

Legal Analysis of Law Enforcement Against Perpetrators of Physical Violence in The Household (Case Study: Mungkid District Court)

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Abstract. According to the 1945 Constitution of the Republic of Indonesia, Indonesia is a country governed by law, guaranteeing equality for its citizens. However, domestic violence (KDRT) is on the rise, particularly against women and children. Many cases of domestic violence go unreported because victims feel afraid and ashamed. A culture that considers family matters private also acts as a barrier. Victims often withdraw their reports after reconciling with the perpetrator. The government has enacted Law No. 23 of 2004 to protect victims. This study aims to analyze law enforcement and weaknesses in law enforcement against perpetrators of domestic violence. The type of research used is qualitative research, which aims to understand the meaning, phenomena, and experiences of research subjects in narrative form. This study uses a sociological juridical approach, which analyzes law by observing written rules and their application in society, as well as their impacts and causes. Data collection was conducted through direct interviews with judges and literature studies of various legal materials, including primary, secondary, and tertiary sources, as well as non-literary materials if necessary. Searches were conducted through online media. The research results show that the law regarding domestic violence is regulated in Law No. 23 of 2004 concerning the Elimination of Domestic Violence (PKDRT). This law states that anyone who commits physical violence in the household can be punished with a maximum of 5 years in prison or a fine of up to IDR 15,000,000. At the Mungkid District Court, before the legal process, the parties are given the opportunity to reconcile. If unsuccessful, the judge will examine the case and issue a fair verdict. However, the sentences imposed are often considered too light and do not provide a sense of justice. It is recommended that law enforcement officers obtain stronger evidence and the government set a minimum penalty to prevent judges from giving too light sentences, and to be more firm in imposing sentences.

Keywords: *Criminal Acts; Domestic Violence; Enforcement; Perpetrators.*

1. Introduction

According to the 1945 Constitution of the Republic of Indonesia, the Republic of Indonesia is a unitary state governed by law. All citizens must uphold the rule of law, and all citizens have equal standing before the law. The law is held in the highest regard, and all citizens must treat it within the bounds of legality. Upon examination of social life, the opposite is true, as criminal activity is increasingly being discovered. The increase in criminal activity is primarily caused by unpredictable human desires.¹

Domestic violence is one of the crimes that often occurs in society, where the perpetrators can be family members who harm fellow family members, both physically and psychologically. Law No. 23 of 2004 involves the elimination of domestic violence to determine that domestic violence will be abbreviated as domestic violence, namely any action to a person, especially women, which leads to physical, sexual, psychological and or distressing actions in the threat, or reduction of independence. In most cases, women and children are the groups that are most vulnerable or victims of domestic violence because women and children are physically and psychologically weak groups.

The number of domestic violence cases occurring in the field is certainly higher than reported. Many victims, especially women and children, do not file reports because they lack the courage or don't know where to report them. Some victims also feel embarrassed to reveal family shame, so they tend to keep it quiet. Cultural norms also contribute to the unrevealed nature of many domestic violence cases, as most people, especially those still strongly rooted in customary law, consider all incidents within the family to be family matters that should not be interfered with by others. Furthermore, many reported cases are stopped midway, meaning the legal process is not pursued in court. Many cases reported to the police are not processed because the report has been withdrawn by the victim. The argument commonly cited for withdrawing the complaint is that the perpetrators have reconciled and resolved the matter amicably. This means that law enforcement against perpetrators of domestic violence has not been fully implemented in accordance with the Domestic Violence Law, thus increasing the potential for domestic violence cases due to the lack of criminal penalties for perpetrators to create a deterrent effect.

The legal analysis of law enforcement against physical violence in the household is problematic due to gaps in the rules, difficulties in providing evidence, cultural barriers, weaknesses in implementation, and dependence on the will of the

¹PAF Lamintang, *Basics of Indonesian Criminal Law*, Citra Aditya Bakti, 2011, Bandung, page 69.

victim, the details of which are as follows:

1. Problems from the legal side

- a. The nature of the complaint offense: some articles in Law No. 23 of 2004 are complaint-based, meaning that the legal process depends entirely on the report and wishes of the victim.
- b. Ambiguity of interpretation: The boundaries of the household environment are not always clear, especially for unregistered relationships, so that protection becomes unclear.
- c. Overlapping regulations: there is overlap between the Criminal Code, the Domestic Violence Law, and the TPKS (Criminal Acts of Sexual Violence) Law, which often creates legal uncertainty and differences in handling in the field.
- d. Peace rules: are still often misunderstood as the main solution, even though criminal cases should still be processed for protection, not just peace.

2. Fundamental difficulties of proof

- a. It occurs in a closed room, there are rarely neutral witnesses (the main evidence is only the victim's statement), a post-mortem examination, or recordings that are difficult to obtain.
- b. Criminal evidence rules (minimum 2 valid pieces of evidence) are often difficult to fulfill, making it easy for perpetrators to escape sanctions.
- c. Physical scars can disappear quickly (if checked too late), physical evidence disappears completely.

3. Cultural and social barriers

- a. It is still considered a personal matter/family disgrace, not a criminal act (the community and authorities tend to suggest peace) and not a legal process.
- b. Strong patriarchal culture: the husband's power is considered normal, violence is considered an "educational right" or internal matter.
- c. Social stigma makes victims afraid of being reported back, ostracized, or stigmatized if they report it.

4. Weaknesses in law enforcement in the field

- a. Not all officers have a victim/gender perspective: they often blame the victim, are not trauma sensitive, or force peace.
- b. Lack of victim-friendly facilities: special examination rooms, psychological assistance, limited safe houses.

c. Coordination between police, prosecutors, courts, and social services (not yet good) and temporary protection is often slow or does not work.

d. Sentences are often light, additional sanctions are rarely applied, and they do not prevent reoffending.

5. Condition and position of the victim

a. Economic dependence, fear of losing children, housing, or living expenses (choosing to remain silent/withdrawing the report)

b. Trauma, pressure, and threats from the perpetrator made the victim back down midway.

c. Lack of legal knowledge: not knowing rights, how to report, or whether support services are available.

Domestic violence can negatively impact victims and other family members, especially children. The most common effects include restlessness, injury, pain, and fear. A victim of domestic violence will not forget the scars they experience, making daily life a stressful experience. Victims of domestic violence also often experience trauma and depression after experiencing violence in their family relationships. Victims of physical violence will also experience physical pain and suffering; in fact, there are many cases of physical injuries that are very difficult to heal, even leading to permanent disability due to the oppression they experience. Victims of violence are also often afraid of the possibility of repeated violence. A family member who experiences this certainly cannot enjoy a good life, because they are constantly under physical and psychological pressure. Acts of domestic violence are violence against humanity, and the right not to be forced to be prosecuted as a personal right.

The government has made efforts to address or prevent domestic violence. The government strives to provide protection so that every family member is protected and free from violence, threats of violence, torture, and treatment that degrades human dignity and worth. The government has attempted to eliminate domestic violence by issuing Law No. 23 of 2004 concerning the Elimination of Domestic Violence (PKDRT), the purpose of which is stated in Article 3, namely: preventing all forms of domestic violence, protecting victims of domestic violence, prosecuting perpetrators of domestic violence, maintaining the integrity of a harmonious and prosperous household.

One of the domestic violence cases discussed in this study is a case decided in Decision Number 142/Pid.Sus/2024/PN.Mkd. In this case, the defendant KS said "kowe ora keno kandani tak pateni wae" then the defendant took an axe using his left hand holding the axe and his right hand hitting the victim witness in the chest 1 (one) time then the defendant using his right hand hit the victim witness

with the blunt part of the axe repeatedly then scratched the victim witness's head so that it suffered a laceration and bleeding. The panel of judges found the defendant guilty of committing physical violence within the household, and sentenced him to 3 (three) months and 10 (ten) days in prison. While the criminal threat regulated

Article 44 paragraph (1) states that anyone who commits an act of physical violence within the scope of the household shall be punished with a maximum imprisonment of 5 (five) years or a maximum fine of Rp. 15,000,000.00 (fifteen million rupiah).

2. Research Methods

The type of research used in this study is sociological, namely legal research conducted by researching and examining secondary data in the form of secondary legal materials by understanding law as a set of regulations or positive norms in the legal system that regulates human life.

3. Results and Discussion

3.1. Law Enforcement Against Perpetrators of Domestic Violence Crimes at the Mungkid District Court

1. Law Enforcement Against Perpetrators of Physical Violence in the Household Based on Law of the Republic of Indonesia Number 23 of 2004 Concerning the Elimination of Domestic Violence in the Mungkid District Court Area.

Domestic violence is a form of human rights violation that often occurs covertly and repeatedly. In Indonesia, protection for victims of domestic violence has gained a strong legal footing since the enactment of Law Number 23 of 2004 concerning the Elimination of Domestic Violence (PKDRT Law). This law serves as a crucial foundation for law enforcement against perpetrators of domestic violence, including in the Mungkid District Court.

In a legal context, physical violence is defined in Article 6 of Law Number 23 of 2004 concerning the Elimination of Domestic Violence as an act that results in pain, illness or serious injury to a person.

a person's body. In practice, this violence can include beatings, kicks, torture, and other acts that cause physical injury. Law enforcement against perpetrators of domestic violence aims not only to punish the perpetrator but also to protect the victim and prevent similar incidents from recurring.

The issue of violence is a social problem that continues to attract attention and demands serious attention from time to time. Furthermore, according to general assumptions and several observations and research findings from various parties, there is a growing trend of increasing levels of violence in certain forms and

types, both in quality and quantity. When discussing the concept and definition of violence itself, providing a clear definition remains difficult due to the limited availability of generally accepted understandings. Violence also has varying meanings based on the opinions of different experts and scholars.

Violence in the Indonesian Dictionary is defined as something (which is characterized by) violence, the actions of a person or group of people that cause injury or death to another person or cause physical damage or property damage to another person. From the description above, it is clear that the limitations and understanding of violent acts provided include every action.

for actions that violate the law, this is criminal law.

The legal definition of an act of violence according to Sue Titus Reid as quoted by Topo Santoso and Eva Achjani Zulfa is an action or deed that is legally defined, unless the elements stipulated by criminal law or criminal law have been submitted and proven through reasonable doubt, that a person cannot be charged with having committed an action or deed that can be classified as an act of violence.

Thus, an act of violence is an intentional act or a form of action or act that constitutes negligence, all of which constitute a violation of criminal law, which is carried out without any defense or basis of truth and is sanctioned by the State as a serious crime or a minor violation of the law.²

The limits of acts of violence are not only acts of violating the law or statutes, but also acts that are contrary to conduct norms, which are acts that are contrary to existing norms in society even though these acts have not been included or regulated in law.³

In relation to this definition, Mannheim uses the term "morally wrong" or "deviant behaviors" to describe actions that violate or contradict social norms, even if they are not yet regulated by law (criminal law). Meanwhile, the term "legally wrong" or "crime" refers to any action that violates the law or criminal law.

Reid, in Chazawi's subsequent descriptions, also acknowledged the limitations of this legal understanding or definition, noting that social scientists tend to believe that limiting the study of violent acts and perpetrators to individuals convicted of violating criminal law is inherently restrictive. If we are interested in understanding why individuals tend to behave in a way that is detrimental to society, we must go beyond the strict legal definition. We must also include

²Santoso, T. and Eva Achjani Zulfa. 2003. *Criminology*. Jakarta: Raja Grafindo Persada.

³Peradilan, V. (1997). Steps to Prevent Violence Against Women. *Varia Peradilan*, 13(145).

behaviors that are considered violent but are not punished for their actions.⁴

Criminologist Thorsten Sellin, as cited in Chazawi, argues that there is another approach: behavioral norms formed through social interaction within groups. These norms are socially defined, differ across groups, and do not need to be enshrined in written law. Sellin, therefore, prefers to define violations of behavioral norms as abnormal behavior rather than defining violence.⁵ Regardless of the lack of a uniform concept regarding violent crimes themselves, the definition effort is basically important and must be an effort that precedes the study of violent acts themselves.

Initially, domestic violence was a private family matter, private and out of the reach of attention and intervention by others, including the government. The forms of domestic violence vary widely, from the mildest to the most extreme, resulting in permanent physical disability or even death. Its increasingly widespread prevalence and untold consequences have led to the issue being exposed and garnering serious attention from the surrounding community, the government, and the international community.

According to Herkutanto, physical violence resulting from abuse is defined as an injury that occurs not due to an accident (non-accidental). The intensity of this physical violence is very relative, as it can be assessed based on the consequences of the violence and the method of committing the violence.⁶ Forms of physical violence by a husband against his wife include abuse that results in serious injury.

This abuse occurs through hitting, kicking, and throwing a wife, which can endanger the victim's physical and mental safety. Physical violence causes the body to become the object of violence itself, which can be seen in physical injuries and can even have fatal consequences, such as death. Psychological violence is more related to mental or psychological aspects such as fear, trauma, stress, feelings of abandonment, and so on, in victims, especially wives.

As for the discussion on domestic violence on the grounds of divorce, it is of course closely related to several aspects that have been discussed, because divorce itself has large, broad and complex implications, including in terms of the dissolution of marriage due to divorce, the consequences for the ex-wife, children, joint property, and others, even the consequences of domestic violence such as the existence of victims who also need victim protection.

⁴Chazawi, Adami. "Criminal law lessons part I, criminal systems, criminal acts, theories of punishment & the limits of the applicability of criminal law." (2002).

⁵Chazawi, A. (2002). Criminal Law Lesson Part 2: Interpretation of basic criminal law, elimination, aggravation & mitigation of criminal offenses, joint complaint & the doctrine of causality.

⁶Herkutanto, KTP (2000). Criminal Law System Approach from a Medical Perspective, in TO Ihromi. Dick (ed.), Elimination of Discrimination Against Women, Alumni, Bandung.

Regarding divorce as a reason for domestic violence, there are many interrelated aspects, such as a wife being a victim of violence by her husband, a child being a victim of violence by their father because they know and/or witness violence against their mother, and so on. These interconnections result in some parties becoming victims of violence, and these parties also need legal protection.

Domestic violence is a leading cause of divorce, so temporary separation is necessary to prevent further violence. This type of separation is a temporary measure that provides protection, as the presence of domestic violence indicates the potential for future recurrence or continuation of such violence.

The Mungkid District Court, as a judicial institution under the auspices of the Supreme Court of the Republic of Indonesia, serves as the executor of judicial power at the first instance in Magelang Regency. Its primary duties include receiving, examining, trying, and resolving all criminal and civil cases, as well as providing legal services.

Transparent and accessible legal services for justice seekers. In carrying out its duties, the Mungkid District Court is responsible for receiving, examining, adjudicating, and resolving all criminal and civil cases at first instance for justice seekers in Magelang Regency.

The legal process for criminal acts of physical violence in the household in the jurisdiction of the Mungkid District Court is carried out in accordance with the procedures of the Criminal Procedure Code and Law No. 23 of 2004. The flow of handling this case involves a series of stages starting from reporting to court decisions.

Article 44 paragraph (1) of Law Number 23 of 2004 concerning the Elimination of Domestic Violence states that anyone who commits an act of physical violence within the household shall be punished with a maximum of 5 (five) years imprisonment or a maximum fine of IDR 15 million. If the act results in serious injury, the penalty increases to a maximum of 10 years imprisonment, and if it results in death, the penalty can reach 15 years imprisonment.

In handling cases of Domestic Violence (KDRT), the steps taken by investigators and law enforcement (including the Mungkid District Court) confirm that KDRT...

It's not a pure complaint offense, but it's absolutely correct. This understanding is crucial for protecting victims who are often trapped in a cycle of violence and emotional manipulation.

The lack of public legal awareness is the main challenge in enforcing Domestic Violence (KDRT) law in the jurisdiction of the Mungkid District Court, where family resolution is still prioritized over processing it in the criminal realm.

Based on the author's observations in the field, law enforcement against

perpetrators of physical violence in the household based on the Republic of Indonesia Law Number 23 of 2004 concerning the Elimination of Domestic Violence in the Mungkid District Court area has not been running well, because cases of domestic violence are still rampant. The phenomenon of the rampant cases of domestic violence that continue to occur in society is a reflection that the existence of the law has not been fully felt by the victims, especially women and children who are vulnerable to being targets of violence. One of the main root problems underlying the weak law enforcement in the context of domestic violence is the strong patriarchal culture that is still embedded in the social structure of society. In a patriarchal social system, men are positioned as the main power holders in the household, while

Women are perceived as submissive and obedient. Fear and dependence on the perpetrator are also strong factors preventing victims from reporting their crimes. Many women are reluctant to take legal action due to fear of retaliation from the perpetrator, loss of housing, or lack of adequate care for their children. Furthermore, most victims are economically dependent on their perpetrators, leaving them in a vulnerable position to seek justice. This situation creates a cycle of violence that continues without effective legal intervention.

In many cases, physical violence perpetrated by husbands is considered part of domestic discipline, rather than a crime that violates human rights. This perception prevents many victims from realizing their right to legal protection, leading them to remain silent.

Law of the Republic of Indonesia Number 23 of 2004 concerning the Elimination of Domestic Violence serves as the primary legal basis granting the Mungkid District Court the authority to rule on cases involving perpetrators of domestic violence. This law also provides opportunities for victims to receive protection and legal and psychological assistance. Therefore, the implementation of this law in regional level, including in Magelang Regency, is a reflection of the state's efforts to uphold human rights and establish a legal system that is responsive to the suffering of victims.

2. Law Enforcement Against Perpetrators of Domestic Violence According to a Case Study of the Mungkid District Court

Based on the verdict in case number 142/Pid.Sus/2024/PN.Mkd regarding the defendant's actions which fulfill the elements of Article 44 paragraph (1) of Law Number 23 of 2004 concerning the Elimination of Domestic Violence, the Panel of Judges sentenced the defendant to 3 (three) months and 10 (ten) days in prison and ordered him to pay court costs of IDR 5,000.00 (five thousand rupiah).

The weight of the prison sentence imposed with the weight of the length of the threat of prison sentence in Article 44 paragraph (1) of Law Number 23 of 2004 concerning the Elimination of Domestic Violence is considered lighter. That what

the defendant did was merely a spontaneous form of self-defense on the part of the defendant, at that time it was the defendant's wife who started a romantic relationship with a junior high school friend. Although in the provisions of Article 44 paragraph (1) of Law Number 23 of 2004 concerning the Elimination of Domestic Violence Domestic Violence carries a maximum penalty of 5 (five) years and this Article itself does not recognize a minimum limit. So according to the general provisions of the Criminal Code (KUHP) the minimum limit for a person to be imprisoned is at least one day, because in the Law on the Elimination of Domestic Violence, those who commit violence in even mild forms are subject to a maximum penalty of 4 (four) months. Even from an Islamic legal perspective, according to Surah An-Nisa' verse 34, a husband is allowed to beat his wife if the purpose is to educate or guide his wife. But it must be in accordance with the provisions of Surah An-Nisa'. Society never considers or views it as a form of violence if the purpose is to guide and maintain the household.

Therefore, with the 3 (three) months and 10 (ten) days imprisonment imposed by the Panel of Judges on the Defendant with minor injuries, the Panel of Judges can try to make the defendant's actions lead to a suspended sentence, because his actions can be categorized as a suspended sentence if the judge's decision is less than 1 (one) year.

3.2. Weaknesses in Law Enforcement Against Perpetrators of Domestic Violence Crimes According to the Mungkid District Court

In detail, the weaknesses in law enforcement against perpetrators of domestic violence crimes according to the Mungkid District Court are:

3.2.1. Legal protection for people who work in households cannot be resolved by Law Number 23 of 2004 because there are many other complex problems that need to be protected, not just violence, so there should be a separate law.

3.2.2. While the husband, as the perpetrator, is serving his sentence, he is disrupted in his efforts to maintain the family life he left behind, including providing for his wife and other family members, including food, clothing, and shelter. This disrupts household harmony. Once his sentence has been served, a husband who wishes to return to his wife and children faces Islamic law for having divorced his wife for failing to provide for their physical and spiritual needs during his sentence, creating new problems.

3.2.3. There is no party who is materially responsible for the family left behind if they have post-natal children

the judge's decision on the perpetrator (husband), the husband is the head of the family who is responsible for the continuation of the household's life.

3.2.4. The absence of further regulatory affirmation is manifested in the

respective regional regulations, while the regional government system adheres to a regional autonomy system because this has an impact on the actions of each regional government in enforcing domestic violence laws.

3.2.5. The absence of further regulatory affirmation is manifested in the respective regional regulations, while the regional government system adheres to a regional autonomy system because this has an impact on the protection of victims and members of the household, especially children.

3.2.6. There are no indicators of the limits that state that the victim has returned to health as before or a form of compensation that is appropriate and strengthens the basis for the judge's considerations in deciding on welfare in achieving justice and legal certainty.

Law enforcement against crimes of physical violence in the household currently still faces various obstacles and weaknesses, both in terms of legislation, handling processes, socio-cultural factors, and the availability of supporting resources.

3.2.6.1. Weaknesses in terms of legislation

One fundamental weakness lies in the classification of offenses. Minor physical violence is categorized as a complaint offense, meaning legal proceedings can only proceed if there is a report and the victim's desire to prosecute. As a result, many cases are halted at the initial stage because victims withdraw their reports under pressure from family, friends, or economic dependence. Data shows that approximately 80% of cases do not proceed to trial.⁷ Furthermore, the formulation of criminal penalties in Law Number 23 of 2004 concerning the Elimination of Domestic Violence provides judges with considerable discretion in issuing decisions. Often, the sentences imposed are perceived as lenient and reduced due to considerations of preserving the integrity of the household, thus not having a deterrent effect on the perpetrator.⁸ The discrepancy between the provisions in the law and the Criminal Code also sometimes raises doubts among law enforcement officers. Law in determine chapter Which appropriate to be implemented.⁹

Weaknesses in the Evidence and Handling Process: Difficulties in obtaining evidence are a major obstacle. Violent incidents occur in closed environments, making it rare to find independent witnesses. Which can give On the other hand,

⁷National Commission on Violence Against Women. Annual Report 2025: The Situation of Violence Against Women in Indonesia. Jakarta: National Commission on Violence Against Women, 2025, p. 42.

⁸Rahayu, Siti. Effectiveness of Law Enforcement Against Domestic Violence. Jakarta: Rajawali Pers, 2024, p. 67.

⁹Setyawan, Iwan, and Azly Syahrina Hawa. A Legal Analysis of Handling Domestic Physical Violence in Indonesia. *Journal of Law and Development Studies*, Vol. 5 No. 2, 2025, p. 52.

a post-mortem examination document (*visum et repertum*) as medical evidence is often difficult to obtain if the victim only reports the case after their physical injuries have begun to improve.¹⁰ The attitude of some law enforcement officers is also still inappropriate, where this case is often seen as merely a household matters, so they tend to prioritize peaceful resolution or mediation before examining the criminal elements that have occurred.¹¹ For victims, the long, complicated, and costly legal process often feels psychologically and financially burdensome, which ultimately triggers fatigue and a decision to abandon the case.¹²

3.2.6.2. Social, Cultural, and Economic Barriers

Sociocultural conditions also slow down law enforcement. Strong patriarchal cultural views in society perpetuate the notion that men have complete authority in the household, so violence is often perceived as a way to discipline or control a partner.¹³ Furthermore, there's a social stigma that blames the victim and considers reporting violence to be an act of shame for the family. Pressure from their own communities and families leads many victims to remain silent and not report the incident.¹⁴ Economic factors also play a major role; most victims lack independent income, fearing the loss of housing and basic necessities if they report their partner to the authorities.¹⁵

3.2.6.3. Limited Resources and Institutional Coordination

From an institutional perspective, the Women and Children's Services Unit (PPA) within the police force still faces limited personnel, while the workload continues to increase. Not all officers have received specialized training in handling domestic violence cases sensitively and effectively.

Professional.¹⁶ Supporting facilities such as temporary shelters, psychological counseling services, and legal assistance are also still limited in number and not

¹⁰National Commission on Violence Against Women. *Guidelines for Handling Domestic Violence Cases for Law Enforcement Officials*. Jakarta: National Commission on Violence Against Women, 2024, p. 19.

¹¹Research and Development Center of the Indonesian House of Representatives. *Evaluation of the Implementation of Law Number 23 of 2004 concerning the Elimination of Domestic Violence*. Jakarta: Secretariat General of the Indonesian House of Representatives, 2024, pp. 7-8.

¹²Wulandari, Rina. *Challenges for Victims in Pursuing Legal Action in Domestic Violence Cases*. *Journal of Law and Social Justice*, Vol. 8 No. 1, 2026, p. 31.

¹³Ministry of Women's Empowerment and Child Protection. *Annual Report on Handling Gender-Based Violence 2025*. Jakarta: Ministry of Women's Empowerment and Child Protection, 2025, p. 23.

¹⁴Lestari, Dwi. *Social Stigma and Barriers to Complaints by Victims of Domestic Violence*. *Journal of Sociology and Law*, Vol. 3 No. 2, 2025, p. 45.

¹⁵National Commission on Violence Against Women. *Annual Report 2025*, p. 45.

¹⁶Research and Development Center of the Indonesian House of Representatives. *Evaluation of the Implementation of Law Number 23 of 2004*, p. 12.

evenly distributed in rural areas.¹⁷In addition, coordination between related agencies such as the police, prosecutors, courts, and social services has not been carried out in an integrated and integrated manner, so that case handling often does not run smoothly and comprehensively.¹⁸

To improve and increase the effectiveness of law enforcement, strategic steps are needed that touch on regulatory, handling process, socio-cultural and institutional aspects as a whole.

a. Improvement of Legal Substance

First, a reexamination of the classification of domestic violence crimes is necessary. Changing the status of minor physical violence from a complaint-based offense to a regular offense would give law enforcement officers full authority to process cases even if the victim withdraws the report, thus preventing cases from stalling.

due to pressure from other parties.¹⁹In addition, it is necessary to clarify the limits and provisions for imposing sentences so that the judge's freedom of choice is not too broad, while at the same time harmonizing the provisions in Law Number 23 of 2004 with the Criminal Code so that there is no overlap or doubt in its application.²⁰Imposing firm and appropriate sanctions is also important to create a real deterrent effect for perpetrators.²¹

b. Improving the Quality of Handling and Proof

Law enforcement officers, especially the police, need to receive ongoing specialized training that combines legal understanding, gender perspectives, and how to handle victims with empathy, so that they no longer view these cases as merely family matters.²² Evidence collection procedures should also be simplified; for example, by facilitating victims' access to a rapid and free post-mortem examination (*visum et repertum*), and by recognizing other forms of evidence such as audio recordings, photographs, or environmental witness statements as valid and strong evidence in court.²³

¹⁷Ministry of Women's Empowerment and Child Protection. Annual Report on Addressing Gender-Based Violence 2025, p. 27.

¹⁸Hiariej, Eddy OS —Harmonization of Criminal Law in Handling Domestic Violence||. National Law Journal, Vol. 45 No. 1, 2025, pp. 18-22.

¹⁹National Commission on Violence Against Women. Annual Report 2025, p. 58

²⁰Eddy OS Hiariej. Harmonization of Criminal Law in Handling Domestic Violence. National Law Journal, Vol. 45 No. 1, 2025, p. 21.

²¹Siti Rahayu. Effectiveness of Law Enforcement Against Domestic Violence Crimes, p. 89.

²²House of Representatives of the Republic of Indonesia. Evaluation of the Implementation of Law Number 23 of 2004, p. 15.

²³National Commission on Violence Against Women. Guidelines for Handling Domestic Violence Cases, p. 27.

In addition, a mechanism needs to be established to accelerate the trial process so that victims do not have to wait too long and experience material and psychological burdens.²⁴

c. Changes in Social, Cultural, and Victim Empowerment Perspectives

A massive and sustainable legal and gender equality awareness campaign is needed through the mass media, educational institutions, and community leaders to change the patriarchal cultural view that considers violence as normal, and to eliminate the stigma that blames the victim.²⁵ The government also needs to provide economic empowerment programs for victims, such as skills training and access to capital, so that they can achieve financial independence and no longer be completely dependent on the perpetrator.²⁶ When their living needs are guaranteed, victims will be more courageous in reporting the violence they experience.²⁷

d. Strengthening Resources and Institutional Coordination

The government must increase the number of personnel and improve the quality of facilities and infrastructure in the Women and Children's Service Units (PPA) in each police force, including in remote areas.²⁸ The number of temporary shelters, psychological counseling services, and legal assistance also needs to be increased so that they are evenly available and can reach all victims in need.²⁹ Furthermore, it is necessary to build an integrated and structured coordination system between the police, prosecutors, courts, social services, and women's and children's protection agencies, so that each stage of case handling can run smoothly, in a focused manner, and support each other.³⁰

3.3. An Ideal Model for Law Enforcement Against Perpetrators of Domestic Violence in the Future

Domestic violence (DV) is a pattern of behavior involving the use of violence or the threat of violence by an individual against a family member or partner in an intimate relationship. It includes various forms of violence, such as physical, emotional, sexual, and economic. It is important to support victims of domestic violence by providing access to medical, psychological, and legal assistance.

²⁴Rina Wulandari. *Challenges for Victims in Pursuing Legal Action*, p. 34.

²⁵Ministry of Women's Empowerment and Child Protection. *Annual Report 2025*, p. 32.

²⁶Dwi Lestari. "Social Stigma and Obstacles to Complaints from Victims of Domestic Violence", p. 51.

²⁷National Commission on Violence Against Women. *Annual Report 2025*, p. 62.

²⁸Research and Development Center of the Indonesian House of Representatives. *Evaluation of the Implementation of Law Number 23 of 2004*, p. 18.

²⁹Ministry of Women's Empowerment and Child Protection. *Annual Report 2025*, p. 35.

³⁰Iwan Setyawan and Azly Syahrina Hawa. *Legal Analysis of Handling Physical Violence in Households in Indonesia*, p. 57.

Public education and awareness programs are also crucial to prevent this violence and to help eliminate the stigma associated with domestic violence victims.

Domestic violence also requires close coordination between law enforcement agencies, social services, and non-governmental organizations to provide effective protection for victims, prosecute perpetrators, and prevent similar incidents in the future. Domestic violence is not merely a personal matter, but a social problem that requires attention, support, and action from society as a whole to end the cycle of domestic violence. Imprisonment is expected to have a deterrent effect on perpetrators of domestic violence. However, it is important to consider that imprisonment alone is not always sufficient to address this problem. A comprehensive approach, including rehabilitation for perpetrators, support for victims, and prevention efforts, is crucial. Support for victims is paramount in handling domestic violence (DV) cases. Comprehensive protection for victims of domestic violence, including access to shelters, mental health services, legal aid, and social support, is crucial in helping victims recover from the impact of violence. Prevention through education and empowerment also needs to be implemented. Focusing on prevention by developing women's empowerment programs, education on healthy relationships, and support for families can reduce the likelihood of future domestic violence.

4. Conclusion

The author can draw conclusions based on the discussion in the previous chapter: 1. Law enforcement against perpetrators of domestic violence crimes in the Mungkid District Court, namely the legal regulations for domestic violence crimes are regulated in Law No. 23 of 2004 concerning the Elimination of Domestic Violence (PKDRT). The threat of physical violence crimes in the law is regulated in Article 44 paragraph (1) which states that anyone who commits acts of physical violence in the household sphere shall be punished with a maximum imprisonment of 5 (five) years or a maximum fine of IDR 15,000,000.00 (fifteen million rupiah). 2. According to the Mungkid District Court, the current weaknesses in law enforcement against perpetrators of domestic violence include the difficulty of meeting daily needs while the husband is serving his sentence, which can also disrupt family harmony. When the husband completes his sentence, he may face legal challenges under Islamic law, which could lead to divorce if he fails to fulfill his obligations while in prison. Furthermore, no party is held financially responsible for the family left behind, especially if there are children. Clear regional regulations to protect victims are crucial, but these are currently lacking. Indicators for determining a victim's recovery are also unclear, which could influence the judge's decision. 3. The ideal model for future law enforcement against perpetrators of domestic violence is domestic violence (DV), which is behavior involving violence or threats against a family member or

partner. It can take various forms, including physical, emotional, sexual, and economic abuse. It is crucial to provide victims with access to medical, psychological, and legal assistance. Public education is needed to prevent domestic violence and reduce stigma. Addressing domestic violence must involve law enforcement agencies and non-governmental organizations. Imprisonment can be a deterrent, but a comprehensive approach, including rehabilitation and support for victims, is also crucial. A focus on prevention through education and empowerment is needed to reduce future domestic violence.

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