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Juridical Analysis of Law Enforcement Against Criminal Acts of Bullying Victimization in Schools

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Abstract: Bullying against children constitutes a form of violence that frequently occurs within educational institutions and has serious consequences for victims' physical, psychological, and social well-being. Bullying may arise from various factors, including family dynamics, school environment, peer influence, and social media. As the guarantor of children's rights, the State bears legal responsibility to ensure children's safety and welfare within educational settings. This research employs a normative juridical method, relying on statutory, doctrinal, and secondary legal materials. The core focus of the study is a legal analysis of the enforcement of protections for victims of bullying in educational institutions in the City of Palangka Raya, pursuant to Law Number 35 of 2014 on Child Protection and the Regulation of the Minister of Education, Culture, Research, and Technology of the Republic of Indonesia Number 46 of 2023 concerning the Prevention and Handling of Violence in Educational Units. Findings indicate that although the legal framework is clearly established, implementation remains hindered by challenges such as public unawareness and the limited availability of early detection mechanisms. Accordingly, an active role from schools, parents, and collaboration with law enforcement is essential to ensure effective legal protection for victims.

Keyword: Bullying, Child Protection, Law Enforcement, Education, Palangka Raya.

INTRODUCTION

Violence is a phenomenon greatly feared by humankind, both in its direct and indirect forms, whether verbal or non-verbal. One of the most prevalent forms of violence occurring in schools is bullying. According to a 2009 study commissioned by the Government of the United Kingdom, nearly half of children in England (46 percent) reported having experienced bullying (Morgan, 2014). Bullying does not discriminate by age or gender. Generally, the victims are those who are perceived as weak, shy, introverted, or "different" (such as children with disabilities, introverted personality, high academic achievement, physical attractiveness, or distinct bodily features), making them targets for ridicule (Astuti, 2008).

Bullying has become a persistent issue in the school environment and can have a profoundly negative impact on a student's development—physically, mentally, and socially. Victims often suffer from stress, fear, and a decline in self-confidence, which may adversely

affect their academic performance and social interactions. In this regard, the role of educational institutions is vital in both preventing and responding to bullying when it occurs (Herman & Christanti, 2024). Schools must ensure that every student feels safe and respected—not only as a place of learning but also as a supportive environment for holistic growth. Therefore, it is essential that schools implement clear policies and effective programs to address bullying (Khoiri, 2022).

From a legal perspective, such efforts are in accordance with Ministerial Regulation of Education and Culture No. 82 of 2015 concerning the Prevention and Handling of Violence in Educational Units. This regulation emphasizes the importance of protecting children from all forms of violence, including bullying, and obligates all relevant stakeholders—such as schools and government agencies—to collaborate in fostering a safe and supportive educational environment. In this context, the Province of Central Kalimantan (Kalimantan Tengah, 2025)—located in the central part of the island of Borneo—covers an area of approximately 153,564.50 km². As of 2023, the province has a population of approximately 2.74 million, with its capital, the City of Palangka Raya, being the largest city in Indonesia by land area, housing approximately 284,000 residents in 2023. Population growth in this city remains relatively stable, driven by urbanization and improvements in sectors such as education, economy, and infrastructure.

Palangka Raya has also emerged as the main educational hub in Central Kalimantan, with increasing development of educational facilities from primary to tertiary levels. The number of primary school (or equivalent) students in the province is recorded at approximately 305,000; junior secondary (SMP or equivalent) students at about 97,000; and senior secondary (SMA or equivalent) students at approximately 80,000. In Palangka Raya alone, the numbers are around 25,000 for primary students, 10,000 for junior secondary, and 8,000 for senior secondary students.

Educational conditions in the city continue to improve, supported by regional government programs aimed at enhancing the quality of education and expanding equitable access for all. The superior quality of facilities and education in Palangka Raya, compared to other regions in Central Kalimantan, has made it an attractive destination for students from surrounding areas. As the educational center of the province, Palangka Raya is home to several higher education institutions, including the University of Palangka Raya—the largest university in the region. The total number of university students in the province reaches approximately 45,000, with around 20,000 enrolled in Palangka Raya. This figure reflects the city's significant role as a center of higher education. Many students from outside the city and district areas of Central Kalimantan choose Palangka Raya for its diverse academic programs and improving education quality. The increase in student enrollment is also encouraged by provincial government support through scholarships and infrastructure development in campuses (Winaryo, 2020).

The growing prevalence of bullying among students has reached an alarming level. The emotional instability often found among students contributes to the frequent occurrence of bullying in schools. One form of emotion identified by Daniel Goleman (1995) is anger, which encompasses a range of expressions such as brutality, rage, hatred, fury, irritation, annoyance, bitterness, outrage, offense, hostility, violent acts, and pathological hatred (Ali, 2011). Bullying is also fueled by significant class disparities. According to Pierre Bourdieu, class-based tastes and self-conceptions—especially in relation to perceived social roles—play a crucial role in such social behavior (Martono, 2012).

In light of this phenomenon, the central research problem addressed in this study is: How is law enforcement carried out with respect to victims of bullying cases within educational institutions in the City of Palangka Raya, based on Law No. 35 of 2014 on Child Protection and Ministerial Regulation of Education, Culture, Research, and Technology of the Republic

of Indonesia No. 46 of 2023 on the Prevention and Handling of Violence within Educational Units?

METHOD

The research method employed in this writing is normative juridical research. Normative juridical research is a legal research method conducted by examining and analyzing legal issues through library materials or secondary data as the primary source of analysis, and by reviewing relevant laws, regulations, and legal literature pertaining to the issues under study.

The data used in this research consist of secondary data. The secondary data referred to include primary legal materials such as the 1945 Constitution of the Republic of Indonesia, the Indonesian Penal Code (KUHP), Law Number 35 of 2014 on Child Protection, Law Number 11 of 2012 on the Juvenile Criminal Justice System, Law Number 39 of 1999 on Human Rights, and the Regulation of the Minister of Education, Culture, Research, and Technology of the Republic of Indonesia Number 46 of 2023 on the Prevention and Handling of Violence in Educational Institutions. In addition, secondary legal materials include books relevant to the legal issues being examined, as well as scholarly articles, journals, research findings, reports, and other supporting sources.

The method used for processing the research findings is a qualitative descriptive method, which emphasizes the use of words and sentences in the analysis. The presentation of research findings is structured in coherent, non-overlapping, and effective sentences.

RESULTS AND DISCUSSION

Bullying is derived from the word “bully,” which refers to the notion of a “threat” exerted by one person upon another, causing psychological disturbance. Bullying refers to acts of violence or unpleasant treatment committed by an individual or group toward another individual, with the intent to demean or inflict physical, emotional, or psychological harm (Firdaus, 2024). In Indonesian, the term “bully” translates as “intimidate” or “disturb.” According to Olweus, bullying is a repetitive negative behavior intended to cause discomfort or pain to another person, either by one or more individuals, directly targeting someone unable to defend themselves (Olweus, 1994). The American Psychiatric Association (APA) defines bullying as aggressive behavior characterized by three main elements: (a) negative behavior aimed at causing harm or damage; (b) behavior repeated over a certain period of time; and (c) an imbalance of power or strength between the parties involved. According to Coloroso, bullying constitutes repeated acts of intimidation perpetrated intentionally by a stronger individual or group against a weaker party, with the goal of causing physical or emotional injury (Coloroso, 2007). Rigby posits that bullying is a form of aggression committed continuously and repeatedly, involving an imbalance of power between the aggressor and the victim. Bullying may take various forms, including verbal insults, threats, intimidation, and even physical violence. It commonly occurs in school environments, workplaces, or social communities and may have serious short- and long-term effects on victims. In the context of education, bullying frequently occurs in school settings, where a student or group of students feels entitled to harass or humiliate a classmate. Forms of bullying in schools may include mockery, exclusion, or physical abuse (Marasaoly, 2022).

Although not always visible, bullying often causes deep psychological impact on victims, such as diminished self-esteem, depression, or even social withdrawal. Consequently, bullying not only affects the mental and physical condition of the victim but also negatively impacts academic performance and social relationships. To address bullying, many countries and educational institutions have introduced anti-bullying policies and programs aimed at creating safe and supportive environments where all individuals feel respected and protected (Marasaoly, 2022). These programs include awareness campaigns on the impacts of bullying,

training for teachers and staff to identify signs of bullying, and the provision of confidential reporting channels for victims. Through a comprehensive approach, it is hoped that bullying may be minimized and victims may receive the support they need.

Bullying is a phenomenon that involves repeated aggressive behavior—whether physical, verbal, or psychological—committed by an individual or group toward a victim perceived as weaker (Artikel, 2020). It may occur in various settings, particularly in educational institutions such as schools. Forms of bullying include physical violence, verbal humiliation, and increasingly prevalent cyberbullying, which arises from the widespread use of technology among children and adolescents. Bullying not only affects the victim but also creates an unhealthy learning environment (Artikel, 2020).

The impact of bullying on victims is complex and often long-lasting. Victims may suffer from decreased self-confidence, stress, and psychological trauma, all of which negatively affect their mental health. In some cases, bullying causes victims to withdraw socially or drop out of school. Furthermore, bullying behavior also has negative consequences for perpetrators, who tend to develop aggressive attitudes or other deviant behaviors. The school environment is also affected, with reduced safety and comfort levels disrupting the teaching and learning process.

The factors triggering bullying in schools vary, ranging from insufficient supervision by school authorities, the influence of social media, to a lack of awareness of the importance of mutual respect. Some bullies are motivated by the desire to assert dominance or power among peers. Conversely, victims are often targeted for being perceived as different—whether physically, in terms of background, or academic ability (Yunidar et al., 2024).

The school environment is not only a space for academic learning but also for social and emotional development. As the main site of student interaction, the school environment includes physical elements such as buildings, facilities, and classrooms, as well as social elements such as relationships among students, teachers, and staff (Budiaman et al., 2023). A positive school environment generally features a conducive atmosphere, clear regulations, good governance, and harmonious interpersonal relationships within the school community, which collectively support students' holistic development (Wardhani & Alawiyah, 2024). Several factors shape the school environment. Physical conditions—such as cleanliness, orderliness, and availability of learning facilities—affect students' comfort in daily activities. Meanwhile, social relationships between students and teachers significantly influence motivation and engagement. Conversely, an environment marked by conflict—either among students or between students and teachers—negatively impacts learning comfort and emotional well-being (Sugiarto, 2021). School norms and culture also play a key role, influencing how discipline is enforced, how conflicts are resolved, and the extent to which values such as tolerance and cooperation are taught. These norms are established through ongoing interactions among schools, students, and parents. A school environment that fosters values such as mutual respect, cooperation, and openness is more likely to create a safe and motivating atmosphere. On the other hand, toxic norms or neglect of positive values can hinder the learning process (Harjali, 2019).

The anti-bullying concept is an approach designed to prevent and respond to bullying behavior, particularly in schools. Bullying is defined as deliberate and repeated aggressive behavior by individuals or groups aimed at inflicting physical or psychological harm. The anti-bullying concept prioritizes the creation of a safe and supportive environment in which every individual feels valued and protected. Anti-bullying programs typically encompass education, intervention, and strict policies to address such behaviors. The first step in the anti-bullying concept is education and awareness, essential for helping students, teachers, and parents understand bullying, its consequences, and prevention strategies. Schools often conduct seminars or training sessions to raise awareness. Santoso (2021) observes that schools actively

implementing anti-bullying education programs have lower rates of bullying compared to those without such programs (Hidayat et al., 2022).

In addition to education, direct intervention is a key component of this approach. When bullying is identified, immediate action is required to stop the behavior and protect the victim. Intervention may include mediation, counseling, or the imposition of sanctions in accordance with school policies. Consistent enforcement of rules against perpetrators can serve as a deterrent and help prevent future incidents. Moreover, community involvement plays an important role in supporting anti-bullying efforts.

Bullying constitutes a form of violence that may affect anyone, including children. As a state governed by law, Indonesia guarantees legal protection for its citizens. Article 28B paragraph (2) of the 1945 Constitution of the Republic of Indonesia stipulates: "Every child shall have the right to live, grow, and develop and shall have the right to protection from violence and discrimination." This provision clearly mandates that children must be protected from all forms of violence, including bullying.

Bullying against children may occur anywhere but has become increasingly prevalent in schools. Article 54 paragraph (1) of Law No. 35 of 2014 on the Amendment to Law No. 23 of 2002 on Child Protection provides: "Children within and around educational units shall be entitled to protection from physical violence, psychological abuse, sexual crimes, and other crimes committed by educators, education personnel, fellow students, and/or other parties." If fully adhered to and implemented, such regulations should effectively prevent bullying in educational institutions.

The Child Protection Law also provides special protection for children who are victims of physical and/or psychological violence, as stipulated in Article 59 paragraph (2)(i), which includes provisions for prompt handling, medical and psychological rehabilitation, social support, psychosocial assistance, social aid for economically disadvantaged children, and legal protection and assistance during judicial processes.

Furthermore, Article 76C of the Child Protection Law states: "Every person is prohibited from placing, allowing, committing, instructing to commit, or participating in the commission of violence against children." This means that child protection is not solely the responsibility of educational institutions, but a shared duty of all parties. Violations of this article are subject to penalties as outlined in Article 80 paragraphs (1) to (4), which include imprisonment of up to 3 years and 6 months and/or fines up to IDR 72,000,000; up to 5 years and/or fines up to IDR 100,000,000 for serious injury; up to 15 years and/or fines up to IDR 3,000,000,000 in the event of death; and an additional one-third of the above penalties if the offender is a parent.

Physical bullying may also amount to criminal assault, particularly in cases resulting in serious injury, disability, or death. If a bullying incident is proven to constitute assault, the perpetrator may be prosecuted under Chapter XX of the Indonesian Penal Code (KUHP).

Article 60 of the Regulation of the Minister of Education, Culture, Research, and Technology of the Republic of Indonesia No. 46 of 2023 on the Prevention and Handling of Violence in Educational Units sets forth administrative sanctions for bullying perpetrators involving violent acts, such as written warnings, educational disciplinary measures lasting 5 to 10 school days, and the transfer of the student to another educational institution.

As victims who suffer harm and loss, children subjected to bullying are entitled to specific rights. Child victims are entitled to restitution, as stipulated in Article 71D paragraph (1) of the Child Protection Law. Restitution refers to compensation paid by the perpetrator or a third party to the victim or their family. Such claims may be filed by the child victim, accompanied by their parent/guardian, heirs, or through the Witness and Victim Protection Agency (LPSK). Victims are also entitled to medical and social rehabilitation, physical and psychological safety, and access to information on case developments. These provisions are found in Article 90 paragraph (1) of Law No. 11 of 2012 on the Juvenile Criminal Justice

System. In cases where bullying results in physical or mental disability, victims are also entitled to state-funded care, education, training, and special assistance, as provided in Article 54 of Law No. 39 of 1999 on Human Rights.

The Regulation of the Minister of Education, Culture, Research, and Technology No. 46 of 2023 aims to establish a safe and supportive educational environment for learners. Within this context, bullying represents a serious issue that every educational institution must address. In the City of Palangka Raya, the implementation of this regulation is evident in the adoption of school policies, such as the establishment of dedicated task forces responsible for handling bullying cases. This demonstrates concrete efforts by schools to comply with regulations and provide legal protection to student victims.

Law enforcement in bullying cases within educational settings in Palangka Raya reveals that despite clear regulations, implementation faces numerous challenges. One measure undertaken by schools is the formation of task forces and collaboration with police authorities to protect victims. Schools also conduct awareness campaigns on the adverse effects of bullying and prevention strategies. However, policy implementation remains ineffective in some schools, particularly due to parents' limited understanding of their supervisory role.

Another challenge is the presence of subtle or hidden forms of bullying, such as verbal or cyberbullying, which often go unnoticed by school personnel, and victims may be too afraid or ashamed to report them. Although schools have made efforts to detect bullying through direct supervision, many such cases are overlooked, underscoring the need to strengthen reporting and detection systems. This study also highlights the importance of leveraging technology to detect bullying incidents that occur outside of school hours.

CONCLUSION

A child may become a victim of bullying due to several contributing factors, including family environment, school setting, peer groups, social surroundings, and social media. Accordingly, the incidence of bullying cases can be minimized through preventive measures that address these underlying factors. Bullying against children constitutes a serious issue that warrants the attention of the state. The state guarantees legal protection for child victims of bullying under the 1945 Constitution of the Republic of Indonesia and Law Number 35 of 2014 on Child Protection. The rights of child victims of bullying are further enshrined in Article 71D paragraph (1) of the Child Protection Law, Article 90 paragraph (1) of the Law on the Juvenile Criminal Justice System, and Article 54 of the Law on Human Rights. These provisions are in line with the fundamental aspirations of the state, namely to protect all Indonesian people, to promote public welfare, and to educate and advance the life of the nation..

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