



ANTICIPATING DOMESTIC VIOLENCE (KDRT) AGAINST THE LEVEL OF HARMONY IN THE FAMILY

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ARTICLE INFO	ABSTRACT
Date received : 22 Oct 2022 Revision date : 21 Nov 2022 Date received : 25 Nov 2022	<i>Domestic Violence (KDRT) is a problem that often occurs in the family environment, and a classic problem in the legal environment. Domestic violence causes a loss of harmony level in fostering a household. Victims who experience violence have been given legal protection based on Law Number 23 of 2004 concerning the Elimination of Domestic Violence (KDRT), but the issuance of this law is not sufficient to anticipate such violence in the household. Therefore, special attention is needed from the government to protect and provide assistance to victims of violence. From this background, it can be stated that the problem is howways or things that can anticipate the occurrence of violence. The purpose of this research is to find outways that can anticipate the occurrence of domestic violence (domestic violence). This research uses descriptive analytical research method, the approach used is normative juridical. The approach method used in this research is the statutory approach.</i>
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INTRODUCTION

According to Islamic law, domestic harmony has the form of a relationship filled with love and affection, because these two things are the binding rope of harmony. This loving family life in Islam is called *mawaddah wa rahmah*, namely a family that keeps feelings of love. love for husband/wife and love for children. This combination of husband and wife love will be the main foundation in having a family (Kartika Malinda: 2020). This harmony of love must always be maintained and nurtured by husband and wife, because harmony is the heart or spirit of the household (Hasbiyallah: 2015). Domestic harmony is the dream of every family. To create a harmonious family as desired is an effort that is not easy to do. Married couples who are not able to create domestic harmony can lead to family divorce. One factor in the loss of harmony in the household is the occurrence of domestic violence. Domestic violence is one of the criminal crimes in the form of violence, which in this case has indeed been identified in people's lives both on a national and international scale.

The main factor that causes domestic violence is the husband's affair with another woman. The forms of violence experienced by survivors were physical violence (slapped, grabbed, slapped, trampled on), psychological violence (speech, threats), and neglect of the household.

In addition, factors that cause domestic violence are related to the power of husband and wife and discrimination in society. In society, the husband has influence over his wife and other family members. Differences in roles and positions between husband and wife in society are passed down culturally in each generation, even believed to be religious provisions. This results in the husband being placed as a person who has higher power than the wife. The husband's power over his wife is also influenced by the husband's control in the economic system, this causes people to view the husband's work as more valuable. The fact also shows that violence also affects working wives,

There are many factors that cause domestic violence, including:

- a. Lack of understanding of religion.
- b. Economy problem.



- c. Weak communication in the family.
- d. Do not understand or do not understand the meaning of marriage.
- e. Unilateral violence / excessive selfishness.
- f. Drunk or under the influence of alcohol or drugs / prohibited items.
- g. Crazy or stressed.
- h. Due to promiscuity.
- i. Third party influence.

Therefore, the household can be harmonious if the household can be arranged in accordance with the existing and directed order. So that husband and wife, children and families can know their respective functions and can carry out their respective rights and obligations properly, and if this is done then domestic violence will not occur. And every household in living a married life, especially for married couples who understand their respective rights will live as a harmonious and peaceful household.

Because of the above, the state regulates domestic life, both for husband and wife, children and family members, as well as the community to get a sense of security, and be free from all forms of violence that are detrimental to themselves and to others, and which can result in feelings of security. trauma or fear for others because of treatment by means of violence, which is not in accordance with the philosophy of Pancasila and the 1945 Constitution of the Republic of Indonesia. 23 of 2004 concerning the Elimination of Domestic Violence. The problems in this research are How ways that can anticipate the occurrence of domestic violence (domestic violence).

LITERATURE REVIEW

Definition of Violence

Violence is a form of action that is more physical in nature which results in injury, disability, illness, or suffering to other people with elements of coercion or unwillingness or the absence of the consent of the injured party. (Abdul Wahid and Muhammad Irfan: 2001). Violence according to Mansour Fakhri is "an attack or invasion of the physical or mental integrity of a person's psychological integrity". Mansour Faqih's view points to the notion of violence on physical and psychological objects. It's just that the emphasis is on the form of physical attack such as injuring or causing injury, disability, or abnormalities in certain physical bodies (Mansour Faqih: 2001).

Thus, people who commit violence are people who lose control and cannot balance their thoughts, desires and feelings towards others. This is because violence should be a serious concern for all of us, especially in the family, considering that recently incidents of violence have been increasingly revealed and exposed to the surface, because aspects of violence also involve psychological aspects of the victims, social, cultural, economic, political and even human rights. -rights. The same is true for victims of violence in the form of social harassment, ranging from general ones such as slurping jokes that are very intense and embarrassing to women as well as deliberate behavior to nudge or touch women's body parts without the consent of the person concerned.

Definition of Household

The household is the smallest organization in society that is formed because of the marriage bond. Article 1 of Law Number 1 of 1974 concerning marriage states that marriage is an inner and outer bond between a man and a woman as husband and wife with the aim of forming a happy and eternal family (household) based on God Almighty. A very important factor to make it happen is the fulfillment of the rights and obligations of husband and wife in married life (Moerti Hadiati Soeroso: 2010).

Definition of Domestic Violence

"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 (Hendra Akhdhiat: 2011). "According to Mansour Fakhri, the definition of violence is an attack or invasion of a person's physical or mental integrity and mental 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.

According to the Law of the Republic of Indonesia No. 23 of 2004 concerning the Elimination of Domestic Violence (PKDRT) article 1 paragraph 1 states; Domestic violence is any act against a person,



especially a woman, that results in physical, sexual, psychological misery or suffering, and/or neglect of the household, including threats to commit acts, coercion, or unlawful deprivation of liberty within the household.

Definition of Family

The family is the smallest unit of society consisting of the head of the family and several people who are gathered and live in one place under a roof in a state of interdependence. The role of the family describes a set of interpersonal behaviors, traits, activities that describe a set of interpersonal behaviors, traits, activities related to the person in certain positions and situations. In the personal role in the family based on the expectations and behavior patterns of the family, groups and society. According to Kadar M. Yusuf, family education is guidance or learning given to members of a group of descendants or a place of residence, which consists of father, mother, children and so on (M. Yusuf: 2015).

METHOD

This analytical descriptive research method describes legal issues related to the effect of domestic violence (KDRT) on the level of harmony in the family. The approach used is normative juridical. The approach method used in this research is the statutory approach. Secondary data includes primary and secondary and tertiary legal materials. The primary legal material is in the form of statutory regulations. Secondary legal materials consist of textbooks, legal journals, results of previous research, opinions of scholars, and other publications. Tertiary Legal Materials that provide instructions or explanations for primary and secondary legal materials such as legal dictionaries, encyclopedias and others (Johnny Ibrahim, 2005: 295-296).

RESULTS AND DISCUSSION

Anticipating the occurrence of Domestic Violence (KDRT)

The high number of cases of domestic violence that occurs in Indonesia indicates that the role of the head of the household, which is carried out by a man to protect the family, is actually being misused. The forms of violence received by the victims of domestic violence are divided into two types, namely physical violence which includes sexual violence, and emotional violence. This means that victims of domestic violence are not only physically injured, but also mentally. Physically, the victim can suffer serious injury, disability, and even loss of life. While the psychological effects that occur are: trauma, experience mental health problems, such as stress, depression, psychosomatic, insomnia, to mental disorders.

Not only wives who usually become direct victims of domestic violence, but children who witness the violence that occurs. Extra energy is needed to overcome domestic violence, especially if this condition has been going on for a long time. Here are some things a victim can do:

Responding Firmly

The first way you can do to overcome domestic violence is to react firmly. Especially, if your partner starts to show rude behavior or words. If this happens, you can tell him to stop in a firm manner. You also have the right to demand that your partner apologize.

Never once tolerate domestic violence by letting it go and doing nothing. Remember, you are his partner who deserves to be treated with respect. If you have dealt with it firmly and it doesn't work, don't be afraid to defend yourself by fighting back.

Ask for Help from Experts

You can do the next step to overcome domestic violence by asking for expert help. This can be done if you and your partner still both want to maintain the marriage. Talk to a psychologist about your household problems at hospital closest. In addition to a psychologist, you can see a marriage counselor to find the best solution.

By asking for expert help, you and your partner can freely talk about problems that often arise and become the trigger for a big fight. To improve the partner's rude attitude, it is recommended to undergo behavioral therapy on a regular basis.

Ask for Support from Family and Friends

Do not bear the problems in this household alone, especially with regard to domestic violence. Tell the form of violence that you often receive from your partner to your closest family or friends who you can trust.



Telling stories will help ease your feelings of sadness, so you can avoid stress. Family members and closest friends who already know your condition can participate in finding solutions, even helping you to keep you feeling safe.

Plan Safety Measures

If you have taken the preventive measures that have been mentioned, but domestic violence is still ongoing, even getting worse, immediately plan the following safety measures:

- Contact the Women's Protection Commission for help.
- Collect all evidence of physical violence, such as post-mortem results, records of the date of the violent incident, as well as sound or video recordings.
- If domestic violence is lif threatening, pack your valuables, then take the children out of the house.
- Report to the police for legal protection.

CONCLUSION

Domestic Violence (KDRT) is a problem that often occurs in the family environment, and a classic problem in the legal environment. Domestic violence causes a loss of harmony level in fostering a household. Victims who experience violence have been given legal protection based on Law Number 23 of 2004 concerning the Elimination of Domestic Violence (KDRT), but the issuance of this law is not sufficient to anticipate such violence in the household. Therefore, special attention is needed from the government to protect and provide assistance to victims of violence.

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