

The Effectiveness of the Child Protection Law in Addressing Bullying in Educational Settings

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ABSTRACT

This study aims to normatively analyze the effectiveness of The Effectiveness of the Child Protection Law in Addressing Bullying in Educational Settings in preventing and addressing bullying within educational environments. The research focuses on the legal framework stipulated in Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 on Child Protection, Law Number 20 of 2003 on the National Education System, Law Number 11 of 2012 on the Juvenile Criminal Justice System, and other related regulations governing the protection of children from physical, psychological, verbal, and digital violence in educational institutions. This study employs normative legal research methods using statutory, conceptual, and case approaches. The findings indicate that the Child Protection Law provides a strong normative legal foundation to guarantee children's rights to protection from all forms of violence, discrimination, and bullying in educational settings. However, its practical effectiveness remains constrained by several challenges, including weak institutional supervision, inadequate reporting mechanisms, limited anti-bullying education, and insufficient coordination among schools, parents, and law enforcement authorities. These obstacles often result in suboptimal handling of bullying cases, thereby failing to ensure maximum protection for victims and appropriate rehabilitation for child offenders. This study concludes that strengthening legal implementation requires policy harmonization, enhanced institutional oversight, preventive educational strategies, and law enforcement approaches that prioritize child protection and the best interests of the child within educational environments. Such measures are essential to ensure a safer and more legally protected educational system for children in Indonesia.

INTRODUCTION

Education is a fundamental means of shaping children's character, morality, and personality (Valentina Pinky Kristinawati & Edi Pranoto, 2023). Schools should ideally serve as safe spaces for students to develop physically, emotionally, and socially. However, in reality, the educational environment is often a place where bullying occurs. This phenomenon not only affects the mental and physical health of victims but also disrupts the overall teaching and learning process. Therefore, the issue of bullying in schools has become a serious concern in the study of The Effectiveness of the Child Protection Law in Addressing Bullying in Educational Settings (Alfarisi, 2020).

Bullying in educational environments generally appears in the form of physical, verbal, psychological, and technology-based violence. These variations expand the scope of

children's rights violations and make handling more complex (Noventari & Suryaningsih, 2020). In many cases, perpetrators and victims are in the same age group, so it is often categorized as "juvenile delinquency," resulting in suboptimal handling. In fact, bullying is an act that has legal consequences as regulated in legislation. This situation demands a firm and measured legal response.

Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 on Child Protection provides a legal framework for the fulfillment of children's rights. In the context of bullying, this law emphasizes protection from violence, discrimination, and other forms of mistreatment (Suheri Harahap, 2018). The regulation also affirms the obligation of the state, society, and educational institutions to ensure children's safety and comfort. However, in practice, various obstacles often arise, raising questions about the effectiveness of the law in addressing bullying in schools.

Various cases of bullying that have gone viral nationally indicate gaps in the child protection system. The high number of cases and their dissemination through social media show that control and prevention efforts are not yet optimal (T. A. Saputra & Wijaya, 2022). Many schools still consider bullying an internal matter, so its handling does not always follow child protection standards. On the other hand, parents often lack awareness of the rights and legal mechanisms available to protect their children. This further strengthens the urgency of evaluating the effectiveness of existing legal instruments.

The effectiveness of a law can be assessed through the level of compliance, quality of implementation, and its impact on problem resolution. In relation to bullying, the key question is the extent to which the Child Protection Law succeeds in preventing, handling, and reducing bullying incidents in schools (Diana et al., 2024). If regulations exist but violations remain high, it may indicate weak implementation. This condition may result from limited understanding among school officials, insufficient socialization, or the absence of clear enforcement mechanisms. Therefore, a comprehensive evaluation is necessary.

In practice, many schools do not have specific standard operating procedures (SOPs) for handling bullying. The lack of preparedness in educational institutions often results in victims not receiving adequate protection. Some cases show that teachers or schools tend to conduct informal mediation without involving relevant authorities (Yuningsih et al., 2021). Such approaches often fail to meet the principles of restorative justice and child protection. This situation indicates that child protection principles have not been fully internalized in school governance.

In addition, law enforcement officials play an important role in ensuring the implementation of the Child Protection Law. However, public reports often show inconsistencies in handling bullying cases involving both child perpetrators and victims. Differences in interpreting criminal elements frequently become an obstacle, leading to inadequate case processing and legal uncertainty (Setyoningrum & Ismunarno, 2015). This condition inevitably affects public perception of the law's effectiveness.

Cultural factors also influence the handling of bullying. Many communities still view abusive behavior among students as a normal developmental phase, so it is often not considered a legal issue. This normalization discourages victims from reporting incidents and seeking support. In fact, bullying is a serious offense that can cause long-term trauma.

Therefore, a shift in societal perspective is an important part of strengthening child protection efforts (Syarief et al., 2022).

The development of digital technology and social media further complicates bullying issues. Cyberbullying is more difficult to control and can leave deeper psychological impacts. Although the Child Protection Law covers protection from electronic violence, its implementation is not always effectively realized in schools (Irnawati et al., 2025). Many educational institutions still lack specific strategies to address digital bullying, highlighting the need to update implementation approaches.

Government programs such as Child-Friendly Schools and Disaster Safe Education Units have been designed to create safe learning environments for students (I. Saputra et al., 2022). However, the effectiveness of these programs largely depends on schools' commitment and capacity to implement child protection principles. If such programs remain merely administrative, their core objectives will not be achieved. Therefore, a deeper analysis is needed to assess the synergy between these policies and the Child Protection Law.

Research on the effectiveness of the law is urgently needed to identify both inhibiting and supporting factors in its implementation. Through normative analysis, the alignment between legal norms and educational practice can be examined. Such research can also reveal the extent to which the legal framework addresses current bullying issues and contribute to policy recommendations. Thus, it holds strategic value in strengthening the child protection system (Azalia, 2020).

For the education sector, studying the effectiveness of the Child Protection Law provides an understanding of ideal standards for handling bullying. Schools can better understand their legal obligations and procedures when cases occur (Siti Ngainnur Rohmah, 2021). At the same time, such research encourages capacity building for teachers and school counselors. It can also serve as a reference for improving internal school supervision systems, with direct benefits for students.

Given the complexity of bullying in schools, an in-depth legal study is essential. Strong regulations are ineffective without consistent and sustainable implementation. Therefore, this study not only examines normative effectiveness but also implementation and enforcement factors. Using a normative approach, it compares legal provisions with practical realities to identify the root causes of the problem.

Based on this description, research on the effectiveness of the Child Protection Law in addressing bullying in educational environments is highly relevant and necessary. It is expected to assess the extent to which existing norms provide adequate protection for children and identify legal gaps that require improvement. The findings may contribute to strengthening child protection policies in schools and promoting a safe, inclusive, and bullying-free educational environment.

This study examines normative provisions in the Child Protection Law related to the prevention and handling of bullying in educational settings and evaluates the effectiveness of their implementation. The purpose is to analyze the legal basis and application of child protection in educational institutions. Theoretically, this research is expected to enrich the literature on child protection law and legal effectiveness studies. Practically, it is intended to serve as a guideline for schools, teachers, government, parents, students, and law

enforcement officials in preventing, handling, and monitoring bullying cases to create a safe, child-friendly, and violence-free educational environment.

METHOD

Research Type

This research employed a normative juridical approach, focusing on primary legal materials through the examination of legal theories, concepts, principles, and relevant legislation. It was also conducted as a literature-based study by analyzing books, regulations, and other relevant legal documents related to the research topic.

Problem Approach

The approaches used are the statute approach and the Case approach. The statute approach is usually used to examine laws and regulations that still have shortcomings in their norms or even nourish the practice of deviations either at the technical level or in their implementation in the field. This approach is carried out by examining all laws and regulations related to the problems (legal issues) being faced. This legislative approach, for example, is carried out by studying the consistency/conformity between the Constitution and the Law, or between one Law and another. The case approach is a type of approach in normative legal research in which the researcher tries to build legal arguments in the perspective of concrete cases that occur in the field, of course, the case is closely related to legal cases or events that occur in the field. For this reason, usually this type of approach aims to find the value of truth and the best solution to legal events that occur in accordance with the principles of justice. This approach is carried out by conducting an analysis of cases related to the legal issues faced. The cases studied are cases that have obtained a court decision with permanent legal force.

Legal Materials

In this study, secondary data is the necessary data that can be obtained from literature research such as book materials. The legal materials consist of:

- a) Primary legal material: binding, such as:
 1. Constitution 1945
 2. Law Number 23 of 2002 concerning Child Protection as amended by Law Number 35 of 2014.
 3. Law Number 20 of 2003 concerning the National Education System.
 4. Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA).
 5. Law Number 1 of 2024 concerning Amendments to the ITE Law
- b) Secondary legal materials that are explainable to primary legal materials are derived from literature, articles, research results and other scientific works related to research.
- c) Tertiary legal materials that provide explanations of primary and secondary laws consist of general Indonesian dictionaries, dictionaries of legal terms, and encyclopedias.

Legal Material Collection and Processing Procedures

The collection of all legal materials is obtained from Literature Studies, Literature Studies are used in this research by collecting various kinds of data or literature, laws and regulations, journals and other scientific works, related to the problems and objects of the research.

After the legal materials are collected, then the processing of legal materials is carried out through several stages as follows:

1. Data examination, which is writing to re-examine the legal materials obtained so that completeness can be completed if incomplete legal materials are found and formulate the legal materials that the author finds into simpler sentences.
2. Systematization, that is, the author selects legal materials, then classifies according to the classification of legal materials and compiles the data of the results of the research systematically which is carried out logically, meaning that there is a relationship and relationship between one legal material and another.
3. Description and Analysis, in which the author systematically describes the research findings based on the legal materials obtained and subsequently conducts a comprehensive analysis thereof.

After the legal materials are processed, it is then continued with the analysis of the legal materials by researching the existing literature materials, namely by discussing and describing the legal materials used based on norms, theories and doctrines related to the material being studied.

5. Legal Material Analysis

The legal materials that have been collected and inventoried will then be processed and studied in depth so that pragmatic truth and/or coherence are obtained. Primary legal materials, secondary materials and non-legal materials that have been systematically synchronized are then further studied based on legal principles, theories, concepts, doctrines and other references so that answers to answer the listed legal issues are obtained.

RESULTS AND DISCUSSION

Normative Provisions in the Child Protection Law related to the prevention and handling of bullying in the educational environment

Bullying at school is a form of violence against children. Studies on bullying and its victims have been conducted in various countries and this study shows a correlation between bullying and mental/psychological and physical health problems, suicide, academic problems, crimes committed by young people and crime (Iskandar Agoes & Kayowan Lewoleba, 2023). Bullying does not provide a sense of security and comfort, makes victims of bullying feel afraid and intimidated, low and worthless, have difficulty concentrating on studying, do not move to socialize with their environment, are reluctant to go to school, are not confident and have difficulty communicating, have difficulty thinking clearly so that their academic achievements can be threatened with decline (Yusuf, 2024).

Facts show that Indonesian children experience bullying at school. Research on bullying on an international and national scale against school children in Indonesia has been widely conducted (Dinda Kania Anggraini et al., 2024). Indonesian children experience bullying either traditionally or through cyberbullying (Rizky Analiya & Arifin, 2022). The bullying experienced by students in the form of physical and psychological bullying such as calls (which are degrading/harassing) which is also a driver of suicide, This number is quite worrying so it is not an exaggeration if in 2014 a newspaper has declared that Indonesia is in an 'Emergency' condition of bullying (Haipon et al., 2025).

In many cases, bullying occurs because the victim is a weak party, showing qualities that psychologically and physically make them targets (Dasa Suryantoro et al., 2025a). Victims of bullying are often isolated and lack support, as a result of which they experience fear, anxiety, decreased academic achievement, lack of confidence, and some even choose to commit suicide. This situation describes the characteristics of bullying which is a form of power imbalance that occurs in a given time between two individuals, two groups, or a group and a person where one party with more power will intimidate or weaken the other (Research et al., 2026). These actions are realized, desired, and deliberately carried out, which includes words, physical or relational that provide pleasure to the perpetrator over the pain/pain/sadness of other children, and actions or intentions to hurt the victim are carried out repeatedly (Sitinjak, 2024).

The imbalance of power shows that bullying is not a fight involving two equal parties. The perpetrator of bullying can be an older, bigger, stronger, more verbally proficient person, higher in social status, or from a different race. The desire to hurt shows that in bullying there is no accident or mistake, there is no innocence in the exclusion of the victim.

Bullying means causing emotional pain or physical injury, involves actions that can hurt, and causes pleasure in the perpetrator's heart when witnessing the victim's suffering. Furthermore, bullying is not intended as an event that only happens once, but is also repetitive or tends to be repeated, and the escalation of bullying will increase so that it causes terror. Bullying is systematic violence used to intimidate and maintain dominance. Terror is not only a way to achieve bullying but also as a goal of bullying (Delinquency et al., 2024).

As previously stated, Indonesia does not have a specific and national-scale program like the Norwegian Government, but policy steps taken by issuing laws and regulations regarding the prevention of violence and bullying, as well as behavior change are one of its components.

1. Norm Approach

Legal Efforts to prevent bullying in educational institutions have been carried out by the Indonesian government through laws and regulations, such as: Child Protection Law Number 35 of 2014, Regulation of the Minister of Education, Culture, Research and Technology (Permendikbudristek) Number 46 of 2023

concerning the Prevention and Countermeasures of Violence in Education Units, and Regulation of the Minister of Education and Culture Number 18 of 2016 (Permendikbud 18 of 2016) concerning Environmental Introduction School for New Students which replaces the Regulation of the Minister of Education and Culture Number 55 of 2014 concerning the Orientation Period for New Students.

Through Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection (Child Protection Law 2014). An important addition to this law is the provision on violence and discrimination. The consideration of regulating the issue of violence is because "Every child has the right to survival, growth and development and has the right to protection from violence and discrimination as mandated in the 1945 Constitution". This provision affirms the government's commitment to protect Indonesian children from all forms of violence and discrimination that occur in various realms, both domestic and public.

According to Article 1 of Law Number 35 of 2014, what is meant by violence is "Any act against a child that results in physical, psychological, sexual and/or neglectful suffering or suffering, including threats to commit an unlawful act, beating, or deprivation of liberty." In addition, protection of children's rights in schools has been added in Article 9 and Article 25 of the Child Protection Law 2014. Article 9 paragraph (1a) every child has the right to receive protection in the educational unit from sexual crimes and violence committed by educators, education staff, fellow students, and/or other parties. The rights of children are reaffirmed by the existence of provisions that give obligations to the community, including here academics to participate in providing protection for children's rights (Article 25). Perpetrators of violations of children's rights can be sentenced to prison and fined (Setiawan & Saputra, 2024).

The addition of provisions on 'violence' and the protection of children's rights in schools is very important because so far Law Number 23 of 2002 concerning Child Protection has never given a clear definition of violence against children, even though the quantity and quality of violence against children (and carried out by children) in schools in Indonesia from year to year is increasing, so that they have the potential to become children who face the law.

The government's efforts to prevent bullying and all forms of violence in educational institutions have also been carried out by the Minister of Education and Culture which refers to the Regulation of the Minister of Education, Culture, Research and Technology (Permendikbudristek) Number 46 of 2023 concerning the Prevention and Countermeasures of Violence in Education Units. The consideration of the Permendikbud is to organize safe, comfortable, and fun learning for all students. In addition, because acts of violence (including bullying) that occur within educational units and between educational units, can lead to a criminal act and cause trauma for students.

The government also issued Regulation of the Minister of Education and Culture Number 18 of 2016 (Permendikbud 18 of 2016) concerning the Introduction of the School Environment for New Students. This Permendikbud is a regulation made to replace the Regulation of the Minister of Education and Culture Number 55 of 2014 concerning the New Student Orientation Period which is considered not optimal in its implementation. The issuance of this regulation is an effort to prevent the occurrence of *ploncoisme* during the introduction of new students (Sipahutar & Irawati, 2026a). Bullying that is often carried out in schools is essentially the seed of bullying; Perceived or unconscious *ploncoisme* is actually a legitimacy of the tradition of seniority and seniority that is the cause of bullying of students in educational institutions.

There are several improvements in Permendikbud Number 18 of 2016 which no longer uses the term *ospek* but environmental recognition. Article 1 number 2 of Permendikbud Number 18 of 2016 defines environmental introduction as the first activity to enter school for the introduction of school programs, facilities, and infrastructure, learning methods, instilling the concept of self-introduction, and initial development of school culture. Through this Permendikbud, positive discipline can be introduced and applied by teachers to students.

Permendikbud Number 18 of 2016 regulates a number of prohibitions that must be complied with by schools as organizers of environmental awareness activities. One of them is the prohibition on new students to use strange attributes during the implementation of

environmental introduction, in addition to uniforms and official school attributes (Article 5 paragraph (1) letter f).

Types of attributes that are prohibited from being used during activities, for example: sack bags or plastic shopping bags, colorful, asymmetrical socks, unnatural head accessories, unnatural footwear, intricately shaped signage and difficult to make, and other attributes that are not relevant to the learning activity. Prohibited activities such as: assigning students to carry a product of a certain brand, eating and drinking leftovers that do not belong to each new student, punishing those who are not educational such as pouring water and leading to physical violence, assigning unreasonable things such as talking to animals or plants and bringing items that are no longer produced, and counting things that are not useful, For example, counting ants, sugar, rice or other activities that are not relevant to learning activities.

Sanctions against schools that violate these provisions can be sanctioned by recommendations in the form of lowering the level of accreditation, stopping assistance from the government, and recommendations to local governments to take firm steps in the form of mergers, relocations, and closures of schools in the event of repeated violations. The imposition of sanctions does not abolish other sanctions regulated by other relevant laws and regulations, such as: Child Protection Law and Regulation of the Minister of Education, Culture, Research and Technology (Permendikbudristek) Number 46 of 2023 concerning the Prevention and Prevention of Violence in Education Units.

2. Behavioral Approach

The program initiated by Olweus and the opinion of the Teachers' Federation has emphasized the importance of teachers and students learning to respond to violent behavior in order to anticipate it, consistently avoid punishment that causes negative and destructive consequences in the event of a violation of the rules, and act as a model that can be imitated (Saraswati & Hadiyono, 2020).

In the classroom, positive discipline is aimed at developing relationships that are mutually respectful. Positive discipline teaches adults to be friendly and assertive at the same time, not to be rude with various punishments or permissive. Therefore, the application of positive discipline requires several principles which include:

- a. Mutual respect. In this case, educators must respect each other because educators are models for children. In addition, educators also need to respect the needs of students/students,
- b. Identify the motives behind the child's behavior/actions. Teachers need to change children's behavior if they are able to identify motives and then change the child's beliefs that make him take action.
- c. Effective communication and problem-solving skills,
- d. Discipline that teaches (and is not permissive or punishing),
- e. Focus on solutions, not punishments,
- f. Giving encouragement (not praise). Encouragement shows effort and improvement, not just success, and builds long-term self-esteem and empowerment (Pramono & Dwiyaniti Hanandini, 2022).

In addition to positive discipline, the study shows that preventing bullying can be done by targeting certain students to spread anti-bullying messages. Certain students who have

received training have the task of spreading positive behavior so that they can show students that bullying is an unacceptable act and can be prevented through the students' own (will) so that punishment is no longer needed (Dewi Ariani & Yurista Prawitasari, 2024).

Normative provisions in laws and regulations in Indonesia have provided a strong legal foundation in efforts to prevent and handle bullying in the educational environment, especially through Law Number 35 of 2014 concerning Child Protection. This law affirms that every child has the right to be protected from all forms of violence, discrimination, neglect, mistreatment, and actions that can harm children's physical, mental, and social development. In Article 54, it is emphasized that children in and around educational units are obliged to be protected from acts of physical, psychological, sexual crimes, and other forms of crime committed by educators, education staff, fellow students, and other parties. This provision normatively becomes the main basis that bullying, whether verbal, physical, social, or digital, is a form of violation of children's rights that must be prevented and handled seriously by educational institutions.

In addition, Article 9 paragraph (1a) emphasizes that every child has the right to receive protection in the educational unit from sexual crimes and violence committed by anyone. This norm expands the responsibility of schools not only as formal educational institutions, but also as child protection institutions. Schools are obliged to create a safe, comfortable, inclusive, and bullying-free environment. Therefore, if bullying occurs at school, the school cannot release responsibility because normatively it has a legal obligation to prevent, supervise, and handle every form of violence.

In the context of education policy, this provision is strengthened through Law Number 20 of 2003 concerning the National Education System which states that education must be held democratically, fairly, non-discriminatory, and uphold human rights. This principle places the protection of students as an integral part of the national education process. Thus, the practice of bullying is directly contrary to the goals of national education because it damages the character, psychological, and welfare development of students.

Bullying prevention is also supported by various technical regulations, such as Regulation of the Minister of Education, Culture, Research and Technology (Permendikbudristek) Number 46 of 2023 concerning the Prevention and Countermeasures of Violence in Education Units, which requires schools to establish a reporting mechanism, provide protection to victims, provide guidance to perpetrators, and impose educational sanctions. This regulation emphasizes that the handling of bullying is not only oriented towards punishment, but also on the approach to psychological coaching and recovery. Schools are required to develop standard operating procedures, conduct anti-violence socialization, and cooperate with parents, the community, and related authorities.

Furthermore, from the perspective of juvenile criminal law, if the bullying contains elements of severe violence or causes serious physical or psychological injury, then the provisions in Law Number 11 of 2012 concerning the Juvenile Criminal Justice System can be applied. However, the preferred approach is still restorative justice by considering the best interests of children, both victims and perpetrators. This is important because many cases of bullying involve children as perpetrators, so legal settlement must still prioritize rehabilitation and education.

Normatively, the protection of children from bullying in the educational environment is also in line with the principles of non-discrimination, the best interests of the child, the right to live and develop, and respect for children's opinions as stipulated in the Convention on the Rights of the Child which has been ratified by Indonesia through Presidential Decree Number 36 of 1990. Thus, the state, schools, families, and communities have a shared obligation to build a comprehensive child protection system (Kediri, 2025).

Based on these normative provisions, it can be understood that the prevention and handling of bullying in the educational environment is not just a moral or administrative policy, but a binding legal obligation. Its implementation requires effective supervision, consistent enforcement of rules, character education, and collaboration between institutions so that children's rights to a sense of security and a decent education are truly guaranteed.

The Effectiveness of the Implementation of the Child Protection Law in Handling Cases of Bullying That Occur in the Educational Environment

1. According to Soerjono Soekanto's Legal Effectiveness Theory

Effective law is success in achieving the goals to be achieved, then the law can be said to be effective if the law has a positive impact, the law achieves the goal and the law can function in people's lives. There are five factors as indicators of legal effectiveness when viewed from Soerjono Soekanto's point of view, namely (Dasa Suryantoro et al., 2025b):

- a. The legal factor itself, this factor refers to the content or substance of the law, namely the laws and regulations that apply in a society. Based on the results of the research, child protection has a clear law given by the state through Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection. In the Regulation of the Minister of Education, Culture, Research and Technology (Permendikbudristek) Number 46 of 2023 concerning the Prevention and Countermeasures of Violence in the Education Unit. This is done to prevent violence that occurs in the school environment.
- b. Law enforcement factor, this factor refers to all parties or officials who are directly responsible for the law enforcement process, such as the police, prosecutors, judges, and legal advisors. Soerjono Soekanto emphasized that law enforcement will not run effectively if law enforcers do not have integrity, honesty, professionalism, and good understanding of the law. Based on the results of the study, one of the main factors that causes the handling of bullying cases in schools to be not optimal is the ineffectiveness of the role of law enforcement in providing legal protection to children. The law enforcement aspect includes the police, prosecutors, judges, and legal advisors, as well as law enforcement officials in the school environment such as school principals, curriculum teachers, homeroom teachers, and counseling guidance teachers (BK). Although there are laws regulating child protection and prevention of violence in the educational environment, their implementation in the field often encounters obstacles. That the role of law enforcement, including the police and local law enforcement officials, is often slow to respond to reports of bullying or even often considers the case as an internal school problem that does not require legal process.
- c. Means and facilities factor, means are the main tools or media used to achieve a goal. Facilities are usually directly supportive of the work process. Examples in the context of education are whiteboards, books, computers, classrooms, extracurricular activity rooms,

counseling guidance rooms, and libraries. In the context of law enforcement, facilities include law institution offices, operational vehicles, information technology systems, and human resources who carry out legal duties. While facilities are conveniences or complements that support the use of facilities, so that the process carried out becomes smoother and more comfortable. Facilities can be in the form of an organized work system, easily accessible public services, or a conducive environment. Facilities play an indirect, but very important role in supporting the effectiveness of facilities.

- d. Community factors. Soerjono Soekanto explained that society is an object as well as a subject of law. That is, laws are made to regulate people's lives, but at the same time, the success of the law also depends heavily on the extent to which the community accepts, obeys, and supports the enforcement of the law. Based on the results of the research, the role of the community that has not been effective is one of the factors causing the still rampant cases of bullying in the school environment. The surrounding community, including parents and residents around the school, is often unresponsive or even considers bullying as a common thing in children's associations. This kind of view causes many cases to be not reported or ignored because they are considered not serious, so it is known that public involvement in preventing and handling bullying cases is still relatively minimal.
- e. Cultural factors, this factor refers to the values, norms, outlook on life, habits, and mindsets that live and develop in society, which directly or indirectly affect the way society receives, understands, and implements the law. Soerjono Soekanto explained that culture has a great influence on the law because law is basically part of the culture itself. Based on the results of cultural research, which is often the highlight of the cause of the problem because it is considered a habit. One of the habits in the community that has not been effective in handling bullying cases at school is the assumption among the community that bullying behavior is just a form of joke or ordinary joke between friends. From this habit of justifying what is ordinary instead of justifying what is true, this habit arises from a long-established mindset, where the act of mocking, degrading, or humiliating others is considered as an ordinary thing that does not need to be exaggerated and does not need to be taken seriously.

2. According to Lawrence M. Friedman's Theory

The effectiveness of a law can be interpreted as the extent to which a legal regulation is able to achieve the goals desired by the lawmakers and obeyed by the community. In the framework of the theory of how law works put forward by Lawrence M. Friedman, the success or effectiveness of a law is not only determined by the legal substance, but also by the legal structure and legal culture. Legal substance refers to the norms or rules written in the law itself, while legal structure refers to law enforcement agencies and their implementation mechanisms. The legal culture reflects the values, attitudes, and perceptions of the community towards the law. These three elements are interrelated and determine the extent to which the law can function well in the field (Emastin et al., 2025).

- a. Legal structure. Legal structure refers to institutions or institutions that run, enforce, and regulate the course of law. This includes law enforcement officials such as police, prosecutors, judges, lawyers and legal advisors. Lawrence M. Friedman explained that the

structure of law is the framework or organizational system of the law itself, namely who does what, how the process is carried out, and how the power of law is managed.

- b. Legal substance. Legal substance refers to the content, rules, norms, and principles that govern people's lives, both those written in laws and regulations and those that are not written such as legal customs. The substance of the law includes what the law says, namely rights and obligations, prohibitions and orders, and sanctions for violations of the law. It is the part of the law that governs what is and is not allowed, as well as determining how justice and order are achieved. Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection and Regulation of the Minister of Education, Culture, Research and Technology (Permendikbudristek) Number 46 of 2023 concerning the Prevention and Prevention of Violence in the Environment of Education Units and Student Manners and Discipline for the 2024/2025 Academic Year Number: 1786/SMPBISFOR/X/2024 is a regulation that expressly regulates the manners and discipline of students in schools.
- c. Legal culture. Legal culture, which is also commonly referred to as culture, is an attitude, behavior, and all human habits that can form the social power of society to obey the law or violate the law. One of the important pillars of the legal system is legal awareness. The legal awareness that arises can give birth to a society that has an obedient attitude or obedience to existing laws. Awareness and compliance with the law of the community can support the effective enactment of a law, but on the other hand, a low awareness and compliance will make it a question mark as to why the law is not obeyed or obeyed by them.

The effectiveness of the implementation of Law Number 35 of 2014 concerning Child Protection in handling cases of bullying in the educational environment basically depends on the extent to which the legal norms that have been regulated can be applied in real terms by educational institutions, law enforcement officials, families, and the community. Normatively, this law has provided comprehensive protection for children from all forms of violence, including physical, verbal, psychological, and social violence that often appears in the form of bullying. However, in practice, implementation effectiveness still faces various structural, cultural, and institutional challenges (Sipahutar & Irawati, 2026b).

From the aspect of legal substance, the provisions in Article 54 and Article 9 have placed schools as an environment that must be free from violence. In addition, supporting regulations such as Regulation of the Minister of Education, Culture, Research and Technology (Permendikbudristek) Number 46 of 2023 concerning the Prevention and Countermeasures of Violence in the Education Unit Environment have also provided mechanisms for prevention, reporting, handling, and rehabilitation. Theoretically, this legal framework is quite adequate. However, based on the theory of legal effectiveness, the success of a regulation is not only determined by the existence of norms, but also by law enforcement, supporting facilities, society, and a developing legal culture.

In practice in the field, many schools are still not optimal in implementing anti-bullying policies. Some educational institutions tend to consider bullying as an ordinary mischief between students, so the handling is often informal and does not touch the root of the problem. Victims are often reluctant to report for fear of stigma, threats, or lack of trust in the school's protection mechanisms. On the other hand, teachers and education staff do not fully

have a deep understanding of the law-based approach to child protection. This shows that the implementation of the law is still not fully effective (Iskandar Agoes & Kayowan Lewoleba, 2023).

From the perspective of law enforcement officials, the handling of bullying cases that fall into the criminal category also often faces dilemmas because perpetrators are generally still children. In this context, Law Number 11 of 2012 concerning the Juvenile Criminal Justice System prioritizes restorative justice, so that settlements are more directed towards coaching and rehabilitation than punishment. This approach is positive in protecting children's futures, but in some cases it can lead to a perception of lack of clarity if it is not accompanied by effective supervision and rehabilitation.

The effectiveness of implementation is also influenced by community cultural factors. There is still a permissive culture that considers ridicule, bullying, or mild violence as part of the usual social process at school. In fact, this behavior can develop into systematic acts of bullying that have a serious impact on the victim's mental health, such as depression, anxiety, decreased achievement, and even suicide risk. This lack of awareness is a major obstacle in optimizing legal protection (Yusuf, 2024).

However, there have been positive developments through the improvement of child-friendly school programs, anti-bullying campaigns, counseling services, and the involvement of the Indonesian Child Protection Commission and the education office in supervision. Implementation will be more effective if supported by character education, teacher training, a safe reporting system, proportionate sanctions, and active collaboration between schools, parents, and the government (Dinda Kania Anggraini et al., 2024).

Thus, the effectiveness of the implementation of the Child Protection Law in dealing with bullying in the educational environment can be said to be not fully optimal, even though the normative framework is already strong. The main problems lie in the weak implementation in the field, low legal awareness, limited supervision, and a social culture that is still permissive towards bullying. Therefore, increasing effectiveness requires strengthening educational institutions, consistency of law enforcement, continuous socialization, and building a school culture that is truly oriented towards the protection and best interests of children.

CONCLUSION

Based on the results and discussion presented in the previous chapter, it can be concluded that the normative provisions in Law Number 35 of 2014 concerning Child Protection and other supporting regulations have provided a strong legal foundation for the prevention and handling of bullying in educational environments. The regulation affirms that every child has the right to protection from all forms of violence in educational settings and requires schools, government institutions, families, and communities to create a safe, comfortable, and bullying-free learning environment. However, the implementation of the Child Protection Law in addressing bullying cases in educational environments has not yet been fully effective. Although the legal framework is adequate, its implementation faces various obstacles, including low legal awareness, inadequate school supervision, a permissive culture toward bullying, and uneven understanding among educators regarding child protection principles. Therefore, strengthening law enforcement, character education,

effective reporting mechanisms, and synergy among schools, parents, government, and society is necessary to ensure optimal legal protection for children.

Suggestions: The government needs to strengthen supervision of child protection policy implementation in the education sector through periodic evaluations, improvement of technical regulations, and the imposition of strict sanctions on educational institutions that fail to prevent and address bullying. Schools must optimize anti-bullying programs through character education, the establishment of child-friendly school environments, provision of counseling services, safe reporting mechanisms, and capacity building for teachers and education personnel on child protection. Parents and society also need to play an active role in supervision, education, and moral guidance to prevent bullying behavior from an early stage, as well as support victims in reporting incidents. Stronger synergy is required among the government, schools, the Indonesian Child Protection Commission, law enforcement agencies, and the community to build an effective, preventive, and sustainable child protection system that ensures a safe and violence-free educational environment.

REFERENCES

- Alfarisi, Ikhsan. (2020). Psikater Dalam Sistem Peradilan Pidana. *AL WASATH Jurnal Ilmu Hukum*, 1(1), 47–56.
- Anak, K., & Hukum, P. (2025). *Jurnal Mudabbir*. 5, 928–942.
- Antari, P. E. D. (2021). Pemenuhan Hak Anak Yang Mengalami Kekerasan Seksual Berbasis Restorative Justice Pada Masyarakat Tenganan Pegringsingan, Karangasem, Bali. *Jurnal Ham*, 12(1), 75. <https://doi.org/10.30641/Ham.2021.12.75-94>
- Azalia, F. R. (2020). Perlindungan Hukum Terhadap Anak Sebagai Korban Kekerasan Yang Terjadi Di Sekolah. *Wajah Hukum*, 4(1), 169. <https://doi.org/10.33087/Wjh.V4i1.76>
- Borman, M. S. (2017). Independensi Kekuasaan Kehakiman Dari Pengaruh Kekuasaan Di Indonesia. *Lex Journal: Kajian Hukum & Keadilan*, 1(1). <https://doi.org/10.25139/Lex.V1i1.233>
- Dasa Suryantoro, D., Hukum Keluarga Islam, P., Syariah, J., Nurul Huda Kapongan, S., Situbondo, K., & Timur -Indonesia, J. (2025a). Efektivitas Penerapan Hukum Penanggulangan Bullying Di Kalangan Pelajar Indonesia. 2(2). <https://doi.org/10.31599/Jlss.V2i2.3929>
- Dasa Suryantoro, D., Hukum Keluarga Islam, P., Syariah, J., Nurul Huda Kapongan, S., Situbondo, K., & Timur -Indonesia, J. (2025b). Efektivitas Penerapan Hukum Penanggulangan Bullying Di Kalangan Pelajar Indonesia. 2(2). <https://doi.org/10.31599/Jlss.V2i2.3929>
- Dewi Ariani, A., & Yurista Prawitasari, N. (2024). Efektivitas Peran Komisi Perlindungan Anak Indonesia Dalam Menangani Kasus Bullying Terhadap Anak. *Nining Yurista Prawitasari Innovative: Journal Of Social Science Research*, 4, 13103–13112.
- Diana, D., Prawesthi, W., & Amiq, B. (2024). Criminal Provisions For Perpetrators Who Commit Criminal Acts Of Copulation And Lewd Acts Against Minors. *Indonesian Journal Of Law And Justice*, 1(4), 13. <https://doi.org/10.47134/Ijlj.V1i4.2345>
- Dinda Kania Anggraini, Muchammad Rozaq F H, Tristan Salahudin S, & Sayekti Putri D. (2024). Peran Undang-Undang Perlindungan Anak Dalam Mengatasi Bullying Di

- Sekolah. *Hukum Inovatif: Jurnal Ilmu Hukum Sosial Dan Humaniora*, 1(4), 17–26.
<https://doi.org/10.62383/Humif.V1i4.559>
- Emastin, B., Wau, D., Lumban Tobing, A., Pasaribu, J., & Panjaitan, M. (2025). Analisis Efektivitas Kebijakan Dan Program Anti Bullying Di Sekolah Menengah Pertama (Studi Kasus Smp Swasta Methodist 5 Medan). *Jispol : Jurnal Ilmu Sosial Dan Politik*.
<https://doi.org/10.51622>
- Haipon, H., Veronica Pont, A., Fadli Dg Patompo, M., Noya, S. W., & Penelitian, A. (2025). Urgensi Kriminalisasi Perundungan (Bullying) Di Sekolah Dalam Sistem Peradilan Pidana Anak. *Jurnal Kolaboratif Sains*, 8(12), 8763–8772.
<https://doi.org/10.56338/Jks.V8i12.9566>
- Hasan, Z., Bagus, P. K. A., Salsabilla, R., & Kemilau, A. P. (2023). Analisis Faktor Penyebab Terjadinya Penganiayaan Yang Dilakukan Oleh Pelaku Anak Dibawah Umur Di Kabupaten Pesawaran. *Jurnal Konstruksi Hukum*, 4(2), 233–238.
- Ichwanto, A. M. (2018). Tindak Pidana Penganiayaan Dalam Hukum Pidana Islam. *Al-Qanun: Jurnal Pemikiran Dan Pembaharuan Hukum Islam*, 20(1), 181–206.
<https://doi.org/10.15642/Alqanun.2017.20.1.181-206>
- Irnawati, I., Susianawati, L., Fajriyah, L. F., Jannah, M., Sifiana, L., & Fatkhiyah, L. (2025). Peran Guru Dalam Mencegah Kekerasan Verbal Pada Anak Usia Dini Di Sekolah. *Legal Research Journal*, 1(1), 269–277.
- Iskandar Agoes, I., & Kayowan Lewoleba, K. (2023). Perlindungan Hukum Terhadap Korban Perundungan (Bullying) Yang Terjadi Di Lingkungan Pendidikan. 5th National Conference On Law Studies 2023. <http://ejournal.upi.edu/index>.
- Kediri, U. K. (2025). Legal Responsibility Of Educational Institutions In Handling Bullying In Schools: A Study Of Regulation Implementation In Junior High School In Kediri District Eko Iswahyudi. *Nusantara Hasana Journal*, 4(10), Page.
- Kisworo, H. S., Puspytasari, H. H., & Surabaya, U. N. (2022). Implementasi Dan Implikasi Undang-Undang Nomor Sistem Penjara Yang Menekankan Pada Pembatasan Fisik Dan Penahanan Narapidana Agar Dapat Kembali Ke Masyarakat Secara Produktif Dan Positif Konsep Rehabilitasi Yang Lebih Humanis , Direktorat Jenderal Pemasya. (November 2024), 1–22.
- Noventari, W., & Suryaningsih, A. (2020). Upaya Perlindungan Anak Terhadap Tindak Kekerasan (Bullying) Dalam Dunia Pendidikan Ditinjau Dari Aspek Hukum Dan Hak Asasi Manusia. *Maksigama*, 13(2), 156–168.
<https://doi.org/10.37303/Maksigama.V13i2.82>
- Penelitian, A., Cahyowulandari, K., Panggabean, M. L., & Siregar, R. A. (2026). Attribution-Sharealike 4.0 International Some Rights Reserved. *Jurnal Rechtsnormen*.
<https://doi.org/10.56211/Rechtsnormen.V4i2.1544>
- Pramono, W., & Dwiyaniti Hanandini. (2022). Tindak Kekerasan Terhadap Anak Di Sekolah: Bentuk Dan Aktor Pelaku. *Jurnal Administrasi Publik Dan Pemerintahan*, 1(1), 1–12.
<https://doi.org/10.55850/Symbol.V1i1.6>
- Rizky Analiya, T., & Arifin, R. (2022). Perlindungan Hukum Bagi Anak Dalam Kasus Bullying Menurut Undang-Undang Nomor 35 Tahun 2014 Tentang Perlindungan Anak Di Indonesia. In *Journal Of Gender And Social Inclusion In Muslim Societies* (Vol. 3, Number 1).

- Saputra, I., Ediwarman, E., Suhaidi, S., & Marlina, M. (2022). Pertanggungjawaban Pidana Terhadap Pelaku Ujaran Kebencian (Hate Speech) Kepada Kepala Negara Dan Kapolri (Studi Putusan Pengadilan Negeri Medan Nomor: 3006/Pid.Sus/2017/Pn Medan). *Warta Dharmawangsa*, 16(3), 313–326. <https://doi.org/10.46576/Wdw.V16i3.2226>
- Saputra, T. A., & Wijaya, C. (2022). Peran Pimpinan Sumber Daya Manusia Menjadi Leader Dalam Penegakan Etika Anti Diskriminatif. *Perspektif*, 11(2), 735–744. <https://doi.org/10.31289/Perspektif.V11i2.6233>
- Saraswati, R., & Hadiyono, V. (2020). Pencegahan Perundungan/Bullying Di Institusi Pendidikan: Pendekatan Norma Hukum Dan Perubahan Perilaku. *Jurnal Hukum Politik Dan Kekuasaan*. <http://journal.unika.ac.id/index.php/jhpk>
- Setiawan, I., & Saputra, T. (2024). Legal Actions For Perpetrators Of Bullying Against Minors Tindakan Hukum Bagi Pelaku Bullying Terhadap Anak Di Bawah Umur. *Journal Of Social And Economics Research*, 6(1). <https://idm.or.id/jser/index>.
- Setyoningrum, R. A., & Ismunarno. (2015). Implementasi Pasal 27 Ayat (3) Undang-Undang Nomor 11 Tahun 2008 Tentang Informasi Dan Transaksi Elektronik Terhadap Tindak Pidana Cyberbullying Pada Akun Twitter Sebagai Pencemaran Nama Baik. *Recidive*, 4(2), 226–233.
- Sipahutar, P. M., & Irawati, A. C. (2026a). *Iuris Studia: Jurnal Kajian Hukum Optimasi Pemulihan Hak Korban Dalam Kasus Perundungan: Analisis Implementasi Pasal 9 Ayat (1a) Undang-Undang Perlindungan Anak (Vol. 7)*.
- Sipahutar, P. M., & Irawati, A. C. (2026b). *Iuris Studia: Jurnal Kajian Hukum Optimasi Pemulihan Hak Korban Dalam Kasus Perundungan: Analisis Implementasi Pasal 9 Ayat (1a) Undang-Undang Perlindungan Anak (Vol. 7)*.
- Siti Ngainur Rohmah, I. N. (2021). Urgensi Optimalisasi Perlindungan.
- Sitinjak, B. R. (2024). Tinjauan Yuridis Terhadap Kasus Bullying Di Sekolah Dalam Perspektif Hukum Pidana. *Jurnal Hukum Legalita*, 6(1), 20–26. <https://doi.org/10.47637/Legalita.V6i1.1250>
- Soekorini, N. (2017). Penegakan Hukum Dalam Sistem Peradilan Pidana Berazaskan Pancasila. *Lex Journal: Kajian Hukum & Keadilan*, 1(1). <https://doi.org/10.25139/Lex.V1i1.238>
- Suhadi, I. (1996). Hukum Dan Kekuasaan. *Jurnal Hukum Ius Quia Iustum*, 3(6), 44–49. <https://doi.org/10.20885/Iustum.Vol3.Iss6.Art5>
- Suheri Harahap, A. (2018). Kekerasan Fisik Oleh Pendidik Terhadap Peserta Didik Dalam Undang-Undang Perlindungan Anak Perspektif Hukum Pidana Islam. *Mizan: Journal Of Islamic Law*, 4(1), 173–224.
- Syarief, F., Kurniawan, A., Widodo, Z. D., Nugroho, H., Rimayanti, Siregar, E., Isabella, A. A., Fitriani, Kairupan, D. J. I., Siregar, Z. H., Zamrodah, Y., Jahri, M., Suarjana, I. W. G., & Salmia. (2022). Manajemen Sumber Daya Manusia. In *Widina Bhakti Persada Bandung*.
- Tikoalu, D. D., & Hutabarat, R. R. (2024). Pelaksanaan Restorative Justice Terhadap Pelaku Tindak Pidana Penganiayaan Anak Di Kepolisian Daerah Bali. 7(1), 372–378.
- Tindak Pidana Kenakalan, S., Fisik, P., Di Lingkungan Sekolah Berdasarkan Aspek Hukum Pidana Meida Adita Rahma, A., Fitriasih, S., & Adita Rahma, M. (2024). Selisik Tindak Pidana Kenakalan “Perundungan Fisik” Anak Di Lingkungan Sekolah

\

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- Valentina Pinky Kristinawati, & Edi Pranoto. (2023). Tinjauan Yuridis Terhadap Tindak Pidana Bullying Di Sekolah. *Concept: Journal Of Social Humanities And Education*, 2(1), 241–259. <https://doi.org/10.55606/Concept.V2i1.250>
- Yuningsih, T., Dm, I. H., Imam, J., Sh, B., & Semarang, N. (2021). Peran Stakeholder Dalam Upaya Reintegrasi Sosial Kasus Kekerasan Pada Anak Di Kota Semarang Tentang Perubahan Atas Undang- Belum Berusia 18 Tahun . *Who*. 9(1), 249–260.
- Yusuf, M. (2024). Implementasi Kebijakan Anti-Perundungan Di Sekolah Dalam Perspektif Hukum Pendidikan. <https://jurnalbundaratu.org/journal/index.php/jcivitas>