

# Community Participation in Efforts to Overcome the Difficulties of Proving Domestic Violence Crimes in Indonesia

Handono Sardju Sudarno<sup>1</sup>, Faisal Santiago<sup>2</sup>

<sup>1,2</sup>Doctoral Program in Law, Universitas Borobudur, Indonesia

[Handono\\_1950@yahoo.com](mailto:Handono_1950@yahoo.com)

## Abstract

*There is an assumption that the position of women is lower than that of men or is under the authority and will of men. Such a male-female relationship has been institutionalized within the patriarchal family structure and supported by economic and political institutions and by belief systems, including religious systems, which make such relationships seem natural, morally just and sacred in the view of marriage law in Indonesia, women in such an economic way are placed highly dependent on the man who becomes her husband. Cultural values that justify the subordinate position of women are actually confirmed in legislation, for example the Marriage Law of 1974 which firmly distinguishes the roles and positions between husband and wife. The law is not adequate. Legal aspects, in the form of legal substance (content of law), law enforcement officials (structure of law), as well as legal culture in society (culture of law) turned out to be impartial to the interests of women, especially in matters of violence. The Criminal Code, which is a reference for making legal decisions, is felt to be no longer adequate to cover the various realities of violence that occur in society. Domestic Violence (domestic violence) experienced by a wife is very difficult to come to the fore and be reported, due to the pressure factor from her opponent. It requires an understanding of the involvement of other parties to participate in providing a way out of domestic violence pressure.*

## Keywords

women; economic pressures;  
domestic violence



## I. Introduction

The family as a person's living environment can emerge as a profitable living environment if the family is managed on the basis of a clear value system, namely the legal and religious value system it adheres to. The implementation of family functions in Indonesia is carried out in a balanced manner in accordance with the needs of individuals as family members in the guidance of religion and the demands of the environment in which they live. Therefore a person's living environment is determined by the circumstances of family life that largely depend on the efforts of each member of his family. In other words, the status of the family as the living environment of the child is determined by the people who cultivate that family. The struggle to acquire a balanced family life is also determined by the effort to carry out each role as a wife or husband, father or mother who carries out their duties properly. This factor can be achieved if you always try to carry out family functions with *ajeg*. However, the reality of family life as a result of the weak implementation of family functions can give birth to family life with a deviant family personality model. The distorted

family life models include broken homes, authoritarian families, overprotective families, symbiotical and traumatic families. In addition, the family as a living environment has weaknesses such as weak economy, immorality, stupidity and so on. The form of the family that has these deviations and weaknesses will be vulnerable to domestic violence crimes.

Law Number 23 of 2004 concerning the Elimination of Domestic Violence (UU PKDRT) Article 5 explains that domestic violence is manifested in four types, namely: physical violence, psychic violence, sexual violence, and domestic neglect. Domestic violence can be carried out by people within the household, namely husband, wife and children. But in reality, there are many domestic violence cases where the victims are women. So that women must receive protection from the State and /or society to avoid and be free from violence or threats of violence, torture, or treatment that degrades the degree and dignity of humanity.

With the "Declaration on the Elimination of All Forms of Violence Against Women" as a provision in International law made by the United Nations (UN) in 1993, national law has also regulated violence against women within the scope of the household through Law Number 23 of 2004 concerning the Elimination of Domestic Violence (UU PKDRT).. and to implement these provisions regulated in the Government Regulation (PP) of the Republic of Indonesia Number 4 of 2006 concerning the Implementation and Cooperation in the Recovery of Victims of Domestic Violence, followed by regulations of the Relevant Ministries, one of which is the Regulation of the Minister of Health of the Republic of Indonesia Number 68 of 2013 concerning the Obligation of Health Service Providers to Provide Information on the Existence of Alleged Violence Against Children. In addition, special agencies were also established, namely the National Commission on Violence Against Women, the Indonesian Child Protection Commission (KPAI). In addition, the community also helps in the form of Non-Governmental Organizations (NGOs) which play a role as an Advocacy and Assistance Team for Victims of Domestic Violence, one of which is the National Advocacy Network (JALA).

Although at present the legal tools in the form of international and national provisions are quite complete and adequate and easily accessible to Indonesian citizens who experience domestic violence. However, in the practice that occurs in society in Indonesia, domestic violence is considered as a domestic affair or personal affair between husband and wife so that people are afraid to interfere in solving this problem. As a result of neglect by the environment or society where victims of domestic violence live, women are injured, disabled, and even died due to acts of violence committed by their husbands. In addition to this, the fact is that women victims of domestic violence very rarely report their husbands to the police for various reasons. First, women victims of domestic violence are economically dependent. Second, women victims of domestic violence are more considerate of status in society because of the negative response from society to women who are widows.

According to data from Kompas (March 8, 2022), research reveals how high the intensity of domestic violence is. The number of cases of violence against women in the period from January 1, 2022 to February 21, 2022 was recorded at 1,411 cases. This number is based on data from the Online Information System for the Protection of Women and Children (SIMFONI PPPA) of the Ministry of PPPA. Meanwhile, throughout 2021 there were 10,247 reported cases of violence against women with a total of 10,368 victims.

The population of 217 million, 11.4 percent of them or about 24 million women, especially in rural areas, claim to have experienced acts of violence and most of them are domestic violence, such as molestation, rape, abuse or cheating husbands. Long before, the Rifka Annisa Women's Crisis Center in Yogyakarta in 1997 had handled 188 cases of violence against women, including 116 cases related to domestic violence (KDRT).

Furthermore, data from JALA during January – February 2016 recorded 103 cases of violence against domestic servants (the victims were women) only 4 (four) cases appeared in the mass media.

From the background exposure to the problem that Indonesian women experience problems in the form of obstacles to economic and cultural conditions in demanding justice to prove that they experience domestic violence. So the problem can be formulated as follows: "How are efforts to overcome the difficulties of proving domestic violence in Indonesia, with the participation of the community around it?"

## **II. Review of Literature**

### **2.1 Philosophical Foundations Underlying the Prohibition of Domestic Violence**

Legal theory addresses legal issues by referring to its theoretical postulates with deep thought and seeing the law as " what should happen " (das Sollen) i.e. what is right and what is wrong, or what is good and what is bad based on various measures including moral measures. In addition, legal theory talks about relationships between people, so legal theory focuses on humans. Natural Law (The figure is a philosopher from the Greek Aristotle) as a philosophical foundation and is used as the main source in the theoretical basis for solving the problem of the Crime of Domestic Violence.

Natural Law is a supreme rule of law that applies anywhere and anytime, about what is good or bad, what should be done, can be done, or should not be done by humans, all of which come from human rational awareness and thinking (human reason), regardless of whether or not the rules of the law are regulated in laws and regulations or in other positive laws. According to Pratiwi (2020) in social life, law and society are two interrelated things that can never be separated. Through instruments, unlawful behavior is prevented and repressive measures are pursued (Tumanggor, 2019). From the aforementioned provisions, it proves the existence of new developments regulated in this Law (Purba, 2019).

When viewed in terms of its function, it is natural law that provides rational foundations for the protection of rights, dignity, independence, and equality of position between fellow human beings. When viewed from one of the phenomena of its role, natural law as a guiding rule for making fair laws. Even Krabbe, a figure who adheres to the understanding of legal psychology argues that: 'The basis of all laws is the human feeling of truth'.

The equality that has been recognized by the Quran, does not mean that it must be the same between men and women in all respects. To maintain the balance of nature (sunnatu tadafu), there must be something different, each of which has its own functions and tasks. But it is a balance of life and life leading to unity and complementarity.

### **2.2 Definition of Domestic Violence Crime**

The term criminal act is a basic meaning in criminal law that is used as a substitute or intended as a translation from the Dutch Straafbaarfeit. In the legislation we can find terms that mean the same as strafbaarfeit, including criminal events (1950 Constitution Article 14 paragraph 1), criminal acts (Emergency Law No. 1 of 1951), punishable acts (Emergency Law No. 2 of 1951), matters threatened with law and acts that can be punished (Emergency Law No. 16 of 1951), criminal acts (Emergency Law No. 7 of 1953).

According to Tresna (1959: 28) use the term criminal event as a translation of strafbaarfeit and define it as an act or series of human acts, which are contrary to laws or other laws and regulations for the acts for which punishment is held.

In Law Number 23 of 2004 concerning the Elimination of Domestic Violence (UU PKDRT) the term "criminal act" is also used to refer to acts that violate the prohibition of the

law, although at the empirical level the term "Domestic Violence Crime" is also less known, because the term that requires the community to refer to it is "domestic violence", this is mainly because the title of the Domestic Violence Law is also not includes the phrase "criminal act" in front of "domestic violence", so it can be seen that the Domestic Violence Law puts pressure on "the elimination of domestic violence in general" not on the elimination of "domestic violence crimes", this can be compared to Law No. 31 of 1999 Jo Law No. 20 of 2001, where the law is entitled "eradication of corruption crimes".

But normatively, the Domestic Violence Law regarding the use of the term "criminal act", this can be seen in the provisions:

- a. Article 15, Everyone who hears, sees or knows the occurrence of Domestic Violence must make efforts in accordance with the limits of his ability to: a. prevents the commission of criminal acts.
- b. Article 51, The crime of pistic violence, as referred to in Article 44 paragraph (4) is a complaint.
- c. Article 52, The crime of psychic violence as referred to in Article 45 paragraph (2) is a complaint.
- d. Article 53, The crime of sexual violence as referred to in Article 46 committed by the husband against the wife or vice versa is a complaint.

Domestic violence itself is defined as any act against a person, especially a woman, which results in the emergence of physical, sexual, psychological, and or domestic neglect or suffering including threats to commit acts, coercion, or unlawful deprivation of independence within the domestic sphere (vide article 1 number 1 of the Domestic Violence Law). Where the consequences of the violence will certainly cause victims, namely people who experience violence and / or threats of violence within the scope of the household (Vide Article 1 number 3 of the Domestic Violence Law).

If the definition of "Domestic violence and victims" is connected with the provisions of Article 5 of the Domestic Violence Law, then the criminal act of domestic violence is manifested in 4 (four) types, namely:

- a. Physical violence
- b. Psychic violence
- c. Sexual violence
- d. Domestic neglect

Thus, the so-called "Domestic Violence Crime" is any act in the form of physical violence, psychic violence, sexual violence or domestic neglect committed by, in and against "persons within the household sphere".

### **2.3 Scope and Forms of Domestic Violence**

It is explained in Law No. 23 of 2004 concerning Domestic Violence Article 2 that the scope of the household, includes;

- a. Husband, wife and children
- b. Persons who have a family relationship with the person referred to in letter (a), due to blood relations, marriage, marriage, parenting, and guardianship, who settle in the household.
- c. People who work help the household and settle in the household

Furthermore, it is explained in Articles 6, 7, 8, and 9 that: The form of violence against women within the scope of the household is

Physical violence is an act that results in pain, falling ill, or serious injury.

Psychic violence is an act that results in fear, loss of self-confidence, loss of ability to act, a sense of helplessness, and/or severe psychic suffering in a person.

Sexual violence is any act in the form of forcing sexual relations in an unnatural and/or unwelcome way, forcing sexual relations with other people for commercial purposes and/or certain purposes.

Household neglect includes two actions, namely:

A person who has a legal obligation or by agreement or agreement to provide life, care or maintenance to that person within the scope of the household but does not carry out his or her obligations.

Any person who causes economic dependence by restricting and/or prohibiting proper work inside and outside the home, so that the victim is under the control of that person.

## **2.4 Provisions Governing Domestic Violence**

Women are vulnerable to violence so they have the right to protection from violence or cruelty. The right of protection is granted in view of the functioning of women and the social position within the State among others, 1). the right of protection in refugee camps in the event of war, 2). the right of protection in the event of labor exploitation; 3). hak Legal protection in case of violation of the law; 4) hak Protection for the eradication of all forms of trafficking in women as provided for in the Declaration on the Elimination of Discrimination against Women; 5). m. guarantees for pregnancy as a social function and recognition of the upbringing and development of the child as a shared responsibility of men and women.

Violence against women has become a global issue and is a violation of human rights Article 1 of the United Nations Declaration on the Elimination of All Forms of Violence Against Women 1993, states: "Any act based on sex differences that results in or may result in the physical, sexual, and psychological misery or suffering of women including the threat of certain acts, coercion, arbitrary deprivation of liberty, whether it occurs in public or in private life".

In addition to the provisions in international law, national law has regulated violence against women within the scope of the household through Law Number 23 of 2004 concerning the Elimination of Domestic Violence. whose articles provide for: (1) Prohibition of domestic violence; (2) Arrangements on the rights of victims of domestic violence; (3) Regulation of government and community obligations in prosecuting victims of domestic violence; (4) Protection; (5) Recovery of Victims of Domestic Violence; (6) Criminal provisions for perpetrators of domestic violence. To implement these provisions, it is regulated in the Government Regulation of the Republic of Indonesia Number 4 of 2006 concerning the Implementation and Cooperation of The Recovery of Victims of Domestic Violence, whose articles regulate: (1) The Implementation of The Recovery of Victims of Domestic Violence; (2) Cooperation between related fields in the recovery of victims of domestic violence is followed by regulations of the Relevant Ministries, one of which is the Regulation of the Minister of Health of the Republic of Indonesia Number 68 of 2013 concerning the Obligation of Health Service Providers to Provide Information on the Existence of Alleged Violence Against Children. In addition, special agencies were also established, namely the National Commission on Violence Against Women, the Indonesian Child Protection Commission (KPAI).

## **III. Research Method**

The proximity used in this study is a normative juridical approach, with analytical descriptive research specifications. The data source used is secondary data obtained from the literature source. The data collection technique is quantifiable.



## IV. Discussion

The achievement of family happiness and well-being in both social orders depends on the ability to manage family life under the authority of the person in charge of family life, namely the husband and wife as the father and mother of the children born, can carry out the functions of the family fundamentally, namely biological functions, economy, affection, education, protection, socialization, recreation, religion and family status.

While many family lives do not reach a state of happy and prosperous life. "Actors" in the family life of husbands and wives who become fathers and mothers fail to carry out their duties as the manager of family life. According to Melly S.S. Rifai that the failure and success of family life in carrying out its functions begins with several factors:

- a. Who and how are the two couples doing before entering the marriage?
- b. What is the physical and spiritual health of both spouses when entering married life?
- c. How are the two couples' understanding of married and family life?
- d. What is the atmosphere of life of the family where the two couples grew up?
- e. What are the socio-cultural and socioeconomic conditions of the family?
- f. What is the understanding of the beliefs of religious life in the religion they profess?

Factors like the above, will not always be a problem if you always try to carry out family functions with *ajeg*. However, the reality of family life as a result of the weak implementation of family functions can give birth to family life with a deviant family personality model. The distorted family life models include broken homes, authoritarian families, overprotective families, symbiotical and traumatic families. In addition, the family as a living environment has weaknesses such as weak economy, immorality, stupidity and so on. The form of the family that has these deviations and weaknesses will be vulnerable to domestic violence crimes.

Within the scope of the household "a sense of security, freedom from all forms of violence and the absence of discrimination" will be born from a whole and harmonious household. Thus, the integrity and harmony of a happy, safe, serene, and peaceful home is the dream of everyone in the household. The State of the Republic of Indonesia is a State based on the Almighty Godhead guaranteed by Article 29 of the 1945 Constitution. Thus, everyone within the scope of the household in carrying out their rights and obligations must be based on religion.

To realize such wholeness and harmony, it is very dependent on everyone in the household sphere, especially the level of quality of behavior and self-control of everyone in the household. Domestic integrity and harmony can be disturbed if the quality and self-control cannot be controlled, which in the end can occur domestic violence so that insecurity or injustice arises towards people within the scope of the household, most of whom are women. If observed, the appearance of violence in the household is at least due to several factors.

### 4.1 Patriarchal Cultural Values

The emergence of the assumption that the position of women is lower than that of men or is under the authority and will of men. Such male-female relationships have been institutionalized within patriarchal family structures and supported by economic and political institutions and by belief systems, including religious systems, which make such relationships seem natural, morally just and holy (Emerson Dobash, 1979: 33-34). The weak position of women is a consequence of the existence of patriarchal values that are preserved through the process of socialization and reproduction in various forms by society and the state. Values that justify men having power and the ability to defend themselves (Coral Smart, 1980: 104). Women in patriarchal cultures are haunted by messages that negate or belittle their existence.

Their sexual bodies are considered a dangerous threat to male greatness and are the reason for justifying the verbal and physical abuse of them.

#### 4.2 Inadequate Legal Order

Legal aspects, in the form of legal substance (content of law), law enforcement officials (structure of law), as well as legal culture in society (culture of law) turned out to be impartial to the interests of women, especially in matters of violence. The Criminal Code, which is a reference for making legal decisions, is felt to be no longer adequate to cover the various realities of violence that occur in society.

Cultural values that justify the subordinate position of women are even confirmed in legislation, for example the Marriage Law of 1974 which firmly distinguishes the roles and positions between husband and wife. Article 31 paragraph 3 of the Law: "The husband is the head of the family and the wife is the housewife". Article 31 paragraphs 1 and 2 stipulate: "The husband is obliged to protect his wife and provide all the necessities of domestic life according to her ability" and "the wife is obliged to manage the affairs of the household to the best of her ability". It is clear that the law places the wife economically highly dependent on the husband.

Of course, to prevent, protect victims, crack down on perpetrators of domestic violence, the state and society are obliged to carry out prevention, protection, and enforcement of perpetrators in accordance with the philosophy of Pancasila and the 1945 Constitution. The state is of the view that all forms of violence, especially domestic violence, are violations of human rights and crimes against the dignity of humanity as well as forms of discrimination.

In reality, although there are many cases of domestic violence, the legal system in Indonesia has not guaranteed protection for victims of domestic violence, therefore, it is necessary to regulate the Crime of Domestic Violence separately because it has its own peculiarities, although in general in the Criminal Code it has been regulated regarding persecution and decency and neglect of people who need to be given a living and life.

As a direction for the establishment of Law No. 23 of 2004 concerning the Elimination of Domestic Violence (UU PKDRT) departs from the principle that every citizen has the right to a sense of security and freedom from all forms of violence in accordance with the philosophy of Pancasila and the 1945 Constitution. This view is based on Article 28 of the 1945 Constitution, along with its amendments.

With the enactment of the Domestic Violence Law, people do not need to worry or be afraid to help victims of domestic violence because Article 1 of the Domestic Violence Law regulates the obligation of people who hear, see, or know about domestic violence to make efforts in accordance with their limits to:

- a. Preventing criminal acts from taking place
- b. Providing protection to victims
- c. Providing emergency assistance
- d. Assist in the process of submitting an application for a protection determination

In general, criminal acts in the Domestic Violence Law are general offenses, except in the provisions in Article 44 paragraph (4) and Article 45 paragraph (2), namely acts of physical / psychic violence committed by the husband against the wife or vice versa that do not cause disease or obstacles to carrying out the work of the position or livelihood or daily activities are complaints.

What is meant by complaint is a victim of domestic violence who must report a criminal act committed by the perpetrator of physical / psychic violence against his wife or vice versa. Without a report, the police cannot process this crime. As a result of this complaint, the victim may withdraw the report at any time in the police. This provision may

result in domestic violence cases never being completed or the perpetrators not being punished according to their actions.

After the report is carried out, within a period of 1x24 hours, the police are required to provide temporary protection to the victim for a maximum of seven days and are required to request a protection order from the court. In providing this temporary protection, victims can be accompanied by neighbors of health workers, social workers, volunteer companions (women's NGOs), advocates and or spiritual guides.

The way to apply for a protection warrant is as follows:

- a. Applications for a protection warrant may be submitted in writing by the victim or the victim's family, friends of the victim, police, volunteer escorts or spiritual advisers to the chief justice in the area where the incident took place. This application must be approved by the victim. In certain circumstances, for example, the victim faints, coma, and is seriously threatened with his life, an application can be filed without the victim's consent.
- b. Applications can be submitted orally. The clerk of the local district court is obliged to record the application.
- c. A protection order may be granted within a period of not more than one year and may be extended upon a court determination. This extension application is submitted seven days before the expiration of its validity period.
- d. According to the provisions of the applicable criminal procedural law, unless otherwise stipulated by the Domestic Violence Law (see 1 criminal justice proceedings against adults). In this process, the victim is only in contact with the investigator (police) during the examination minutes process (BAP), as well as in contact with the prosecutor and judge at the time of the examination in court. The first to be examined in the trial process are witnesses of victims of domestic violence and henceforth the victim is not required to be present at the trial. It is recommended that the victim's family or the victim's companion can be present at each trial to monitor the trial process that occurs so that the judge, in deciding the case, pays attention to the rights of the victim. In preparing victims for court proceedings, victims or victims' families can ask psychologists and or legal aid agencies/nongovernmental organizations that specialize in handling cases of violence against women and children.

The judge in passing judgment must base the evidence in the trial process. Article 55 of the Domestic Violence Law states: "As one of the valid pieces of evidence, the testimony of a victim witness alone is sufficient to prove the defendant guilty, if accompanied by another valid evidence." Furthermore, in the explanation of the article, it is stated that the evidence is another valid in sexual assault committed other than that of husband and wife is the confession of the accused. That is, with the testimony of the victim of domestic violence and the confession of the accused, then this case can be filed in court. In addition to the defendant's testimony, other valid evidence is witness testimony, expert testimony, letters, and instructions.

However, in the practice that occurs in society, domestic violence is considered as a domestic affair or personal affair between husband and wife so that the condition is very difficult for the community to know besides that the community is afraid to interfere in solving this problem. As a result of neglect carried out by the environment or society where victims of domestic violence live, causing women to be injured, disabled, and even die due to acts of violence committed by their husbands.

In addition, it was found that women victims of domestic violence very rarely reported their husbands to the police for various reasons. First, women victims of domestic violence have an economic dependence on their husbands or in other words do not work so that if the husband goes to jail, no one can pay for their children's household and school needs anymore.



Second, women victims of domestic violence consider their status in society because of the negative response from society to women who are widows and also women victims of domestic violence to maintain the feelings of their children because after all their husbands are the father of their children.

The application of the principle of gender equality is a solution to the solutions to the problems mentioned above, must be implemented in policies taken in various fields, including the fields of Religion, Education, Health, Politics, Economy, Social and Culture. Gender Equality is a follow-up to the Emancipation of Women taught by R.A. Kartini in the form of concrete actions of a woman in her life which in turn gives all the basic human rights to women.

Gender equality is an equal state in which between men and women in rights (law) and conditions (quality of life) are equal. Gender is the difference in roles, attributes, traits, attitudes and behaviors that grow and develop in society. Gender roles are divided into productive roles, reproductive roles and social roles. And it must be admitted that the role of women is very large in various fields, both in educational, social, cultural, economic roles and even the role in the public, such as politics. And that means that women can advance the Nation and State through Human Resources (HR) owned by Indonesian women. This should be an opportunity, not even perceived as a threat to those who benefit from patriarchal cultural values so that it becomes an excuse to justify the verbal and physical abuse of women.

In overcoming women's weaknesses in the economic field so that they experience great helplessness and dependence on their husbands, in this case the government assisted by the community should be more aggressive in women's empowerment programs that are used as priority programs. Meanwhile, for women from circles who consider status in society, in terms of religion and culture, it must be instilled that it is much more important to maintain the welfare of birth and bathin than to consider taboos and insults to the status obtained from divorce, so that women can continue their lives and lives in carrying out their functions as a good mother or carrying out their functions as an empowered and productive Indonesian human resource.

## V. Conclusion

After deciphering about the issue of environmental protection and management, it can be concluded as follows:

1. In the Islamic view, women have the same position compared to men, but the mandatory female peran is as a family member, namely as the wife of the husband and mother to her children who must be respected, loved and protected. Realita family life as a result of weak implementation of family functions can give birth to family life with a distorted family personality model. The distorted family life models include broken homes, authoritarian families, overprotective families, symbiotical and traumatic families. In addition, the family has weaknesses such as weak economy, immorality, stupidity and so on. The form of the family that has deviations and weaknesses will be vulnerable to domestic violence crimes, in the form of physical violence, psychic violence, sexual violence, and domestic neglect.
2. Domestic violence can be carried out by people within the household, namely husband, wife and children. But in reality, there are many domestic violence cases where the victims are women. So that women must receive protection from the State and /or society to avoid and be free from violence or threats of violence, torture, or treatment that degrades the degree and dignity of humanity.

3. Currently, the legal tools in the form of international and national provisions are quite complete and adequate and easily accessible to Indonesian citizens who experience kDRT which includes:
  - a. Declaration on the Elimination of All Forms of Violence Against Women (UN 1993)
  - b. Law of the Republic of Indonesia Number 23 of 2004 concerning the Elimination of Domestic Violence
  - c. PP RI No. 4 of 2006 concerning the Implementation and Cooperation of Recovery of Victims of Domestic Violence,
  - d. Minister of Health of the Republic of Indonesia No. 68 of 2013 concerning the Obligation of Health Service Providers to Provide Information on the Existence of Allegations of Violence Against Children.
  - e. Special Agencies are the National Commission on Violence Against Women, the Indonesian Child Protection Commission (KPAI).
  - f. Non-Governmental Organizations (NGOs) that play a role as advocacy and assistance teams for victims of domestic violence, one of which is the National Advocacy Network (JALA)
4. The application of the principle of gender equality is a solution to the solutions to the problems mentioned above, must be implemented in policies taken in various fields, including the fields of Religion, Education, Health, Politics, Economy, Social and Culture. In overcoming women's weaknesses in the economic field, women's empowerment should be made into priority programs. Meanwhile, for women from circles who consider status in society, in terms of religion and culture, rational thinking must be instilled in responding to the form of domestic violence, so that women can continue their lives and lives in carrying out their functions as a good mother or carrying out their functions as empowered and productive Indonesian human resources.
5. To overcome this, it is necessary to take the following steps;
 

For Municipal and District Governments;

  - a. Curative Function
 

In order to form a Lawyer Team under the Coordination of the Women's Empowerment and Family Planning Agency (BKKBN) to serve victims of domestic violence so that they do not fight alone, but receive assistance in demanding justice, free of charge
  - b. Prefentive Function
 

In order to create women's empowerment programs at the Village, Sub-district and City / Regency levels with the aim of strengthening the family economy  
For the Chairman of the Neighborhood Association and the Community Association  
In order to add the function of the Family Welfare Education Working Group (Pokja PKK) as an observer of the possibility of domestic violence against its citizens.

## References

- Ali, M. (2007). Ilmu dan Aplikasi Pendidikan Bagian IV: Pendidikan Lintas Bidang. Bandung: IMTIMA.
- Badruddin, S. Menyoal Gaya Berumah Tangga Dan Kekerasan Dalam Rumah Tangga (Online). Tersedia: <http://profsyamsiah.wordpress.com/tag/makalah/>. (11 Maret 2017).
- Cheche, W. (2014). Kesetaraan Gender Dalam Pandangan Islam. (Online0. Tersedia: <http://wardahcheche.blogspot.com> (22 Maret 20170).
- Djaali, et. al. (2003). Hak Azasi Manusia, Jakarta: Restu Agung
- Fuadi, M. (2013). Teori-Teori Besar (Grand Theory) Dalam Hukum. Jakarta: Kencana

- Insani, M. (2013), Emansipasi atau Kesetaraan Gender? (Online). Tersedia: <http://www.kompasiana.com>. (23 Maret 2017).
- Mulia, M. (2007). Pandangan Islam Terhadap Kekerasan Dalam Rumah Tangga. (Online). Tersedia: <http://baitijannati.wordpress.com> (11 Maret 2017).
- Peraturan Pemerintah Republik Indonesia Nomor 4 tahun 2006 Tentang Penyelenggaraan dan Kerjasama Pemulihan Korban Kekerasan Dalam Rumah Tangga.
- Pratiwi, P.F.P., Suprayitno, and Triyani. (2020). Existence of Customary Law through Comparative Education between Dayak Ngaju Customary Law and National Law. *Budapest International Research and Critics Institute-Journal (BIRCI-Journal)* Vol 3 (2): 712-717.
- Prayudi, G. (2008), Berbagai aspek Tindak Pidana Kekerasan Dalam Rumah Tangga. Jogjakarta: Merkid Press.
- Purba, I.G., and Syahrin, A. (2019). Demand against Law and Using Authority in Corruption Criminal Action. *Budapest International Research and Critics Institute-Journal (BIRCI-Journal)* Vol 2 (4): 194-206.
- Tumanggor, F., Muazzul, and Zulyadi, R. (2019). Handling of Narcotics Child Victims in Child Special Coaching Institutions Class I Tanjung Gusta, Medan. *Budapest International Research and Critics Institute-Journal (BIRCI-Journal)* Vol 2 (4): 50-55.
- Undang-Undang Republik Indonesia Nomor 39 Tahun 1999 Tentang Hak Azasi Manusia.
- Undang-Undang Dasar Republik Indonesia Tahun 1945 Hasil Amandemen & Proses Amandemen UUD 1945 Lengkap.
- Undang-Undang Republik Indonesia Nomor 23 Tahun 2004 tentang Penghapusan Kekerasan Dalam Rumah Tangga.
- YLBHI (2008). Panduan Bantuan Hukum Di Indonesia. Jakarta: Yayasan Obor Indonesia.