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The Value of Kiai's Wisdom in Reducing Cases of Violence in Islamic Boarding Schools:

Perspective of Article 50 of Law No. 23 of 2002 concerning Child Protection

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Abstract

Keywords: Law Number 35 of 2014 concerning Child Protection emphasizes Kyai Wisdom, Child Protection, Pesantren, Moral Education, that the state, society, and family share responsibility for ensuring children's protection, including within Islamic boarding schools (pesantren). However, instances of violence against students—many of whom are still children—highlight the need for approaches grounded in moral and spiritual values. This study aims to explore how kiai wisdom values contribute to reducing violence against children in pesantren, analyzed through the perspective of Law Number 35 of 2014. Employing a qualitative field research method, primary data were collected from kiai at Pondok Pesantren Tahfidzul Qur'an Rodliyan Mardiyah, Ngoro District, Jombang, while secondary data involved santri, ustadz/ustadzah, murobbi, and walisantri. The data were analyzed deductively using the theory of kiai wisdom values and child protection law. The findings show that moral education based on kiai wisdom—such as prohibiting harsh speech, promoting gentleness, and emphasizing ethical behavior—effectively reduces both verbal and physical

violence among students. These practices align with the Child Protection Law, ensuring children's right to safety within educational environments. The study contributes to understanding how traditional Islamic educational values can synergize with national legal frameworks to foster child protection and character development in pesantren.

Abstrak

Kata Kunci: *Undang-Undang Nomor 35 Tahun 2014 tentang Perlindungan Anak*
Kearifan Kiai,
Perlindungan
Anak, Pesantren,
Pendidikan
Moral,
menegaskan bahwa negara, masyarakat, keluarga, dan orang tua memiliki tanggung jawab bersama dalam menjamin perlindungan anak, termasuk di lingkungan pondok pesantren. Namun, kasus kekerasan terhadap santri yang masih tergolong anak-anak menunjukkan perlunya pendekatan yang berlandaskan nilai moral dan spiritual. Penelitian ini bertujuan untuk mengetahui bagaimana nilai-nilai kearifan kiai berkontribusi dalam mengurangi kekerasan terhadap anak di pesantren, ditinjau dari perspektif Undang-Undang Nomor 35 Tahun 2014. Penelitian ini menggunakan metode kualitatif (field research) dengan pengambilan data primer dari kiai Pondok Pesantren Tahfidzul Qur'an Rodliyan Mardiyah, Kecamatan Ngoro, Kabupaten Jombang, serta data sekunder dari santri, ustadz/ustadzah, murobbi, dan walisantri. Analisis data dilakukan secara deduktif menggunakan teori nilai kearifan kiai dan Undang-Undang Perlindungan Anak. Hasil penelitian menunjukkan bahwa pendidikan moral berbasis kearifan kiai – seperti larangan berbicara dengan nada tinggi, anjuran bersikap lembut, dan penekanan pada akhlak – berdampak efektif dalam mengurangi kekerasan verbal maupun fisik di kalangan santri. Praktik tersebut sejalan dengan prinsip Undang-Undang Perlindungan Anak yang menjamin hak anak untuk memperoleh perlindungan di lingkungan pendidikan. Penelitian ini berkontribusi dalam menunjukkan sinergi antara nilai pendidikan Islam tradisional dan kerangka hukum nasional dalam mewujudkan perlindungan serta pembentukan karakter anak di pesantren.

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Introduction

With various cases of violence that have occurred, Indonesia is currently a country with increasing cases of violence, especially sexual violence and child violence. So it can be said that Indonesia is in a vulnerable or emergency condition for cases of violence against children. From various existing data, every year cases of violence against children are increasing. Cases of violence against children in various forms of violence that occur both verbally and physically. Based on the results of research from data recorded by the Online Information System for the Protection of Women and Children (Simfoni) throughout 2021, 11,952 cases of violence against children were found. The existence of this case of child violence must be a common concern for all elements of society, both in the family, school and in the community. (Sower , n.d.) (*Garuda - Garba Digital Reference* , n.d.)

Vulnerable in 2010-2021 or during 11 years cases of child violence increased significantly by 11,352 cases, with an increase of 98%

in cases (Agustin et al., 2018a) . Violent terms children are often referred to as mistreatment of children or *Child abuse*. *Child Abuse* It is a physical mistreatment of children carried out by parents, educators, the wider community, peers, adults and even those closest to them that causes trauma to children and even has an impact on death. According to the results of the Children's Consultation on violence against children, in 18 provinces and nationally, the definition of child violence is an act that causes physical, psychological, and sexual harm. Departing from this definition, a conclusion can be drawn that violence against children is an act that has a negative impact on children's development. All acts of violence, both verbal and physical, will cause deep trauma to children. (Maciej Serda et al., 2012)

Looking at this incident, actually in Indonesia itself there is a regulation that regulates child protection, namely Law Number 23 of 2002 concerning Child Protection which was updated to Law Number 35 of 2014 concerning Child

Protection. As stated in Article 20 of Law Number 35 of 2014 "The State, Government, Regional Government, Community, Family, and Parents or Guardians are obliged and responsible for the implementation of Child Protection". Thus, the issue of child protection is a crucial issue and cannot be underestimated because there is already a law that covers it. In addition to these obligations, there are other obligations as stated in Article 9 letter 1a of Law Number 35 of 2014 "Every child has the right to receive protection in educational units from sexual crimes and violence committed by educators, education staff, fellow students, and/or other parties" (*Law 35 of 2014 concerning Amendments to Law 23 of 2002 concerning Child Protection*, n.d.).

Cases of violence against children have been very widespread, educational institutions that are expected to be able to educate and process children into good individuals as the successors of the nation are actually many cases of child violence in it. Even recently, Islamic boarding schools have been

highlighted in terms of their role in providing character education and protection from violence against children. The impression of closed Islamic boarding schools often makes some people distrust to send their children to boarding schools, especially when there are many news on social media that report violence against children in Islamic boarding schools, both sexual violence and other physical violence. Such as the sexual violence that occurred at the Islamic Boarding School in Jombang Regency, which was then followed by the emergence of news in several other Islamic boarding schools in several other cities in Indonesia, and the last thing that is being hotly discussed is the physical violence that caused the death of a student in one of the boarding schools in Ponorogo Regency. This certainly causes a decrease in public trust and increases concerns for people to send their children to Islamic boarding schools. (*Testimony of Santriwati Molested by Kiai Jombang Children: Using Metaphysical Knowledge*, n.d.) (*Death of Gontor Students, This is a List of Cases*

of Violence at Islamic Boarding Schools - National Katadata.Co.Id , n.d.)

It is very unfortunate if the public's trust in Islamic boarding schools begins to erode due to cases of child violence, because it is undeniable that Islamic boarding schools have an important role in shaping the character of students. With various cases that have arisen, it is hoped that the kyai, caregivers, ustadz, and all elements in the Islamic Boarding School can take wise actions to maintain the image of the Islamic Boarding School so that it is still accepted by the wider community. Therefore, the figure of kyai or caregivers plays a very important role in reducing violence in Islamic Boarding Schools. Kyai is a role model or role model for all students, for this reason Kyai's actions are an example imitated by his students. Gus Baha on the show (Dewi A.A., 2021) *Musahabah and National Munajat* say What is characteristic of pesantren or ulama is that it is easy to do good to others. It is easy to start with (the belief) that by doing good, we will get rewards.

Then, it is taught by tawadhu or not feeling righteous. Not feeling superior to yourself. Not feeling at your best. Kyai must be able to embrace all elements of society around the Islamic Boarding School, the guardian, and all students. That way the charismatic kyai will be felt by all components. (*KH Ahmad Bahauddin Nursalim, How Scholars Teach Wisdom , n.d.-a*) The wisdom of the kyai of Islamic boarding schools, by adhering to the rule of accepting the new as long as it does not contradict the fundamental teachings of Islam and can be a barometer that in its character the pesantren is very accommodating to every change. This attitude of openness has been proven to be able to maintain the survival of the pesantren, from its birth until now.

Law 35 of 2014 concerning Child Protection describes that children should receive protection from educational units, so the task of kyai is how to protect students from acts of violence in Islamic Boarding Schools. Kyai needs to understand the content of the Law on Child

Protection, so that what he is trying to do can be in line with Law 35 of 2014 concerning Child Protection. It is interesting to examine, when Law number 35 of 2014 concerning Child Protection has mandated this, but in some Islamic boarding schools it has become a means of violence against children. One of the kyai who is able to provide protection to students in acts of child violence is PPTQ Rodliyatan Mardiyah Ngoro Jombang. In the Pond, where students are highly valued for their existence and are also protected from violence committed by peers or parents. Kyai did not hesitate to punish students who committed acts of violence with a gentle and embracing method. From here, the researcher wants to know more about this to find out how the wisdom of kyai in reducing child violence from the perspective of the Child Protection Law.

The research was conducted by Neily Fitriyah Suparman Rais, entitled "Coping with Verbal Violence in Children (Study of Living Qur'an at the Nurussalam Sidogede

OKU Modern Islamic Boarding School, South Sumatra)". This study aims to describe the obligations of parents to children and then studied with Living Qur'an where Islamic boarding schools replace the role of children's parents in the Islamic boarding school environment. What kind of efforts are made by Islamic boarding schools in overcoming verbal violence against children. (Neily Fitriyah Suparman Rais, 2021)

The research conducted by Ika Setyawati entitled "Violence Against Children (Descriptive Study on Forms of Violence, Reactions, and Impacts of Violence Against Children in Islamic Boarding Schools)", This research aims to answer the problem of how forms of child violence are, how children react to violence, and how the impact of violence on children in Al Munawarriyyah Islamic Boarding School. The results of the study show that the forms of violence in the Al-Munawwariyyah Islamic Boarding School are physical and psychological violence. (SETYAWATI, 2010)

The research conducted by

Afina Izzati entitled "Kiai as a Tolerant Figure of Local Wisdom in Lasem". This research aims to answer the phenomenon of tolerance that occurs in Lasem, where religious leaders (kiai) who are the pillars of tolerance, as well as the attitude of tolerance of the people in Lasem grow into local wisdom. The result of this research is that tolerance is an appreciation and respect between individuals or groups with different backgrounds. The reality of tolerance that occurs in Lasem is inseparable from the role of a kiai who can provide an example of attitude and speech to be used as a role model for the Lasem community. (Izzati, 2020)

The research conducted by Moh Rosyid, Lina Kushidayati entitled "The Work of Early Childhood Students at the Tahfidz Al-Ishlah Pati Islamic Boarding School in the Perspective of the Child Protection Law". The problem discussed in this study is how to divide activities between study time and working at the Tahfidz al-Ishlah Islamic Boarding School, and where the point of vulnerability to violations

of the Child Protection Law. The purpose of this study is to describe learning at the Tahfidz Al-Ishlah Islamic Boarding School in Kadilangu Village, Trangkil District, Pati Regency, Central Java. So that throughout the researcher's search, no one has discussed the values of kiai wisdom in unraveling violence against children from the perspective of Law Number 35 of 2014 concerning Child Protection. (*View of The Work of Early Childhood Students at the Tahfidz Al-Ishlah Pati Islamic Boarding School in the Perspective of the Child Protection Law*, n.d.)

The purpose of this research is to find out the values of kiai wisdom applied in the Tahfidzul Qur'an Rodliyan Mardiyah Islamic Boarding School, precisely in Ngoro District, Jombang Regency in reducing cases of violence against children from the perspective of Law Number 35 of 2014 concerning Child Protection which can later be a solution for the community in terms of reducing violence against children, especially in the Islamic Boarding School environment.

Method

The approach used in this study is a qualitative approach. The qualitative approach has a natural characteristic because it uses direct data sources, here the process is more important than the results. This is because the relationship between the parts being studied will be much clearer if observed in the process. (Arikunto, 2010) (*Methodology Research Qualitative/Writer, Prof. Dr. Lexy J. Moleong, M.A. | OPAC Library National of the Republic of Indonesia.*, n.d.) A qualitative approach can be used in revealing and understanding something behind the phenomenon that occurs. (STRAUSS, 2003)

The type of research used in this study is field research. Field research is research that is conducted in a place or location chosen to research or investigate something that happens in that place. Field research seeks to make direct observations of the object being studied in order to obtain relevant data. Here the researcher tries to observe and explore information about the Value of Kyai's Wisdom at PPTQ Rodliyan

Mardiyah Ngoro Jombang, Santri Violence at PPTQ Rodliyan Mardiyah. This research also uses the type of literature study, where the researcher examines related to Law Number 23 of 2002 concerning Child Protection which was updated to Law Number 35 of 2014 concerning Child Protection (Maros, n.d.) (*Aspects Protection Indonesian Children - Dr. Mardi Candra, S.Ag., M.Ag., M.H. - Google Book*, n.d.).

Results and Discussion

PPTQ Rodliyan Mardiyah is one of the Islamic Boarding Schools located in Jombang Regency, which is precisely located in Ngoro District. This Islamic Boarding School focuses on the output of graduates to become students with the spirit of the Qur'an and noble morals. PPTQ Rodliyan Mardiyah has 200 students and 150 non-mukim students. The existence of this Islamic Boarding School is very well received by the surrounding community, so that not a few of the surrounding community send their children to study at PPTQ Rodliyan Mardiyah Ngoro

Jombang. This is due to the wisdom of kyai who acts as a caregiver at PPTQ Rodliyan Mardiyah, he is able to embrace the entire community around the cottage. With his simple, wise nature, gentle in speaking, and easy to give generously, the community opened their hands wide to the existence of this Islamic Boarding School. And this has an impact on sellers around Islamic Boarding Schools who provide special economic prices for students at Islamic Boarding Schools.

Forms of Violence in Islamic Boarding Schools

The large number of students at PPTQ Rodliyan Mardiyah, makes there is often friction between students and this is often also experienced in various Islamic boarding schools. Various cases appeared in 2022, based on data obtained, cases of child violence occurred due to several factors. Among them are excessive joking, bullying of MTs students against MI students, quarrels to physical play, mocking each other and damaging friends' toys. These cases turned out

to have various impacts, including many MI students crying every day, increasing feelings of unease in the boarding school so that they wanted to go home, and even worse there were students who ran away from the Islamic boarding school. Various cases of violence at PPTQ Rodliyan Mardiyah certainly have an impact on the psyche of students, especially MI students.

Acts of violence against children occur in several forms, both physical and unintentional treatment, referred to as acts of violence. Broadly speaking, acts of violence can be grouped into 3 categories, namely verbal, physical and emotional violence (*psychological maltreatment*). Acts of verbal violence can be in the form of reproach, slander, nicknames, insults, intimidation, terror, false accusations, and others. Physical actions can be in the form of pinching, jewering, hitting, strangling, kicking, spitting, damaging and destroying, seizing friends' belongings, and others. Meanwhile, acts of emotional violence can be in the form of

intimidation, degrading the self-esteem of friends, acts that damage friendships, and others. The three types of violence are influenced by internal and external factors. Internal factors include the individual characteristics of the child. External factors include (1) media influence, (2) parenting style, (3) school characteristics and background, (4) peers, and (5) environmental pressure. (Agustin et al., 2018b) (Eko Wati et al., 2018)

In Law Number 35 of 2014 concerning Child Protection, it is explained that Violence is any act against a child that results in physical, psychological, sexual, and/or neglectful suffering or suffering, including threats to commit unlawful acts, coercion, or deprivation of independence.

Based on the findings in the field and the theory that acts of violence against children have been protected by the law, for this reason, the understanding of punishment that will be received by the perpetrator has been stipulated in the Child Protection Law so that acts of

violence in Islamic Boarding Schools will be reduced until finally providing a sense of security and comfort for PPTQ Rodliyan Mardiyah students. In implementing all of this, it is necessary to have supervision and understanding related to the law that will be given if there is an act of violence according to the law, so the role of kyai, *murobbi*, and *asatidz* is very important in reducing violence in Islamic Boarding Schools.

Kyai's Wisdom in Reducing Violence in Islamic Boarding Schools

Santri are children who need to be protected from acts of violence by educators, parents, peers and the surrounding community. In responding to the violence at the Islamic Boarding School, a kyai plays a very active role in it. A kyai is required to be wise, wise and gentle in fostering students. The values of kiai wisdom, if taken from the teachings of the Qur'an and hadith and then applied in Islamic boarding schools, can reduce acts of violence against children which is the purpose

of the implementation of child protection as the purpose of Law Number 35 of 2014 concerning Child Protection. Furthermore, Article 54 of the Law mandates that "(1) Children in and around educational units are obliged to receive protection from acts of physical, psychological, sexual crimes, and other crimes committed by educators, education staff, fellow students, and/or other parties. (2) Protection as intended in paragraph (1) is carried out by educators, education personnel, government officials, and/or the community". So that Islamic Boarding Schools which are compulsory educational institutions and guarantee child protection.

In handling cases of violence, family members can be helped through *Family Therapy* to open communication channels by making their wishes known to each other concretely. Thus, through this approach, it is hoped that it can improve communication behavior and interaction of family members as a system. Until finally the realization to parents that educating good

children sincerely from childhood. Parents can see the child's mistakes more wisely not only from their point of view, and parents can be a good motivator for the child. This theory is in line with the wisdom of Kiai and his wife in handling cases of violence at PPTQ Radliyatan Mardiyah by approaching the perpetrator and the victim, by bringing together the perpetrator and the victim's parents to find the cause of the cause that makes them commit violence both physical and verbal (bullying). (Niliasari et al., 2021)

In handling cases of violence, it can be done with *prevention*, prevention is a series of activities aimed at preventing violence against children, both in the family environment and in the environment outside the family, such as in the social environment and children's play. One of the sources of prevention that can be used in reducing cases of child violence is elements in educational institutions. By providing good examples related to cognitive, affective and psychomotor aspects. The value of this Prevention

is in line with the value of Kyai's wisdom which acts in reducing acts of violence against students by giving responsibility to the perpetrator by improving his relationship with the victim by giving the perpetrator the task to wake up the victim properly when going to the Fajr prayer congregation. If it is found that the perpetrator woke up the victim in a bad way, it will be returned to his parents. Another way of handling cases of violence against Kiai students is to convey simple stories about the kindness of friends, figures and the community that need to be exemplified between the time after the Ashar prayer and the Maghrib prayer. (Hasanah & Raharjo, n.d.)

In addition to this method, once every 3 months kiai makes an anjangsana program for guardians of students at the time of picking up their sons and daughters for routine holidays every 3 months. On this occasion, the kiai taught family values that must be established and maintained between others which had an impact on the close family relationship between the guardians

of the students and the students and created a very large sense of concern for others. Another value of kiai wisdom applied around August 2022, in terms of speaking words, for example, is done smoothly and gently, as a result of which the students are more polite when talking to their interlocutors because they are immediately approachable and the students are not easily emotional. From the values of kiai wisdom that are instilled, it reduces acts of violence between students in the Islamic boarding school, even in addition to instilling it in the students, the kiai also prohibits parents or guardians of students to behave and speak rudely to their children as well as being given practices to win the hearts of their children.

Based on the strategy implemented by Kyai at PPTQ Rodliyatan Mardiyah Ngoro Jombang in accordance with the meaning of the Law in Article 59 paragraph 2 letter (i), namely: Children who are victims of physical and/or psychological violence in

Islamic Boarding Schools. Which consciously protects students from acts of violence through Kyai's wisdom values as well as being a caretaker of the Islamic Boarding School.

The existence of physical and psychological violence in Islamic Boarding Schools caused by conflicts between students or students as described above, is handled in a different way at the Tahfidzul Qur'an Rodliyan Mardiyah Islamic Boarding School. Although Article 59A of the Child Protection Law explains that special protection for children as referred to in Article 59 paragraph (1) is carried out through efforts: a. rapid treatment, including treatment and/or rehabilitation physically, psychologically, and socially, as well as the prevention of diseases and other health disorders; b. psychosocial assistance during treatment until recovery; c. the provision of social assistance for children from underprivileged families; and d. the provision of protection and assistance in every judicial process. However, the kyai at

the Islamic Boarding School deals with it by emphasizing psychological and social handling by instilling the values of kyai wisdom to the perpetrators and victims. (*Law No. 35 of 2014 concerning Amendments to Law No. 23 of 2002 concerning Child Protection [JDIH BPK RI]* , n.d.)

The discussion of the word arif itself in the Indonesian dictionary, the word arif is matched in meaning with wise, knowledgeable, understanding, and understanding. In fact, discernment is quite difficult to show for everyone. According to KH Ahmad Bahauddin Nursalim, no matter how difficult it is to be implemented, wisdom must continue to be pursued, both in individuals and collectively Muslims. Wisdom is intertwined with the willingness to continue to introspect such as being simple, not arrogant, not arrogant, not feeling that he is the top or playing a role compared to others. Because, the first step to having wisdom is not to think of yourself as better than others. In a broader context, this trait can also guide the nation and the people in building a

more glorious future. The value of kiai wisdom in another sense is interpreted as a moral teacher, instilling simplicity, *tawadhu'*, philanthropy, *supel*, *apikan*, *nriman*, *tirakat*, *riyadhah*, and *istiqomah* in obedience. (KH Ahmad Bahauddin Nursalim, *How Scholars Teach Wisdom*, n.d.-b) (*Imitating the Wisdom of Kiai Pesantren (Reflection on Santri Day)*, n.d.)

Regarding the reading of Article 69 Special Protection for Children Victims of Physical and/or Psychological Violence as referred to in Article 59 paragraph (2) letter i, it is carried out through efforts: a. dissemination and socialization of the provisions of laws and regulations that protect children victims of violence; and b. monitoring, reporting, and providing sanctions. Especially in point a "dissemination and socialization of the provisions of laws and regulations that protect children victims of violence" has not been carried out optimally, because *the background* of Islamic Boarding Schools that do not follow the evolving laws and regulations.

Conclusion

The values of kiai wisdom such as the willingness to continue to introspect, be simple, not arrogant, not arrogant, do not feel that he is the top or play a role compared to others, and in other meanings are interpreted as moral teachers, instilling simple traits, *tawadhu'*, philanthropy, *supel*, *neat*, *nriman*, *tirakat*, *riyadhah*, and *istiqomah* in these disciplines are very interesting and inspiring. If the values of kiai wisdom are taken from the teachings of the Qur'an and hadith, then if applied in Islamic boarding schools can reduce acts of violence against children which is the goal of implementing child protection as the purpose of Law Number 35 of 2014 concerning Child Protection of course it will reduce acts of violence against children in the Pondok Pesantrendan environment, later the label of Islamic boarding schools which become a nest of violence will undoubtedly change to become a factory that creates moral, educated and religious children of the nation.

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