

# Fulfillment Of Teacher Protection Rights

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## Abstract

*In the implementation of the educational process, the school can be said as a second home for students, so the figure of the teacher in the school can be said to be a parent figure for the students in the school environment. Teachers as one of the most important figures in the world of education, in reality, still do not get protection, especially optimal legal protection from the government, where empirical facts show that there are still no handling mechanisms when problems occur between students / parents / families and teachers in carrying out their professional duties. The obligation to provide legal protection to teachers in carrying out their professional duties, especially placed on the government, both the central government and regional governments. This study examines what efforts can be made by the Government in accommodating the fulfillment of the right to get equitable legal protection to teachers. Through descriptive analytical research methods with a sociological juridical approach and data collection techniques carried out by interviews and focused discussions obtained research results that to provide fair legal protection requires a legal reconstruction in the Law on Teacher Protection that mandates every Local Government needs to form an institution which has the role of carrying out a policy of preventing and dealing with teacher problems in carrying out his profession by establishing a mechanism to handle it comprehensively by involving several interested parties. So that it can provide a sense of justice that holds to the truth, is impartial, impartial, and not arbitrary.*

**Keywords: Teacher protection; Justice.**

## A. INTRODUCTION

Education is one important element in order to encourage the progress of the nation and state. With the realization of quality educational quality, it will create a better quality human beings. Improving the quality of education is an important aspect in order to realize the country's goals as mandated in of Preamble to the 1945 Constitution, which is to educate the life of the nation.

Education also needs to be understood as a long-term investment, because with the quality of a good

education it will greatly affect the quality of life of people in a country. So that the government has the responsibility to create good quality education for all its citizens. John C. Bock, in *Education and Development: A Conflict Meaning* (1992), identified the role of education as<sup>1</sup>: (1) the ideological community and socio-cultural values of the nation; (2) preparing workers to fight poverty, ignorance and drivers of social change; and (3) to equalize agreement and income. The first role is a political function of education and the other two roles are economic functions. Education also has an import-

1 [http://www.kompasiana.com/bernad/peran-pendidikan-dalam-pembangunan\\_5528b94a-f17e61e97d8b459f](http://www.kompasiana.com/bernad/peran-pendidikan-dalam-pembangunan_5528b94a-f17e61e97d8b459f) diakses pada tanggal 25 Oktober 2016

ant role in national development<sup>2</sup>, which include:

1. Developing technology  
Educational outcomes are educated people who have the ability to carry out research and development that can produce new technology.
2. Being a productive force in the field of construction  
Educated people can get into the education results and actively work in the field of building construction both factories and companies. Where from factories and companies will produce a variety of necessities of life.
3. Being a productive force that produces goods and services  
Educated people the results of education also have the skills to produce goods and services. They can be employees in a factory or company and rely on their respective skills.
4. Generation and cultural creation  
Educated people from education become actors who understand well the generations they live to then be improved according to the times, by still basing on the old culture they have.

Furthermore, in relation to the role of education in national development, two paradigms emerge as the mecca for policy makers in developing educational policies<sup>3</sup>:

1. The Functional Paradigm sees that backwardness and poverty are caused by the state not having enough people who have modern knowledge, abilities and attitudes. According to the experience of the people in the West, formal education institutions in the school system are the main institutions to develop knowledge, skills and expertise and to instill the modern attitudes of individuals needed in the development process. Evidence shows a close relationship between a person's formal education and participation in development. Further developments emerged, the Human Investment thesis, which states that investment in humans is more profitable, has a higher economic rate of return compared to investment in the physical field.

2. In line with the Functional paradigm, the socialization paradigm sees the role of education in development as: a) developing individual competencies, b) higher competencies are needed to increase productivity, and c) in general, increasing the ability of citizens and the increasing number of citizens who has the ability to improve the life of society as a whole. Therefore, based on this paradigm of socialization, education must be expanded massively and thoroughly, if a nation wants progress.

Based on the description above, it can be seen that education has a very big influence in the efforts to advance the lives of people and the nation and state. Conversely, if the quality of education is low, it will have a negative effect. The low level of education of the population will have an impact on the ability of the population to understand and deal with the times, science and technology.<sup>4</sup> Not to mention the low level of education of the population will cause other problems, one of which is unemployment which raises the domino effect on increasing crime.

Education is a conscious and planned effort to create an atmosphere of learning and learning process so that students actively develop their potential to have spiritual strength, self-control, personality, intelligence, noble character, and the skills needed by themselves, society, nation and state.<sup>5</sup>

Furthermore, in an educational process there is a teaching-learning process that involves the role of the teacher and students. The role of the teacher is very important in determining success in the teaching and learning process, where the teacher in this case carries out 2 (two) roles, namely as a teacher as well as an educator. This means that the teacher in addition to having assignments and responsibilities in the process of transferring knowledge is also responsible for educating students to form students who have good character.

School is one of the social institutions that gather interests and individuals so that it becomes a special community, which has its own uniqueness and character. In addition to the family environment, the world of education is not infrequently considered as one of the ideal community environments

2 Redja Mudyahardjo. 2010. *Pengantar Pendidikan*, PT RajaGrafindo Persada, Jakarta.

3 [http://www.kompasiana.com/bernad/peran-pendidikan-dalam-pembangunan\\_5528b94a-f17e61e97d8b459f](http://www.kompasiana.com/bernad/peran-pendidikan-dalam-pembangunan_5528b94a-f17e61e97d8b459f) diakses pada tanggal 25 Oktober 2016.

4 <http://www.berpendidikan.com/2015/06/masalah-pendidikan-di-indonesia-dan-solusinya.html> diakses pada tanggal 25 Oktober 2016.

5 Pasal 1 angka 1 UU No. 12 Tahun 2012 tentang Pendidikan Tinggi.

to carry out one's personal character education process.<sup>6</sup> Schools as one of the environments that can shape character for students, of course it is hoped that schools can educate their students to teach and form students who have good character. Regarding the importance of this character revealed by Ben Franklin who stated: "There is nothing more important for the welfare of the general public but training youth in wisdom and virtue."

However, schools as an environment that has the ability to form the character of students, there are still many shortcomings where the teacher as a role model who has the ability to guide and educate students to have good character not infrequently there are still some cases where the teacher is considered less able to carry out their responsibilities.

At the end of 1997, at one of SDN Pati, a fourth grade teacher teacher sentenced students who did not do homework by sticking nails into the hands of students. In Surabaya, a sports teacher punishes running a student who is late coming round several times. But because he was physically weak, the student died. In a short period of time, a teacher at Lubuk Gaung Elementary School, Bengkalis, Riau, punished his students by running around the field naked. In March 2002, a scoutmaster also acted immorally towards his students during a camping event. In addition to the above, many more cases of violent educators still color the face of our education.<sup>7</sup>

Article 39 paragraph (1) of Law No. 14 of 2005 concerning Teachers and Lecturers states that: "The Government, regional government, community, professional organizations, and / or education units are required to provide protection of teacher's right in carrying out their duties". Based on the provisions in Article 39 paragraph (1), it can be seen that the central government, regional government communities and teacher professional organizations have the obligation to provide protection for teachers, of course the existence of this protection is given to guarantee and maintain the stability and performance of teachers as educators.

Furthermore, in Article 39 paragraph (2) of Law No. 14 of 2005, states: "Protection as referred to in paragraph (1) includes legal protection, professional protection, and protection of occupational safety and health".

6 Momon Sudarma, 2013, *Profesi Guru : Dipuji, Dikritisi dan Dicaci*, Rajawali Pers, Jakarta, Hlm. 265

7 Abdurrahman Assegaf, *Kondisi dan Pemicu Kekerasan dalam Dunia Pendidikan*, Ringkasan Hasil Penelitian, <http://www.ditperta.net/istiqro/ist02-03.asp>, di download 24 Januari 2007 dalam Momon Sudarma, 2013, *Profesi Guru : Dipuji, Dikritisi dan Dicaci*, Rajawali Pers, Jakarta, Hlm. 265-266

In practice, to date teachers are still found as one of the most important figures in the world of education, and have not yet received optimal protection from the government, it can be seen in fact as examples there are still "criminalization" of teachers. So that issues regarding the protection of teachers need to get serious attention from both the central and regional governments.

## B. PROBLEM

Based on the description above, the problem that will be discussed is: What efforts can the Government do to accommodate the fulfillment of the right to get equitable legal protection to teachers?

## C. RESEARCH METHOD

Research study was a socio-legal, intended to understand the relationships or links between the phenomena of law with society. Because, basically the law was not only seen as something normative intensity that was independently, but instead as part of the real of the social system that was associated with the social, cultural and other variables as so on. Through this method, expected the hidden meanings were studied to be found, so it could reveal through the collection of information in a state appropriately, systematic work, targeted and could be accounted for. Not only record the appear things, but should dive in the occur phenomenon.

Research focus conducted in Pontianak City and Ketapang District, West Kalimantan with data collection techniques carried out through interviews and focused discussions with several samples selected through the principle of purposive sampling, namely the Teachers, School Organizers, Teacher Professional Organization / PGRI management, the Department of Education and Culture, the Regional Legal Department of the Ketapang Regency and Pontianak City Secretariat, the Ketapang Regency Local House of Representatives / Ketapang Regency and Pontianak City and Police Officers.

## D. DISCUSSION AND ANALYSIS

### D.1. Conception about the Protection of Just Teachers

Protection of teachers right as one of the elements of a school that runs educational activities in ad-

dition to aiming to provide knowledge in order to create students who have competence in the field of science, also have responsibilities in the formation of students who have good character, as Martin Luther King Jr.'s opinion,<sup>8</sup> namely: "Intelligence plus character - that's the real purpose of education".

In instilling (good) grades of students in schools, before a teacher must be able to know and understand the character of each student, so they can positively support the development of their students. Furthermore, a broader understanding of human development according to Reber (1988)<sup>9</sup>, is:

- a. The progressive and continuous change in the organism from birth to death, that development is a progressive and continuous change in the organism from birth to death.
- b. Growth, development means growth.
- c. Change in the shape and integration of bodily parts into functional parts, changes in the form and integration of physical parts into functional parts.

The concept of teacher protection is an issue that has received attention from various parties, this happens because there are opinions from several groups who think that the teacher is currently in conditions that are vulnerable to various things that pose a threat to the teaching profession. But that does not mean the existence of teacher protection gives birth to impunity for teachers. So that in this case the government must be able to form a regulation that can create teacher protection that meets the expectations of various parties.

In the framework of efforts to create protection for teachers, at least there are challenges that must be overcome, namely whether the protection of teachers in the implementation level can create good justice for all elements involved in the teaching-learning process in schools, including in this case, namely students.

Efforts to realize the protection of teachers, it is very important to be realized, so that: (1) Realizing a qualified teacher figure and having professionalism in carrying out their functions and responsibilities towards the world of education; (2) The creation of a teaching-learning process in schools that can give birth to students who have competence in the field of science and have good character.<sup>10</sup>

## D.2. Empirical Images of Violence By / Against Teachers

In the empirical practice of the teacher as a parent figure for students in the school environment, getting criticism from various groups, especially from the parents of students, because there is a view that the teacher as a parent for students should be able to become a role model for all students and maintain the students of various threats are their responsibility. But apparently in empirical practice violence occurs by the teacher against students.

Violence by / against teachers is essentially behavior beyond the limits of the code of ethics and rules in education, both in physical form and harassment of one's rights. Perpetrators can be anyone: school leaders, teachers, staff, students, parents or guardians of students, even the community.<sup>11</sup>

The reality of violence by / especially teachers in the teaching and learning process is more common where the perpetrators are teachers with the perception of taking disciplinary action against their students, and vice versa parents / families of students react otherwise by engaging in acts of violence or intimidation and threats against teachers.

In essence, teachers should realize that discipline is not synonymous with violence. Discipline requires firmness, not violence. Teachers also need to develop themselves through various seminars or training so that teachers have new horizons and leave the old paradigm that identifies discipline with violence.<sup>12</sup>

In the empirical level in Ketapang District, it shows

8 Thomas Lickona, 2013, *Character Matters (Persoalan Karakter) : Bagaimana Membantu Anak Mengembangkan Penilaian yang Baik, Integritas, dan Kebajikan Penting Lainnya*, Bumi Aksara, Jakarta, Hlm. IX.

9 Muhibbin Syah, 2014, *Telaah Singkat Perkembangan Peserta Didik*, Rajawali Pers, Jakarta, Hlm. 3

10 As Y. *The Urgency of Pontianak Local Public Policy in Emboding Legal Protection Against Teacher*. *Int J Humanit Arts Soc Sci*. 2017;3(6). 241-248

11 Muis, T. (2017). *Tindakan Kekerasan Guru Terhadap Siswa dalam Interaksi Belajar Mengajar (Studi Kasus di SMAN Surabaya)*. *Jurnal Pendidikan (Teori Dan Praktik)*, 2(1), 86. <https://doi.org/10.26740/jp.v2n1.p86-90>

12 Muis T ; *ibid*

that violence against / by teachers still occurs, although data have not been comprehensively recorded violence is meant, because in reality when there is violence there are various forms and variations in its handling. so quantitatively there has never been

a data collection of cases of violence either committed by teachers or violence against teachers in carrying out their professional duties. As revealed the data handling cases of violence committed by teachers against their students in the following table:

**Table 1: Data on Case of Suspected Teachers/Teachers in Ketapang Regional Police Station 2013-2018**

NO	CRIMINAL ACT REGISTERING NUMBER	OPERATIONAL MODE	CHRONOLOGICAL EVENT	IDENTITY ACTOR	VICTIM IDENTITY
01	2013	Nothing	Nothing	Nothing	Nothing
02	2014	Nothing	Nothing	Nothing	Nothing
03	2015	Nothing	Nothing	Nothing	Nothing
04	2016	Nothing	Nothing	Nothing	Nothing
05	2017	Nothing	Nothing	Nothing	Nothing
06	LP/126-B/III/2018	The reported party hit bamboo to the victim's leg	On 05-03-2018 around 09.00 WIB Reporting child under the name of RAIHAN FATUR RAHMAN who was 11 years old was beaten by the Victim teacher in the Islamic boarding school where the reporting child went to school using bamboo and the victim suffered a bruise on the thigh	A (21) years old, male  The teacher (Honor) at the Ketapang Islamic boarding school addresses Sui Melayu Kecamatan Tumbang Titi Ketapang Regency	R. F (11) Year Male  Address Jl.Mulia Kel. Sampit kec. Delta Pawan Ketapang

Source: Ketapang Regional Police

Agus Gandara revealed that violence occurs against children by teachers seems difficult to uncover because it is covered by the assumption that violence is carried out so that children become disciplined and obedient to teachers so that it appears very reasonable when teachers commit violence the aim is to instill discipline towards students as long as it does not go too far even though any abusive treatment and violence against children

cannot be justified. On the other hand the existence of educators is often confronted with realities that do not support the implementation of professional tasks. Call it, there are complaints from parents and the community against violence by educators when carrying out their duties at school.

While in Pontianak there are data on teacher cases handled by Pontianak Police in the following table;

**Table 2 . Data of Violence by Teachers Against Their Students Handled by Pontianak District Police 2010-2018**

No	Time of Incident	Description of Event	Victim	Description
1	March 17, 2010	The teacher at SUPM did a beating on students, causing bruises on the right cheek and left cheek and bleeding on the left ear because the students cleaned the catfish nursery pond so that the catfish seeds in the pool spilled and caused the catfish seeds to die because they were scattered on the ground	Student	Child abuse
2	February 25, 2011	The SD Brother teacher received a report from a class 3B student that the student (victim) had ripped out a Mathematics textbook, then the teacher took the victim out of the classroom by holding the victim's hand but the victim thrashed and wanted to drop herself and then the suspect pulled the collar of the victim's shirt resulting in a neck wound victims, and victims who fell on the floor pulled their feet by the teacher out of the class. After outside the class the victim who was still lying on the floor kicked the teacher's leg and was rewarded by the teacher by kicking the victim's right foot, and the victim who had stood beating his teacher was then pushed over by his teacher with his hand so that it struck the victim's face	Student	Child abuse
3	January 30, 2015	The incident at Pontianak High School where there was a beating of the victim by the teacher because the victim was found to bring liquor into the Pontianak N 2 High School, where the victim was initially asked by the teacher as the Principal did not answer honestly and then later admitted that he had brought liquor to school so that makes the teacher emotional and hit the victim	Student	Child abuse
4	November 19, 2015	The teacher is teaching, coming the children of other classes enter the class making fun of his friend who is learning, then the teacher tells him to come out while kicking slowly and waving his hand and on the lips of one of the children so they must be taken to the Clinic	Student	Child abuse
5	January 11, 2016	Elementary teacher hits the victim because when the teacher is teaching a lesson in the class the victim jokes with the victim's friend so it makes the classroom atmosphere noisy, so the teacher gives the punishment of beating the victim using a wooden ruler and about the hand and palm of the victim (student)	Student	Child abuse

6	February 5, 2016	Middle school teachers beat their students for not doing the assignments that were given five weeks earlier by the teacher so that the students suffered cuts on both cheeks and bruises on the right ear due to being pinched	Student	Child abuse
7	March 7, 2018	Starting from the victim as a student reprimanded his teacher who was playing a cellphone during study hours because he did not receive it then the teacher hit one chair towards the victim's head and threw the cellphone towards the victim's head, causing pain to the victim's head	Student	Child abuse
8	August 8, 2018	The teacher hits, punches, grips and punches the victim (the student), resulting in injuries to the left shoulder and bruises on the victim's back and legs	Student	Child abuse

The facts in the table above shows that education, with the fact that there are still teachers who commit violence against their students even if they are based on the behavior of children who are still problematic or naughty, so they must be resolved through legal channels.

Thus the reality in handling teacher problems has not yet found a clear mechanism, as revealed from the results of research conducted on teachers, school administrators as well as PGRI Management in Ketapang Regency and Pontianak City, there are several actions taken when dealing with cases of violence against or by teachers as illustrated in the following table:

**Table 3 : Actions Taken in Resolving Violent Cases Towards or By Teachers in Pontianak City and Ketapang Regency**

No	Action	Ketapang Regency		Pontianak City	
		Quantity	%	Quantity	%
1	Completed by deliberation (peaceful at school)	12	48	17	48.57
2	Solved by giving compensation	1	4	1	2.86
3	Completed by the Teacher Professional Organization (PGRI)	5	20	6	17,14
4	Completed through related agencies	5	20	5	14.29
5	Resolved through a legal process	1	4	2	5.71
6	Etc	1	4	4	11.43
	<b>Amount</b>	N = 25	100	N = 35	100

Source: Processed Field Resear

The data in the table above revealed that the majority of respondents in Ketapang District were 12 (48%) stated that when faced with problems between teachers and students, they were resolved by deliberation at school. While there are also 5 (20%) stated that it was completed by the Teacher Professional Organization (PGRI) and through the Education and Culture Office. Besides that, there were 1 (4%) respondents who each stated that they

had been resolved through compensation, and due process, and there was 1 (4%) of respondents stated others, which were distributed through social media. While in Pontianak City a total of 17 (48.57%) resolved their problems by deliberation, and there were 6 (17.14%) respondents who stated they were resolved through the PGRI organization and there were also 5 (14.29%) respondents delegated to the Office of Education and Culture to solve the problem, while there were 4

(11.43%) stated others, including resolved privately or through social media, and there were also 2 (5.71%) respondents who resolved the problem through legal channels.

When the fieldwork was conducted through a focused discussion forum even though the problem was mostly resolved amicably, at 48% in Ketapang District and 48.57% in Pontianak City, the school revealed the need for the Government to accommodate the formation of a unit that could be a vehicle for resolving problems against teacher, which involved various parties involved in handling it. Because reality is found even though it is resolved peacefully, but peace here is interpreted as not being processed legally, but the parents of students still demand that teachers be given administrative sanctions in various forms by the school on the basis that the teacher has committed violence against their students, while the teacher believes that the violence was carried out in the framework of the educational process of their students. These conditions the school hopes the need for the formation of units or institutions that can be a container to solve the problem and of course can provide protection for both teachers and children.

### D.3 Government's Efforts in Accommodating the Fulfillment of the Right to Get Fair Legal Protection to Teachers

Justice, in the literature is often interpreted as an attitude and character. Attitudes and characters that make people do deeds and hope for justice are justice, while attitudes and characters that make people act and hope for injustice is injustice. Generally it is said that people who are unjust are people who are not lawful (un-lawful) and people who are not fair, so people who are fair are people who are law-abiding and fair. . Because the act of fulfilling / obeying the law is fair, all legislative lawmaking actions in accordance with existing rules are fair. The purpose of making law is to achieve the progress of people's happiness. Thus, all actions that tend to produce and maintain people's happiness are fair.<sup>13</sup>

Aristotle argued that justice must be understood in terms of similarity. This opinion is in accordance with social justice for all Indonesian people. It can be concluded that all Indonesian people get the same treatment in obtaining justice. But Aristotle made an important distinction between numerical similarity and proportional similarity. Numerical similarities equate every human being as an equal unit of rights and its obligations. This equation means that the same rights for all people in obtaining justice for their rights. For example, the right to life, the right to freedom, the right to express opinions and others. While proportional equality gives each person what is his right according to his abilities and achievements.<sup>14</sup>

Hart<sup>15</sup> said that the general principle of justice in law is equality and inequality. This means that for the same thing treated in the same way, while for different things treated in different ways. This view gives the perception that equality towards individuals must be treated the same as other individuals, it becomes relative if equality is different from what is done in the way it is treated, as well as the treatment of similar things in the same way.

Justice according to Thomas Aquinas determines how people deal with people other than in the case of *iustum*, which is about what is appropriate for others according to a proportional similarity (*aliquid opus adaequatum alteri secundum aliquem aliquem aequalitatis modum*).<sup>16</sup>

In the modern age, one of those who was considered to have an important role in developing the concept of justice was John Borden Rawls. Rawls, argues that justice can only be upheld if the state implements the principle of justice, in the form of everyone should have the same right to get basic liberties; and social and economic differences should be distorted in such a way as to provide great benefits to those who are most disadvantaged, and to be related to positions and positions that are open to everyone based on equal opportunity.<sup>17</sup>

Based on the thought of efforts to realize equitable teacher protection, the idea developed requires

13 Dwisvimiar, I. (2011). Keadilan Dalam Perspektif Filsafat Ilmu Hukum. *Jurnal Dinamika Hukum*, 11(3), 522–531. <https://doi.org/10.20884/1.jdh.2011.11.3.179>

14 Febriansyah, F. I. (2017). Keadilan Berdasarkan Pancasila Sebagai Dasar Filosofis Dan Ideologis Bangsa. *DiH: Jurnal Ilmu Hukum*, 13(25), 1. <https://doi.org/10.30996/dih.v13i25.1545>

15 Hayat, H. (2015). Keadilan Sebagai Prinsip Negara Hukum: Tinjauan Teoritis dalam Konsep Demokrasi. *PADJADJARAN Jurnal Ilmu Hukum (Journal of Law)*, 2(2), 388–408. <https://doi.org/10.22304/pjih.v2n2.a10>

16 Dwisvimiar, I., *op cit*

17 *Ibid*



a reconstruction of legislation related to the protection of equitable teachers by giving a mandate that the Government and / or Local Governments regulate policies related to the mechanism for preventing and handling problems of violence by / against teachers in the process learn how to teach.

The mechanism becomes important because based on the reality there is no clear mechanism that must be dealt with when violence occurs in the teaching and learning process. Therefore the process and mechanism of prevention and handling of the problem of violence in the teaching and learning process becomes urgent to be formulated as a reconstruction giving legal protection to teachers formulated in legislation so that it becomes a source of law.

Law is a part of human creative work that is used to uphold human dignity. Humans do not serve the alphabet and the semicolon contained in the law as a result of the realization of reason, but a law that serves the interests of humans to uphold human values. The law is not just a product ratio, but part of intuition. Its relevance to the basic value of nationality is to realize the conception of civilized justice, such as the second principle of Pancasila.<sup>18</sup>

Therefore, law as a means of development and community renewal should be realized in the formation of laws (regulations) related to legal protection of teachers by emphasizing the existence of efforts in the process and mechanism to provide legal protection to teachers when violence occurs in the teaching and learning process

The process and mechanism of teacher protection can be constructed by forming a special unit and institution under the Office of Education and Culture, which is a coordinating institution that can be given tasks and roles including coordinating efforts to prevent and handle acts of violence, threats, discriminatory treatment, intimidation, or unfair treatment on the part of students, parents of students, the community, government, or other parties towards teachers, as well as acts of violence from teachers towards their students; and persuasive efforts in the form of providing legal consulting services to teachers; provide legal assistance services both inside and outside the court to teachers; and monitoring the progress of implementing legal protection for teachers; and carry out reporting and evaluation

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## F. CLOSING

Realizing the reality of violence still occurring by / against teachers in the teaching and learning process in schools, it still needs a strategic step in handling it in order to realize equitable legal protection for teachers.

Efforts that can be made by the Government in accommodating the fulfillment of the right to obtain legal protection that is equitable to the teacher in question requires a legal construction by placing an obligation on the Government and the Regional Government to formulate a policy to formulate a process and mechanism to prevent and handle violence in teaching and learning in schools.

The process and mechanism for protecting teachers can be constructed by forming a special unit and institution under the Office of Education and Culture, which is a coordinating institution that can be given tasks and roles including coordinating prevention efforts and more comprehensive handling of protection of justice for the teachers right.

18 Wahyu Nugroho (2017); *Rekonstruksi Teori Hukum Pembangunan Kedalam Pembentukan Perundang-Undangan Lingkungan Hidup Dan Sumber Daya Alam Pasca Reformasi Dalam Bangunan Negara Hukum*, Jurnal Legislasi Indonesia, Vol 14 No. 04, Desember 2017, hal 372

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