



## Sexual Education Policy, Legal Protection from Sexual Violence at University

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| ABSTRACT  | ARTICLE INFO  |
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| <p>University is one of the educational institutions that is vulnerable to sexual violence, prevention and control efforts have been made but there are still many cases of sexual violence that occur on campus. Sexual violence in universities is a bad image and tarnishes the Indonesian education world. The government and universities must be able to respond and take preventive steps in reducing the number of sexual violence by including sexual education in the national curriculum of the University in order to close the space for sexual violence on campus. Sexual education can provide an overview to students about the boundaries of being able to act sexually to themselves and others, so as not to harm anyone. The method used is normative juridical and analysed descriptively qualitative by using literature review and field studies regarding the application of sexual education in the University curriculum. The result of this research is that regulations are needed so that every university requires sexual education to be a learning activity as a preventive effort to prevent sexual crimes at the university.</p> <p>© 2022 Jurnal Civicus</p> | <p><b>Article History:</b><br/><i>Submitted/Received 29 Jul 2022</i><br/><i>First Revised 29 Sep 2022</i><br/><i>Accepted 23 Nov 2022</i><br/><i>First Available online 25 Dec 2022</i><br/><i>Publication Date 28 Dec 2022</i></p> <hr/> <p><b>Keyword:</b><br/><i>College,</i><br/><i>Legal Protection,</i><br/><i>Sexual Violence.</i></p> |

## 1. INTRODUCTION

Sexual violence can happen anywhere and anytime, this crime knows no place and time ([Fatura, 2019](#)), it happens to children and adults. All places have the potential for sexual violence to occur, including educational institutions where knowledge is developed ([Apriadi & Khadafie, 2020](#)). Indonesia is one of the countries that has a large number of higher education institutions, both public and private ([Matondang, 2018](#)). Higher education is a potential place for sexual crimes to occur, both for students, lecturers, and teaching staff. According to data from the Central Statistics Agency (BPS), there are 3115 under the Ministry of Education, Culture, Research and Technology (Kemendikbud Ristek) with details of 2990 private campuses and 125 state campuses. While the number of students throughout Indonesia is 7,369,009 people and the number of lecturers is 263,554 lecturers.

Sexual violence is behavior that demeans the dignity of women and men and hurts both physically and psychologically ([Muhajarah, 2016](#)). Sexual crimes are attempts to harm women and men sexually by carrying out forced sexual activity ([Mannika, 2018](#)). Sexual violence can attack anyone and will have a bad impact on the victims which can damage the future, meaning that everyone has the potential to be sexually harassed. Both children and adults have legal consequences when dealing with or in conflict with the law, especially the issue of sexual violence, therefore legal protection is needed by the community.

National Commission on Women records from 2015 to 2021 there were 50,000 complaints of sexual violence to both service agencies and Komnas Perempuan. One that is prone to gender-based violence against women is in educational institutions, sexual violence in educational institutions has the highest rate of other institutions, namely 87.91 percent. What is very worrying is that universities are the dominant educational institutions where gender-based violence occurs. Universities are in first place for gender-based violence against women or around 35% (thirty-five percent), most of this gender-based violence is sexual violence.

In line with Komnas Perempuan's records, the Directorate General of Higher Education, Research and Technology 2020 conducted a survey on sexual violence at all levels of education. As a result, every educational level institution has experienced sexual violence, and universities or 27% (twenty-seven percent) of complaints come from universities/universities. In the survey, 77% (seventy-seven percent) of the surveyed lecturers stated that sexual violence had occurred in tertiary institutions, and 63% (sixty-three percent) of the lecturers chose not to report incidents of sexual violence that they knew about because there were fears of negative stigma. to victims of sexual crimes in society.

Some of the latest cases of sexual violence that have occurred on campus include allegations of sexual violence at Sriwijaya University in September 2021 which were allegedly committed by lecturers to students, allegations of sexual violence also occurring at Brawijaya University in December 2021 students were allegedly sexually harassed by senior fellow students, and finally at the Jakarta State University it is alleged that there was sexual harassment by lecturers towards their students by sending chats with a seductive or sexting tone to several students. These cases are only a small part of the many cases that have surfaced in the public, not to mention cases that were not exposed because the victim did not want to reveal the crime because he was ashamed or felt it was a disgrace. From the several cases above, various forms of sexual violence that occurred in tertiary institutions, ranging from verbal and nonverbal, were also perpetrated by lecturers and students. This condition is truly ironic and concerning, if this condition is not responded to by the authorities, in this case, the Ministry of Education and Culture and Higher Education, it will become a time bomb that explodes at any time.

The data illustrates how weak our education system is in detecting, supervising, preventing and overcoming sexual violence in educational institutions, especially in tertiary institutions. Educational institutions that should be safe places, with data on sexual violence, universities are places where sexual crimes have the potential to occur and will have a negative impact on the image of universities, universities should be institutions that focus on developing knowledge (Safriadi et al., 2015) includes carrying out mental revolutions, attitudes, actions and behavior of students so that they can become the successors of the nation in the future. Education in essence must be a place to explore and gain knowledge that can be obtained through formal or informal means, in accordance with the goals of the state listed in the constitution, namely the intellectual life of the nation.

Regulations for providing legal protection for sexual violence have been regulated in several laws and regulations, including Law No. 35 of 2016 concerning Child Protection, if the victim is a child, then most recently the DPR has passed Law No. 12 of 2022 Violent Crimes sexual. This rule is an effort to protect the law by the state for its people, especially regarding cases of sexual violence, especially in educational institutions, including in tertiary institutions. Efforts to protect the law in cases of sexual violence in tertiary institutions have not been maximized, this can be seen from the data obtained by researchers which state that there are still many and high cases of sexual violence in educational institutions, especially in tertiary institutions, so it is hoped that in addition to national regulations, regulations that are formed according to locality are needed. educational institutions in order to suppress sexual crimes in tertiary institutions. In addition, the two regulations regulate efforts to prevent sexual violence against both children and adults. The law is also expected to have an impact on reducing the number of sexual violence in Indonesia. Legal protection can be done both by preventing and overcoming sexual crimes.

The large number of incidents of sexual harassment in tertiary institutions is a concern for the community, because the community really hopes for tertiary institutions to be able to educate, guide and direct their children so they can gain knowledge so that one day their children can achieve their goals and can be useful for the homeland and nation. It is necessary to take steps forward to make efforts to prevent and overcome sexual crimes in tertiary institutions, one of which is the ratification of the Minister of Education and Culture and Research and Technology No. 30 of 2021 (Permendikbud Research and Technology) concerning the Prevention and Handling of Sexual Violence in Higher Education Environments. The regulation responds to the many complaints of sexual violence on campus. The regulation regulates the prevention and handling of incidents of sexual violence on campus for students, educators, educational staff, campus residents and the general public who have a connection. All Kapuas people have an obligation to make all efforts to prevent and handle cases of sexual violence that occur on campuses or tertiary institutions.

Some of the sexual violence regulated in the Minister of Education and Culture and Research and Technology include discriminating, abusing both physical and non-physical, showing reproductive organs without consent, saying or looking at sexual nuances, sending pictures or videos with sexual nuances without consent, taking, recording, distributing and modifying images or videos with sexual nuances, spreading information related to sexual bodies, peeping, persuading, offering, promising to perform sexual activities without the victim's consent, imposing sexual sanctions, undressing the victim without consent, forcing sexual activity, attempting rape, committing rape, forcing an abortion, allowing sexual violence to occur, and engaging in other sexual activities.

The issuance of the Minister of Education and Culture and Research and Technology did not necessarily solve the problem of sexual violence in tertiary institutions. After the policy

was issued, it turned out that there was still a lot of sexual violence on campus, both sexual violence from students to students and lecturers to students. Collective awareness is needed in fighting against sexual violence, not only can it be done by individuals but all campus stakeholders must have sensitivity and concern in preventing and overcoming sexual violence on campus.

Sexual violence on campus is a crime that is hidden, closed and always carried out in a dark room that is difficult to access. Therefore, many sexual crimes have not been uncovered and are even difficult to uncover due to lack of evidence, including the difficulty in obtaining confessions from the perpetrators. There are even several cases where the courts have decided with acquittals, because there is insufficient evidence to prove that the person committed sexual violence on campus. Because in criminal justice, material evidence of the actions committed by a person is important to state that the person is guilty or not, if the evidence presented is not sufficient then it is difficult for the judge to convict someone of committing a crime of sexual violence.

Therefore, a different paradigm is needed in addressing the difficulty of proving sexual crimes by taking mitigation measures by prioritizing preventive rather than repressive measures. Prevention measures in Permendikbud Ristek 30 of 2021 are not yet comprehensive, moreover in this regulation it is limited to requiring the campus community to study the module on prevention and handling of sexual violence compiled by the Ministry of Education and Culture and Research and Technology, while the module itself has not been thoroughly socialized to the campus community. The Minister of Education and Culture and Research and Technology Regulation should regulate preventive efforts in preventing sexual violence against campus communities that focus on enforcing sexual education in the tertiary curriculum, which is implemented in other courses or learning activities that can protect, prevent and fight violence on campus.

The curriculum is the spirit in education, because it plays a role in directing the goals of education itself so that society can be better and people get and use knowledge for their life needs. The application of the curriculum is in accordance with needs and not arbitrary, there are stages that need to be carried out starting from organizing, planning, implementing, monitoring and evaluating with comprehensive and in-depth studies ([Prabowo, 2019](#)). Curriculum is a program that will be planned to arrive at a certain goal. Implementation of Education must have a concept that can respond to the development of the times which can flexibly change according to needs ([Hermawan et al., 2020](#)). In addition, sexual education will open the veil that many students also need this education in situations where they are already sexually active. Sexual education is not to frighten students, in fact with sexual education, students can be more responsible for themselves and their environment in terms of sexual activity so they don't abuse it.

Responding to the large number of cases of harassment, sexual education is very important to be included as part of the tertiary curriculum in order to be able to deal with sexual violence on campus. Sexual education has been widely used by education experts to be included in the tertiary curriculum, but until now there has been no specific regulation requiring tertiary institutions throughout Indonesia to enforce sexual education both in courses and in other activities. Sexual education will make students know the boundaries and relationships between men and women, and understand their sexuality rights. Sexual education is needed by students for the formation of their personal relationships with their families and their environment so they don't misunderstand sexuality ([Rinta, 2015](#)). Because in fact a lot of sexual violence occurs and is carried out by the closest people both in the family and school environment ([Azzahra, 2020](#)) in this case is a University or College.

Sexual intercourse in college needs to be maximized so that colleges are able to escape the bondage of these immoral acts. In addition, the absence of sexual education in the national curriculum of tertiary institutions is a setback and the government's lack of seriousness in dealing with sexual violence amidst the massive number of cases in tertiary institutions. Comprehensive sexual education is urgent to be implemented in the national curriculum as an effort to prevent sexual violence ([Banurea & Abidjulu, 2020](#)) especially on campus is very important. The government must immediately take a role in breaking the chain of sexual harassment in tertiary institutions, in providing legal protection for the tertiary community.

From the above background, the authors are interested in conducting research on how legal protection for cases of sexual violence in tertiary institutions and how the urgency of sexual education is included in the national tertiary curriculum in efforts to prevent and deal with sexual crimes against students.

## 2. METHODS

The research method was carried out using normative juridical methods by looking at norms or rules regarding sexual violence in Indonesia with the implementation of these norms or rules with both primary and secondary data relating to sexual violence in tertiary institutions, then analyzed descriptively qualitatively. This research is complemented by a literature study using books, journals and other scientific papers as well as conducting field research by conducting interviews with parties related to this research, and using relevant theories to add to the repertoire of research in conducting analysis so as to obtain results that are in accordance with what is expected.

## 3. RESULTS AND DISCUSSION

### 3.1. Legal protection from Sexual Violence in University

The crime of sexual violence is like a thorn in the flesh, because the immoral behavior committed by humans can hurt society and is difficult for victims to recover from. The impact of sexual violence can be felt directly or indirectly, the direct impact occurs on the victim and the victim's family both physically and psychologically, the indirect impact is usually on the institution or institutions where the victim is located whether government or private institutions, therefore the crime of sexual violence deserves called extra ordinary crime ([Wiweka et al., 2019](#)). As is well known, sexual violence is classified as an extraordinary crime because it has an extraordinary destructive impact, endangers the soul, destroys life, disturbs the sense of comfort, security, peace and order in society. Therefore extraordinary regulations are needed in an effort to provide extra protection, prevention and control of sexual crimes ([Umar, 2021](#)).

Victims of sexual violence were dominated by women ([Jamaludin & Prayuti, 2022](#)) and children, even in tertiary institutions. Women are very vulnerable to becoming victims as well as having to accept bad stigma from their environment ([Hidayat et al., 2021](#)) and are often forced to make peace with perpetrators on the grounds that there is insufficient evidence. Perpetrators of sexual crimes on campus are people who understand and understand and know how to defraud immoral acts, especially since the perpetrators have power on campus, causing an imbalance of power between perpetrators and victims of sexual crimes. It is only natural that the results of a survey by the Ministry of Education and Culture stated that many people know about sexual crimes on campus but prefer to remain silent and are confused about how to report it. In addition, sometimes these educational institutions also cover up

cases of sexual violence on behalf of the university, so that the complete sexual crimes are not exposed. Therefore protection for sexual violence is very important and needs special handling so that it is able to provide protection for victims and of course provide a deterrent effect for perpetrators of these sexual crimes. This protection is a legal protection regulated by statutory regulations.

Legal protection is legal protection provided by the state as a form of state responsibility to its people for crime violations that can approach society. Legal protection is also an effort to protect the community from arbitrary actions that are not in accordance with laws and regulations, in order to achieve order and peace so that human dignity and worth can be respected ([Santi et al., 2019](#)). Legal protection should be obtained by the community because it is their right as citizens, because providing legal protection to the people is tantamount to upholding human rights ([Paradiaz & Sopyono, 2021](#)). Society as a legal subject definitely requires state protection in every activity, the guarantee of protection has been regulated in the Indonesian constitution in full, including protection from crime which is a daily phenomenon of society.

Efforts to protect the law can be carried out either by preventive or preventive measures or by repressive measures or prosecution. Prevention and prosecution are one-way efforts that are mutually sustainable and cannot be separated in protecting the law. Sexual violence, which is an extraordinary crime, requires very specific, continuous and comprehensive legal protection efforts. This is very reasonable to do because the crime has a bad impact that will damage society. The government and the DPR as representatives of the people need to have an effective formulation in protecting against sexual crimes and violence, especially in tertiary institutions which have the potential for sexual violence to occur.

In general, protection from sexual violence has been regulated in the Criminal Code in the form of a prohibition against committing acts that contain elements of sexual violence in articles 289 to 296. Sexual violence is carried out in the form of violence and coercion to both adults and children. The Criminal Code of course does not comprehensively provide legal protection, this is because the Criminal Code only focuses on prosecution efforts by prioritizing criminal sanctions against perpetrators, even these articles do not entirely regulate criminal acts of sexual violence whose developments are increasingly diverse ([Alpian, 2022](#)). In addition, the victim's position is not regulated in the form of protection, both the victim's rights and the victim's recovery process. The Criminal Code does not have direct protection for victims, and the Criminal Code's perspective on sexual crimes is to provide retaliation for these immoral acts. So that the Criminal Code cannot be expected by the public to provide comprehensive protection to the community from sexual crimes.

Furthermore, in an effort to provide legal protection from sexual violence, the Government together with the DPR have also passed the Child Protection Act which has gone through several amendments. Children and children with special needs receive protection from discrimination, exploitation, neglect, cruelty, violence, persecution, injustice and other inhuman treatment. The regulation also focuses on protecting Indonesian children who are in conflict with the law, including in cases of sexual violence against children. This protection includes imposing criminal sanctions on perpetrators of sexual crimes against children with capital punishment, life imprisonment and a minimum prison sentence of 5 years. In addition, there are additional sanctions, including chip implantation, chemical castration and rehabilitation. In addition to criminal sanctions, the Child Protection Law also provides protection for child victims, especially victims of sexual crimes, including education about reproductive health, religious values and moral values, social rehabilitation, psychosocial



assistance until they recover, get assistance in the process at the police, prosecutors and courts.

Most recently, the Government and the DPR have passed Law No. 12 of 2022 on Sexual Violence Crimes (TPKS Law), this regulation is an effort to create a society and environment that is zero tolerance for sexual violence in Indonesia. The seriousness of preventing and prosecuting sexual violence can be seen from several important norms that do not yet exist in other norms that regulate sexual violence. First, according to the TPKS Law, sexual violence cases cannot be resolved outside the court, except for child perpetrators. Second, there is a formula for criminal acts of sexual violence, there are nine forms of criminal acts of sexual violence, namely, physical and non-physical sexual harassment, forced contraception, sterilization, marriage, sexual torture, sexual exploitation, sexual slavery and electronic-based sexual violence. Third, regulate the rights of victims who have not been maximized, namely victim restitution. Fourth, prevention involves all parties, both law enforcement officials, government and society in general, including monitoring from several stakeholders.

Legal protection from sexual crimes through these three laws has been in force and has accommodated norms prohibiting sexual violence, in addition to prohibitive norms, it is also regulated regarding efforts to prevent sexual violence so that it can be anticipated. More specifically, sexual crimes in tertiary institutions, more specific regulations have been regulated, the need for regulations in preventing and overcoming sexual crimes is more complete because sexual crimes in tertiary institutions have various modes, and the perpetrators are also not ordinary people, but people who have knowledge and tend to be able to get around the sexual health. The occurrence of sexual violence on campus cannot be separated from the unequal relationship between perpetrators and victims, there is a power relationship that causes people not to disclose sexual crimes, including the difficulty in finding evidence of sexual violence itself. This complicated problem has resulted in many people getting angry and urging the government to issue policies based on sexual crimes, so that the government issues the Minister of Education and Culture and Research and Technology concerning the prevention and handling of sexual crimes in tertiary institutions.

The Minister of Education and Culture and Research and Technology as an effort to protect the law for the campus community has been regulated in detail starting from efforts to prevent and handle sexual crimes that occur on campus. The regulation describes twenty one acts of sexual violence in tertiary institutions. There are several interesting things in the Minister of Education and Culture and Research and Technology, including, First, sexual harassment is an act that implies coercion, but if there is mutual consent, then the element of sexual harassment is not fulfilled. However, it is because of the term consent that people have misperceptions and become polemic, this is because the Ministry of Education and Culture is considered to legalize adultery. Second, prevention efforts are carried out by means of learning, strengthening campus governance and strengthening campus community culture, while handling efforts are carried out by assisting, providing protection, administrative sanctions for perpetrators and recovery for victims. Third, higher education institutions that do not want to implement the Minister of Education and Culture will be subject to sanctions in the form of a decrease in accreditation and stop funding from the ministry. Fourth. There was an order for universities to form a task force (Satgas) to prevent and deal with sexual violence, as a serious campus effort against the phenomenon of sexual crime. The Minister of Education and Culture for Research and Technology is a breath of fresh air ([Febrianti, 2022](#)) and hope that these rules can be enforced and implemented by the higher education community in Indonesia. Moreover, this policy was issued on the basis of victim protection.

Universities should be more serious in the interests of students, educational staff, lecturers and the entire campus community in these universities.

Efforts to protect the law through several laws and regulations above coupled with ministerial regulations are expected to provide protection for anyone on campus, and the campus becomes a safe place to study, becomes a space for the development of science and technology, strengthens good morals and forms a mentality. as a provision in continuing the nation's struggle. Anyone who is a victim of sexual violence can be given access to protection and can speak out loud about the crime, not being silenced or stigmatized against the victim. Legal protection must be integrated and comprehensive, so that perpetrators will think again about committing sexual violence. It takes good faith for all parties, especially the academic community, to implement rules relating to the prevention and control of sexual crimes on campus, without good faith efforts to protect law against violence on campus will be in vain.

Even though it is not yet optimal, protection for sexual violence in tertiary institutions must continue to be encouraged through the implementation of laws and other regulations. Perpetrators of sexual crimes will continue to grow and have various modus operandi to disguise these immoral acts. Consistent law enforcement for perpetrators of sexual crimes by prioritizing preventive rather than repressive efforts, using an academic approach by conducting learning and counseling that can provide knowledge about the importance of protecting oneself from sexual crimes on campus. In addition, tertiary institutions protect sexual violence that will occur by supervising and coaching the entire campus community, so there is no room for perpetrators of sexual violence in tertiary institutions.

### **3.2. Application of Sexual Education in Higher Education Curriculum Efforts to Prevent Sexual Violence**

The basis for legal protection from sexual violence in tertiary institutions is the Minister of Education, Culture, Research and Technology, which was ratified by Nadiem Makarim, the Minister of Education, Culture, Research and Technology. However, according to the author, there is criticism of the substance of the Permendikbud which substantially does not focus on learning activities. Learning activities will have a very positive impact on preventing sexual violence in tertiary institutions both inside and outside the classroom. Moreover, the concept of learning in tertiary institutions has a new paradigm and concept, namely Merdeka Learn Kampus Merdeka (MKKBM), students are given the flexibility to carry out learning activities by building creativity and innovation so as to be able to provide the ability to deal with all problems in society including the problem of sexual violence in Higher Education.

The Minister of Education and Culture and Research and Technology has made a breakthrough in the world of education which is considered capable of accelerating quality and quality education, this policy is the Independent Campus Learning Policy, this policy is a policy that he gives to tertiary institutions to be given freedom for lecturers and students in developing their potential and knowledge, including independence from convoluted bureaucracy. Equally important, the MBKM policy must be a comprehensive and comprehensive policy, including encouraging tertiary institutions to be free from sexual violence. thus, the campus becomes a comfortable and safe place for students and lecturers in developing the knowledge and potential of lecturers and students, in eradicating sexual violence on campus and to support an independent campus from sexual violence, law enforcement is needed on the Regulation of the Minister of Education and Culture on Sexual Prevention and Handling.



### 3.2.1. Postgraduate Strategic Plan

Renstra is a planning document for an organization or institution that determines the strategy or direction used as a basis for making decisions to allocate resources including capital and human resources in achieving the desired goals. The Strategic Plan describes the goals, objectives, policies, programs, and activities which are a continuous process of decision-making. The decision is taken by utilizing as much anticipatory knowledge as possible and organizing it systematically to implement and measure the results through systematic feedback. The benefits and importance of the Strategic Plan are for several points: (i) planning changes in an increasingly complex environment; (ii) the basis for managing success; (iii) future-oriented; (iv) is adaptive; and (v) guidelines for providing excellent service. The National University Postgraduate Strategic Plan currently in use is the 2021-2025 Strategic Plan. Even though the validity period is still until 2025, when Unesa becomes a PTN-BH, a synchronization must be carried out immediately. Moreover, National University PTN-BH's vision and mission are different from the vision and mission when it was still BLU. Changes in vision and mission are of course followed by changes in activities, strategies, and priorities, as well as more optimal governance.

Higher Education is a Higher Education Institution that is regulated by laws and regulations and the obligation of Higher Education is to provide services and education to students so that they become human beings with knowledge and character and have good morals to prepare them to live their lives in the future. Higher Education is obliged to protect the rights of students including the right not to be discriminated against and to get protection from criminal acts. One of the important tasks of higher education which is problematic in society is the prevention and management of cases in tertiary institutions which are quite a lot and cause for concern. Therefore, the seriousness of all stakeholders, including the ministries that handle education in Indonesia, is required. One of the regulations is regulated in the Minister of Education and Culture on Efforts to Prevent and Handle Sexual Violence in Higher Education.

Universities must obey and comply with the Minister of Education and Culture and Research and Technology in efforts to prevent sexual violence on campus, requiring the campus community to read and understand the module on prevention and handling of sexual violence compiled by the Ministry of Education and Culture, but throughout the search that has been done, the authors did not find the module. The author only found implementing regulations regarding the Minister of Education and Culture and Research and Technology concerning the Implementation Guidelines from the Minister of Education and Culture and Technology for the prevention and handling of sexual violence in campus environments. The guidebook contains technical references in protecting campus residents from crimes of sexual violence which must be guidelines in tertiary institutions. The book contains general provisions, prevention through learning, strengthening governance and strengthening campus community culture, then this book also regulates handling efforts through assistance, protection, imposition of administrative sanctions and efforts to recover victims. No less important than the book is that it regulates the mechanism for forming a task force in efforts to prevent and deal with sexual violence.

The Permendikbud guidelines also regulate procedures for handling from receiving reports, carrying out inspections, preparing recommendations and conclusions, recovery efforts and prevention efforts so that they do not recur. If the victim is dissatisfied with the investigation at the tertiary institution regarding the case of sexual violence he is facing, he may request a re-examination to the Ministry of Education and Culture and Research and Technology. In

order to guarantee the protection of witnesses and victims, the handbook explains the rights of victims and witnesses in the process of handling sexual crimes, including their right to guarantee the anonymity of their identities and to receive assistance, protection and recovery. Furthermore, the guidebook also regulates monitoring and evaluation to ensure that the guidelines are implemented properly.

The problem that arose after the issuance of the Minister of Education and Culture and the Guidebook was the lack of outreach to tertiary institutions in Indonesia, this can be seen from the fact that several universities did not know about these regulations and had not implemented the Minister of Education and Culture on Research and Technology on their respective campuses. Because they do not know and understand the Permendikbud, many public and private campuses have not implemented these regulations, one of which is that many campuses have not formed a Task Force for the Prevention and Handling of Sexual Violence in Higher Education environments. The Minister of Education and Culture and Research and Technology Regulation that has not been implemented yet has resulted in efforts to prevent and overcome sexual violence and crime on campus not optimal.

Another problem which according to the author is very important is the absence of rules for enforcing sexual education in the tertiary curriculum, it should be in the Minister of Education and Culture and Research and Technology in an effort to prevent sexual education from becoming a necessity and an obligation in learning. The Minister of Education and Culture of Research and Technology does regulate efforts to prevent through learning, but only to the extent that it only requires studying the module for preventing and handling sexual violence, there are no other efforts apart from studying these modules, even though the implementing regulations for the Minister of Education and Culture are called guidelines for preventing and handling sexual violence in tertiary institutions. not with the module referred to in the Minister of Education and Culture Regulation on Research and Technology for the Prevention and Handling of Sexual Violence. Whether the module referred to in the Research and Technology Ministry of Education and Culture is the same as the guidelines for implementing the Minister of Education and Culture, there has been no further information from the Ministry of Education and Culture.

Sexual education is educating the public and directing sexual behavior wisely, properly and correctly. Sexual education is not only about studying sex issues, Sex education is a transformation of values from the Educator to the students themselves, so that the transformation of sex knowledge is not given openly but contextually linked to the norms prevailing in society, things that are prohibited, permitted without violating the law. Sexual education is not something that is taboo to discuss, the high rate of sexual crimes or sexual violence in tertiary institutions is possible due to a lack of touch with sexual education. Low sexual education literacy makes people not think logically, only prioritize lust which in the end can't control themselves by doing actions that are prohibited by laws and regulations, and bumping into norms both religion and decency.

The purpose of sexual education is not just to prevent negative impacts on society, but more than that to provide comprehensive information about sexuality so that one understands reproductive behavior in order to be able to understand oneself. Sexual education can create psychological resilience for society and can act rationally regarding sexuality (Rinta, 2015). Sexual education can also prevent immoral acts that can harm other people and even themselves, such as free sex behavior, even sexual crimes. In addition, sexual education is at the forefront of fortifying our society from the development of information technology, especially the problem of sexuality which is prone to abuse. The very rapid development of information technology will certainly make it easier for people to carry out

their activities, but on the other hand there is a dark and negative side to misusing information and communication technology that has sexual nuances, such as pornography and pornography. Therefore the importance of sexual education has a very strategic space in strengthening mentality and psychological resilience so that it is not damaged due to wrong sexuality.

Sexual education must of course be accompanied by other education such as ethics and communication education both to friends or to their families and the community including religious and character education, so that knowledge about sexuality can be implemented along with religious values, decency and decency and law (Helmi & Paramastri, 1998). Without these values, sexual education is prone to being misused for momentary interests and cannot be accounted for. Therefore sexual education cannot stand alone and must require knowledge or other education that can strengthen the implementation of sexual education itself.

In order to be structured, measurable and well implemented, sexual education must be included in the tertiary curriculum and is required by all tertiary institutions, both public and private, to be implemented. The Permendikbud on Sexual Prevention and Handling should contain sexual education as an effort to prevent sexual violence on campus. Sexual education also cannot only be through modules or guidelines, it must enter a strategic space in the world of education, namely in the higher education curriculum so that its implementation can be massive and structured and evenly distributed throughout Indonesia. The curriculum is the spirit of education so that it runs in accordance with Pancasila and the 1945 Constitution. The curriculum is central to the values that will be transformed to students. So that if sexual education is implemented in the curriculum, it is the same as transforming the values of sexuality to students so that they are wise and responsible in carrying out activities related to sexuality.

The curriculum is a package of learning plans consisting of learning materials that are structured, programmed and planned in a comprehensive manner with various learning activities with the vision of achieving educational goals. In other words, the curriculum is a set of values that have been prepared to be implemented for students both cognitive, affective and psychomotor, so that the mindset and behavior of students will be formed in accordance with what was previously prepared and formulated in the curriculum. The curriculum can also be said as an educational program provided by good educational institutions, elementary, middle, high and high schools, not limited to the fields of study and learning activities, more than that the curriculum can be a determinant of changes in attitudes and behavior of students according to educational goals so that it is expected that the curriculum implemented in educational institutions and outside educational institutions. Therefore the curriculum has a strategic role because the curriculum is an explanation of the vision, mission and goals of education from the Indonesian state itself (Bahri, 2011).

Indonesia itself has implemented a curriculum through a Presidential Regulation regarding the Indonesian National Qualifications Framework (KKNI). The curriculum tries to tier the qualifications of human resources that can be juxtaposed, equalized and integrated between education and the field of training and work experience so that work competence can be recognized in various sectors (Maslahah, 2018). In this curriculum, it is expected to change the perspective of one's competence not just from a diploma, but must look at the qualification framework that has been regulated in an effort to recognize one's education in a comprehensive manner that can be trusted and transparent. The IQF curriculum does not yet reach and protect sexual prevention efforts on campus by making a formulation so that sexual crimes on campus can be prevented and not occur, the IQF only focuses on equalizing educational qualifications with experience with predetermined standards.

Regarding the large number of cases of sexual violence in tertiary institutions, the government must immediately take progressive steps to respond to this problem by immediately making policies through the Minister of Education and Research and Technology, these policies are in the form of policies in efforts to prevent sexual violence on campus, one of which is by mandating and enforcing sexual education in the curriculum. universities throughout Indonesia. The implementation of sexual education in tertiary institutions as a compulsory course or activity will encourage students, lecturers and teaching staff to be aware of the potential for sexuality that needs to be maintained, respected and upheld, so that they will respect themselves and others more.

The implementation of sexual education will become a new history in the government's efforts to reduce the number of sexual crimes in universities, which has been a complicated problem. In addition, sexual education will change the paradigm of the campus community to be more responsible and behave and act in the Higher Education environment

Sexual education will substantially discuss the definition of sexual education, objectives, uses and functions of sexual education, gender and sex differences, reproductive health, sex as a human right, forms of crime and sexual violence, efforts to protect sex as a basic human right, communication of sexual behavior and efforts to prevent and deal with sexual violence in tertiary institutions.

We hope that the implementation of sexual education in higher education institutions will be an effort to close the gaps in unregulated sexual prevention policies so that there is no room for perpetrators of sexual crimes on campus to commit immoral acts.

#### **4. CONCLUSION**

From the explanation of the research description above, the authors can provide conclusions, among others. First, legal protection from sexual violence has been sought through several regulations both in the Criminal Code (KUHP), the Child Protection Law, the Law on Sexual Violence Crimes and in the Minister of Education and Culture and Research and Technology Regulation concerning the prevention and handling of sexual violence on campus. Through some of these regulations, the prevention and handling of sexual violence can be carried out even though it is not optimal, but with these regulations the state has an alignment with the eradication of sexual violence in society. Second, protection for the campus community from sexual violence through the Minister of Education and Culture is not enough, efforts are needed that are more relevant to learning activities, namely making sexual education included in the compulsory curriculum of tertiary institutions so that efforts to prevent and deal with sexual violence are more comprehensive and measurable. With the inclusion of sexual education in the national compulsory curriculum of tertiary institutions, it is hoped that sexual violence can be eradicated until the campus is clean from these immoral acts.

#### **5. REFERENCES**

- Alpian, R. (2022). Perlindungan hukum pidana terhadap tindak kekerasan seksual di dalam institusi perguruan tinggi. *Lex Renaissance*, 7(1), 69-83.
- Apriadi, A., dan Khadafie, M. (2020). Peran lembaga pendidikan dalam pencegahan dan penanggulangan tindakan kekerasan pada siswa. *Ikra-Ith Humaniora: Jurnal Sosial dan Humaniora*, 4(3), 1-10.

- Azzahra, Q. M. (2020). Pendidikan seksual anak usia dini: "My bodies belong to me". *Early Childhood: Jurnal Pendidikan*, 4(1), 77-86.
- Bahri, S. (2017). Pengembangan kurikulum dasar dan tujuannya. *Jurnal Ilmiah Islam Futura*, 11(1), 15-34.
- Banurea, R. N., dan Abidjulu, F. C. (2020). pendidikan seksual komprehensif pada remaja di sma negeri 1 Abepura Jayapura. *Jurnal Pengabdian Dharma Laksana*, 2(2), 74-81.
- Fatura, F. N. (2019). Telaah tindak pidana pelecehan seksual secara verbal dalam hukum pidana Indonesia. *Recidive*, 8(3), 238-244.
- Febrianti, E. (2022). Policy analysis of permendikbud ristik number 30 of 2021 in effort to prevent and treat sexual violence at university of muhammadiyah Ponorogo bambang widiyanseno. *Jurnal Ilmu Pemerintahan Suara Khatulistiwa (JIPSK)*, 7(01), 52-62.
- Helmi, A. F., & Paramastri, I. (1998). Efektivitas pendidikan seksual dini perilaku seksual sehat. *Jurnal Psikologi*, 25(2), 25-34.
- Hermawan, Y. C., Juliani, W. I., dan Widodo, H. (2020). Konsep kurikulum dan kurikulum pendidikan Islam. *Jurnal Mudarrisuna: Media Kajian Pendidikan Agama Islam*, 10(1), 34-44.
- Hidayat, A., Afandi, A., dan Dianasari, R. (2021). Stigma negatif perempuan korban kejahatan menjadi hambatan dalam pengusutan terhadap perbuatan kekerasan sebagai bentuk pemberian perlindungan hukum. *Rechtenstudent Journal UIN KHAS Jember*, 2(2), 234-241.
- Jamaludin, A., dan Prayuti, Y. (2022). Model pencegahan kejahatan seksual di lembaga pendidikan pesantren. *Res Nullius Law Journal*, 4(2), 161-169.
- Mannika, G. (2018). Studi deskriptif potensi terjadinya kekerasan seksual pada remaja perempuan. *Calyptra: Jurnal Ilmiah Mahasiswa Universitas Surabaya*, 7(1), 2540-2553.
- Maslahah, A. U. (2018). Penerapan kurikulum mengacu kknii dan implikasinya terhadap kualitas pendidikan di ptkin. *Edukasia : Jurnal Penelitian Pendidikan Islam*, 13(1), 227-248.
- Matondang, E. (2018). Kurikulum bela negara di tingkat pendidikan tinggi: Prospektif ketimpangan dalam sistem pertahanan Indonesia. *Jurnal Pertahanan & Bela Negara*, 5(3), 21-42.
- Muhajarah, K. (2016). Kekerasan terhadap perempuan dalam rumah tangga: Perspektif sosio-budaya, hukum, dan agama. *Sawwa: Jurnal Studi Gender*, 11(2), 127-146.
- Paradias, R., dan Soponyono, E. (2022). Perlindungan hukum terhadap korban pelecehan seksual. *Jurnal Pembangunan Hukum Indonesia*, 4(1), 61-72.
- Prabowo, H. (2019). Pentingnya peranan kurikulum yang sesuai dalam pendidikan. *Jurnal Universitas Negeri Padang*, 3(1), 1-10.
- Rinta, L. (2015). Pendidikan seksual dalam membentuk perilaku seksual positif pada remaja dan implikasinya terhadap ketahanan psikologi remaja. *Jurnal Ketahanan Nasional*, 21(3), 163-174.



- Safriadi, N., Salam, U., dan Hazriani, R. (2015). Pengembangan knowledge management system (kms) untuk pengelolaan hasil penelitian di universitas tanjungpura. *JEPIN (Jurnal Edukasi dan Penelitian Informatika)*, 1(1), 37-40.
- Santi, A. N. G., Yuliantini, P. R. N., dan Mangku, G. S. D. (2019). Perlindungan hukum terhadap korban tindak pidana penyalahgunaan narkoba di Kabupaten Buleleng. *E-Journal Komunitas Yustisia Universitas Pendidikan Ganesha*, 2(3), 216–226.
- Umar, C. S. (2021). Tinjauan hukum pidana dalam penerapan hukuman tambahan kebiri kimia bagi pelaku kekerasan seksual terhadap anak berdasarkan pasal 81 uu no. 17 tahun 2016. *Lex Crimen*, 10(2), 213-222.
- Wiweka, G., Jaya, I., dan Suardana, I. (2019). Penyelesaian kasus kekerasan seksual terhadap anak berdasarkan hukum adat Bali di desa sudaji Kecamatan Sawan Buleleng. *Kertha Wicara: Journal Ilmu Hukum*, 8(11), 1–15.