

**REKONSTRUKSI
NORMA TATA TERTIB TARUNA SEBAGAI UPAYA MEMUTUS MATA RANTAI
KEKERASAN/BULLYING GUNA MENGHAPUS PELANGGARAN HAM
PADA PERGURUAN TINGGI PELAYARAN
DI INDONESIA**

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Abstrak

Permasalahan kekerasan dalam dunia pendidikan merupakan salah satu masalah urgen yang cukup memperoleh sorotan yang tajam, karena dalam beberapa kasus kekerasan dalam lingkungan pendidikan terutama dalam instansi pelayaran Indonesia berujung pada kematian. Permasalahan kekerasan dalam lingkungan instansi pelayaran Indonesia perlu mendapatkan penanganan secara tepat, terutama melalui penerapan norma tata tertib taruna untuk kedisiplinan para taruna.

Dengan adanya beberapa kasus kekerasan yang terjadi di perguruan tinggi pelayaran di Indonesia, melihat beberapa kendala-kendala penanganan kekerasan serta melihat adanya banyak kelemahan dalam penanganan kasus kekerasan yang terjadi, maka hal yang sangat penting untuk diperhatikan adalah penerapan norma tata tertib yang mampu mengakomodir kebutuhan para taruna. Dengan demikian norma tata tertib yang berlaku harus disesuaikan dengan kebutuhan berbagai pihak yang terkait dalam instansi pelayaran di Indonesia, serta harus mampu memperhatikan kebahagiaan dan menumbuhkan paradigma yang sesuai dengan bentuk perlindungan terhadap HAM.

Kata kunci: Rekonstruksi, *bullying*, HAM, Perguruan Tinggi Pelayaran

Abstract

The problems of violence in the world of education is one of the urgent problems obtaining enough sharp spotlight, because in some cases of violence in the educational environment, especially in the merchant marine university in Indonesian resulting in death. Environmental issues of violence in the Indonesia's merchant marine university need to be addressed appropriately, especially through the application of disciplinary norms to discipline the cadets.

With the existence of some cases of violence in merchant marine university in Indonesia, saw some of the constraints of handling violence and see that there are many weaknesses in the handling of cases of violence, it is a very important thing to note is the application of norms that discipline is able to accommodate the needs of cadets. Thus norms applicable rules should be tailored to the needs of the various parties involved in the Indonesia's merchant marine university, as well as to be able to pay attention to happiness and cultivate paradigm corresponding to the shape of the protection of human rights.

Keyword: *Reconstruction, bullying, humanrights, merchant marine university*

I. Introduction

A. Background

The problems of violence in the world of education is one of the urgent problems obtaining enough sharp spotlight, because in some cases of violence in educational environments, especially in the merchant marine university in Indonesia lead to death. Environmental issues of violence in the merchant marine university of Indonesia need to be addressed appropriately, especially through the application of norms of discipline to discipline the cadets

Norm order cadets on campus of merchant marine university in Indonesia significantly contains general provisions, goals, objectives, and the foundation, moral development and mental, rights and obligations, organization cadets, daily orders trait remains, manners, prohibitions, violations and penalties imposed, Thus the behavior of all the cadets norms reflected in the order itself, so the emphasis norm good order will certainly break the chain of violence / bullying occurring in merchant marine university of Indonesia.

III. Discussion

A. Forms of Violence Education World

Etymologically, the violence is a translation of the word violence, which means power or power. said violence, comes from the Latin meaning violentia force (violence). In terms of violence (violence) is defined as the behavior of the parties involved in a conflict that could injure an opponent of the conflict to win the conflict.

Violence is an act of a person or group of persons who caused the injury or death of another person, or causing physical damage or goods of others, it could be an act that is accompanied by compulsion. While the definition of persecution is arbitrary treatment (torture, oppression, and so on).

Violence can also be interpreted as violations (torture, beatings, rape, etc.) that caused or intended to cause suffering

or harm others.

The definition of violence according to the experts is as follows: Soerjono Soekanto stated that the violence (violence) is the use of physical force by force against a person or object. The social violence is violence perpetrated against people and goods for people and goods are included in the social category.

Colombijn declares that violence is a behavior that involves physical force and are intended to harm, damage, or eliminating someone or something.

Stuart and Sundeen states that violent behavior or violence is an expression of feelings of anger and hostility resulting in loss of self-control in which individuals can behave attack or melakukan an action that could endanger themselves, others, and the environment.

Based on the understanding of violence put forward by the experts, it can be concluded that the violence is committed by a person or group of people who for physical or psychological harm others by hitting, kicking, cursing and perform actions that are not pleasant for a person or group of people. In this case the violence / bullying in question is violence that occurs at merchant marine university in Indonesia. Violence / bullying can essentially be seen in the violent behavior that a person or group has the strength or power to harm others physically and psychologically through action or speech so that victims feel depressed, trauma and helpless. Bullying happens in schools called School Bullying. School bullying is included in acts of violence that harm others, in this case carried out by a student against another student. Called violence because of the action taken to harm others, or it could be with a specific purpose, such as looking for attention, want power at school, wanted to say whiz, exhibition or show such a wealth of new motor. Thus the action of this bullying can be done by a student or group of students against other students

who are primarily intended to seek more attention from the people around them .

More specifically Riauskina classify bullying behavior into five (5) categories :

- a. Direct physical contact , such as hitting , kicking , squeeze .
- b. Direct verbal contact , such as : threatening , demeaning , cussing , give a call ugly , embarrassing , spreading gossip .
- c. Direct non - verbal behavior , such as : the cynical duplicity , showing facial expressions derogatory , usually accompanied by physical violence .
- d. Non - verbal behavior indirectly, such as : isolating people , manipulate information , sending anonymous letters .
- e. Sexual abuse , such as physical aggression sometimes categorized / verbal , such as exposing genitals to others.

The forms of violence are certainly going to have a tremendous impact for others , especially for students who experience these forms of violence . Thus the need for an appropriate action to address other forms of violence in the educational environment . This is certainly related to the character formation of children as the future generation , when the problem of violence in the world of education are not addressed properly , it will be problematic for the survival of the nation.

Basically cases of violence that occurred on campus shipping usually are done individually that is indeed due to an individual's personal cadets to hurt or perform actions that are not commendable either physical or non-physical , with a shape that is mild or severe violence against the other cadets . In some cases violence was also apparent that the violence that occurred in the neighborhood was carried out in an organized voyage undertaken by some cadets .

B. Obstacles Handling Cases of Violence / Bullying in Universities Sailing Indonesia

Basically cases of violence at merchant marine university in Indonesia came from the lack of supervision that can be done on each campus of merchant marine university in Indonesia related . Lack of supervision especially on the activities of the cadets conducted off campus , for example, when the cadets do a sea practice. Supervision weakened course will also lead to the vulnerability of the violence that may occur . Supervision will also be difficult for the college party sea practice when the cadet activities conducted off campus , for example, when the cadets do a sea practice. At the time of the control can obviously only be done by merchant marine campus weakened, thus it is susceptible to violence that may occur

Another obstacle in handling cases of violence that occurred at merchant marine university in Indonesia is the meddling of outside parties or the alumni to ask for waivers to the agency when there are cases of violence involving their families . Meddling from outsiders is indeed an obstacle that is enough to make the handling of the violence can not be implemented to the fullest because it would hinder the legal process as well as the disclosure of cases of violence completely.

Insufficient numbers of personnel builder inadequate cadets with the overall number of cadets who must , guided , nurtured and monitored thoroughly also a fairly complicated obstacles in each at merchant marine university in Indonesia. Handling cases of violence are also determined by the accuracy of the capacity of the coach or instructor to be able to supervise every activity the cadets . This is because the task of supervision in all activities of the cadets memnag be the duty of the instructor , so if the number of instructors are inadequate to the overall supervision of the cadets it could not be implemented to the fullest.

Constraint handling other violence related to the lack of firmness in law enforcement that can be given. Enforcement of the law is considered only done half of the cases of violence or bullying so that it will further enrich the practice of violence on merchant marine campus is already considered a common thing to do.

Another obstacle quite complicated because it has become a system that is wrong in the administration of education in institutions is the paradigm and false doctrine that is already inherent in the thinking of cadets, which is associated with the paradigm and doctrine adopted by most learners / cadets at the merchant marine university in Indonesia consists of two things, or so-called "article devil" namely: "Seniors are always right when senior one back to chapter one".

Senior command is absolute implemented and adhered to. Though many of them were later treated juniors with their own way eg; ordered wax the shoes, putting attributes, wash clothes or physically punished for no apparent reason. Thus, to be able to provide proper treatment for some cases of violence that occurred on campus need for coaching shipping back to change the paradigm and false doctrine cadets on how to treat others, especially by senior cadets at the junior cadets.

Basically the administration of corporal punishment is not always associated with violence cadets, in this case the administration of corporal punishment also need to be considered in accordance with the circumstances, meaning that physical punishment which do not pass up violence and physical contact directly with the intention of injuring basically still relevant and necessary, such as penalty push-ups, sit ups, and punishment run that aims to build physical cadets to keep fit, but the punishment is also to be seen how the state of cadets who will be punished, not to cadets who are sick to undergo punishment later it will

membahayakan for him. Punishing the sick cadets and accidental violations can be made if circumstances allow, thus the physical state of the cadets become a major thing to note when it will give physical punishment.

C. Weaknesses- drawback Handling Cases of Violence / Bullying at merchant marine university in Indonesia.

Weakness of cases of violence / bullying originated from the shape of the handling of cases of violence that have not accommodate the protection of human rights, did not reflect the benefit of the law, and not oriented to youth happiness. Handling of violence that exist at merchant marine university in Indonesia merely repressive and curative, namely the handling of the violence carried out after the violence occurred. Handling repressive and curative certainly not accommodate the protection of human rights, because the handling of violence should certainly be arranged directed not only at the moment of violence, because sanctions heaviest when violence is done to cause the lives of other people died then not lead to the protection of human rights real.

Another disadvantage of the handling of cases of violence / bullying in college cruise is handling only an advantage in the form of physical violence are severe, meaning that when it happens the victim, the new actionable, and usually forms of violence mild or psychological violence do not receive treatment, which means since there is no evidence physical that can be seen by others.

Handling violence also only done half-way, meaning that it does not lead to forms of handling violence done thoroughly, namely the handling of preventive, repressive and curative, but there must also be handling the institutional thoroughly so there is a deterrent effect for cadets who are violent or those who have committed violence in order to make an example and learning how it can be

properly without having to perform any form of violence .

Handling cases of violence also did not reflect the benefit of the law , in the sense that the laws are made are not yet fully provide great benefits for all parties . Made law has not been able to mongcover whole problem of violence , it is certainly related to the constraints of oversight has become a major obstacle in handling cases of violence . Rules made in universities cruise should really capable of providing a benefit for all parties involved , so that not only set the cadets , but it must be able to provide great benefits for the value of the campus officials , lecturers and instructors .

Handling of violence is also not oriented to youth happiness . Happiness cadets would only be achieved when human needs and basic rights as a human being can be respected by other cadets and other parties . The needs and rights of the youth related to inadequate needs and rights of the youth , namely tercukupinya all facilities related to the needs of everyday life both physical and spiritual needs of the cadets . Happiness cadets would be realized if the college life work in harmony where the cadets can each sharpening , compassion and foster well . Thus the attitude of respect not only to be done by juniors to seniors , but seniors must also respect the juniors by treating them with properly .

Basically weaknesses in the handling of violence / bullying on campus the voyage resulting from incorrect application of a good education at the senior cadets and junior cadets. Weaknesses in the handling of violence / bullying originated from the influence of tradition is wrong, erroneous application of the corps spirit, and the absence of tolerance education for senior cadets. Violence on campus came from the tradition of hazing that contains many elements of violence, and the tradition is regarded as a tradition umun made from year to

year. There is also a tradition (unwritten) in uniform (official) that the student / junior cadets must pass through various activities before formally declared and are entitled to wear a uniform identity of the institution concerned. Method of application of these activities vary, from simply providing doctrinal speech to physical measures to students / cadets juniors who not infrequently lead to things that endanger the safety or physical and psychological health of the junior cadets.

Erroneous application of the corps spirit basically originated from the different rights and obligations between the senior and junior as well as the requirement that every senior cadet must have at least one junior cadets as mentor younger brother . It certainly will provide a wide enough space for the practice of violence that can be done by a senior to junior mentor , especially when control can not be done optimally .

Lack of implementation of tolerance education for senior cadets can also cause one of the weaknesses in the response to violence / bullying on merchant marine campus. Tolerance is mutual respect and respect between senior and junior cadets , but tolerance is rarely shown by senior cadets , it is of course because it was sticking doctrine that respect should be made by the junior to the senior cadets and not vice versa .

On the other hand the weakness of the handling of the violence / bullying also resulting from the influence of erroneous paradigm and the absence of a legal awareness of the junior cadets. Paradigm erroneous due to a false tradition and has adhered to the thinking of cadets. Educational paradigm that emphasizes seniority had to be changed with the educational paradigm that emphasizes the high tolerance and education oriented to the respect of human rights. The junior also does not have a high awareness of the law in which when seen or experienced other forms of violence are rarely willing to

report to the campus and the authorities. This is certainly because many junior cadets who are afraid to report the violence that is seen or experienced, especially because when you get a more severe punishment. The junior cadets should certainly be made aware of the law that hid forms of violence experienced or seen will further enrich the occurrence of acts of violence on merchant marine campus. This is when the outset of the junior cadets have legal awareness that violence is prohibited and needs to be reported, then there will be a deterrent effect for seniors who commit acts of violence.

IV. Cover

A. Conclusions and Recommendations

With the existence of several cases of violence in universities voyage in Indonesia, saw some of the constraints handling of violence and seeing the many shortcomings in the handling of cases of violence, it is a very important thing to note is the application of norms discipline that is able to accommodate the needs of cadets. Thus norms applicable rules should be tailored to the needs of various stakeholders at merchant marine university in Indonesia, and should be able to pay attention to happiness and foster a paradigm corresponding to the shape of the protection of human rights.

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