

CHARACTER BUILDING AS ONE OF THE FOCUSES OF NATIONAL DEVELOPMENT PLANNING IN INDONESIAN LEGISLATION

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Abstrak: Pembangunan karakter merupakan fondasi untuk mewujudkan visi pembangunan nasional, yaitu mewujudkan masyarakat berakhlak mulia, bermoral, beretika, berbudaya, dan beradab berdasarkan falsafah Pancasila. Berdasarkan latar belakang tersebut, maka yang menjadi isu hukum dalam penelitian ini adalah: 1) Apakah objek pembangunan karakter yang menjadi fokus perencanaan pembangunan nasional? dan 2) Bagaimana pengaturan pembangunan karakter dalam peraturan perundang-undangan? Penelitian ini menggunakan pendekatan perundang-undangan dan pendekatan konseptual. Objek pembangunan karakter yang menjadi fokus perencanaan pembangunan nasional adalah pembangunan karakter anak, pemuda, dan Aparatur Sipil Negara. Kemudian pembangunan karakter diatur dalam beberapa peraturan perundang-undangan, yaitu: UU No. 5 Tahun 2014 tentang Aparatur Sipil Negara, Perubahan UU Perlindungan Anak, Perubahan UU Perkawinan, UU No. 18 Tahun 2019 tentang Pesantren, UU No. 11 Tahun 2022 tentang Keolahragaan, UU No. 12 Tahun 2022 tentang Tindak Pidana Kekerasan Seksual, dan UU No. 23 Tahun 2022 tentang Pendidikan dan Pelayanan Psikologi.

Kata Kunci : Pembangunan Karakter, Perencanaan Pembangunan Nasional

Abstract: Character building is the foundation for realizing the vision of national development, which is to create a noble, moral, ethical, cultured, and civilized society based on the philosophy of Pancasila. Based on this background, the legal issues in this research are: 1) What is the object of character building that become the focus of national development planning? and 2) How is character building regulated in legislation? This research uses a statutory approach and a conceptual approach. The objects of character building that becomes the focus of national development planning are the character building of children, youth and the State Civil Apparatus. Character building regulated in several regulations, namely: Law No. 5 of 2014 on State Civil Apparatus, Amendment to Child Protection Law, Amendment to the Marriage Law, Law No. 18 of 2019 on the Islamic Boarding Schools, Law No. 11 of 2022 concerning Sport, Law No. 12 of 2022 on the Sexual Violence Crimes and Law No. 23 of 2022 on the Psychology Education and Services.

Keywords : Character Building, National Development Planning

INTRODUCTION

There are nine pillars of character derived from universal noble values, namely: a) Love of God and all His creations; b) Independence and

responsibility; c) Honesty or trustworthiness; d) Respect and courtesy; e) Generosity, helpfulness and cooperation; f) Self-confidence and hard work; g) Leadership and justice; h) Kindness and

humility; and i) Tolerance, peace and unity (Megawangi in Asmani, 2011, p.51).

Philosophically, national character building is an essential need in the process of nation building because only a nation with strong character and identity will exist. Ideologically, character building is an effort to embody the ideology of Pancasila in the life of the nation and state. Normatively, national character building is a tangible manifestation of steps to achieve the state's goals, namely protecting the entire Indonesian nation and all Indonesian blood spills; advancing general welfare; educating the nation's life; participating in implementing world order based on independence, eternal peace and social justice (Alawiyah, 2012, p. 89).

Historically, the development of national character is a core dynamic of the national process that occurs endlessly in the historical period, both during the colonial era and during the era of independence. Socio culturally, national character building is a necessity of a multicultural nation (Priatna, 2018, pp. 1-2).

General Elucidation of Law No. 17 of 2007 on the National Long-Term Development Plan 2005-2025 stated character building is the foundation for realizing the vision of national development, which is to create a noble, moral, ethical, cultured, and civilized society based on the philosophy of

Pancasila. To implement and achieve these goals and ideals, a plan is needed that can formulate more concretely the achievement of the state's goals.

Furthermore, Law No. 25 of 2004 on the National Development Planning System emphasizes the urgency of character building in national development planning. One of the main tasks of the nation is to carry out equitable and democratic development which is carried out gradually and continuously. To ensure that development activities are effective, efficient, and targeted, national development planning is required. Planning is a process for determining appropriate future actions, through a sequence of options, taking into account available resources. Meanwhile, National Development is an effort carried out by all components of the nation in order to achieve state goals. National Development Planning is systematic, directed, integrated, comprehensive, and responsive to change. The planning stages are outlined in the Long-Term Development Plan, which is a planning document for a period of 20 (twenty) years and the Medium-Term Development Plan, which is a planning document for a period of 5 (five) years (Article 1 Point 1 – 5 1 of Law No. 25 of 2004 on the National Development Planning System).

The development of national character is very important and becomes the foundation of life in society, nation and state (Priatna, 2018). Based on this background, the legal issues in this research are: 1) What is the object of character building that becomes the focus of national development planning? and 2) How is character building regulated in legislation? Therefore, the objectives of this study are : a) analyzing the object of character building that becomes the focus of national development planning; and b) analyzing the character building regulated in legislations.

METHODS

Based on the substance of the legal issues, this research is designed as a normative juridical research, to analyze legal issues in legal dogmatics, legal theory and legal philosophy. Research at the level of legal theory, legal issues must contain legal concepts (Marzuki, 2011, pp. 65, 72, and 77).

This research uses a statutory approach and a conceptual approach that departs from the views and doctrines that develop in legal science, so that researchers will find legal definitions, legal concepts and legal principles that are relevant to the legal issues in this study (Marzuki, 2011, p. 95). Legal construction is carried out because the laws and regulations have not clearly regulated and cannot be directly applied to the legal problems, so there is

ambiguity or obscurity of legal norms (vague norms). To clarify the vagueness of the law, logical reasoning must be used to further develop a statutory text, no longer adhering to the sound of the text (Mertokusumo in Rifai, 2011, p. 136).

Primary Legal Materials are legal materials that are authoritative, meaning they have authority. Primary legal materials consist of legislation, official records or minutes of legislation and judges' decisions (Marzuki, 2011, p. 141). Primary legal materials are binding, authoritative in the form of laws and regulations, in this study including The 1945 Constitution of the Republic of Indonesia, Law on Population and Family Development, Law on the National Development Program 2000-2004, Law on the National Development Planning System, Law on the National Long-Term Development Plan 2005-2025, Law on State Civil Apparatus, Amendment to Child Protection Law, Amendment to the Marriage Law, Law on the Islamic Boarding Schools, Sports Law, Law on the Sexual Violence Crimes, Law on the Psychology Education and Services, Presidential Regulation on the National Medium-Term Development Plan 2015 – 2019, Presidential Regulation on the National Medium-Term Development Plan 2020-2024, and Constitutional Court Decision Number 22/PUU-XV/2017.

Secondary legal materials include all publications on law (textbooks, legal

dictionaries, legal journals, and commentaries on court decisions). While tertiary legal materials consist of dictionaries and encyclopedias. Legal materials can be obtained through searching legal materials or library research at legal documentation and information centers, in libraries of related agencies and on the internet.

RESULTS AND DISCUSSION

Character Building As One Of The Focuses Of National Development Planning

There are several fundamental reasons for the importance of national character development, both philosophically, ideologically, normatively, historically and socio culturally (Priatna, 2018, p. 1). The essence of national development as the implementation of Pancasila and the 1945 Constitution of the Republic of Indonesia is the development of Indonesian people as a whole and the development of all Indonesian people. National development covers all dimensions and aspects of life including population development and family development to realize a just and prosperous society implemented based on Pancasila and the 1945 Constitution of the Republic of Indonesia (Law No. 52 of 2009 on Population and Family Development).

The implementation of development embodies aspects of the nation's life, namely political, economic, socio-cultural, and defense and security aspects in a planned, comprehensive, and national manner in order to realize a life that is equal and equal to other more advanced nations. Therefore, national development is actually a reflection of the will to continuously improve the welfare of people's lives and the organization of an advanced and democratic state based on Pancasila (Rahardjo & Ratnawati).

The foundation for national development planning in the New Order era was the People's Consultative Assembly Decree (TAP MPR) on the Guidelines for State Policy (GBHN) (Susmayanti, 2020, pp. 29-30). However, in the 1945 Constitution amendment, the GBHN was abolished and the President was directly elected by the people, so the preparation of development plans was no longer the responsibility of the MPR, but must be prepared by the Presidential candidate in the form of his vision, mission and program (Susmayanti, 2018, pp. 134-135). Furthermore, the President of the Republic of Indonesia holds the power of state government according to the Constitution, including organizing and being responsible for National Development Planning (Article 4 paragraph (1) The 1945 Constitution of the Republic of Indonesia and Article 32

paragraph (1) Law No. 25 of 2004 on the National Development Planning System).

Therefore, development planning is then successively regulated in Law No. 25 of 2000 concerning the National Development Program, Law No. 25 of 2004 concerning the National Development Planning System and Law No. 17 of 2007 concerning the National Long-Term Development Plan 2005-2025 (Susmayanti, 2019, p. 280). The National Long-Term Development Plan 2005-2025 is divided into development planning stages in the five years national medium-term development planning periodization, as outlined in the First National Medium-Term Development Plan 2005-2009, the Second National Medium-Term Development Plan 2010-2014, the Third National Medium-Term Development Plan 2015-2019, and the Fourth or the Last National Medium-Term Development Plan 2020-2024 (Law No. 17 of 2007 on the National Long-Term Development Plan 2005-2025).

The focus of character building is stated in one of the national development missions in Law No. 17 of 2007 on the National Long-Term Development Plan 2005-2025, namely **realizing a noble, moral, ethical, cultured, and civilized society based on the philosophy of Pancasila** by strengthening the nation's identity and character through education that aims to form humans who are devoted to God Almighty, obey the rule of law,

maintain internal and inter-religious harmony, carry out intercultural interactions, develop social capital, apply the noble values of the nation's culture, and have pride in being Indonesian as a spiritual, moral, and ethical foundation for national development.

Development is carried out to improve the quality of people and society that produces superior Indonesian humans by increasing intelligence and physical health through education, health and improved nutrition. These superior Indonesian humans are also expected to have a strong mentality and character with positive and constructive behavior, therefore mental and character building is one of the main priorities of development.

Furthermore, to realize the vision of National Medium-Term Development Plan for 2015-2019, namely "The realization of a Sovereign, Independent, and Personable Indonesia based on Gotong-Royong", one of the development missions that must be carried out is to **realize a society with a personality in culture**.

Meanwhile, to realize the vision of National Medium-Term Development Plan for 2020-2024, namely: "The realization of an Advanced Indonesia that is Sovereign, Independent, and Personality Based on Gotong Royong," then there are several missions that must be pursued, among others: Improving the Quality of Indonesian People, Cultural Progress that Reflects the

Nation's Personality, and Management of Clean, Effective, and Trustworthy Government (Presidential Regulation No. 18 of 2020 on the National Medium-Term Development Plan 2020-2024).

Thus, among the various focuses on character building in the National Medium-Term Development Plan for 2014-2019 and 2020-2024, the research analyzes the character building of children, youth and the State Civil Apparatus.

Character Building in Law No. 5 of 2014 on State Civil Apparatus

The urgency of character building through regulations will illustrate the following main points: a) A continuous process that is carried out to form, character, character and psychological traits based on the spirit of dedication and togetherness; b) Perfecting the existing character for the realization of the expected character in the context of governance and development implementation; and c) Fostering the existing character so that it displays a conducive character in the life of society, nation and state based on the values of the nation's philosophy, namely Pancasila (Rahmatiah, 2021, p. 174)

In order to implement the ideals of the nation and realize the goals of the state as stated in the preamble of The 1945 Constitution of the Republic of Indonesia, it is necessary to build a State Civil Apparatus

that is professional, has integrity, is neutral and free from political intervention, is clean from corrupt practices, collusion, and nepotism, and is able to organize public services for the community and is able to play a role as an adhesive element of national unity and integrity based on Pancasila and The 1945 Constitution of the Republic of Indonesia.

State Civil Apparatus is a profession for : a) Civil Servant is an Indonesian citizen who meets certain requirements, appointed as a permanent State Civil Apparatus employee by the civil service supervising official to occupy a government position; b) Government Employees with Work Agreements are Indonesian citizens who meet certain requirements, who are appointed based on work agreements for a certain period of time in order to carry out government duties, who work in government agencies (Article 1 Point 1, 3 and 4).

State Civil Apparatus as a profession is based on basic value principles, including: a) uphold the ideology of Pancasila; b) be loyal to and defend The 1945 Constitution of the Republic of Indonesia and the legitimate government; c) serve the state and people of Indonesia; d) perform duties professionally and impartially; e) making decisions based on the principle of expertise; f) creating a non-discriminatory work environment; g)

maintaining and upholding noble ethical standards; h) be accountable for his/her actions and performance to the public; i) having the ability to implement government policies and programs; j) providing services to the public honestly, responsively, quickly, precisely, accurately, efficiently, successfully, and politely; k) prioritizing high quality leadership; l) valuing communication, consultation, and cooperation; m) prioritizing the achievement of results and encouraging employee performance; n) promoting equality in employment; and o) enhancing the effectiveness of a democratic system of governance as part of a career system (Article 3 and 4).

Meanwhile, State Civil Apparatus Employees are Civil Servants and Government Employees with Work Agreements who are appointed by civil service officials and assigned duties in a government position or assigned other state duties and paid based on statutory regulations. State Civil Apparatus Employees must: a) be loyal and obedient to Pancasila, The 1945 Constitution of the Republic of Indonesia, the Unitary State of the Republic of Indonesia, and the legitimate government; b) maintain national unity and integrity; c) implement policies formulated by authorized government officials; d) obey the provisions of laws and regulations; e) carry out official duties with full devotion, honesty, awareness, and

responsibility; f) showing integrity and exemplary in attitude, behaviour, speech and action to everyone, both inside and outside the officialdom; g) keep the secrets of the position and can only disclose the secrets of the position in accordance with the provisions of laws and regulations; and h) willing to be placed throughout the territory of the Unitary State of the Republic of Indonesia (Article 1 Point 2 and Article 23).

Character Building in Law No. 17 of 2016 on the Stipulation of Government Regulation in Lieu of Law No. 1 of 2016 concerning the Second Amendment to Law No. 23 of 2002 on the Child Protection into Law

Every child should grow up with three components of good character: moral knowing, moral feeling, and moral action. Moral Knowing includes moral awareness, knowing moral values, perspective taking, moral reasoning, decision making, and self-knowledge. Moral Feeling, namely conscience, self esteem, empathy, loving the good, self control, and humility. While Moral Action, namely competence, willingness and habits (Lickona in Harahap, 2019, pp. 6-7).

The state guarantees children's rights to survival, growth and development, and protection from violence and discrimination as stated in The 1945 Constitution of the Republic of Indonesia. However, along with the rapid flow of

globalization and the negative impact of the development of information and communication technology, sexual violence against children from year to year is increasing and threatens the strategic role of children as the next generation of the future of the nation and state. Therefore, it is necessary to aggravate criminal sanctions and provide action against perpetrators of sexual violence against children.

Law No. 35 of 2014 on the Amendment to Law No. 23/2002 on Child Protection emphasizes the aggravation of criminal sanctions against perpetrators of sexual violence against children. However, the amendment to the law have not significantly reduced the level of sexual violence against children.

Therefore, the State needs to take optimal and comprehensive measures by not only providing aggravation of criminal sanctions, but also implementing preventive forms by providing measures in the form of chemical castration, installation of electronic detection devices, and rehabilitation for perpetrators of sexual violence against children. To address the phenomenon of sexual violence against children, provide a deterrent effect against perpetrators, and prevent the occurrence of sexual violence against children, the President has enacted Government Regulation in Lieu of Law No. 1 of 2016 on the Second Amendment to Law No. 23

of 2002 on Child Protection on May 25, 2016, and has received approval from the House of Representatives to be passed into Law on the Stipulation of Government Regulation in Lieu of Law No. 1 of 2016 on the Second Amendment to Law No. 23 of 2002 on Child Protection into Law based on the provisions of Article 22 paragraph (2) of the 1945 Constitution of the Republic of Indonesia.

Character Building in Law No. 16 of 2019 on the Amendment to Law No. 1 of 1974 Concerning Marriage

There is a strong indication of the loss of the noble values inherent in our nation, such as honesty, politeness, and togetherness, enough to make our common concerns. There should be an effort to make those values back to characters we feel proud in front of other people. Character building is an important part of education performance. Character is the personality inherent in a person. Confucius said that people basically have the potential love of virtue, but if it is not accompanied by the potential for education and socialization after humans are born, then people can turn into animals, even worse. This is supported by the hadith of the Messenger of Allah that: “Every child is born in a state of nature, because of its parents make him Jewish, Christian or Zoroastrian.” This indicates that the potential can not be left

alone but need to be grown. Likewise, the characters that are part of the child's potential, must be nurtured and well educated, I'll be a pious child and rewarding (Kamaruddin, 2012, p. 224).

The State guarantees the right of citizens to form a family and continue offspring through legal marriage, guarantees the right of children to survival, growth, and development and the right to protection from violence and discrimination as mandated in Article 28 paragraph (1) and (2) of The 1945 Constitution of the Republic of Indonesia.

However, Article 7 paragraph (1) of Law Number 1 Year 1974 on Marriage states that marriage is only permitted if the man reaches the age of 19 (nineteen) years and the woman has reached the age of 16 (sixteen) years. This provision allows for child marriage for female children because Article 1 point 1 of the Amendment to Child Protection Law defines a child as someone who is not yet 18 (eighteen) years old, including children who are still in the womb.

Therefore, the Constitutional Court Decision Number 22/PUU-XV/2017 in its consideration: a) When differential treatment between men and women has an impact on or hinders the fulfilment of basic rights or constitutional rights of citizens, both those included in the group of civil and political rights as well as economic, educational, social, and cultural rights,

which should not be differentiated solely on the basis of sex, then such differentiation is clearly discrimination; b) Setting a different minimum age of marriage for men and women has not only resulted in discrimination in the context of the exercise of the right to form a family as guaranteed in Article 28B paragraph (1) of the 1945 Constitution, but has also resulted in discrimination against the protection and fulfilment of children's rights as guaranteed in Article 28B paragraph (2) of the 1945 Constitution. In this case, when the minimum age of marriage for women is lower than for men, women can legally form a family faster; c) Child marriage has a negative impact on children's growth and development and will lead to the non-fulfilment of children's basic rights such as the right to protection from violence and discrimination, children's civil rights, health rights, education rights, and children's social rights.

Furthermore, in its verdict, the Constitutional Court ordered the legislators to amend Law No. 1 of 1974 on Marriage within a maximum period of 3 (three) years to raise the minimum age of marriage for women. As an implementation of the Constitutional Court's decision, Article 7 of Law Number 1 Year 1974 on Marriage was amended to read: "Marriage is only permitted if the man and woman have reached the age of 19 (nineteen) years." This age limit is considered physically and

mentally mature to be able to get married, realize the goals of a good marriage without ending in divorce, get healthy and quality offspring, lower birth rates, reduce the risk of maternal and child mortality, optimize child growth and development including parental assistance and provide children with access to the highest possible education.

Character Building in Law No. 18 of 2019 on the Islamic Boarding Schools

Every person is free to embrace a religion and worship according to his religion and to choose education and teaching in a national education system that increases faith and piety and noble character in order to educate the nation's life as mandated in The 1945 Constitution of the Republic of Indonesia.

Failure of moral cultivation for students will cause bigger problems in the future. Character building can be implemented through culture rules, regulations, events and ceremonies to give supportive examples of good habits for students (Marini et.al, 2019, p. 2089).

In an effort to increase faith and piety as well as noble morals, Islamic boarding schools that grow and develop in the community with their distinctiveness have made an important contribution in realizing Islam by giving birth to believers with character, love for the country,

advanced and have proven to have a real role both in the movement and struggle for independence and national development within the framework of the Unitary State of the Republic of Indonesia.

The implementation of Islamic Boarding Schools is obliged to develop Islamic values of *rahmatan lil'alamin* and based on Pancasila, The 1945 Constitution of the Republic of Indonesia, the Unitary State of the Republic of Indonesia, and *Bhinneka Tunggal Ika*. The *Ma'had Aly* curriculum must include Pancasila, citizenship, and Indonesian language. The culture and characteristics of Islamic Boarding Schools are in the form of developing Islamic character and values of *rahmatan lil'alamin*, tolerance, balance, and moderation that are committed to nationality, based on Pancasila and The 1945 Constitution of the Republic of Indonesia (Article 8 paragraph (1), Article 22 paragraph (5) and Article 33 paragraph (2)).

Islamic Boarding Schools organize the function of da'wah to realize Islam *rahmatan lil' alamin*. The values are developed as the soul of the Islamic Boarding Schools which includes the soul of the Unitary State of the Republic of Indonesia and nationalism, scientific spirit, sincerity, simplicity, *ukhuwah*, independence, freedom and balance. One of the functions of da'wah by the Islamic Boarding Schools is to prepare Islamic

preachers who uphold the noble values of the Indonesian nation based on Pancasila and The 1945 Constitution of the Republic of Indonesia (Article 37, Article 6 Paragraph (2) letter a, Article 38 letter c).

Students (*santri*) are educated to instill faith and piety in Allah SWT, cultivate noble character, uphold tolerance, balance, moderation, humility, and love for the country based on Islamic teachings, noble values of the Indonesian nation, and based on Pancasila and The 1945 Constitution of the Republic of Indonesia. The content material of Pancasila and citizenship is intended to form *Santri* who have an understanding and appreciation of Pancasila as the ideology of the Indonesian nation and become human beings who have a sense of nationality and love for the country. Indonesian language content material is provided with the consideration that Indonesian is the official national language used throughout the territory of the Unitary State of the Republic of Indonesia (Article 10 paragraph (4) and Article 22 Paragraph (5)).

Character Building in Law No. 11 of 2022 concerning Sport

The Ministry of National Education in the Character Education Guide identifies five groups of character values: a) The values of human behavior in relation to God; b) The values of human behavior in relation to oneself; c) The values of human behavior in relation to

fellow human beings; d) The values of human behavior in relation to the environment; and e) The values of human behavior in relation to nationalities are nationalists and respect for diversity. The values of human behavior in relation to oneself, including honest, responsible, healthy lifestyle, discipline, hard work, self-confidence, entrepreneurial spirit, logical thinking, critical, creative and innovative, independent, curious, love knowledge (Julaiha in Intania & Sutama, 2020). One of the healthy lifestyles is sport.

The State is responsible for the welfare of society and the progress of the nation through the implementation of Sports in order to create a society that is physically healthy, spiritually, and good character as well as an increase in Achievement which ultimately raises the dignity of the nation based on Pancasila and The 1945 Constitution of the Republic of Indonesia.

National Sports is Sports organized based on Pancasila and The 1945 Constitution of the Republic of Indonesia which is rooted in Sports values, Indonesian national culture, and responsive to the demands of Sports development. Sports education is organized to instill character values and acquire the knowledge, skills and attitudes needed to build a healthy, active lifestyle throughout life (Article 2, Article 1 Point 3 and Article 18 paragraph (1)).

Sports coaching and development is carried out through family pathways, education pathways, and community pathways based on the development of Sports for everyone that lasts throughout life. Sports coaching and development aims to: a. forming character; b. provide basic knowledge of exercise; c. improve the degree of fitness and health; and d. create lifelong healthy and active lifestyle habits (Article 22 paragraph (5) and (6)).

Character Building in Law No. 12 of 2022 on the Sexual Violence Crimes

One of the children's character building is by teaching children about reproductions organs that can be seen and that cannot be seen, that can be touched and that cannot be touched and improve the ability or train the mind not to think about pornographic things (Assakinah, 2022, p. 314)

Every citizen has the right to protection from violence and freedom from torture or degrading treatment, which are constitutional rights guaranteed in The 1945 Constitution of the Republic of Indonesia. Sexual violence is a form of acts of violence and treatment that degrades human dignity, which is contrary to divine and human values, and which disturbs the security and peace of society.

Sexual violence is a violation of human rights, a crime against human

dignity, and a form of discrimination that must be eliminated. Sexual violence is increasingly common in society which has an extraordinary impact on victims, including physical, mental, health, economic and social to political suffering, which also greatly affects the lives of victims.

The impact of sexual violence is even more severe when the victim is part of an economically, socially, and politically marginalized community, or those with special needs, such as children and persons with disabilities. Until now, there have been laws and regulations that regulate several forms of sexual violence, but they are very limited in form and scope. The available laws and regulations have not been able to fully respond to the facts of sexual violence that occur and develop in society. Investigations, prosecutions, and court hearings on sexual violence cases still do not pay attention to the rights of victims and tend to blame victims. In addition, prevention efforts and community involvement are still needed to realize an environment free from sexual violence. Therefore, there is a need for a specific Law on the Crime of Sexual Violence to provide a material and formal legal basis at the same time so that it can guarantee legal certainty and meet the legal needs of the community.

As a country based on the Almighty God, this Law is not intended to justify the

behavior of free sex and deviant sex because it is not in accordance with Pancasila, religious norms, and the nation's cultural values. The Law on Sexual Violence is a legal reform effort to address these issues. This law reform has the following objectives: a) to prevent all forms of sexual violence; b) handle, protect, and recover Victims; c) carry out law enforcement and rehabilitate perpetrators; d) creating an environment without sexual violence; and e) ensure the non-repetition of sexual violence.

This Law regulates the Prevention of all forms of Sexual Violence Crimes; Handling, Protection, and Restoration of Victims' Rights; coordination between the Central Government and Regional Governments; and international cooperation so that the Prevention and Handling of Victims of sexual violence can be carried out effectively. Community involvement is also regulated in the Prevention and Recovery of Victims in order to create an environment free from sexual violence.

Several breakthroughs in the Law on Criminal Offences of Sexual Violence include: a) the qualification of types of Crimes of Sexual Violence in this Law, as well as other crimes that are expressly stated as Crimes of Sexual Violence in other laws; b) there is a comprehensive arrangement of procedural law (investigation, prosecution, and

examination in court) that still pays attention to and upholds human rights, honor, and without intimidation; c) the Victim's Right to Handling, Protection, and Recovery since the occurrence of Crimes of Sexual Violence which is the obligation of the state and is carried out in accordance with the conditions and needs of the Victim. In addition, great attention to the suffering of Victims is also seen in the form of the provision of Restitution by perpetrators of Crimes of Sexual Violence as compensation for Victims. If the confiscated assets of the convict are insufficient to cover the cost of Restitution, the state shall compensate the Victim in accordance with the court decision; and d) cases of Sexual Violence Crimes cannot be settled outside the judicial process, except against Child offenders..

Family Participation in the Prevention of Sexual Violence Crime is realized by: a) strengthening education in the Family, both moral, ethical, religious, and cultural aspects; b) building quality communication between Family members; c) building emotional bonds between Family members; d) strengthening the role of father, mother, and all Family members so as to build a protective character; e) protecting and preventing Family members from the influence of pornography and access to information containing pornographic elements; and f) protecting Family members from the negative

influence of the environment and promiscuity.

Character Building in Law No. 23 of 2022 on the Psychology Education and Services

National development that is carried out in a planned, integrated and sustainable manner is an effort to realize the objectives of the formation of the government of the Republic of Indonesia as mandated in the Preamble of The 1945 Constitution of the Republic of Indonesia. National development needs to be supported by human resources who are faithful and devoted to God Almighty, have noble character, quality, and have competitiveness and responsibility so that national development can be carried out properly.

The function of national education is actually to shape the character of students. Schools as formal education institutions are required to instil character values in students. Students not only get knowledge (cognitive) but also related to attitudes (affective) and skills (psychomotor) (Suryanti & Widayanti, 2018,. p.630).

In an effort to develop good and quality human resources in the implementation of national development with various characteristics, it is necessary to involve psychologists professionally and responsibly. The complexity of human problems in various aspects of life will

increase the demands of the Psychological profession to meet qualification standards that are able to answer challenges to realize the psychological well-being of the community. In addition, Psychologists are also faced with the challenges and demands of the development of society, science, technology, information, and globalization so that educational reform is needed in a planned, directed, sustainable, and in line with the provisions in the law in the field of education. The renewal of psychology education is directed at optimizing psychologists to provide quality services that are competent, professional, responsible, ethical and moral by integrating a humanistic approach to clients, and having a high social spirit.

CONCLUSION

Character building is the foundation for realizing the vision of national development, which is to create a noble, moral, ethical, cultured, and civilized society based on the philosophy of Pancasila. The objects of character building that becomes the focus of national development planning are the character building of children, youth and the State Civil Apparatus. Then character building regulated in several regulations, namely : Law No. 5 of 2014 on State Civil Apparatus, Amendment to Child Protection Law, Amendment to the Marriage Law,

Law No. 18 of 2019 on the Islamic Boarding Schools, Law No. 11 of 2022 concerning Sport, Law No. 12 of 2022 on the Sexual Violence Crimes and Law No. 23 of 2022 on the Psychology Education and Services.

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REFERENCES

- Alawiyah, F. *Kebijakan Dan Pengembangan Pembangunan Karakter Melalui Pendidikan Di Indonesia*. Jurnal Aspirasi Vol. 3 No. 1, Juni 2012.
- Asmani, J. M. (2011). *Buku Panduan Internalisasi Pendidikan Karakter di Sekolah*. Yogyakarta: Diva Press.
- Assakinah, N. F., *Sex Education Dalam Pembentukan Karakter Anak Persektif Psikologi Islam*, Jurnal Pendidikan Sosiologi Dan Humaniora Volume 13 Number 2 Oktober 2022, pp.314-321
- Constitutional Court Decision Number 22/PUU-XV/2017
- Harahap, A. C. P. (2019). *Character Building Pendidikan Karakter*. Al-Irsyad: Jurnal Pendidikan dan Koseling Vol. 9, No. 1, Edisi Januari-Juni 2019
- Intania, E. V., & Utama. (2020). *The Role of Character Education in Learning During the COVID-19 Pandemic*. Jurnal Penelitian Ilmu Pendidikan, 13 (2), 2020, 129-136, <https://doi.org/10.21831/jpipfip.v13i2.32979>
- Kamaruddin, S. A. (2012). *Character Education and Students Social Behavior*. Journal of Education and Learning. Vol.6 (4) pp. 223-230.
- Kusuma, D.A. (2010). *Pendidikan Karakter Strategi Mendidik Anak di Zaman Global*. Jakarta: Grasindo.
- Law No. 5 of 2014 on State Civil Apparatus
- Law No. 11 of 2022 concerning Sport
- Law No. 12 of 2022 on the Sexual Violence Crimes
- Law No. 16 of 2019 on the Amendment to Law No. 1 of 1974 Concerning Marriage (Amendment to the Marriage Law)
- Law No. 17 of 2007 on the National Long-Term Development Plan 2005-2025
- Law No. 17 of 2016 on the Stipulation of Government Regulation in Lieu of Law No. 1 of 2016 concerning the Second Amendment to Law No. 23 of 2002 on the Child Protection into Law (Amendment to Child Protection Law)
- Law No. 18 of 2019 on the Islamic Boarding Schools
- Law No. 23 of 2022 on the Psychology Education and Services
- Law No. 25 of 2000 on the National Development Program 2000-2004
- Law No. 25 of 2004 on the National Development Planning System
- Law No. 52 of 2009 on Population and Family Development
- Lickona, T., & Wamaungo, J. A. (translator) (2012). *Mendidik Untuk Membentuk Karakter: Bagaimana Sekolah Dapat Memberikan Pendidikan Sikap Hormat dan Bertanggung Jawab*. Jakarta: Bumi Aksara
- Maksudin. (2013). *Pendidikan Karakter Non-Dikotomik*. Yogyakarta: Pustaka Pelajar
- Marini, A., Maksum, A., Satibi, O., Edwita, Yarmi, G., Muda, I. (2019). *Model of Student Character Based on Character Building in Teaching Learning Process*. Universal Journal of Educational Research 7(10): 2089-2097, 2019. doi: 10.13189/ujer.2019.071006.

- Marzuki, P. M. (2011). *Penelitian Hukum*. Jakarta: Kencana
- Muslich, M. (2011). *Pendidikan Karakter: Menjawab Tantangan Krisis Multidimensional*. Jakarta: Bumi Aksara.
- Presidential Regulation No. 18 of 2020 on the National Medium-Term Development Plan 2020 – 2024.
- Presidential Regulation No. 2 of 2015 on the National Medium-Term Development Plan 2015 – 2019.
- Priatna, T. (2018). *Membangun Karakter Bangsa: Internalisasi Nilai-nilai Pancasila dalam Sistem Pendidikan Nasional*. Bandung: Insan Mandiri.
- Putri, T. O. (2021). *Integrasi Dan Sinkronisasi Rencana Pembangunan Antara Pemerintah Pusat Dan Pemerintah Daerah Dalam Sistem Perencanaan Pembangunan Nasional*. Thesis. Faculty of Law. Malang: University of Brawijaya.
- Rahardjo, P., & Ratnawati, T. *Modul 1 Konsep Dasar Dan Tujuan Pembangunan*. <https://pustaka.ut.ac.id/lib/wp-content/uploads/pdfmk/pwkl4406-m1.pdf> (1 April 2022)
- Rahmatiah, St. (2021). *Character Building (Pembangunan Karakter)*. Al-Irsyad Al-Nafs, Jurnal Bimbingan Penyuluhan Islam Volume 8, Nomor 2 Desember 2021 : 172-183
- Rifai, A. (2011). *Penemuan Hukum Oleh Hakim : Dalam Perspektif Hukum Progresif*. Jakarta: Sinar Grafika.
- Samani, M., & Hariyanto (2012). *Konsep dan Model Pendidikan Karakter*. Bandung: Remaja Rosdakarya.
- Suryanti, E. W., & Widayanti, F. D. (2018). *Character Building Management With The Concept Of Love*. Journal of Applied Management (JAM) Volume 16 Number 4, December 2018
- Susmayanti, R. (2018). *Pertanggungjawaban Hukum Oleh Presiden Dan Wakil Presiden Terpilih Atas Visi, Misi Dan Program*. Dissertation. Faculty of Law, University of Brawijaya. Malang: University of Brawijaya.
- Susmayanti, R. (2019). *Indonesia Without The State Policy Guidelines (GBHN) : Are We Lost?* In Juwana, H., Thomas, J., Rusli, M. H. M., & Puspitawati, D. (Eds). *Culture And International Law*. Proceedings of the International Conference of the Centre for International Law Studies (CILS), October 2-3, 2018, Malang, Indonesia. London: Taylor & Francis Group.
- Susmayanti, R. (2020). *Penormaan Pokok-Pokok Haluan Negara*. Paper presented in a Focus Group Discussion (FGD) : *Urgency, Form of Law and Its Enforcement and the Substance of the Principles of State Policy*. People's Consultative Assembly of the Republic of Indonesia and the Department of Constitutional Law, Faculty of Law, University of Brawijaya, February 26, 2020, Swissbel Hotel, Malang.
- The 1945 Constitution of the Republic of Indonesia
- Wibowo, A. (2012). *Pendidikan Karakter: Strategi Membangun Karakter Bangsa Berperadaban*. Yogyakarta: Pustaka Pelajar.
- Zubaedi (2011). *Desain Pendidikan Karakter Konsepsi Dan Aplikasinya Dalam Lembaga Pendidikan*. Jakarta: Kencana