

Maladministration in Handling Bullying Cases in Indonesia

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Abstract: *The role of children is huge in bringing change to the nation's future. Children are expected to become individuals with noble character, and intelligence, and have a positive contribution to community life. However, children often carry out negative actions that deviate from the values and norms of society, one of which is bullying. This study is expected to contribute to improving the quality of handling bullying cases in Indonesia and strengthening a system that is more responsive to victims and the parties involved. This study was conducted by collecting data from several journals, and articles, which are relevant to describe the forms of maladministration in handling bullying cases. This study is expected to help prevent maladministration in handling bullying cases in Indonesia which can occur in various forms. Maladministration can exacerbate the suffering of victims and hinder efforts to provide justice. Therefore, there needs to be systemic improvement through better regulation, training, and supervision to ensure that bullying cases are handled appropriately and fairly.*

Keywords: education, bullying, maladministration, Pancasila, public services

Abstrak Peran anak sangat besar dalam membawa perubahan bagi masa depan bangsa. Anak diharapkan menjadi pribadi yang berakhlak mulia, cerdas, dan memiliki kontribusi positif bagi kehidupan bermasyarakat. Namun, anak sering kali melakukan tindakan negatif yang menyimpang dari nilai dan norma masyarakat, salah satunya adalah bullying. Penelitian ini diharapkan dapat memberikan kontribusi terhadap peningkatan kualitas penanganan kasus bullying di Indonesia dan memperkuat sistem yang lebih responsif terhadap korban serta pihak-pihak yang terlibat. Penelitian ini dibuat dengan cara mengumpulkan data-data dari sejumlah jurnal, artikel, yang relevan untuk mendeskripsikan bentuk-bentuk maladministrasi dalam penanganan kasus bullying. Penelitian ini diharapkan dapat membantu dapat mencegah maladministrasi dalam penanganan kasus bullying di Indonesia yang dapat terjadi dengan berbagai bentuk. Maladministrasi dapat memperparah penderitaan korban dan menghambat upaya pemberian keadilan. Oleh karena itu, perlu ada perbaikan sistemik melalui regulasi, pelatihan, dan pengawasan yang lebih baik untuk menjamin penanganan kasus bullying dilakukan secara tepat dan adil.

Kata Kunci: pendidikan, perundungan, maladministrasi, Pancasila, pelayanan publik

Introduction

Education is a key element that prepares individuals for their character and future. With education, individuals are able to increase their self-worth and level of knowledge and skills that are essential to face global challenges. School institutions or even educational centers are not just classrooms where one has to learn theoretical knowledge, but also platforms where students' social interactions and personalities develop.

However, one of the biggest negative impacts that can be imagined in school life is bullying. Bullying is not a new phenomenon and has been experienced for years in society and in schools, making teachers and parents very worried, including the Indonesian Child Protection Commission. Teachers and school administration have a big responsibility in dealing with bullying and violence in schools based on encouragement from KPAI. According to KPAI, schools in Indonesia are included in the list of the most problematic places in the world regarding bullying, and especially this has been reported to them. Of the total 369, KPAI received bullying reports, 25% or 1480, were related to education. However, this type of report only represents a small part of the cases that actually occur. (Empati et al., 2015).

Bullying can occur in many forms, including verbal bullying, physical bullying, social bullying, and emotional bullying. The definition of verbal bullying includes words that are arranged to harass or threaten and be rude to people. This type of bullying category is, abuse that includes hitting, kicking and tearing hair. Social bullying occurs through rejection or suggestions not to meet the goals that are the targets of the bullying. In contrast, emotional bullying is bullying that threatens and can cause stress, fear and anxiety to its victims. Among students, the most common impression is verbal bullying and social bullying. The bullying actions that are often found in fact are verbal bullying and social bullying in schools.

Furthermore, the atmosphere of efforts to prevent aggressive bullying in educational environments can be understood from the existence of Law No. 35 of 2014 concerning the Protection of Minors. The law states that child protection from violence is any action that causes or aggravates suffering from psychological, physical and sexual endurance, or even neglect that cites torture, coercion, restrictions and theft of freedom and acts outside the law.

Although laws already exist, such as Law No. 35 of 2014 concerning Optimism in the Protection of Children and Families, these regulations do not fully serve to punish perpetrators of bullying. 3 of 1997, especially Article 26 Paragraphs 3 and 4. Current laws and regulations emphasize more on adolescent learning which is specifically intended for individuals over the age of 12. In addition, although associated with paragraph 24, perpetrators of bullying only receive a warning. For individuals who violate this directive, responsibility is given to guardians or guardians. Perpetrators may be temporarily confined to government-run facilities to engage in learning, reintegration, and work preparation initiatives. Another possible option is to be transferred to state social services or independent organizations that function in the education and rehabilitation sector.

Misconceptions that occur often harm the situation for those who have been victims of bullying and violence, especially in the context of education. Although regulations are available, the implementation and enforcement of the law are sometimes ineffective due to maladministration or abuse of authority. The definition of harm includes unresponsive handling, recognition of complaints that are not responded to, or decision-making that is not always carried out in the way it should be. In the case of bullying, for example, the failure of a school, or educational institution, to act on the report, or to provide adequate protection to victims, indicates administrative inefficiency. As a result, bullies may never be punished as they deserve and victims of bullying and their families are deprived of the basic justice they should receive. This, according to many analyses, will inevitably undermine the level of public trust in the existing child protection system and expose victims to deeper trauma. The effects of such inefficiency can even affect the character-building process that is expected to be achieved productively early in life. Therefore, it is necessary to address soft corruption in the management of violence cases so that child protection measures can be implemented without fail and character development efforts can function effectively (Purba et al., 2024). Among parents, teachers, and the government, all have contributions in preventing or handling bullying incidents in schools. The first responsibility lies with parents to protect children from bullying behavior. They can increase children's sense of security and support at home by paying attention, guiding, and communicating with children. Ironically, a number of parents are still less aware of bullying and the negative impacts it causes. As a result, when their children are involved in bullying, either as perpetrators or victims, it is often considered part of the child's development process, so it does not cause enough attention or concern from parents. (Sigalingging et al., 2023).

On the other hand, teachers have an equally important role in meeting the needs of students, in supervising school activities and educating children about the dangers associated with bullying and the implications that perpetrators may face. They should also be able to identify early signs of bullying behavior that could threaten the safety of the learning environment. When parents and teachers work closely together, the level of protection and support offered to children increases, allowing children to thrive in a positive and healthy environment.

The government also needs to be more concerned about the problem of bullying. Currently, obstacles in implementing law enforcement, such as age restrictions with perpetrators usually being in their teenage years, cause this effectiveness problem. Furthermore, unfinished education and low protection for victims also need to get more attention. Therefore, there needs to be more collaboration from the government with parents and teachers to achieve optimal protection, keeping in mind that the negative impacts of bullying can have serious consequences for individuals and society as a whole.

Research methods

This research uses a literature study with a qualitative and systematic descriptive approach by collecting data from various relevant sources, such as articles, journals, books to strengthen the theoretical basis of the research.

Results and Discussion

This study focuses on the practice of maladministration in managing bullying cases, especially in the Indonesian education sector. Maladministration includes acts of mismanagement, disobedience to orders, and neglect of procedures by officials in handling or resolving cases. In the field of bullying, for example, maladministration occurs when there is a deviation from standard operating procedures in handling bullying cases at all levels of administration from schools to related government agencies. Other forms of maladministration include denial, neglect, or indifference, in this case to individuals who are suffering from a problem. Such actions are mostly the consequence of abuse of authority, arbitrary use of authority, or inappropriate, unfair, intimidating, and discriminatory treatment. Therefore, the process of managing bullying cases becomes meaningless, even causing additional suffering for victims who should get the protection they need (Najmi et al., 2023).

One of the elements regulated in Article 1 number 3 of Law No. 37 of 2008 concerning the Ombudsman of the Republic of Indonesia states that maladministration is an action that includes violations of the law, abuse of power, negligence or neglect of obligations in the provision of public services as a result of acts that harm the community. Referring to this definition, maladministration in handling bullying cases can take the form of non-application of a provision, absence, or late response from the school and authorized agencies, thus ignoring or denying the principles of the implementation of fair public services in the field of child protection from violence.

In the context of legislation, maladministration in handling bullying cases can violate several important laws such as Law No. 35 of 2014 concerning Child Protection. Maladministration that ignores bullying reports or fails to provide protection has the potential to violate children's rights to feel safe and protected.

and Law No. 23 of 2014 concerning Regional Government, Regional governments are responsible for ensuring safe education. Weak coordination with schools regarding handling bullying violates this obligation, then Law No. 25 of 2009 concerning Public Services. This law demands transparency and accountability in every public institution. Slow responses to bullying reports are contrary to the principles of effective public service.

The maladministration policies or practices that occur in handling bullying cases are also contrary to the values of Just and Civilized Humanity and Social Justice for All Indonesian People in Pancasila considering the neglect of the rights of students to receive order and proper treatment. Most cases related to bullying in schools are caused by the school's indifferent attitude to handling this problem thoroughly, the implementation of weak anti-bullying policies, and the lack of courage to punish the perpetrators. In general, most schools still view bullying as trivial, namely as "children's actuality" so that reports or complaints that come in are often not followed up on. This situation is getting worse because there is a fear of victims and their families to report leaving many cases unrevealed and many victims do not get the protection they should have. In this case, the factors that can cause bullying. In other words, the factors that can give rise to bullying according to Zakiyah (2017) that when viewed from many perspectives, bullying includes repeated acts of violence, both physical and psychological, with the aim of controlling. There are people who

are in a stronger position and that has the potential to intimidate people who are in a weaker position. This shows that bully education is permissible, because there are many aspects of counseling that are carried out in schools whose relevance is to make schools safer for children.

Abdillah (2020) added a more comprehensive explanation, the concept of bullying occurs in the context of an unequal power relationship, which often occurs in the school environment, due to the interaction of complex psychosocial processes among students. Some of the causal factors include low self-control, rejection of gender, physical appearance and race, and peer relationships which are often the cause of bullying. In addition, responses from the environment can trigger negative behavior. Positive reinforcement for living together can prevent bullying behavior. This study emphasizes the need to develop a moderated teaching module that contains self-concept and forgiveness with the aim of reducing bullying behavior, because these psychological factors can modify student behavior. Education of this nature can also function in preventing bullying behavior.

Along with that, according to Rahmawati (2020) Bullying is an act of violence in which there is an element of an atmosphere that humiliates and terrorizes the physical and mental of the target which is generally carried out by perpetrators who feel they are in power. Bullying can be in the form of insults, insults, slander or sexual harassment (verbal) as well as mocking laughter and using body language of insults, exclusion, physical violence, or destruction. Bullying also has a negative attitude not only towards the victim, but also towards educators, school admin staff and parents who believe that the school environment is no longer safe.

From the data obtained by SIMFONI-PPA, bullying in Indonesia seems to never subside and is actually getting worse from year to year. In January 2024 alone, there were 12,787 cases of child protection violations recorded, including 1,115 cases in the education sector. Other forms of bullying that are most often found are physical bullying (such as perching): 55.5%; verbal: 29.3%; psychological: 26% (Kemenpppa, 2024) reference.

At the same time, in the KPAI report submitted by Wibisana (2024), information was also obtained about bullying cases in Indonesia in January 2023, the number of cases in Indonesia was around 3,800 spread with an average increase in cases compared to previous years. KPAI and the Federation of Indonesian Teachers' Unions (FSGI) in the inventory carried out recorded 226 cases in 2022, 53 cases in 2021, and 119 cases in 2020. The bullying experienced the most was physical bullying (55.5%), verbal bullying (29.3%), and psychological bullying (15.2%). Elementary school students showed the prevalence of how many as the most victims (26%), followed by junior high school students (25%), high school (18.75%). However, this number is only limited to victims who have reports. Meanwhile, there are still quite a lot of victims who do not want to report. So the actual number is quite large, affecting all levels of society. However, the increase in cases continues, and the handling of bullying cases is often hampered by maladministration of cases. There are also many cases in the field that are not reported because people are afraid of being persecuted or are unsure about the resolution process that can function. Even when cases are reported, sometimes the resolution process is not transparent or outside the procedure so that the rights of the injured person are not properly protected. Perhaps, this maladministration makes the

situation worse, and a large number of cases are not resolved, which, on the other hand, only worsens bullying in schools.

The results of maladministration in handling bullying are also very dangerous, especially for victims of bullying because it can result in prolonged physical and psychological trauma. On the other hand, this problem also has a negative impact on schools that should be a safe and comfortable place for teaching and learning activities. If this situation is allowed to drag on without proper handling, it will have an impact on the trust of students, educators and parents in the education system, justice in the school and also the school itself. Distrust of education worsens the school atmosphere and makes it seem more dangerous for children who should be able to get a safe education and support their growth.

Steps to Overcome

In the context of public service provision, there is a code of ethics that regulates acceptable behavior or actions, within the framework of public service organization and administration, so that ethics in public administration can be summarized as a code of behavior or standards that must be observed by members of public administrators with the aim of facilitating something related to the community for these activities.

Ethics in public service administration can be demonstrated when members assume responsibility for carrying out the tasks assigned to them in the right manner, ensuring that tasks are completed, being able to provide services with a level of satisfaction to the public, and eliminating tendencies towards behavior or practices such as pushing responsibility to others or including behaviors such as "just doing what the superiors tell them to do" which must be avoided by all members of the organizers.

Another evidence is the implementation of equal opportunity policies, where equal opportunity policies in public service administration mean providing services to everyone without distinguishing individual social status, and this is the reason why it is not uncommon for the delivery of public services to be sometimes quite ineffective and inefficient due to factors such as those mentioned above (Widiaswari, RR, 2022).

The punishment for maladministration in this case is based on the act of abuse of power that is contrary to his duties. According to Article 17 paragraph 2 of Law No. 30 of 2014 concerning the Prohibition of Abuse of Authority which contains a prohibition on crossing the line, mixing with personal interests, and arbitrary behavior in the power or authority that has been given. The punishment given in this case is in the form of the death penalty or imprisonment (Abdullah, L., 2021).

Conclusion

The conclusion of the paper on maladministration in dealing with bullying cases in Indonesia shows that bullying is influenced by family factors, schools, peer groups, and community culture that support violence. Legal guarantees for victims of bullying are still weak and inadequate, with many uncertainties in the implementation of existing laws. Schools need to implement clear anti-bullying policies and involve all parties to create a conducive environment for students. The need for a recommendation includes cooperation between parents, schools, and related institutions to prevent and handle bullying effectively.

The existence of doubts and fears to take firm steps will only worsen the condition of the victim and make bullying behavior only a problem that is considered trivial, so that the rights of protection that should be owned by the victim are neglected.

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