

Obstacles and efforts to overcome them in protecting children's rights against violence in elementary schools in the Sleman district

Sri Hartini¹, Fathikah Fauziah Hanum¹, Anang Priyanto¹

¹ Pancasila and Civic Education Study Program, Universitas Negeri Yogyakarta, Sleman, Indonesia

ABSTRACT

Abstract explain the core of manuscript informatively and obviously including the subject matter proposed approach and solution and show key findings and conclusions. Abstract using English and bahasa. The number of words in the abstract about 150-200 words, written in one paragraph, any unfamiliar terms should be written in italic. Font type and size are Calibri Light (Headings) 9 pt. Abstract was written in single spaced and the margin was narrower than main text. Keywords need to be listed and reviewed and the main terms underlying the conduct of the research. Keywords could be single word or phrase. Keywords including 3-5 words or phrase. These keywords are required for computerization. Research and abstract title search made easy with these keywords.

Article History:

Submitted : 10-08-2022
Revised : 20-09-2022
Accepted : 30-09-2022

Keywords:

children's right; protection children's rights; violence against children



Introduction

Violence against children remains a pervasive issue in Indonesia, as the Indonesian Child Protection Commission (KPAI) reported. Between 2011 and 2019, there were 37,381 reported violence cases against children, including 2,473 cases of bullying in education and social media. Furthermore, around 6,547 cases of sexual violence against children were reported in 2021 alone (Mantalean, 2022). These alarming statistics indicate a clear violation of children's human rights.

Various forms of sexual violence against children occur in Indonesian society. According to Suyanto (2010, p. 29), there are four types of violence that children may face: physical, psychological, sexual, and economical. Children are also vulnerable to neglect and trafficking. Violence commonly occurs in the family or at school, where students may experience physical or psychological abuse (Ferrara et al., 2019). Psychological violence, especially in elementary school, can lead to growth and developmental disorders, both physical and psychological (Lloyd, 2018). The negative impact of violence can be both short- and long-term.

Violent behavior among children, such as bullying, is unacceptable and contradicts a peaceful and creative learning environment that children should experience (UNESCO, 2019). Educators and parents are crucial in shaping a child's positive behavior. Unfortunately, perpetrators of sexual violence against children are often known to the victims, including family members, teachers, doctors, friends, and even government officials like the police. It puts children in an incredibly vulnerable position, even in environments that should provide them with protection, such as schools and healthcare facilities. The violation of children's rights is the responsibility of the State, government, community, family, and parents, as stated in Law no. 35 of 2014, which amends Law Number 23 of 2002 on Child Protection, Article 20. Protecting children is crucial, as they are the nation's future and have the right to survival, growth, and development, free from violence and discrimination, as guaranteed by the Constitution of the Republic of Indonesia.

The rise in violence among children resulting in fatalities necessitates the government to take decisive action (UNICEF, 2020). It can be achieved by enhancing the curriculum, which should focus on cultivating empathy, creativity, cooperation, and competence, strengthening school supervision, and promoting social activities such as group counseling. It is crucial to improve the quality of teachers to facilitate an engaging teaching and learning process that fosters students' curiosity, ultimately discouraging violent behavior. The competence of teachers in managing classrooms and instilling positive character traits in students should be a crucial indicator of certification.

Children, inside and outside the school environment, require protection from acts of violence committed by teachers, school administrators, peers, or other individuals affiliated with educational institutions (Article 54 of the Child Protection Act). The Elucidation of Article 54 emphasizes that children within education units are entitled to protection from physical, psychological, sexual, and other forms of violence perpetrated by educators, educational staff, fellow students, and/or other parties. The Ministry of Education and Culture has also issued Education Regulation No. 82 of 2015, which outlines prevention and management strategies for violent acts within academic units. The regulation stipulates that schools must provide information boards as a preventive measure.

According to previous research conducted by Hanum et al., (2020), in elementary schools in Sleman Regency, Yogyakarta, various measures have been implemented to protect children's rights against violence, including preventive and repression measures. Preventive measures include academic guidelines, school rules, principal regulations, intense communication between teachers and parents, an anti-bullying curriculum, anti-bullying outreach to students and teachers, and child-friendly school programs. If violence occurs, the prosecution is carried out.

Data analysis from several informants at elementary schools in Sleman revealed that the most common forms of violence were verbal, physical, psychological, and sexual. Teachers on students usually carry out verbal violence. The policy at Muhammadiyah Condongcatur Elementary School is to deduct the performance points of teachers who engage in this behavior and provide guidance from the principal or a teacher forum. Margotagung Elementary School resolves these incidents through deliberation between the students and the school. The school handles physical violence between students immediately, and serious injuries are reported to parents and taken to the hospital. Psychological violence by teachers on students is resolved through coaching by the principal, while students receive assistance from a psychologist. The school handles psychological violence between students in a deliberative/family manner and with the aid of a psychologist.

In contrast, violence committed by parents of students is resolved with the school, students as victims reported students, and reporters from students as victims. Sexual abuse committed by students on other students is resolved amicably by the school with the involvement of parents and the guidance/assistance of psychologists. Finally, teacher violence against students is determined through the criminal justice system.

Despite implementing these measures, there are still obstacles to protecting children's rights against violence. Therefore, this article aims to identify these obstacles and the school's efforts to overcome them. This information will be valuable for formulating policies protecting children's rights against violence.

Method

This research used qualitative descriptive research approach conducted in elementary schools in Sleman Regency. The selection of research subjects was made purposively, where informants were selected based on specific criteria or considerations (Delamont & Jones, 2012). The criteria used in this study were the elementary schools that have knowledge and understanding related to the

protection of children's rights against violence in Sleman Regency and have experience in providing security to children's rights against violence in the elementary school setting.

Data collection was carried out using interview and documentation techniques. The interviews were conducted in an unstructured and in-depth manner, guided by a pre-determined set of questions which included inquiries about the implementation of children's rights protection, obstacles faced in implementing child protection against violence, and the school's efforts to overcome these obstacles. The interview process and content were tailored according to the situation and conditions in the field (Creswell, 2014). Documentation was used to supplement and clarify information obtained from interviews regarding protecting elementary school children's rights by examining school regulations and policies related to the subject matter.

The study informants were principals from each of the participating schools. Data validity was checked using cross-check data analysis, which involved verifying data obtained through multiple data collection techniques on the same object (Neuman, 2014). This study examined data from interviews and documentation using cross-check analysis.

Data analysis was conducted using inductive data analysis techniques that included data reduction, categorization, and unitization of data regarding internal and external obstacles to protection efforts, as well as the efforts made by the schools to overcome these obstacles. Data on blocks and steps were presented in a descriptive form, and a conclusion was drawn from the analysis.

Result and Discussion

Protecting human rights is demonstrated through policies that guarantee their safety and take swift legal action in response to human rights violations. It serves as an indicator of the rule of law. A country that fails to deal with human rights violations in a fair manner cannot be considered a country of law and democracy (Karim, 2020). Law no. 35 of 2014 concerning the amendment to Law Number 23 of 2002 concerning Child Protection stipulates that Indonesia guarantees the welfare of all citizens, including the protection of children's rights as human rights. This protection is enforced in the home, school, and community environments, where schools are considered safe places for children.

Schools play a significant role in addressing the problems faced by students, particularly in solving complex social issues. Increasingly, schools are being charged with responsibilities that go beyond education. These responsibilities may include promoting students' psychosocial and physical health, addressing child protection issues, or socializing children to become responsible citizens. Regardless of the agenda, expanding the role of schools inevitably expands the mandate and responsibilities of school actors, such as school management and teachers, involved in children's education. While this can present an opportunity or challenge in any context, we argue that examining how schools in extreme settings respond to the challenges faced by students can be an effective way of discussing this phenomenon (Skovdal & Campbell, 2015). Hence, schools have a crucial role in safeguarding the rights of children.

Schools are considered second homes for children; therefore, teachers and academic staff are responsible for fostering positive attitudes and character development in students. Ignoring the bullying behavior of some students, whether as a perpetrator or a victim, reflects poor teaching skills, as education takes place not only in the classroom but also in daily interactions (Andina, 2016). Following Article 54 of Law Number 35 of 2014, which concerns Amendments to Law Number 23 of 2002 on Child Protection, children in schools must be protected from physical, psychological, and sexual violence, as well as other crimes committed by educators, educational staff, fellow students,

and/or other parties. This protection must be provided by educators, education staff, government officials, and/or the community.

Child protection is a shared responsibility among parents, family, community, government, and the state, and is a continuous series of activities (Kamil et al., 2008: 5). Children require extra supervision both personally and as part of society to ensure their rights are protected and to prevent harmful external influences from interfering with their development (Stolba & Amato, 1993; Winterbottom et al., 2008; Zeng & Li, 2018).

State protection for children is divided into two categories: (1) Juridical protection, which includes protection in the field of public law and civil law; and (2) non-juridical protection, including protection in the social, health, and education sectors (Sandberg, 2018). As seen in various international documents and meetings, child protection encompasses a broad spectrum. Legal protection for children covers multiple aspects, including the protection of human rights and child freedoms, protection of children in the judicial process, protection of children's welfare in the family, education, and social environment, protection of children from detention and deprivation of liberty, protection of children from exploitation, such as slavery, child trafficking, prostitution, pornography, and drug abuse, the use of children to commit crimes, protection of street children, protection of children from the effects of conflict, and protection of children against acts of violence (Aufseeser, 2017).

Various forms of protection are available for children's rights against violence, either in the form of prevention or repression. Prevention measures aim to reduce the incidence of crime by eliminating factors that cause it, while reformative efforts focus on rehabilitating those who have violated the law to prevent recidivism.

In Sleman Regency, several elementary schools have implemented measures to protect children's rights. However, they have encountered several obstacles, both internal and external. Internal barriers include difficulties socializing the protection of children's rights to parents and educators, and the lack of awareness among school members, apart from teachers and students, in acting against violence. This often results in delayed enforcement of protection measures. Many students in elementary schools also causes teachers to have difficulty understanding all children and being responsive to problems that arise.

Furthermore, in some elementary schools, the class teacher also serves as the guidance and counseling teacher, which causes an overload of responsibilities. Therefore, teacher assistants are needed to address violence against students, and teachers need a psychological basis to provide comprehensive guidance. Another obstacle comes from the child, who may hide what is happening due to fear.

In conclusion, despite the efforts made by elementary schools in Sleman Regency to protect children's rights, several challenges still need to be addressed. By addressing these internal barriers, including socializing the importance of child protection and increasing school members' awareness, schools can better protect children from violence and promote their overall well-being.

In addition to internal barriers, external obstacles hinder the implementation of efforts to protect children's rights. One of these obstacles is the lack of special supervision over school activities outside of school. This poses a challenge to preventive efforts, as intense supervision of students is necessary to prevent violence against children. Although management should be conducted within and outside of the school environment, the lack of control outside of school remains a challenge. Sometimes the school is unaware of students' activities outside of school, such as violence between children. As a result, preventive efforts are hindered.

Another external obstacle is the defensive attitude of parents towards their children, even when their children have made mistakes. It can obstruct the enforcement process. Furthermore, the lack of public knowledge about the appropriate response when a child or sibling becomes a victim of sexual violence is another hindrance. Delayed complaints or reports can result in the victim experiencing severe trauma. research indicates a general lack of understanding of the law in society and even within families. For example, when legal protection was proposed in the form of diversion, the families of both parties refused to accept it. In this case, the defendant's family justified their child's behavior and refused to provide compensation, bringing the case to court. As a result, diversion at the investigative and prosecutorial levels has deemed a failure.

Preventing violence against children in schools involves several internal and external obstacles that must be addressed. One approach is to implement a child-friendly school program, which creates a safe, clean, and healthy school environment that respects students' rights and protects them from violence and discrimination. This program also encourages student participation in policy planning and complaint mechanisms to promote the fulfillment of children's rights and protection. Additionally, child-friendly city concepts are needed outside of the school environment to integrate the resources and commitments of the government, community, and business world to sustain children's rights.

Child-friendly school indicators include policies, curriculum implementation, trained educators, facilities, infrastructure, child participation, and participation from parents, community organizations, the business world, other stakeholders, and alums. Besides, it is essential to have prevention programs for sexual violence against children at home and in the community. Parents and teachers must be educated about sexual abuse, including the misconceptions about perpetrators and victims, blaming, and self-protection skills. Supportive responses from informed parents and school staff are crucial to create a safe and healthy environment for children.

Efforts to overcome obstacles in protecting children's rights against violence in elementary schools in Sleman Regency include the recruitment of guidance and counseling teachers, instilling a sense of responsibility in employees, involving education staff in student activities outside of school, providing guidance to parents, and conducting outreach to teachers, parents, law enforcement agencies, and authorized institutions. These efforts aim to enhance the health and welfare of vulnerable children and young people by exploring the potential of schools to support groups of children. Socialization should also be carried out periodically to raise awareness and encourage involvement in protecting children's rights against violence.

Schools play a crucial role in providing care and support to children and young people in educational settings. It is widely recognized that neglecting students' social and personal problems can harm their learning outcomes. To address these issues, schools may implement school-based projects that target specific problems, such as bullying or substance abuse. They may refer children and young people to external agencies that specialize in supporting those with social, mental, or physical health problems. Informal care and support can also be offered, and the quality of the relationship between teachers and students is a critical factor in effective pedagogy. However, it can be challenging to determine when a caring relationship between a teacher and a student constitutes a form of support and whether it is driven by a genuine concern for the student's well-being or the teacher's professional duties as a caregiver (Skovdal & Campbell, 2015).

Legal protection institutions and advocacy groups also play a critical role in ensuring children's and young people's well-being. These institutions can be broadly categorized into three groups. Firstly, they develop child protection policies to assist victims of sexual violence and promote the fulfillment of children's rights. Secondly, they provide direct and indirect assistance to children

involved in legal proceedings, including counseling and health services for children and women who have experienced violence. Assistance is a typical strategy government, legal professionals, and non-governmental organizations employ in resolving cases affecting community members.

Conclusion

Several elementary schools in Sleman District encounter numerous challenges in their attempts to protect children's rights against violence. These hindrances can be categorized into three types: internal barriers, external barriers, and potential solutions. Internal walls include (1) difficulties in educating parents and teachers about child rights protection, (2) lack of school supervision over student activities outside school, and (3) schools' lack of knowledge about students' activities outside of school, which may include violence between students. External barriers refer to the lack of coordination between organizers and schools during student activities outside the school environment, leading to teachers being unaware of potential violence against elementary school children. To address these obstacles, some efforts have been proposed, such as creating child-friendly schools, recruiting Guidance and Counseling Teachers, conducting socialization and outreach to teachers, educators, employees, and parents of students to prevent violence, collaborating with law enforcement agencies, and establishing partnerships with Women's Empowerment and Child Protection Service and the Regional Technical Implementation Unit for the Protection of Women and Children. In conclusion, it is recommended that schools coordinate with relevant institutions to carry out socialization and training programs regarding child protection against violence. Parents should develop a harmonious relationship with schools to supervise their children and prevent violence against children. Finally, students are encouraged to openly discuss or report any violence they or their friends have experienced.

References

- Aufseeser, D. (2017). Street children and everyday violence. In *Conflict, Violence and Peace* (pp. 109–127). Springer Singapore. https://doi.org/10.1007/978-981-287-038-4_31
- Creswell, J. W. (2014). *Educational research : planning, conducting and evaluating quantitative and qualitative research*. Pearson Education Limited.
- Delamont, S., & Jones, A. (Social sciences editor). (2012). *Handbook of qualitative research in education*. Edward Elgar.
- Ferrara, P., Franceschini, G., Villani, A., & Corsello, G. (2019). Physical, psychological and social impact of school violence on children. *Italian Journal of Pediatrics*, 45(1), 76. <https://doi.org/10.1186/s13052-019-0669-z>
- Hanum, F. F., Hartini, S., Priyanto, A., & Suripno. (2020). Protection of child rights to violence in the elementary school in Sleman Regency. In *The 4th ICSSSED, International Conference of Social Science and Education* (pp. 324–330). Sciendo. <https://doi.org/10.2478/9788366675186-041>
- Karim, M. F. (2020). The limits of global human rights promotion: Indonesia's ambivalent roles in the UN Human Rights Council. *Contemporary Politics*, 26(3), 351–370. <https://doi.org/10.1080/13569775.2020.1720065>
- Lloyd, M. (2018). Domestic violence and education: examining the impact of domestic violence on young children, children, and young people and the potential role of schools. *Frontiers in Psychology*, 9. <https://doi.org/10.3389/fpsyg.2018.02094>
- Mantalean, V. (2022). Pemerintah catat 6.500 lebih kasus kekerasan seksual terhadap anak sepanjang 2021. *Kompas Com*. <https://nasional.kompas.com/read/2022/01/19/18555131/pemerintah-catat-6500-lebih-kasus-kekerasan-seksual-terhadap-anak-sepanjang>

- Neuman, L. W. (2014). *Basics of social research: Qualitative & quantitative approaches*. Pearson Education Limited.
- Sandberg, K. (2018). Children's Right to protection under the CRC. In *Human Rights in Child Protection* (pp. 15–38). Springer International Publishing. https://doi.org/10.1007/978-3-319-94800-3_2
- Skovdal, M., & Campbell, C. (2015). Beyond education: What role can schools play in the support and protection of children in extreme settings? *International Journal of Educational Development*, 41, 175–183. <https://doi.org/10.1016/j.ijedudev.2015.02.005>
- Stolba, A., & Amato, P. R. (1993). Extended single-parent households and children's behavior. *The Sociological Quarterly*, 34(3), 543–549. <https://doi.org/10.1111/j.1533-8525.1993.tb00125.x>
- Suryanto, B. (2010). *Masalah sosial anak*. Prenada Media.
- UNESCO. (2019). *Behind the numbers: Ending school violence and bullying*. UNESCO.
- UNICEF. (2020). *The state of children in Indonesia*. UNICEF.
- Winterbottom, M., Smith, S., Hind, S., & Haggard, M. (2008). Understanding similarities and differences between parents' and teachers' construal of children's behaviour. *Educational Studies*, 34(5), 483–510. <https://doi.org/10.1080/03055690802288452>
- Zeng, R., & Li, Z. (2018). Analysis of the relationship between landscape and children's behaviour in Chinese Residential Quarters. *Journal of Asian Architecture and Building Engineering*, 17(1), 47–54. <https://doi.org/10.3130/jaabe.17.47>