

## Patriarchal Dominance as a Contributor to Domestic Violence

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### Abstract

In a society still dominated by patriarchal views, women often face injustice and domestic violence, which hinders gender equality and leads to poverty. This phenomenon, which is often considered a private matter, is further exacerbated by a lack of legal understanding and suboptimal community responses. This study aims to explore in depth the dynamics of patriarchal domination and its impact on domestic violence at the micro level. Using a qualitative case study design in Gampong Cot Matahe, data was collected through in-depth interviews, observations, and documentation studies. The results showed that patriarchal structures are deeply rooted, leading to power imbalances and the normalization of domestic violence, with victims facing stigma and dependency. Although regulations exist, their implementation in the field is still weak due to a lack of legal awareness and the suboptimal role of community leaders in prevention and handling. This study contributes to an enriched understanding of the manifestations of patriarchy and domestic violence at the local community level, and suggests a comprehensive approach for more effective interventions.

**Keywords:** Patriarchy, Domestic Violence, Case Study, Gender Equality, Gampong Cot Matahe.

### Abstrak

Masyarakat yang masih didominasi pandangan patriarkal, perempuan kerap menghadapi ketidakadilan dan kekerasan dalam rumah tangga (KDRT), yang menghambat kesetaraan gender dan berujung pada kemiskinan. Fenomena ini, yang sering dianggap sebagai masalah pribadi, semakin diperparah oleh kurangnya pemahaman hukum dan respons komunitas yang belum optimal. Penelitian ini bertujuan untuk menggali secara mendalam dinamika dominasi patriarkal dan dampaknya terhadap KDRT di tingkat mikro. Menggunakan desain studi kasus kualitatif di Gampong Cot Matahe, data dikumpulkan melalui wawancara mendalam, observasi, dan studi dokumentasi. Hasil penelitian menunjukkan bahwa struktur patriarkal mengakar kuat, menyebabkan ketimpangan kekuasaan dan normalisasi KDRT, dengan korban menghadapi stigma dan ketergantungan. Meskipun regulasi telah ada, implementasinya di lapangan masih lemah karena kurangnya kesadaran hukum dan peran tokoh masyarakat yang belum maksimal dalam pencegahan dan penanganan. Penelitian ini berkontribusi dalam memperkaya pemahaman tentang manifestasi patriarki dan KDRT di tingkat komunitas lokal, serta menyarankan pendekatan komprehensif untuk intervensi yang lebih efektif.

**Kata Kunci:** Patriarki, Kekerasan dalam Rumah Tangga, Studi Kasus, Kesetaraan Gender, Gampong Cot Matahe.

## INTRODUCTION

Women in Indonesia often face unique difficulties due to unfair treatment from society, particularly from men. The notion that women are weaker in various fields such as politics, education, and work has become deeply rooted. However, gender equality and women's empowerment are believed to be key to eradicating women's poverty.<sup>1</sup> One of the root causes of women's poverty is the patriarchal nature of society, which limits women's involvement in public life, thereby preventing them from getting the same opportunities as men in many aspects of life. Ironically, many women serve as pillars of their families, even becoming heads of households, demonstrating their strength and resilience.<sup>2</sup> This view has permeated society, instilling the belief that men should have exclusive authority in many fields, a culture known as patriarchy. According to Spradley, in patriarchal social structures, men are often seen as playing an important role in advancing women's status, even considering women as "animals" who must coexist with men to create a more peaceful and balanced social structure.<sup>3</sup> Domestic violence (KDRT) is a complex and multidimensional social phenomenon, encompassing physical, psychological, sexual, economic, and social aspects. In Indonesia, KDRT is often considered a private matter that does not require external intervention, leading to many cases going unreported or inadequately handled.<sup>4</sup> The patriarchal culture that views women as inferior and vulnerable to male domination is one of the main causes of KDRT, making it a human rights violation that is often hidden from public scrutiny.<sup>5</sup>

This phenomenon is evident in several cases in Gampong Cot Matahe. Take the example of the couple WB (domiciled in Cot Matahe, Syamtalira Bayu sub-district) and FJ (from Blang Guron), who married in 2017 and lived together in Gampong Cot Matahe. Their early marriage seemed normal, but over time, the relationship seriously deteriorated. When WB experienced economic hardship, he unleashed his emotions on his wife through domestic violence, exhibiting behavior that reflects the dominant patriarchal system, especially after entering their 5th year of marriage. Another example is the couple MW and AZ, residents of Cot Matahe, Syamtalira Bayu District, North Aceh Regency. Their marriage in November 2021 was only harmonious for one month. After that, various problems arose, such as alleged infidelity by MW since the beginning of the marriage, a habit of using crystal meth, and physical violence against AZ. Even when AZ was pregnant, MW once threatened her with a machete, creating a very uncondusive

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<sup>1</sup> Rula Odeh Alsawalqa and Maissa N. Alrawashdeh, "The Role of Patriarchal Structure and Gender Stereotypes in Cyber Dating Abuse: A Qualitative Examination of Male Perpetrators Experiences," *The British Journal of Sociology* 73, no. 3 (2022): 587–606, <https://doi.org/10.1111/1468-4446.12946>.

<sup>2</sup> Luthfia Rahma Halizah and Ergina Faralita, "Budaya Patriarki Dan Kesetaraan Gender," *Wasaka Hukum* 11, no. 1 (2023): 19–32.

<sup>3</sup> Sarah Apriliandra and Hetty Krisnani, "Perilaku Diskriminatif Pada Perempuan Akibat Kuatnya Budaya Patriarki Di Indonesia Ditinjau Dari Perspektif Konflik," *Jurnal Kolaborasi Resolusi Konflik* 3, no. 1 (2021): 1, <https://doi.org/10.24198/jkrk.v3i1.31968>.

<sup>4</sup> Anandita Pan, "After Violence: Dalit Women's Narratives and the Possibilities of Resistance," *Journal of International Women's Studies* 24, no. 6 (2022), <https://vc.bridgew.edu/jiws/vol24/iss6/4>.

<sup>5</sup> Naufal Hibrizi Setiawan et al., "Pemahaman Dan Faktor – Faktor Penyebab Kekerasan Dalam Rumah Tangga: Tinjauan Literatur," *Jurnal Kajian Hukum Dan Pendidikan Kewarganegaraan* 3, no. 2 (2023): 1–6.

household atmosphere. This case escalated when MW was arrested by the police ten days before Eid al-Fitr in 2021 for drug abuse. Previously, village officials had tried to reconcile the couple, but these efforts were unsuccessful because AZ insisted on divorce for her safety and that of her unborn child, while MW refused the divorce, complicating the legal process.

Various studies have explored the issue of patriarchal domination and gender-based violence from different perspectives. Research by Rossevelt et al. analyzed the influence of patriarchal culture on violence against women in the household.<sup>6</sup> Then Modiano's research examined the influence of patriarchal culture and its relation to domestic violence.<sup>7</sup> Rahmania et al. on religious views in Indonesia towards patriarchal culture and its impact on victims.<sup>8</sup> Maulida on female patriarchy and domestic violence.<sup>9</sup> Finally, Gulo et al.'s research on the resistance of Nias women to patriarchal cultural domination through education.<sup>10</sup> However, most of these studies tend to discuss patriarchy and KDRT in general or in a broader context, without delving into specific case studies that show complex dynamics at the local community level. Previous studies have often not explicitly linked how concrete manifestations of patriarchal domination at the household level directly trigger KDRT, especially in communal environments rich in traditional values, and have less explored how local communities respond to KDRT cases arising from deeply rooted patriarchal domination.

Therefore, this research adopts an in-depth case study approach, focusing on micro-dynamics in Gampong Cot Matahe. Through the analysis of actual cases such as those experienced by WB and FJ, as well as MW and AZ, this research allows for specific exploration of the mechanisms and patterns of how patriarchal domination manifests in husband-wife interactions and directly contributes to violence. The cases of MW unleashing economic emotions on his wife and MW threatening AZ while pregnant show behavior that reflects the dominant patriarchal system, especially after entering a certain age of marriage. Thus, this research provides rich empirical evidence of how patriarchal values are translated into acts of violence in the often-hidden domestic sphere. Furthermore, this research will examine the responses of the local community, including the role of village officials and the challenges in the process of resolving KDRT cases, as occurred in the case of MW and AZ where reconciliation efforts failed due to the refusal

<sup>6</sup> Franklin Asido Rossevelt et al., "Analisis Pengaruh Budaya Patriarki Terhadap Kekerasan Perempuan Di Dalam Rumah Tangga," *SAJJANA: Public Administration Review* 1, no. 2 (2023): 2, <https://doi.org/10.32734/sajjana.v1i2.19627>.

<sup>7</sup> Jovanka Yves Modiano, "Pengaruh Budaya Patriarki Dan Kaitannya Dengan Kekerasan Dalam Rumah Tangga," *SAPIENTIA ET VIRTUS* 6, no. 2 (2021): 2, <https://doi.org/10.37477/sev.v6i2.335>.

<sup>8</sup> Aisyah Zahrah Rahmania et al., "Pandangan Agama Di Indonesia Terhadap Budaya Patriarki Dan Dampak Budaya Patriarki Terhadap Korban," *Moderasi: Jurnal Kajian Islam Kontemporer* 1, no. 01 (2022): 01, <http://journal.forikami.com/index.php/moderasi/article/view/471>.

<sup>9</sup> Nabilla Shalsa Maulida Maulida, "Kekerasan Berbasis Gender Dalam Lingkup Rumah Tangga: Kajian Terhadap Patriarki Perempuan Dan KDRT.," *Das Sollen: Jurnal Kajian Kontemporer Hukum Dan Masyarakat* 2, no. 02 (2024): 02, <https://journal.forikami.com/index.php/dassollen/article/view/724>.

<sup>10</sup> Megawati Gulo et al., "Resistensi Perempuan Nias Terhadap Dominasi Budaya Patriarki Melalui Pendidikan," *JiIP - Jurnal Ilmiah Ilmu Pendidikan* 7, no. 9 (2024): 10402–13, <https://doi.org/10.54371/jiip.v7i9.5676>.

of one party. This is expected to provide a more nuanced understanding of the interaction between patriarchal social structures, individual experiences, and local community responses to KDRT, while filling knowledge gaps that have not been fully revealed in previous studies.

## **RESEARCH METHOD**

This research is specifically designed to thoroughly explore and understand the problem of patriarchal domination within families and its significant impact on the occurrence of domestic violence (KDRT), particularly in Gampong Cot Matahe. To achieve this, the study adopts an in-depth case study design combined with a qualitative methodology. The qualitative approach was carefully chosen as it allows researchers to delve into and deeply understand the personal experiences, individual perceptions, and complex social dynamics within families facing KDRT.

To collect rich and comprehensive data, this research utilizes various complementary data collection methods. These include in-depth interviews conducted not only with victims and perpetrators of KDRT but also with local community figures who have an understanding of the situation in Gampong Cot Matahe. In addition, direct observation of interactions within the subject families is carried out to gain a real picture of daily dynamics. Documentation study is also an important part, examining various related sources such as applicable village regulations and reports of past KDRT cases. Through data triangulation—the use of multiple methods and data sources to validate findings—this research aims to obtain a more holistic and accurate understanding of the underlying factors of patriarchal domination and how the community responds to this phenomenon.

The research location is focused on Gampong Cot Matahe, Syamtalira Bayu District, North Aceh Regency. This location was chosen due to its social and cultural characteristics, which are considered interesting and relevant for study in the context of patriarchy and KDRT. The research period lasts for three months, from January to March 2025. This duration is deemed sufficient for researchers to comprehensively gather information, build rapport with participants, and understand potential changes or dynamics that may occur during the research process. Thus, it is hoped that the findings obtained from this research methodology will not only make a significant contribution to efforts to combat domestic violence but will also serve as a basis for formulating more effective intervention strategies. The ultimate goal is to create family environments that are more equal, harmonious, and free from violence.

## **RESULTS AND DISCUSSION**

Most families in Gampong Cot Matahe still operate under a patriarchal structure that prioritizes men as primary decision-makers. This leads to power imbalances in husband-wife relationships, where women have little room to negotiate or voice their opinions. Several sources revealed that the community tends to normalize domestic

violence (KDRT) under the pretext of “disciplining” wives or children. Cultural norms that teach obedience to husbands often prevent victims from reporting the violence they experience. Furthermore, Impact on Victims of KDRT in a patriarchal environment face various challenges, including fear of social stigma if they choose to leave the relationship. In some cases, victims experience economic and social pressure that makes them dependent on the abuser, making it difficult to escape the cycle of violence.<sup>11</sup>

Based on the research findings, patriarchal domination has a close correlation with the increase in KDRT cases. From a family law perspective, the existing legal system has not been fully implemented effectively in preventing and handling KDRT. Analysis of Legal Aspects shows that although regulations exist to protect KDRT victims, implementation at the village level still faces obstacles. Lack of understanding regarding women’s protection laws and limited access to legal services mean that many KDRT cases are not handled properly. Furthermore, the Role of Community Leaders and Local Government: traditional leaders and religious figures play an important role in shaping public opinion regarding KDRT. Community-based approaches that involve them in violence prevention efforts can increase the effectiveness of programs aimed at changing paradigms that support patriarchy.<sup>12</sup>

Prevention and Intervention Strategies suggest that a legal approach alone is not sufficient to address this issue. A multi-sectoral strategy is needed, involving education, economic empowerment for women, and psychological support for victims. In addition, efforts to formulate more inclusive policies in family law can help address the root problems associated with patriarchal domination. With this analysis, it is hoped that this research will provide recommendations to relevant parties to improve the effectiveness of victim protection and reduce the prevalence of KDRT in the region.

### **Patriarchal Domination According to Positive Law**

According to Law Number 23 of 2004 concerning the Elimination of Domestic Violence (UU KDRT), a legal perspective supports patriarchal domination and violence. This law defines domestic violence as any act resulting in physical, sexual, or psychological harm to a person, especially women, or that restricts or deprives their domestic rights. Numerous detrimental actions fall under this definition, including but not limited to: (1) Physical violence: Acts causing physical injury or property damage. For example, any use of physical force, such as hitting or kicking. (2) Sexual violence: Any sexual act, such as rape, sexual harassment, or assault, committed against a victim with violence or without consent. (3) Psychological violence: Behavior intended to diminish the victim’s mental health, dignity, or self-esteem. Examples include coercion, humiliation, threats, and emotionally isolating behavior. (4) Economic violence: Occurs when a victim’s access to financial resources is restricted or controlled, making them

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<sup>11</sup> Zareen Nishaat Beebeejaun-Muslum, “Gender Relation, Patriarchal Control, and Domestic Violence: A Qualitative Study in Mauritius,” *European Journal of Humanities and Social Sciences* 4, no. 3 (2024): 9–19, <https://doi.org/10.24018/ejsocial.2024.4.3.40>.

<sup>12</sup> Norma Fitria, “Pengaruh Kemapanan Ekonomi Terhadap Kelanggengan Suatu Rumah Tangga,” *Al-Rasikh: Jurnal Hukum Islam* 11, no. 2 (2022): 2, <https://doi.org/10.38073/rasikh.v11i2.866>.

dependent on the abuser. Examples include strict control over family resources or refusal to provide allowances. (5) Other forms of domestic violence: In addition to the types of violence mentioned above, the Domestic Violence Law also regulates other harmful behaviors, including discrimination, neglect, or denying victims' rights at home. Consequently, according to the Domestic Violence Law, domestic violence encompasses a wide range of actions that can cause victims to suffer physical, psychological, and social harm within the home.<sup>13</sup>

The Shafi'i school of thought provides a perspective on the widespread standardization of KDRT definitions and its manifestations. The general definition of *Nusyuz* is when a wife disobeys her husband and indicates that she is not fulfilling her responsibilities to him. A husband's neglect of his wife's rights can also be interpreted as *Nusyuz*, which is when a wife disobeys her duties to her husband.<sup>14</sup> Acts of violence committed by a husband against his wife include verbal abuse such as insults and physical violence such as beatings, as well as not fulfilling the wife's physical and spiritual needs and other rights not met by the husband.<sup>15</sup>

Specifically, by examining history and customs, *Nusyuz* on the husband's part can sometimes occur due to his failure to uphold his wife's rights, which include maintaining a good relationship with her, providing a dowry, maintenance, proper clothing, and other necessities. Furthermore, scholars have indicated in their writings that if a husband fails to provide the rights demanded by his wife, such as the equitable distribution of property and maintenance, a judge will grant her request. If a husband acts inappropriately towards his wife and beats her without reason, the judge will prohibit him from doing so.

The Shafi'i perspective on domestic violence demonstrates an initiative to defend wives' rights and keep punitive actions within specified parameters. Nevertheless, there are still shortcomings in the acceptance of beatings, which, despite their limitations, still provoke debate in a contemporary context. Therefore, traditional perspectives need to be updated to better reflect current initiatives to provide greater protection for women. Thus, these findings offer suggestions for increasing security for victims of domestic violence while critically examining the Shafi'i school's view on domestic abuse according to Islamic law.

If a husband fails to provide for his wife, the *Qadhi* (judge) demands that he fulfill his responsibilities only to the extent of not paying maintenance; in the case of physical assault, the *Qadhi* demands that the husband take preventative measures as long as he

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<sup>13</sup> Zainudin Hasan et al., "Perlindungan Hukum Terhadap Perempuan Korban Kekerasan Dalam Rumah Tangga," *JURNAL HUKUM, POLITIK DAN ILMU SOSIAL* 2, no. 2 (2023): 146–53, <https://doi.org/10.55606/jhps.v2i2.1607>; Hamidah Abdurrachman, "Perlindungan Hukum Terhadap Korban Kekerasan Dalam Rumah Tangga Dalam Putusan Pengadilan Negeri Sebagai Implementasi Hak-Hak Korban," *Jurnal Hukum IUS QUIA IUSTUM* 17, no. 3 (2010): 3, <https://doi.org/10.20885/iustum.vol17.iss3.art7>.

<sup>14</sup> Arif Rahman, "Perselisihan Agama Sebagai Alasan Perceraian," *Al-Rasikh: Jurnal Hukum Islam* 9, no. 1 (2020): 1, <https://doi.org/10.38073/rasikh.v1i1.471>.

<sup>15</sup> Abdul Kadir, "Standarisasi Kekerasan Dalam Rumah Tangga Dalam Perspektif Hukum Keluarga Islam," *Al-Rasikh: Jurnal Hukum Islam* 12, no. 2 (2023): 2, <https://doi.org/10.38073/rasikh.v12i2.1636>.

does not repeat the behavior.<sup>16</sup> Similarly, the Qur'an explains that in Islamic jurisprudence, a husband may "slap" his wife if she is disobedient or known as *nusyuz* (disobedient). However, this does not mean with violence. There are various conditions and provisions. The meaning of *nusyuz* itself is the wife's disobedience to her husband. The discussion of *nusyuz* is directly affirmed by Allah SWT in QS. An-Nisa verse 34.

الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ بِمَا فَضَّلَ اللَّهُ بَعْضَهُمْ عَلَى بَعْضٍ وَبِمَا أَنْفَقُوا مِنْ أَمْوَالِهِمْ فَإِذَا صَلَّحْتَ قَنْتَتْ حَفِظَتْ  
لِلْغَيْبِ بِمَا حَفِظَ اللَّهُ وَالَّتِي تَخَافُونَ نُشُوزَهُنَّ فَعِظُوهُنَّ وَأَهْجُرُوهُنَّ فِي الْمَضَاجِعِ وَأَضْرِبُوهُنَّ فَإِنْ أَطَعْنَكُمْ فَلَا تَبْغُوا  
عَلَيْهِنَّ سَبِيلًا إِنَّ اللَّهَ كَانَ عَلِيمًا كَبِيرًا

Meaning: "Men are the caretakers of women, as men have been provisioned by Allah over women and tasked with supporting them financially. And righteous women are devoutly obedient and, when alone, protective of what Allah has entrusted them with.<sup>1</sup> And if you sense ill-conduct from your women, advise them 'first', 'if they persist,' do not share their beds, 'but if they still persist,' then discipline them 'gently'.<sup>2</sup> But if they change their ways, do not be unjust to them. Surely Allah is Most High, All-Great.."

The concept of *nusyuz*, generally referring to disobedience or defiance, can originate from either the husband or the wife, though it's less commonly attributed to the husband. For a wife, *nusyuz* might manifest as disobedience to her husband's words. For a husband, it could be failing to provide both physical and spiritual sustenance. Islamic legal principles (*fiqh*) outline what a couple should do if one party commits *nusyuz*.<sup>17</sup>

In an Islamic household, the husband holds responsibilities and rights over his wife, and similarly, the wife has rights and responsibilities towards her husband. Before expecting their partner to fulfill all their rights, each spouse needs to understand and meet their own responsibilities. Diligently and responsibly fulfilling your duties is believed to lead to a beautiful family life where each partner receives their due rights. Although men are given a higher status than women, Allah's word indicates that a couple has equal rights and obligations. This higher status for men is intended as a blessing, as men are tasked with protecting women, which manifests in superior physical and mental strength. However, this male dominance does not grant them the freedom to treat their wives as they please; instead, religiously established laws govern all these interactions.<sup>18</sup>

The status of women was fundamentally secondary during a certain historical period. During the Dutch colonial era, women were often employed as concubines, whose duties included fulfilling the sexual needs of their European masters in addition to all other household chores. Many concubines in these relationships ended up insane,

<sup>16</sup> Inggit Arifah Khumaera, "Analisis Fiqh Jinayah Dan Hukum Pidana Terhadap Perlindungan Perempuan Dan Anak Korban Kekerasan Dalam Rumah Tangga" (Undergraduate Thesis, IAIN Parepare, 2022), <https://repository.iainpare.ac.id/id/eprint/6105/>.

<sup>17</sup> Harwis Alimuddin, *Reinterpretasi Konsep Nusyuz dalam Keluarga Modern* (Penerbit Kbm Indonesia, 2025).

<sup>18</sup> Syahrudin Hidayat et al., "The Norm of Marriage Age Limit and Cultural Contestation of Child Marriage Law in Rural Communities," *Jurnal Hukum Islam* 21, no. 1 (2023): 1, [https://doi.org/10.28918/jhi\\_v21i1\\_03](https://doi.org/10.28918/jhi_v21i1_03).

committing suicide, or living chaotic lives. Although conditions have improved since Indonesia gained independence, women's roles and participation in society and the workplace still lag behind those of men.<sup>19</sup> Discrimination against women in the workplace still persists. In politics, for example, women remain underrepresented. This is partly because, in this patriarchal society, women are conditioned to work at home, while politics is categorized as a public sphere, traditionally a male domain. Strict limitations imposed by an unbiased social structure also restrict women's access. Domestic affairs are already an obligation for women in families, including educated mothers and daughters who are accustomed to being skilled in housework. This also applies to smaller segments of society, namely families. It is not uncommon for working women to have dual responsibilities due to the patriarchal culture that considers the home as women's responsibility in diverse Indonesian civilization.<sup>20</sup>

#### Manifestations of Domestic Violence in Gampong Cot Matahe

Discussions about violence against women seem unending. We are exposed to media reports of violence almost daily, with common "staples" being beatings, harassment, rape, and even murder. It appears to have become so commonplace that news or TV shows featuring criminal incidents consistently make headlines. Despite the home supposedly being the safest place for all family members, it can, in fact, be terrifying, especially for women. This cruelty is not confined to outside the home. Although there is a widespread belief that high-risk locations are external, this does not seem to apply to women. As wives, parents, and other family members, women are actually more likely to experience injury and become victims of violence at home.<sup>21</sup>

According to the latest data from LBH APIK Jakarta in 2006, there was a 40% increase in this type of violence compared to the previous year. In 2005, LBH APIK Jakarta provided legal assistance to 130 female victims of sexual violence, as follows: There were two cases of sexual harassment perpetrated by blood relatives, nine cases of rape, thirteen cases of children experiencing rape, and six cases of sexual deviance. Another institution assisting women facing injustice in Semarang is the Legal Resource Center for Gender Justice and Human Rights (LRC KJHAM). The findings from this institution's investigation indicate that the number of criminal acts of violence against women increases annually. Children, in addition to adult women, are also victims of these criminal acts.<sup>22</sup>

Domestic violence (KDRT) in Gampong Cot Matahe often manifests as physical, psychological, and economic abuse. Victims are generally women and children who lack the accessibility to resist or report the violence they experience. Perpetrators often

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<sup>19</sup> Maisah Maisah and Yenti SS, "Dampak Psikologis Korban Kekerasan Dalam Rumah Tangga Di Kota Jambi," *ESENSIA: Jurnal Ilmu-Ilmu Ushuluddin* 17, no. 2 (2016): 265, <https://doi.org/10.14421/esensia.v17i2.1292>.

<sup>20</sup> Modiano, "Pengaruh Budaya Patriarki Dan Kaitannya Dengan Kekerasan Dalam Rumah Tangga."

<sup>21</sup> Dwi Hapsari Retnaningrum, "Incest Sebagai Bentuk Manifestasi Kekerasan Terhadap Perempuan," *Jurnal Dinamika Hukum* 9, no. 1 (2019): 19–28.

<sup>22</sup> Alhakim Abdurrahman, "Kekerasan Terhadap Perempuan: Suatu Kajian Perlindungan Berdasarkan Hukum Positif Di Indonesia," *Jurnal Pendidikan Kewarganegaraan Undiksha* 9, no. 1 (2021): 115–22.



rationalize violent acts as a means of disciplining or controlling their partners and children. To delve deeper into how KDRT manifests in daily community life, I conducted interviews with several residents of Gampong Cot Matahe, a village located in North Aceh Regency. This village is an area with a social structure still deeply rooted in customary values and patriarchal traditions. In these interviews, I spoke with a female victim of KDRT (FJ), a traditional leader, and local village officials.

Interview with FJ, a KDRT Victim: This case involved the married couple WB (residing in Cot Matahe, Syamtalira Bayu District) and FJ (originally from Blang Guron), who married in 2010 and lived together in Gampong Cot Matahe. The early period of their marriage seemed normal, but over time, the relationship experienced serious deterioration, especially after entering their 5th year of marriage. In this manifestation of Domestic Violence, WB exhibited behavior reflecting a dominant patriarchal system. He treated his wife, FJ, not as an equal partner, but rather as a “household servant.” FJ was demanded to do all household chores without any help or participation from her husband. Not only that, but WB also frequently engaged in verbal and emotional abuse, including insults, intimidation, and excessive control over his wife’s activities. This behavior aligns with patriarchal power theory, where men believe they have full control over decision-making, including over their wives’ bodies and time.

Adultery as the Pinnacle of Betrayal: The problems became more complicated when FJ discovered that WB had been having a long-term affair with a colleague at his office. The affair occurred while FJ was busy taking care of the house and children at home. The fact of the affair was first discovered when WB began to change his attitude and came home late more often without clear reasons. When FJ finally confronted her husband and the other woman involved (known as a “*pelakor*,” a derogatory term for a mistress), a fierce argument ensued. Not only was there conflict at home, but there was also a direct confrontation between the wife and the mistress. The dispute culminated in legal proceedings in the religious court, leading to divorce. The Psychosocial and Legal Impact on the Wife and Children for the Wife (FJ) included psychological effects such as feeling unappreciated as a wife, experiencing mental pressure, and low self-esteem.

Interview with Tgk. Mahdi, Traditional Leader of Gampong Cot Matahe (village imam), who provided insights from traditional and religious perspectives. According to him, KDRT does occur, but the community still finds it difficult to distinguish between “a husband’s rights” and actual violence.

*“In our tradition, men are considered the heads of the household. If he gets angry or punishes his wife, many consider that acceptable. But now we are starting to understand that it can be considered violence, especially if it harms or degrades the wife.”*

However, Tgk. Mahdi also acknowledged the minimal legal socialization in the village. “Many residents don’t know there are laws protecting women from KDRT. If there’s a problem, it’s usually resolved through family deliberation first.” At the end of the interview, the village officials expressed a desire for these issues to be resolved

through familial means, prioritizing a positive outcome, but if that's not possible, they would proceed through legal channels.

#### Domestic Violence from the Perspective of Family Law and Legislation

##### 1. Family Law Perspective

In the realm of family law, justice and equality within husband-wife relationships are fundamental principles. However, in environments still heavily influenced by patriarchal norms, the dynamic between spouses is often imbalanced. Husbands frequently hold greater authority in decision-making and control over their wives. This imbalance significantly contributes to the occurrence of domestic violence, encompassing sexual, economic, psychological, and physical abuse.<sup>23</sup>

UU PKDRT (Law Number 23 of 2004) serves as a crucial legal instrument to protect victims and combat domestic violence. From a family law perspective, this law affirms that every family member has an equal right to live free from cruel treatment. Additionally, Islamic family law emphasizes building a harmonious household characterized by tranquility (*sakinah*), affection (*mawaddah*), and compassion (*rahmah*).

Despite the existence of these regulations, their implementation in handling domestic violence still faces various challenges. Many victims are reluctant to report abuse due to social pressure, financial dependency, or a lack of awareness of their rights. Consequently, family legal methods need to be more proactive in educating the public about victim protection mechanisms and their rights and responsibilities within the home.<sup>24</sup>

Beyond formal laws, efforts to prevent domestic violence in family law also depend on changing societal attitudes and culture. Striving for gender equality within households is essential to foster more balanced and harmonious husband-wife relationships. Furthermore, encouragement from various stakeholders, including the government, social institutions, and communities, is crucial in building a family environment free from violence.

Normatively, family law aims to create balance and protection for all family members, including wives and children. However, in practice, there are still gaps in implementing regulations that should accommodate protection for KDRT victims. Many victims are hesitant to report due to societal norms that perceive women as inferior and their dependence on their husbands.<sup>25</sup>

##### 2. Laws Governing Domestic Violence

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<sup>23</sup> Margie Gladies Sopacua, "Konsep Ideal Pencegahan Kekerasan Dalam Rumah Tangga Terhadap Perempuan," *Jurnal Pembangunan Hukum Indonesia* 4, no. 2 (2022): 213–26, <https://doi.org/10.14710/jphi.v4i2.213-226>.

<sup>24</sup> Rena Yulia, "Implementasi Undang-Undang Nomor 23 Tahun 2004 Tentang Penghapusan Kekerasan Dalam Rumah Tangga Dalam Proses Penegakkan Hukum," in *Jurnal Huku Pro Justitia*, vol. 23, no. 3, preprint, 2017.

<sup>25</sup> Dakwatul Chairah, "Perlindungan Hukum Terhadap Perempuan Dan Anak Korban Kekerasan Dalam Rumah Tangga Di Kabupaten Sidoarjo," *Al-Jinayah Jurnal Hukum Pidana Islam* 5, no. 1 (2019): 153–75, <https://doi.org/10.15642/aj.2019.5.1.153-175>.

Domestic violence in Indonesia is regulated by Law Number 23 of 2004 concerning the Elimination of Domestic Violence (UU PKDRT). This law aims to legally protect victims of domestic violence, hold perpetrators accountable, and control methods for preventing such violence. KDRT is a crime that can financially, sexually, psychologically, or physically harm family members. The Indonesian government issued UU PKDRT to protect victims and prevent further acts of violence.

UU PKDRT offers several types of protection for victims, including self-protection from perpetrators, legal aid, medical assistance, temporary shelter, and psychological recovery. Additionally, the law regulates protection mechanisms through court protection orders, inter-agency cooperation (such as law enforcement, medical personnel, and social workers), and the provision of safe houses for victims.

From a family law perspective, UU PKDRT plays a vital role in safeguarding the well-being of family members and ensuring everyone's right to live free from violence. Effective implementation of this law requires cross-sector collaboration, including the police, social institutions, and the broader community. Legal awareness within families is also a critical factor in preventing KDRT and ensuring that victims receive adequate protection.

Despite its solid legal foundation, the Domestic Violence Law still faces operational challenges, such as limited access to and lack of public awareness of victims' rights to protection services. Therefore, legal education and increasing public awareness are essential steps to ensure that this law can be applied effectively to protect KDRT victims.<sup>26</sup>

### 3. Prevention Efforts and Policy Reform

To enhance the effectiveness of protection for KDRT victims, a more comprehensive approach is required. This includes strengthening legal education, such as conducting socialization and providing legal education to communities to help them understand their family legal rights. Economic empowerment for victims is also crucial, assisting women to become more economically independent so they are not reliant on perpetrators of KDRT. The role of government and community leaders is vital, especially in improving coordination among law enforcement, traditional leaders, and religious figures to promote victim protection and prevent KDRT.<sup>27</sup>

According to Philipus M. Hadjon, there are two types of legal protection: preventive legal protection and repressive legal protection. The concept of *freis ermessen* (discretionary power) is closely related to preventive legal defense as a form

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<sup>26</sup> Octavia Putri Maharani, "Perspektif Undang-Undang Nomor 23 Tahun 2004 Tentang Perlindungan Hukum Pada Wanita Korban Kdrt," *LEX et ORDO Jurnal Hukum Dan Kebijakan* 1, no. 1 (2023): 75–83.

<sup>27</sup> Charlens Elmaden Mani et al., "Peran Tokoh Adat Dalam Penyelesaian Kasus Kekerasan Terhadap Perempuan Di Desa Saukibe, Kecamatan Amfoang Barat Laut," *Artemis Law Journal* 1, no. 1 (2023): 1, <https://doi.org/10.35508/alj.v1i1.13384>; Elliot Marrow et al., "Power and Control, Resistance and Survival: A Systematic Review and Meta-Synthesis of the Qualitative Literature on Intimate Partner Violence against Transgender Individuals," *Social Science & Medicine* (1982) 342 (February 2024): 116498, <https://doi.org/10.1016/j.socscimed.2023.116498>.

of universal legal protection. Meanwhile, repressive legal protection in Indonesia is managed by government institutions acting as administrative appeal bodies, special bodies, and judicial bodies within the general court system. The implementation of repressive legal protection by the courts includes, for instance, the punishment of criminal perpetrators. Andi Hamzah and Sumangelipu state that the protection of society, including legal protection for victims, is one of the objectives of punishment.<sup>28</sup>

The government issued Law Number 7 of 1984 on Anti-Discrimination to address this issue. Additionally, the government established the Anti-Violence Commission through a Presidential Decree. The government opposes violence against women, viewing it as a violation of the Indonesian Constitution and a form of discrimination. Furthermore, Law No. 23 of 2004 on the Elimination of Domestic Violence aims to provide legal protection to family members who are victims of various types of domestic violence. Offering assistance and defense to victims of domestic violence is the primary objective of this regulation, which is a step in the right direction to ensure their access to justice and promised legal security. As law is the most fundamental source of law, the existence of legislation is crucial for maintaining legal order.<sup>29</sup>

This analysis indicates that the perspective of family law and regulations concerning KDRT holds significant potential in providing protection for victims. However, implementation challenges necessitate a more systematic and community-based approach to ensure that regulations can be effectively carried out.

## **CONCLUSION**

Patriarchal domination significantly fuels domestic violence (KDRT), creating injustice and gender inequality in Gampong Cot Matahe. The perception of male superiority and women's domestic roles facilitates KDRT, whether it's physical, psychological, sexual, or economic, even normalizing it. Cases in Gampong Cot Matahe demonstrate how economic problems or other conflicts are exacerbated by the patriarchal system, leading to violence against women. Although Law Number 23 of 2004 concerning the Elimination of Domestic Violence (UU PKDRT) exists to protect victims, its implementation in Gampong Cot Matahe is still hampered by a lack of public understanding, social stigma, and victims' economic dependence. Traditional interpretations, which sometimes justify the "punishment" of wives, also act as a barrier. Therefore, addressing KDRT in Gampong Cot Matahe requires a comprehensive approach. This means not only relying on legal measures but also conducting massive legal education, economically empowering women, and strengthening coordination

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<sup>28</sup> Rosmita Rosmita et al., "Konsep Perlindungan Istri Pada Kekerasan Dalam Rumah Tangga (KDRT) Perspektif Hukum Islam:," *AL-QIBLAH: Jurnal Studi Islam Dan Bahasa Arab* 3, no. 3 (2024): 3, <https://doi.org/10.36701/qiblah.v3i3.1436>.

<sup>29</sup> Maharani, "Perspektif Undang-Undang Nomor 23 Tahun 2004 Tentang Perlindungan Hukum Pada Wanita Korban Kdrt."

among law enforcement officials, traditional leaders, and religious figures. Expanding the understanding of KDRT, from both legal and religious perspectives, is crucial to creating an equal, harmonious, and violence-free family environment in Gampong Cot Matahe.

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