

Legal Protection for Wives Who Are Victims of Domestic Violence

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Article History

Received: 28/12/2024; Reviewed: 12/08/2025; Published: 20/11/2025

Abstract: This study aims to analyze the legal handling of wives as victims of domestic violence based on Law Number 23 of 2004 as *lex specialis*, as well as general criminal law provisions as *lex generalis*. Cases of domestic violence have shown a significant increase, including data reports and handling by the Women and Children Protection Unit of the Sorong City Police and the Sorong City Women's Empowerment and Child Protection Agency, which are authorized to conduct mediation. **The research method** used is empirical jurisprudence, combining literature study and field data to describe the form of legal protection and the effectiveness of its enforcement. **The novelty** of this research lies in mapping the patterns of handling domestic violence against wives in Sorong City by providing a comparative analysis between the application of Law 23/2004 and general criminal law, as well as linking it to the most dominant triggering factors, such as promiscuous behavior and excessive alcohol consumption. **The results** of this study show that although the legal framework has established clear protections, its implementation has not been optimal due to weak law enforcement and a lack of public education. The role of the government, particularly in legal counseling and prevention, has proven to be very influential in reducing the rate of violence. **The conclusion** of this study emphasizes that Law No. 23/2004 must be enforced consistently and firmly so that the protection of wives as victims can be effective and have a deterrent effect on perpetrators. Preventive efforts through education and social supervision also need to be strengthened to minimize domestic violence.

Keywords: Legal Protection; Victim's Wife; Domestic Violence.

Abstrak: Penelitian ini bertujuan menganalisis penanganan hukum terhadap istri sebagai korban kekerasan dalam rumah tangga berdasarkan Undang-Undang Nomor 23 Tahun 2004 sebagai *lex specialis*, serta ketentuan hukum pidana umum sebagai *lex generalis*. Kasus kekerasan dalam rumah tangga menunjukkan peningkatan yang signifikan, termasuk data laporan dan penanganan yang dilakukan oleh Unit Perlindungan Perempuan dan Anak Kepolisian Resort Sorong Kota serta Dinas Pemberdayaan Perempuan dan Perlindungan Anak Kota Sorong yang berwenang melakukan mediasi. **Metode Penelitian** ini menggunakan yuridis empiris dengan menggabungkan studi kepustakaan dan data lapangan untuk menggambarkan bentuk perlindungan hukum serta efektivitas penegakkannya. **Kebaruan penelitian** ini terletak pada pemetaan pola penanganan KDRT terhadap istri di Kota Sorong dengan memberikan analisis

perbandingan antara penerapan UU 23/2004 dan hukum pidana umum, serta mengaitkannya dengan faktor pemicu yang paling dominan, seperti perilaku seks bebas dan konsumsi alkohol berlebihan. **Hasil penelitian** menunjukkan bahwa meskipun kerangka hukum telah mengatur perlindungan yang jelas, implementasinya belum optimal karena masih lemahnya penegakan hukum dan minimnya edukasi masyarakat. Peran pemerintah, khususnya dalam penyuluhan hukum dan pencegahan, terbukti sangat berpengaruh dalam menekan angka kekerasan. **Kesimpulan penelitian** ini menegaskan bahwa penegakan UU 23/2004 harus dilakukan secara konsisten dan tegas agar perlindungan terhadap istri sebagai korban dapat berjalan efektif dan memberikan efek jera kepada pelaku. Upaya preventif melalui edukasi dan pengawasan sosial juga perlu diperkuat untuk meminimalisasi terjadinya kekerasan dalam rumah tangga.

Kata kunci: Perlindungan Hukum; Istri Korban; Kekerasan Dalam Rumah Tangga.

1. INTRODUCTION

Today, progress in law enforcement has gained the support of nations around the world¹. This progress can be seen from the many national and international legal instruments used to support the creation of legal objectives in the form of peace and order in society. The objectives to be achieved by the law are highly expected to provide legal protection for individual rights and community rights from acts that destroy the foundations of humanity in the history of human civilization².

Law No. 1 of 1974 states that marriage is a physical and spiritual bond between a man and a woman as husband and wife with the aim of forming a happy and eternal family or household based on the One Almighty God³. Thus, marriage is a contract whose overall aspects are contained in the word *nikah* or *tazwīj* and is a sacred ceremonial statement.⁴ After marriage, a family household is formed. The family is the smallest social unit in society that plays a very large role and has a significant influence on social development and personality development. Good relationships within the family are characterized by harmony and reciprocity among family members⁵.

Every family desires harmony, happiness, and mutual love. A family is considered harmonious when the goals of marriage have been achieved and there is no conflict, tension, disappointment, or dissatisfaction with the physical, mental, emotional, and social circumstances of all family members.

¹ Hikmahanto Juwana, "Law and Development," n.d.

² ANDINI PRIHASTUTI, "Perlindungan Hukum Terhadap Perempuan Korban Kekerasan Dalam Rumah Tangga (Studi Kasus Spek-Ham Solo)," 2016.

³ Akhmad Munawar, "Kata Kunci : Sahnya Perkawinan Di Indonesia." VII (2015): 21–31.

⁴ Trusto Subekti, "Sahnya perkawinan Menurut UU No 1/1974 Tentang Perkawinan ditinjau dari hukum perjanjian", *dinamikahukum.fh.unsoed.ac.id*, diakses pada 20 April 2023.

⁵ Azmiati & M.A. Pulungan Kusbianto, "PERLINDUNGAN DAN ATURAN HUKUM KELUARGA TERHADAP PEREMPUAN DAN ANAK DALAM PERKAWINAN" 07, no. 1 (2019): 1–8.

In reality, conflicts between husbands and wives or parents and children are a normal part of family or household life. Conflicts or arguments that occur in the household often lead to domestic violence. Generally, the community around the neighborhood where families experiencing domestic violence live does not pay attention because it is considered a personal matter. Marriage is a legal event whose consequences are regulated by law, or a legal event whose consequences are regulated by law.

Article 1 paragraph 1 of Law Number 23 of 2004 concerning the Elimination of Domestic Violence defines domestic violence as any act against a person, especially a woman, that results in physical, sexual, psychological, and/or domestic neglect, including threats to commit acts, coercion, or deprivation of liberty against the law within the scope of the household. Law No. 23 of 2004 concerning the elimination of domestic violence stipulates that the purpose of the Law in accordance with Article 3 on the elimination of domestic violence is to protect victims of domestic violence⁶.

Domestic violence cannot be separated from the roles of the perpetrator and the victim. Violence is purely caused by the perpetrator, but there are also factors that contribute to domestic violence⁷. This is because the perpetrator of domestic violence is usually the husband, given that the husband holds the highest position in the household as the head of the family, as the husband's role in the family is considered higher than that of the wife. Meanwhile, the perpetrator's role in domestic violence is because the perpetrator usually thinks that he is the highest authority in the family, so he can do whatever he wants.

From the reality on the ground, it is always women and children who suffer violence and become victims. The most common acts of violence experienced by women in Indonesia are domestic violence or violence within the household, such as abuse, rape, harassment, or infidelity committed by their husbands⁸. Therefore, women who are victims of violence should receive their rights, namely the rights from the state or society in the form of protection so that they do not experience violence or threats of violence, torture, or treatment that degrades their dignity and status as human beings⁹.

Violence against women is a form of behavior that is contrary to the principles of humanity. That is why violence against women is a violation of human rights, which is why

⁶ Kusbianto.

⁷ Marlyn Alputila Fransiska Jaftoran, "PERLINDUNGAN HUKUM TERHADAP PEREMPUAN SEBAGAI KORBAN KEKERASAN DALAM RUMAH TANGGA DITINJAU DARI UNDANG-UNDANG NO. 23 TAHUN 2004 TENTANG PENGHAPUSAN KEKERASAN DALAM RUMAH TANGGA," no. 23 (2004).

⁸ Zainudin Hasan et al., "Perlindungan Hukum Terhadap Perempuan Korban Kekerasan Dalam Rumah Tangga," *Jurnal Hukum, Politik Dan Ilmu Sosial* 2, no. 2 (2023): 103–13, <https://doi.org/10.55606/jhps.v2i2.1607>.

⁹ Arya Wiguna, K. Y. (2018). *Jurnal Hukum Khaira Ummah* Vol. 13. No. 1 Maret 2018 *Penyelesaian Hukum Terhadap Tindak Pidana (KDRT) Kekerasan ...* (Komang Yogi Arya Wiguna). *Jurisprudentie: Jurusan Ilmu Hukum Fakultas Syariah Dan Hukum*, 13(1), 171–182.

a national legal instrument on the elimination of violence against women in Indonesia is needed¹⁰. Criminal law is a national legal instrument that is a product of human thought, deliberately created to protect victims from all forms of crime. The establishment of law as an instrument to protect the rights of individuals and society is highly relevant and related to programs to protect women from violence. This connection is deeply rooted in the legal protection of human rights.¹¹

Women are individuals who carry out a dual mission in society. The first mission of women is to continue the family line, which cannot be replaced by men¹². The second mission of women is as mothers, which is one of the fundamental reasons why women need special attention to protect and respect their rights. That is why all acts related to crimes against women, including criminal acts of violence, receive attention in criminal law. In reality, women are still considered unequal to men, and women are often victims of domestic violence, such as physical and psychological abuse, which can even lead to death. This view indicates that women are still marginalized. Women are not only objects of sexual gratification for men who are familiar with violence, but also a group that is viewed as weak and must be controlled by men.¹³

According to data from the Sorong City Police, there were 68 cases of domestic violence in Sorong City from 2021 to 2023. Domestic violence cases in the Sorong City Police were dominated by physical and psychological violence committed by husbands against their wives.¹⁴ However, domestic violence is an iceberg phenomenon, as in reality, not all victims of domestic violence are willing to report their cases to the authorities, meaning that the actual number of cases is far greater than those reported. This is because many believe that domestic violence is a shameful secret that should not be known to others¹⁵.

However, domestic violence is an iceberg phenomenon, as in reality, not all victims of domestic violence are willing to report their cases to the authorities, meaning that the actual number of cases is far greater than those reported. This is because many believe that domestic violence is a shameful secret that should not be known to others¹⁶. Husbands will try to prevent this because, sociologically, humans tend to protect

¹⁰ Adi Pratama et al., "KEADILAN HUKUM BAGI PEREMPUAN SEBAGAI KORBAN KEKERASAN DALAM RUMAH TANGGA (KDRT)," 2004, 148–59.

¹¹ Yulia, R. (2019). Perlindungan Hukum Terhadap Korban Kekerasan Dalam Rumah Tangga. *Jurisprudentie : Jurusan Ilmu Hukum Fakultas Syariah Dan Hukum*, 6(2), 49. <https://doi.org/10.24252/jurisprudentie.v6i2.10302>

¹² Mia Amalia, "HUKUM DAN SOSIOKULTURAL" 25, no. 1 (2011): 399–411.

¹³ Aroma Elmina Martha, 2013, Perempuan, Kekerasan, dan Hukum, Penerbit UII Press, Yogyakarta. Hal.102.

¹⁴ Arsip data jumlah laporan kasus KDRT di Unit PPA Kepolisian Resor Sorong, Senin, 02 April 2023.

¹⁵ Margie Gladies Sopacua, "Konsep Ideal Pencegahan Kekerasan Dalam Rumah Tangga Terhadap Perempuan" 4 (2022).

¹⁶ Agung Budi Santoso, "Kekerasan Dalam Rumah Tangga (KDRT) Terhadap Perempuan : Perspektif Pekerjaan Sosial" 10, no. 1 (2019): 39–57.

themselves from punishment, so perpetrators will hide it. If victims report to the authorities, such as the police or social institutions, it will be very useful for the protection of victims by the state and society so that there is a sense of security for victims of domestic violence and the perpetrators of violence will be prosecuted¹⁷. Legal protection is the protection of a person's rights, or in other words, legal protection is an act or matter of protecting a legal subject based on applicable laws and regulations¹⁸. The legal subject referred to here is *a person*, in this case the wife who is the victim of domestic violence. Protecting victims of domestic violence is very important so that the husband (perpetrator) does not commit further acts of violence against his wife (victim)¹⁹.

2. METHOD

The type of research to be used is an empirical legal approach. The legal approach (law is viewed as a norm or *das sollen*), because in discussing the issues in this study, legal materials are used (both written and unwritten law, as well as primary and secondary legal materials). The empirical approach (law as a social and cultural reality, or *das sein*), because this study uses primary data obtained from the field. The types and sources of data used by the author in this study are divided into two categories: primary data and secondary data. This study uses a deductive method of drawing conclusions, which is to assess a general event towards a specific nature, namely Legal Protection for Wives Experiencing Domestic Violence in the City of Sorong.

3. DISCUSSION

3.1. Legal Protection for Wives Who Are Victims of Domestic Violence in Sorong City

Based on Indonesian Law Number 23 of 2004 concerning the elimination of domestic violence, it is explained that every citizen has the right to feel safe and free from all forms of violence in accordance with Pancasila and the 1945 Constitution²⁰. All forms of violence, especially domestic violence, are violations of human rights and crimes against human dignity and discrimination that must receive legal protection and be properly enforced so that there is a deterrent effect on perpetrators of violence. This is because, in reality, cases of domestic violence occur everywhere. This shows that the Indonesian legal system does not yet guarantee protection for victims of domestic violence²¹.

Legal protection is defined as all efforts aimed at providing a sense of security to victims by family members, lawyers, social institutions, the police, prosecutors, courts, or other

¹⁷ Mila Rahayu Ningsih, "PERLINDUNGAN HUKUM TERHADAP PEREMPUAN KORBAN" 16, no. 1 (2021): 56–68.

¹⁸ Sopacua, "Konsep Ideal Pencegahan Kekerasan Dalam Rumah Tangga Terhadap Perempuan."

¹⁹ Santoso, "Kekerasan Dalam Rumah Tangga (KDRT) Terhadap Perempuan : Perspektif Pekerjaan Sosial."

²⁰ MA . Drs . Mohammad ' Azzam Manan, "Rumah Tangga Tempat Kekerasan Sering Berlangsung Adalah Wadah Dari Suatu Kehidupan Penghuninya Yang Terdiri Dari Berbagai Status , Seperti Suami- Istri , Orangtua , Anak-Anak , Orang-Orang Yang Mempunyai Hubungan Darah , Orang Yang Bekerja Membantu," n.d., 9–34.

²¹ Syahrul Ramadhon and Info Artikel, "TANGGA SECARA PREVENTIF DAN REPRESIF," 1945, 205–17.

parties, either temporarily or based on a court decision²². Legal protection for victims of domestic violence is a fundamental source of substantive criminal law that substantially covers criminal acts, criminal liability, and criminal sanctions. This rule applies not only to general criminal acts but also to specific criminal acts outside the Criminal Code as long as it is not specified in other laws as stipulated in Article 103 of the Criminal Code²³.

Criminal acts, criminal liability, and criminal sanctions must be enforced consistently. Anyone who commits a criminal act is characterized as protecting the rights of a person from acts that endanger the lives of others. The objectives of criminal law are to protect individual interests (individual interests), to protect community interests (social interests), and to protect state interests (state interests).

From the above objectives, it can be explained that the protection of individual interests is a right that must be protected because it is a human right in accordance with applicable laws and regulations. In addition, the protection of public interests must be strictly enforced because the public needs protection so that they can strive for the interests of life in society. Meanwhile, the protection of state interests is to ensure security and order for the public interest. Individual legal protection consists of: a. Legal interests regarding a person's life from crime, assault, or maltreatment of life, b. Legal interests regarding the body, which constitute crimes against the body, c. Legal interests regarding property, which constitute crimes against property, d. Legal interests regarding reputation, which constitute crimes of defamation, e. Legal interests in freedom of movement, which are crimes against a person's independence, f. Crimes against the body committed intentionally (abuse) can be divided into 3 (three) types, which have criminal sanctions, including: 1) Ordinary abuse under Article 351 Paragraph (1) of the Criminal Code, which states: Assault that does not cause serious injury is punishable by imprisonment for a maximum of 2 (two) years and 8 months or a maximum fine of Rp 4,500 (four thousand five hundred rupiah). Article 351 Paragraph (2) of the Criminal Code explains that if the act results in serious injury, the offender is subject to a maximum imprisonment of 5 (five) years. If the assault results in death, the offender is subject to a maximum imprisonment of 7 (seven) years. 2) Premeditated assault Article 353 Paragraph (1) of the Criminal Code explains that: Premeditated assault that does not result in serious injury or death that is planned in advance, shall be punished with a maximum imprisonment of 4 (four) years. If the act results in serious injury, the penalty is imprisonment for a maximum of 7 (seven) years under Article (2) of the Criminal Code. If the act results in the death of a person, the penalty is imprisonment for a maximum of 9 (nine) years under Article (3) of the Criminal Code. 3)

²² Hamidah Abdurrachman, "Perlindungan Hukum Terhadap Korban Kekerasan Dalam Rumah Tangga Dalam Putusan Pengadilan Negeri Sebagai Implementasi Hak-Hak Korban," n.d., 475–91.

²³ Didi Sukardi, Fakultas Syari, and Ekonomi Islam, "KAJIAN KEKERASAN RUMAH TANGGA DALAM PERSPEKTIF HUKUM ISLAM DAN HUKUM POSITIF" 9, no. 1 (n.d.): 41–49.

Severe abuse is classified by law as abuse as defined in Article 354 Paragraphs (1) and (2) of the Criminal Code, as follows: Anyone who intentionally injures another person by committing severe maltreatment shall be punished with a maximum imprisonment of 8 (eight) years, and if the act results in death, the offender shall be punished with a maximum imprisonment of 10 (ten) years. 4) Premeditated severe maltreatment as stipulated in Article 355 Paragraphs (1) and (2) of the Criminal Code is defined as follows: Serious abuse committed by a person with prior planning shall be punished with a maximum imprisonment of 12 (twelve) years under Paragraph (1) of the Criminal Code. If the act results in death, the offender shall be punished with a maximum imprisonment of 15 (fifteen) years under Paragraph (2) of the Criminal Code.

The penalties specified in Articles 351, 353, 354, and 355 of the Criminal Code may be increased by one-third (1/3), namely: a. For those who commit the crime against their legal mother and father, wife, or child. b. If the crime is committed against a public official while or because of performing their lawful duties, c. If the crime is committed by providing substances that are dangerous to life or health to be eaten or drunk.

In addition, the enforcement of domestic violence laws has been comprehensively regulated based on Law Number 23 of 2004, where the protection of victims of violence as stipulated in Article 10 Paragraph (1) states that within 1 x 24 (one twenty-four) hours from the time of agreeing to or receiving the police report, temporary protection must be provided within a maximum of 7 (seven) days, and the police must request a protection order from the court.

Legal sanctions for domestic violence are regulated as follows, as stipulated in Article 44 Paragraph (1) of the Law-Law on the Elimination of Domestic Violence (PKDRT) "that anyone who commits physical violence within the scope of the household shall be punished with imprisonment of up to 5 (five) years or a maximum fine of Rp 15,000,000 (fifteen million rupiah). If the act results in the victim falling ill or suffering serious injury, the offender shall be punished with a maximum imprisonment of 10 (ten) years and a fine of Rp 30,000,000 (thirty million rupiah). If the act results in the death of the victim, the perpetrator shall be punished with a maximum imprisonment of 15 years and a fine of Rp 45,000,000 (forty-five million rupiah).

In addition to the criminal sanctions imposed on the perpetrator, additional penalties are also imposed, namely restrictions on the perpetrator's movements, which aim to keep the perpetrator away from the victim for a certain distance and period of time, and the perpetrator must also undergo counseling under the supervision of a certain institution.

Meanwhile, victims are also provided with social worker protection services in accordance with Article 22 of Law Number 23 of 2004, as follows: Providing counseling to strengthen and provide a sense of security for victims of violence, informing and coordinating regarding the rights of victims to obtain protection from the police or certain

parties in accordance with their responsibilities. From the results of research on the handling of domestic violence cases handled by the Women and Children Protection (PPA) unit of the Sorong City Police, the author conducted an interview with Bripka Yusran, SH, Head of the PPA Sub-Directorate, with criminal data as shown in the table below.

Table 4.1 Domestic Violence Data

No	Criminal Act	Year	Number	Description
1	Domestic Violence Household (KDRT)	2021	13 Cases	2 P21 Cases, 11 Restorative Justice (RJ)
		2022	25 Cases	P21 and RJ
		2023	30 Cases	P21 and RJ

Data Source: PPA Unit of the Sorong City Police

Dari data pada tabel tersebut di atas menunjukkan bahwa kasus tindak pidana kekerasan dalam rumah tangga di Kota Sorong dari tahun ke tahun sangat meningkat secara signifikan dan belum termasuk kasus-kasus kekerasan rumah tangga yang tidak dilaporkan pihak korban kepada kepolisian karena menyangkut dengan masalah aib atau nama baik. Menurut Ka Subdit PPA Polres Kota Sorong kebanyakan kasus kekerasan dalam rumah tangga yang terjadi The data in the table above shows that cases of domestic violence in Sorong City have increased significantly from year to year, not including cases of domestic violence that were not reported to the police by the victims due to issues of shame or reputation. According to the Head of the Sub-Directorate of Women and Children's Protection at the Sorong City Police, most cases of domestic violence occur due to several factors, including: 1) Infidelity by the husband or perpetrator, which causes emotional distress and physical violence. 2) Economic problems, in this case household needs, can trigger domestic violence. 3) Sexual needs. 4) Excessive alcohol consumption.

Meanwhile, data from the Sorong City Government, in this case the Office of Women's Empowerment and Child Protection, Regional Technical Implementation Unit, shows that cases of violence against wives and unmarried women are resolved through mediation. If they cannot be resolved through mediation, the cases are continued as shown in the table below.

Table 4.2 Cases of Domestic Violence Mediation Data from the P3A Agency

No	Year	Domestic Violence Cases		Number of Cases	Mediation	Follow-up Cases
		Wives	Unmarried Women			
1	2022	16	5	21	2	19

Sumber Data: Dinas Pemberdayaan Perempuan dan Perlindungan Anak

Cases of domestic violence according to data from the PPA police unit and the Sorong City Women's Empowerment and Child Protection Agency show that the high level of physical violence against wives and unmarried women requires special attention from the government in terms of taking firm action to protect women from domestic violence in accordance with applicable laws and regulations.

In general, according to Mufidah Ch, there are several tendencies for people to commit and perpetuate violence due to various factors:²⁴ a. Patriarchal culture that places men in a position of superiority over women, b. Negative views and labels (*stereotypes*) that are very harmful, for example, that men are violent and women are weak, c. Religious interpretations that are not in line with universal religious values, such as *nusyuz*, which states that a husband may beat his wife for disciplinary reasons, or that if a wife refuses to fulfill her husband's sexual needs, he has the right to beat her and she will be cursed by angels, d. Violence occurs precisely because it overlaps with legitimacy and becomes part of culture, family, state, and societal practices, thus becoming part of life .

3.2. Obstacles and Prevention Efforts for Domestic Violence Against Wives in Sorong City

3.2.1. Barriers

Based on the results of research on cases of domestic violence, the following obstacles were found in the implementation of the Law on the Elimination of Domestic Violence: 1. The philosophy and objectives of the Law on the Elimination of Domestic Violence are not comprehensively applied, so that the law on domestic violence is implemented but neglects the protection of women. 2. Difficulty in understanding the ambiguous meaning of domestic neglect between neglect as a legal term defined in the article on domestic neglect and the everyday meaning of neglect. This is what often becomes an obstacle for law enforcement officials. 3. Temporary protection and the establishment of protection have not been able to be implemented due to a lack of operational policies. 4. Additional punishment for perpetrators of domestic violence in the form of requiring them to attend counseling programs under the supervision of certain institutions has not been imposed because there is no clarity regarding which institutions have the mandate to provide counseling. People seeking justice in cases of domestic violence still face many difficulties. Stakeholders should provide solutions. One obstacle to addressing domestic violence is that victims do not report it to the police because the case is deliberately covered up by the family as it is considered shameful and damages the dignity of both the victim and the perpetrator, in this case the husband. In addition, another obstacle in addressing criminal acts of violence or abuse is the lack of implementation of laws and regulations among the community.

²⁴ Mufidah Ch., et al., *Should Women and Children Be Sacrificed?* (Malang: Pilar Media, 2006), pp. 13-14.

According to the head of the Sorong City PPA UPT, Marta Ban Pertiwi, some cases of online gender-based violence are difficult to prosecute due to obstacles in proving the case. Online gender-based violence (KBGO) in the collection of electronic evidence and the dimensions of digital technology used are also considered obstacles. According to the head of the UPTD PPA, regulations on sexual violence crimes, in this case Law Number 12 of 2022, have not been properly implemented. Obstacles in handling online sexual violence cases include: a. The law on witness and victim protection does not clearly regulate the protection of victims of online gender-based violence. b. Policies that are not yet victim-oriented, c. Patriarchal culture that extends to the virtual world, d. Weak perspective of law enforcement officials, e. Weak community support for victims, f. Granting of rights to victims has not been smooth. Domestic violence is one of the causes of sexual violence, which is a social problem of concern and the responsibility of local governments as stipulated in Law No. 12 of 2022 concerning criminal acts of sexual violence.

3.2.2.Prevention Efforts

In order to prevent the increasingly widespread crime of domestic violence, the following steps need to be taken: a. Increase knowledge about domestic violence. Knowing everything about domestic violence is important in preventing and avoiding it, as well as providing education about women's and men's rights through seminars and how to help victims of domestic violence. b. Comply with the law. The head of the family or anyone who commits acts of domestic violence is breaking the law. If Law No. 23 of 2004 is properly enforced, domestic violence can be effectively prevented. c. Tolerance. Recognize that no one in this world is perfect, so it is important to practice tolerance towards your partner's shortcomings and mistakes. d. Always ensure consent is obtained. Asking for your partner's consent for certain things, such as sexual intercourse, may reduce the risk of domestic violence. This is useful to avoid coercion by one party, which can lead to violence. e. Obey religious teachings. All religions teach virtues such as love, peace, kindness, and loyalty. Following the teachings of one's religion can be the most effective way to prevent domestic violence, f. Respecting your partner. There is no domestic violence when both partners respect each other in their relationship, g. Maintaining good communication. In a relationship, it is not uncommon to encounter intolerance, anger, and touchiness. This leads to domestic violence. Communication is the solution to prevent and overcome domestic violence. h. Avoid bad company. Some sociologists say that peer pressure has a strong influence on both young people and adults. Someone who often commits violence can cause others to do the same. In addition, increasing anti-violence campaigns can solve social problems in the community.

Building public awareness through education and information about the impact of domestic violence is very important, as is strict supervision of the free sale of alcoholic beverages, which has a significant impact on violence. The Regional Technical Implementation Unit (UPTD) in charge of women and children must work together with relevant parties to implement theon the elimination of domestic violence in a sustainable manner.

4. CONCLUSION

Violence, especially domestic violence, is a violation of human rights and a crime against human dignity, as well as a form of discrimination. When linked to the phenomenon of women or wives, the prevailing view is that cases of violence against women tend to be seen as "victims" of various social processes that have been integrated into society for a long time. Therefore, even the smallest act of violence can be reported to the authorities as a criminal act that can be prosecuted. Domestic violence is any act against a person, especially a woman, that causes physical, sexual, psychological suffering and/or neglect, threats to commit acts, coercion, or deprivation of liberty against the law.

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