

Case Report: Johnson's Typology of Intimate Partner Violence in Violence Against Women in Siri Marriages

Endra Fatdiansyah

¹Faculty of Law, Sultan Agung Islamic University, Semarang, Indonesia, E-mail: endrafatdiansyah18@gmail.com

Abstract. *Violence against women, especially in the context of Intimate Partner Violence (IPV), is a serious problem and women's position as vulnerable parties is often the target of violence by their partners. This position is even more vulnerable for women in informal marriages (permarital siri). This case report focuses on cases of IPV against women in vulnerable positions and looks at their relationship to Johnson's typology of Intimate Partner Violence. The purpose of this paper is to examine IPV cases based on the positions of victims and perpetrators according to Johnson's typology of Intimate Partner Violence and the application of Law No. 23 of 2004 concerning the Elimination of Domestic Violence (UU PKDRT). Johnson's typology can be applied to cases for vulnerable women and provides guidance on case management interventions. The victim experienced an Intimate Terrorism relationship pattern. The legal system in Indonesia does not yet recognize a relationship pattern based on power in IPV, but forensic experts' knowledge in this regard can provide guidance in the process of law enforcement and intervention in helping victims.*

Keywords: Domestic; Typology; Violence; Vulnerable.

1 Introduction

In accordance with Law Number 23 of 2004 concerning the Elimination of Domestic Violence (UU PKDRT), a household includes a husband, wife, children, people who have a relationship with the husband, wife, and children due to blood relations, marriage, breastfeeding, care, and guardianship who reside in the household, and/or people who work to help with the household and reside in the household. (Government of the Republic of Indonesia, 2004). The violence referred to in the Domestic Violence Law is physical violence, psychological violence, sexual violence, or family neglect.

According to KBBI, nikah siri is a marriage witnessed only by a modin (penghulu) and witnesses, but not through the Office of Religious Affairs. Several factors cause someone to have a siri marriage, namely: economic problems, underage marriage, and the desire to practice polygamy. The marriage is valid according to religion,

but legally the state does not have legality. If there is a household dispute, the woman will be vulnerable to being harmed because there is no valid proof of marriage. Several experts argue that the practice of siri marriage is a form of psychological violence (National Commission on Violence Against Women, 2021; Tsanian et al., 2021).

Domestic violence (DV) is a universal social fact that can occur within the household without distinction of religion, age, culture, or level of education. Domestic violence tends to be latent, there are quite a lot of incidents, but only a few are reported. (Directorate General of PP, Ministry of Law and Human Rights, 2020). Studies in Indonesia show that two-thirds of domestic violence victims are women and this number has continued to increase in the last five years. Although there is no specific data stating the number of domestic violence cases in unregistered marriages in Indonesia, it is estimated that this number is quite high. Data from various countries states that women who live under the same roof (cohabitation) with men without official marital status have a higher tendency to experience violence than women with official marital status. (Wong et al., 2016). Research by Manning et al in 2018 stated that cohabitation is a risk factor for domestic violence. (Manning et al., 2018).

The weakness of women's biological structure often places them in a marginal position in society. Women are considered weaker physically and emotionally, where social relations are carried out in male standards. (Nurhikmah and Nur, 2020). Moreover, in patriarchal culture, men are often placed in higher positions in terms of power, moral authority, and men tend to have better opportunities than women in terms of obtaining professions and social roles (gender inequality-gender asymmetry). Patriarchal culture tends to support men and has features and norms associated with "masculinity". Women are in a less advantageous position, burdened with various social expectations that tend to be detrimental. Patriarchal culture appears not only in the form of social stigma, but also as a result of the normalization of cultural values into government and law. (Andina et al., 2020).

Gender inequality-gender asymmetry in a relationship has long been studied as one of the main risk factors for domestic violence. Johnson in 2006 hypothesized that domestic violence is not a homogeneous case, but varies depending on the power pattern in the relationship. (Johnson, 2006). Johnson's typology of Intimate Partner Violence is a classification of Intimate Partner Violence (IPV). The typology or classification is arranged based on the role of power and control between the victim and the perpetrator in the relationship. (Johnson and Ferraro, 2000; Johnson, 2006). Different classifications require different interventions and treatments. (Derrington et al., 2010). Johnson's typology of Intimate Partner Violence divides domestic violence into 4 different classes, namely Situational Couple Violence (SCV), Intimate Terrorism (IT), Violent Resistance (VR), and Mutual Violent Control (MCV). (Derrington et al., 2010; Johnson and Ferraro, 2000).

1. *Situational Couple Violence (SCV)*

SCV is a type that often occurs in most cases of domestic violence. Johnson said that this type of violence is not patterned, and usually begins because of a specific argument, which then escalates into a physical fight. The positions between both parties in the relationship are equal. SCV according to Johnson is rare, rarely causes serious injury, and the fight rarely escalates.

2. *Intimate Terrorism (IT),*

In IT, the pattern of violence carried out is as a tactic to gain full control over the victim. The pattern of violence in IT tends to occur more frequently, the longer the violence becomes more severe, and often causes serious injuries. The characteristic of violence in IT always occurs from one party who is "in power" to the party who is the victim where this is done to gain control. Controlling behavior is not only in the form of physical violence, but also psychological violence. In heterosexual couples, IT is almost always carried out by men (Johnson, 2006).

3. *Violent resistance (VR)*

This type of violence always begins with a relationship between 2 people with "abusive" gender asymmetry. The party who is always the victim will eventually fight back, and will eventually be the party who "kills" the perpetrator of the violence. Therefore, VR is almost always carried out by the previously suppressed party (mostly women).

4. *Mutual Violent Control (MVR)*

In this type of violence, both parties are equally "controlling and violent". In this condition, both parties apply the intimate terrorism pattern to gain power.

2. Research Methods

This research is a case study based on a case of abuse experienced by a woman who came to the emergency room of a hospital.

Case

A 27-year-old woman came to the emergency room of a hospital because she experienced domestic violence. The violence occurred a week before the victim came for examination. During the examination, bruises were found all over her body with a reddish-yellow color in accordance with the healing phase of the bruises. The victim is the second wife of the perpetrator and the marriage took place without the permission of the perpetrator's first wife. Therefore, this marriage was also not registered at the Office of Religious Affairs (sirih marriage). The violence committed by the victim's husband began 2 years ago, when the victim was pregnant with her first child and has continued until now. The violence often occurs when the victim's husband is drunk and is triggered by the victim's words that offend the perpetrator. In the last violence, the perpetrator abused the victim for more than 2 hours, kicking, hitting, strangling, and beating the victim with a knife handle. In addition to physical violence, the perpetrator also

committed psychological violence in the form of death threats and the victim was prohibited by the perpetrator from leaving the house. The perpetrator may be afraid that his actions will be known by others if they see the victim's injuries. The victim complied by staying at home because she was afraid of the perpetrator's threats. The victim finally managed to get help after the victim's neighbor reported the victim's condition to local government officials who then intervened with the victim and the perpetrator. The perpetrator alternately lived between the first wife's house and the victim's, but from the victim's statement, the perpetrator lived more often with the perpetrator's first wife. The victim felt confused by the conditions she was experiencing, because of the victim's position as a common-law wife, and also thought about the fate of her child. The victim was in a common-law marriage with the perpetrator for approximately 2 years, and was blessed with a 2-year-old son.



Figure 1. Some of the wounds found on the victim

3. Results and Discussion

The description of domestic violence as violence within the household as adopted in the PKDRT Law is actually quite broad. The household here is not only in the form of a nuclear family, but also relatives (who have blood relations), and also people who work to help the household and live in the household. As a country with the largest Muslim population in the world, and also adheres to Eastern culture, couples who live in the same house without a clear marital status will be the subject of gossip and even acts of violence from the surrounding environment. Underhand marriage or unregistered marriage is one way out of this, although many other factors influence it. However, if the marriage is not registered in the state administration system through an authorized state institution, the PKDRT Law cannot be a legal umbrella if there is a case of violence against one of the parties in the unregistered marriage (Tsanian et al., 2021).

This causes the victim, in this case a woman, to be in a vulnerable position. Analysis of the chronology of events, where the incident of abuse that caused the victim to be examined in the ER, has occurred repeatedly. The violence has increased over time (escalate). Starting with just words (verbal abuse), to physical violence with threats of murder (threat). The victim did not dare to fight back, on the grounds of fear because of her position as a second wife, also worried about the future of herself and her child (using position and children as emotional abuse). There is no information about the economic status in the relationship pattern in this case. The perpetrator commits violence if offended by the victim's words, or if there is an action by the victim that is not in accordance with the perpetrator's wishes (punishment). In the last incident, the perpetrator forbade the victim to leave the house so that her actions would not be known by others. The victim complied with this, because the victim was afraid and ashamed of her condition if it was known by others (isolation).

Case analysis based on Johnson's typology of IPV, there is a pattern where one party is more powerful than the other (gender asymmetry). The perpetrator (male) uses both physical and psychological violence to control and gain power over the victim. In the case above, the victim did not dare to fight back and felt helpless. This type is in accordance with the Intimate Terrorism violence pattern according to Johnson's typology (Johnson and Ferraro, 2000; Johnson, 2006). In heterosexual couples and patriarchal environments, men are more likely to be perpetrators of violence than women. According to Capaldi et al., the reporting of violence is far less than the actual incidence of incidents. (Capaldi et al., 2009). Physical and psychological violence experienced by victims can cause changes in the way victims (women) view themselves, the relationships they are in, and their position in society. This explains why many women who are victims of domestic violence are reluctant to report and continue to be in abusive relationships. (Capaldi et al., 2009).

Further research by Capaldi et al. (Capaldi et al., 2009) states that in gender asymmetry as in the case above, it will cause injury. Women are more often the ones who experience injuries (90%), and around 19-25% of cases require medical treatment. The violence that is often carried out is pushing and slapping. Male perpetrators tend to carry out more aggressive violence such as hitting with objects, strangling, banging heads, dragging, and pointing weapons. The most common injuries found are bruises, abrasions, lacerations and cuts. More severe injuries such as broken bones or loss of consciousness are less common (Capaldi et al., 2009).

Foreign literature does not recognize underhand marriage or unregistered marriage, but the term cohabitation is more widely used. Although not one hundred percent the same, based on the legality of the relationship status, these two types of relationships can be equated. Research in the western world states that cohabitation couples experience more violence with higher levels of severity compared to married couples. Research by Wong et al in Hong Kong in 2016 stated

that women in cohabitation relationships will experience more severe violence than women with official marital status. The victim will experience injuries to the head, neck, and face, with more severe and more diverse types of injuries than experienced by women in official marriages. This study states that cohabitation is a "trial marriage" where an imbalance in position will cause low satisfaction values in the relationship, tension, conflict, and jealousy which will lead to IPV. (Wong et al., 2016).

Forensics plays a significant role in the management of IPV cases, especially for female victims in vulnerable positions. The main role is to provide evidence of gender asymmetry in the form of types of injuries, violence committed (physical violence, psychological violence, sexual violence), and injury qualifications (light, heavy). Although forensic experts do not directly determine the position of the victim or perpetrator, or the context of the injury, the views and knowledge of forensic experts regarding IPV and relationship patterns based on power status in it can help direct the investigation process, and can further be used to determine the best interventions such as in terms of reporting, recommendations for providing safe houses, and assistance for victims. Further research on the relationship between injury patterns, types of violence, and injury qualifications associated with the type of relationship in IPV (gender symmetry - asymmetry) is needed to help the process of law enforcement and better legislation.

4. Conclusion

Indonesia through Law No. 23 of 2004 concerning the Elimination of Domestic Violence (UU PKDRT) has regulated efforts to protect victims of domestic violence. However, for women in a secret marriage, the PKDRT Law cannot be a legal umbrella in violent conflicts that occur in secret marriages. Women in secret marriages often experience gender asymmetry relationships with the type of Intimate Terrorism. Knowledge of IPV and relationship patterns based on power status in IPV needs to be known by forensic doctors to assist law enforcement in the investigation process, and can further be used to determine the best intervention for victims. Further research is needed to determine the pattern of injury, type of violence, and qualification of injury in relation to the type of relationship in IPV for better legal regulation.

5. References

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