



REGULATION EMBODIMENT OF THE MINISTER OF EDUCATION, CULTURE, RESEARCH & TECHNOLOGY ON THE PREVENTION AND HANDLING OF SEXUAL VIOLENCE IN HIGHER EDUCATION AS AN EFFORT TO IMPROVE THE QUALITY OF HIGHER EDUCATION

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INTRODUCTION

1. Background

The world is increasingly shocked by thousands of cases related to immoral acts in the form of sexual violence. Sexual violence is a sexual act that comes from one person to make another person feel uncomfortable and intimidated or afraid. Global data obtained from UN Women, cases of sexual violence against women reached 736 million.¹ In one of the studies conducted by Value Champion, Indonesia is the number two country in the Asia Pacific that is considered unsafe for women.² There were 1,411 cases of violence against women from January 1, 2022 to February 21, 2022, based on data from the Online Information System for the Protection of Women and Children of Ministry of Women Empowerment and Child Protection.³

Indonesia is a country that highly values education for the welfare of the nation and state. Therefore, Indonesia has become a transformation for the younger generation in carrying out their education. However, acts of sexual violence often occur in the educational environment itself. Suppose you look at the data on the incidence of sexual violence in the educational environment. In that case, it makes anyone sad to see it because, ideally, the educational environment is a place to learn about life and humanity. In fact, it is a place where human values are taken away and violated.

Many cases of sexual violence in Indonesia come from the Higher Education environment. Human values are taken away because of cultural relations and social habits; the worst is the power relationship between lecturers and students. Perpetrators can be educators who act against students or fellow students themselves. Educators qualified as lecturers, instructors, or tutors participate in organizing Higher Education. Meanwhile, students are students at the higher education level. Both are vulnerable to

¹ komnasperempuan.go.id, 2021, *Pemenuhan Hak Asasi Perempuan Tanpa Kekerasan*, <https://komnasperempuan.go.id/siaran-pers-detail/siaran-pers-komnas-perempuan-tentang-hari-tanpa-kekerasan-internasional-2-oktober-jakarta-3-oktober-2021>. Accessed August 14th 2022

² Devina Heriyanto, 2019, *Indonesia ranked second-most dangerous place for women in Asia Pacific: Study*, Indonesia ranked second-most dangerous place for women in Asia Pacific: Study - National - The Jakarta Post, Accessed August 14th 2022

³ Kurniawan Eka, 2022, *Terdapat 1.411 Kasus Kekerasan terhadap Perempuan Sepanjang Januari hingga Februari 2022*, Terdapat 1.411 Kasus Kekerasan terhadap Perempuan Sepanjang Januari hingga Februari 2022 (kompas.tv), Accessed August 14th 2022

being perpetrators of sexual violence. Perpetrators make threats of discrimination and even affect the academic status of the victim.

Lecturers who should be role models for students can be perpetrators of sexual violence against students. Meanwhile, students who should be good friends in going through the educational process in lectures make their friends as objects to vent their sexual desires. In 2021, the Ministry of Education, Culture, Research, and Technology released the results of research in 79 universities in 29 different cities in Indonesia regarding acts of sexual violence in universities, the results were quite surprising, 77% of lecturers admitted that sexual violence had occurred in the university environment, but 63% of cases were not reported.⁴ Educators or students in higher education who can become victims of sexual harassment undoubtedly feel insecure, comfortable, and peaceful in the university environment where their education is carried out. Not only that, mental health certainly has an impact that affects the learning process.

The impact on the victims will undoubtedly affect the quality of education that will be and is being pursued. In addition, the learning process is disrupted and can even hindered so that there is a decrease in the quality of education due to acts of sexual harassment in the university environment. From the various impacts caused above, prevention efforts are needed in the Higher Education environment. The government, through the Minister of Education, Culture, Research, and Technology Nadiem Makarim, then issued Regulation of the Minister of Education, Culture, Research, and Technology of the Republic of Indonesia (Permendikbud Ristek RI RI) Number 30 of 2021 on Prevention and Handling of Sexual Violence in Higher Education in November 2021.

Permendikbud Ristek RI Number 30 of 2021 is the guideline for preventing sexual violence in universities due to the many cases of sexual violence that violate human values. It damages the victim's morals and quality of life, including the education that is being and will be taken. This regulation is essential for all elements in the Higher Education environment, including students and educators, so that they are aware and synergize to prevent cases of sexual violence that occur. Therefore, it is necessary to study further regarding Permendikbud Ristek RI Number 30 of 2021, which may be that every university has not been maximized in its embodiment.

⁴ Mesakh Ananta, 2022, *Menilik Kembali Pelecehan dan Kekerasan Seksual di Lingkungan Kampus*, Menilik Kembali Pelecehan dan Kekerasan Seksual di Lingkungan Kampus Halaman 1 - Kompasiana.com. Accessed August 14th 2022

2. Problem Formulation

Based on the background of the problem that the author raised along with the legal facts, we describe two problem formulations, as follows:

1. How is the implementation of Regulation of The Minister of Education, Culture, Research, and Technology Number 30 of 2021 in Higher Education as an effort to improve the quality of education?
2. What is the role of students in embodying Regulation of The Minister of Education, Culture, Research, and Technology Number 30 of 2021?

A. DISCUSSION

1. The Embodiment Of Regulation of The Minister Of Education, Culture, Research, And Technology Of The Republic Of Indonesia Number 30 Of 2021 On Prevention And Handling Of Sexual Violence in The Higher Education Environment As An Effort To Improve The Quality Of Education

Permendikbud Ristek RI Number 30 of 2021 is a Regulation of the Minister of Education, Culture, Research, and Technology which was established to regulate and implement higher education policies in Indonesian in the Prevention and Handling of Sexual Violence in Higher Education. Permendikbud Ristek RI Number 30 of 2021 has regulated all University policies and has high power to decide and follow up on cases of Sexual Violence that educators and students have committed.

Sexual Violence in the university environment often occurs and is carried out by educators, namely lecturers, to students who are carrying out their studies at the University. However, it is possible that Sexual Violence can be carried out by students so that lecturers and other students become victims of Sexual Violence. In this case, Permendikbud Ristek RI becomes an essential guideline for Universities in handling cases of Sexual Violence so that it can be minimized to eliminate cases of Sexual Violence in Universities environment.

The policies that have been established in Permendikbud Ristek RI Number 30 of 2021 on the Prevention and Handling of Sexual Violence in Higher Education include; providing understanding to educators and students about Sexual Violence, providing legal protection to victims of Sexual Violence, and a deterrent effect to perpetrators of Sexual Violence.⁵

In Permendikbud Ristek RI Number 30 of 2021 in chapter II contained in Articles 6 to 9, it has been regulated on the Prevention of Sexual Violence in Higher Education carried out by Universities, educators, and students themselves who play an active role in preventing cases of Sexual Violence. Article 6 can be started by providing direct education on the importance of preventing Sexual Violence to educators and students. Universities must be able to strengthen higher education governance by forming a task force to prevent Sexual Violence harassment, carry out operations every week to

⁵ Robiatul Adawiyah, Reza Hilmy Luayyin, dan M. Nabat Ardli, 2022. Analisis Permendikbud Ristek RI No, 30 Tahun 2021 Dan Konstruksi Sosial Kekerasan Seksual Di Perguruan Tinggi Perspektif Sosiologi. *Al Qodiri : Jurnal Pendidikan, Sosial Dan Keagamaan* 19 (3): 789

minimize the occurrence of harassment cases, and create a community to become an information center regarding the prevention of Sexual Violence Harassment.⁶

Article 5 Paragraphs (1) and (2) Permendikbud Ristek RI Number 30 of 2021 covers actions taken verbally, non-physically, and physically to the condition of the body through information and communication technology (social media) as well as directly to the victim so that it can become a case of Sexual Violence in college. Higher education educators must be able to realize and respond to the situation that cases of Sexual Violence have occurred through the actions described in Article 5 Paragraph (2).

Permendikbud Ristek RI Number 30 of 2021 which is contained in Article 6 Paragraph (3) where a University must be able to form a Task Force which has the function of implementing, developing, and providing services to educators and students to be able to prevent cases of Sexual Violence in Universities. Universities that have been able to realize the existence of a Task Force are one of the efforts and policies in preventing Sexual Violence.

The Higher Education Task Force is very much needed in the world of lectures to prevent cases of Sexual Violence perpetrated by educators against students or students who commit crimes against other students. Higher Education Task Forces assisted by educators and student organizations in preventing cases of Sexual Violence must be able to be sensitive to situations that occur around Universities and follow up if this Sexual Violence has occurred.

However, the regulation still cannot be fully realized because it does not get serious attention from the Universities themselves. As a result of this, Permendikbud Ristek RI has just been issued and ratified. Regulations that is formed must be interspersed with a strong bureaucratic system so that cases of sexual violence that occur can be followed up more firmly in Indonesian Universities. It is possible that Permendikbud Ristek RI Number 30 of 2021 can be realized perfectly with the existence of strong awareness of higher education institutions and students so that they can carry out this Regulation of The Minister of Education, Culture, Research, and Technology can socialize it to the education system and the scope of students themselves so that all existing policies can be implemented and cases will not happen again in Universities.

⁶ Regulation of The Minister of Education, Culture, Research, and Technology of The Republic of Indonesia Number 30 of 2021 On Prevention and Handling of Sexual Violence in Higher Education.

Permendikbud Ristek RI Number 30 of 2021 is an effort to improve the quality of education through policies that have been implemented in Universities because all education systems and students are aware of the importance of learning about Sexual Violence in Universities and make it the most vital pillar and no longer need to worry that cases of Sexual Violence can occur so that educators and students can carry out the learning process optimally. However, cases of Sexual Violence may happen again. Therefore both educators and students must be able to prevent Sexual Violence when they see things that are not common in Universities. Educators have an essential role in improving the quality of education in higher education because an educator becomes an educational transformation that must be able to convey the values contained in the material given to students.

2. The Role Of Students In Embodying Regulation of The Minister of Education, Culture, Research, and Technology Of The Republic Of Indonesia Number 30 Of 2021 On Prevention And Handling Of Sexual Violence In Higher Education

Sexual violence is a familiar thing for many people. In Indonesia, there is not a single organization that has exact data on cases of sexual violence, especially in universities. The rampant sexual violence in universities is like an iceberg phenomenon because many cases of sexual violence are still not revealed or reported. The lack of complaints of sexual violence within universities shows that not all universities have effectively implemented Permendikbud Ristek RI Number 30 of 2021. On this basis, the role of students is vital in carrying out Permendikbud Ristek RI Number 30 of 2021 to improve the quality of education, especially in the scope of universities.

For Permendikbud Ristek RI Number 30 of 2021 to be run properly and effectively, it is necessary to apply the essential thing about sexual violence, namely fostering awareness, be it students, lecturers, and all employees in the university. Issues related to sexual violence are social issues that are problems and need awareness to overcome. This awareness can be built by making studies or socialization related to how important it is to have an awareness of sexual violence and education on how to prevent sexual violence from happening again in the scope of universities. It can also be by campaigning to prevent sexual violence in the university, pasting posters around campus, sharing posters on social media, creating podcasts, etc.

Permendikbud Ristek RI Number 30 of 2021 has explained what students can do to prevent sexual violence within the scope of universities. The intended prevention can be seen in Article 8 Paragraphs (1) and (2). Article 8 Paragraphs (1) and (2) emphasize

to students to limit meetings outside the campus area, outside of campus operating hours, and must not conduct meetings individually for purposes other than the learning process with educators and educators. To conduct meetings limited by the regulation, students must apply for permission from the head of the study program or the head of the department before implementing the meeting. The permit application in question is made in writing or through electronic communication media regarding an appointment with an educator.⁷ For the prevention of sexual violence above to be realized, university leaders need special attention to form derivative rules in the form of Rector's Regulations and Rector's Decrees. This derivative regulation will later strengthen Permendikbud Ristek RI Number 30 of 2021 to prevent the possibility of sexual violence occurring within the scope of universities.

In addition to the prevention in Article 8, students can also play an active role in preventing sexual violence within the scope of universities by joining the Task Force of their respective universities. In this Task Force, at least 50% must come from the student element.

Student organizations such as the Student Executive Board (BEM) also have a vital role in preventing sexual violence in universities. It would be very helpful if, in terms of actualizing Permendikbud Ristek RI Number 30 of 2021, it is carried out by the university and the entire academic community, including BEM itself, both at the university level and the faculty level. One breakthrough that BEM can make is to form a particular department or division that focuses on preventing and handling sexual violence in universities. With this particular department, it is hoped that it can create a safe university from sexual violence.

⁷ *Ibid.*, Hlm. 11.

B. CONCLUSION

1. Conclusion

A. The Embodiment Of Regulation of The Minister Of Education, Culture, Research, And Technology Of The Republic Of Indonesia Number 30 Of 2021 On Prevention And Handling Of Sexual Violence in The Higher Education Environment As An Effort To Improve The Quality Of Education

Cases of Sexual Violence that occur in Universities can hinder a student's learning process because they have severe trauma and disrupt the psychology of students who are victims of Sexual Violence. So, in this case, educators and university students must be able to prevent cases of Sexual Violence before they occur.

Article 6 Paragraph (3) Permendikbud Ristek RI Number 30 of 2021 is an effort to improve the quality of education in Higher Education because it has implemented policies that can prevent cases of Sexual Violence by establishing a Task Force so that educators and University students can carry out the learning process effective and conducive without any mind disturbances that can hinder learning activities.

B. The Role Of Students In Embodying Regulation of The Minister Of Education, Culture, Research, And Technology Of The Republic Of Indonesia Number 30 Of 2021 On Prevention And Handling Of Sexual Violence In Higher Education

Permendikbud Ristek RI Number 30 of 2021 has provided restrictions for educators and students to prevent sexual violence within the scope of universities. This limitation can be arranged in Articles 7 and 8 of Permendikbud Ristek RI Number 30 of 2021. In addition to providing boundaries, each university must establish a Task Force for the Prevention and Handling of Sexual Violence. The legal basis for forming this Task Force can be seen starting from Article 23 to 37 of Permendikbud Ristek RI Number 30 of 2021. However, many universities still have not prepared derivative rules from Permendikbud Ristek RI Number 30 of 2021 and formed a Task Force. Indifference to this rule certainly has a destructive impact on Indonesian education and will cause a decline for this nation if this rule is still ignored because education is an essential thing for a nation.

For Permendikbud Ristek RI Number 30 of 2021 to be appropriately run, students and student organizations must be able to play an active role in realizing a safe university for the entire academic community, especially women. Of course, the increasing activity of students and student organizations in preventing sexual violence will make the teaching and learning process more qualified because of the sense of security and comfort that has been successfully created through the various ways we have mentioned above. Therefore, quality graduates will also be made, both in terms of knowledge and morality.

2. Suggestion

The number of acts of sexual violence in the Higher Education environment should be a consideration for universities in Indonesia in forming a breakthrough in the embodiment of Permendikbud Ristek RI Number 30 of 2021, as well as the cooperation of universities, educators, and students, such as the establishment of a task force to prevent sexual violence and the active role of student organizations. The breakthrough of preventing sexual violence is essential to minimize the occurrence of acts of sexual violence. The enactment of Permendikbud Ristek RI Number 30 of 2021 also indicates that universities are responsive and do not underestimate cases of sexual violence in the Higher Education environment.

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