

## Domestic Violence Against Women During The Covid 19 Pandemic In Gorontalo Province

Dedi Sumanto<sup>1</sup>, Asriadi Zainuddin<sup>2</sup>, Mohammad Ramdan Suyitno<sup>3</sup>,  
Virahmawaty Mahera<sup>4</sup>

<sup>1</sup> Faculty of Syariah, IAIN Sultan Amai Gorontalo, Indonesia, dedisumanto@iaingorontalo.ac.id

<sup>2</sup> Faculty of Syariah, IAIN Sultan Amai Gorontalo, Indonesia, asriadi.zainuddin@gmail.com

<sup>3</sup> Postgraduate, IAIN Sultan Amai Gorontalo, Indonesia, danisuyitno99@gmail.com

<sup>4</sup> Postgraduate, IAIN Sultan Amai Gorontalo, Indonesia, maheradea832@gmail.com

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### ABSTRACT

The phenomenon of violence against women has recently become a prominent issue. This is not only due to the increasing severity of cases of violence experienced by women, but the intensity is even more worrying. This study focuses on domestic violence during the covid-19 pandemic in Gorontalo Province. The method used in this research is field research with a sociological juridical approach to determine the application of law to society, in this case the enforcement of related laws regarding Law Number 23 of 2004 concerning the Elimination of Domestic Violence. The results of this study are forms of domestic violence in the form of physical violence, namely actions that cause pain, fall ill, or seriously injured. Psychological violence, namely actions that cause fear, loss of self-confidence, loss of ability to act, sense of helplessness, and/or severe psychological suffering on a person. Factors causing Domestic Violence (KDRT) which are often found in handling victims, include: Perpetrators who cheat or have WIL, Communication factors that are not harmonious, There are influence factors from the family either from the victim or perpetrator, Socio-economic factors, Perpetrators who commit physical violence and sexual violence, perpetrators who do not provide a living or neglect for a long time and from the juridical side the problem of domestic violence (KDRT) is pursued through private law (civil) with divorce. However, the dilemma faced by the victim is that she is not ready to live her own life (as a widow) by bearing a negative predicate from the community.

### ARTICEL INFO

#### Keywords:

Domestic Violence, Verbal Violence, Covid-19 Pandemic.

#### How to cite:

Sumanto, D., Zainuddin, A., Suyitno, M. R., Mahera V. (2022). Domestic Violence Against Women During The Covid 19 Pandemic In Gorontalo Province. *Musamus Law Review*, 5(1), 27-36

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### 1. INTRODUCTION

The momentum of the day of anti-violence against women which is commemorated by the world every November 25, with the enactment of Law Number 23 of 2004 concerning the Elimination of Domestic Violence. This is a progress in legal development and increasing legal awareness of the Indonesian people. The

phenomenon of violence against women has recently become a prominent issue. This is not only due to the increasing severity of cases of violence experienced by women, but the intensity is even more worrying. For Indonesia, apart from being obtained from mass media coverage, an increase in the spatial scale, form, intensity and degree of violence against women is also obtained from the results of research that is increasingly being carried out.

According to Article 1 of the Declaration on the Elimination of Violence against Women, which includes all forms of violence, both physically, sexually and emotionally, that makes women suffer, including all forms of threats, intimidation, and violations of women's rights or freedoms, either openly or covertly. In a domestic relationship, psychological violence that is conveyed verbally or that the body is often not aware of in terms of its effects is equally damaging. There are various forms of verbal abuse from harsh words to gentle comments, or soothing gestures.

The types of domestic violence according to Article 5 of Law No. 23 of 2004 include economic, physical, psychological, and sexual violence;

1. Economic violence is any act that restricts the wife from working inside or outside the home that generates money or goods and or allows the wife to work to be exploited or neglected family members in the sense of not meeting the economic needs of the family.
2. Physical violence is any act that causes pain, injury, injury or disability to a person's body and or causes death.
3. Psychological/psychic violence is any act and speech that results in loss of self-confidence, loss of ability to act, and a feeling of helplessness and fear of the wife.
4. Sexual violence is any act that includes sexual harassment, physically forcing the wife to have sexual intercourse and or have sexual intercourse without consent and when the wife does not want it, to have sexual relations in ways that are reasonable or unwelcome. wife, as well as distancing or not meeting the wife's sexual needs.<sup>1</sup>

According to Herkutanto, the definition of domestic violence (domestic violence) is an action or attitude carried out with a specific purpose so that it can harm women, both physically and psychologically. "According to Mansur Fakhri, the definition of violence is an attack or invasion of a person's physical or mental integrity and psychological integrity. We often encounter domestic violence, especially against wives, even in large numbers. Of the many violence that occurred, only a few can be resolved fairly. This is because in society there is still a growing view that domestic violence remains a household secret or disgrace, which is very inappropriate if it is raised on the surface or is not fit for consumption by the public.<sup>2</sup>

Violence is the use of physical force to injure or abuse, harsh and harsh treatment or procedures. Injured or injured due to misconduct, or indecent or cruel speech. Something that is strong, turbulent, or powerful and tends to destroy or coerce. Can appear in the form of feelings that are expressed emotionally, including things that arise from these actions or feelings.<sup>3</sup>

During the COVID-19 pandemic, there was an increase in domestic violence cases. Data from the Commission Against Violence Against Women (Komnas

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<sup>1</sup> Fathul Jannah dkk., *Kekerasan Terhadap Istri*, (Yogyakarta : LKis, 2002), p.15

<sup>2</sup> Hendra Akhdhiat, *Psikologi Hukum* (Bandung : Pustaka Setia, 2011), p.31

<sup>3</sup> Munandar Sulaiman dan Siti Homzah, *Kekerasan Terhadap Perempuan*, (Bandung: Refika Aditama, 2010), p.51

Perempuan) shows that domestic violence is the most reported case of violence. Of the 319 reported cases of violence, two thirds (213 cases) were cases of domestic violence.<sup>4</sup> Verbal abuse does not leave scars on the body, but it can cause permanent damage to the soul and self-esteem. Verbal violence can be more painful than physical abuse and has devastating consequences for people who experience it every day, domestic violence for women is the most common during the COVID-19 pandemic and has even experienced an increase in the number of cases that requires serious handling and action. tough on law enforcement. Violence against women by husbands, according to data from the Ministry of Women's Empowerment and Child Protection (PPPA) recorded that there were 24,325 cases of violence against women in the period 2019 to September 2020. The high number of cases of violence against women and children needs to be a common concern. Women and children are very vulnerable to experiencing violence, therefore all parties must make joint movements to prevent acts of violence.<sup>5</sup> As the data on cases of violence against women and children in Gorontalo Province, it reached 754 cases. This figure is an accumulation of data held by the Office of Social Affairs, Women's Empowerment and Child Protection of Gorontalo Province, as many as 307 cases in 2018.<sup>6</sup>

So far, domestic violence tends to be perpetrated by the husband, seeing two main issues, First, all forms of domestic violence by a good husband can have a serious impact on a woman's psychological health, Second, victims of domestic violence are given protection by the state through legislation No. 23 of 2004 on the Elimination of domestic violence.

From these two trends, it can be seen that the perspective of violence that results in divorce in the home is subjectively perpetrators of verbal domestic violence that allows deep psychotrauma and formulated the right legal rules, in order to minimize violence against women.

## **2. METHOD**

The method used in this study is field research with a sociological juridical approach to determine the application of law to society, in this case the enforcement of related laws concerning Law Number 23 of 2004 concerning the Elimination of Domestic Violence.

## **3. RESULTS AND DISCUSSION**

### **3.1. Forms of Domestic Violence During the Covid-19 Pandemic In Gorontalo Province**

The issue of women's domestic violence in Indonesia is still considered normal, and is considered to be just a dynamic of life that must be lived. So that many women in the household do not dare to report the violence they experience because they think

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<sup>4</sup><https://theconversation.com/angka-kdrt-di-indonesia-meningkat-sejak-pandemi-covid-19-penyebab-dan-cara-mengatasinya-144001>

<sup>5</sup> Deti Mega Purnamasari, *Kementerian PPPA Catat 24.352 Kasus Kekerasan Perempuan pada 2019-2020*. Jakarta. Retrieved from. <https://nasional.kompas.com/read/2021/10/27/12063421/kementerian-pppa-catat-24352-kasus-kekerasan-perempuan-pada-2019-2020?page=all>

<sup>6</sup><https://daerah.sindonews.com/berita/1433743/174/kekerasan-perempuan-dan-anak-di-gorontalo-capai-754-kasus>.

that it is a disgrace in the family that other people should not know about.<sup>7</sup> Domestic violence is any act against a person, especially a woman, that results in physical, sexual, psychological misery or suffering, and neglect of the household, including threats to commit acts, coercion, and unlawful deprivation of liberty within the household.

Everyone certainly has different traits or characteristics on how to address a problem. Perpetrators of domestic violence usually have a bad personality in dealing with a problem. Namely by doing rude behavior towards the family when he is faced with a situation that spurs emotions to anger and frustration.<sup>8</sup>

According to articles 5-9 of the PKDRT Law No. 23 of 2004, it is stated that the forms of domestic violence are as follows:

- a. Physical violence is an act that causes pain, falls ill, or is seriously injured.
- b. Psychological violence, namely actions that cause fear, loss of self-confidence, loss of ability to act, sense of helplessness, and/or severe psychological suffering on a person.
- c. Sexual violence, namely forcing sexual intercourse against people within the scope of the household and forcing sexual relations against one person within the scope of his household with another person for commercial purposes and/or certain purposes.
- d. Abandonment of the household, namely abandoning a person within the scope of his household, even though according to the law that applies to him or because of an agreement or agreement he is obliged to provide life, care, or maintenance to that person. Neglect also applies to anyone who causes economic dependence by limiting and/or prohibiting people from working properly inside or outside the home so that the victim is under the control of that person.

Violence is a problem that certainly has a negative impact on the health, morals and social welfare of the community, especially women. The presence of the COVID-19 outbreak seems to make the struggle of people around the world against violence against women more difficult and slower, along with the work from home policy (WFH) several studies have raised the issue of violence against women increasing during activities and work carried out at home. The existence of government regulations related to quarantine when the Large-Scale Social Restrictions (PSBB) were imposed had an impact on family harmony and prosperity. Family prosperity can certainly be obtained if the physical, mental, social needs in a family can be met.<sup>9</sup>

The government's policy is related to the rules of Large-Scale Restrictions (PSBB) which are enforced in several regions. This rule is certainly made as an effort to prevent the massive spread of the corona virus in Indonesia. Government officials at the provincial, district and city levels independently and take the initiative to follow these rules by imposing them earlier in their respective regions. Related to the implementation of this policy, it has an impact on increasing the number of reports of violence against women.

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<sup>7</sup> Agung Budi Santoso, Kekerasan dalam Rumah Tangga (KDRT) Terhadap Perempuan: Perspektif Pekerja Sosial, *Jurnal Pengembangan Masyarakat Islam*, 10 (1), <https://doi.org/10.20414/komunitas.v10i1.1072>

<sup>8</sup> Moerti Hadiati Soeroso, Kekerasan dalam Rumah Tangga (KDRT) dalam Perspektif Yuridis-Viktimologis, (Jakarta: Sinar Grafika, 2010), p.76

<sup>9</sup> Theresia Vania Radhitya, Nunung Nurwati, Maulana Irfan, Dampak Pandemi Covid 19 terhadap Kekerasan Rumah Tangga, *Jurnal Kolaborasi Resolusi Konflik*, 111-119, 2(2). <https://doi.org/10.24198/jkrk.v2i2.29119>

Based on the data the author obtained from the Gorontalo Provincial Social Service data, from the data from the North Gorontalo Women's and Children's Integrated Service Center (P2TP2A) data, violence against women and children increased during the COVID-19 pandemic. In 2020 there were 31 cases of violence against women, while the case for children was 13 cases while in 2021 from the latest data there were at least 21 cases of violence against children and 9 cases for female victims, while the data on violence against women and children in Gorontalo Regency throughout 2021 to reach 69 cases. Head of the Gorontalo Regency Integrated Service Center for the Empowerment of Women and Children (P2TP2A), Sri Dewi Nani said that this figure could increase considering that it is still early October. In 2020 it is still relatively high, but if you look at the increase in the current case data (2021) it is so fast, whereas now it is still early October, it has reached 69 cases.

### **3.2. Factors Affecting the Occurrence of Domestic Violence Against Women During the Covid-19 Pandemic In Gorontalo Province.**

The National Commission on Violence Against Women (Komnas Perempuan) noted that Domestic Violence (KDRT) against women increased during the Covid-19 pandemic. This is based on a survey that recruited 2,285 respondents during April-May 2020. As many as 80 percent of female respondents in the income group in Indonesia, under IDR 5 million per month said that the violence they experienced tends to increase during the pandemic. In general, the online survey noted that psychological and economic violence dominates the forms of Domestic Violence.<sup>10</sup>

Dean of the Faculty of Psychology, University of Semarang (Fpsi USM) Dr Rini Sugiarti said, the increase in domestic violence during the Covid-19 pandemic could be influenced by several factors including the economy that had an impact on families. The intensity of husband and wife meetings increased due to the changing lifestyles during the pandemic, he said, contributing to the phenomenon of increasing Domestic Violence. Because in some cases the increased intensity of the meeting will cause friction. "But it can also be added by not working, having to stay at home, income is reduced. The middle class may still be able to survive, but those whose income is limited, already at home plus no income and with emotional families and so on will occur Domestic Violence.<sup>11</sup>

The problem of Domestic Violence (KDRT), the important thing that must be considered is the need to properly understand the factors that trigger the occurrence of these acts of violence and their impacts, by understanding the factors that cause Domestic Violence (KDRT) then Indirectly it will form a sensitive mindset and attitude in addressing the issue of Domestic Violence (KDRT) so that the right mainset will give birth to an attitude of participating in efforts to prevent and protect victims of domestic violence and actively help take action against perpetrators of violence in accordance with norms, applicable in society and in line with state regulations.

Based on information from the Office of Social Affairs, Women's Empowerment and Child Protection, Gorontalo Province, said that the factors causing Domestic Violence (KDRT) that are often found in handling victims, include:

- a. Perpetrators who cheat or have WIL
- b. Inharmonious communication factor
- c. There is a factor of influence from the family of both the victim and the perpetrator.

<sup>10</sup> <https://www.liputan6.com/news/read/4275984/kdrt-meningkat-saat-pandemi-covid-19-akibat-faktor-ekonomi#>

<sup>11</sup> <https://www.liputan6.com/news/read/4275984/kdrt-meningkat-saat-pandemi-covid-19-akibat-faktor-ekonomi>

- d. Socio-economic factors
- e. Perpetrators who commit physical violence and sexual violence
- f. Perpetrators who do not provide a living or neglect long enough
- g. Perpetrators who do not work but take advantage of their wives to be able to earn a lot of money, so they often spend the victim's money by gambling or other bets
- h. Perpetrators who never go home with the status of still married
- i. The existence of an arranged marriage factor from the parents due to factors in cases of pregnancy out of wedlock or cases of obscenity or rape.

Factors causing family violence that have been described, there are at least two factors that trigger domestic violence (KDRT), namely internal and external factors. Internal factors concern the personality of the perpetrator of violence, the aggressive personality is usually formed through interactions in the family or with the social environment in childhood. Not surprisingly, violence usually occurs from generation to generation because children will learn how to deal with their parents' environment. So that it is possible for a child who is born in a family situation that is full of violence, indirectly when he grows up will consider acts of violence as something commonplace in the family. Internally, Domestic Violence (KDRT) can occur due to the weak adaptation ability of each family member among each other, so that family members who have power and strength tend to act exploitatively against other family members.

Second, external factors, are factors outside the perpetrators of violence. Those who are not classified as having aggressive behavior can commit acts of violence when faced with situations that cause frustration such as economic difficulties, child delinquency, infidelity and so on. Based on this sociologically the family must function as a protective means where the family building is positioned as a safe place from internal and external disturbances of the family to ward off all negative influences that enter it. In family life, especially in Indonesia, men are still dominantly considered as the owner of authority over children, family and property, while women are still positioned as subordinates. In the sense that patriarchal culture places men in the top position.<sup>12</sup>

Through patriarchal culture, men are placed as those who have superior power, while women are considered weak and give up easily if they get harsh treatment. This view is used as an excuse that is considered reasonable if women become targets of violence. Most wives try to hide the problem of violence in their family because they feel ashamed of the social environment and do not want to be considered a failure in the household so that they choose a resigned attitude to their husband's harsh treatment.

### **3.3. Legal Implications of Domestic Violence during the Covid-19 Pandemic In Gorontalo Province.**

Domestic violence can be interpreted as an expression of feelings of anger and hostility that result in a loss of control where individuals can behave proactively or take actions that can endanger themselves, others and the environment in the smallest organizations in society that are formed because of marriage. Domestic violence is often carried out together with one form of

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<sup>12</sup> Ana Rochayati Nur Faisyah dan Nur Sa'dah, *Perempuan dan Kekerasan Dalam Rumah Tangga*, Journal of Islamic Guidance and Counselling, 23-32, 2(1), <https://doi.org/10.51192/cons.v2i1.326>

crime, threats and so on according to what has been stipulated in the applicable legislation.

In addition to bringing the impact of stress, depression, and trauma felt by the victim. Psychological impacts can be divided into "immediate effects" after the incident, as well as "medium or long term effects" which are more permanent. Immediate effects, such as fear and being threatened, confusion, loss of sense of power, inability to think, concentration, excessive alertness to eating and sleeping disorders occur. Domestic Violence (KDRT) often ends in the end of marriage marriages which are difficult to save this is because the traumatized attitude felt by the victim often makes the victim feel afraid to meet the perpetrator so that the communication breakdown between the two becomes an obstacle in seeking peace with each other. There are those who apologize and repent, but also not infrequently choose the path of divorce.

The root of much violence is ignorance of the understanding of power relations. Women and men in any relationship should be equal and the use of violence or punishment shows an imbalance of power relations, namely when one person feels superior and has the power to punish while the other is forced to submit and accept punishment. We find this relationship a lot in society and often violence in relationships is justified in the name of love, when in fact there is no love shown by the use of violence, let alone forced sexual relations that do not reflect affection. The influence of the dominance of power in favor of men and considering women as subordinates or unequal partners is the result of a patriarchal culture that is still shackled in people's minds.

Implications from the side of economic violence (abandonment) as often occurs in the community have an impact on children, this is due to the limited fulfillment of the daily needs of their wives and children. The impact can be in the form of an effect that is directly felt by the child, because a wife who is a Victim of Domestic Violence (KDRT) often loses income and sources of income, loses her place of residence, loses productive time because she is unable to work due to violence on the one hand, has to bear the burden. family support in the case of neglect. The impact of economic violence or neglect of husbands on their wives can be found in various cases of divorce by wives in various Religious Courts.

From the juridical side, the problem of Domestic Violence (KDRT) is pursued through private law (civil) with divorce. However, the dilemma faced by victims is that they are not ready to live their own lives (as widows) by bearing a negative predicate from the community, and bear the costs of living for themselves and their families. The negative effects of Domestic Violence (KDRT) are certainly diverse and are not only family relationships but also to members in the family in them. In the case of serious physical and psychological injuries directly suffered by the victim, ultimately limiting the opportunity to obtain equal rights. Domestic violence also results in the fracture of family relationships and children which can then become a source of social problems.

As a functional government agency, the Office of Social Affairs, Women's Empowerment and Child Protection of Gorontalo Province, performs its

performance in protecting the rights of its citizens from discriminatory behavior and all actions that lead to arbitrary behavior that results in the deprivation of human rights, in this case the government. has the task of safeguarding the five main principles in Islam: religion, life, lineage, property and honor. Through its mission, Women's Empowerment and Child Protection, Gorontalo Province seeks to strengthen victims of violence by providing integrated services and simplifying existing service procedures with the aim of providing protection and a sense of security through a gender-oriented approach by paying attention to the rights that victims should get, including the right to earn a living. the inner birth of the husband, the right to self-protection and the right to receive respect and proper treatment from a husband, while still placing justice in the highest position in line with the objectives of Islamic law (*maqashid al-syaria*).

Through optimal services, it is hoped that the Women's Empowerment and Child Protection of Gorontalo Province can facilitate women victims of violence according to the needs of the victims. In terms of assisting the victim, it is hoped that the victim will receive information regarding the rights that should be obtained in addition to the right to a sense of security and self-protection. Because in principle the dimensions of a human's health can not only be measured through mere physical conditions but also in terms of mental, social and work productivity for someone who is still of working age. Equality between men and women is reflected through the opportunity to have access and participation as well as the opportunity or opportunity to use resources and have the authority to make decisions on how to use and produce these resources. Having control means having full authority to make decisions over the use and outcome of resources, thereby reaping the same benefits from development.

Efforts to empower women and protect children in Gorontalo Province in fighting for the rights of women are in line with the principles of Islamic law, namely the creation of justice based on human values and reflects the principles of respect for women. This is reflected in the professionalism of the performance of Women's Empowerment and Child Protection in Gorontalo Province in serving victims of violence based on the total needs of the victims. Besides that, through programs held at the Women's Empowerment and Child Protection in Gorontalo Province as part of a form of empowering victims so that they can survive in continuing their lives in the future.

The government's obligation to protect its citizens from discriminatory behavior must be carried out comprehensively by taking into account the rights that the wife should have in her domestic life, including the right to receive physical and spiritual support from her husband, the right to self-protection and the right to respect, the right to receive proper treatment. both from a husband and the right to obtain non-discriminatory legal decisions in matters of divorce, child care and inheritance, while still placing justice in the highest position as an effort to create good relationships (*mu'asyarah bil ma'ruf*) in the family environment and for the sake of the realization of a balance of rights and obligations between husband and wife without any sense of interference with each other.



#### **4. CONCLUSION**

Substantially based on the results of the study, it can be concluded that the form of domestic violence is in the form of physical violence, namely acts that cause pain, fall ill, or seriously injured. Psychological violence, namely actions that cause fear, loss of self-confidence, loss of ability to act, sense of helplessness, and/or severe psychological suffering on a person. Sexual violence, namely forcing sexual intercourse against people within the scope of the household and forcing sexual relations against one within the scope of his household with another person for commercial purposes and/or certain purposes as well as neglect of the household.

Factors causing Domestic Violence (KDRT) that are often found in handling victims, include: Perpetrators who cheat or have WIL, Communication factors that are not harmonious, There are influence factors from the family both from the victim or perpetrator, Socio-economic factors, Perpetrators who commit physical violence and sexual violence, Perpetrators who do not provide a living or neglect for long enough, Perpetrators who do not work but take advantage of their wives to earn a lot of money so that they often spend the victim's money by gambling or other bets, Perpetrators who never return with status still attached marriage, there is an arranged marriage factor from the parents because of the case of pregnant out of wedlock or cases of obscenity or rape and from the juridical side the problem of domestic violence (KDRT) is pursued through private law (civil) with divorce. However, the dilemma faced by the victims is that they are not ready to live their own lives (as widows) by bearing a negative predicate from the community, and bear the costs of living for themselves and their families.

#### **ACKNOWLEDGMENTS**

We would like to thank the administrators of the Musamus Law Review Journal for giving us the opportunity to submit this research journal with pleasure. In the preparation of this journal, of course, many people have helped us. We therefore express our gratitude and deep respect to the parties involved in it.

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