

Patriarchal Dominance and Domestic Violence: A Family Law Perspective in North Aceh

*Dedi Rismayadi^a, Alimuddin^a, Riza Afrian Mustaqim^a, Zuhilmi Bin Paidi^b,
Zinah Younus^c

^a Universitas Islam Negeri Ar-Raniry Banda Aceh, Indonesia

^b Universiti Utara Malaysia, Malaysia

^c University of Ninevah, Iraq

Corresponding author: dedirismayadi16@gmail.com

Received: 22/6/2025 Revised: 16/12/2025 Accepted: 17/12/2025 Available Online: 18/12/2025 Published: 18/12/2025

Abstract

This paper examines patriarchal dominance as a driving factor of domestic violence, the focus of research in this paper is on gender inequality, violence and infidelity from the perspective of positive law and Islamic family law, experienced by one family in Aceh. The problem of gender inequality has been going on for a long time. Gender inequality is still a concern in developed and developing countries around the world, and this contributes to the increasing practice of discrimination against vulnerable groups, especially women. Indonesia's patriarchal culture was brought from the colonial state. Therefore, women often experience discrimination in society in various ways. Research files (field approach) from Cot Matahe, Syamtalira Bayu District, North Aceh Regency, were used to collect data in this paper using qualitative research methodology. This study focuses on the perspective Through the conflict perspective of the multidimensional approach used to review this issue, it can be concluded that patriarchal culture is one of the major factors in the many discriminatory treatments against women to date, which are mostly dominated by men.

Keywords: Patriarchy; Gender Inequality; Discrimination; Feminist; Conflict.

Abstrak

Tulisan ini mengupas tentang dominasi patriarkal sebagai faktor pendorong kekerasan rumah tangga, fokus penelitian dalam tulisan ini tentang ketidaksetaraan gender, kekerasan dan perselingkuhan dari sudut pandang hukum positif dan hukum keluarga Islam, yang dialami oleh salah satu keluarga di aceh. Masalah kesenjangan gender telah berlangsung lama. Ketidaksetaraan gender masih menjadi perhatian di negara maju dan berkembang di seluruh dunia, dan hal ini berkontribusi terhadap meningkatnya praktik diskriminasi terhadap kelompok rentan, khususnya perempuan. Budaya patriarki Indonesia dibawa dari negara kolonial. Oleh karena itu, perempuan sering mengalami diskriminasi dalam masyarakat dalam berbagai cara. Berkas penelitian (pendekatan lapangan) dari Cot Matahe, Kecamatan Syamtalira Bayu, Kabupaten Aceh Utara, digunakan untuk mengumpulkan data dalam makalah ini dengan menggunakan metodologi penelitian kualitatif. Penelitian I ni menitik beratkan pada perspektif Salah satu penyebab utama banyaknya praktik diskriminasi terhadap perempuan yang masih ada hingga saat ini adalah masyarakat patriarki, menurut perspektif konflik metode multifaset yang digunakan untuk menganalisis subjek ini, yang banyak didominasi oleh pihak laki laki.

Kata Kunci: Diskriminasi; Feminis; Ketidaksetaraan Gender; Konflik; Patriarki.



Copyrights © Author(s). This work is licensed under a Creative Commons Attribution-NonCommercial-ShareAlike 4.0 International (CC BY-NC-SA 4.0). All writings published in this journal are personal views of the author and do not represent the views of this journal and the author's affiliated institutions.

INTRODUCTION

There are difficulties for women in this country. The reason is that society, especially men, still often treat women unfairly in Indonesia. This is due to the assumption that women are still weaker than men in a number of fields, including politics, education, workplace, and so on. Women's poverty is believed to be eradicated through gender equality and women's empowerment. The patriarchal nature of society, which limits women's involvement in public life, is one of the main causes of poverty among women. As a result of this condition, in many aspects of life, women are not given the same opportunities as men. In fact, many women play the role of pillars of the family, even the head of the family.¹

This view has permeated society, which still considers that men should have exclusive authority in many fields, making it difficult for women to advance in this discipline. We call this culture patriarchal culture. According to Spradley, in countries that adhere to patriarchal social structures, men are often considered to play an important role in advancing the status of women, stating that women are seen by patriarchal principles as animals that must coexist with men in order to build a more peaceful and balanced social structure.²

Domestic violence (KDRT) is a complex and multidimensional social phenomenon, covering physical, psychological, sexual, economic, and social aspects. In Indonesia, domestic violence is often considered a personal problem that does not require outside intervention, so many cases are not reported or handled adequately. Patriarchal culture that views women as inferior creatures and vulnerable to male domination is one of the main causes of domestic violence. One type of human rights violation is domestic violence that occurs in domestic spaces and is often hidden from public scrutiny.³

The case befell a married couple WB (domiciled in Cot Matahe, Syamtalira Bayu District) and FJ (from Blang Guron), who got married in 2017 and lived together in Gampong Cot Matahe. The early days of their marriage seemed normal, but over time, the relationship experienced serious rifts. Over time WB When experiencing economic constraints venting his emotions to his wife such as committing domestic violence, Segingga showed behavior that reflected the dominant patriarchal system, especially after entering the 5th marriage age. And as another example, a similar case is the couple MW and AZ, residents of Cot Matahe, Syamtalira Bayu District, North Aceh Regency. Their wedding in November 2021 only lasted harmoniously for one month. After that, various problems began to arise, such as alleged infidelity committed by MW since the beginning of the marriage, the habit of using methamphetamine-type drugs, to physical violence against AZ. In fact, when AZ was pregnant, MW once threatened her with a machete, creating a very uncondusive domestic atmosphere.⁴

This case peaked when MW was arrested by the police ten days before Eid al-Fitr in 2021 for being involved in drug abuse. Previously, village officials had tried to

¹ Luthfia Rahma Halizah and Ergina Faralita, "Patriarchal Culture and Gender Equality," *Wasaka Law* 11, no. 1 (2023): 19–32, <https://www.ojs.stihsa-bjm.ac.id/index.php/wasaka/article/view/84>.

² Sarah Apriandira and Hetty Krisnani, "Discriminatory Behavior Against Women Due to the Strong Patriarchal Culture in Indonesia Reviewed from a Conflict Perspective," *Journal of Conflict Resolution Collaboration* 3, no. 1 (2021): 1, <https://doi.org/10.24198/jkrk.v3i1.31968>.

³ Naufal Hibrizi Setiawan et al., "Understanding and Factors Causing Domestic Violence: A Review of the Literature," *Journal of Legal Studies and Civic Education* 3, no. 2 (2023): 1–6, <https://jurnal.anfa.co.id/index.php/civilia/article/view/448>.

⁴ FJ, interviewed by Dedi Rismayadi, Cot Matahe, Syamtalira Bayu District, North Aceh Regency, Created on November 26, 2025

reconcile the couple, but the attempt was unsuccessful because AZ insisted on divorcing for the safety of himself and his unborn child. On the other hand, Munawir refused divorce, thus complicating the existing legal process.

RESEARCH METHODS

This study uses a qualitative method with a case study design to analyze patriarchal dominance in the family and its implications for the occurrence of domestic violence (KDRT) in Gampong Cot Matahe, Syamtalira Bayu District, North Aceh Regency. The qualitative approach was chosen because it allows a deepening of the subject's experience, power relations in the family, and the socio-cultural context that shapes and reproduces patriarchal practices in everyday life.

Primary data sources were obtained through in-depth interviews with domestic violence victims, perpetrators, and community leaders, as well as direct observation of the dynamics of family interaction and the social environment. Meanwhile, secondary data comes from documentation studies, including village regulations, domestic violence case reports, and other relevant supporting documents. The data collection technique was carried out simultaneously by applying triangulation of sources and methods to increase the validity and depth of research findings.

Data analysis was carried out qualitatively through the stages of data reduction, data presentation, and thematic conclusions, with emphasis on patriarchal dominance patterns, triggers for domestic violence, and local community responses. The research was carried out for three months, from January to March 2025, to ensure the adequacy of data and a comprehensive understanding of the phenomenon studied.

RESULTS AND DISCUSSION

Patriarchal Domination According to a Positive Legal Perspective

This study revealed that patriarchal dominance plays a significant role in encouraging the Violence Against Women (KDRT) in Gampong Cot Matahe. From the results of interviews with various parties, including victims, perpetrators, and community leaders, it was found that patriarchal values have been firmly embedded in family relationship patterns.

Patriarchal family structure Most Gampong Cot Matahe families still operate under a patriarchal structure that prioritizes men as the main decision-makers. This leads to power imbalances in husband-wife relationships, where women have little room to negotiate or voice their opinions. **Justification of Domestic Violence** Some of the speakers revealed that people tend to normalize domestic violence on the grounds of "disciplining" their wives or children. Cultural norms that teach obedience to husbands often discourage victims from reporting cases of violence they experience. Then the impact on victims of domestic violence in a patriarchal environment face various challenges, including fear of social stigma if they choose to leave the relationship. In some cases, victims experience economic and social pressures that make them dependent on the perpetrator, making it difficult to break out of the cycle of violence.⁵

Based on the results of the study, patriarchal dominance has a close correlation with an increase in domestic violence cases. From the perspective of family law, the prevailing legal system has not been fully implemented effectively in preventing and dealing with domestic violence. **Analysis of Legal Aspects** Although there are regulations that regulate the protection of victims of domestic violence, implementation at the village level still

⁵ Zareen Nishaat Beebeejaun-Muslum, "Gender Relation, Patriarchal Control, and Domestic Violence: A Qualitative Study in Mauritius," *European Journal of Humanities and Social Sciences* 4, no. 3 (2024): 9–19, <https://doi.org/10.24018/ejsocial.2024.4.3.40>.

faces obstacles. Lack of understanding of women's protection laws and lack of access to legal services cause many cases of domestic violence to not be handled properly. Then the role of community leaders and local governments, traditional leaders and religious leaders play an important role in shaping public opinion related to domestic violence. A community-based approach that engages them in violence prevention efforts can increase the effectiveness of programs that aim to change the paradigm that favors patriarchy.

Prevention and Intervention Strategies Legal approaches alone are not enough to address this problem. A multi-sectoral strategy is needed that involves education, economic empowerment for women, and psychological support for victims. In addition, efforts to establish more inclusive policies in family law can help address the root causes associated with patriarchal domination.

With this analysis, it is hoped that this study will provide advice to related parties to improve the effectiveness of protection. victims and reduce the prevalence of domestic violence in the region. According to Law Number 23 of 2004 concerning the Elimination of Domestic Violence (UU KDRT), there is a legal perspective that supports patriarchal domination and violence in the definition of domestic violence, any act that results in the infliction of physical, sexual, or psychological harm on a person, especially women, or that limits or deprives them of their domestic rights. Many harmful acts fall under the definition of domestic violence, including but not limited to:

- 1) Acts of violence that cause the victim to suffer physical injury or property damage are categorized as physical violence. For example, the use of physical force in any way, such as hitting or kicking.
- 2) Any sexual act is considered sexual violence, such as rape, sexual harassment, or abuse, committed against the victim with or without consent.
- 3) The term "psychological violence" refers to behavior that is intended to reduce the victim's mental health, dignity, or self-esteem. Coercion, humiliation, threats, and emotionally isolated behavior are some examples.
- 4) When victims' access to financial resources is limited or controlled, economic violence occurs, so they are dependent on the perpetrators. For example, strict control over family resources or refusal to provide allowances.
- 5) Other Domestic Violence: In addition to the types of violence mentioned above, the Domestic Violence Act also regulates other harmful behaviors including discrimination, neglect, or denial of the victim's rights at home.

As a result, according to the Domestic Violence Act, domestic violence encompasses a wide range of actions that can result in the victim suffering physical, psychological, and social harm in the home.⁶

The Shafi'i school's view of the rampant standardization of the definition of domestic violence and its manifestation according to their point of view. The general definition of Nusyuz is when a wife disobeys her husband and shows that he is not carrying out his responsibilities to him. Neglect of wife's rights by a husband can also be interpreted as Nusyuz, which is when a wife does not obey her obligations to her husband. Acts of violence committed by husbands against their wives include verbal violence such as insults and physical violence such as beatings, as well as not meeting the physical and spiritual needs of the wife and other rights that are not fulfilled by the husband.

Especially by researching history and customs, because Nusyuz on the husband's side can sometimes occur due to his failure to uphold his wife's rights, which include

⁶ EPHPH ISLAM, "Journal of Islamic Law Uhuyyy," *Journal of Islamic Law*. Vol, no. November (2021): 103–29, <https://www.academia.edu/download/102916705/366.pdf>.

maintaining a good relationship with her, providing dowry, maintenance, proper clothing, and other needs. Furthermore, scholars have pointed out in their writings that if a husband fails to provide the rights demanded of his wife, such as a fair division of property and maintenance, the judge will grant her request. If a husband acts inappropriately towards his wife, then the judge will grant his request, and hit her for no reason, then the judge forbids it.

The Shafi'i perspective on domestic violence shows an initiative to defend the rights of wives and keep punitive actions within the specified parameters. Nonetheless, there is still a lack of acceptance of beating that, despite its limitations, still sparks debate in the contemporary context. Therefore, traditional perspectives need to be updated to better reflect current initiatives to provide more protection to women. Therefore, these findings present suggestions to improve safety for victims of domestic violence while critically examining the Shafi'i school's views on domestic abuse according to Islamic law.

If the husband fails to provide for his wife, Qadhi demands that he fulfill his responsibilities only to the extent of not paying alimony; In the event of a physical assault, Qadhi demands that the husband take precautions as long as he does not repeat the behavior.⁷

Likewise, in the Qur'an, it is explained that the fiqh realm does have a husband who can "slap" his wife if he is disobedient or known as *nusyuz* (disobedience). However, it does not mean violence. There are various terms and conditions. The meaning of *nusyuz* itself is that the wife is disobedient to her husband. The discussion of *nusyuz* is affirmed directly by Allah SWT in QS. An-Nisa verse 34.

الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ بِمَا فَضَّلَ اللَّهُ بَعْضَهُمْ عَلَى بَعْضٍ وَبِمَا أَنْفَقُوا مِنْ أَمْوَالِهِمْ فَاصْلِحْنَ لَهُنَّ حِفْظًا لِلْغَيْبِ بِمَا حَفِظَ اللَّهُ وَالَّتِي تَخَافُونَ نُشُوزَهُنَّ فَعِظُوهُنَّ وَاهْجُرُوهُنَّ فِي الْمَضَاجِعِ وَاضْرِبُوهُنَّ فَإِنْ أَطَعْنَكُمْ فَلَا تَبْغُوا عَلَيْهِنَّ سَبِيلًا إِنَّ اللَّهَ كَانَ عَلِيمًا كَبِيرًا {النساء} 34

Meaning: "Since Allah has given some men privileges over other women, and because men provide for their wives with their possessions, men (husbands) act as protectors for their wives. Because God is always watching over them, godly women are those who obey Him and protect themselves when their husbands are not around. Husbands should advise them, separate beds, and, if necessary, reprimand women who raise concerns about disobedience. However, husbands should not find excuses to hurt them if they are obedient. Allah is indeed Great and Exalted."

In general, *nusyuz* can come from the husband or the woman's side, although the mention of *nusyuz* is not popular and directed at the husband. The form of *nusyuz* on the wife's side, for example, does not obey the husband's words, and the form of *nusyuz* of the husband is such as not providing sustenance, both physical and spiritual. What must be done by a married couple when one of them performs *nusyuz* is regulated in the rules of fiqh. The division of *nusyuz* based on this action in fiqh is divided into several personal points of view.⁸

⁷ EPHPH ISLAM, "Journal of Islamic Law Uhuuyy," *Journal of Islamic Law*. Vol, 10 no. 2 November (2021): 80–102.

⁸ EPHPH ISLAM, "Journal of Islamic Law Uhuuyy," *Journal of Islamic Law*. Vol, 13 no. 2 November (2024): 240–55.

In the Islamic house, the husband is responsible and has rights over his wife. Similarly, a wife has rights and responsibilities towards her husband. Before expecting their partner to give up all their rights, each couple needs to understand and fulfill their responsibilities to each other. You will enjoy the beauty of family life and receive your rights as you deserve if you carry out your duties diligently and responsibly. Although men are given a higher position than women, God's word shows that a spouse has equal rights and obligations. He intended that the higher position to be a boon because men were in charge of protecting women, which manifested in the form of excessive physical and mental strength. However, the dominance of men over women does not give them the freedom to treat their wives as they please; Rather, religiously established laws govern all of this.⁹

Women's status was essentially secondary in those days. During the Dutch colonial period, women were often employed as concubines, whose duties included meeting the sexual needs of their European employers in addition to all other household duties. Many concubines who go crazy, commit suicide, or live chaotic lives end up in these concubines. Although the situation has improved since Indonesia was colonized, women's role and participation in society and the workplace are still inferior to men.¹⁰

There is still discrimination against women in the workplace. In the political field, for example, women are still underrepresented. This is partly because, in this patriarchal society, women are conditioned to work at home, but politics is categorized as a public sphere, which has traditionally been a male field. Strict restrictions imposed by unbiased social structures also limit women's access. Domestic affairs have become an obligation for women in the family, including mothers and daughters who are educated and used to being skilled in housework. This is also true in a smaller segment of society, namely the family. It is not uncommon for working women to have dual responsibilities because of the patriarchal culture that considers the home as the responsibility of women in Indonesia's diverse civilization.¹¹

Manifestations of Domestic Violence in Gampong Cot Matahe

The conversation about violence against women never seems to stop. Almost every day we are treated to shows that reveal violence in the media. The almost mandatory "dishes" are beatings, abuse, rape, and even murder. As if it has become commonplace, even news or television shows that contain criminal incidents continue to make headlines. Although a home is supposed to be the safest location for all family members, in fact, home can be scary, especially for women. This atrocity does not only occur outside the home. While there is a widespread belief that the risky location is outside the home, this does not seem to be the case for women. As wives, parents, and other family members, women are actually more likely to be injured and become victims of domestic violence.¹²

Based on the latest data from LBH APIK Jakarta in 2006, there was an increase in this type of violence by 40% compared to the previous year. A total of 130 women victims

⁹ Arifin Tajul Angraeni Muthiara, "Journal of Islamic Law," *Paper Knowledge. Toward a Media History of Documents*, no. November (2014): 200.

¹⁰ Maisah Maisah and Yenti SS, "The Psychological Impact of Victims of Domestic Violence in Jambi City," *ESENSIA: Journal of Ushuluddin Sciences* 17, no. 2 (2016): 265, <https://doi.org/10.14421/esensia.v17i2.1292>.

¹¹ Jovanka Yves Modiano, "The Influence of Patriarchal Culture and Its Relation to Domestic Violence," *Sapientia et Virtus* 6, no. 2 (2021): 129–40, <https://doi.org/10.37477/sev.v6i2.335>.

¹² Dwi Hapsari Retnaningrum, "Incest as a Form of Manifestation of Violence Against Women," *Journal of Legal Dynamics* 9, no. 1 (2019): 19–28, <http://www.dinamikahukum.fh.unsoed.ac.id/index.php/JDH/article/view/26>.

of sexual violence received legal assistance from LBH APIK Jakarta in 2005 as follows: There were two cases of sexual abuse committed by blood relatives, nine cases of rape, thirteen cases of children who had been raped, and six cases of sexual deviance. Another institution that helps women in Semarang who experience injustice is the Legal Resource Center for Gender Justice and Human Rights (LRC KJHAM). The results of this institution's investigation show that the number of crimes of violence against women increases every year. Children are also victims of this crime, in addition to adult women.¹³

Manifestations of Domestic Violence Domestic Violence in Gampong Cot Matahe is often in the form of physical, psychological, and economic violence. Victims are generally women and children who do not have the accessibility to resist or report the violence they experience. Perpetrators often argue that violent acts are committed to discipline or control their spouses and children. To dig deeper into how domestic violence manifests in people's daily lives, I conducted interviews with several residents of Gampong Cot Matahe, a village located in North Aceh Regency. This gampong is an area with a social structure that is still thick with traditional values and patriarchal traditions. In this interview, I spoke with a female victim of domestic violence (FJ), a traditional leader, and a local gampong official.¹⁴

Interview with (FJ), year Victims of domestic violence This case befell a married couple WB (domiciled in Cot Matahe, Syamtalira Bayu District) and FJ (from Blang Guron), who got married in 2010 and lived together in Gampong Cot Matahe. The early days of their marriage seemed normal, but over time, the relationship experienced serious fractures, especially after entering the 5th age of marriage. This manifestation of Domestic Violence, Wahibudin shows behavior that reflects the dominant patriarchal system. He treats his wife, FJ, not as an equal partner, but rather as a domestic "servant". FJ is required to do all the housework without the help or participation of her husband. Not only that, WB also often commits verbal and emotional violence, in the form of insults, intimidation, and excessive control over his wife's activities. This behavior is in line with patriarchal power theory in which men believe that they have complete control over decision-making, including over their wives and bodies.¹⁵

Then Infidelity as the Peak of Betrayal The problem gets more complicated when FJ finds out that WB has been cheating on his co-worker at the office for a long time. The affair occurred while FJ was busy taking care of the house and children at home. The fact of the affair was first known when WB began to change his attitude and often went home late for no apparent reason. When FJ finally confronts her husband and the cheating woman (known as the "perpetrator"), there is a big argument. Not only conflicts at home, but there was also a direct confrontation between the wife and the cheating party. The dispute culminated in legal proceedings in religious courts, which led to divorce. Psychosocial and Legal Impact on Wives and Children Psychological Impact on Wives (FJ) Feeling unappreciated as a wife, FJ experiences mental distress and low self-esteem.

Interview with Tgk. Mahdi, Traditional Leader of Gampong Cot Matahe as the imam of the gampong, conveyed his views from the side of customs and religion.

¹³ Alhakim Abdurrahman, "Violence Against Women: A Study of Protection Based on Positive Law in Indonesia," *Journal of Civic Education Undiksha* 9, no. 1 (2021): 115–22, <https://ejournal.undiksha.ac.id/index.php/JJPP>.

¹⁴ Interview with FJ, a victim of domestic violence, conducted by the author, Dedi Rismayadi, Cot Matahe, Syamtalira Bayu District, North Aceh Regency, 2025

¹⁵ Interview with FJ, a victim of domestic violence, conducted by the author, Dedi Rismayadi, Cot Matahe, Syamtalira Bayu District, North Aceh Regency, 2025

According to her, domestic violence does occur, but people still find it difficult to distinguish between "husband's rights" and violence. "In our custom, men are considered the leaders of the household. If he gets angry or punishes his wife, many think it's legal. But now we are starting to understand that it can be violent. Especially if it hurts or degrades the wife," he said.

However, Tgk. Mahdi also admitted that there is still a lack of legal socialization in the village. "Many residents do not know that there is a law that protects women from domestic violence. If there is a problem, it is usually resolved through family deliberation first."¹⁶ At the end of the interview, the village apparatus wanted this problem to be solved in a familial way by prioritizing good things if it was not possible, it would be done through legal channels.

Domestic Violence in the Perspective of Law and Family Law

In family law, the concept of justice and equality in the husband-wife relationship is a fundamental principle. However, in an environment that still strongly applies patriarchal norms, the relationship between husband and wife is often uneven, giving greater authority to the husband in decision-making and control over his wife. This contributes to the occurrence of domestic violence, both in the form of sexual, economic, mental health, and physical abuse. In family law, the concept of justice and equality in the husband-wife relationship is a fundamental principle. However, in an environment that still strongly applies patriarchal norms, the relationship between husband and wife is often uneven, giving greater authority to the husband in decision-making and control over his wife. The prevalence of domestic violence may be made possible by these imbalances including sexual, economic, psychological, and physical manifestations.¹⁷

Law Number 23 of 2004 concerning the Elimination of Domestic Violence (PKDRT Law) is present as a legal instrument to protect victims and overcome the occurrence of domestic violence. From the perspective of family law, this law affirms that everyone in the family has the same right to live without cruel treatment. In addition, Islamic family law also emphasizes the importance of building *sakinah*, *mawaddah*, and *rahmah* domestic relationships, which mean full of calm, affection, and happiness. Although regulations have been in place, the implementation of the law in dealing with domestic violence still faces various challenges. Due to social pressure, financial dependence, or ignorance of their rights, many victims of domestic violence are reluctant to report. As a result, family law methods need to be more proactive in informing the public about victim protection mechanisms as well as rights and responsibilities at home.¹⁸

In addition to the law, efforts to stop domestic violence in family law also depend on changing attitudes and culture of society. Gender equality in the household must continue to be fought for so that the relationship between husband and wife is more balanced and harmonious. In addition, encouragement from various parties, including the government, social institutions, and communities, is important in building a family atmosphere free from violence.

¹⁶ Interview with Tgk. Mahdi, Traditional Leader and Gampong Imam, conducted by the author, Dedi Rismayadi, Cot Matahe, Syamtalira Bayu District, North Aceh Regency, 2025

¹⁷ Margie Gladies Sopacua, "The Ideal Concept of Domestic Violence Prevention Against Women," *Indonesian Journal of Legal Development* 4, no. 2 (2022): 213–26, <https://doi.org/10.14710/jphi.v4i2.213-226>.

¹⁸ Rena Yulia, "The Implementation of Law Number 23 of 2004 concerning the Elimination of Domestic Violence in the Law Enforcement Process," *Huku Pro Justitia Journal*, 2017.

Normatively, family law aims to create balance and protection for all family members, including wives and children. However, in practice, there are still gaps in the implementation of regulations that should accommodate the protection of victims of domestic violence. Many victims are reluctant to report because of societal norms that consider women as inferior creatures and dependent on their husbands.¹⁹

Domestic violence in Indonesia is regulated based on Law Number 23 of 2004 concerning the Eradication of Domestic Violence (PKDRT Law). Objects of domestic violence should be legally protected by this law, hold perpetrators accountable, and control domestic violence prevention methods. Domestic violence (KDRT) is a crime that can hurt family members financially, sexually, psychologically, or physically. The Government of Indonesia has issued Law Number 23 of 2004 on the Elimination of Domestic Violence (PKDRT Law) to protect victims and prevent other acts of violence. The PKDRT Law offers several types of protection for victims, including self-protection from the perpetrator, legal assistance, medical assistance, temporary housing, and psychological recovery. In addition, this law also regulates protection mechanisms through protection orders from the courts, cooperation between agencies such as law enforcement, medical personnel, and social workers, and the provision of safe houses for victims.²⁰

From a family law perspective, the PKDRT Law plays an important role in maintaining the welfare of family members and ensuring everyone's right to live free from violence. Effective implementation of this law requires cross-sectoral cooperation, including the police, social institutions, and the wider community. Legal awareness in the family is also an important factor in preventing the occurrence of domestic violence and ensuring that victims receive proper protection. Despite having a solid legal foundation, the Domestic Violence Act still faces operational problems, such as limited access and lack of public awareness of victims' rights to protection services. Therefore, legal education and public awareness raising are important steps in ensuring that this law can be effectively implemented to protect victims of domestic violence.²¹

To improve the effectiveness of protection for victims of domestic violence, a more comprehensive approach is needed, including:

- a) Strengthening legal education: Socializing and providing legal education to the community to help them understand their family legal rights.
- b) Economic empowerment for victims: Helping women to be more economically independent, so that they are not dependent on domestic violence perpetrators.
- c) The role of the government and community leaders: Improving coordination between law enforcement officials, traditional leaders, and religious leaders in encouraging protection for victims and preventing domestic violence.²²

¹⁹ Dakwatul Chairah, "Legal Protection of Women and Children Victims of Domestic Violence in Sidoarjo Regency," *Al-Jinayah Journal of Islamic Criminal Law* 5, no. 1 (2019): 153–75, <https://doi.org/10.15642/aj.2019.5.1.153-175>.

²¹ Octavia Putri Maharani, "The Perspective of Law Number 23 of 2004 concerning Legal Protection for Women Victims of Domestic Violence," *LEX et ORDO Journal of Law and Policy* 1, no. 1 (2023): 75–83.

²² Pertanggungjawaba Pidana Bagi Pelaku Kekerasan Dalam Rumah Tangga et al., "PN.Sgt)," *Jurnal Pengabdian Masyarakat: DIKMAS* 539, no. 2 (2022): 539–52, <http://ejournal.pps.ung.ac.id/index.php/dikmas>.

According to Philipus M. Hadjon, there are two types of legal protection, namely preventive legal protection and repressive legal protection. As a form of universal legal protection, the definition of *freis ermesssen* is very closely related to preventive legal defense. Meanwhile, repressive legal protection in Indonesia is managed by government agencies that are positioned as administrative appeals, special bodies, and judicial bodies within the General Court. The implementation of repressive legal protection by the courts, such as the criminalization of the perpetrators of criminal acts. Andi Hamzah and Sumangelipu stated that community protection, including legal protection for victims, is one of the goals of criminalization.²³

The government issued Law Number 7 of 1984 on Anti-Discrimination to overcome this problem. In addition, the government established the Anti-Violence Commission through a Presidential Decree. The government opposes violence against women because it violates the Indonesian Constitution and considers it a form of discrimination. In addition, Law No. 23 of 2004 concerning the Elimination of Domestic Violence, aims to provide legal protection to family members who are victims of various types of domestic violence. Offering assistance and defense to objects of domestic violence is the main objective of this regulation which is a step in the right direction to guarantee their access to the justice and legal security promised to them. Because law is the most basic source of law, the existence of laws and regulations is very important to maintain legal order.²⁴

This analysis shows that the perspective of family law and regulations on domestic violence has great potential in providing protection for victims. However, the challenges in implementation require a more systematic and community-based approach in order for regulations to be implemented effectively.

CONCLUSION

Based on the results of the study, it can be concluded that patriarchal dominance has a strong correlation with the increase in incidents of domestic violence (KDRT) in Gampong Cot Matahe, especially through unequal power relations in husband and wife relationships that place women in subordinate positions and are vulnerable to violence. Social and cultural structures that normalize male superiority contribute to the sustainability of the cycle of domestic violence and hinder victims from accessing legal protection and justice. Although the national legal framework through Law Number 23 of 2004 concerning the Elimination of Domestic Violence is available, its implementation is still not optimal due to low legal awareness, strong socio-cultural barriers, and limited access to victim protection services. Based on these findings, this study recommends strengthening an integrated multi-sectoral approach, including increasing legal education and literacy at the community level, women's economic empowerment as a domestic violence prevention strategy, and optimizing the role of customary, religious, and community leaders in transforming social norms that support patriarchal dominance, in order to support the implementation of victim protection policies more effectively and sustainably.

²³ Bustanul Arifin, "194798547," 2016, 113–25.

²⁴ Maharani, "The Perspective of Law Number 23 of 2004 concerning Legal Protection for Women Victims of Domestic Violence."

ACKNOWLEDGMENTS

The authors would like to express their sincere gratitude to Universitas Islam Negeri Ar-Raniry Banda Aceh for institutional support in the completion of this research. Appreciation is also extended to academic advisors and colleagues who provided valuable guidance, critical insights, and constructive feedback throughout the research and manuscript preparation process. The authors further acknowledge the support of local community leaders and participants in Gampong Cot Matahe for their cooperation and openness, which were essential to the successful conduct of this study. Any remaining errors or limitations are solely the responsibility of the authors.

FUNDING INFORMATION

None.

CONFLICTING INTEREST STATEMENT

The authors state that there is no conflict of interest in the publication of this article.

BIBLIOGRAPHY

- Abdurrahman, Alhakim. "Kekerasan Terhadap Perempuan: Suatu Kajian Perlindungan Berdasarkan Hukum Positif Di Indonesia." *Jurnal Pendidikan Kewarganegaraan Undiksha* 9, no. 1 (2021): 115–22. <https://ejournal.undiksha.ac.id/index.php/JJPP>.
- Angraeni Muthiara, Arifin Tajul. "Jurnal Hukum Islam." *Paper Knowledge . Toward a Media History of Documents*, no. November (2014): 200.
- Apriliandra, Sarah, and Hetty Krisnani. "Perilaku Diskriminatif Pada Perempuan Akibat Kuatnya Budaya Patriarki Di Indonesia Ditinjau Dari Perspektif Konflik." *Jurnal Kolaborasi Resolusi Konflik* 3, no. 1 (2021): 1. <https://doi.org/10.24198/jkrk.v3i1.31968>.
- Arifin, Bustanul. "194798547," 2016, 113–25.
- Beebeejaun-Muslum, Zareen Nishaat. "Gender Relation, Patriarchal Control, and Domestic Violence: A Qualitative Study in Mauritius." *European Journal of Humanities and Social Sciences* 4, no. 3 (2024): 9–19. <https://doi.org/10.24018/ejsocial.2024.4.3.40>.
- Chairah, Dakwatul. "Perlindungan Hukum Terhadap Perempuan Dan Anak Korban Kekerasan Dalam Rumah Tangga Di Kabupaten Sidoarjo." *Al-Jinayah Jurnal Hukum Pidana Islam* 5, no. 1 (2019): 153–75. <https://doi.org/10.15642/aj.2019.5.1.153-175>.
- Halizah, Luthfia Rahma, and Ergina Faralita. "Budaya Patriarki Dan Kesetaraan Gender." *Wasaka Hukum* 11, no. 1 (2023): 19–32. <https://www.ojs.stihsa-bjm.ac.id/index.php/wasaka/article/view/84>.
- ISLAM, EPHPH. "Jurnal Hukum Islam Uhuyyy." *Jurnal Hukum Islam*. Vol, no. November (2021): 103–29. <https://www.academia.edu/download/102916705/366.pdf>.
- EPHPPH ISLAM, "Jurnal Hukum Islam Uhuyyy," *Jurnal Hukum Islam*. Vol,13 no. 2 November (2024): 240–55.
- EPHPPH ISLAM, "Jurnal Hukum Islam Uhuyyy," *Jurnal Hukum Islam*. Vol,10 no. 2 November (2021): 80–102.
- Maharani, Octavia Putri. "Perspektif Undang-Undang Nomor 23 Tahun 2004 Tentang

- Perlindungan Hukum Pada Wanita Korban Kdrt.” *LEX et ORDO Jurnal Hukum Dan Kebijakan* 1, no. 1 (2023): 75–83.
- Maisah, Maisah, and Yenti SS. “Dampak Psikologis Korban Kekerasan Dalam Rumah Tangga Di Kota Jambi.” *ESENSIA: Jurnal Ilmu-Ilmu Ushuluddin* 17, no. 2 (2016): 265. <https://doi.org/10.14421/esensia.v17i2.1292>.
- Modiano, Jovanka Yves. “Pengaruh Budaya Patriarki Dan Kaitannya Dengan Kekerasan Dalam Rumah Tangga.” *Sapientia Et Virtus* 6, no. 2 (2021): 129–40. <https://doi.org/10.37477/sev.v6i2.335>.
- Pidana Bagi Pelaku Kekerasan Dalam Rumah Tangga, Pertanggungjawaba, Padri Zelvian, Ramlani Lina Sinaulan, and Hedwig A Mau. “/PN.Sgt).” *Jurnal Pengabdian Masyarakat: DIKMAS* 539, no. 2 (2022): 539–52. <http://ejurnal.pps.ung.ac.id/index.php/dikmas>.
- QS. AN: NISA': 34
- Retnaningrum, Dwi Hapsari. “Incest Sebagai Bentuk Manifestasi Kekerasan Terhadap Perempuan.” *Jurnal Dinamika Hukum* 9, no. 1 (2019): 19–28. <http://www.dinamikahukum.fh.unsoed.ac.id/index.php/JDH/article/view/26>.
- Setiawan, Naufal Hibrizi, Sinta Selviani Devi, Levana Damayanti, Ferry Pramudya, and Herli Antony. “Pemahaman Dan Faktor – Faktor Penyebab Kekerasan Dalam Rumah Tangga: Tinjauan Literatur.” *Jurnal Kajian Hukum Dan Pendidikan Kewarganegaraan* 3, no. 2 (2023): 1–6. <https://jurnal.anfa.co.id/index.php/civilia/article/view/448>.
- Sopacua, Margie Gladies. “Konsep Ideal Pencegahan Kekerasan Dalam Rumah Tangga Terhadap Perempuan.” *Jurnal Pembangunan Hukum Indonesia* 4, no. 2 (2022): 213–26. <https://doi.org/10.14710/jphi.v4i2.213-226>.
- Yulia, Rena. “Implementasi Undang-Undang Nomor 23 Tahun 2004 Tentang Penghapusan Kekerasan Dalam Rumah Tangga Dalam Proses Penegakkan Hukum.” *Jurnal Huku Pro Justitia*, 2017.