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The Impact of Anti-Violence Law on Changes in Santri Organization at Modern Islamic Boarding Schools (Pesantren)

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ABSTRACT

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Dayah Ulumuddin Lhokseumawe is an Islamic educational institution where corporal punishment to students is likely to occur in the process of education, 24 hours. Senior students, through their organizations, are involved in implementing the rules at pesantren, usually punishing students who violate the rules with corporal punishment. Meanwhile, Child Protection Law guarantees and protects children and their rights so that they can live, grow, develop, and participate optimally in human dignity and free from violence and discrimination. This study aims to 1) describe the changes in santri (term for students in pesantren) organization as a result of the anti-violence law and 2) describe and identify the impacts that occur from the enactment of anti-violence law. This research was conducted with a qualitative approach. Collecting data is done in an open form (funnel) with data collection techniques that include interviews, participation observations, and documentation. The data analysis technique refers to the theory proposed by Miles Huberman & Saldana, which includes: data condensation, data presentation, and concluding/verification. The results of this study found that: 1) there was a change in santri organization due to the application of Anti-Violence Law, 2) the presence of the Anti-Violence Law had an impact on (a) the emergence of apathy in educators, and senior students in applying discipline because they were worried entangled in the law, (b) increasing graph of disciplinary violations.

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ABSTRAK

Kata Kunci:

Dayah; Perubahan Organisasi Santri; Undang-Undang Anti Kekerasan;

Dayah Ulumuddin Lhokseumawe merupakan lembaga pendidikan Islam di mana hukuman fisik terhadap santri berpeluang besar terjadi. Dalam proses pendidikan 24 jam. Santri-santri senior melalui wadah oragnisasinya terlibat dalam menjalankan aturan di pesantren, biasanya menghukum santri yang melanggar aturan dengan hukuman fisik. Sementara Undang-Undang Perlindungan Anak menjamin, melindungi anak, hak-haknya agar dapat hidup, tumbuh, berkembang, dan berpartisipasi secara optimal dalam harkat dan martabat kemanusiaan serta bebas dari kekerasan dan diskriminasi. Tujuan penelitian ini adalah untuk: 1) mendeskripsikan perubahan organisasi santri akibat undang-undang anti kekerasan, 2) mengurai dan mengidentifikasi dampak yang terjadi dari diberlakukannya undang-undang anti kekerasan. Penelitian ini dilakukan dengan pendekatan kualitatif. Pengumpulan data dalam bentuk terbuka (funnel) dengan teknik pengumpulan data yang meliputi wawancara, pengamatan peran serta, dan dokumentasi. Adapun teknik analisis data mengacu pada teori yang dikemukakan Miles Huberman & Saldana yang meliputi: kondensasi data, penyajian data, dan penarikan kesimpulan/verifikasi. Adapun hasil penelitian ini menemukan, bahwa: 1) terjadi perubahan dalam organisasi akibat lahirnya Undang-undang Anti Kekerasan, 2) hadirnya Undang-undang Anti Kekerasan berdampak pada: (a) munculnya sikap apasime dalam diri pendidik dan santri senior dalam menerapkan disiplin karena khawatir terjerat hukum, (b) meningkatnya grafik pelanggaran disiplin.

INTRODUCTION

Children are assets in the maintenance and development of the nation, where their life journey is very easily influenced by the surrounding circumstances and environment (Koesnan, 2005; Kuntoro et al., 2017). As the next generation of national civilization, every child must receive an education that is able to develop abilities and build the character and civilization of a dignified nation to educate the nation's life, aiming to develop self-potential to become human beings who believe and fear God (Robinson, 2020). Almighty, have a noble character, healthy, knowledgeable, capable, creative, independent, and become a democratic and responsible citizen (Article 3, Law No. 20 of 2003).

From the function and purpose of education contained in Law no. 23 of 2003, it is concluded that with education, every child is supported to build their character and intelligence and develop their potential so that they become a person who has excellent character (taqwa, noble character, creative, independent, democratic, responsible) and knowledgeable. Pesantren is presented as one of the educational institutions that are trusted as an educator to teach children, especially with Islamic values (Ikhwan et al., 2019).

Islamic boarding schools (pesantren), which generally have santri (term for student in pesantren) dormitories as their place of residence, have a distinctive coaching pattern in serving and carrying out education. This is due to the density of educational activities that are not only focused on the classroom but also (most importantly) on the dormitory as a home where they apply all the knowledge learned from formal schools.

Each pesantren has different policies in educating, upbringing, and teaching its students. In parenting, some Islamic boarding schools classify students' violations into three types: mild, moderate, and severe (Auzai et al., 2019). For each violation, different sanctions/penalties apply. For example, some Islamic boarding schools impose penalties for serious violations, such as immoral behavior, smoking, stealing, leaving the boarding school without permission with penalties for cutting their hair or being suspended, and even sent home (returned to their parents) (Maarif & Kartiko, 2018). Some impose penalties for moderate violations, such as "running around the field" because students are late for recitation activities or disturb friends while studying. Other physical punishments include hitting the palms of the hands/feet or twisting the ears of students who break language rules or littering.

Hard punishment is still considered effective in enforcing pesantren regulations and teaching disciplinary behavior to their students (Munir, 2020). The caregivers show the opinion that the provision of punishment, including physical punishment to students who violate the pesantren rules has a deterrent effect (Zulfa, 2020).

On the other hand, Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection, in Article 54, it is stated: (1) children within education unit are required to receive protection from acts of physical and psychological violence, sexual crimes, and other crimes committed by educators, education staff, fellow students, and/or other parties. (2) The protection, as referred to in paragraph (1), is carried out by educators, education staff, government officials, and/or the public. Child Protection Law aims to guarantee and protect children's rights so that they can live, grow, develop, and participate optimally in human dignity and free from violence and discrimination. Children as buds, potentials, and the younger generation who succeed in the ideals of the nation's struggle have strategic roles and unique characteristics so that they must be protected from all forms of inhumane treatment that result in human rights violations (Alwi et al., 2019; UU No. 35 Tentang Perlindungan Anak, 2014).

Pesantren as Islamic educational institutions are often referred to as Islamic boarding schools, surau, or dayah. In Aceh province, pesantren are generally referred to as dayah (Dinas Pendidikan Dayah Aceh, 2019). In this research, Dayah is referred to Ulumuddin Dayah, located in Uteunkot Village, Lhokseumawe, an Islamic educational institution where corporal punishment as a sanction for disciplinary violators is still likely to occur. This is because, in the process of education and parenting, students are monitored in the

formal learning process in class, are trained to master foreign languages (Arabic and English) and practice worship in the dormitory environment for 24 hours (Zurriyati, 2020). For this reason, a student organization is needed to help teachers monitor, guide, and enforce the discipline of the students' daily activities outside of formal hours (Shunhaji & Hartanto, 2020). Efforts to build positive behavior collectively have an impact on increasing the effectiveness of pesantren organization, where santri dormitory, which is effective as a natural laboratory, is considered to maintain existing Islamic and cultural values (Prasetyo et al., 2021).

Senior students are involved in implementing the rules at the pesantren through an organizational forum called Ulumuddin Integrated Dayah Islamic Boarding School Organization (OPDTU). Suppose some junior students are found to have violated discipline (rules). In that case, this is where the senior students usually punish students with physical punishment. The process of giving punishment is expected so that every student understands the meaning and function of punishment for mistakes they made and will be able to apply them in their environment (Arifin, 1994).

Hard actions through corporal punishment are still carried out by senior students, as administrators of the student organization enforce the rules by pesantren (Maunah, 2016). In the community's realization and understanding, Ulumuddin Islamic Boarding School experienced stagnation in carrying out discipline and obedience to pesantren rulers and religious law because it conflicted with the child protection law. In connection with this research, there have been many studies by previous researchers on the child protection law. However, in reality, no study has focused on changing the pesantren's students/santri organization.

This phenomenon has stuck in the researchers' mind and motivated them to conduct further research regarding the application of child protection law in Islamic boarding schools. The researchers hope that this study's results can be used as one of reading materials to the scientific repertoire and as a reference in responding to corporal punishment today that is still common, especially at the Ulumuddin Islamic Boarding School.

METHODS

Research Approach. This study provides a comprehensive picture of changes in the operational system of the pesantren organization, which is based on the enactment of child protection law and its relation to violations of the rules given to students. Therefore, a qualitative approach is considered very measurable to accommodate these goals (Arikunto, 2012). As for understanding the reality in the field, the researchers' approach in this research is a phenomenological qualitative approach (Arikunto, 2012). Data Collection Technique The design used in this study presented a data collection pattern in an open form (funnel) with subjects that included interviews, participation observations, and documentation

(Darmadi, 2011). In this study, the data analysis is inductive (Moloeng, 2011). With the understanding that the researcher put forward a reflective thinking model by converting empirical data to literature and vice versa.

Data Analysis Technique; For mindset development, of course, by using repetition of generalized data sets, in-depth understanding and analysis by parsing and describing the opinions of teachers and experts in the field of education regarding the practice of corporal punishment in Islamic boarding schools (Newman, 1997). In this case, data analysis is a process. Of course, the implementation begins at the stage of intensive data collection (Sugiyono, 2016), which is followed by data condensation, data presentation, and ends with drawing conclusions/verification (Huberman & Saldana, 2014). To test the validity of the data, the research used triangulation technique.

RESULT AND DISCUSSION

Enactment of Child Protection Law

In this study, researchers found that almost all Ustaz (term for teachers in pesantren) in Dayah (Pesantren) Ulumuddin agreed, which unwritten still legalizes physical punishment or beatings of students who commit violations. Usually, the physical punishment imposed at Dayah Ulumuddin is not a punishment that results in physical disability, but to get used to discipline and obey pesantren rules. It will be a habit practiced by students who are "able" to carry out Islamic rules in pesantren (*Ala bisa karena biasa* - something that is difficult, if you are used to doing it, it doesn't feel difficult anymore). With habits carried out repeatedly in pesantren environment, it is also hoped that these habits will be implemented outside or in social life.

Over time, with the enactment of Law Number 35 concerning Amendments to Law Number 23 of 2002 concerning Child Protection in 2014, the organizational system in Dayah Ulumuddin education change. According to the deputy leader of Dayah Ulumuddin (interview, 2022), the quality of discipline enforced before the enactment of the law can produce students who have obedient, tough, disciplined characters and reverence for teachers, and mutual respect. However, during this time, discipline began to decline and made students often violated even against teachers. Teachers certainly do not dare to give sanctions to students because there is a Child Protection Act (interview with the caretaker of the 3rd-grade male dormitory, 2022).

According to the supervisor of Dayah Ulumuddin (interview 2022), the enactment of child protection law is a weapon to weaken pesantren rules because pesantren supervisors are "afraid" to act according to old pesantren rules. In this case, the organizers of pesantren rules experience limitations. They do not feel free to "touch" students who commit violations.

The chairman of Integrated Dayah Islamic Boarding School Ulumuddin (OPDTU), in an interview in January 2022, said that currently, there are no more "pinch" sanctions, let alone beatings. No more beatings for students who violate the rules (leaving pesantren or going home without permission, disrespecting seniors). There are no more students who worry about being punished if they "jump the fence" when they are lazy to attend congregational prayers and study *Kitab kuning* (Islamic Teachings). Sanctions or punishments given by student coaches and OPDTU administrators are limited to community service that has not been able to provide a deterrent effect on students who violate. This causes the administrators of the student organization to be "inevitably" carrying out supervision, while students become indifferent to the existing dayah regulations.

Article 39 paragraph (1) Government Regulation Number 74 of 2008 concerning Ustaz/teachers states: "Teachers have the freedom to give sanctions to their students who violate religious norms, moral norms, norms of decency, written and unwritten regulations set by them, education unit level regulations, laws and regulations in the learning process that are under their authority. It can be understood that the imposition of sanctions carried out by Islamic boarding schools is still relevant to the applicable rules. However, they are still dealing with criminal law in implementing sanctions for students."

In Article 41, paragraph (3), Ustaz/teachers have the right to obtain occupational safety and health protection from the education unit and the education unit operator against the risk of work security disturbances, work accidents, fires at work, natural disasters, the health of work environment or risks. However, this article cannot protect Ustaz/teachers who carry out the sanctions of beatings in the context of enforcing discipline and educating their students.

The child protection law has an impact not only on changes in sanctions (punishment) but also on the organization of Islamic boarding schools and the behavior of Ustaz and senior students tasked with enforcing discipline. This can be seen clearly with the change in a policy providing sanctions in the dayah environment in general and in the OPDTU environment in particular, where the punishment of beatings (educational and not excessive) to students who violated the rules of the previous Dayah Ulumuddin was not prohibited. However, based on the experience of Ustadz, whom the police have summoned due to hitting sanctions, it is emphasized to the OPDTU management not to give the punishment of beatings, even with educational pretexts. The loss of the punitive penalty is allegedly the reason for the difficulty in establishing the morals of students and enforcing discipline (interview with the Ustaz in the parenting division).

Ustaz/teachers are in a dilemma between carrying out the task of conveying knowledge or having to deal with the parents of students and the law. On the other hand, Ustaz and the administrators of the students' organization, as an extension of the top management, must be able to deliver the students to achieve educational goals. However,

Ustadz became concerned about the enactment of the Child Protection Act when they tried to enforce discipline. Some Ustadz even showed apathy and indifference to students' behavior for fear of facing the law (interview with the head of Arabic and English language division, January 2022).

The law should provide protection not only for students but also for educators. However, the facts on the ground are that the law is considered to favor students and not teachers as unsung heroes of future generations. So no doubt, the teachers/Ustadz became "reluctant" to carry out their functions and roles wholly to educate students and transfer knowledge.

The Child Protection Act was not intended to be a weapon for students to overthrow Islamic boarding schools or a tool to threaten religious teachers in carrying out education. The enactment of Child Protection Law has become information for every citizen that every child deserves to be respected and protected.

Likewise, the Islamic boarding school education task is not entirely Ustadz's task. Parents are the primary educators for their children. The way and discipline of parents in educating their children can be a reference for Ustadz to build the character of each student.

The lack of public trust in the organization in pesantren and Ustadz is one of the obstacles faced by leaders of Islamic boarding schools. This belief and trust seem to have disappeared from the community, causing students involved in the organization in the pesantren and Ustadz to feel pressured in every action they take to discipline their students.

Meanwhile, the impact of the enactment of the Child Protection Law on Ustadz, among others, is traumatic (based on the experience of Ustadz, who has been summoned by the police due to beatings), so they are less indifferent to enforcing discipline. Ustadz prefers their role as teachers rather than as directors and sanctions for students who violate the rules. The same thing happened to the students who became administrators in pesantren organizations. They are more directed to carry out the role of administrator.

Changes in behavior and attitudes of Ustadz and administrators of student organizations are certainly a concern for shifting educational values, especially in the aspects of obedience, reverence, toughness, and discipline, which will become the character capital for students in the future when they are involved in society.

From the explanation above, it can be concluded that those who legalize corporal punishment (which is not excessive) in pesantren education believe that corporal punishment is still considered to have a deterrent effect and is needed in the educational process, especially in the context of implementing discipline in pesantren.

Impact of Enactment of Child Protection Law

With the enactment of child protection law, changes in the educational organization of Islamic boarding schools have occurred. The attitude of educators (Ustadz) who are not optimal in educating students will impact the nation's development and progress. A

nation's development and progress are based on the educational process. It is undeniable that the function of Islamic boarding school education is as an institution that develops the ideological capabilities of the nation's life, forms a dignified national character and civilization, and develops the potential of students to become human beings who have a noble character, are healthy, knowledgeable, capable, creative, independent, democratic, trusting and self-reliant, and fear (taqwa) Allah SWT.

The enactment of Child Protection Law is an obstacle for educators to realize the pattern of education, which also has an impact on changes in the organizational and operational system in Islamic boarding schools. The law on child protection affects the organization of pesantren, among others: 1) the educational attainment of pesantren will not succeed because teachers are afraid of punishing santri, 2) the decline in the quality of santri (students in pesantren) graduates, 3) lack of ethics for santri graduates, 4) lack of public interest in enrolling their children in pesantren. It is feared that this will impact the low trust of the guardians of students and the community. As is known that one aspect that can trigger public confidence in educational institutions is the quality of the graduates produced are excellent (Ilham, 2021).

The success of education can also be seen in the improvement in students' attitudes and behavior. In this case, students are educated to improve human quality, so successful education is human development in affective, cognitive, and psychomotor aspects. So that pesantren must be able to prepare their students to become individuals who are strong in moral, spiritual, and scientific values (Hasnadi, 2019; Salabi, 2021).

5 CONCLUSION

Based on the results of this study, the various efforts made by Ustaz and administrators of Islamic boarding schools to discipline students without violence have not shown any change in building students' character for better improvement and have not proven to produce high-quality students graduates. Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection is the basis for generating motivation for students to be creative and develop students potential. However, the reality in the field shows that it becomes an obstacle in educating students to change the organizational system in Islamic boarding school education. Indeed, corporal punishment (which does not result in injury and disability) is still very much needed in education, especially in implementing discipline in Islamic boarding schools. However, it must be applied to students who behave or make big mistakes in pesantren. A fatal obstacle in realizing the education pattern even impacts Ustaz's mentality and changes in Islamic boarding schools' organizational and operational systems. This study suggests that Islamic boarding schools should have technical regulations that are legalized through a blueprint or AD ART Foundation to have legal force in the event of a juridical conflict.

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