



Optimization of Children's Character Education Against Bullying

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Abstract. Based on the provisions in Law Number 35 of 2014 of Amendments to Law Number 23 of 2002 concerning Child Protection, the educational unit environment, children are required to obtain protection from acts of physical, psychological, sexual violence, and other crimes that carried out by educators, education staff, fellow students, and/or other parties. Included in these provisions is bullying, both physical and verbal. Even though it has been prohibited by law, bullying still often occurs in educational institutions, especially during the orientation period for new students. The bullying occurred on the basis of a misunderstanding that during the new student orientation period, bullying was one of the steps to mentally shape the new students. This article aims to construct steps to prevent bullying from occurring in educational institutions. The research method used in this article is normative legal research with a statutory, case, and conceptual approach. The results of the study indicate that bullying can be prevented through character education of children through (1) Providing information to children about bullying in schools; (2) Fostering children to be able to control their emotions; (3) Counselling services for children in schools; (4) Socialization or counselling about the law regarding the cultivation of good morals to students by related parties, such as teachers, counselling supervisors and even law enforcement officers; (5) Involve parents in problem solving when children are bullying.

Keywords: Children's Character Education · Bullying · Child Protection

1 Introduction

Character education has become a central theme since the last few years in the development of education in the country. The world of education is expected to be a driving force to facilitate character building, so that community members have an awareness of a harmonious and democratic national and state life while still paying attention to the norms in society that have become mutual agreements. Character building and character education are a must because education not only makes students smart, but also must have ethics and manners so that their existence as a member of society becomes meaningful to themselves. How not, today we are faced with a very serious problem of moral decadence. The shift in personality orientation that leads to various immoral behaviors is so obvious and seems to occur in the midst of social life. Shame, sinfulness and guilt

from bad deeds and violations of norms, both religious norms, legal norms, moral norms, are no longer a guide in creating a responsible life in maintaining human values [1].

According to Kurniawaty [1] Character education is an effort to instill character values into students which includes knowledge, awareness or will, and actions to carry out the values of goodness and virtue, to God Almighty, oneself, others, the environment and nationality in order to become a human being with character. Talking about character education is also closely related to the moral development of children. Suyanto [1], mentioned, the moral development of children is characterized by the child's ability to understand the rules, norms, and ethics that apply. Moral development has an aspect of intelligence and an immersive aspect, the child must learn what is right and wrong, then as soon as they are large enough they must be given an explanation of why it is right and why it is wrong. The moral development of children can be influenced by intellectual development and reasoning, therefore it is necessary to practice for them on how to behave morally and in certain contexts.

The term bullying is synonymous with aggressive behavior that is carried out over and over again a person or group of people who have power, towards another weaker person. As a human being who has feelings, verbal bullying can cause heartache and allow mental burdens to occur to depression [2].

Verbal bullying can also be said to be a prelude to the process of intimidation to the next level. Usually the bully intimidates the victim by giving a bad nickname, shouting reproach, talking about it in the back and even doing the blasphemy. In Indonesia itself, there have been child protection efforts as stated in Law Number 35 of 2014 concerning changes to Law Number 23 of 2002 Protection.

According to article 1 paragraph 15a, bullying is said to be violence in which any act against a child results in physical, psychic, sexual, and/or neglectful misery or suffering, including threats to commit acts, coercion, or unlawful deprivation of liberty. So that any type of bullying, whether physically, verbally or socially falls into the category of violence in the Child Protection Law. Perpetrators of verbal bullying can be criminally threatened according to Article 80 which states that any person who violates the provisions as referred to in Article 76 C, will be imprisoned for a maximum of three years and six months and or a maximum fine of Rp. 72,000,000,-[2].

Therefore, all activities to guarantee and protect children and children's rights, in order to live, grow, develop and participate optimally according to the dignity and dignity of humanity and get protection from violence and discrimination, it is necessary to optimize children's character education, so that children avoid bullying.

2 Research Method

This research is normative legal research, which is legal research that looks for legal norms and rules that are in accordance with the basic principles of the Indonesian state. In normative legal research, secondary data are used. Secondary data is available data contained in legal materials consisting of primary legal materials, namely binding legal materials or autorative legal materials, which means having authority [3]. In normative legal research, data processing is defined as a systematization activity on legal materials which means making data classification to facilitate analysis and construction [4]. In this study, it uses the Approach of Legislation, Case Approach and Concept Approach.

3 Result and Discussion

Children in their physical and mental infancy need special care, special protection and special protection and legal protection before and after birth. In addition, it is worth recognizing that the family is a natural environment for the growth and well-being of the child. For the development of his personality, it requires an affectionate family environment. The school as an educational institution, should be a safe place that is comfortable for students to develop themselves, as well as make students who are independent, knowledgeable, outstanding and have noble character, not the other way around producing ready-made students to become butchers and thugs.

Lock stated that children are clean and sensitive to stimuli that come from their environment [5]. Children are also not the same as adults, children have a tendency to deviate from law and order caused by limited knowledge and understanding of the reality of life, children are easier to learn with the examples they receive from coercive rules.

Loss of sense of the value of character education in students. When the learner experiences a loss of character, then inevitably the learner is directionless, degenerates morale and does everything that will make him safe. So that character building is needed that can free students from deviations and build a religious character that can help get out of the entanglement of deviations, it is necessary to foster and exemplary for students so that they have a character that can change and cultivate so that awareness can be created in the student environment.

According to Law Number 20 of 2003 concerning the National Education System article 1 paragraph 1, education is a conscious and planned effort to create a learning atmosphere and learning process so that students actively develop their potential to have religious spiritual strength, self-control, personality, intelligence, noble character, as well as the skills needed for themselves, society, nation and state.

Undang-Undang Perlindungan Anak di Indonesia diatur dalam Undang-Undang Nomor 23 Tahun 2002 yang telah diubah dengan Undang Undang Nomor 35 Tahun 2014 tentang Perlindungan Anak. Berdasarkan Pasal 1 angka 1 Undang-Undang Perlindungan Anak yang dimaksud dengan Anak adalah seseorang yang belum berusia 18 tahun, termasuk anak yang masih dalam kandungan [6]. Related to bullying is regulated in Article 76C of Law Number 35 of 2014 which reads: "Everyone is prohibited from placing, letting, doing, telling to do, or participating in committing Violence against Children." The threat of punishment for those who violate this article is criminal. Imprisonment for a maximum of 3 (three) years and 6 (six) months and/or a maximum fine of Rp72,000,000 (Seventy-Two Million Rupiah).

Based on this, the actions of these bullying perpetrators are included in the category of concurrent criminal acts, namely realist concursus which is regulated in Article 65 of the Criminal Code. Therefore, I am of the opinion that the maximum penalty for the bullying perpetrators is 5 (five) years and 6 (six) months with the calculation of the heaviest criminal threat plus one-third. Interestingly, because they are the victim's peers, the perpetrators are also likely to still be categorized as minors. For perpetrators of crimes who are underage, they are not tried like adults in general. Underage offenders are tried in accordance with Law Number 11 of 2012 concerning the Juvenile Criminal Justice System. The most striking thing about the Juvenile Criminal Justice System is the threat of criminal punishment which is reduced by half from the threat of punishment that

applies to adults (Article 79 paragraph (2) of Law Number 11 of 2012). This means that the maximum penalty for bullying perpetrators above is 2 (two) years 8 eight months.

In practice, bullying is often experienced by children in their school environment. The Coordinating Minister for Welfare Raykat (Menko Kesra) at that time was held by HR. Agung Laksono in the article Menko Kesra: Young People Are Hard to Remind, There Are Many Cases of Bullying in Schools that we accessed from the official website of the Coordinating Ministry for People's Welfare said that there are many cases of bullying in schools due to uneducated TV viewing. TV shows often feature scenes of violence that should be censored for children [7].

If this bullying is carried out in an educational environment, then we need to also look at Article 54 of Law 35/2014 which reads:

1. Children in and within the education unit are required to receive protection from acts of physical, psychological, sexual crimes, and other crimes committed by educators, education staff, fellow students, and/or other parties.
2. Protection as referred to in paragraph (1) is carried out by educators, education personnel, government officials, and/or the community.

What is meant by “educational unit environment” is the place or region where the educational process takes place. Meanwhile, what is meant by “other parties” includes security officers, cleaners, food vendors, canteen officers, school pick-up officers, and school guards. This means that students in schools should get protection from bullying in the form of physical and psychological violence.

Bullying is often carried out during the introduction of the school environment for new students, if the bullying is carried out during the hazing period at school or known as the School Orientation Period (MOS), the legal basis that regulates it is the Regulation of the Minister of Education and Culture Number 18 of 2016 concerning Introduction to the School Environment for New Students (“Permendikbud 18/2016”).

The introduction of the school environment is prohibited from hazing or other acts of violence. Violent acts are behaviors that are carried out physically, psychically, sexually, online, or through textbooks that reflect aggressive actions and assaults that occur in the environment of the education unit and result in fear, trauma, damage to goods, injuries/injuries, defects, and or death. If there is hazing or other violence in the introduction of the school environment, the sanctions refer to the Regulation of the Minister of Education and Culture Number 82 of 2015 concerning the Prevention and Control of Violence in the Education Unit Environment and other laws and regulations.

Bullying according to Ken Rigby is a desire to hurt. This action is carried out directly by an individu or a stronger, irresponsible group, usually repetitive and carried out with a feeling of pleasure. The following forms of Bullying [5].

1. **Physical Bullying** Physical bullying is beating, kicking, slapping, strangling, biting, scratching, spitting and damaging and destroying belongings of an oppressed child. Although this type of bullying is the most visible and easy to identify, there are not as many physical bullying incidents as other bullying. Adolescents who regularly engage in physical bullying are often the most problematic adolescents and are likely to turn to further criminal acts. Physical bullying belongs to the category of direct

violence which refers to actions that attack a person physically or psychologically directly and that fall into this category such as kidnapping, torture, and persecution. All of these actions are untrue acts and interfere with the most basic human rights, namely the right to life.

2. Verbal Bullying Verbal bullying is in the form of nicknames, reproach, slander, cruel criticism, insults, statements that are nuanced to sexual or sexual harassment, terror, intimidating letters and untrue accusations, vicious and vicious, gossip and so on.
3. Relational bullying is the systematic weakening of the value of the discharging through abandonment, exclusion or avoidance. This behavior can include hidden attitudes such as aggressive views, glances, sneers, mocking laughter and mocking language. Bullying in the form of bullying is the most difficult bullying behavior, because bullying this can not be captured by the naked eye or ears welcome, if we are not careful enough to detect it. Relational bullying is one form of bullying which cannot be measured, and does not appear to be affluenced eyes, this type of relational bullying can cause a decrease in the mentality of a child and result in impaired child psychology.

According to article 1 number 2, Law of the Republic of Indonesia Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection, it is stated that child protection is all activities to guarantee and protect children and their rights in order to live, grow, develop, and participate, optimally in accordance with the dignity and dignity of humanity and receive protection from violence and discrimination. The definition of education is the human right of every Indonesian citizen and for every citizen has the right to obtain quality education in accordance with his interests and talents regardless of social status, economic status, ethnicity, religion and gender.

Child Protection must be reflected and embodied in various areas of community life regarding child protection in the general sense covering a broad scope because it is interpreted to include the protection of the life of children but also includes the protection of their rights and interests and the main rights are the legal aspects as a basis for footing. Early childhood who experience bullying behavior will usually show some changes in their physical and psychic state.

The child as a victim will usually feel various negative emotions, such as anger, resentment, distress, fear, shame, sadness, discomfort, threatened, but helpless to face them. In the long run, this condition can develop feelings of inferiority and worthlessness. In fact, not infrequently someone wants to go out and transfer to another school. A more severe psychological impact is the possibility for the onset of problems in the victim, such as excessive anxiety, constant fear, and depression.

In Article 9 paragraph (1) of Law Number 35 of 2014 concerning Child Protection, it regulates the rights and protection of children, namely, "Every child has the right to obtain education and teaching in the context of his personal development and level of intelligence in accordance with his interests and talents. In paragraph (1) letter a it is emphasized, Every Child has the right to get protection in the education unit from sexual crimes and violence committed by educators, education staff, fellow students, and/or other parties [5].

Then in Law Number 35 of 2014 concerning Child Protection basically stipulates that legal protection and responsibility for Children, are the responsibility of: Responsibility of the State, Government and Local Government. The responsibility of the state, government and local governments to protect the environment in several articles in Law Number 35 of 2014, such as Article 23 paragraph (1) stipulates that the State, Government, and Local Governments guarantee the protection, maintenance, and welfare of children by taking into account the rights and obligations of parents, guardians, or other persons who are legally responsible for the child. 2. Obligations and Responsibilities of the Community In addition to the responsibilities of the state, government and local governments, Law Number 35 of 2014 concerning Child Protection also provides mandates, responsibilities and obligations to the community. This is as contained in Article 25 paragraph (1) of Law Number 35 of 2014 concerning the obligations and responsibilities of the community towards the protection of children carried out through community role activities in the implementation of child protection. Article 25 paragraph (2) regulates the obligations and responsibilities of the community as referred to in paragraph (1) carried out by involving community organizations, academics, and observers of children. 3. Obligations and Responsibilities of Parents in addition to Law Number 35 of 2014 provides obligations and responsibilities to the state, government, local government and the community, this law also provides obligations and responsibilities to parents in terms of protection to children, namely in Article 26 paragraph (1) of Law Number 35 of 2014 [5].

4 Conclusion

Character building can relieve learners or children from deviations. Through character building, a religious character can also be built that can help students or children to get out of the trap of deviation. One that can be prevented through character building or education is bullying. Character education can be done through (1) Providing information to children about bullying at school; (2) Fostering children to be able to exercise emotional control; (3) Counseling services for children in schools; (4) Socialization or counseling on the law regarding the cultivation of good morals to students by related parties, such as teachers, counseling supervisors and even law enforcement officials; (5) Involving parents in problem solving when the child is bullying.

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