

Violence Against Women During the Covid-19 Pandemic

Jumriani Nawawi¹

¹ Faculty of Sharia and Islamic Law, Bone State Islamic Institute, Watampone-Indonesia, jumrianicrt@gmail.com

ABSTRACT

The COVID-19 pandemic that has hit the world has had a huge impact. Women are one of the groups affected by the pandemic. Legal protection for women has been established and has permanent legal force. However, the reality is that violence against women continues both culturally and structurally. This article describes the impact of the pandemic on women and efforts to eliminate violence against women during the pandemic. This research was conducted by systematically examining the laws and regulations and by using the technique of collecting document studies from the results of research on violence against women. The results of the study describe that COVID-19 has had a tremendous impact on women in terms of achieving sustainable development goals in Indonesia. During the COVID-19 pandemic, violence against women has increased.

ARTICEL INFO

Keywords:

Violence; Woman; Covid-19
Pandemic

How to cite:

Nawawi, J., (2022).
Violence Against Women
During the Covid-19
Pandemic. *Musamus Law
Review*, 4(2), 96-104

Copyright © 2018 MuLaRev.
All rights reserved.

1. INTRODUCTION

The end of 2019 marks a change in the world order in various fields.¹The outbreak caused by the sars-cov-2 virus which has attacked the respiratory system in humans, has affected various aspects of life. The first COVID-19 pandemic was reported by President Joko Widodo in early 2020. The massive COVID-19 pandemic has disrupted various sectors and aspects of life in various regions. Branka and Fana argue that COVID-19 increases the unemployment rate, the labor sector has an impact on social restrictions for vulnerable groups, one of which is women.

Analysis of unequal gender relations in the family is important to understand the effects of the Covid-19 pandemic on women. The implementation of social distancing restrictions caused most of the activities in public spaces to be carried out from home. So that during this epidemic pandemic, we see changes in various forms of activity such as: work activities from home, remote school activities, remote worship activities,

¹ Imam Pasu Purba, Alifia Widiyanti, Irma Liana, (2021). The Protection of Political Rights in Surabaya Regional Head Elections 2020 during the COVID 19 Pandemic. *Musamus Law Review*, 4(1), 16-24. DOI: <https://doi.org/10.35724/mularev.v4i1.3757>

and including online shopping activities. With the focus on various activities that turn into activities carried out at home, women's responsibilities in the household will get bigger and bigger. For example, during a pandemic, where a working woman/mother must be able to manage workload and time management between activities/work from home by accompanying and accompanying children to online/online schooling. During this pandemic, a woman/housewife must also guarantee and ensure the fulfillment of primary things such as food needs and soaring electricity costs, when family income decreases.²

Based on the findings by UN Women in Europe and Central Asia which found a Rapid Gender Assessment (RGA) that more than 15 percent of women lost their jobs, 41 percent of women experienced wage cuts. In addition, during the Covid-19 pandemic, it was also found that there were additional hours and workloads for women in the family. Not only having an impact on the economic and social fields, the Covid-19 outbreak has also resulted in increased vulnerability of women to acts of domestic violence (KDRT). Even a new concept emerged during the pandemic, namely the shadow pandemic. Shadow pandemic is a concept that explains the phenomenon of increasing acts of violence against women during the Covid-19 outbreak.³

Even today, everyone around the world is still busy talking about the COVID-19 pandemic. What is rarely discussed anymore, is another evil epidemic that will overshadow the increase in violence against women. The COVID-19 pandemic which has lasted for more than two years has had a major effect on the situation and conditions for women, both in the world and in Indonesia in particular. Since the pandemic hit, acts of violence against women have even increased and increased. In fact, online gender-based violence is a hidden threat to women. The fact is that during the pandemic there was an increase in cases of violence against women. There was a drastic increase compared to before the pandemic struck in 2018. Based on the issues that have been described, this article will examine matters related to the problem, namely what are the impacts of the pandemic on women and how to increase violence against women during the pandemic.

2. METHOD

The type of this research is legal research. Soerjano Soekanto's opinion that legal research is to analyze a scientific study based on methods, systematics and ideas that aim to study certain legal phenomena.⁴

This research is a normative juridical research that uses literature study by examining the systematics of the laws and regulations and by examining the level of synchronization of the laws and regulations. This research is descriptive analytical, which uses data carefully related to humans and other phenomena by analyzing the identification of problems.⁵

² Atnike Nova Sigiro, Women and the Covid-19 Pandemic, *Women's Journal*, Vol. 25 No. 4. November 2020, p. 6.

³ Ibid

⁴ Soerjono Soekanto, 2014, *Introduction to Legal Research*, University of Indonesia (UI-Press), Jakarta, p.43.

⁵ Soerjono Soekanto and Sri Mamudji, 1994, *Normative Legal Research: A Brief Overview*, Raja Grafindo Persada, Jakarta, p. 14.

The data that will be used in this study is secondary data consisting of: primary legal materials that are binding, including conventions and laws and regulations, and secondary legal materials that will provide explanations regarding primary legal materials such as books, journals, reports and papers. others related to acts of violence against women during the COVID-19 pandemic. Data analysis was carried out with qualitative methods. This research is descriptive-analytical by studying existing social phenomena. The qualitative method is using data obtained through the interview process, and existing documents.⁶

3. RESULTS AND DISCUSSION

3.1. The Impact of the Pandemic on Women

In 2019 the world was shocked by the emergence of a new disease that was troubling the public known as the corona virus (covid-19). The virus appeared for the first time from Wuhan, China.⁷ This incident occurred because it is suspected that the virus spread due to exposure in a market that sells seafood, which sells many unusual types of live animals. This disease even quickly spread to other regions in China, and globally also occurs in other countries on six continents.⁸ On January 3, 2020, the Center for Disease Control and Prevention in Wuhan identified a fluid sample from one of the patients which was later confirmed to be the cause of the Covid-19 disease.⁹ Furthermore, on January 11, 2020, the World Health Organization (WHO) named this disease Coronavirus Disease 2019 (Covid-19).¹⁰

The COVID-19 pandemic, which has now been designated as a global health emergency by WHO, has hampered daily human activities. On the other hand, our government in Indonesia has made many efforts and policies to overcome the problems of the Covid-19 pandemic. One of the efforts / steps taken is the "Social Distancing" movement in the community. This movement requires the public to maintain a safe distance of at least two meters from other people, not to engage in activities or direct contact with other people, and to stay away from mass activities. This movement was created with the aim of breaking the chain of transmission of Covid-19.¹¹

Efforts that have been made by the government at this time are by issuing policies for the implementation of the Covid-19 Vaccination. As for the instructions from the President to maximize the Covid-19 vaccination program, among others, in the form of (1) giving the Covid-19 vaccine free of charge to the community and the community should not be charged at all, (2) prioritizing the vaccination program in the annual budget by all levels of the cabinet. , ministries, agencies, and local governments, (3) reallocate other budgets related to availability and free vaccination, (4) leaders and officials are the first to get vaccines. This is done to give trust and confidence to the public that the vaccine used is safe, (5) the public is encouraged to continue

⁶ J. R. Raco, 2010, *Metode Penelitian Kualitatif; Jenis, Keunggulan dan Keunggulannya*, Grasindo, Jakarta, p. 67.

⁷ Ray, D., Subramanian, S., & Vandewalle, L. India's Lockdown_ Retrieved 8 April 2020 from voxu.org: <https://voxeu.org/article/india-s-lockdown>

⁸ Dong Y, dkk. *Epidemiology*, p. 12.

⁹ Tan W, dkk, *A Novel*, p. 61

¹⁰ WHO, *Critical Preparedness*, p. 2.

¹¹ Buana, *Analisis Perilaku*, p. 217.

implementing the 3M discipline program (washing hands, wearing masks, and maintaining distance).¹²

In the midst of a combination of a difficult health system, strictly enforced regional and regional quarantines, fears about the virus and the effects of vaccination, and economic instability, at the same time, without realizing it, violence against women has had a great opportunity to develop along with the spread of violence against women. the covid-19 pandemic. Various surveys and studies show that how big the effect of the COVID-19 pandemic is, where women experience excessive/double pressure. It's not easy for women to go through the covid-19 pandemic.¹³

As for some of the impacts of Covid-19 on women on the achievement of the Sustainable Development Goals in Indonesia, namely:¹⁴

1. There are so many women in Indonesia who are still very dependent on family businesses, some of whom have experienced reduced sources of income. Although actually men also experienced the impact of the decline, they also benefited more from the source of income.
2. During the pandemic, informal workers who are women have to reduce their paid working time compared to male workers.
3. Policies related to restrictions on social activities, make women spend more time to carry out household work activities. Women will carry a heavier burden, considering that women will also spend more time caring for and accompanying children.
4. The Covid-19 outbreak has affected the mental health and emotional health of women. This is seen because women will experience increased stress and increased anxiety due to increased workload/household and parenting activities, loss of work and income, and experiences of gender-based violence.

During the covid-19 pandemic¹⁵, Domestic work activities, which are generally carried out by women, have become one of the professions or jobs that are very vulnerable to exploitation. Although the risk of household workload during the pandemic is increasing, in general, household work activities do not get paid. Even though they are in a central position, women still have the strength to survive during the COVID-19 pandemic.¹⁶

Analysis of unequal gender relations in the family is important to know and understand the impact of the COVID-19 pandemic on women. The family group as a 'gendered institution' is one of the important points in feminist theories. With the implementation of social distancing restrictions, most of the activities in public spaces have to be carried out from home. So that during the pandemic outbreak, we see the presence of various forms of unusual activities such as: work from home activities, remote school activities, remote worship activities, and including online shopping

¹² Fitria Cita Dirna, Pengaruh Media Sosial "Instagram" DiMasa Pandemi Covid-19 terhadap kekerasan berbasis Gender Online, *Jurnal Wanita dan Keluarga* Vol. 2 (2), Desember 2021. Jurusan Kehutanan, Sekolah Tinggi Pertanian Sriwigama, Palembang p. 77.

¹³ Chaplin, S. *COVID-19: a brief history and treatments in development*. *Prescriber* Volume 31 Issue 5, 23-28. 2020

¹⁴ Kementerian Pemberdayaan Perempuan dan Perlindungan Anak Republik Indonesia, Jakarta, 2020

¹⁵ Kirana Mahdiah Sulaeman Dan Fenny Rizka Salsabila, Dampak COVID-19 Terhadap Kaum Perempuan, *Sentris*, Volume 16 Issue 1, 2020.

¹⁶ Opcit, Atnike Nova Sigiro, hal. 6.

activities (online shopping).). The focus of various activities carried out at home will cause women's responsibilities in the household to be greater and greater. During a pandemic that is still stagnant, for example, a woman who is a working mother must be able to organize and manage the workload and time of her work activities. Namely, between working from home activities with activities accompanying children who go to school online / online. During a pandemic, a woman who is a housewife must also ensure the fulfillment of primary needs in the form of food needs and soaring electricity costs, when family income finally declines.

The focus of all activities at home during the pandemic according to the author is very influential on the mentality of a housewife because the work is increasing where so far it has only been doing homework but during the pandemic this activity will increase with teaching and learning activities carried out online so it is time to do homework become divided and also the burden of dealing with different children's attitudes in carrying out online school routines.

3.2. Increased Violence Against Women During the Epidemic Covid-19 Pandemic

The very hard struggle in efforts to eliminate violence against women that has been carried out by countries after a long time and as a result the ratification of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) or the Convention on the Elimination of All Forms of Discrimination against Women dated December 18, 1979 through the approval of the United Nations General Assembly which was then enacted in 1981 which after being approved by 20 countries with the same hope that it can become a protective umbrella, shelter and proclaim the rights of women in other parts of the world and become another form of protection aimed at women regarding non-discriminatory principle.

Article 1 of the Convention on the Elimination of All Forms of Discrimination against Women states that "Discrimination against women is any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of reducing or eliminating the recognition, enjoyment or exercise of human rights. human rights and fundamental freedoms in the political, economic, socio-cultural, civil or any other fields by women, regardless of their marital status, on the basis of equality between men and women".¹⁷ As a follow-up to it, Law no. 7 of 1984 concerning Ratification of the Convention Concerning the Elimination of All Discrimination Against Women (ratification of the CEDAW convention).

Based on Komnas Perempuan's records, the number of cases of violence against women starting in 2020 was 299,911 cases. Data collected from 3 sources namely; from the District Courts/Religious Courts totaling 291,677 cases, and data from partner service institutions Komnas Perempuan a total of 8,234 cases, data from the Service and Referral Unit (UPR), which is one of the units deliberately established by Komnas Perempuan whose function is to receive direct complaints. victims, which amounted to 2,389 cases, with a focus on records as many as 2,134 cases were gender-based cases and 255 cases of which were non-gender based cases. Non-government service

¹⁷ Sulistyowati Irianto, Hukum Perlindungan Perempuan dan Anak, The Asian Foundation, p. 114.

institutions or service institutions from civil society during this pandemic outbreak were actually more visited than government service institutions. This is presumably because non-governmental service institutions during the pandemic are more able to adapt to changes in the existing service system, and have flexibility in the time of service.¹⁸

The United Nations states that the phenomenon of violence against women during this pandemic is a shadow pandemic (United Nations, 2020). Efforts to eliminate violence against women as a shadow pandemic have met a crisis period during the COVID-19 pandemic. Until now, entering the year 2022, there is a trend of increasing new cases of positive corona. Based on data from the Covid-19 Task Force, there were an additional 802 new cases infected with COVID-19 in Indonesia, bringing the total positive cases of COVID-19 to 4,267,451 cases.¹⁹

According to existing data obtained from service institutions/forms related to Komnas Perempuan data collection as many as 8,234 cases, where the type of violence against women that most often occurs is in the personal or private sphere, namely acts of Domestic Violence and Personal Relations, namely as much as 79% (6,480 cases). Among them, violence against wives (KTI) occupies the highest position with 3,221 cases (49%), followed by violence in dating 1,309 cases (20%) which occupies the second position. Then, the third position is cases of violence against girls, totaling 954 cases (14%), the rest are cases of violence by ex-husbands, ex-girlfriends, and violence against domestic workers or domestic assistants. The problem of violence in the private sphere is experiencing a cycle that is almost the same as what happened in previous years.²⁰

As stated by Jamshed Kazi as part of the UN Women's Representative to represent Indonesia and ASEAN Relations, that women are people who are disproportionately affected by the pandemic outbreak. "So it is very important to be able to ensure that the existing pressure is structured by focusing on the needs of women, especially for vulnerable groups. It is also hoped that it can provide assistance to the Covid-19 Task Force, development partner institutions, as well as the non-government/private sector in Indonesia in formulating policies that can support efforts to deal with the COVID-19 pandemic in order to meet the needs of women and girls, and proclaiming the endeavor of a speedy recovery."²¹

One of the efforts that can still be done to overcome violence against women other than through litigation is the non-litigation channel. As it is known that, mediation or peaceful means have been widely used as an alternative in handling domestic violence

¹⁸ Komnas Perempuan, *Perempuan Dalam Himpitan Pandemi: Lonjakan Kekerasan Seksual, Kekerasan Siber, Perkawinan Anak, Dan Keterbatasan Penanganan Di Tengah Covid-19 Catatan Kekerasan Terhadap Perempuan Tahun 2020*, Jakarta, 2021, p. 1.

¹⁹ Yudho Winarto, *Tribun Network*, <https://nasional.kontan.co.id/news/update-corona-indonesia-11-januari-2022-tambah-802-kasus-baru-disiplin-prokes>, 2022

²⁰ Loc. cit Komnas Perempuan, p. 1.

²¹ Ibid

problems, until in the end these problems were not forwarded to litigation. The seminar conducted by Komnas Perempuan and KPPPA supported by UN Women entitled "Urgency to Accelerate Optimization and Effectiveness of the Implementation of Law Number 23 of 2004 concerning Elimination of Domestic Violence"²² who discuss and raise mediation efforts in handling domestic violence problems are often referred to as one of the efforts to obtain restorative justice. Although in reality of its implementation, restorative justice has several prerequisites, the most important of which is to intervene in the interests of the victim as the party directly affected by the crime, including the family of the victim, as well as the wider community who will receive the impact. and the full participation/participation of the victim and other parties affected by this violence.

Basically related to the techniques and mechanisms of restorative justice²³ that is carried out on cases of Domestic Violence only focuses on stopping cases or to be able to avoid the settlement route by litigation in criminal justice which is still estimated to be less effective, can be tough, and can cost a lot of money so that it can trigger a buildup of cases. cases, and will focus less on cases of domestic violence so that it cannot touch what is the root of the problem of domestic violence, namely the use of authority and control in the household context, as a result of domestic violence that always occurs again. The effect of the technical implementation of this mechanism is that it does not bring benefits to the victim and even places it in a favorable position for the perpetrators and law enforcement officers. This study proposes to law enforcement officials that alternative techniques and mechanisms such as mediation with the concept of restorative justice can be prioritized and to KPPPA and Komnas Perempuan so that they can develop standard standards regarding cases of violence against women that can be handled using the concept of restorative justice and the handling process can be implemented. through an approach to empowering the victim by a facilitator who has certain qualifications.²⁴

According to the author, why during the pandemic like now is so vulnerable to violence against women because family income has decreased with restrictions in carrying out activities so that women as people who are considered weak will become an outlet and many women do not want to report cases, especially those that occur within the family scope. so that there is a chance for repeated acts of violence.

4. CONCLUSION

The impact of the COVID-19 pandemic on women is very large, such as carrying a double burden in the family, losing their livelihood, and being prone to violence. The COVID-19 pandemic situation, which shows an increase in violence against women, is higher than before the COVID-19 pandemic hit. The position of women is

²² Gadis Arivia.2020. Perspektif Feminisme: Interseksionalitas dan Covid-19/ Feminist Theoretical Perspective: Intersectionality and Covid-19. Jurnal Perempuan, Vol. 25 No. 4, November 2020

²³ Erni dwita Silambi et. all, Ideal Concept of Traditional Justice in Solving Criminal Case, Academic Journal of Interdisciplinary Studies AJIS, Vol.11,issue 1, Januari 2022

²⁴ Ibid, Komnas Perempuan. p. 20.

substantively in the effort to handle the COVID-19 pandemic, not only because women are one of the groups that will face the impact of great vulnerability, but also because women are the backbone of the prevention and recovery process for the COVID-19 pandemic.

ACKNOWLEDGMENTS

The writing of this article can be completed with moral and material assistance, from various parties, namely, the Beloved Parents of Ayahanda Drs. Nawawi Rasyid and the mother of Hj. Muhsanang, husband of the author Harizal, S.Tp., M.M, for all the support given to the author. Thank you to the Chancellor of IAIN Bone, the Dean of the FSHI IAIN Bone and the entire academic community of the Bone State Islamic Institute for their constant support.

REFERENCES

Books with an author:

- Soerjono Soekanto, (2014). *Pengantar Penelitian Hukum*. Jakarta: Universitas Indonesia (UI-Press).
- Soerjono Soekanto dan Sri Mamudji, (1994). *Penelitian Hukum Normatif: Suatu Tinjauan Singkat*. Jakarta: Raja Grafindo Persada.
- J. R. Raco, (2010), *Metode Penelitian Kualitatif, Jenis, Karakteristik dan Keunggulannya*. Jakarta: Grasindo.
- Sulistiyowati Irianto, (2012), *Hukum Perlindungan Perempuan dan Anak*, Jakarta: The Asian Fondation.

Journal articles:

- Atnike Nova Sigiro (2020). Perempuan dan Pandemi Covid-19, *Jurnal Perempuan*, 25 (4).
- Buana, DanaR. (2020). "Analisis Perilaku Masyarakat Indonesia dalam Menghadapi Pandemi Virus Corona (Covid-19) dan Kiat Menjaga Kesejahteraan Jiwa." *Jurnal Sosial dan Budaya Syar-i* 7, No. 3 (2020) 217-226. DOI: 10.15408/sjsbs.v7i3.15082
- Chaplin, S. (2020). *COVID-19: a brief history and treatments in development*. Prescriber. **31(5)**, 23-28.
- Erni dwita Silambi et.al. (2022). Ideal Concept of Traditional Justice in Solving Criminal Case, *Academic Journal of Interdisciplinary Studies AJIS*, **11(1)**, Januari 2022.
- Fitria Cita Dirna (2021). Pengaruh Media Sosial "Instagram" Di Masa Pandemi Covid-19 terhadap kekerasan berbasis Gender Online, *Jurnal Wanita dan Keluarga*, **2(2)**, Desember Jurusan Kehutanan, Sekolah Tinggi Pertanian Sriwigama, Palembang.
- Imam Pasu Purba, Alifia Widiyanti, Irma Liana, (2021). The Protection of Political Rights in Surabaya Regional Head Elections 2020 during the COVID 19 Pandemic. *Musamus Law Review*, **4(1)**, 16-24. DOI: <https://doi.org/10.35724/mularev.v4i1.3757>
- Komnas Perempuan (2021), *Perempuan Dalam Himpitan Pandemi: Lonjakan Kekerasan Seksual, Kekerasan Siber, Perkawinan Anak, Dan Keterbatasan Penanganan Di Tengah Covid-19 Catatan Kekerasan Terhadap Perempuan Tahun 2020*, Jakarta.
- Kirana Mahdiah Sulaeman Dan Fenny Rizka Salsabila, (2020). Dampak COVID-19 Terhadap Kaum Perempuan, *Sentris*, 16 (1).
- Tan, Wenjie, et.all. (2020). "A novel coronavirus genome identified in a cluster of pneumonia cases – Wuhan, China 2019 - 2020." *China CDC Weekly* 2 (4):61-62.

<http://weekly.chinacdc.cn/en/article/id/a3907201-f64f-4154-a19e-4253b453d10c>

Dong Y, dkk. (2020). "Epidemiology of Covid-19 Among Children in China." *American Academy of Pediatrics*, DOI: <https://doi.org/10.1542/peds.2020-0702>

Gadis Arivia.(2020). Perspektif Feminisme: Interseksionalitas dan Covid-19/ Feminist Theoretical Perspective: Intersectionality and Covid-19. *Jurnal Perempuan*, 25 (4), November 2020

Ray, D., Subramanian, S., & Vandewalle, L. India's Lockdown_ Retrieved 8 April 2020 from voxeu.org: <https://voxeu.org/article/india-s-lockdown>

World Wide Web:

Yudho Winarto. (2022). *Tribun Network*, <https://nasional.kontan.co.id/news/update-corona-indonesia-11-januari-2022-tambah-802-kasus-baru-disiplin-prokes>

Kementerian Pemberdayaan Perempuan dan Perlindungan Anak Republik Indonesia. (2020). Survei 'Menilai Dampak Covid-19' : Perempuan Memikul Beban Lebih Berat Dibandingkan Laki-Laki, Jakarta, 2020. <https://www.kemenpppa.go.id/index.php/page/read/29/2921/survei-menilai-dampak-covid-19-perempuan-memikul-beban-lebih-berat-dibandingkan-laki-laki>

WHO. 2020. "Critical Preparedness, Readiness and Response Actions for Covid-19." 2020. Diakses pada Maret 10, 2021, <https://www.who.int/publications/i/item/critical-preparedness-readiness-and-response-actions-for-covid-19>