

## **LEGAL REFORM FOR GENDER EQUALITY: THE ROLE OF STATE INSTITUTIONS AND SOCIETY IN PROTECTING DOMESTIC VIOLENCE VICTIMS IN INDONESIA**

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**Abstract.** Legal protection for victims of Domestic Violence (DV) in Indonesia is supported by Law Number 23 of 2004 concerning the Elimination of Domestic Violence and its implementing regulations, including Government Regulation Number 4 of 2006. This study aims to analyze the effectiveness of the implementation of the Law Number 23 of 2004 and the Law on Criminal Acts of Sexual Violence, identify legal and social barriers, and evaluate the role of state institutions and society in strengthening the victim protection system. The method used is normative juridical through literature review, legal doctrine, regulatory analysis, the National Commission on Violence Against Women's annual report, publications from the Ministry of Women's Empowerment and Child Protection, and court decisions related to domestic violence. The results indicate that although regulations provide a clear legal framework and provide access to services for victims, their implementation is still hampered by weak inter-agency coordination, limited resources, low levels of understanding among officials, and social stigma. These findings underscore the need for an integrated approach between law, education, and society for more responsive, inclusive, and sustainable protection for victims of domestic violence.

**Keywords:** Domestic Violence; Domestic Violence Law; Legal Protection; State Institutions; Society.

### **1. Introduction**

Domestic violence is the most widespread form of human rights violation and has multidimensional impacts on women, children, and the social order. This phenomenon has become a complex legal and social issue in Indonesia due to its intertwined gender relations, economic factors, and persistent patriarchal cultural constructs (Abidin et al., 2025; Jones, 2025). The state has responded through Law Number 23 of 2004 concerning the Elimination of Domestic Violence (*Undang Undang Penghapusan Kekerasan Dalam Rumah Tangga/PKDRT Law*) and Law Number 12 of 2022 concerning

Criminal Acts of Sexual Violence (*Undang-Undang Tindak Pidana Kekerasan Seksual/TPKS Law*), which affirm victims' rights to legal protection, medical assistance, and social recovery.

However, reality shows that the existing legal framework is not fully effective in providing a sense of security and access to justice for victims of domestic violence. Weak law enforcement capacity is a major obstacle, with authorities often struggling to handle cases based on human rights (Hertanto et al., 2024). Furthermore, overlapping and disharmonious regulations regarding domestic violence create confusion in legal implementation, often depriving victims of the protection they deserve (Rohaya et al., 2024). From a policy perspective, the diffusion of anti-domestic violence instruments in Indonesia remains limited, tending to focus on formalization and regulation without consistent implementation at the regional level, thus suboptimal legal protection for victims (Hanifah et al., 2025).

Domestic violence remains a structural phenomenon with a tendency to increase annually. The National Commission on Violence Against Women (*Komisi Nasional Anti-Kekerasan terhadap Perempuan/Komnas Perempuan*) report in 2024 stated that there were more than 445,000 cases of violence against women, 74% of which occurred in the personal sphere. Saepullah and Hopipah (2023) explain that this violence is not only physical but also psychological, sexual, and economic. On the other hand, Wolter et al. (2024) through an adaptation of the WHO's RESPECT framework, emphasized that efforts to prevent violence against women in Indonesia remain weak, particularly in terms of inter-agency coordination and public education.

From a legal perspective, a comparative study of Indonesia and Malaysia shows that although the Indonesian legal system is relatively more normatively progressive in protecting victims of domestic violence, the effectiveness of law enforcement and actual protection still lags (Sopacua et al., 2024). Law enforcement in military jurisdictions faces cultural resistance that normalizes domestic violence as an internal family matter, making it difficult for authorities to effectively respond to cases (Rahawarin et al., 2024). A similar situation occurs in the context of religious courts, where mandatory mediation in divorce cases often prolongs the suffering of domestic violence victims. This raises the need for policies that allow for screening of violence cases and exemption from mandatory mediation for victims, so that their rights can be better protected (Jones & Aftab, 2023).

Studies on Domestic Violence (DV) in Indonesia have been developing since the early 2000s, but recent research indicates a significant gap between legal norms and their implementation. An interdisciplinary approach combining law and gender sociology is needed to understand the causes of violence, including socio-cultural dynamics and the patriarchal structures that dominate society (Abidin et al., 2025). The concept of bureaucratic violence was introduced to describe institutional violence arising from state negligence in providing access to protection and services for victims, particularly in the Aceh region (Jones, 2023). Furthermore, the limited legal protection for women in unregistered marriages indicates that the Domestic Violence Law is often ineffectively implemented to protect all victims (Akmal et al., 2024). The urgency of a fatwa from Islamic scholars regarding psychological violence in the household is also proposed so that women's rights are better recognized within an Islamic legal perspective (Krisna et al., 2024; Nasyi'ah, 2024). Furthermore, the Islamic criminal law approach through the

principle of *maqāṣid al-shari‘ah* is seen as capable of strengthening legal protection for victims of domestic violence, especially in the context of protecting women's lives and honor (Ali & Mulyono, 2023). These findings emphasize the need to integrate formal law, social norms, and religious perspectives to ensure comprehensive legal protection for victims.

From an institutional perspective, although the Indonesian government has adopted global policies such as the Respect Framework to prevent violence against women, their implementation remains inconsistent at the local level (Hanifah et al., 2025). The lack of synergy between government agencies and civil society is one factor hampering the effectiveness of prevention, resulting in suboptimal victim protection efforts (Wolter et al., 2024). The phenomenon of overregulation has also been observed, where numerous regulations weaken inter-agency coordination and create confusion for both authorities and victims (Rohaya et al., 2024). From a socio-cultural perspective, Minangkabau customary law, with its *Tigo Tungku Sajarangan* principle, shows positive potential in preventing violence against women and children, provided it is integrated with national law (Zurnetti et al., 2023). However, patriarchal values and gender inequality in the justice system remain major obstacles to achieving substantive justice for victims, resulting in many cases remaining unresolved fairly and adequately (Ramadhita et al., 2023; Jones, 2025).

In terms of child protection, victims of domestic violence require a legal protection model based on restorative justice, not simply punishment of the perpetrator, to achieve comprehensive psychological and social recovery (Harijanto et al., 2022). Although various legal instruments have been prepared, the implementation of protection for child victims remains weak due to regulatory fragmentation, weak law enforcement, and a lack of gender sensitivity among officials (Alifiyah & Anshori, 2023). This indicates a conceptual and practical gap in the study of domestic violence in Indonesia. Most previous research has focused on normative or theological analysis, while empirical evaluation of the effectiveness of the Domestic Violence Law and the Women's Empowerment and Child Protection Law, especially in the post-2022 context, remains very limited. Furthermore, the synergy between the national legal system, law enforcement agencies, civil society, and the use of digital tools such as SIMFONI-PPA has not been widely studied, even though such integration could strengthen reporting, monitoring, and victim protection mechanisms more effectively (Wolter et al., 2024; Hanifah et al., 2025). Based on the description above, this study formulates three main problems:

RQ1: How effective is the implementation of Law Number 23 of 2004 in providing legal protection for victims of domestic violence in Indonesia?

RQ2: What are the legal and social barriers that hinder the protection of victims of domestic violence?

RQ3: What is the role of state institutions and society in strengthening the victim protection system in accordance with current regulations?

This study aims to analyze the implementation of the Domestic Violence Law and the Women's Empowerment and Victim Protection Law in practice, identify the legal and social barriers still faced by victims, and evaluate the effectiveness of the role of state

institutions and society in strengthening legal protection based on human rights and gender equality.

## 2. Research Methods

This research uses a normative juridical approach, focusing on the examination of applicable positive legal norms, legal doctrine, and principles of human rights protection. This approach was chosen because the research objective was to analyze the extent to which the national legal system provides effective protection for Victims of Domestic Violence (*Kekerasan Dalam Rumah Tangga/KDRT*) based on applicable statutory provisions. Data was collected through a literature review, including a review of Law Number 23 of 2004 concerning the Elimination of Domestic Violence, Law Number 12 of 2022 concerning Criminal Acts of Sexual Violence, and relevant implementing regulations such as Government Regulation Number 4 of 2006 concerning the Implementation and Cooperation for the Recovery of Victims of Domestic Violence and the Regulation of the Minister of Women's Empowerment and Child Protection (*Peraturan Menteri Pemberdayaan Perempuan dan Perlindungan Anak/Permen PPPA*).

Furthermore, this study utilizes various secondary data, including annual reports from the National Commission on Violence Against Women (*Komisi Nasional Anti Kekerasan terhadap Perempuan/Komnas Perempuan*), official publications from the Ministry of Women's Empowerment and Child Protection (*Kementerian Pemberdayaan Perempuan dan Perlindungan Anak/KemenPPPA*), academic research findings, and institutional decisions related to domestic violence cases. The analysis was conducted descriptively and qualitatively by outlining, interpreting, and comparing legal provisions with their implementation in the field. Through this method, the study is expected to provide a comprehensive overview of the effectiveness of legal protection for victims of domestic violence while identifying normative gaps and weaknesses in law enforcement that persist in Indonesia.

## 3. Results and Discussion

### 3.1. Effectiveness of the Implementation of the Domestic Violence Law in Protecting Victims of Domestic Violence

Law Number 23 of 2004 concerning the Elimination of Domestic Violence (*Undang Undang Penghapusan Kekerasan Dalam Rumah Tangga/UU PKDRT*) is a significant milestone in the state's efforts to provide legal protection for victims of domestic violence in Indonesia. As *lex specialis*, this law affirms that Domestic Violence (*Kekerasan Dalam Rumah Tangga/KDRT*) is a violation of human rights and a crime against human dignity, as stipulated in Article 2 paragraph (2). The primary objective of the PKDRT Law is stated in Article 4, namely to prevent all forms of domestic violence, protect victims, prosecute perpetrators, and maintain harmonious household integrity.

One of the most important aspects of the PKDRT Law is the recognition of victims' rights. Article 10 guarantees victims' rights to receive protection from their families, the police, the prosecutor's office, the courts, social institutions, or other parties, as well as health services, psychological support, and legal aid. Furthermore, Article 16 provides a legal basis for victims to obtain temporary protection, which can be issued by the police or other authorized institutions to ensure the physical and psychological safety of victims

from threats from perpetrators. The technical implementation of this protection and recovery is strengthened through Government Regulation Number 4 of 2006 concerning the Implementation and Cooperation for Recovery of Victims of Domestic Violence, which emphasizes cross-agency coordination between the Ministry of Women's Empowerment and Child Protection (*Kementerian Pemberdayaan Perempuan dan Perlindungan Anak/KemenPPPA*), the police, hospitals, and social service institutions.

However, the effective implementation of the Domestic Violence Law still faces complex challenges. Based on data from the Online Information System for the Protection of Women and Children (*Sistem Informasi Online Perlindungan Perempuan dan Anak/SIMFONI-PPA*), the number of domestic violence cases reported annually remains above 10,000, indicating that domestic violence remains a serious social phenomenon. Despite improvements in law enforcement, such as an increase in the number of perpetrators convicted for physical violence, other forms of violence, such as psychological, sexual, and economic violence, often do not receive proportionate attention.

Obstacles to the implementation of the Domestic Violence Law are also related to weak public awareness, low reporting rates, and persistent patriarchal cultural barriers. In many cases, female victims of domestic violence are reluctant to report their cases due to social pressure and economic dependence on the perpetrator. In addition, at the law enforcement level, there is still a tendency for officials to encourage mediation or peace, even though the Domestic Violence Law explicitly stipulates in Articles 44-49 that physical, psychological, sexual violence, and neglect are criminal acts that can be punished with imprisonment and fines. From a policy perspective, the synergy between the Domestic Violence Law and Law Number 12 of 2022 concerning Criminal Acts of Sexual Violence (*Tindak Pidana Kekerasan Seksual/TPKS Law*) provides a more comprehensive legal framework to guarantee victims' rights, including restitution and recovery mechanisms. However, inter-agency coordination remains weak, and most regions lack adequate Integrated Service Units (*Unit Layanan Terpadu/UPT*).

Thus, although the Domestic Violence Law provides a strong and progressive legal basis, its implementation remains partial. The 2024 Annual Report of the National Commission on Violence Against Women (Komnas Perempuan) (2025) indicates that in 2024, the number of Gender-Based Violence Against Women (*Kekerasan Berbasis Gender terhadap Perempuan/KBGtP*), including domestic violence, remained alarming. The total number of cases reported by Komnas Perempuan and its network partners reached 445,502, a 9.77% increase from 401,975 cases in 2023. Of these, 330,097 cases fell into the category of GBV, representing a 14.17% increase compared to the previous year. Meanwhile, direct complaints received by the National Commission on Violence Against Women reached 4,178 cases, although this represented a slight decrease of around 4.48% compared to 2023. Based on the context of the incident, violence in the personal or domestic sphere dominated with 309,516 cases, significantly higher than the public sphere (12,004 cases) and the state (209 cases). The dominance of violence in the domestic sphere reinforces the indication that the household remains the most vulnerable space to gender-based violence, especially against women. Data for which the context could not be identified reached 8,368 cases, mostly sourced from the Ministry of Women's Empowerment and Child Protection. Judging by the type of violence, the largest proportion was sexual violence (26.94%), followed by psychological violence (26.94%), physical violence (26.78%), and economic violence (9.84%). This figure

indicates a shift in trend compared to 2023, when psychological violence was the highest. According to CATAHU partner data, sexual violence reached 17,305 cases, physical violence 12,626 cases, psychological violence 11,475 cases, and economic violence 4,565 cases (Komnas Perempuan, 2025). Meanwhile, data from the National Commission on Violence Against Women itself shows that psychological violence remains the highest (3,660 cases), followed by sexual violence (3,166 cases), physical violence (2,418 cases), and economic violence (966 cases). Demographically, the majority of victims were aged 18–24 (1,474 people), while the most perpetrators came from an unidentified age group (2,014 people). The education level of victims and perpetrators was generally at high school or equivalent, indicating that education has not fully functioned as a deterrent to violence. This phenomenon indicates that power relations and gender inequality remain the structural roots of domestic violence in Indonesia. Geographically, Java recorded the highest number of cases, while outside Java, North Sumatra, Lampung, and South Sulawesi occupied the top positions. In contrast, Papua Province recorded the fewest cases, with only 9 cases reported (National Commission on Violence Against Women, 2025).

The 2024 National Commission on Violence Against Women report shows that the increase in domestic violence cases is not solely due to increased incidence, but also to increased public awareness and reporting. However, the high rate of domestic violence still indicates that the implementation of the Domestic Violence Law and other derivative policies has not been fully effective in preventing, addressing, and rehabilitating victims of domestic violence at the national level.

Several previous studies provide an in-depth overview of the dynamics of the implementation of the Domestic Violence Law and the challenges of its enforcement. In general, research findings indicate that cultural, institutional, and legal barriers remain major obstacles to achieving effective protection for victims of Domestic Violence (DV). Socio-cultural factors and patriarchal constructions are the main determinants of domestic violence, because in a society that still positions men as authority figures, women tend to experience subordination, and violence is often perceived as a form of domestic discipline (Abidin et al., 2025). Similar findings were made by Balawyn Jones (2025) who highlighted the interaction between religion, gender, and Islamic law in Indonesia. Gender-biased interpretations of religion are often exploited to justify violent practices or prevent women from seeking justice in religious courts, so that victims' access to legal protection and their rights remains limited.

In the context of law enforcement, police officers often lack a human rights-based perspective in handling cases of Domestic Violence (DV), resulting in many victims' reports not progressing to the investigation stage (Hertanto et al., 2024). Furthermore, regulations regarding domestic violence in Indonesia remain convoluted and overlapping, creating legal uncertainty for both victims and law enforcement (Rohaya et al., 2024). From a policy perspective, Indonesia has experienced policy diffusion by adopting various international instruments, such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), but implementation remains limited due to minimal oversight and funding (Hanifah et al., 2025). Adaptation of the WHO's RESPECT framework for preventing violence against women also remains hampered, primarily due to weak inter-agency coordination and low capacity of service personnel at the regional level (Wolter et al., 2024).

From an Islamic legal perspective, the *maqāṣid al-shari‘ah* approach offers a normative foundation for protecting women from domestic violence, as its principles emphasize the protection of life (*hifz al-nafs*) and honor (*hifz al-‘ird*). However, this principle has not been systematically integrated into national legal practice, so the potential for protection remains suboptimal (Ali & Mulyiyono, 2023; Akmal et al., 2024). Furthermore, the religious justice system, which mandates mediation for victims before the divorce process, demonstrates weaknesses in practice, as this obligation often prolongs the victim's suffering and opens up space for perpetrators to intimidate (Jones & Aftab, 2023). Comparatively, studies show that although Indonesia has a progressive legal instrument through the Domestic Violence Law, its implementation lags behind Malaysia, which is supported by a stronger social protection system and more flexible and responsive procedures to victims' needs (Sopacua et al., 2024).

This demonstrates that although Indonesia's legal framework, including the Domestic Violence Law, the Women's Empowerment and Victim Protection Law, and Government Regulation Number 4/2006, is normatively adequate, its implementation remains hampered by patriarchal culture, bias among law enforcement officials, overlapping regulations, and a lack of victim recovery services. Therefore, the effectiveness of protection for victims of domestic violence is determined not only by the existence of legal regulations, but also by the state's ability to build social and institutional systems that favor victims and are based on gender equality.

### **3.2. Legal and Social Barriers to Protecting Victims of Domestic Violence**

Protection of victims of domestic violence (DV) in Indonesia still faces various complex obstacles, both legal and social. Although Law Number 23 of 2004 concerning the Elimination of Domestic Violence (*Undang Undang Penghapusan Kekerasan dalam Rumah Tangga/UU PKDRT*) has become a key foundation, its implementation is often hampered by structural and cultural factors. Key obstacles include a lack of public awareness of the PKDRT Law, cultural stigma that views domestic violence as a private household matter, and limited resources for law enforcement agencies. Legally, the implementation of Article 55 of the PKDRT Law concerning victim protection is often hampered by lengthy bureaucratic procedures, such as difficulties obtaining a Protection Order (*Surat Perintah Perlindungan/SPP*). Furthermore, the COVID-19 pandemic has exacerbated the situation with an increase in cases, but recent regulations, such as initiatives from the Ministry of Women's Empowerment and Child Protection (*Kementerian Pemberdayaan Perempuan dan Perlindungan Anak/KemenPPA*), have not fully addressed this gap. Social barriers include victims' economic dependence on their perpetrators, which hinders reporting.

From a legal perspective, one of the main obstacles to protecting victims of Domestic Violence (DV) is the suboptimal implementation of the Domestic Violence Law (Darwis et al., 2023). Although the government has issued laws providing a clear legal basis for handling domestic violence, their implementation remains hampered by economic factors and the patriarchal social structure that dominates Indonesian society (Abidin et al., 2025). A study using a gender and sociological approach to law through in-depth interviews with victims and experts found that male dominance in a patriarchal society often prevents victims from accessing legal protection, resulting in high rates of domestic violence. Furthermore, in Aceh, victims' rights are often not fully understood or protected in practice, particularly as the process of seeking help remains fraught with gender

discrimination (Chalil et al., 2025; Jones, 2025). Victims face significant obstacles in religious and criminal courts, where informal mediation through customary law is preferred, resulting in many cases of domestic violence going unreported and legal protection being ineffectively delivered.

The effectiveness of protection mechanisms for victims of Domestic Violence (DV) and Violence Against Women (VAW) in Indonesia still faces structural and bureaucratic obstacles. A comparison with Malaysia shows that penal and non-penal approaches, including preventive and curative measures, are often hampered by Indonesia's civil law system, which is less flexible than the common law system, resulting in lengthy and complex bureaucratic procedures. For example, victims find it difficult to obtain a Women's Protection Letter due to the complex administrative requirements under Article 55 of the Domestic Violence Law (Sopacula et al., 2024). At the subnational level, the diffusion of anti-domestic violence policies is limited, with only about one-third of districts/cities adopting local regulations, influenced by provincial moral regulations that limit advocacy networks and inter-agency collaboration (Hanifah et al., 2025). The adaptation of the WHO RESPECT framework for VAW prevention emphasizes the importance of integration into the 2025-2029 National Development Plan, but obstacles such as insufficient resource allocation and limited multistakeholder collaboration remain key challenges in ensuring effective protection for victims (Wolter et al., 2024).

Institutional and regulatory barriers also impact the effectiveness of protection for victims of Domestic Violence (DV). In the military, hierarchy and corps values hinder enforcement of the Domestic Violence Law, necessitating integration between military and civilian legal frameworks to ensure consistent protection (Rahawarin et al., 2024). Human rights-based law enforcement by police is also often hampered by intimate relationships between perpetrators and victims, making it difficult for the state to fully fulfill its protection obligations (Hertanto et al., 2024). Furthermore, overregulation, resulting from the simultaneous existence of multiple domestic violence regulations, creates confusion in harmonizing norms, thus hindering effective case handling (Rohaya et al., 2024). Cases of unregistered marriages, or nikah siri (unregistered marriages), also highlight the limitations of the legal system, creating barriers to access to justice for victims; integration of the principles of Maqāṣid al-Sharī'ah is recommended as a reform measure to address this legal gap (Akmal et al., 2024).

Legal barriers and regulatory weaknesses pose significant challenges to protecting victims of Domestic Violence (DV). Differences in interpretation between positive law and Islamic law, for example regarding psychological violence, create unclear norms that hinder law enforcement. Therefore, a fatwa from the Indonesian Ulema Council (*Majelis Ulama Indonesia/MUI*) is deemed urgent to provide clearer guidelines (Nasyi'ah, 2024). The practice of mandatory mediation in Religious Courts has also been criticized for its riskiness for victims who have previously participated in traditional mediation, necessitating special screening for exceptions in cases of violence (Jones & Aftab, 2023). Furthermore, weaknesses in the 2022 Law on Sexual Violence (*Tindak Pidana Kekerasan Seksual/TPKS*), particularly its lack of synchronization with the Domestic Violence Law, have resulted in ineffective restitution mechanisms for victims (Santoso & Satria, 2023). In Aceh, the concept of bureaucratic violence reflects the state's failure to provide facilities such as safe houses and rehabilitation services, which actually exacerbates victims' risks (Jones, 2023).

Social barriers, particularly cultural stigma, are a major barrier to reporting and addressing domestic violence. In Bandung, for example, more cases are resolved through the police than the Religious Courts due to the difference in competence between civil and criminal law. However, the stigma that views domestic violence as a private matter continues to hinder victims from reporting (Saepullah & Hopipah, 2023). In West Sumatra, Minangkabau traditional values, through the Tigo Tungku Sajarangan institution, play a role in preventing domestic violence through social education and community mediation, but victims' economic dependence often discourages them from reporting their experiences (Zurnetti et al., 2023). Furthermore, certain interpretations of Islam that justify wife beating have been criticized for reinforcing patriarchal stigma, thus hampering victim protection efforts and reducing awareness of women's rights (Ali & Mulyono, 2023).

The protection of children as victims of Domestic Violence (DV) requires special attention, as emotional and economic violence can cause significant psychological distress, while social barriers such as fear of adult victims also influence case reporting (Alifiyah & Anshori, 2023). Gender inequality in divorce procedures also exacerbates the situation for adult victims, such as wives who lose their right to residency due to being considered nusyuz, leading to increased economic dependence (Ramadhita et al., 2023). Child marriage is a source of domestic violence, leading to psychological trauma and sexual violence, and the lack of legal sanctions makes prevention efforts less effective (Amberi, 2023). On the other hand, the practice of Malay customary norms in Bengkulu, such as *Cempalo Tangan* (Hand-Mouthed) and *Cempalo Mulut* (Mouth-Mouthed), has been shown to reduce violence against children, although cultural stigma remains a barrier to optimal implementation (Harijanto et al., 2022).

The conflict between religious freedom and Domestic Violence (DV) is a significant obstacle to victim protection, where women's religious choices sometimes trigger violence, and the implementation of religious rights remains challenged by family authorities (Nurtjahyo, 2021). A comparative study of domestic violence divorce laws in Indonesia, Malaysia, and the Maldives shows that differences in divorce rights impede women's access to justice, often making it difficult for victims to assert their rights (Nisa, 2021; Laia & Panggabean, 2024). A restorative approach through Minangkabau customs is also a potential strategy for resolving domestic conflict, but social barriers such as pressure on family honor and traditional norms still hinder the effective enforcement of legal sanctions (Zurnetti, 2021). Furthermore, various legal instruments related to domestic violence in Indonesia still face overlapping authority between judicial institutions, law enforcement officials, and service agencies, creating procedural uncertainty for victims. Normative ambiguity regarding the boundaries between "domestic matters" and "criminal acts" is also often exploited to delay or bypass legal proceedings. These legal loopholes weaken the effectiveness of protection and create space for the normalization of domestic violence.

The COVID-19 pandemic exacerbated barriers to protecting victims of Domestic Violence (DV), particularly in urban areas, due to increased child abuse related to parental education, income, and limited information technology capabilities, while the government struggled to provide full protection (Hafsah, 2021). Cultural factors also play a significant role; for example, in East Medan, Batak culture encourages Toba Batak women to maintain family honor by remaining in the household despite domestic violence, resulting in regulations on the Domestic Violence Act often being ignored

(Sitompul et al., 2020). Legal politics for domestic workers also pose challenges, with those experiencing physical violence facing difficulties in accessing justice due to weak regulations and limited legal protection (Wardhani & Christia, 2020). Furthermore, conflicts between the Domestic Violence Act and Islamic marriage law, such as the interpretation of the concept of nushuz, create the potential for violence and create a dilemma between religious obedience and victim protection (Alfitri, 2020).

Justice-based policies are a crucial step in protecting victims of Domestic Violence (DV), especially women facing economic dependence, as demonstrated in previous studies (Mashdurohatun et al., 2020). Although national regulations emphasize victims' rights, various barriers persist, including a lack of public awareness and the absence of compensation and counseling services, creating legal gaps in victim protection (Arief, 2018; Arief, 2019). Furthermore, patriarchal interpretations of Islamic law regarding nusyuz (price) also pose a social barrier, even though its underlying principles align with the Domestic Violence Law, which prohibits violence (Zuhdi et al., 2019). Sociocultural conditions in some regions, such as the belis system on Rote Island, reinforce patriarchy, leading to more references to customary and church law than to state law, even though state law offers more comprehensive protection (Lestarini et al., 2019). The role of local women's organizations, such as LBH APIK Makassar, has proven crucial in empowering victims. However, structural challenges such as weak law enforcement and public perception still limit their effectiveness (Afrianty, 2018). Findings in East Luwu also indicate that victims are often reluctant to disclose due to fear of divorce, while facilities such as shelters and outreach programs remain limited, resulting in suboptimal long-term protection (Wahyuningsih et al., 2017).

Domestic Violence (DV) is often described as an iceberg phenomenon due to its private nature, where a culture of non-intervention influences the response of authorities, including the police (Arief, 2017). In rural Indonesia, the gap between the socio-cultural and legal-policy arenas is evident, with low priority by local authorities hindering the provision of adequate services to victims (Hayati et al., 2024; Bunga et al., 2025). Furthermore, patriarchal interpretations of the Quran are still used to justify domestic violence, necessitating a rereading of the Hadith, which supports the principles of the Domestic Violence Law and victim protection (Aisyah, 2012). Patriarchal culture and conventional Islamic jurisprudence also create space for domestic violence, so legal protection is often inconsistent with Islamic ideals and victims' rights (Munir, 2005). These legal and social barriers are interconnected and mutually reinforcing, necessitating comprehensive reforms that include regulatory simplification, gender-sensitive training for officials, and economic empowerment of victims. With this integrated approach, protection for domestic violence victims can be more effective, responsive, and sustainable.

### **3.3. The Role of State Institutions and Society in Improving Protection for Victims of Domestic Violence**

Protecting victims of domestic violence in Indonesia requires synergy between state institutions and the community to achieve maximum effectiveness. State institutions such as the Police, the Prosecutor's Office, and the Courts play a key role in enforcement, as stipulated in Article 10 of the Domestic Violence Law, which emphasizes inter-agency coordination for case handling. The Ministry of Women's Empowerment and Child Protection (*Kementerian Pemberdayaan Perempuan dan Perlindungan*

*Anak/KemenPPPA*), through the Online Information System for the Protection of Women and Children (SIMFONI-PPA), provides real-time data for rapid response, while the National Commission on Violence Against Women (Komnas Perempuan) conducts advocacy and monitoring.

State institutions have primary responsibility for law enforcement and victim protection. The police, as the first point of entry, are tasked with receiving reports, conducting investigations, and providing temporary protection (Abidin et al., 2025). Research shows that the police are often the frontline, but their effectiveness depends on human rights-based training (Hertanto et al., 2024). The prosecutor's office and courts continue criminal proceedings, where Article 10 of the Domestic Violence Law guarantees victims' rights to restitution and rehabilitation (Santoso & Satria, 2023). However, in religious courts, mandatory mediation is often an obstacle, necessitating violence screening for exceptions (Jones & Aftab, 2023). The Ministry of Women's Empowerment and Child Protection plays a strategic role through SIMFONI-PPA, which provides real-time data for case mapping and rapid response, as integrated into the 2025-2029 National Development Plan (Wolter et al., 2024). This initiative has improved coordination with other institutions, including the Witness and Victim Protection Agency (LPSK), which provides independent protection for victims (Rahawarin et al., 2024; Admin, 2025; Meilany, 2025; Sitompul, 2025).

The National Commission on Violence Against Women (Komnas Perempuan) functions as an independent watchdog, advocating through case monitoring and policy recommendations (Jones, 2023). Studies show that Komnas Perempuan has promoted the harmonization of legal norms, including the integration of the Indonesian Ulema Council (*Majelis Ulama Indonesia/MUI*) fatwa on psychological violence (Nasyi'ah, 2024). At the regional level, the Forum for the Protection of Victims of Violence (*Forum Perlindungan Korban Kekerasan/FPKK*) in Yogyakarta, for example, ensures integrated services for women and child victims, with 606 cases handled between January and June 2025 (Hafsah, 2021; Admin, 2025). This role aligns with a restorative approach, where state institutions collaborate with communities for prevention (Zurnetti et al., 2023). Furthermore, the Office of Women's Empowerment, Child Protection, Population Control, and Family Planning (*Dinas Pemberdayaan Perempuan, Perlindungan Anak, Pengendalian Penduduk, dan Keluarga Berencana/DP3AP2*) is active in outreach and shelters, strengthening networks with the police and NGOs (Wahyuningsih et al., 2017).

The role of the community is equally important, particularly through NGOs and indigenous communities. The community, including NGOs such as Legal Aid Institute of the Indonesian Women's Association for Justice (*Lembaga Bantuan Hukum Asosiasi Perempuan Indonesia untuk Keadilan/LBH APIK*), contributes through victim advocacy, through education and campaigns to prevent domestic violence effectively (Rokhmad & Susilo, 2017). For instance, LBH APIK, as a legal aid organization, provides free assistance to victims of domestic violence, including advocacy in court (Afrianty, 2018). In North Sumatra, LBH APIK Medan has improved services for victims, focusing on empowerment and access to justice (Arief, 2018). Indigenous communities such as Tigo Tungku Sajarangan in West Sumatra play a role in prevention through social supervision and education based on customary values (Zurnetti et al., 2023). Research shows that Minangkabau customs, with their principle of deliberation, are effective in resolving domestic conflicts before they escalate to domestic violence (Zurnetti, 2021). In Rote,

East Nusa Tenggara, customary law and the church are the community's first resort, even though state law offers better protection (Lestarini et al., 2019).

Non-governmental organizations (NGOs) play a crucial role in strengthening the protection of victims of Domestic Violence (DV). For example, the IBLAM School of Law provides free legal aid to victims, collaborating with the National Commission on Violence Against Women (Komnas Perempuan) and the Department of Women's Empowerment and Child Protection (DP3A) to provide free legal assistance, ensuring victims have access to justice and redress (Arief, 2017; Admin, 2025; IBLAM, 2025). In the military, procedural reforms are also needed to ensure the integration of civilian and military law, including gender-sensitive training to better understand the dynamics of domestic violence (Rahawarin et al., 2024). Furthermore, communities have a strategic role through preventive campaigns, such as human rights education, aimed at reducing patriarchal stigma and encouraging victims to report (Ali & Mulyono, 2023; Abidin et al., 2025). In Bengkulu, the practice of Malay customary norms, such as Cempalo Tangan, has proven effective in reducing domestic violence against children through a restorative approach and community awareness (Harijanto et al., 2022). This integrated approach between legal institutions, authorities, and the community is key to improving protection and prevention of domestic violence in a sustainable manner.

Collaboration between state institutions and communities has been shown to increase awareness and effectiveness of protection for victims of Domestic Violence (DV). For example, an adaptation of the RESPECT framework developed by the WHO was implemented by the Ministry of Women's Empowerment and Child Protection (*Kementerian Pemberdayaan Perempuan dan Perlindungan Anak/KemenPPPA*), involving NGOs and local communities to map best practices and exchange experiences (Wolter et al., 2024). In Aceh, the National Commission on Violence Against Women's advocacy successfully encouraged the rehabilitation of perpetrators while providing safe housing for victims, ensuring that the treatment approach emphasizes not only the law but also the recovery aspect (Jones, 2023). However, several challenges remain, such as the complexity of multiple regulations, which require simplification for more effective policy harmonization (Rohaya et al., 2024). At the subnational level, women's representation in the legislature and NGO networks have accelerated the adoption of local regulations that support women's protection (Hanifah et al., 2025). Education based on Islamic legal philosophy, for example, regarding the prevention of child marriage as a source of domestic violence, involves the government, families, and legal actors to build collective awareness and prevent violent practices from an early age (Amberi, 2023; Sugiarto et al., 2025).

This demonstrates that protecting victims of domestic violence (DV) requires synergy between state institutions and the community. State institutions play a role in enforcing the law, providing formal services, and ensuring accountability in case handling. Meanwhile, the community plays a role in supporting victims, promoting awareness, and establishing social norms that encourage reporting and preventing violence. The role of state institutions in law enforcement and formal services is crucial. Legal reform, including the Domestic Violence Law, serves as a foundation for protecting victims and upholding justice. Judicial discretion in courts helps adjust decisions to reduce gender inequality, particularly in cases of divorce due to domestic violence (Nisa, 2021; Ramadhita et al., 2023). Furthermore, the integration of human rights principles and national regulations, such as the Marriage Law, strengthens victim protection by

providing access to legal aid, health services, and psychosocial recovery (Arief, 2018; Arief, 2019). Collaboration between agencies, including the police, human rights advocacy institutions, and relevant ministries, increases the effectiveness of case monitoring and handling, allowing victims to receive faster and more responsive protection (Santoso & Satria, 2023; Hertanto et al., 2024).

Furthermore, the role of society and local values also determine the effectiveness of victim protection. Social and cultural values influence victims' perceptions and community responses. Public awareness and education campaigns, particularly in communities that emphasize family honor or patriarchal norms, can encourage victims to report without fear or shame (Aisyah, 2012; Sitompul et al., 2020). Religious and local leaders play a strategic role in handling cases of informal marriage or unregistered marriages, through mediation, consultation, and victim rehabilitation (Akmal et al., 2024). In some regions, the application of customary criminal law or a restorative approach has proven effective as a mechanism for preventing and resolving domestic conflict, while also raising public awareness of the impacts of domestic violence (Zurnetti, 2021).

Synergy between the state and society is key to long-term prevention. Collaboration between the government, NGOs, and local communities through outreach, training, and public campaigns has been shown to increase reporting and public awareness of domestic violence (Wahyuningsih et al., 2017; Tobing et al., 2025). Critical education regarding discriminatory religious interpretations and patriarchal social norms is necessary to support gender equality and change cultural attitudes (Munir, 2005). Adequate budget allocation for local services, especially in rural areas, is crucial to ensure that victim protection is not only formal but also comprehensive, encompassing legal, psychological, and social aspects (Hayati et al., 2024). With an integrated approach between law, social values, and active community participation, protection for victims of domestic violence can be more effective, inclusive, and sustainable (Sopacua et al., 2024; Apsari, 2025).

#### **4. Conclusion**

Legal protection for victims of Domestic Violence (DV) in Indonesia has been supported through Law Number 23 of 2004 concerning the Elimination of Domestic Violence (PKDRT Law) and its implementing regulations, such as Government Regulation Number 4 of 2006. This law establishes a clear legal framework for addressing various forms of violence, from physical, psychological, sexual, to neglect, and provides victims with access to protection, recovery, and justice. However, the implementation of the PKDRT Law still faces significant challenges, both from a legal and social perspective. Some obstacles include a lack of coordination between relevant agencies, limited resources and budgets, a lack of understanding among law enforcement officials regarding the dynamics of violence, and the social stigma that persists for victims. The effectiveness of legal protection depends heavily on the active role of state institutions, community organizations, and community support in detecting, reporting, and handling cases of domestic violence. Going forward, revision of the PKDRT Law is crucial to accommodate new forms of violence, including digital violence, and to strengthen law enforcement mechanisms through increased budgets, officer training, and the provision of integrated services for victims. With these steps, protection for victims of domestic violence can

become more comprehensive, responsive, and effective in facing various contemporary challenges.

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