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Justice for Child Victims of Violence in the Pesantren Environment (Study of Decision Number 5642 K/Pid.Sus/2022)

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Abstract

Violence against children in educational environment, including Islamic boarding schools, is a serious issue with long-term impacts on children's physical, psychological, and social development. Forms of violence include physical, psychological, sexual, and bullying, which, although often unseen, can cause trauma, mental disorders, decreased academic performance, and even deviant behavior in the future. This research aims to analyze efforts to prevent violence against children in Islamic boarding schools based on child protection policies, and to examine fair law enforcement through a study of Supreme Court Decision Number 5642 K/Pid.Sus/2022. The method used is empirical legal, combining the analysis of legislation with field facts. The research findings indicate that preventing violence requires synergy between the government, pesantren caretakers, families, and society through legal socialization, fostering a safe environment, enhancing educators' capacity, and providing reporting mechanisms such as the Bullying Box. A legal analysis of Supreme Court Decision No. 5642 K/Pid.Sus/2022 revealed that the defendant, an educator, was found guilty of repeated sexual violence against 12 underage female students and sentenced to death. This decision affirms the application of the principle of the best interest of the child through the awarding of restitution, the handover of the victim baby's custody to the local government, and the prohibition of victim blaming. Law enforcement in this case combines legal certainty, utility, and justice, not only punishing the perpetrator but also restoring the victim, providing a deterrent effect, and strengthening the commitment to child protection in religious-based educational environments.

KEYWORDS

Child Protection, Violence in Islamic Boarding Schools, Criminal Law Enforcement



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Introduction

The iceberg phenomenon is often used as a popular expression to describe the prevalence of violence against children in Indonesia, particularly in educational settings, whether physical, psychological, sexual, or bullying. Bullying is a form of oppression or violence intentionally carried out repeatedly by one or more people against another person considered weaker, with the aim of causing psychological, physical, or social harm. Bullying not only causes psychological wounds in the short term but also has the potential to lead to serious mental health disorders in the long run, such as depression, anxiety disorders, decreased learning motivation, and even suicidal thoughts.¹

This situation shows that the social phenomenon of bullying against children, while appearing small on the surface, is in reality far greater and more complex than what is immediately apparent. This is not a new issue; there have been many reports about cases of violence occurring in schools. Reported cases of violence include violence committed by peers and even teachers against their students. The high number of cases occurring in school-aged children today is very concerning for educational institutions and parents. A school that should be a place for learning and fostering positive personality but instead becomes a place for bullying.²

This condition indicates that efforts to create a safe, supportive, and friendly educational environment for all students have not yet been

¹ Muru'atul Afifah and Riftini Yulaiyah, "Upaya Guru Pendidikan Agama Islam Dalam Menanggulangi Perilaku Bullying Di Sekolah," *Berkala Ilmiah Pendidikan* 2, no. 2 (2022): 106, <https://doi.org/10.51214/bip.v2i2.465>.

² Hariyanto Wibowo, Fijriani Fijriani, and Veno Dwi Krisnanda, "Fenomena Perilaku Bullying Di Sekolah," *Cakrawala Ilmiah Mahasiswa* 1, no. 2 (2021): 157–58, <https://doi.org/10.30998/ocimxxxxxx>.

successful. In fact, children are the nation's future generation, playing a strategic role in ensuring the existence of the nation and state in the future.³

Therefore, joint handling through synergy between schools, parents, and the community, as well as government policies that prioritize child protection, must be a main priority. Efforts to prevent and address violence in school environments do not solely rely on legal action or repressive approaches; rather, they require intensive educational strategies characterized by fairness toward students, comfortable, safe, clean, and healthy learning methods, environmental care and culture, the strengthening of tolerance values, and the development of an effective reporting system.⁴ Increasing educators' capacity to detect and handle violence is also key to creating a safe and inclusive learning environment for children.

Similar problems are also found in the pesantren environment, which is essentially an educational institution based on religious and moral values. However, behind the seemingly calm and sincere image of pesantren, a number of dark realities are slowly beginning to be revealed. Various cases of violence and abuse occurring in pesantren environments have raised public concern and shaken the positive perception of these religious educational institutions. Ironically, the victims in that incident were students who were supposed to receive guidance, protection, and affection during their education.⁵ The emergence of violence cases in Islamic boarding schools has sparked controversy and led to the perception that

³ Ririn Narulita, Cahya Wulandari, Rodiyah, "Implementation of the Idea of Criminal Individualization for Children who Commit the Crime of Sexual Intercourse", International Journal of Research and Innovation In Social Science, Volume VIII Issue XII December 2024

⁴ Devi Damayanti, "Edukasi Intensif Menuju Madrasah Ramah Anak Dalam Mencegah Perilaku Bullying Pada Peserta Didik Di Madrasah Ibtidaiyah Negeri 3 Jember," *Paper Knowledge . Toward a Media History of Documents* (Universitas Islam Negeri Kiai Haji Achmad Shiddiq Jember, 2025).

⁵ Nur Amalina, "Kisah Kelam Di Balik Dinding Pesantren: Kekerasan Dan Pelecehan Yang Menodai Institusi Pendidikan" (Media Indonesia, 2024), https://mediaindonesia.com/humaniora/711114/kisah-kelam-di-balik-dinding-pesantren-kekerasan-dan-pelecehan-yang-menodai-institusi-pendidikan#goog_rew.

they are no longer a safe environment for children. This stigma has caused parents to worry about choosing Islamic boarding schools as educational institutions, even tho they fundamentally play a strategic role in shaping children's characters to contribute to society and the country.⁶

This concern is even more justified when looking at the data showing violence against children in educational settings, including pesantren. According to a report from the Indonesian Education Monitoring Network (JPPI), throughout 2024, there were 573 cases of violence in educational institutions. This figure is more than double the 285 cases recorded in 2023. Of that data, 58% occurred in public school environments, 15% in pesantren and dormitories, and 27% outside of school.⁷ The dominant form of violence is sexual violence (42%), followed by cases of bullying (31%), psychological violence (11%), physical violence (10%), and discriminatory policies (6%).⁸ The data shows that religious-based educational institutions are also not immune to violence and that this is not an isolated issue, but a systemic problem that requires serious attention through strict law enforcement, comprehensive protection, including synergy between pesantren caregivers, families, and communities, in order to guaranty children's right to a violence-free learning environment.

From a legal perspective, violence against children in religious educational institutions not only violates ethical and moral values but also contradicts positive legal provisions that guaranty the protection of children

⁶ Dyasahrin Khaszahra, "Tindak Kekerasan Di Dalam Pesantren, Kenapa Bisa?" (Pondok Pesantren Mansajul Ulum, 2025), <https://mansajululum.ponpes.id/opini-santri/tindak-kekerasan-di-dalam-pesantren-kenapa-bisa/>.

⁷ Trisna Wulandari, "573 Kasus Kekerasan Di Sekolah Dan Pesantren Di 2024, JPPI: Naik 100% Dari 2023" (Detik Edu, 2024), https://www.detik.com/edu/detikpedia/d-7705564/573-kasus-kekerasan-di-sekolah-dan-pesantren-di-2024-jppi-naik-100-dari-2023?utm_source=chatgpt.com.

⁸ Trisna Wulandari, "Kekerasan Di Sekolah Hingga Pesantren 2024, JPPI: Terbanyak Kekerasan Seksual" (Detik Edu, 2024), https://www.detik.com/edu/sekolah/d-7705729/kekerasan-di-sekolah-hingga-pesantren-2024-jppi-terbanyak-kekerasan-seksual?utm_source=chatgpt.com.

as rights holders.⁹ The disparity between the ideal image of pesantren as a center for character development and the reality of violence creates a dilemma in law enforcement, namely, on the one hand, maintaining the authority of religious institutions and, on the other hand, fulfilling the state's responsibility to provide legal protection for children from criminal acts.¹⁰ This law enforcement is not merely a repressive effort, but also a preventive and educational instrument in ensuring children's right to security and legal protection.¹¹

Based on these issues, this study analyze efforts to prevent violence against children in pesantren environments, examining child protection policies and the implementation of law enforcement in cases of violence against children in pesantren environments. Supreme Court Decision Number 5642 K/Pid.Sus/2022 will be examined as a case study reflecting the dynamics and challenges in achieving justice for child victims in religious-based educational institutions.

Method

The research method used is empirical legal research, which is social research based on normative legal provisions applied to legal events that actually occur in society.¹² This research was conducted by collecting field facts, which were then analyzed using applicable laws and regulations, with

⁹ Muhammad Arya Syandika and Dkk, "Perlindungan Anak Dan Perempuan Dalam Perspektif Hukum Islam Dan Hukum Positif Indonesia," *Isti`dal : Jurnal Studi Hukum Islam* 12, no. 1 (2025): 1–16.

¹⁰ Nurchaliq Majid, "Analisis Kriminologi Terhadap Kekerasan Anak Di Lingkungan Pesantren Perspektif Hukum Islam," *Jurnal Risalah Addariya* 8, no. 1 (2023): 1–10, <http://ejournal.staisddimangkoso.ac.id>.

¹¹ Duwini Irawati and Grahadi Purna Putra, "Efektivitas Penegakan Hukum Bagi Pelaku Pelecehan Seksual Pada Anak Ditinjau Dari Hukum Pidana," *Birokrasi: JURNAL ILMU HUKUM DAN TATA NEGARA* 2, no. 4 (2024): 280–90, <https://doi.org/10.55606/birokrasi.v2i4.1663>.

¹² Marina Satya, "Legal Protection of Land Right Holders Against The Establishment of The Rechtsverwerking Institution," *JIHK*, no. 2 (2021): 138, <https://doi.org/10.46924/jihk.v2i2>.

the aim of knowing, understanding, and formulating legal conclusions as the results presented in this article.

Result and Discussions

Preventing Violence Against Children in Pesantren Environments Based on Child Protection Policies

Violence can be defined as an act that violates the law or an inappropriate form of treatment. In the context of children, violence is often referred to as abuse, which includes acts of mistreatment or torture. According to Barker, child abuse refers to repeated behavior intended to harm a child physically or psychologically, whether through emotional pressure, coercion, non-physical punishment, excessive control, intimidation, or sexual violence.¹³ Violence against children is no longer limited to the family environment, but has also been widely found in educational settings, including Islamic boarding schools. Violence in education is an act that goes beyond ethical norms and applicable regulations, whether in physical form or a violation of individual rights. This action can be taken by anyone, from school leaders, teachers, staff, students, parents/guardians, to the general public. When such violence exceeds the institution's authority, violates the educators' code of ethics, and school rules, it can be considered a violation of Human Rights (HR) and even potentially a criminal act.¹⁴

Violence against children not only has physical consequences but also affects their psychological well-being. Children who experience violence are at risk of growing up with excessive anxiety, low self-esteem, pessimism, or, conversely, becoming rebellious, aggressive individuals who

¹³ Kelly S. Flanagan et al., "The Potential of Forgiveness as a Response for Coping with Negative Peer Experiences," *Journal of Adolescence* 35, no. 5 (2012): 1215–1223, <https://doi.org/10.1016/j.adolescence.2012.04.004>.

¹⁴ Yeti Juniarti and EVa Gustiana, "Penanggulangan Kekerasan Di Lingkungan Sekolah Melalui Implementasi Program Sekolah Ramah Anak," *JPE (Jurnal Pendidikan Edutama)* 7, no. 1 (2020): 144.

are prone to exhibiting deviant behavior later in life. Additionally, violence can also disrupt a child's brain development and damage the nervous system, leading to long-term consequences. As children grow up, they are prone to exhibit deviant and problematic behaviors and tend to experience a decline in academic performance at school.¹⁵ Therefore, serious and coordinated efforts are needed from various parties such as families, schools, communities, and the government to prevent and address violence against children.

In this regard, the government has provided legal protection for children through several regulations, such as Law Number 35 of 2014 concerning the First Amendment to Law Number 23 of 2002 concerning Child Protection. Article 54 paragraphs (1) and (2) of Law Number 35 of 2014 emphasize that children in educational units have the right to protection from all forms of physical and psychological violence, sexual crimes, and other acts committed by educators, teaching staff, fellow students, or other parties.¹⁶

Child protection is an effort to create conditions and an environment that supports the fulfillment of children's rights and obligations in a proper and humane manner, as part of realizing justice in society. Legal protection is divided into two main categories: legal protection and non-legal protection.¹⁷ Legal protection includes protection in the fields of public law and civil law. Non-legal protection, on the other hand, covers social, health, and education sectors.

This protection of human rights is not something that can be easily achieved or realized in a short period of time, but requires a long and

¹⁵ Alit Kurniasari, "Dampak Kekerasan Pada Kepribadian Anak," *Sosio Informa* 5, no. 1 (2019): 17, <https://doi.org/10.33007/inf.v5i1.1594>.

¹⁶ Pasal 54 Ayat (1) dan Ayat (2) Undang-Undang Nomor 35 Tahun 2014 tentang Perubahan Atas Undang-Undang Nomor 23 Tahun 2002 tentang Perlindungan Anak.

¹⁷ Yahya Ahmad Zein, *Problematika Hak Asasi Manusia (HAM)*, Pertama (Yogyakarta: Liberty, 2012).

continuous process, just like the development process itself.¹⁸ Therefore, child protection needs to be pursued in various aspects of life, including within the context of a state based on law, to ensure that children are treated fairly, correctly, and for their well-being.¹⁹ Especially within the educational unit, where child protection is highly needed so that students can learn freely without hindrance. This protection effort should not be taken lightly, considering the continued prevalence of violations in the educational environment, which require serious attention from all stakeholders.²⁰

Additionally, based on research findings, there is a gap between the ideal goals of law and its reality or implementation. There is an urgency to implement a progressive legal approach that places the interests of victims at the center of justice. Practically speaking, these findings emphasize the importance of drafting implementing regulations for the Sexual Violence Criminal Act and reaffirming the commitment of law enforcement agencies not to apply restorative justice in cases of sexual violence, except in cases involving child perpetrators as mandated by law.²¹

Therefore, the school needs to take decisive action to prevent and stop bullying practices, including violent practices. Schools are obligated to prepare a handling strategy that includes preventive (prevention) and repressive (enforcement) measures.

As a preventive measure, the Community Service Team from the Faculty of Law at Semarang State University (FH UNNES), led by Dr. Cahya Wulandari, S.H., M.Hum., conducted socialization on bullying prevention efforts, bullying case resolution, and violence at the Yanbu'ul Qur'an

¹⁸ Tizza Faizal Dalag Papeta, Selviana Sambali, and Anna S. Wahongan, "Perlindungan Khusus Bagi Anak Menurut Undang-Undang Nomor 35 Tahun 2014 Tentang Perubahan Atas Undang-Undang Nomor 23 Tahun 2002 Tentang Perlindungan Anak," *Lex Et Societatis* VIII, no. 4 (2020): 96.

¹⁹ Moch Faisal Salam, *Peradilan HAM Di Indonesia* (Bandung: Pustaka, 2002).

²⁰ Hisbullah Lestari, Aryati Oktoria, "Perlindungan Terhadap Anak Di Pesantren Al-Ikhlas Menurut Undang-Undang Nomor 35 Tahun 2014," *Siyasatuna* 2, no. 3 (2014): 545.

²¹ Avila Deva Aryanda, Ali Masyhar, Cahya Wulandari, "Restorative Justice Approach in Handling Sexual Violence Criminal Cases", *International Journal of Education and Literature* 4 (1), 305-311

Tahfidh Islamic Boarding School in Salatiga on Thursday, July 17, 2025. This activity aims to raise legal awareness among students, caregivers, and relevant parties regarding the dangers of bullying and violence, how to handle them, and the importance of creating a safe and harmonious learning environment. In addition, the service team also provided a Bullying Box, a mailbox-shaped medium that serves as a communication channel between the students and the school administration for reporting suspected bullying or acts of violence they have experienced. This box is not only for students but for all residents of the pesantren who are aware of bullying or acts of violence, both physical and non-physical.

With the presence of this Bullying Box, it is hoped that all residents of the pesantren, especially the students, will feel more confident in sharing their experiences and observations. More than just a source of information, the Bullying Box has become a symbol of Pondok Tahfidh Yanbu'ul Qur'an Salatiga's commitment to creating a comfortable, safe, and bullying-free boarding school environment. Additionally, this is also part of the school's effort to instill a culture of empathy, gratitude, and the courage to confront injustice in friendships.

Legal Analysis of Law Enforcement in Cases of Violence Against Children Based on Supreme Court Decision Number 5642 K/Pid.Sus/2022

Law enforcement is the application of rules established by the state through legislation, not only as the implementation of legal norms, but also as a means of regulating community behavior. Its success is influenced by factors such as education, personality, social values, and culture. Therefore, law enforcement requires each individual to consciously understand and implement the rules, not merely a formal application.²² Meanwhile, according to Soedarto, law enforcement is not only carried out after a

²² Yonart Nanda Dedy Kurniawan, "Perlindungan Hukum Terhadap Santri Korban Kekerasan Di Pondok Pesantren" (Universitas Islam Sultan Agung, 2024).

violation has occurred, but also through preventive measures by identifying and addressing potential violations early on, in order to prevent criminal acts and maintain legal stability in society.²³ In general, both views affirm that law enforcement is a complex process that not only involves the technical application of rules but also includes efforts to realize legal values through actions acceptable to society.

When various aspects of legal life consistently maintain harmony, balance, and alignment with civil morality based on relevant values in society, law enforcement can ensure legal certainty, order, and protection are achieved in the era of modernization and globalization. This means that law enforcement not only includes entities directly involved in the legal process, such as the judiciary, prosecution, police, lawyers, and corrections, but also other entities that may not be directly involved in the legal process. The role of the community is also very important, even tho it is not in the realm of formal law. Society can act as social supervisors, reporters, or compliant and supportive parties of the rule of law, thus enabling effective law enforcement and promoting the formation of a law-abiding society.²⁴ As a process involving various parties, including the community, criminal law enforcement needs to be understood as an integral part of the entire criminal justice system.

In examining criminal cases, the judge strives to adjudicate and prove material truth based on the facts revealed in court, while still adhering to the indictment prepared by the Public Prosecutor. Based on Supreme Court Decision Number 5642 K/Pid.Sus/2022, the case facts show that the Defendant (Hery Wirawan alias Heri Bin Dede), an educator at the Tahfidz Madani Islamic Boarding School in Bandung, between 2016 and 2021, had sexual intercourse and committed indecent acts against 12 female students, most of whom were still minors. His actions have been repeated multiple

²³ Rusli Muhammad, "Kemandirian Pengadilan Dalam Proses Penegakan Hukum Pidana Menuju Sistem Peradilan Pidana Yang Bebas Dan Bertanggung Jawab," *Jurnal Hukum Ius Qua Iustum* 16, no. 4 (2009): 469, <https://doi.org/10.20885/iustum.vol16.iss4.art2>.

²⁴ *Ibid*, hlm. 473-474.

times in various locations, resulting in 9 victims becoming pregnant and giving birth, and causing deep psychological trauma. These facts have been proven by witnesses, the defendant's testimony, expert testimony, and evidence that has been linked to the exhibits presented in court.

This Supreme Court decision number 5642 K/Pid.Sus/2022 affirms the existence of the Bandung High Court decision number 86/Pid.Sus/2022/PT.Bdg dated April 4, 2022, and rejects the cassation requests from both the Public Prosecutor and the defendant. In this case, the defendant is proven guilty of committing the criminal act as stated in Article 81 paragraph (1), paragraph (3), and paragraph (5) in conjunction with Article 76D of Law Number 17 of 2016 concerning the Second Amendment to Law Number 23 of 2002 on Child Protection in conjunction with Article 65 paragraph (1) of the Criminal Code. The elements of the article have been met because the defendant, as an educator, intentionally committed sexual intercourse by inserting his genitals into the genitals of the child victims (santri), whether or not he ejaculated, which resulted in pregnancy and the birth of a baby. The child victims were minors, and the act was committed repeatedly against more than one victim.

The panel of judges in that case assessed that the power dynamic between the defendant as a teacher and the victims as students resulted in the child victims, as women in a difficult position to refuse the perpetrator's invitation or being unable to choose. In such cases, victim blaming occurs, which means blaming the victim's status, including their past history of having had sexual intercourse. As an adult male and educator, the defendant should have been able to restrain himself to avoid sexual intercourse. By first coercing the victim into sexual intercourse using his influence, this attitude demonstrates that the defendant committed an act of coercion against the child to have intercourse with him. The panel of judges held the view that coercion is not always a violent act, but only when the perpetrator leaves the child victim with no choice but to follow the perpetrator's will, this already constitutes a form of coercion.

The defendant was sentenced to death, considering the severity of the crime committed, the large number of child victims which caused psychological and other future impacts on the children, the imposition of a light sentence without regard for the interests of the child victims which would have a sociological impact on society that does not view underage sexual intercourse as a serious crime and would not deter the perpetrators, nor would it have an educational effect on society to avoid such offenses or provide a sense of justice for the community, and the systematic, repeated nature of the crime committed over many years which indicates a high level of malicious intent by the defendant and a lack of remorse.

This consideration aligns with the principle that criminal sanctions must be proportionate to the severity of the crime committed, as stated in Supreme Court Circular (SEMA) Number 1 of 2000, which states that:²⁵

“In the era of reform that has swept our country, it has brought about a very wide impact in all aspects of national life. Especially in the economic field, this leads to a tendency toward increasing the quality and quantity of criminal acts that require special handling and sentencing policies. Therefore, regarding criminal acts such as economic crimes, corruption, narcotics, rape, serious human rights violations, and environmental crimes, the Supreme Court hopes that the courts will impose sentences that are truly commensurate with the severity and nature of these criminal acts and will not impose sentences that offend the sense of justice in society. It is not an exaggeration to state that in this era of reform, there has been a very rapid change in values and legal developments, leaving positive legal values and morality behind. Therefore, the Supreme Court once again hopes that judges will be able to act as catalysts to bridge the gap between positive law and the values developing within society”.

The death penalty imposed by the judge is considered the best way to protect children, provide a strong deterrent effect, and send a clear message that the state will not tolerate acts of sexual violence against children,

²⁵ Ketua Mahkamah Agung Republik Indonesia Indonesia, “Surat Edaran Mahkamah Agung Nomor 1 Tahun 2000 Tentang Pemidanaan Agar Setimpal Dengan Berat Dan Sifat Kejahatannya,” n.d., <https://www.medbox.org/preview/5255d6e1-05d4-41a9-beb2-02b60e695ecc/doc.pdf>.

especially those committed by those responsible for their protection and education. This decision also affirms that the main basis for handling cases of sexual violence against children is the application of the principle of the best interests of the child. The principle of the best interests of the child means that in every action related to a child, whether taken by the government, society, legislative bodies, or judicial bodies, the child's interests must be placed as the primary consideration.²⁶ In line with the idea of the principle of the best interests of the child, which reflects the child's human side, ensuring children's rights during legal proceedings can achieve the application of this principle.²⁷

In addition, determining a sanction for a criminal act becomes a problem in itself because, beside the sanction needing to deter the perpetrator, it must also consider the interests of the victim, meaning the victim's condition should, as much as possible, return to the state it was in before the crime occurred.²⁸

As the judge in this case is not only focused on punishing the perpetrator, but also on protecting and rehabilitating the victim. The court ruled that all child victims are entitled to restitution to cover the losses caused by the defendant, both material and immaterial. The court also ruled that babies born to child victims must be cared for by the West Java Provincial Government to ensure they are raised in a safe environment. Additionally, this decision explicitly rejects any form of victim blaming that could further distress the victim or hold the perpetrator accountable for their actions. This concept demonstrates judicial awareness that child protection encompasses not only physical protection, but also psychological,

²⁶ Fauzi Anshari Sibarani et al., "Penerapan Prinsip The Best Interest Of Child Terhadap Anak Yang Melakukan Tindak Pidana Kesusilaan (Studi Di Kepolisian Daerah Sumatera Utara)," *Buletin Konstitusi* 3, no. 1 (2022): 31.

²⁷ Istriani and Laila Marotus Khoiriyah, "Implementatation of Principle the Best Interest of Child Based on the Perspective of Child Criminal Justice System Law," *Literatus* 4, no. 2 (2022): 685–91, <https://journal.neolectura.com/index.php/Literatus/article/view/871>.

²⁸ Nugroho Ahadi, Ali Masyhar Mursyid, and Cahya Wulandari, "Restitusi Dalam Tindak Pidana Kekerasan Seksual di Indonesia Ditinjau Dari Perspektif Utilitarianisme," *Jurnal Esensi Hukum* 5, no. 2 (2023): 57–69.

social, and dignity protection. The court took this action in an effort to build a holistic law enforcement system that will not only punish perpetrators but also restore the lives of victims and prevent similar crimes from happening again in the future.

Overall, this decision demonstrates a legal enforcement paradigm that combines utility, justice, and legal certainty. Legal certainty is shown by the application of relevant laws, and utility is demonstrated by actions that not only punish the perpetrator but also provide long-term protection, rehabilitation, and support to the child victim. The judge considered aspects of justice by balancing the rights of the perpetrator, the child victim, and society, ensuring that the decision not only met formal legal requirements but also public sense of justice. On the other hand, this decision shows that child protection is very important, especially in handling cases of sexual violence in educational settings. This is proof of the country's commitment to safeguarding the dignity, safety, and future of children as the nation's next generation.

Conclusion

Preventing violence against children in pesantren environments requires synergy between child protection regulations, the active role of all parties (families, schools, communities, and the government), and the implementation of preventive and repressive measures. Programs such as legal socialization, education on the dangers of bullying, and reporting mechanisms like the Bullying Box are important strategies for creating a safe, comfortable, and violence-free learning environment, and are in line with the principles of child rights protection.

Supreme Court Decision Number 5642 K/Pid.Sus/2022 affirms the paradigm of law enforcement, which integrates legal certainty, benefit, and justice with the principle of the best interest of the child. The death penalty imposed on the defendant reflects the state's seriousness in protecting

children, providing a deterrent effect, physically and psychologically restoring the victim, and preventing the recurrence of similar crimes, especially in pesantren environments which are supposed to be safe spaces for children.

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