



## A Model for Resolving Bullying Cases Against Children in Muara Village, Cirebon Regency That is Fair

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### ABSTRACT

Bullying of children is a social problem that is getting more and more attention, especially in rural environments where there are limitations in the child protection system. This study aims to examine the model of resolving bullying cases against children in villages in Cirebon regency with a fair approach, both in formal law and local wisdom. The method used is qualitative with data collection techniques through interviews, observations, and documentation studies of several parties, such as village officials, community leaders, victims, perpetrators, and child protection institutions. Bullying perpetrators are also at risk of experiencing mental health disorders, such as uncontrolled emotional symptoms. On the other hand, children who are victims of bullying will suffer as a result of physical and non-physical violence. One of the steps that can be taken to help perpetrators or victims of bullying is to give more affection, rebuild confidence, and involve them in various positive activities. It is essential to provide an understanding of the adverse effects of bullying. The results of this study show that the fair settlement model combines for restorative mediation, the involvement of indigenous leaders, as well as education and recovery of victim trauma, and the resolution of repeated bullying cases. This study recommends the need for integrity between the state legal system and local values in handling cases of bullying against children.

## INTRODUCTION

Humans are known as social creatures because there is always interaction between individuals in daily life. Everyone has a different personality, trait, or behavior. A person has differences in dealing with various conflicts, both in social interaction and in the form of violence, both verbal and non-verbal. This conflict can disrupt a person's life. In the academic context, for example, in teaching and learning practices, victims of bullying tend to stay away from their friends, so they become more passive in discussions. As a result, they have difficulty getting along and often isolate themselves. One form of negative behavior that occurs among teenagers is bullying.

Two factors cause bullying in children, namely internal and external factors. Internal factors include character or habits, such as being a more solitary individual. Meanwhile, external factors include influences from the surrounding environment. Bullying can be interpreted as an act that is done intentionally, hurting a person in physical or non-physical form; bullying is an aggressive act that one or more people deliberately carry out over a long time against the victim who is unable to defend themselves. At this time, bullying has become a common occurrence in the surrounding environment.

Bullying behavior can affect children's development, both in the academic and non-academic fields. According to the WHO, mental health means that it reflects a person's ability to be emotionally stable in various problems. Children who are often victims of bullying will develop emotional disorders, such as emotional instability and decreased confidence. In addition, bullying can also affect the psychological condition of the victim, such as crying easily, irritability, and even feeling anxious and excessive when interacting with others (Pratiwi et al., 2023).

All forms of bullying can have an impact on both physical and psychological health, which affects the mental health of the victim. Many children who are victims of bullying experience mental health disorders that cause them to have difficulty socializing and tend to isolate themselves from their surroundings. This condition is the opposite of a healthy mental state, where a person has a positive self-thinking plan and can lead to better life activities. Conversely, poor mental health can result in negative self-esteem, which in turn can trigger child delinquency.

Muara Village, Cirebon Regency, is one example of a region that has applied restorative justice in resolving disputes between elementary school students. This implementation has shown positive results in reducing conflicts, improving relationships between students, and increasing student involvement in the problem-solving process. Bullying often occurs in Muara Village, Cirebon Regency, which results in pros and cons between the victim and the perpetrator. Some victims are traumatized, and the victim's parents become anxious because of what their children are experiencing. Because it had often happened, the victim's parents also reported the incident to the village to help resolve the problem that had occurred. This raises the question of what form of bullying occurs? Moreover, what is the model for resolving bullying cases in Muara village, Cirebon Regency?

Therefore, it is critical to understand the mental health condition of children who are victims of bullying. This can support their future mental health development, help them achieve a better life, and prevent them from unwanted bad behavior (Mahiera, 2021).

This study was prepared to describe the forms of bullying experienced by children in the villages of Cirebon Regency. Analyze. To examine and understand the form of legal protection that can be provided to children victims of bullying based on the law in Indonesia, in addition, this study aims to evaluate and examine the steps taken by the government in providing compensation to child victims of bullying, based on the law that is expected to apply in the future (*ius constituendum*) in Indonesia.

## **LITERATURE REVIEW**

### **Bullying**

Bullying is an aggressive action usually carried out by someone to intimidate or dominate others who are perceived as weaker. Bullying often occurs in the environment around children, both at school and at home. Differences in economic levels and social status usually trigger it. Due to these factors, the bully feels justified in intimidating and committing physical violence against the victim because they feel superior. Bullying is one of the problems that we still encounter very often. This bullying behavior certainly cannot be tolerated because it can have profound effects on the physical and mental health of the child. Children become more aware of the topic of bullying, and it is also hoped that this educational activity can be a step towards preventing bullying in the future. The branch must fulfil a few simple requirements (Saguni et al., 2024).

### **Children Bullying**

Children are a valuable asset that this nation possesses as supporters of national development in our country. Children must be considered and addressed qualitatively and with a future-oriented perspective. Without clear quality and direction, a child cannot be expected to become a leader of this nation. Children are an inseparable part of human survival and the survival of the nation and state. Since children hold a crucial role, their rights are explicitly regulated in Article 28B Paragraph 2 of the 1945 Constitution, which states: "The state guarantees that every child has the right to live, grow, and develop as well as the right to protection from violence and discrimination."

Children are valuable assets that cannot be separated from the continuity of a nation, but not every child is free from defects. Common mistakes made by children can harm themselves and others, often disrupting the peacefulness of social life. Someone who commits an offense regulated by law can be punished with a criminal sanction. According to Andi Hamzah, a criminal sanction is a fixed penalty imposed on an individual proven to have committed a crime, based on a final decision.

Bullying is behavior that expresses poor morality, low morals, and barbarism. The prevalence of bullying suggests a low moral standard and a decline in human morality in social life. Every religion in the world upholds good character and prohibits its followers from causing harm to one another. In Islam,

specifically in Surah Al-Hujurat verse 11, it is prohibited for its believers to mock others, let alone to harm them physically. Besides verse 11 of Surah Al-Hujurat, several verses in the Quran explain oppression. There are thirteen verses in the Quran which include Surah Al-Hujurat (26): 11, Surah Al-Mu'minin (18): 110, Surah Al-Anbiya (17): 14, Surah Yusuf (12): 38, Surah At-Taubah (10): 79, Surah Al-Humazah (30): 1, Surah Al-Baqarah (2): 212, Surah Adh-Dhuha (30): 9, Surah Al-Buruuj (30): 10, Surah Al-Anfal (25): 7, Surah Al-Qalam (29): 11, Surah Al-Hijr (14): 11, Surah Al-An'am (7): 10. (Meta, 2023). The law on bullying is illegal because it includes attitudes and behaviors that harm others and can damage a person's reputation or dignity. For some reason, bullying is still prohibited in Islam. The perpetrator who has committed it must apologize to the victim in order for Allah to forgive their sins. In the first and second principles, Pancasila demonstrates itself as the foundation of the Republic of Indonesia, namely the One Supreme God and just and civilized humanity, stating that everyone is entitled to be treated fairly by all others. This good and correct behavior is achieved by every individual or group, whether in solitude or amidst the crowd. Every individual, regardless of their status or group, has the right to be treated well by the people around them.

### **Law Protection of Children from Bullying**

Children who are victims of bullying need legal protection. Considering that children are an inseparable part of the survival of human beings and the continuity of a nation and state. In order to be able to take responsibility for the continuity of the nation and state in the future, every child needs to be given the widest possible opportunity to grow and develop optimally, both physically, mentally, and socially. Therefore, legal protection efforts are needed to realize the welfare of children by providing guarantees for the fulfillment of their rights without discriminatory treatment.

Legal Protection of Child Abuse Victims in Indonesia Generally, the protection of human rights has been regulated and mentioned in several laws and regulations, including the reformed constitution, thus greater attention is given to the realization of human rights in this era of independence. This is a responsibility of the state per citizen. Although Law Number 39 of 1999 on Human Rights regulates the rights of children, the implementation of duties and responsibilities of parents, families, communities, governments, and the state to protect children is still needed.

The drafting of this law is based on the belief that child protection in all aspects is integral to national development activities, particularly in advancing the well-being of the nation and its citizens. Although legal frameworks have been established, the Child Protection Law No. 23 of 2002 cannot operate effectively in this process due to overlapping definitions of children in sectoral legislation. On the other hand, the increasing crimes against children in society, including sexual crimes, demand an enhancement of commitment from the government, communities, and society, as well as all actors involved in the implementation of child protection.

For the effectiveness of monitoring the implementation of child protection, an independent institution is needed which is expected to support the

government and local governments in the organization of child protection. The amendment of Law Number 35 of 2014 as a revision of Law Number 23 of 2002 concerning Child Protection has emphasized the need for heavier criminal penalties and fines for perpetrators of crimes against children, to provide a deterrent effect and to encourage concrete steps to restore the physical, psychological, and social well-being of child victims and/or child perpetrators of crimes (Iga Farida & Rochmani, 2020).

This must be done to prevent child victims of crime and/or perpetrators of crime from committing the same crimes in the future. National child protection has a legal basis, including the 1945 Constitution as a constitutional basis and Articles 21 to 25 as amended by Law No. 35 of 2014, complementing Law No. 23 of 2002 on Child Protection. Regarding the definition of a child according to Article 1 Paragraph 1: someone who is not yet 18 (eighteen) years old, including a child in the womb. According to Article 17 (2), "every child who becomes a victim or perpetrator of sexual violence or who is in conflict with the law has the right to confidentiality."

Physical bullying is a criminal act, so the perpetrators of such actions should receive punishment for their deeds. An often occurring case of bullying in educational environments is physical bullying. Although physical bullying frequently happens in many cases, there is no clear and comprehensive legislation that addresses the issue of physical bullying, so the only law that can serve as a reference is Law No. 35 of 2014 concerning Amendments to Law No. 23 of 2002 on Child Protection, hereinafter referred to as the Child Protection Law (Maharani & Darmadi, 2018).

## METHODOLOGY

The case study approach is one of the qualitative techniques commonly used in criminal research. This approach involves an in-depth investigation of a particular crime case to understand the context, factors, and dynamics comprehensively. Case studies aim to understand better crime cases, including the perpetrator's background, motivation, impact on victims, community response, and the judicial process.

Frank E. Hagan's 2019 book on Research Methods in Criminal Justice and Criminology explains that case studies can use various data sources such as interviews, observations, documents, legal records, and media reports to gather relevant information about the case. So in this study, the author collected information from books, official documents, and village reports related to the development of the case to be researched.

In this study, the author uses secondary data sources from various references, including literature, official documents, legal publications, textbooks, dictionaries, journals, and news or other electronic media. The data collection process is done by reviewing literature and supporting documents, such as legislation, research results, legal journals, and several books.

## RESEARCH RESULT AND DISCUSSION

### What forms of bullying Occur in Muara Village, Cirebon Regency?

Bullying is behavior that aims to pressure or intimidate one or more people by taking advantage of the assumption that the victim has specific weaknesses. This act can also be understood as a form of abuse of power or power to hurt other individuals to cause psychological trauma, potentially. Bullying is generally classified into three main types.

1. Physical bullying, which is an act of violence that involves direct physical contact, includes examples such as slapping, hitting, kicking, and other acts of physical violence.
2. Verbal bullying is violence in the form of hurtful speech; this form is one of the most common in both men and women, for example, including mocking, insulting, scolding, and other abusive words.
3. Psychological bullying includes actions that attack a person's mental and emotional state. Examples of this type of bullying include discriminating, intimidating, and excluding victims. This kind of bullying can have serious consequences, such as causing severe stress and encouraging the victim to commit suicide.

Bullying is a serious problem that requires serious handling, but in reality, bullying is still often underestimated, so the handling of cases is not optimal. Therefore, it is important to study more deeply the criminological perspective of children who commit criminal acts of bullying in Indonesia and the form of accountability they must undergo. The results of this study are that bullying is a hurtful act committed by individuals or groups in verbal, physical, and psychological forms to make the victim suffer (Zebuan et al., 2024).

One of the factors that causes this behavior is the lack of moral and ethical education that teaches children to respect others regarding the responsibility of children who are abusers, training organized by the government or private institutions. This provision is the appropriate legal basis in the application of action sanctions for children of abusers (Syahrul et al., 2008)

The impact on victims of bullying includes physical and verbal violence. This kind of action can cause prolonged trauma. For the victims, the impact of bullying is not limited to psychological trauma. Their academic performance also often depends on the consequences of these bad experiences. Victims of bullying often experience physical violence that leads to social isolation, a lack of close friends, disharmonious relationships with parents, and deteriorating mental health. In the most severe cases, bullying can lead to depression, which can trigger suicidal thoughts (Kusumasari et al., 2019). According to Douglas Vanderbilt and Marilyn Augstyn, bullies often face mental health problems, such as high levels of depression and great psychological distress; they also often experience anxiety disorders and have various social problems, and tend to exhibit anti-social traits.

For example, in a village called Muara Village, Cirebon Regency, there was a case of bullying between two elementary school students, namely Royan (the perpetrator) and Jivan (the victim). Jivan is often ridiculed, shunned, and ostracized by Royan and his friends because of his fat body. This causes Jivan to be reluctant to go to school and experience mental stress.

Looking at the above statement, the impact of bullying felt by the victim of bullying is unjustifiable, regardless of the reason. What is more, bullying of children can have significant consequences for their future. At an age that should be filled with happiness and joy, children are often burdened by feelings of distress due to their environment. This can leave a deep trauma in the child.

The criminal act of bullying or child bullying is regulated in Article 76C of Law Number 35 of 2014, which reads "everyone is prohibited from placing, allowing to do, ordering to do, or participating in violence against children". From article 76C of Law Number 35 of 2014, what is meant by "everyone" is an individual or corporation, while "child" is someone who is not yet 18 years old, including a child who is still in the womb.

### **What is the model for solving bullying cases in Muara Village, Cirebon Regency?**

In an effort to resolve the investigation, both parties resolved in a restorative way of victim justice, and the perpetrator chose to resolve it with a family council witnessed by village members, the school, and the victim's parents.

Jivan's parents reported the incident to the village chief, who then passed it on to the village chief. The village head's initial mediation invited both parties (the Royan Family and the Jivan Family) to attend the Village Hall. This meeting was also attended by community leaders, BK teachers from schools, and village protection officers.

The Village Head facilitated an open dialogue between the two parties. Royan was asked to explain and asked to be responsible. Jivan was allowed to express his feelings and the impact of Royan's actions. Each parent expressed their hopes.

The mediation results agreed that Royan apologized directly to Jivan and that he and his family promised not to repeat his actions. The school will monitor student behavior related to their actions at school. The village will hold counseling on bullying and character education (Royan et al., 2025).

To continue the monitoring, the head of the hamlet and the Bk teachers were asked to monitor Royan and Jivan's condition for the next three months. If a similar incident is repeated, the settlement will be upgraded to law enforcement according to the rules.

In an effort to prevent non-penal bullying, education can be carried out for perpetrators, victims, and other children so that bullying does not occur again. For example, information about bullying of students and information about how dangerous bullying is can be provided. Several efforts can be made to prevent bullying from happening again, such as education, coaching, socialization, building a positive environment, and further improving social skills.

Children are children, not small adults. Departing from this characteristic, the treatment of children, whether related to criminal acts or those who experience social problems, must be addressed for the sake of and for the welfare of children. In the concept of religion, efforts to protect the existence of children

from the time the child is still in the womb by providing spiritual education and continuing to maintain the purity of the child by both parents (Waluyadi, 2025).

*Juvenile delinquency* states that a child can also act as a perpetrator of a crime (Andayani, 2021). The actions prioritized in crime prevention are determining criminal acts and legal sanctions to impose on the perpetrators. The criminal law sanction rewards the perpetrator for harming the victim and the community. This is enforced if the perpetrator is still committing the crime of bullying. Giving sanctions to perpetrators must be based on serious considerations, so that the perpetrators feel deterred from committing crimes and positively impact the perpetrators and the community. It will be processed and reported to the authorities.

Handling the crime of bullying committed by children is not what needs to be protected; it is not only the rights and interests of the victim that need to be considered, but the perpetrator is also a child, so the rights of the perpetrator are also fundamental to be considered, so that children in conflict have special rights (Ismayana et al., 2025). In article 64 of the Child Protection Law, it has been stipulated that children who conflict with the law have special rights, which states that:

Special Protection for children who conflict with the law as referred to in article 59 paragraph (2) b is carried out through:

- a. Humane treatment and attention to needs in accordance with the general public;
- b. Separation from adults;
- c. Effective provision of legal and other assistance;
- d. Implementation of reactionary activities
- e. Freedom from torture, punishment, or other cruel, inhuman and degrading treatment;
- f. Avoidance of the death penalty and/or life sentence;
- g. Evasion of arrest, imprisonment, except as a last resort and in the shortest possible time;
- h. The provision of justice before the juvenile court in an objective, impartial and closed hearing to the public;
- i. Avoidance of publication of his identity.

The special regulation that regulates the procedures for handling children who commit criminal acts is Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (hereinafter referred to as the Juvenile Criminal Justice System Law). Article 3 stipulates that children in criminal justice proceedings have rights that must be fulfilled.

The act of bullying will be processed by handling the Legal and Restorative Justice. In article 310 of the Criminal Code (KUHP). Article 205 of the Criminal Procedure Code (KUHP) states that Restorative Justice can resolve criminal cases in cases of misdemeanor crimes as stipulated in articles 364, 373, 379, 384, 407, and 483 of the Criminal Code.

Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA Law) regulates diversion in the juvenile justice system. Diversion is the transfer of the settlement of children's cases from the criminal justice process to

a process outside the criminal court. Diversion can be carried out in the event of a criminal act that is threatened with imprisonment of less than 7 years and is not a repeat criminal act. In the juvenile justice system, diversion is grounded in restorative justice principles. This means that efforts to resolve children's cases do not only focus on punishment, but also on restoring the relationship between the perpetrator, the victim, and the community.

Law Number 1 of 2023 concerning the Criminal Code (KUHP) also regulates Restorative Justice. However, it is not explicit, as stipulated in Article 54, which regulates the mandatory guidelines for considering the use of victims.

## **CONCLUSION AND RECOMMENDATION**

Bullying is an act of physical, verbal, and psychological harm that harms the victim, including mental trauma, academic decline, and the risk of severe depression. Bullying or bullying that occurs in children, such as the case in Muara Village, Cirebon, which causes the victim to feel deep trauma and affects the education sector, the victim, does not want to go to school and socialize with the closest friends or relatives, The factors that significantly affect the perpetrator are in terms of a family that is less harmonious and a lack of parental affection for the child, In addition, environmental factors also greatly affect the existence of the crime of bullying in this case, showing the need for serious handling through legal and social approaches, the Restorative Justice approach was chosen as a solution, by bringing together perpetrators and victims for mediation facilitated by the village, school, and family. This approach aims to restore social relationships, consider the special rights of victims, consider restorative justice, and encourage positive behavior change.

## **ADVANCED RESEARCH**

Future research should focus on the handling of child offenders, which must also consider their special rights, as regulated in the child protection law. Additionally, it prioritizes justice and restoration, promoting positive behavioral change.

## **REFERENCES**

Andayani, G. N. A. & M.E. (2021). "The Application of Restorative Justice in Solving Criminal Bullying Crimes Committed by Children". *Journal of Actual Justice*, 6(2), 211-29.

Constitution 1945

Iga Farida, S. I., & Rochmani, R. (2020). Kebijakan Hukum Pidana Terhadap Pelaku Perundungan (Bullying) Anak Dibawah Umur. *Jurnal Ilmiah Dinamika Hukum*, 21(2), 44-51. <https://doi.org/10.35315/dh.v25i2.8331>

Ismayana S.H, M.H, Dr Sanusi, S.H., M.H. , R Henda, S.H., M. Hum. "Journal of the Implementation of Regional Regulation of Kanupaten Majalengka Number 2 concerning the Implementation of the Protection of Women and Children"

Kusumasari Kartika Hima Darmayanti et al "Bullying in Schools: Definition, Impact, Distribution and How to Overcome It", (Depok : Pedagogian Journal of Education, Vol. 17 No 1 , 2019)

Law Number 11 of 2012 concerning Diversion in the Juvenile Justice System

Law of the Republic of Indonesia Number 35 of 2014 concerning Child Protection

Maharani, N. D., & Darmadi, A. A. N. Y. (2018). Pertanggung Jawaban Pidana Atas Tindakan "Perrundungan" Fisik Oleh Pelaku Anak Di Bawah Umur. Kertha Wicara : Journal Ilmu Hukum; Vol. 07, No. 05, November 2018, 07(05),2-3.

Mahiera Afiya Z, Erisha Putri, et al. "The Effect of Bullying on Adolescent Mental Health" Jakarta Veteran (2021)

Marzuki, Peter Mahmud. Legal Research, Ed. Rev, Caet. 12, Jakarta: Kencana, Prenadamedia Group, 2016.

Metha, S. (2023). Pertanggung jawaban pidana atas tindakan perundungan fisik oleh pelaku anak di bawah umur. Das Sollen: Jurnal Kajian Kontemporer Hukum Dan Masyarakat, 1(02).

Ni putu ari pratiwi, sang ayu eka putri wahyuni, ni made dian sulistiowati. " Overview of the Level of Bullying Awareness in Adolescents in Gunaksa Klungkung Village" Journal of Community Care Vol 5 No 3 (2023)

Royan, Jivan, the village. " Results of Mediation " Personal Interview.( (2025)

Saguni, S. S., Cahyaningsih, T., & Dzakiroh, A. I. (2024). Upaya Pencegahan Perundungan Pada Anak. Jurnal Gembira: Pengabdian Kepada Masyarakat, 2(01), 109-116.

Stevan Saro Zebuan, Niru Anita Sinaga "Criminological Perspective on Children of Perpetrators of Bullying in Indonesia" Vol 14, No. 2 (2024)

Syahrul, Yulistiningsih, Azhar Muhammad A., "Overcoming Violence in Schools and the Environment," Jakarta, 2008

Waluyadi, S.H., MH. (2005). Child Protection Law