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A Review of Domestic Violence Criminology and the Academy's Women's Program as a Sustainable Prevention Effort

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Abstract: This journal aims to provide an explanation of Article 5 of Law Number 23 of 2004 concerning the Elimination of Domestic Violence which states that every person is prohibited from committing domestic violence against people within their household by means of: physical violence, psychological violence, sexual violence, and/or household neglect. In reality, even though there is Law Number 23 of 2004 concerning the Elimination of Domestic Violence, domestic violence still occurs frequently. The purpose of writing this article is to explain the factors that cause domestic violence and the suitability of the Perempuan Academy program as a sustainable non-penal effort to tackle domestic violence and its obstacles in Kel. Karang Anyar, Samarinda City. The data in this article was obtained from secondary data by conducting library research and reviewing textbooks and statutory regulations. The primary data in this article was obtained by carrying out data collection techniques and also interviews with a number of respondents and informants. The results of this research show that the factors that cause domestic violence are economic inequality and the community's lack of knowledge about domestic violence. Efforts to reduce domestic violence in Kel. Karang Anyar has been carried out in various ways, one of which is through mediation and through the Perempuan Academy which is appropriate as a sustainable non-penal effort. The obstacles faced in implementing this program are the aspect of activity support tools which are considered to be less than optimal. The factors that cause domestic violence resolutions do not reach the courts are because victims do not want to report them for various reasons. Meanwhile, efforts that can be made by law enforcement officials are repressive and preventive efforts by providing education about domestic violence. It is recommended that all relevant parties, including the police, legal aid institutions, government and society, continue to increase integrated cooperation in dealing with domestic violence.

Keywords: Criminology, Crime, Domestic Violence.

INTRODUCTION

Indonesia is a country of law¹, which can be interpreted as meaning that in our country there are various aspects of regulations that are coercive and have what are called sanctions and are strict if they are violated. Not to be separated from the concept of the rule of law, Domestic Violence or KDRT is one of the things regulated in Law Number 23 of 2004 concerning the Elimination of Domestic Violence (UU PKDRT), the substance of this regulation is of course to deal with the problem of Domestic Violence Ladder. Domestic violence is any act against someone, especially women, which results in physical, sexual, psychological misery or suffering, and/or domestic neglect, including threats to commit acts, coercion, or unlawful deprivation of liberty within the household.²

Domestic Violence (KDRT) still occurs very often in Indonesia. Domestic Violence (KDRT) cases are a problem that arises due to various factors. The factors that cause this start from feelings of jealousy, envy, insufficient economic factors, low educational factors and forced marriage (Tamelab, 2020). Law Number 23 of 2004 concerning the Elimination of

¹ Article 1 Paragraph 3, 1945 Constitution of the Republic of Indonesia.

² Article 1 Number 1, Law Number 23 of 2004 concerning the Elimination of Domestic Violence.

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9 Domestic Violence (UU PKDRT) is a law that regulates problems in a very specific way so as to create *lex specialis* elements and corrective elements for perpetrators. With the existence of Law Number 23 of 2004 concerning PKDRT, it is hoped that this can be a solution to prevent and overcome these acts of violence. Implementation of Law Number 23 of 2004 concerning the Elimination of Domestic Violence (UU PKDRT) is a solution to help prevent and overcome acts of domestic violence as a form of law enforcement effort. However, in practice it turns out that there are still many victims of domestic violence who ultimately surrender to the situation and keep their feelings to themselves.

10 Cases of Domestic Violence are one of the problems that frequently occur in Karang Anyar Village, Samarinda City, East Kalimantan. Karang Anyar Village is included in the Sungai Kunjang District area. Bhayangkara Community Security and Order Advisor (BHABINKAMTIBMAS) in Karang Anyar Village stated that Sungai Kunjang District had the highest number, with 21 cases of violence, to be precise, the highest cases were in Karang Anyar Village, with 9 cases in 2021. Based on these data So in the end it gave rise to an urgency to carry out a review, and the review that was carried out was a criminological review related to this problem because domestic violence is a criminal act and because in general criminology is defined as a science or discipline that studies crime and criminal behavior.³

This criminological review will be a benchmark or basis for actions that can be taken as an effort to prevent domestic violence, definitely based on the results of the criminological review related to "why" someone commits domestic violence and based on the results of the criminological review it will be evidence of harmony between the contents of the Women's program. Academy as a sustainable solution regarding domestic violence in Kel. Karang Anyar, Samarinda City.

RESEARCH METHODS

The data used in writing this article was obtained using empirical legal research. Empirical legal research is research that uses primary data to answer the problem being researched.⁴ The results of the collection and discovery of data and information through field studies on the basic assumptions used in answering the problems in this research article. The data is then analyzed and arranged in a descriptive manner to explain the research problem.

³Amalia, M. (2021). "Criminological Review of the Concursus Crime of Murder Accompanied by Serious Persecution (Case Study in Abbanderang Village, Wajo Regency)." (Doctoral dissertation, Alauddin State Islamic University Makassar).

⁴Lampatta, M.R., & Yasir, I. (2020). "Legal Protection for Child Suspects in the Education Process at the Pohuwato Police Department." *Al-Ahkam*, 2(1).

In carrying out the PKM-PM (Student Creativity Program - Community Service) the Women's Academy program uses educational methods which will later be provided and studied by the community through the mothers who are members of the Family Welfare Empowerment (PKK) in Karang Anyar Village. The initial stage of the PKM-PM (Student Creativity Program for Community Service) Women's Academy program is preparation. In the preparation stage, coordination will be carried out with partner leaders and discussing the systematic implementation of activities that will be carried out in Kel. Karang Anyar, Samarinda City. Second, carry out socialization of the PKM-PM (Student Creativity Program for Community Service) Women's Academy program. Third, establish an agreement with partners to carry out the activities to be carried out. Fourth, prepare learning media in the form of partner guide modules. The Women's Academy program activities with material on Domestic Violence (KDRT) Law were carried out with 20 partners. In this socialization activity which was held on Sunday, July 24 2022, the meaning or definition and elimination of Domestic Violence (KDRT) was discussed in order to achieve a domestic violence-free village and later develop into a model village free of domestic violence, where Kel. Karang Anyar, Samarinda City can be emulated by other sub-districts in Samarinda City.

DISCUSSION AND ANALYSIS

Factors Causing Domestic Violence (KDRT)

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Acts of violence that often occur within the household are related to the fierce nature of living creatures, including humans, in order to defend themselves. The occurrence of acts of violence also has a strong basis in the materialist mindset and selfish attitudes of humans themselves, leading to violence. It has also become a social phenomenon that occurs in urban and rural communities.

²⁴
In the discussion in this article, the author will examine the factors that cause Domestic Violence (KDRT) in Kel. Karang Anyar, District. Kunjang River, Samarinda City. This study was carried out in order to find out what factors motivate or cause someone to commit acts of domestic violence, which will be reviewed in accordance with matters contained in criminology. Criminology is a collection of knowledge about crime as a phenomenon of society. Domestic Violence (KDRT) has often occurred in household life, especially against women, both psychologically, sexually, domestic neglect and especially physically.

The author hypothesizes that the factors that cause Domestic Violence (KDRT) in Kel. Karang Anyar, Samarinda City is due to factors within the family environment such as economic factors in meeting family needs and lack of knowledge and skills regarding

preventing domestic violence. This hypothesis is also based on the results of discussions with Mrs. Supiyah, SE as Chair of the Family Welfare Development Group (PKK) and also after conducting an interview with Mrs. Yeyen as Kasi Kesra (Domestic Violence) in Kel. Karang Anyar, Samarinda City.

Efforts to Overcome Domestic Violence (KDRT)

Prevention of crime is an effort to prevent crime by using alternative means. Crime is also described as a social phenomenon that is always faced by every society. Efforts to prevent domestic violence are a joint obligation between the government and society. Barda Arief Nawawi said that prevention efforts are part of social policy which in essence is also an integral part of efforts to protect society which can be taken in two ways, namely the penal route by implementing criminal law. and a non-penal route with prevention without punishment. In simple terms, efforts to overcome crime through penal channels are more repressive after the crime occurs, while non-penal channels are more preventative before the crime occurs.

Considering that prevention efforts through non-penal channels are more crime prevention measures that will be provided to the community, the main target is regarding the conducive factors that cause crime to occur in society. These conducive factors focus on problems or social conditions that can directly or indirectly give rise to crime, such as factors within the family such as economic factors in meeting family needs and lack of knowledge and skills regarding preventing domestic violence.

Women's Academy Program as a Sustainable Prevention Effort in Kel. Karang Anyar, Samarinda City and the Obstacles Experienced

One of the non-penal measures that the author raises in this article is the Perempuan Academy program, in this program one of the outreach activities is providing education regarding the meaning or definition as well as efforts to eliminate Domestic Violence (KDRT) in order to achieve a Village free from Domestic Violence (KDRT).). The target of Perempuan Academy is an active community in the sub-district area that is empowered. In this research, the author chose PKK member mothers in Kel. Karang Anyar, Samarinda City.

In carrying out this activity, these PKK member mothers also played a role as partners in the PKM-PM (Student Creativity Program-Community Service) activities of the Women's Academy program in Kel. Karang Anyar, Samarinda City. This activity will be held on Sunday, July 24 2022.

The supporting factors for the successful implementation of this activity are due to good cooperation between partners and maximum coordination with Kel. Karang Anyar, Samarinda City. The inhibiting factor in implementing this activity is the aspect of supporting

equipment for the activity which is considered to be less than optimal. The solution to the factors that hinder the implementation of this program is, in the future, perhaps from the Family Welfare Empowerment (PKK) Mothers in Kel. Karang Anyar, Samarinda City will be a cadre who will play an active role in going directly into the community or Dasawisma group in every neighborhood (RT) in the Kel area. Karang Anyar, Samarinda City and they will provide education regarding Legal Counseling on Domestic Violence (KDRT) using the partner guideline module that has been provided with the hope that the community in Kel. Karang Anyar can understand the definition, forms ³³ of prevention and handling of Domestic Violence (KDRT) ¹² based on Law Number 23 of 2004 concerning the Elimination of Domestic Violence (UU PKDRT).

The documentation of the implementation of the Women's Academy program is in the image below.



Figure 1. Documentation while counseling on Domestic Violence Law is in progress, Documentation with PKK Member Mothers Kel. Karang Anyar, Samarinda City after the counseling was completed.

Before the program Women's Academy implemented	After the program Women's Academy implemented
The level of knowledge and awareness of partners is still minimal regarding the applicable laws regarding Domestic Violence.	By holding Domestic Violence Legal Counseling, partners become more aware and know what steps must be taken to prevent and deal with Domestic Violence (KDRT) and put into practice in creating a Village environment that is free from Domestic Violence (KDRT). In the future it will have a very positive impact on all family members in the Kel area. Karang Anyar.

Table1. Comparison before and after the Women's Academy program took place.

Domestic Violence (KDRT) Legal Counseling through the Perempuan Academy is very important to become a means of education for every family member, as family members we can know how to prevent and identify Domestic Violence (KDRT) and even gain

knowledge related to efforts that can be taken, carried out when dealing with Domestic Violence (KDRT). A family that can be defined as harmonious is a family that can complement each other by always providing attention and peace to its family members. This is also in line with the fact that a harmonious family is a household decorated with calm, tranquility, affection, sacrifice, mutual complementarity, perfection, helping each other and also working together.

¹Based on the expert opinion above, it can be concluded that in order to achieve family harmony, there is a need for coordination with mutual assistance between the parties in order to achieve harmony ⁴so that domestic violence (KDRT) does not occur because early detection and the directly affected parties start with the family members. However, there are still many differences of opinion regarding the crime of domestic neglect ¹⁶as regulated in the Law on the Elimination of Domestic Violence (UU PKDRT). This has resulted in many victims being doubtful and confused when the victim intends to report that a crime has occurred. (Irawan, 2019) and often this confusion arises because of the lack of education received by the public in general regarding Domestic Violence (KDRT).

After the Perempuan Academy program was implemented, partners knew what factors needed to be applied in building a harmonious family free of Domestic Violence (KDRT), namely the need for a comfortable home atmosphere as a place for children and parents to communicate with each other and the need for harmony between parents and his children. This is in line with the opinion of Madisa (2017), namely that there are three factors that influence family harmony, one of which is the condition or atmosphere of the house as a reference for the influence of harmony itself.

The target partners finally have new knowledge related to how to build their family so that it remains and becomes a family that is harmonious and free of Domestic Violence (KDRT) so that they can become a good example in the community of Karang Anyar Village in order to run a village program free of Domestic Violence. Household (KDRT). Partners also know the ²²balance between the rights and obligations of each family, the care and education of children, and how to foster better relationships between families within the scope of society. So with this new knowledge, people become aware and moved to implement the new knowledge they have in their families and this will later have an impact on the environment around where they live.

Crime prevention efforts need to be made to create order in society. When carrying out prevention efforts, of course the factors that influence the causes of crime must be taken into account, so that the efforts made can minimize cases of violent crime that occur in the

household. Indirectly, all of these things will create a harmonious family so that it can be a good example in the Kel community. Karang Anyar and others to implement a domestic violence-free sub-district program.

CONCLUSION

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Based on the results of the review that has been carried out, the phenomenon of the crime of Domestic Violence or abbreviated as KDRT in Kel. Karang Anyar, Samarinda City is criminologically caused by several factors, namely:

- a. Economic factors related to sources of income or income that are considered inadequate in meeting family needs in Kel. Karang Anyar, Samarinda City.
- b. The factor is the lack of knowledge and skills regarding domestic violence, especially in terms of prevention and personal handling by the community in Kel. Karang Anyar, Samarinda City.

Crime prevention efforts need to be made to create order in society. When carrying out countermeasures, of course the factors that influence the causes of crime must be taken into account, so that when these are aligned, the efforts made can minimize cases of violent crime that occur in the household.

Various efforts have been made to tackle domestic violence in Kel. Karang Anyar has both penal and non-penal routes. Strengthening the non-penal route was also carried out through the Perempuan Academy program as a prevention effort because the results of the criminological review carried out had found that there was harmony that the community in Kel. Karang Anyar needs a program that can provide knowledge regarding handling domestic violence, where this program supports strengthening non-penal pathways to domestic violence and can be a sustainable solution.

RECOMMENDATION

Based on the conclusions presented previously, the author provides suggestions, namely, the need to optimize legal education through Domestic Violence (KDRT) Legal Counseling activities which are based on Law Number 23 of 2004 concerning the Elimination of Domestic Violence (UU PKDRT) as well as several Expert literature is very important in family life and social life. Indirectly, all the things or actions that have been carried out will create a harmonious environment and can be a good example in the community outside Kel. Karang Anyar, Samarinda City to participate in implementing the domestic violence-free sub-district program and also participate as a sustainable solution. It is recommended that all

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relevant parties, including the police, legal aid institutions, government and society, continue to increase integrated cooperation in dealing with domestic violence.

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