

CHAPTER I

INTRODUCTION

A. Background of Research

Bullying during childhood has become a concern due to its impact on the development of each individual. Bullying that occurs to children is often carried out in the school environment, and the circle of friends. However, it does not rule out the possibility of bullying occurring in the family environment.¹ The consequences of bullying are not only in the form of disturbed psychics, but physical attacks that can cause resentment and cause disputes between students, or the formation of gangs or groups of students to antagonize other groups.²

Bullying in Indonesia is increasingly rife, and often causes serious losses, for the victims. Schools in Indonesia have played an essential function in developing a social environment in which bullying takes place. Educational institutions are not only important places for academic development, but they are also important places for socialization. Effective bullying prevention strategies involve a multifaceted strategy that includes the establishment of clear policies, education initiatives, and support systems.³

¹ Yongping Zhao et al., "Parent–Child, Teacher–Student, and Classmate Relationships and Bullying Victimization among Adolescents in China: Implications for School Mental Health," *School Mental Health*, Vol. 13, No. 3, (February, 2021), p. 647.

² Muhamad Iqbal, "The Effectiveness of Criminal Law Application in an Endeavor to Suppress the Height of Bullying Violence in Indonesia as an Age Challenge," *International Journal of Art and Social Science*, Vol. 3, No. 3, (May, 2020), p. 199.

³ Kalijunjung Hasibuan and Rizana Rizana, "The Role of Schools, Parental Responsibilities, and Legal Implications for Bullying in Indonesia," *The Easta Journal Law and Human Rights*, Vol. 2, No. 01, (October, 2023), p. 3.

According to Section 76 C on Child Protection Act of 2014, no one is allowed to engage in any form of violence against children.⁴ This law aligns with the United Nations Convention on the Rights of the Child (UNCRC), signed by 191 countries in 1989, which emphasizes the protection of children's rights and provides a child-centered framework for their development. The UNCRC establishes both general human rights and specific rights for children.⁵ Law No. 35 of 2014 reinforces these principles by specifically addressing child protection in Indonesia.

The cases of bullying also occur in South Korea, especially to high school students, which is carried out either directly or through social media.⁶ The pressure to achieve and gain social recognition, as well as the existence of a strong social hierarchy in the school environment, creates an environment that is vulnerable to bullying behavior.

Indonesia and South Korea have different approaches. South Korea is known to have very strict and effective law enforcement, including in terms of child bullying. This comparative study can help us understand how an effective regulatory framework can minimize child bullying practices, as well as law enforcement against child bullying. Therefore, the author is interested in highlighting research entitled **“CHILD BULLYING: A**

⁴ Child Protection Act of 2014.

⁵ Cagla Banko-Bal and Tulin Guler-Yildiz, “An Investigation of Early Childhood Education Teachers’ Attitudes, Behaviors, and Views Regarding the Rights of the Child,” *International Journal of Child Care and Education Policy*, Vol. 15, No. 1 (May, 2021), p. 14.

⁶ Wesley G. Jennings et al., “An Examination of Bullying and Physical Health Problems in Adolescence among South Korean Youth,” *Journal of Child and Family Studies*, Vol. 28, No. 9 (December, 2019), p. 2515.

COMPARATIVE LEGAL ANALYSIS BETWEEN INDONESIA AND SOUTH KOREA”.

B. Problems Formulation

Based on the background above, the author proposed two questions for further:

1. How is child bullying governed in Indonesia and South Korea?
2. How is the law enforcement against child bullying conducted in Indonesia and South Korea?

C. Objectives of Research

There are some objectives of the research, as follow:

1. To compare the regulation on child bullying between Indonesia and South Korea.
2. To identify the challenges in enforcing the law relating to child bullying in Indonesia and South Korea.

D. Benefits of Research

There are some benefits of this research, as follow:

1. Theoretical Aspect

Providing a comprehensive understanding of the current regulations and policies in place to address child bullying in Indonesia and South Korea.

2. Practical Aspect

The research will provide recommendations to law enforcement to improve public safety, especially for children.

E. Limitation of Study

The study only focus on bullying cases in school.