Analysis of Cyber bullying from a Pancasila Perspectives

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Abstract

The rapid development in the field of technology has brought various positive and negative impacts. There are many typical crimes that occur, one of which is cyberbullying. These crimes take the form of oppression, insults, psychological violence or intimidation in cyberspace which is carried out repeatedly which is intended to embarrass, spread ugliness and hatred, intimidation which is directed directly or openly through digital devices and platforms such as social media, email, messaging applications, and gaming sites exist. Apart from that, there are several fundamental factors that form the background to the perpetrator's behavior and the impacts it causes. Cyberbullying cases are considered a violation of the 2nd and 5th principles of Pancasila. In responding to the problem of cyberbullying, Indonesia has sufficient laws and regulations to crack down on this criminal act of cyberbullying, one of which is Law Number 11 of 2008 concerning Information and Electronic Transactions (ITE). By applying Pancasila values and understanding applicable laws, efforts to prevent and handle cyberbullying can be improved, creating a safer and more positive social media environment, especially for the nation's next generation. This research aims to determine the meaning, impact and ways to overcome it that are useful for provide knowledge to everyone. This research is research that uses a descriptive method in the type of literature study by describing, illustrating, explaining and analyzing the situation and conditions of the problem object from the researcher's perspective based on the results of the literature review.

Keywords: Cyberbullying, Pancasila, Social Media

INTRODUCTION

The development of the times is getting faster and more advanced day by day. Almost every activity in life continues to experience very rapid development. Advances in science and technology in this modern era continue to be made. Many things have changed, such as the way we work, study and even socialize. Many new tools in technology have been created to help humans, especially in the information sector. Information plays a big role in human life in being able to understand the surrounding environment and predict situations that are faced or that have occurred.[1] Information flows in harmony with technological advances that can change people's lives. Technology can be said to have become an important part of people's lives. With the existence of the internet which has spread throughout the world, it has resulted in rapid developments in the fields of technology and information which have led to changes in human civilization and modern communication methods can always be accessed easily. One of them is social media which involves its users in a new culture that can change human thought patterns and behavior.

The rapid development in the field of technology has brought various positive impacts to human life, both young and old. Just as it is easier for students to carry out their learning activities. The ease of accessing the internet makes it easier for teenagers to connect with their friends via social media.[2] Communication and information technology or what could be called social media in the form of WhatsApp, Facebook, Twitter and Instagram in this digital era is one way for individuals, organizations and companies to communicate and socialize over long distances. For adults, technological advances really help them in doing their work. This technological progress is also greatly utilized by companies in promoting their companies using social media. Apart from that, many people also use social media as a means of entertainment only. However, without realizing it, the rapid development of this technology also has a negative impact on human life. Social media can direct people to proportional or antisocial behavior. This affects teenagers because at an age they are at a transitional stage where mental health is still stronger and is heavily influenced by the external environment. A person's mental health is a good emotional and psychological state where they can utilize cognitive and emotional abilities to function in their community and fulfill their life needs.

Technological advances also have an impact on crime which is increasingly widespread in cyberspace or social media. There are many typical crimes that occur, such as misuse of social media features, the

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[1] Leonid G. Berlyavskiy et al., "Human Rights in the Digital Age," in *Lecture Notes in Networks and Systems*, vol. 87 (Springer, 2020), 916–24, https://doi.org/10.1007/978-3-030-29586-8_104.

[2] Ni Putu et al., "Wise Use of Social Media in National Defense" 2, no. 1 (2022): 1–10.

spread of false information (hoaxes) and under-disclosure of information.[3] One thing that we often encounter is bullying through social media. Cyberbullying, also known as online harassment, is a form of bullying that occurs through digital devices and platforms such as social media, email, messaging applications and gaming sites. But apart from this, there are also negative impacts of the emergence of social media among teenagers, one of which is bullying. Bullying continues to increase from year to year. Many bullying actions are carried out consciously to harm other people, insult people and act aggressively. Not only in the real world, bullying is also often carried out via social media, carried out individually or in groups. This bullying is not carried out directly but through electronic media, with the aim of intimidating victims online, to oppress and harass people using facilities such as social media. Perpetrators often carry out intimidation by using fake accounts to avoid their real identity being known by the victim. This speed of access and facilities will have a negative psychological impact on victims who experience bullying on social media. This is one of the factors that causes many cases of cyberbullying on social media. Because we don't see the real impact, the perpetrators feel safe when making harsh comments on social media. This was imitated by many more people so that it became a chain case.[4]

The rapid development of information and communication technology makes it easier for cyberbullying perpetrators to carry out their actions. This can start with bad comments on the victim's account.[5] According to the Ministry of Women's Empowerment and Child Protection of the Republic of Indonesia, the use of technology among students will cause online sexual crimes, display inappropriate advertisements, and trigger cyberbullying on social media. Cyberbullying is a typical crime that is currently occurring in the current era which is carried out using social media. Repeated use of technology to harm or intimidate another person with the intent of causing emotional distress or harm. Such cyberbullying can have serious negative impacts on the mental health and well-being of victims, including anxiety, depression, low self-esteem, and even suicide.

Judging from the analysis, the crimes that occurred were caused by a lack of public understanding of policies using technology. Cyberbullying is an act that deviates from the 2nd and 5th principles, where every human being has the right to live safely, calmly and has the right to be treated civilized and treated

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[3] Ni Putu Suci Meinarni and Ida Bagus Ary Indra Iswara, "Hoax and Its Mechanism in Indonesia," *Proceedings of the International Conference of Communication Science Research (ICCSR 2018)*, 2018, https://doi.org/10.2991/iccsr-18.2018.39.

[4] Agus Budianto, "Legal Research Methodology Reposition in Research on Social Science," *International Journal of Criminology and Sociology* 20, no. 9 (2020): 1339–46, https://doi.org/10.6000/1929-4409.2020.09.154.

[5] H. M. T. Imani, F. A., Kusmawati, A., & Amin, "Pencegahan Kasus Cyberbullying Bagi Remaja Pengguna Sosial Media," *KHIDMAT SOSIAL: Journal of Social Work and Social Services* 2, no. 1 (2021): 74–83, https://jurnal.umj.ac.id/index.php/khidmatsosial/article/view/10433.

fairly, regardless of physical, economic and other things.[6] Just and civilized humanity contained in the second principle contains the value that every citizen is obliged to respect and uphold the dignity of humans as civilized living creatures, especially human natural rights (human rights) which must be guaranteed in state legislation and prioritizing social justice, diversity and equality in society. The application of fair and civilized human values is very important to apply in life.

Pancasila values consist of the core principles that determine the Indonesian government system. The existence of this system is based on the values of Pancasila and the fact that cyberbullying is a mistake and a deviation from these values. In an effort to prevent negative things from happening in Indonesia, we must apply the values of Pancasila as they should. This is a growing concern in today's digitally connected world, and it is important to raise awareness of the issue and take steps to prevent and address cyberbullying.

There are several previous studies that discuss cyberbullying but on different platforms, such as the article entitled "Implementation of Pancasila in Overcoming Cyberbullying" written by Fadhil Mukhlisi & Achmad Hasfi Mawarid. This research is quantitative research using a literature study method. This research tries to review the values of Pancasila in the use of social media by the millennial generation. The second previous research used as a reference is "The Influence of Cyberbullying on the Nation's Next Generation and Its Prevention Based on Pancasila Values" written by Agung Arya Anggara, Aam Trianawati, Nabila Hermala Putri, Ester Dameria Siboro, Ilyas Saputra, Dadi Mulyadi Nugraha. This research uses qualitative methods using literature research tools which are interviews. This research was conducted to find out the impact of cyberbullying and the implementation of Pancasila values in everyday life. And the third previous research used as a reference is "Criminal Law Policy Against Cyberbullying Crimes in Indonesia" written by Abdul Sakban, Sahrul, Andi Kasmawati, Heri Tahir. This research uses normative juridical research which is qualitative using data analysis techniques. This research shows that criminal law policies in resolving cyberbullying crimes can be implemented by law enforcement officials. Several objects in this research focus on reviewing Pancasila values in using social media, implementation of Pancasila values and criminal law in resolving cyberbullying crimes which will be a reference source in making this article. Meanwhile, this research will focus on analyzing the things that cyberbullying violates from a Pancasila perspective.[7]

From the things that have happened, there is a problem formulation taken from this research, namely, how is the analysis of cyberbullying against Pancasila? From the problem formulation, this research was

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[6] N P S Meinarni, "Tinjauan Yuridis Cyber Bullying Dalam Ranah Hukum Indonesia," *… : Jurnal Ilmu Sosial Dan Humaniora*, 2019.

[7] Dewi Iriani and Widya Nurreni Astuti, "Hukum, Kejahatan Dan Karakter Pancasila," *Proceeding Od Conference on Law and Social Studies*, 2020.

carried out with the aim of: provide information or description about the characteristics of cyberbullying and the risks of someone who has done it. It can be seen that cyberbullying occurs due to several factors. So that from this research we can gain benefits, namely increasing our knowledge of cyberbullying crimes. provide benefits to everyone through this article regarding preventing bullying and handling it, as well as what people who have committed cyberbullying can gain. This is very useful for increasing our insight into the impact of several crime cases on social media so that it can open our minds again so that we can uphold the practice of Pancasila principles more highly. It is hoped that the application of the values contained in Pancasila will be able to guide society in using social media, so that they can make the best use of social media.[8]

METHOD

This research is research that uses descriptive methods in the type of literature study. This method is a problem solving method by describing, illustrating, explaining and analyzing the situation and conditions of the problem object from the researcher's perspective based on the results of a supporting literature review. This form of research will reveal descriptive information that is able to present a complete and true picture of social reality. So descriptive research is a research method that can be used to explain an event. The subjects in this research were students. The data analysis technique used in this research is the descriptive analysis method. This method is used to describe data that has been collected and analyzed from several articles. Researchers conducted a literature review to collect various data on related topics.[9]

FINDING

Definition and Causes of Cyberbullying

The word bullying comes from English, namely from the word bull, which means a bull who likes to duck here and there. Etymologically, the word bully means to bully, someone who bullies a weak person. On the other hand, the definition of bullying is "the desire to harm in terms of terminology". This desire done with pleasure for the perpetrator and significant loss for the victim. "Perpetrators of bullying are usually more prominent than victims of bullying both in terms of social, physical, behavior and often try

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[8] Yuliatin Yuliatin, "Pancasila Karakter Khas Bangsa Indonesia," *Jurnal Ilmiah Profesi Pendidikan* 8, no. 1 (2023), https://doi.org/10.29303/jipp.v8i1.1185.

[9] Saptaning Ruju Paminto Rusdin Tahir, I Gde Pantja Astawa, Agus Widjajanto, Mompang L Panggabean, Moh Mujibur Rohman, Ni Putu Paramita Dewi, Nandang Alamsah Deliarnoor, Muhamad Abas, Rizqa Febry Ayu, Ni Putu Suci Meinarni, Fatimah Hs, Ni Wayan Eka Sumartini, Dewi Kania Sugiharti, *Metodologi Penelitian Bidang Hukum: Suatu Pendekatan Teori Dan Praktek* (Jambi: Sonpedia, 2023).

to show their strength to their friends". Olweus defines bullying as a psychosocial problem involving repeatedly insulting and degrading other people with a negative impact on the perpetrator and victim of bullying where the perpetrator has more power than the victim.[10] There are many definitions of bullying, especially those that occur in other contexts such as at home, workplace, society, virtual communities.

Bullying is a big problem in modern society and it happens at different ages and in different ways. With increasing order the use of technology is an alarming trend across the world. This is the source of various crimes on social media, one of which is cyberbullying. Cyberbullying comes from two words, namely cyber and bullying. The word cyber refers to a form of crime that occurs in cyberspace. Meanwhile, bullying means bullying or trying to bring down another person. Cyberbullying is an act of humiliation, psychological violence or intimidation carried out through technological devices and information in cyberspace against other parties where the action is intended to embarrass, spread ugliness and hatred, intimidation which is directed directly or openly (known to the public) to the victim. Cyberbullying is usually found on social media, such as hate speech towards someone, inappropriate comments and social media messages sent in the form of impolite typing and even sending images that are not suitable for viewing.[11]

Pandie and Weismann conducted research to determine the influence of cyberbullying on social media on reactive behavior as perpetrators and victims. This research found several things including the motives for cyberbullying which can be divided into revenge, motivated perpetrators, the desire to be respected and perpetrators with an element of intention. Apart from that, it was also concluded that there were fundamental factors that were the background to the perpetrator's behavior, namely: overprotective family predictors, internal factors where the perpetrator was unable to control his primitive instincts, external factors. In his research, it was found that 90% of respondents said that sometimes they hate their friends and take it out on social media, 85% said that they like to prank and play around in sending pictures and writing that hurt their friends, 80% of respondents often create fake accounts on social media to send messages or threats that embarrass friends, 80% like to spread gossip and rumors to their friends. Cyberbullying on social media has an impact on the psychological and mental condition of the victim. This condition causes the victim to experience depression, prolonged sadness, frustration, loss of self-confidence, even worse, ending his life.[12]

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[10] UNICEF, "Cyberbullying: Apa Itu Dan Bagaimana Menghentikannya," 2020,
https://www.unicef.org/indonesia/id/child-protection/apa-itu-cyberbullying.

[11] Imani, F. A., Kusmawati, A., & Amin, "Pencegahan Kasus Cyberbullying Bagi Remaja Pengguna Sosial Media."

[12] F. Syahidah, & Azmi, "HUBUNGAN ANTARA EMPATI DENGAN CYBERBULLYING PADA REMAJA DI YOGYAKARTA" (Universitas Mercu Buana Yogyakarta, 2017), http://eprints.mercubuana-yogya.ac.id/id/eprint/1222/.

Cyberbullying Behavior That Deviates From Pancasila Values

Pancasila is a national ideology that represents the traditions and customs of Indonesian society that have existed since the time of our ancestors. Pancasila must be a guideline or reference in every behavior in everyday life by anyone. Pancasila is the foundation in forming the character of each generation. Pancasila is also one way of upholding national values and instilling a sense of national defense and love for the homeland.

Cyberbullying is an act that deviates from the 2nd Pancasila Principle which reads "Just and Civilized Humanity" and the 5th Principle which reads "Social Justice for All Indonesian People". Justice is a characteristic where we side with what is right, without taking sides or being biased. Meanwhile civility comes from the word adab which has the meaning of culture. So civility can be interpreted as an attitude or action that is based on cultural values, especially social norms and decency in society. This means that the Indonesian nation as social human beings must uphold each other's honor and dignity without differentiating between ethnicity, culture, race, and religion. Cases of cyberbullying are considered a violation of the 2nd and 5th principles of Pancasila because a person's rights and dignity are not respected, where an individual is treated unequally because another individual considers himself or herself better in certain aspects. This individual behaves arbitrarily and there is no mutual loving behavior between each other. With an attitude of humanity and justice, a society that loves and respects each individual regardless of ethnicity, race, culture, and religion will be created. In this way, a safe and peaceful social life can occur in this social life.

Criminal Law Against Cyberbullying in Indonesia

Many cases of cyberbullying that occur in Indonesia cannot be recorded. This happens because many victims of cyberbullying prefer to remain silent and not report the case. With the increasing number of crime cases occurring in cyberspace the scope of the law must be able to reach and protect humans from acts that violate the law. In responding to the problem of cyberbullying, Indonesia has sufficient laws and regulations to crack down on this criminal act of cyberbullying, one of which is Law Number 11 of 2008 concerning Information and Electronic Transactions (ITE). In this law, there are articles that are more suitable for ensnaring cyberbullying perpetrators.[13] The threat of punishment for ITE is more severe and

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[13] Budi Suhariyanto, *Tindak Pidana Teknologi Informasi (Cybercrime) Urgensi Pengaturan Dan Celah Hukumnya* (Jakarta: PT Raja Grafindo Persada, 2013).

includes high-level criminal penalties. The following are the legal sanctions received by those who have violated them:

1) Every person who fulfills the elements as intended in Article 27 paragraph (1), paragraph (2), paragraph (3), or paragraph (4) which reads:

   a. "Every person intentionally and without right distributes and/or transmits and/or makes accessible Electronic Information and/or Electronic Documents which have content that violates decency ".

   b. "Every person intentionally and without right distributes and/or transmits and/or makes accessible Electronic Information and/or Electronic Documents that contain gambling content ".

   c. "Every person intentionally and without right distributes and/or transmits and/or makes accessible Electronic Information and/or Electronic Documents which contain insulting and/or defamatory content ".

   d. "Every person intentionally and without right distributes and/or transmits and/or makes accessible Electronic Information and/or Electronic Documents that contain blackmail and/or threats". Sentenced to a maximum imprisonment of 6 (six) years and/or a maximum fine of IDR 1,000,000,000.00 (one billion rupiah).

2) Law Number 11 of 2008 concerning ITE Article 45 paragraph 2: every person who fulfills the elements as intended in article 28 paragraph (2) which explains that "Every person intentionally and without right disseminates information aimed at causing individual feelings of hatred or enmity and/or certain community groups based on ethnicity, religion, race and intergroup (SARA)" be sentenced to imprisonment for a maximum of 6 (six) years and/or a fine of a maximum of IDR 1,000,000,000 (one billion rupiah).[14]

3) Law Number 11 of 2008 concerning ITE Article 45 paragraph 1: every person who meets the elements as intended in article 29 which explains that "Every person intentionally and without right sends Electronic Information and/or Electronic Documents that contain threats of violence or fear personally-directed scare" be sentenced to imprisonment for a maximum of 12 (twelve) years and/or a fine of a maximum of IDR 2,000,000,000 (two billion rupiah).

Meanwhile, it is explained in more detail regarding Article 27 paragraph (1), paragraph (3), or paragraph (4) regarding the criminal act of Cyberbullying, namely "Every person intentionally and without right disseminates information and/or transmits and/or make accessible Electronic Information and/or

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[14] Pemerintah Pusat Indonesia, "Undang-Undang (UU) Nomor 19 Tahun 2016 Tentang Perubahan Atas Undang-Undang Nomor 11 Tahun 2008 Tentang Informasi Dan Transaksi Elektronik" (2016).

Electronic Documents which contain content that violates decency (paragraph 1), insulting and/or defamatory content (paragraph 3), extortion and/or threatening content (paragraph 4).[15]

Meanwhile, it is further explained in article 28 paragraph (2) that "Every person intentionally and without right disseminates information aimed at causing feelings of hatred or hostility towards certain individuals and/or groups of society based on ethnicity, religion, race and inter-group (SARA)" which explains that one of the criminal acts of Cyberbullying is spreading information with the aim of causing feelings of hatred towards a SARA.

Apart from that, cyberbullying is also regulated in general criminal law in Indonesia which is contained in the Criminal Code (KUHP). Articles of the Criminal Code listed in Chapter XVI regarding insults:[16]

1) Article 310 paragraph (1) states that "Anyone who deliberately attacks someone's honor or good name by accusing someone of something with the clear intention of making it known to the public, is threatened with defamation with a maximum imprisonment of nine months or a maximum fine of four thousand five hundred rupiah".

2) Article 310 paragraph (2) states that "If this is done by means of writing or images that are broadcast, displayed or posted in public, then the threat of written defamation is a maximum imprisonment of one year and four months or a maximum fine of four thousand five hundred rupiah".

3) Article 311 paragraph (1) which states "if the person who commits the crime of defamation or written defamation is allowed to prove that what is accused is true, does not prove it, and the accusation is made contrary to what is known then he is threatened with defamation with a maximum prison sentence of four years ".

4) Article 315 of the Criminal Code which states "Every intentional insult that is not in the nature of defamation or written defamation which is committed against a person either in public orally or in writing, or in front of the person himself orally or in action, or in a letter written sent or received to him, is threatened for light insult with a maximum imprisonment of four months and two weeks or a maximum fine of three hundred rupiah".

Cyberbullying in Indonesia

Cyberbullying has a negative impact on the unity and unity of the Republic of Indonesia, because it destroys the values of the local wisdom of the Indonesian nation which has long been a guideline for people's lives in behavior, namely diversity, diversity, but still one. This means that all existing diversity must strengthen us as a nation and state not be used as an internal threat and easily divide, causing many

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[15] Selular Id, "Pelaku Cyber Bullying Bisa Dijerat Hukum Pidana," 2015, http://selular.id/news/2016/03/pelaku-cyber-bullying-bisa-dijerat-hukum-pidana/ diunduh pada 3 April 2016.

[16] Republik Indonesia, "Kitab Undang-Undang Hukum Pidana" (2021), https://jdih.mahkamahagung.go.id/legal-product/kitab-undang-undang-hukum-pidana/detail.

problems from these differences making our country a pluralistic country. From these many differences, Bhinneka Tunggal Ika was born, which is the Indonesian state motto which means differences in religion, race, ethnicity, language, skin color and Indonesian culture. These differences are supposed to create diversity and beauty in national and state life, but often in the end they seem to backfire on our own nation to divide these differences.[17]

According to Nyoman Pursika in an analytical study journal, the motto "Bhinneka Tunggal Ika " means that Bhinneka Tunggal Ika is a reflection of balance between the elements of difference that characterize diversity and the elements of similarity that characterize unity. Referring to the understanding of the experts above, the essence of unity in diversity is the basis for thinking, behaving, and acting in responding to every problem that exists in society based on the interests of the people and the integrity of the Unitary State of the Republic of Indonesia (NKRI).

Cyberbullying is very contrary to diversity because bullying often occurs because of differences in viewpoints, SARA, and other differences that make someone want to bully other people because the person they are bullying is considered not the same as them. This means that Bhinneka Tunggal Ika must be strengthened as a motto for Indonesian society and can be used as a guideline in social life within the nation. All differences must be addressed wisely without causing conflict, but in reality this is difficult to implement as a whole by society. The differences that arise are interpreted as something else which sometimes actually invites existing divisions. If it continues, this Cyberbullying phenomenon can damage the integrity of the Republic of Indonesia.

CONCLUSION

It can be concluded that cyberbullying is a type of bullying that arises as a result of misuse of technology. Cyberbullying is a crime on social media. These crimes take the form of oppression, insults, psychological violence or intimidation in cyberspace which is carried out repeatedly which is intended to embarrass, spread ugliness and hatred, intimidation which is directed directly or openly through digital devices and platforms such as social media, email, messaging applications and gaming sites exist. Cyberbullying can happen anywhere, both among adults and young people. The emergence of cyberbullying behavior is also caused by several factors, namely overprotective family predictors, internal factors where the perpetrator is unable to control his primitive instincts and external factors. The impact it causes is very worrying for the psychological health of the victims. Pancasila values in Indonesia are a guide in preventing and overcoming cyberbullying by including ethics, politeness, honesty, unity, justice and respect for individual

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[17] Muhammad Mustofa, "KRIMINOLOGI BUDAYA UNTUK KESEJAHTERAAN INDONESIA," *Jurnal* Hukum *Pidana Dan Kriminologi* 1, no. 1 (October 10, 2020): 73–91, https://doi.org/10.51370/jhpk.v1i1.3.

rights. Awareness of the importance of applying Pancasila values in daily life in using media in all circles needs to be increased through education. Therefore in responding to the problem of cyberbullying Indonesia has sufficient laws and regulations to crack down on this criminal act of cyberbullying, one of which is Law Number 11 of 2008 concerning Information and Electronic Transactions (ITE). In this law there are articles that are more suitable for ensnaring cyberbullying perpetrators. By implementing Pancasila values and understanding applicable laws efforts to prevent and handle cyberbullying can be improved, creating a safer and more positive social media environment especially for the nation's future generations.

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