foundation, their effectiveness depends on local capacity, institutional coordination, and cultural attitudes. Langkat's experience underscores the broader lesson that child protection cannot be achieved solely through laws; it requires a holistic approach that integrates legal, social, cultural, and economic dimensions. Only through such an integrated strategy can Langkat—and Indonesia more broadly—fulfill its commitment to ensuring that all children, regardless of their family circumstances, enjoy the rights to survival, development, protection, and participation as guaranteed under national and international law.

Conclusion

This study concludes that the protection of children from parents addicted to narcotics is firmly grounded in both Islamic and national law. Islamic teachings regard children as a divine trust (*amanah*) whose preservation fulfills the objectives of *maqâshid al-syarî'ah*—protecting life, intellect, and lineage. Parents who neglect these responsibilities through addiction commit moral and legal violations, while Islamic jurisprudence allows the transfer of custody to safeguard the child's welfare. Similarly, Indonesian law, through Law No. 35 of 2014 on Child Protection and Law No. 35 of 2009 on Narcotics, ensures children's rights to safety, care, and development. Both legal systems thus converge in prioritizing the best interests of the child.

However, the implementation in Langkat Regency exposes significant gaps between normative principles and social realities. Weak institutional capacity, limited coordination, and social stigma hinder effective protection. Many children remain vulnerable to neglect and psychosocial harm. Despite these challenges, community and religious institutions demonstrate potential as complementary actors in supporting affected families.

Strengthening child protection requires integrating Islamic moral imperatives with state legal mechanisms through coordinated policies, adequate resources, and community-based initiatives. This study underscores that safeguarding children from the impacts of parental narcotics addiction is not only a legal obligation but also a moral and theological mandate essential for realizing social justice and human dignity.

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