[Translated from Indonesian to English - www.onlinedoctranslator.com](https://www.onlinedoctranslator.com/en/?utm_source=onlinedoctranslator&utm_medium=docx&utm_campaign=attribution)

****

Volume X Number X, Month Year: h. X – X

E-ISSN: XXXX-XXXX

 [Creative Commons Attribution-NonCommercial 4.0 International License](http://creativecommons.org/licenses/by-nc/4.0/)

***LEGAL EDUCATION ON THE PREVENTION OF CRIMINAL VIOLENCE IN HOUSEHOLD DURING THE COVID-19 PANDEMIC***

**Margie Gladies Sopacua**

*Faculty of LawUniversity of Pattimura*

 **: margie.sopacua81@gmail.com

 :xxxxxxxxxxxxxxxx

|  |  |  |
| --- | --- | --- |
| Sent: | Revised: | Published: |
| ***Article Info*** |  | ***Abstract*** |
| ***Keywords:****Prevention, Domestic Violence, Covid-19 Pandemic* |  | ***Introduction:*** *Violence against wives that occurs in the household is not only experienced and found in the public area, but is also very popular in the domestic area which is categorized as a form of violence contained in the Law on the Elimination of Domestic Violence (UU PKDRT). The occurrence of various cases of domestic violence, especially against the wife, can be classified in this case as a victim. The government's solution in overcoming the crime of domestic violence is one of them by establishing the PKDRT Law. However, the problem of domestic violence cannot be solved only with the formation of the law. There needs to be intervention and awareness from various parties, both parties who commit domestic violence, victims, and parents.****Purposes of the Research:*** *Providing understanding to the communityin Kawatu Hamlet, West Seram District (SBB), regarding domestic violence and the efforts made to prevent domestic violence.****Method of Devotion:*** *The method used is legal counseling to the community about efforts to prevent domestic violence in Kawatu Hamlet, West Seram District (SBB),****Results / Findings / Novelty of the Research:*** *Implementation of PKM activities in Kawatu Hamlet, West Seram District (SBB) it can be found and it is known that prevention efforts against criminal acts of domestic violence include preventive efforts. This effort is made to build public awareness of domestic violence.* |
|  |  | ***Abstract*** |
| **Keywords:***Pencegahan, Kekerasan Dalam Rumah Tangga, Pandemic Covid 19* |  | **LatarBelakang:** Kekerasan terhadap isteri yang terjadi dalam rumah tangga tidak saja dialami dan terdapat pada area publik, tetapi sangat populer juga pada area domestik yang dikategorikan sebagai salah satu bentuk kekerasan yang terdapat pada Undang-undang Penghapusan kekerasan dalam rumah tangga (UU PKDRT). Peristiwa terjadinya berbagai kasus kekerasan dalam rumah tangga, khususnya terhadap isteri, dapat diklasifikasi dalam hal ini sebagai korban. Solusi pemerintah dalam mengatasi tindak pidana KDRT yaitu salah satunya dengan membentuk UU PKDRT. Namun, permasalahan kekerasan dalam rumah tangga belum dapat diatasi hanya dengan pembentukan UndangUndang tersebut. Perlu adanya campur tangan serta kesadaran dari berbagai pihak, baik pihak yang melakukan KDRT, korban, maupun orang tua. Keberadaan tokoh masyarakat dalam menyelesaikan masalah KDRT juga dianggap penting, karena tokoh masyarakat memiliki peran besar untuk membantu masyarakat dalam menyelesaikan berbagai permasalahan, termasuk kasus KDRT.**TujuanPengabdian:** Memberikan pemahaman kepada masyarakat di Dusun Kawatu Kecamatan Seram Bagian Barat (SBB), tentang KDRT serta upaya yang dilakukan dalam melakukan pencegahan terhadap KDRT tersebut.**Metode Pengabdian:** Metode yang digunakan adalah penyuluhan hukum kepada masyarakat tentang upaya pencegahan KDRT di Dusun Kawatu Kecamatan Seram Bagian Barat (SBB), **Hasil/Temuan Pengabdian:** Pelaksanaan kegiatan PKM di Dusun Kawatu Kecamatan Seram Bagian Barat (SBB) dapat di temui dan diketahu bahwa upaya pencegahan terhadap tindak pidana kekerasan dalam rumah tangga mencakup upaya *preventif.* Upaya ini dilakukan untuk membangun kesadaran masyarakat terhadap KDRT. |
|  |  |  |

1. **Introduction**

Domestic violence, especially against wives, is a legal event that we often encounter in social life in Indonesia. Violence against wives that occurs in the household is not only experienced and found in the public area, but is also very popular in the domestic area which is categorized as a form of violence contained in the Law on the Elimination of Domestic Violence (UU PKDRT). The occurrence of various cases of domestic violence, especially against the wife, can be classified in this case as a victim. The relationship between husband and wife should be a role model and role model for their children and the relationship can be based on harmonious and happy nuances.(Sopacua, 2022: 231-226, p.214)

Domestic Violence (KDRT) is a problem that has deep roots and occurs in all countries of the world. In this regard, the international community has created effective legal standards and specifically pays attention to domestic violence. Actions to beat women, for example, have been included in international and regional human rights conventions which have a legally binding nature on countries that have ratified them. These international human rights documents include the Universal Declaration of Human Rights (“UDHR”), the International Covenant on Civil and Political Rights (“ICCPR”), and the International Covenant on Economic, Social and Cultural Rights (“ICESCR”) which are the standard general human rights, where victims of domestic violence can sue their respective countries.(Wulandari Fenny, Ferry Anka Sugandar et al., 2022: 149–157, p.150)

The government's solution in overcoming the crime of domestic violence is one of them by establishing the PKDRT Law. However, the problem of domestic violence cannot be solved only with the formation of the law. There needs to be intervention and awareness from various parties, both parties who commit domestic violence, victims, and parents. The existence of community leaders in solving domestic violence problems is also considered important, because community leaders have a big role to help the community in solving various problems, including cases of domestic violence. Community leaders in overcoming this are the Head of RT/RW, Village Head, and Ulama (Religious Leaders). Intervention from these parties is very much needed to reduce the occurrence of increasing cases of domestic violence(Indira Swasti Gama Bhakti, 2020: 49-64.)

The enactment of the Law on the Elimination of Domestic Violence is a must for Indonesia as a country that has ratified several international conventions on women, such as Members of the CEDAW Convention (Convention on the Elimination of All forms of Discrimination against women) or the Convention on the Elimination of All Forms of Discrimination Against Women through Law Number 7 of 1984. The P-KDR Law has strategic value for efforts to eliminate violence against women. First, the enactment of the Domestic Violence Law will shift the domestic violence issue from a private issue to a public issue. Thus, it is hoped that it can break down the psychological barriers of victims to reveal the violence they have suffered without being haunted by feelings of guilt for revealing disgrace. Second, The Domestic Violence Law will provide space for the state to intervene against crimes that occur in the home so that the state can provide more optimal protection for citizens who need special protection (women and children) from acts of violence. Third, the Domestic Violence Law will have an effect on accelerating the realization of the zero-violence tolerance policy against women that was launched by the government several years ago(Hamidah, 2010,)

1. **Devotion Method**

This PKM Community Service Activity was held in Kawatu Hamlet, West Seram District (SBB). The PKM activities carried out several stages including;

1. Observing some of the household data contained inKawatu Village
2. Provide legal counseling on preventing domestic violence against husbands, wives and children as well as people in the household.

**Solutions Offered**

The solution offered to men, women and children in the Kawatu hamlet, Seram Section, through this Community Service Program (PKM) is how to take steps to prevent violence against each other that is still within the scope of the household.

**Methods Offered**

Realization of problem solving to support the achievement of the PKM program is carried out by means of counseling. The stages of implementing PKM activities are as follows:

* + - 1. Preparation Stage: The initial approach stage with the target audience to determine the implementation time and preparation of PKM support.
			2. Implementation Stage: The stage of counseling for the target audience of PKM
			3. Evaluation Stage: The stage of measuring the target audience's understanding of the material given in this PKM activity
1. **Results and Discussion**
2. **An Overview of Violence**

Criminologists explain violence that causes physical, psychological and mental damage is violence that is against the law. Therefore, violence is a crime(Siti Musdar Mulia, 2010).

Violence can also be carried out collectively, because in committing criminal acts the perpetrators in this case are in large numbers or more than one person where directly or indirectly, whether planned or unplanned, good cooperation has been established both jointly and independently. - itself, in a series of events that cause or result in physical or non-physical damage. Thus, it can be concluded that violence is an act with the use of physical force or tools illegally and violates the law, whether carried out byindividuals or groups that harm others or cause someone to be hurt, injured, unconscious, helpless, or even cause someone's death.

Harkristuti Harkrisnowo as quoted by Michael Levi, the word "violence" is a concept, so the meaning or meaning of "violence" is highly dependent on the norms and values ​​that grow, develop and are recognized in a society. So, the meaning of "violence" or violence is different in each sphere of society. Therefore, a behavior that is seen as a violent (crime) in one community in one country, may not be considered so in another country. According to Jerome Skolnick, violence is: "...an ambiguous term whose meaning is established through a political process..." (a term meaning two whose meaning is determined through a political process). Harkrisnowo's writing, there are a number of meanings about the word "violence". Weiner, Zahn and Sagi suggest that "violence" has the following elements:Harkristuti Harkrisnowo(Harkristuti Harkrisnowo, 2014)indicates that violence against women in the household is almost insurmountable because;

1. the existence of fear and insecurity in women, which hinders the achievement of equality of development and peace;
2. there are permanent barriers to women's mobility and limiting access to basic resources and activities;
3. there is a compulsion to always be in a subordinated position;
4. there is tolerance for violence itself, so it has never been reported to the authorities and is difficult to detect;
5. when violence against women in the household is reported, often there is no protection for the whistleblower, even the perpetrators of violence are not punished.
6. the lack of reporting resulted in the lack of documentation of events, making it difficult to formulate and implement specific intervention strategies.

Domestic violence, as stated in the PKDRT Law, is any act against a person, especially a woman, which results in physical, sexual, psychological misery or suffering, and/or neglect of the household, including threats to commit acts, coercion, or deprivation of liberty. against the law in the domestic sphere. Furthermore, Article 5 of the PKDRT Law stipulates that "everyone is prohibited from committing domestic violence against people within the scope of his household, by:

Physical abuse;

Psychological violence;

sexual violence; or

Domestic neglect

Achie Sudiarti Luhulima, divides forms of domestic violence into several groups(Achie S. Luhulima, 2000)including the following:

Physical, for example hitting, slapping, strangling, kicking, throwing things at the victim's body, stepping on, injuring with bare hands or killing tools/weapons.

Psychological, for example shouting, swearing, threatening, humiliating, controlling, harassing, stalking and spying, other actions that cause fear, including those directed at people close to the victim, such as family, children, husband, close friends.

For example, sexual acts that lead to sexual activities such as touching, touching, kissing and doing other actions that are not desired by the victim. Forcing sex without the victim's consent, with physical violence or acts of coercion to carry out sexual activities that are not liked, demean, torture or injure the victim.

For example, taking the victim's money, withholding or not providing the financial needs of the victim, controlling and supervising the expenditure of money to the smallest extent, all with the aim of controlling the victim.

Spiritual, for example, demeaning the victim's beliefs and beliefs, such as forcing the victim to believe in things they don't believe in, forcing the victim to practice certain rituals or beliefs.

The forms of domestic violence (domestic violence) of 4 (four) types which include(Takariawan, 2000):

1. Economic violence, which is an act that limits the wife to work inside or outside the home that produces money or goods and allows the wife to work to be exploited or neglect her family members, in the sense of not fulfilling the family economy, using money that is the wife's right, using money for gambling and confiscate the wife's inheritance.
2. Physical violence is any act that causes pain, injury, injury or disability to a person's body or causes death. The forms are hitting, slapping, grabbing, kicking, cornering cigarettes, and others. Cahyadi Takariawan explained that examples of physical violence are beatings, abuse, destruction of body parts, either by hand or with the help of tools such as knives, razors, hot water, irons, chemicals, or other objects.
3. Psychological or psychological violence, namely any actions and words that cause loss of self-confidence, loss of ability to act, feelings of helplessness, and fear of the wife. The form is in the form of reproach against the wife, harassment, cursing at the wife, isolating, intimidating, or other actions that hurt feelings and feelings.
4. Sexual violence(Farha Ciciek, 1999), namely any act that includes sexual harassment, forcing his wife to have sexual relations without her consent and when the wife does not want to have sexual relations in ways that are not reasonable or disliked by the wife, or distance or do not fulfill the wife's sexual needs..

The Law on the Elimination of Domestic Violence is a progressive breakthrough in the criminal law system, but in its implementation it still focuses on punishing perpetrators. If this happens to the husband, the victim (wife) will think long about continuing the claim because of the husband and wife relationship that exists between them. In addition, law enforcement officers still view domestic violence as a complaint offense so that it is always directed to be resolved amicably. The non-reporting attitude of victims, especially women, is very closely related to the position of victims as subordinates in the household, who do not immediately make decisions even though it is to help themselves. In practice, the judge's interpretation of the form of violence is largely determined by what is seen, so that psychological violence is also measured by the daily physical condition of the victim. Several obstacles in the handling of victims of domestic violence, including;(Mudjiati, 2008.)

1. Cases of domestic violence reported by victims are often not followed up because the victim hesitates or does not understand that what is reported is a criminal act. Likewise, cases that have been processed by the Police are often withdrawn for various reasons, for example because the victim feels she has forgiven the perpetrator, economic dependence on the perpetrator, domestic violence is still considered a family disgrace;
2. Different understanding between law enforcement on the form of domestic violence; regarding the mechanism for providing protection and not all parties support efforts to protect victims of domestic violence;
3. The length of time between the incident and the post-mortem, so that the results of the post-mortem are less supportive of the legal process;
4. The problem of budgeting for socialization to areas that are difficult to reach, so that the frequency is not adequate, and funding for shelters for both buildings and operations;
5. The handling of domestic violence cases has not been considered a priority, so the formation of PPT is still stalled; and
6. The substance of punishment as referred to in the provisions of Article 44 and Article 49 of the PKDRT Law does not contain a deterrent effect. In some cases (especially psychological domestic violence) the judges handed down a fairly light sentence because they only saw the external condition of the victim without trying to explore the suffering of the victim (inside).
7. **Domestic Violence Prevention**

At the normative level, Law Number 23 of 2004 concerning the Elimination of Domestic Violence (PKDRT) provides special protection for victims of violence that occurs within the household, and is implemented based on the principles of respect for human rights, justice and gender equality, non-discrimination. and protection of victims, and has the aim of preventing all forms of domestic violence, protecting victims and taking action against perpetrators of domestic violence and maintaining a harmonious and prosperous household. The existence of this law is expected to provide legal protection for members in the household, especially women who are the most victims of domestic violence.(Nuswantari, 2017)

As part of the reformulation of the new and aspired law (Ius Constitutum), there is a desire to be able to overcome and find solutions to the problems of the domestic violence legal vacuum and this is what is urgent, motivating to define, analyze, explain, and complete the laws and regulations. -the invitation.Prevention of the occurrence of domestic violence is a situational action that aims to eliminate the opportunity for domestic violence to occur more specifically, physical and psychological violence. Prevention in this case is mandatory to protect against the occurrence of domestic violence against the wife. Prevention is meant, for example, the act of stopping consciously and spontaneously by someone when they see that there will be differences in thoughts or differences in will between men (husbands), and other examples are acts of preventing physical harm to women (wives). To avoid the occurrence of violence in certain situations, those who saw it directly or directly asked for assistance to prevent the occurrence of domestic violence, were given the obligation to protect women who would become victims of domestic violence. (Sopacua, 2022 )

Women or children who are victims of domestic violence prefer to remain silent, not reporting because of shame and fear of negative consequences for their reporting actions. Economic dependence also causes victims to choose to immerse themselves in the events they have experienced. In addition, many people, especially victims of domestic violence, do not understand and do not have the heart to punish the perpetrators who are mostly their closest people. Some people tend to be passive in reporting acts of domestic violence. In fact, domestic violence is not only an individual issue but also a public issue. One of the reasons for this condition is the lack of socialization about domestic violence, so that the number of domestic violence tends to increase.(Chairah, 2019)

Prevention is the process, method, action of preventing or holding back so that something does not happen. It can be said that an attempt was made before the violation occurred. Crime prevention efforts are the initial effort in tackling crime. Efforts in tackling crime can be taken several steps including action (repressive) in addition to preventive measures (preventive).(Baharuddin Lopa & Moch. Yamin, 2001).

Prevention is an attempt to take action to prevent the occurrence of a criminal event.The purpose of prevention is so that the risk of cruelty, inhumanity and degrading of human dignity does not occur or can be reduced. Even this opinion of Parest has not revealed a direct 'mechanism' which becomes a 'causal norm' to prevent acts of violence against women.

The concept of prevention as the main pillar of responsibility for preventing acts of torture is:

1. Prevention is the main form of responsibility that is 'not to commit acts of torture', or the main form of 'eliminating acts of torture';
2. The purpose of not committing acts of torture is to prevent a person or group of people from being cruel, dehumanizing and degrading human dignity.
3. The responsibility lies in the hands of people (one or several people);
4. There are provisions for the government;
5. The existence of provisions regarding certain actions which are marked as torture events,
6. There are provisions on what actions a person or group of people or the government does, which must be done so that someone else will not or cannot commit violence.
7. The existence of acts of violence, not only physical violence but also psychological violence.

Prevention efforts against criminal acts of domestic violence include preventive efforts and also seek to improve the behavior of someone who has been found guilty. Prevention of domestic violence that is carried out preventively is to prevent the occurrence or emergence of domestic violence which will have a negative impact on children's development as well as legal implications for those who commit such violence.

One of the efforts to prevent criminal acts is the issuance of a regulation that regulates the occurrence of harmony in a society. To maintain the harmony of a society, a statutory regulation is formed. Preventing crime is better than trying to educate criminals to be better again, as the motto in criminology is that efforts to improve criminals need to be considered and directed so that crime does not occur again. It is reasonable if preventive efforts are prioritized because preventive efforts can be carried out by anyone without special and economical skills.(Atmasasmita, 2010)

1. **Conclusion**

In service activities atKawatu Hamlet, West Seram District (SBB), found efforts to prevent domestic violence against people within the scope of the household. These prevention efforts include:Besides that, preventive efforts also need to be carried out regularly socializing the PKDRT Law in the hope that it can shape the mindset of the community and further increase public awareness about efforts to prevent domestic violence.

**Reference**

Achie S. Luhulima. (2000). Understanding Forms of Violence Against Women and Alternative Solutions, Working Group "Convention Watch" Center for Women and Gender Studies. PT Alumni,.

Atmasasmita, R. (2010). Theory and Capita Selecta Criminology. Eresco.

Baharuddin Lopa & Moch. Yamin. (2001). Corruption Eradication Law. Alumni.

Chairah, D. (2019). Legal Protection for Women and Children Victims of Domestic Violence in Sidoarjo Regency. Journal of Islamic Criminal Law, 5(1), 153–175.

Farha Ciciek. (1999). Efforts to Overcome Domestic Violence. The Asian Foundation.

Hamidah, A. (2010). “Legal Protection for Victims of Domestic Violence in District Court Decisions as the Implementation of Victims' Rights. Ius Quia Iustum Law Journal, 17(3), 475–491. https://doi.org/10.20885/iustum.vol17.iss3.art7

Harkristuti Harkrisnowo. (2014). Domestic Violence (Domestic Violence) in Criminological and Juridical Perspectives. Journal of International Law, 1(4), 712–715.

Indira Swasti Gama Bhakti, TAG (2020). Preventive Efforts by Village Officials in Handling Cases of Domestic Violence. Journal of Public Administration and Local Governance, 4(1), 49–64. https://doi.org/10.31002/jpalg.v3i2.1980

Mudjiati. (2008). Implementation of Law Number 23 Year 2004 concerning Elimination of Domestic Violence A Challenge Towards a Gender Responsive Legal System. Indonesian Legislation Journal, 5(3), 65.

Nuswantari. (2017). Implementation of Legal Protection Against Women Victims of Domestic Violence in Madiun City. Citizenship Journal of Pancasila and Citizenship, 5(2), 97–107. https://doi.org/10.25273

Siti Musdar Mulia. (2010). Muslimat Reform, Women Religious Reformers. Mizan.

Sopacua, MG (2022). The Ideal Concept of Prevention of Domestic Violence Against Women. Indonesian Journal of Legal Development, 4(2), 213–226. https://doi.org/10.14710/jphi.v4i2.213-226

Takariawan, C. (2000). Islamic household trinkets, their order and role in people's lives. Intermediate Age.

Wulandari Fenny, Ferry Anka Sugandar, W. Windiantina Wiwin, Fahmi Irfan, & Ghean Niagara Serena. (2022). The Legal Consequences of Domestic Violence (KDRT) And Its Impact On The Development Of Families And Children. BHAKTI LAWUM Journal of Community Service, 1(1), 149–157.