



Original Article

Criminological Examination of Physical and Psychological Violence Committed Against Children in the School Environment

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Abstract:

The phenomenon of violence against children often occurs in schools, both in the form of physical and psychological violence. This is widely seen on social media, leading to a sense of concern. Consequently, it requires special attention from both schools and the government, directly reflected in various policies that, if properly implemented, can be applied to minimize these issues. Therefore, it is important for researchers to conduct an examination of the etiology and the urgency of criminal policies related to physical and psychological violence carried out by children in the school environment. This study aims to analyze the causes and prevention efforts, as well as the mitigation of criminal acts of physical and psychological violence carried out by children against other children. The research findings indicate that, (1) Children tend to easily learn and apply what they see, including bullying behavior. A child who engages in violence, whether physical or psychological, tends to have witnessed or experienced being a victim of such violence, prompting them to replicate such behavior. (2) Efforts to mitigate physical and psychological violence can employ penal (criminal law) and non-penal (outside criminal law) policies. Prevention efforts can be carried out by teaching children about the consequences of physical and psychological violence, their rights when subjected to such violence, and raising awareness among children who perpetrate physical and psychological violence by instilling in them the belief that such actions are reprehensible and detested by everyone.



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Introduction

The evolution of time influences human lifestyles and thinking abilities. The changes in eras prompt adults, teenagers, and children to follow this current. The progression of time can yield both positive and negative impacts on adults, teenagers, and children. Due to the presence of negative impacts, social control in society is necessary to reduce the emergence of crime ([Maheztra et al., 2019](#)).

Crime is a violation of norms intentionally or unintentionally committed by the perpetrator, where the imposition of punishment is for the preservation of legal order and the assurance of public interests. Crime is a human issue and a social phenomenon as it can occur anywhere and anytime. The fluctuation in crime rates depends on the circumstances of society, politics, economics, culture, and other factors ([Gunawan, 2021](#)).

One of the negative impacts is on the child. Children as descendants of the nation should be treated according to their age. Including everything that the child should have done according to the child's needs. The response of the adults who are around the child, to every act performed by a child is very devastating to the growing child, both mentally and psychologically. What the child will be depends heavily on the life experience of his childhood ([Mulyana et al., 2023](#)).

Children are a reflection of the nation's future. A child has the right to receive proper treatment. How parents educate and treat children as the next generation will determine the quality of our future as human beings and as a nation. ([Faisal & Simatupang, 2021](#)). As stated in the Indonesian Constitution of 1945, Article 28B paragraph (2), 'Every child has the right to survival, growth, and development, as well as the right to protection from violence and discrimination ([Ernis, 2017](#)).

Based on that, a child should receive guidance and protection to ensure their future, without exception for a child who encounters the law, whether as an offender or a victim of a crime. When a child encounters the law, it is regulated in the laws and regulations. Children are highly vulnerable to becoming victims or perpetrators of crimes. It's undeniable that a child's inability to think maturely makes them a subject susceptible to becoming either a victim or perpetrator of crimes. Law Number 11 of 2012 regarding the Juvenile Justice System divides children into three categories concerning the law: children in conflict with the law, children who are victims of crimes, and children who are witnesses to crimes. One of the current issues is the prevalence of crimes committed by children against other children. One example is physical and psychological violence by children in school environments, resulting in physical or psychological injury and even loss of life. ([Mulyana et al., 2023](#)).

In principle, evil comes from within a person, both physically and mentally, because of the social interaction in the association. The association created an event that could move the legal event. Crime is an eternal problem in human life, as it evolves with the advancement of human civilization that is becoming more complex and more regulatory, more criminological ([Faisal & Simatupang, 2021](#)). Kekerasan fisik dan psikis yang dilakukan oleh anak telah menimbulkan kekhawatiran dan kekhawatiran banyak pihak karena intensitasnya yang sangat besar hingga menimbulkan korban jiwa ([Ismawati & Lolita, 2021](#)).

Physical and psychological violence perpetrated by children often occurs in schools which should be a place for children to receive education, a place to educate children, so that children are protected from ignorance, suffering and poverty. Violence against children in schools often occurs repeatedly and is presented through the media ([Faisal &](#)

[Simatupang, 2021](#)).

According to [\(Glew et al., 2000\)](#) It is stated that physical and psychological violence carried out by children is a form of aggression where one or more children intend to harm or disturb other children who are perceived as unable to defend themselves. Physical and psychological violence caused for any reason can have long-term effects on those involved, including bystanders or students who directly witness such criminal acts. Physical and psychological violence results in students experiencing violence perpetrated by individuals in their school environment [\(Mayasari et al., 2019\)](#).

According to the International Center for Research on Women, 84 percent of Indonesian children experience violence in school, while 40 percent of children in Indonesia die of suicide as a result of lack of support for physical and psychological violence at school [\(Mayasari et al., 2019\)](#).

There are examples of cases occurring in different regions, from the Basic School (SD), Primary Secondary School (SMP) and High School (SMA), even in the College neighborhood. Some of them occurred in the area of Jakarta against SD students, which caused them not to go to school for two weeks. The psychological violence happened because the student had sharp, white eyes. The student was stabbed by his friend with the name of the former governor of Jakarta who at the time had a poor image in the eyes of the public. In addition to psychological violence, the SD student also suffered physical violence, in which the student's hands were stabbed with bolpoin by his friends who were the perpetrators. Indonesia paid serious attention to the matter, by establishing the Indonesian Children's Protection Commission. (KPAI). In the last five years, KPAI has received as many as 26,000 complaints about cases of physical and psychological violence against children [\(Mayasari et al., 2019\)](#).

Several studies on physical and psychological violence committed by children have been done before. Research conducted by [\(Oliveira et al., 2018\)](#) It is stated that physical and psychological violence has negative impacts on elementary school students. According to the research, social-emotional skills are needed to assist students in handling physical and psychological violence. Research conducted by [\(Patras & Sidiq, 2017\)](#) stated that the physical and psychological violence that occurs in children, results in social interactions that make it difficult for the victim to interact with the environment because they are always subjected to both physical and mental violence, committed by other students. Based on research carried out by [\(Al-Raqqad et al., 2017\)](#) It also states that both physical and psychological violence affecting children influence students' academic performance. Most of the community remains unaware of the impact of bullying, which can cause both physical and psychological suffering.

Therefore, an analysis is needed concerning the issue of violence perpetrated by children from the perspective of criminal policy and socio-criminology. The criminal policy perspective itself is not solely focused on viewing violence as a criminal law issue but also attempts to examine violence from a non-legal standpoint, specifically from a socio-criminological perspective. The socio-criminological perspective is a method of approach used to observe various etiologies of violence in order to discover and map out its mitigation strategies.

Based on this background, it is necessary to examine why it is important to take a criminological policy approach to the phenomenon of physical and psychological violence by children in the school environment from the criminal and non-criminal aspects.

Methods

Empirical law research is research that refers to legal statements in the form of social facts. Empiric research can also be said to be field research, research on the effectiveness of written law or recorded customary law and is a study that discusses how the law operates in society, regulation or theory of law itself are factors that influence the law ([Ali, 2016](#)).

This research is a type of law of a descriptive nature, which is factually, systematically, and accurately describing against a population or against a particular area which has the purpose of describing the characteristics of an individual, symptoms, conditions in a particular group, or to determine whether or not there is a relationship between a symptom and other symptoms in the community environment ([Waluyo, 2008](#)).

Results

Physical and psychological violence by children

Violence is the use of physical force and power, whether in the form of threats or acts against yourself, an individual or a group of people or a society, which results or is likely to result in bruising/trauma, death, psychological loss, developmental disability or deprivation of rights ([Andini, 2019](#)).

Violence is also a form of deviant behaviour that can occur in the public sphere as well as in the home, occurring in all places: public roads, towns, villages, schools, open-ended places, carried out either alone or in groups, small groups or masses, masses of adults or children, occurred in the nearest neighborhood, causing victims of all classes and ages, with the aim of life, body, honor, freedom and property of both parents, adults and infants and children ([Ismawati & Lolita, 2021](#)).

The forms of violence against children are distinguished in three categories, among others;

1. Physical violence is all forms of physical torture, such as acts of physical aggression, including beating, punching, kicking, smoking, burning and other acts that can harm a child. Physical torture can result in serious injury to a child, a child becomes drawn away, feels insecure, has difficulty trusting others, and engages in destructive behaviour.
2. Psychological violence is any act of degrading or underestimating others that may interfere with the development of a child. A child who is constantly humiliated, humbled, threatened or rejected will feel suffering, hindering his or her development, even causing a child to have low self-confidence.

Parents and society are the most important factors in shaping the child's identity. The behavior of a child in his or her future environment, which reflects the lessons learned at home and in society, will affect the nature of the child.

All acts that violate the norms and positive laws that apply in society are called child abuse. Child abuse is not only an act that violates the rules or positive laws in force, but also violates norms that exist in society. There is this child's misconduct that in criminal cases is often referred to as a child crime case. Children's laws are not just because of the number of children who are victims of a crime, but a child is the culprit in a crime.

Criminological review of physical and psychological violence by children

Criminology is a science that is not part of criminal law, but is closely related to criminal law and criminology is the science in criminal law that studies the chains of crime ([Yusrizal, 2012](#)). Criminology is also a collection of knowledge about crime as a social

symptom that falls within its scope is the process of Act of Law-invitations and reactions to violations of the Rules of Law. Objects of criminology are processes ([Missa, 2023](#)).

The criminological approach is a cause-and-effect approach, which means that if a causal and consequential relationship in criminal law is proven, then a cause and effect relationship in criminology can be sought, that is, seeking an answer to the questions why a person can commit a crime. The crimes committed by children in this case are in the form of physical and psychological violence.

Law No. 11 of 2012, one of which regulates the child faced with the Law listed in Article 1 para. 2 which states that: "A child who faces the law is a child who conflicts with the law, a child that is a victim of a crime, and a son who is a witness to a crime."

The child is in conflict with the law listed in article 1, paragraph 3, which states that: "A child who is in contradiction with the Law, hereinafter referred to as a child, is a child who has reached the age of twelve (twelve) years, but has not reached 18 (eighteen) years of age, who is suspected of committing a criminal offence."

Whereas a child who is a victim of a criminal offence is listed in article 1, paragraph 4, which states that: "A child who becomes a criminal victim, hereinafter referred to as the child of the victim is a child under the age of eighteen (eighteen) years who may suffer physical, mental and or economic loss provided by the crime",

In addition to Act No. 11 of 2012, there was also a previous Law No. 23 of 2002 on the Protection of Children, which stated that: "Every child has the right to live, grow up, develop and live in a reasonable manner in accordance with the dignity and dignity of humanity, and to be protected from violence and discrimination.

Thus, according to the two laws, in the case of the child emphasized not only a criminal fall, but also the protection for the child's future from the psychological aspects by providing a guidance, guidance and education worthy to be felt ([Negara et al., 2022](#)).

Factors Causing Children to Engage in Physical and Psychological Violence

1. Negative thinking

Negative thinking will cause the child to follow bad relationships. Negative thoughts will make the child able to do the things that cause him to do bad things. Thus, the environment of each child's relationships will have a negative impact on the child's minds that make him forget what he does and what he feels.

2. Psychology

A child's psychological condition can lead them to commit crimes, as a child's mental state is directly or indirectly related to their actions and all their consequences. A child experiencing psychological disturbances often engages in criminal behavior, displaying poor social conduct. Additionally, a child with psychological issues tends to exhibit selfish characteristics, oppositional behavior towards others, and a tendency to isolate themselves from others.

3. Family

Family is the first environment in a child's life where they also receive their initial education. The factors contributing to a child committing crimes are often linked to insufficient supervision from both parents, a lack of attention, and communication within the family, leading the child to engage in undesirable behavior

4. Environment

Environmental factors are very likely to influence how a child's character or personality is formed. When the environment around a child is good, it tends to generate good behavior by a child. Similarly, if the environment is bad, it will generate bad

behaviour and trigger negative feelings and eliminate physical and psychological violence.

Refugee Efforts in Preventing Physical and Psychological Violence by Children

In general, mitigation can be defined as the efforts made by individuals, governmental institutions, or private entities aimed at securing, controlling, and ensuring the well-being of life, grounded in Human Rights. Crime prevention efforts are part of societal protection (social defense) and endeavors toward achieving welfare (social welfare).

1. A criminal prosecution attempt carried out through a criminal path is an attempt that is conducted through the criminal path. This attempt is an effort whose suspension is more focused on the repressive nature of the act that is committed after the crime occurred with the law enforcement and the punishment for the crime committed.
2. An attempt of non-criminal violation carried out through a non-criminal path is usually referred to as an attempt carried on outside the criminal path. This is an attempt to counteract a crime that is more focused on preventive nature, i.e. on acts of preemption before the crime occurs by addressing the factors conducive to the occurrence of a crime, that is, by covering the conditions or social problems that indirectly or directly cause a crime. Examples include conducting education and socialization to communities and schools and providing education, supervision, and guidance to children of perpetrators of crime.

Conclusion

The factors that cause a child to commit physical and psychological violence are negative thinking factors, psychological factors, family factors, as well as social environmental factors, and economic factors. The countermeasures that the law enforcement agencies can make in dealing with cases of physical and psychological violence are criminal attempts, through judicial processes and non-criminal measures, through socialization to the community and schools.

Suggestion

1. Parents at home should pay more attention to their children at home and also should pay attention to the environment of children who are outside the house, not to let children do what they should not do.
2. The law enforcement authorities should optimize efforts beyond the judicial or non-criminal path so that the public, especially underage children, become more aware and understandable and know how to behave when problems or violations occur, especially in connection with acts of physical and psychological violence committed by children.

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