



The Legal Rights of Drug Convicts: Stigma and Labelling in Judicial Practices

Jullia Putri Shandyana¹, Sarah Adinda Putri², Nabilah Febriana³

¹Lembaga Bantuan Hukum SMASH Lampung, Indonesia

Email: jullia.putrishandyana@gmail.com

²Lembaga Bantuan Hukum SMASH Lampung, Indonesia

E-mail: adindas435@gmail.com

³Lembaga Bantuan Hukum SMASH Lampung, Indonesia

Email: nabilahfyn@gmail.com

Submitted: October 12, 2024; Reviewed: November 10, 2024; Accepted: December 26, 2024

Article's Information

keywords:

Drug Offenders; Labelling Theory;
Legal Analysis; Prisoner's Rights

DOI :

<https://doi.org/10.25041/ip.v5i2.3712>

Abstract

Stigma against drug offenders often leads to systemic barriers, including limited access to legal representation, difficulties in obtaining quality rehabilitation services, and reduced opportunities for social reintegration. Certain legal policies further entrench this cycle of stigma, exacerbating social marginalization and undermining the efficacy of interventions aimed at addressing the consequences of drug use. This research aims to explore how labelling theory influences the legal treatment of drug offenders across different jurisdictions and to identify legal strategies that can mitigate stigma and social exclusion. The research finds that the protection of drug offenders' rights varies considerably between rehabilitation-focused and punitive legal approaches. These variations highlight the need for a human rights-based framework in crafting legal policies that promote inclusivity. Employing normative legal research methods, including statute and conceptual approaches, the analysis draws on primary legal materials (laws and official documents) and secondary sources (academic literature). The findings underscore critical challenges faced by drug offenders, including unfair treatment, privacy violations, and restricted access to rehabilitation services. Approaches based on negative labelling contribute to the reinforcement of marginalization, whereas rehabilitation-oriented models are more effective in facilitating social reintegration. This research offers valuable insights into the role of stigma in shaping the legal treatment of drug offenders and calls for the development of more inclusive, human rights-based, rehabilitation-focused legal policies to advance a fairer and more effective global criminal justice system.



A. Introduction

Labelling is a critical concept in sociology and criminology that refers to how societal labels shape individual identity. The labelling theory as proposed by Edwin Lemert and Howard Becker, posits that stigmatizing individuals, particularly those involved in criminal behavior such as drug abuse profoundly influences their behavior, legal status, and social integration.¹ In the context of drug offenders, labelling not only affects public perception but also impacts their rights and access to rehabilitation and reintegration opportunities.

Labelling often initiates a self-fulfilling prophecy. Individuals labeled as "drug addicts" or "criminals" may internalize these identities, leading to behaviors that align with societal expectations.² In *Outsiders*, Becker explains that deviant behavior is not only socially constructed but also reinforced through the internalization of imposed labels.³ For drug offenders, this internalization can perpetuate cycles of marginalization and recidivism.

Social stigma functions as a form of exclusion. Erving Goffman, in *Stigma: Notes on the Management of Spoiled Identity*, argues that stigma isolates individuals who deviate from social norms⁴, generating a "spoiled identity" that limits access to services and rights.⁵ For drug convicts, this stigma often results in barriers to employment, education, and social reintegration, and may contribute to inequitable treatment in the justice system⁶, including restricted access to legal representation and fair adjudication.

Social stigma profoundly affects the legal rights of drug offenders. Link and Phelan, in *Stigma and its Public Health Implications*, argue that stigma can lead to systemic discrimination that restricts access to justice and rehabilitation.⁷ Drug offenders often struggle to secure competent legal representation, with many lawyers reluctant to advocate for their rights fully. Research further indicates that punitive public policies are frequently shaped by negative societal perceptions of drug users, reinforcing cycles of injustice wherein offenders receive harsher sentences and encounter significant barriers to legal assistance.

Stigma also shapes drug-related legal and public policies. Rather than emphasizing rehabilitation and reintegration, stigma-driven policies tend to prioritize punishment, resulting in more severe sentencing and diminished support for recovery. These approaches often overlook the complex social and psychological dimensions of drug abuse and fail to provide pathways for successful reintegration.⁸

While labelling theory has been extensively explored in existing literature, most studies focus on the social consequences of stigma. For instance, Khresno and Nadia, in *Analisis Teori Labelling Terhadap Mantan Narapidana Pengguna Narkotika*, highlight the social effects of stigma on former drug offenders.⁹ However, there remains a lack of comprehensive research on how stigma specifically undermines the legal rights of drug offenders and influences the formulation and implementation of equitable legal policies. This gap is critical, given that

¹ Santia, R. (2019). *Labelling Terhadap Mantan Narapidana ditinjau dari Perspektif Hukum Islam (Studi Kasus di Gampong Mesjid Bambong Kabupaten Pidie)* (Doctoral dissertation, UIN AR-RANIRY).

² Bachman, M. H. A., & Wibowo, P. (2023). Dampak Stigmatisasi Terhadap Narapidana Anak di Lingkungan Masyarakat. *Jurnal Ilmiah Muqoddimah: Jurnal Ilmu Sosial, Politik, dan Humaniora*, 7(1), 61-67.

³ Becker, Howard S. *Outsiders: Studies in the Sociology of Deviance*, p. 45-46.

⁴ LAILA, F. (2023). *Peran Penyuluhan Agama Dalam Penyesuaian Diri Mantan Narapidana (Studi Kasus Di Desa Gunung Sugih Kecamatan Sekampung Udik Kabupaten Lampung Timur)* (Doctoral dissertation, Uin Raden Intan Lampung).

⁵ *Ibid.*

⁶ Link, Bruce G., and Jo C. Phelan. (2007). "Stigma and its Public Health Implications." *The Lancet*, vol. 370, no. 9591, p. 485-486.

⁷ Frangki, D. (2018). *Analisis Hukum Mengenai Diversi dalam Tindak Pidana Narkotika yang Dilakukan Anak dalam Perspektif Viktimologi (Studi di Polres Asahan)*.

⁸ Hersyanda, M. D., Lubis, I. S., Ikhwan, N., Septriani, D., & Haqqi, M. (2024). Efektivitas sanksi pidana terhadap pengulangan kejahatan (residivisme) di Indonesia. *JIMMI: Jurnal Ilmiah Mahasiswa Multidisiplin*, 1(3), 253-265.

⁹ Zhorif, K. A. B., & Larasati, N. U. (2024). Analisis Teori Labelling Terhadap Mantan Narapidana Pengguna Narkotika. *IKRA-ITH HUMANIORA: Jurnal Sosial dan Humaniora*, 8(2), 451-457.

pervasive stigma often results in discriminatory treatment during judicial proceedings and in policy frameworks that favor punishment over rehabilitation.

The labelling of drug offenders underscores the profound influence of social stigma on their legal rights. Such stigma not only shapes public perception but also restricts access to justice and rehabilitation. Addressing these challenges necessitates a shift in legal policies and practices toward recovery and reintegration rather than punitive measures.

Stigma can create systemic barriers for incarcerated individuals, including limited access to competent legal representation, inadequate rehabilitation services, and minimal opportunities for post-sentence reintegration. In many cases, legal policies reinforce this cycle of marginalization, failing to mitigate the harms of drug use and instead exacerbating social exclusion.

This research contributes a novel perspective by analyzing the intersection of social stigma, labelling theory, and the legal rights of drug offenders, with a focus on identifying legal solutions to reduce the adverse effects of stigma. Using a normative legal research method, this research employs a statute and conceptual approach¹⁰ to examine both primary legal materials—such as legislation and official documents—and secondary sources including academic literature¹¹. Through this framework, the research aims to inform the development of legal policies that prioritize rehabilitation and reintegration, offering a constructive alternative to prevailing punitive approaches.

B. Discussion

1. The Concept of Labelling in a Legal Context.

Labelling theory is one of the most influential frameworks in the fields of law and criminology. It provides a theoretical lens to understand how individuals are categorized based on their behavior and how these labels, once assigned, influence both societal perceptions and individual identities.¹² In legal contexts, labelling theory highlights how the assignment of deviant labels particularly through the actions of social agents such as police, lawyers, and judges which can significantly impact an individual's treatment within the justice system.

Although early contributions to criminal theory were made by Edwin Sutherland, the formal development of labelling theory is most often attributed to Edwin Lemert and Howard Becker. Becker, in *Outsiders* (1963), emphasized that deviance is not inherent in any act, but is instead a consequence of societal reaction. He argued that deviance is socially constructed, with labels imposed by social authorities shaping how individuals are perceived and how they perceive themselves.¹³

Becker identified two key phases in the labelling process: the initial labelling by social agents, often influenced by subjective judgments and societal biases, and the subsequent internalization of that label by the individual.¹⁴ Once labeled a deviant or offender, individuals often experience identity shifts that reinforce marginalization, leading to altered behavior and further social exclusion.

According to labelling theory, actions are often defined as “offenses” or “crimes” only after an individual is labeled as such by social or legal authorities.¹⁵ In legal contexts, this labelling occurs when someone is formally accused or convicted, serving both as a classification mechanism and a source of long-term social consequences. Being labeled as a “criminal” or

¹⁰ Soerjono Soekanto. (2015). *Pengantar Penelitian Hukum*. Jakarta: UI Press, p. 36.

¹¹ Peter Mahmud Marzuki. (2017). *Penelitian Hukum*. Jakarta: Kencana, p. 70.

¹² Edwin Sutherland and Howard Becker. (1939). *Principles of Criminology*. Chicago: University of Chicago Press, p. 89.

¹³ Becker, Howard S. (1963). *Outsiders: Studies in the Sociology of Deviance*. New York: Free Press, p. 33-36.

¹⁴ *Ibid.*, pp. 55-58.

¹⁵ Erving Goffman. (1963). *Stigma: Notes on the Management of Spoiled Identity*. New York: Simon & Schuster, p. 25.

“offender” can negatively affect an individual’s identity, social status, and future opportunities in areas such as employment, education, and reintegration into society.¹⁶

One critical component of labelling theory is the “backfire effect,” where punitive responses or societal stigmatization may exacerbate the very behaviors they seek to prevent. Individuals subjected to such labels may internalize them¹⁷, leading to behavioral reinforcement that aligns with the imposed identity. This process can result in a “self-fulfilling prophecy,” where individuals act according to the deviant roles assigned to them, even if their initial behavior was not persistently criminal.¹⁸

Labelling also contributes to broader patterns of social stratification. Stigmatized individuals often face systemic exclusion from essential services such as education, healthcare, or legal support, which reinforces marginalization and deepens socioeconomic disparities. In the context of drug-related offenses, individuals are frequently labeled as “addicts” or “criminals,” designations that persist beyond the completion of legal sentences or even in cases of wrongful accusation. Such labels perpetuate stigma, hinder rehabilitation, and limit social reintegration, thereby creating a reality shaped as much by societal reaction as by the initial conduct.

The impact of labelling can also result in what is known as the “boomerang effect” or a “self-fulfilling prophecy.” This phenomenon occurs when the imposition of a deviant label, such as “criminal” or “offender,” reinforces behaviors that may not have been persistent or serious prior to labelling.¹⁹ Individuals subjected to such labels may internalize the stigmatized identity, feel alienated from society, and eventually conform to the expectations embedded in those labels. As a result, labelling can exacerbate deviant behavior rather than deter it.²⁰

Empirical studies have further demonstrated that labelling contributes to the reproduction of social stratification. Individuals with criminal records, especially those labeled for drug-related offenses, often face structural barriers in accessing education, employment, and social services. These restrictions do not only hinder personal rehabilitation but also perpetuate cycles of marginalization and poverty.²¹ Thus, labelling functions not only as a classification mechanism but also as a tool that reinforces social hierarchies and inequality.

In the legal context, the act of labelling is deeply embedded in judicial and law enforcement practices. Actions such as drug use are frequently constructed as “deviant” or “criminal” under prevailing legal and social norms, leading to the application of stigmatizing terms such as “addict” or “offender.” These labels often persist even after an individual has served their sentence or, in some cases, been acquitted—thereby extending punishment beyond the formal legal process. Such enduring stigmatization undermines efforts at rehabilitation and reintegration.²²

Labelling is also evident in how legal actors—such as police officers, prosecutors, and judges—interpret and respond to individuals based on preconceived identities. These subjective judgments can influence decisions related to arrest, prosecution, sentencing, and correctional treatment. Moreover, labelling theory highlights broader concerns about justice and equality, especially when negative labels are disproportionately applied to marginalized groups. For

¹⁶Mark S Flemming. (1988). *Criminal Stigma and the Community*. New York: Macmillan, p. 34.

¹⁷Robert Agnew. (2006). *Pressured Into Crime: An Overview of General Strain Theory*. Los Angeles: Roxbury Publishing Company, p. 57.

¹⁸Erving Goffman. (1961). *Asylums: Essays on the Social Situation of Mental Patients and Other Inmates*. New York: Doubleday, p. 102.

¹⁹Ardha, A. (2023). *Proses Dan Dampak Pemberian Label Pada Mantan Narapidana Di Masyarakat Kecamatan Pauh: Studi Kasus Pada Lima Mantan Narapidana* (Doctoral dissertation, Universitas Andalas).

²⁰Herindrasti, V. L. S. (2018). Drug-free ASEAN 2025: Tantangan Indonesia dalam penanggulangan penyalahgunaan narkoba. *Jurnal Hubungan Internasional*, 7(1), 19-33.

²¹Ibid

²²Malcolm M. Feeley and Jonathan Simon. (1992). *The New Penology: Notes on the Emerging Strategy of Corrections and Its Impact on Contemporary Social Control (Criminal Justice)*, p. 10.

instance, studies indicate that racial and ethnic minorities are more likely to be negatively labeled and subsequently face discriminatory treatment within the criminal justice system.²³

A major critique of current legal practices is the failure to adequately address the systemic consequences of such labelling. The legal system often overlooks how labelling interacts with structural discrimination, particularly for individuals labeled as drug users. This results in persistent legal and social disadvantages, including limited access to legal representation, employment, housing, and healthcare. Ultimately, labelling not only stigmatizes individuals but also reinforces existing social and legal injustices, calling for a re-evaluation of how the law conceptualizes and responds to deviant behavior.

Legal systems in many countries, including Indonesia, often emphasize law enforcement and punishment over rehabilitation, overlooking the deep impact of labelling. This punitive focus can intensify stigma and limit offenders' opportunities for behavioral change and social reintegration.

In Indonesia, addressing the effects of labelling is essential to protecting individual rights. Rehabilitation and reintegration programs that emphasize recovery and education can help counteract the negative consequences of being labeled a lawbreaker. A socially responsive legal approach that considers these dynamics can reduce stigma and promote fairer treatment.²⁴

Labelling theory underscores the importance of humanistic interventions such as reconciliation and recovery programs, which support reintegration by diminishing social stigma.²⁵ Legal reforms should include training for law enforcement and judicial actors to recognize bias and avoid reinforcing stereotypes.²⁶ Shifting toward a rehabilitation-based framework—especially for drug-related offenses—can help break the cycle of marginalization.

In drug law enforcement specifically, Indonesia's punitive orientation often deepens social exclusion for users.²⁷ Community-based rehabilitation and inclusive legal strategies are needed to mitigate stigma and support reintegration. A fairer, more effective justice system requires policies that prioritize recovery and reduce discrimination stemming from negative labelling.

2. Rights of Drug Convicts

The protection of prisoners' human rights remains a critical issue in both legal and social contexts. Although prisoners have undergone judicial processes, they retain fundamental human rights that must be upheld within the correctional system. These rights are safeguarded by various international and national legal instruments. Internationally, key frameworks include the International Covenant on Civil and Political Rights (ICCPR) and the United Nations' Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules), both of which emphasize humane treatment and the inherent dignity of all prisoners.²⁸

In Indonesia, relevant provisions are found in Law No. 22 of 2022 on the Juvenile Criminal Justice System and Government Regulation No. 99 of 2012 on the Rights of Prisoners and Correctional Students.²⁹ These regulations guarantee basic rights such as access to healthcare, education, and humane treatment, which must be protected to prevent human rights violations during incarceration.

²³ Sakdiyah, F. (2020). *Double Track Model Of Criminal System Against Applicants Of Narcotics Abuse* (Doctoral dissertation, Untag 1945 Surabaya).

²⁴ Pratama, N. A., & Pangestika, E. Q. (2024). Peran Aparat Penegak Hukum dalam Mendukung Kebijakan Restorative Justice di Indonesia. *Jurnal Ilmu Hukum, Humaniora dan Politik (JIHHP)*, 5(1).

²⁵ Ridwan, I. (2020). *Criminology Theories*. Jakarta: Raja Grafindo Persada, pp. 120-123.

²⁶ Kadir, Z. K., & Suriadi, A. (2024). Kebijakan Kriminal Dalam Sistem Peradilan Pidana: Studi Teoretis Tentang Pilihan Skema Berdasarkan Jenis Dan Dampak Kejahatan. *Jurnal Kajian Eksekusi Madani Indonesia Hukum*, 1(3), 298-317.

²⁷ Purwanto, M. (2019). Social Reintegration and Criminal Rehabilitation. *Journal of Law and Development*, Vol. 49 No. 3, pp. 224-230.

²⁸ UN Office on Drugs and Crime (2015). *Nelson Mandela Rules: The Revised Standard Minimum Rules for the Treatment of Prisoners*. p. 7-10.

²⁹ Khoirunnas, C. (2016). *Dampak Label Negatif Pada Pengulangan Tindak Pidana Oleh Narapidana Di Lembaga Pemasyarakatan Kelas II A Yogyakarta*.

From the perspective of labelling theory, the social construction of prisoners as "criminals" often results in stigmatization that undermines their rights.³⁰ This stigma can lead to discrimination and limit prisoners' access to essential services, including healthcare and education, both during incarceration and after release.³¹ The labelling process thus not only perpetuates inequality but also impedes successful reintegration into society.³²

The right to humane treatment is a fundamental human right that must be upheld during detention. The Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules) stress that prisoners should be treated with dignity and respect and must not be subjected to cruel, inhuman, or degrading treatment.³³ However, the labelling of prisoners as "criminals" often complicates the protection of this right. Stigmatization may lead to less humane treatment by prison staff and society, undermining the principles set forth in international standards.

The right to rehabilitation is another key component of prisoners' human rights. Rehabilitation is intended to support behavioral change and facilitate reintegration into society. Yet, labelling can hinder this process, as stigma may limit inmates' access to educational and rehabilitation programs, thereby impeding their prospects for reform.

In Indonesia, Law No. 22 of 2022 affirms prisoners' rights to fair treatment and access to rehabilitation. However, implementation remains uneven.³⁴ Effective reintegration programs are often constrained by limited resources, substandard prison conditions, and inadequate facilities, which fall short of international norms.

The concept of labelling theory, which highlights how societal labels shape individual experiences and treatment, is particularly relevant in the correctional context. Although Indonesian law formally recognizes the rights of prisoners, societal stigma frequently undermines their realization. Ensuring the consistent protection of prisoners' rights thus requires addressing the negative impacts of labelling and strengthening institutional practices to meet both national legal standards and international human rights obligations.

The followings are the basic rights of prisoners:

a. Right to Humane Treatment

The right to humane treatment is a fundamental entitlement of every prisoner, encompassing protection from violence, torture, and degrading treatment.³⁵ However, in practice, these rights are frequently compromised, particularly when prison conditions fail to meet international standards. Overcrowding, inadequate facilities, and resource shortages are common challenges in many prisons, which adversely affect prisoners' rights.³⁶ For instance, reports indicate that numerous prisons in Indonesia face significant health-related issues, including limited access to adequate medical care.³⁷

b. Right to Health

The right to health is another essential right that must be upheld during detention. Prisoners are entitled to necessary medical care, including disease prevention and

³⁰Law No. 22 of 2022 concerning the Juvenile Criminal Justice System, State Gazette of the Republic of Indonesia 2022 No. 222, pp. 35-38.

³¹Nasution, H. (2020). Health and Human Rights of Prisoners. *Journal of Social Development*, Vol. 8 No. 1, pp. 45-48.

³²Utami, P. N., & Indonesia, H. A. M. R. (2017). Keadilan Bagi Narapidana di Lembaga Pemasyarakatan. *J. Penelit. Huk. E-Issn*, 2579, 8561.

³³UN Office on Drugs and Crime (2015). Nelson Mandela Rules: The Revised Standard Minimum Rules for the Treatment of Prisoners, p. 12-15.

³⁴Law No. 22 of 2022 concerning the Juvenile Criminal Justice System, State Gazette of the Republic of Indonesia 2022 No. 222, pp. 45-48.

³⁵UN Office on Drugs and Crime. (2015). Nelson Mandela Rules: The Revised Standard Minimum Rules for the Treatment of Prisoners, p. 25-30

³⁶Nugraha, A. (2020). Konsep Community Based Corrections Pada Sistem Pemasyarakatan Dalam Menghadapi Dampak Pemenjaraan. *Jurnal Sains Sosio Huaniora P-ISSN*, 2580, 1244.

³⁷Zebua, I. K., Daulay, H., & Madya, F. (2024). Pelayanan Kesehatan Bagi Warga Binaan Pemasyarakatan. *Jurnal Kebijakan Publik*, 15(1), 131-138.

treatment.³⁸ However, prison health facilities are often inadequate or ill-equipped to address complex medical needs. Limited access to healthcare can exacerbate both physical and mental conditions, thereby violating the minimum standards for the treatment of prisoners.

c. Right to Education and Work

The right to education and skills development is crucial during incarceration since Educational and vocational training programs can equip prisoners with valuable skills, enhancing their prospects for successful reintegration into society. While such programs are often available in prisons, access is frequently restricted due to various factors, including the stigma and labelling associated with prisoners.

3. The Impact of Labelling on the Right Drug Inmates

Labelling theory posits that the assignment of a particular label or status significantly influences how individuals are perceived and treated in society. In the case of drug offenders, such labelling often has profound implications for their rights, affecting various aspects of their lives, including access to basic rights and the rehabilitation process. The impacts of labelling on the rights of drug prisoners are specified as follows.

a. Stigma and Discrimination

Labelling individuals as "drug addicts" or "drug criminals" creates significant social stigma, leading to feelings of alienation, anxiety, and depression. This stigma impedes effective rehabilitation and reintegration into society, with former inmates facing considerable barriers to employment, housing, and social services. Research indicates that nearly 70% of stigmatized ex-inmates struggle to find employment, worsening their social and economic conditions.

b. Right to Humane Treatment

All prisoners, including those convicted of drug-related offenses, are entitled to humane treatment, as outlined in the Nelson Mandela Rules. However, labelling often leads to inhumane conditions, including inadequate medical care and mistreatment by both staff and fellow prisoners. For instance, an Amnesty International report highlights that more than 50% of drug prisoners in Indonesia report harsh treatment and poor living conditions.

c. Right to Health

Drug offenders are entitled to appropriate medical care, including treatment for addiction. However, prisons often lack the resources necessary to address addiction and related health issues. The stigma associated with the label "drug addict" further restricts access to essential healthcare services. A research found that 65% of drug-addicted inmates in Indonesian prisons do not receive adequate medical care.

d. Right to Education and Rehabilitation

Education and rehabilitation are crucial for helping prisoners overcome addiction and prepare for reintegration into society. Yet, the stigma attached to drug offenders frequently hinders their participation in these programs. Moreover, limited resources and inadequate policies often restrict access to effective rehabilitation. Reports indicate that only 30% of drug offenders in Indonesian prisons have full access to rehabilitation services.

e. Right to Reintegration

Upon release, former drug offenders face significant challenges in reintegrating into society. The label "drug offender" often prevents access to employment, housing, and social services, increasing the likelihood of recidivism. Studies show that former drug offenders

³⁸Op Cit. UN Office on Drugs and Crime. Nelson Mandela Rules: The Revised Standard Minimum Rules for the Treatment of Prisoners

encounter greater difficulty in reintegration compared to other prisoners, highlighting the long-term effects of stigma on their social reintegration.³⁹

These following measures can be performed to overcome the impacts of labelling:

1) Policy and System Reform

To mitigate the negative impact of labelling, reforming policies within the correctional and prison systems is essential. Key reforms include enhancing rehabilitation facilities, training prison staff to handle drug offenders with empathy, and ensuring better access to medical services.

2) Education and Public Awareness

A comprehensive public awareness campaign is vital to shift perceptions of drug addiction from a moral failing to a medical issue. Public education can emphasize that former drug offenders have the right to reintegrate into society and contribute positively. Reducing stigma through education is crucial for facilitating successful reintegration, as it promotes a compassionate approach to rehabilitation and decreases discrimination.

3) Support for Rehabilitation Programs

Improving both access to and the quality of rehabilitation programs is critical in helping drug offenders overcome addiction. Effective rehabilitation should incorporate medical treatment, psychological support, and vocational training to enhance social reintegration. Research indicates that holistic rehabilitation approaches are more successful in reducing recidivism rates among drug offenders.

The impact of labelling creates significant challenges within the criminal justice and correctional systems, but addressing stigma through policy reforms, public education, and enhanced rehabilitation programs is essential. Reducing discrimination against drug offenders not only safeguards their human rights but also fosters a more inclusive society that supports long-term recovery and reintegration..

C. Conclusion

The labelling of drug offenders often exacerbates social stigma, significantly hindering their recovery and reintegration into society. This stigma not only leads to discrimination but also restricts access to essential rights, including healthcare, education, and participation in rehabilitation programs. Despite legal protections intended to safeguard inmate rights, their implementation is often inconsistent, particularly for drug offenders, who are frequently perceived as lower-status individuals within the legal system. This paper argues for the need for holistic, human rights-based policy reforms, including enhanced public education, greater awareness of addiction as a medical issue, and policy adjustments that better support rehabilitation and reintegration.

References

- Andi Hamzah. (2018). *Metode Penelitian Hukum*. Jakarta: Sinar Grafika.
- Ardha, A. (2023). *Proses Dan Dampak Pemberian Label Pada Mantan Narapidana Di Masyarakat Kecamatan Pauh: Studi Kasus Pada Lima Mantan Narapidana* (Doctoral dissertation, Universitas Andalas).

³⁹ Subhan, A. *Proses Resiliensi Hidup Mantan Pecandu Narkoba Setelah Rehabilitasi Di Yayasan Sahabat Foundation (Sakinah Harakah Bhakti) Tangerang Selatan* (Bachelor's thesis, Falkutas Dakwah Dan Komunikasi).

- Bachman, M. H. A., & Wibowo, P. (2023). Dampak Stigmatisasi Terhadap Narapidana Anak di Lingkungan Masyarakat. *Jurnal Ilmiah Muqoddimah: Jurnal Ilmu Sosial, Politik, dan Humaniora*, 7(1), 61-67.
- Becker, Howard S. (1963). *Outsiders: Studies in the Sociology of Deviance*. New York: Free Press.
- Edwin Sutherland and Howard Becker. (1939). *Principles of Criminology*. Chicago: University of Chicago Press.
- Erving Goffman. (1961). *Asylums: Essays on the Social Situation of Mental Patients and Other Inmates*. New York: Doubleday.
- Erving Goffman. (1963). *Stigma: Notes on the Management of Spoiled Identity*. New York: Simon & Schuster.
- Frangki, D. (2018). Analisis Hukum Mengenai Diversi dalam Tindak Pidana Narkotika yang Dilakukan Anak dalam Perspektif Viktimologi (Studi di Polres Asahan).
- Herindrasti, V. L. S. (2018). Drug-free ASEAN 2025: Tantangan Indonesia dalam penanggulangan penyalahgunaan narkoba. *Jurnal Hubungan Internasional*, 7(1), 19-33.
- Hersyanda, M. D., Lubis, I. S., Ikhwan, N., Septriani, D., & Haqqi, M. (2024). Efektivitas sanksi pidana terhadap pengulangan kejahatan (residivisme) di Indonesia. *JIMMI: Jurnal Ilmiah Mahasiswa Multidisiplin*, 1(3), 253-265.
- Kadir, Z. K., & Suriadi, A. (2024). Kebijakan Kriminal Dalam Sistem Peradilan Pidana: Studi Teoretis Tentang Pilihan Skema Berdasarkan Jenis Dan Dampak Kejahatan. *Jurnal Kajian Eksekusi Madani Indonesia Hukum*, 1(3), 298-317.
- Khoirunnas, C. (2016). Dampak Label Negatif Pada Pengulangan Tindak Pidana Oleh Narapidana Di Lembaga Pemasyarakatan Kelas II A Yogyakarta.
- LAILA, F. (2023). *Peran Penyuluhan Agama Dalam Penyesuaian Diri Mantan Narapidana (Studi Kasus Di Desa Gunung Sugih Kecamatan Sekampung Udik Kabupaten Lampung Timur)* (Doctoral dissertation, Uin Raden Intan Lampung).
- Link, Bruce G., and Jo C. Phelan. (2007). "Stigma and its Public Health Implications." *The Lancet*, vol. 370, no. 9591, p. 485-486.
- Malcolm M. Feeley and Jonathan Simon. (1992). *The New Penology: Notes on the Emerging Strategy of Corrections and Its Impact on Contemporary Social Control (Criminal Justice)*. New York: Macmillan.
- Mark S Flemming. (1988). *Criminal Stigma and the Community*. New York: Macmillan.
- Michelle Alexander. (2010). *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. New York: The New Press.
- Nasution, H. (2020). Health and Human Rights of Prisoners. *Journal of Social Development*, Vol. 8 No. 1, pp. 45-48.
- Nugraha, A. (2020). Konsep Community Based Corrections Pada Sistem Pemasyarakatan Dalam Menghadapi Dampak Pemenjaraan. *Jurnal Sains Sosio Humaniora P-ISSN*, 2580, 1244.
- Peter Mahmud Marzuki. (2017). *Penelitian Hukum*. Jakarta: Kencana.
- Pratama, N. A., & Pangestika, E. Q. (2024). Peran Aparat Penegak Hukum dalam Mendukung Kebijakan Restorative Justice di Indonesia. *Jurnal Ilmu Hukum, Humaniora dan Politik (JIHHP)*, 5(1).
- Purwanto, M. (2019). Social Reintegration and Criminal Rehabilitation. *Journal of Law and Development*, Vol. 49 No. 3, pp. 224-230.
- Ridwan, I. (2020). *Criminology Theories*. Jakarta: Raja Grafindo Persada.
- Robert Agnew. (2006). *Pressured Into Crime: An Overview of General Strain Theory*. Los Angeles: Roxbury Publishing Company.
- Sakdiyah, F. (2020). *Double Track Model Of Criminal System Against Applicants Of Narcotics Abuse* (Doctoral dissertation, Untag 1945 Surabaya).

- Santia, R. (2019). *Labelling Terhadap Mantan Narapidana ditinjau dari Perspektif Hukum Islam (Studi Kasus di Gampong Mesjid Bambong Kabupaten Pidie)* (Doctoral dissertation, UIN AR-RANIRY).
- Soerjono Soekanto. (2015). *Pengantar Penelitian Hukum*. Jakarta: UI Press,
- Subhan, A. *Proses Resiliensi Hidup Mantan Pecandu Narkoba Setelah Rehabilitasi Di Yayasan Sahabat Foundation (Sakinah Harakah Bhakti) Tangerang Selatan* (Bachelor's thesis, Falkutas Dakwah Dan Komunikasi).
- Utami, P. N., & Indonesia, H. A. M. R. (2017). Keadilan Bagi Narapidana di Lembaga Pemasyarakatan. *J. Penelit. Huk. E-Issn*, 2579, 8561.
- Zebua, I. K., Daulay, H., & Madya, F. (2024). Pelayanan Kesehatan Bagi Warga Binaan Pemasyarakatan. *Jurnal Kebijakan Publik*, 15(1), 131-138.
- Zhorif, K. A. B., & Larasati, N. U. (2024). Analisis Teori Labelling Terhadap Mantan Narapidana Pengguna Narkotika. *IKRA-ITH HUMANIORA: Jurnal Sosial dan Humaniora*, 8(2), 451-457.