

Protection of Women in Cases of Gender-Based Violence in the Social Community

Nanik Mandasari¹, Mario Dirgantara³, Oktir Nebi³, Dodi Alvayed⁴

^{1,2,3,4}STIA NUSA Sungai Penuh, Indonesia

email: dodi.vayed@gmail.com

Abstract

This study aims to analyze the protection of women who are victims of gender-based violence in Yogyakarta. Although there is a legal basis that supports the protection of women through Law Number 23 of 2004 concerning the Elimination of Domestic Violence and Law Number 35 of 2014 concerning Child Protection, the implementation of this policy still faces various challenges, both in terms of social, cultural, and structural aspects. This study uses a descriptive qualitative method with an in-depth interview approach with law enforcement officials, women activists, and victims of violence to explore their understanding and experiences related to this policy. The results of the study show that despite significant efforts from government and non-governmental institutions, strong patriarchal cultural factors in Yogyakarta society discourage victims from reporting, while low levels of legal education leave many women unaware of their rights. In addition, limited human resources and funds to support related institutions are also obstacles in handling cases of gender-based violence. This study concludes that although legal policies have been implemented, improvements in terms of socialization, legal education, and strengthening inter-agency coordination are needed so that legal protection policies can run effectively and provide optimal protection for women victims of gender-based violence in Yogyakarta.

Keyword: *Policy Implementation, Legal Protection, Women, Gender-Based Violence, Yogyakarta*

Introduction

Gender-based violence (GBV) is one of the serious and profound social problems in many countries, including Indonesia (Fathurrahman & Romli, 2023). This violence refers to all forms of violence that are based on gender and usually target women (Asman, 2021). Violence against women often occurs in the form of physical, psychological, sexual, and denial of women's rights, leading to deeper gender gaps in society (Mulyono & Sudewo, 2022).

In Indonesia, the government has issued various policies to deal with gender-based violence, such as Law Number 23 of 2004 concerning the Elimination of Domestic Violence and Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection (Khasanah, 2020). This policy aims to provide legal protection to women who are victims of violence and to create a sense of security for women at all levels of society (Katinah et al., 2019). However, even though this policy exists, the challenges in its implementation are still quite large, especially in certain areas in Indonesia, such as Yogyakarta, which still have a low level of legal awareness and a legal protection system that is not yet fully optimal (Khoironi, 2023).

Gender-based violence in the Yogyakarta area, which is a region with many social and economic challenges, often does not receive adequate attention (Nazmi, 2023). In the local context, patriarchal culture is still very strong, where women are often perceived as weaker and less empowered (Rolobessy et al., 2023). This causes violence against women to often be considered commonplace and not infrequently hidden in the family or society (Pello et al., 2024). In addition, the legal system in this area still encounters many obstacles in terms of accessibility and responsiveness to cases of gender-based violence (Salam et al., 2022). Many victims of violence do not report to the authorities because they feel afraid, embarrassed, or do not believe that the law can provide adequate protection (Arnez, 2024).

The importance of legal protection for women in cases of gender-based violence becomes clearer when looking at the impact it causes, both from the psychological, physical, social, and economic aspects (Anggraeny et al., 2023). Violence against women not only damages the individual condition of the victim, but also negatively impacts the family and society as a whole (Mahson et al., 2022). Victims of violence often experience ongoing trauma, which can disrupt their quality of life and hinder opportunities to develop optimally in their personal and professional lives (Amaritasari, 2022). More than that, violence against women also exacerbates gender inequality and hinders the achievement of gender equality in society (Nurbayani et al., 2022).

In an effort to understand how legal protection policies for women are implemented in the Yogyakarta area, it is important to conduct a more in-depth analysis of existing policies, as well as the challenges and obstacles faced in their implementation (Rosdiana, 2022). This study aims to analyze the extent to which legal protection policies for women in cases of gender-based violence have been implemented in Yogyakarta, as well as identify the factors that affect the effectiveness of these policies. One important aspect that needs to be considered is the role of law enforcement officials in handling cases of gender-based violence, as well as how local communities understand and respond to this policy (Lewoleba & Tarina, 2022).

In addition, it is also necessary to consider the social and cultural factors that influence the patterns of gender-based violence in the area. Yogyakarta, which has distinctive social and cultural characteristics, may have its own challenges in dealing with gender-based violence. For example, the social norms that prevail in local communities often influence the way people view the role of women and the forms of violence that are considered acceptable or not. Therefore, in this analysis, it is necessary to explore how legal protection policies interact with these social norms, as well as whether they can be accepted and implemented effectively in Yogyakarta society.

Policies that have been regulated in legislation, the participation of community institutions are also very important in supporting efforts to protect women victims of gender-based violence. These institutions, both formal such as the police and women's protection agencies, and informal ones such as community groups and non-governmental organizations (NGOs), play a key role in providing psychological, legal, and social support for victims. This research will also assess the extent to which these institutions collaborate in providing protection to women victims of gender-based violence, as well as the challenges faced by these institutions in carrying out their duties.

This research is particularly relevant considering the importance of strengthening social protection systems for women and women's empowerment efforts in areas that still face major challenges in terms of gender equality and social protection in the midst of society. By analyzing the implementation of legal protection policies in Yogyakarta, it is hoped that it can provide a clearer picture of the extent to which existing policies can provide effective protection for women

victims of gender-based violence. In addition, this research also aims to provide recommendations for the government, law enforcement agencies, and the community to improve protection for women, as well as create a safer and fairer environment for women in Yogyakarta.

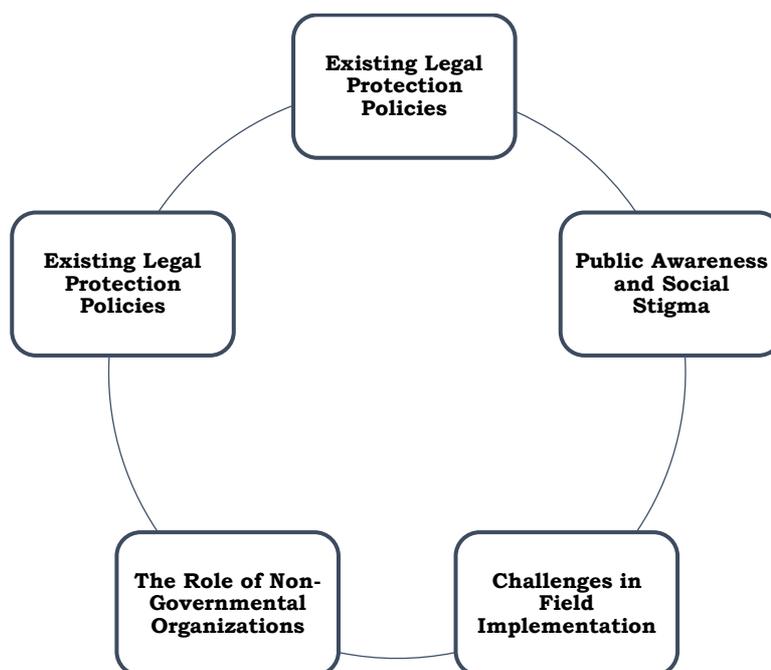
Method

The research method used in this study is a descriptive qualitative method, which aims to describe and analyze the implementation of legal protection policies for women in cases of gender-based violence in Yogyakarta. The qualitative approach was chosen because the focus of the research is to understand the perceptions, experiences, and challenges faced by victims, law enforcement officials, and the community related to the implementation of the policy. This research was conducted in Yogyakarta, which was chosen because it has distinctive social and cultural characteristics, as well as challenges in law enforcement against gender-based violence. The data collection techniques used included in-depth interviews with key informants such as women victims of violence, law enforcement officials, and community members, as well as participatory observation at relevant locations and documentation studies of existing policies. The data obtained will be analyzed descriptively by grouping information into relevant categories to understand how policies are implemented and the challenges faced in their implementation. To ensure the validity of the data, the triangulation technique will be used by comparing data from various sources and methods. This research is expected to provide a clearer picture of the effectiveness of legal protection policies in Yogyakarta and provide recommendations for policy improvements and efforts to improve protection for women victims of gender-based violence.

Result and Discussion

Analysis of Sanctioned Protection of Women in Cases of Gender-Based Violence in Yogyakarta

The implementation of legal protection policies for women who are victims of gender-based violence in Yogyakarta shows progress, although it is still faced with major challenges that need to be resolved to achieve maximum protection for victims. As a region that is still developing in the context of the application of the law and social understanding of gender-based violence, Yogyakarta has a distinctive dynamic, which reflects the complexity in the implementation of this legal policy. Based on the results of interviews with various parties involved, such as law enforcement officials, women activists, and victims of gender-based violence, several factors can be identified that affect the effectiveness of this policy, both in terms of existing formal policies and implementation in the field.



Existing Legal Protection Policies

Legal protection for women victims of gender-based violence in Indonesia has been regulated in a number of laws and regulations. Two regulations that are very relevant in this context are Law Number 23 of 2004 concerning the Elimination of Domestic Violence and Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection. The law provides a clear legal basis for the protection of women and children from various forms of violence, both physical, psychological, sexual, and neglect. The existence of this law provides a great opportunity for women victims of violence to access justice and get adequate legal protection.

However, although the governing laws are clear, implementation at the local level, such as in Yogyakarta, does not always go smoothly. One of the main problems faced is the lack of integration in the application of the law at various levels of society and law enforcement agencies. Some law enforcement officials, such as police, prosecutors, and judges, have received training on women's protection policies and gender-based violence, but in practice, not all cases are handled appropriately. Based on the findings of interviews with law enforcement, there are certain cases that do not receive immediate serious attention, or are even delayed due to a lack of in-depth understanding of gender-based violence cases and their complex handling procedures.

In addition, the existence of an Integrated Service Center for Women and Children (P2TP2A) that has been established by the local government is also a positive effort to provide services to victims. P2TP2A in Yogyakarta provides support to women victims of violence in various aspects, including legal assistance, temporary protection, and psychological counseling. This institution serves as a bridge between victims and law enforcement officials, as well as providing a safe place for victims to report. However, based on data and interviews with P2TP2A managers, limited funds and personnel are a big challenge in maximizing the role of this institution. P2TP2A in Yogyakarta still lacks trained human resources and adequate facilities to handle the large number of cases.

Public Awareness and Social Stigma

One of the important aspects of the implementation of legal protection policies is the level of public awareness, which greatly affects the extent to which these policies are accepted and accessed by women victims of violence. People in Yogyakarta, especially in rural areas, still have a strong traditional view of gender roles, which consider the problem of domestic violence to be a personal problem that should not need to be interfered with by outsiders. In many cases, this leads to a lack of reporting of violence by victims to the authorities.

Most victims of violence, especially those living in rural areas, feel afraid or embarrassed to report, as they fear social stigma. In many cultures, women who report violence are often seen as embarrassing or unable to maintain domestic harmony. This social stigma is a big barrier for victims to get the protection they need. Communities that prefer to "resolve issues internally" often involve families or community leaders to try to resolve the case without going through legal channels, which can have a negative impact on the victim. This shows that there is a gap between existing legal policies and public understandings and attitudes that are still strongly influenced by patriarchal cultural norms. In addition, the lack of understanding of women's legal rights is also a problem that cannot be ignored. Many victims do not know that they are entitled to legal protection and do not know how to access the services available. At times when they experience violence, victims often feel they have no choice but to survive, not knowing where to go or what to do. Even if they have knowledge of the existence of P2TP2A or other legal institutions, fear of social repercussions, such as divorce or exclusion, often makes them reluctant to take steps to report.

Challenges in Field Implementation

Although legal protection policies are in place, implementation on the ground faces a variety of structural obstacles. One of them is the lack of resources and capacity of law enforcement officials. In some cases, police and prosecutors involved in dealing with gender-based violence are not adequately trained to identify and deal with such cases in a sensitive and comprehensive manner. Some law enforcement officials also do not have a deep understanding of the psychological impact experienced by victims of gender-based violence, which sometimes makes them fail to provide adequate treatment. In addition, lengthy legal processes and complicated bureaucracy are also often obstacles in handling cases of gender-based violence. Victims who want to report abuse or seek legal protection often have to go through a variety of lengthy procedures, which can dampen their enthusiasm to pursue the case. Even if they decide to report, the protracted legal process can cause victims to feel that they are not getting speedy justice. Ultimately, this can lead to victims being reluctant to engage further in the legal process and choosing to return to a violent environment because they feel there is no clear solution.

The Role of Non-Governmental Institutions

Despite limitations in policy implementation by law enforcement officials, non-governmental institutions, such as Legal Aid Institutions (LBH) or other women's organizations, have played a critical role in supporting victims. These organizations provide a variety of services, such as legal assistance, psychological counseling, and material assistance for victims. In addition, these institutions also conduct education and campaigns to raise public awareness about gender-based violence and women's rights. However, while these institutions are very helpful, they often face constraints in terms of funding and resources. Many of these institutions rely on donations from donors or governments, which is often insufficient to meet the needs of

victims as a whole. These limitations limit their capacity to handle the large number of cases that come in, as well as slow down the recovery process and the protection that can be provided to victims.

Efforts to Meet the Needs of Victims

In practice, while existing legal protection policies have provided a solid foundation for victim protection, much remains to be done to ensure that women victims of gender-based violence receive full protection. One aspect that needs to be considered is the fulfillment of the basic needs of victims, such as safe shelters, psychological assistance, and access to health services. Existing institutions need to be supported with adequate funding and ongoing training to improve their ability to handle cases of gender-based violence more professionally.

Challenges and Obstacles in the Implementation of Gender Violence Case Protection in Yogyakarta

The challenge in implementing legal protection policies for women victims of gender-based violence in Yogyakarta is not a simple matter. Located at the social, cultural, and structural layers, these challenges hinder efforts to provide maximum protection for victims of violence. In many ways, the imperfections in the implementation of this legal policy are not only caused by the lack of legal aspects, but also by external factors that hinder the accessibility of the law and its efficiency in society.

Strong Social and Cultural Barriers

One of the biggest challenges in the implementation of legal protection policies is the strong influence of patriarchal social and cultural norms that still prevail in Yogyakarta society. Norms that treat domestic violence as a personal family matter, not a legal issue that needs to be intervened by an outside party, make victims of violence hesitant to report or seek help. Communities, especially in rural areas, tend to prioritize family harmony and maintaining self-esteem rather than supporting victims in dealing with perpetrators of violence. In many cases, women who are victims of violence often feel embarrassed or afraid to report the violence they experience because of the negative stigma attached to them. They are worried that they will not be able to take care of the household or be considered as "failures" in their traditional roles as wives and mothers.

This also creates an attitude of indifference among the community. Violence is often considered a common occurrence in the household, and not a few think that the violence does not need to be handled by outside parties, including law enforcement officials. Societies tend not to involve third parties or governments in personal matters, and most victims, most of whom are women, are reluctant to seek legal or social help for fear of damaging their family's image in the public eye. Therefore, although existing legal policies provide a solid basis for victim protection, their implementation is hampered by social norms that treat the issue of violence as a personal matter.

In addition, social norms that place women in a lower position in the social structure of society contribute to this condition. Many women do not feel entitled to fight or demand justice for the violence they experience. They also feel that domestic violence is part of their responsibilities as a couple in the household, and therefore, they do not have the right to seek legal redress or protection. This shows that despite the prevailing legal protection policies, entrenched social norms in society are a major obstacle in law enforcement efforts on the ground.

Low Level of Legal Education and Understanding of Rights

In addition to social and cultural barriers, another important factor that hinders the implementation of legal protection policies is the low level of legal education among the community, especially women. Many women who are victims of violence do not fully understand their legal rights, or are not even aware that they are entitled to adequate legal protection. They do not know that they have the right to access services from state agencies that have been provided, such as the Integrated Service Centre for Women and Children (P2TP2A), or that they can file a report with law enforcement officials such as the police or the courts.

In interviews with some victims of violence, most of them expressed their confusion about what to do when they encounter violence, as well as uncertainty about whether reporting violence can help them get out of the problem. In fact, some victims expressed their concern that reporting cases of violence could worsen their relationships with their families, even adding to the social burden they face. This fear of social stigma, exacerbated by ignorance of their rights, makes many women reluctant to report or seek protection.

The absence of sufficient information about the legal mechanisms accessible to victims also exacerbates the situation. The lack of legal counseling or education in this region leaves victims unsure of where to go for help or how they can get legal protection. This ignorance further exacerbates their sense of helplessness. Some victims even state that they feel trapped in a cycle of violence because they don't know there are legal channels or institutions that can help them get out of the situation.

Structural Challenges: Lack of Resources and Infrastructure

On the structural side, the existing legal system in Yogyakarta also faces various challenges. One of the main problems faced is the lack of human resources and infrastructure to support law enforcement in cases of gender-based violence. In many cases, law enforcement officials, especially at the local level, often lack adequate knowledge or skills in handling cases of gender-based violence. The training provided to law enforcement officers is often limited, and many of them do not have enough understanding of how to handle gender-based violence cases sensitively and appropriately. This has led to many cases of gender-based violence being handled in an inappropriate manner, sometimes even with a lack of investigation or inadequate response.

In addition, lengthy legal processes and complicated bureaucracy also hinder efforts to resolve cases of gender-based violence. The time-consuming process of gathering evidence, protracted trials, and confusing legal procedures often leave victims feeling disappointed and discouraged. They feel that they have not received justice, even after they have reported and followed the existing legal procedures. This overly long process leads to a victim's sense of powerlessness, and sometimes leads them to return to a violent environment because they feel there is no quick and effective solution. This is what causes some victims to choose to retract their reports or withdraw from legal proceedings.

In addition, many law enforcement officials are less open to gender-based violence handling procedures that require a more sensitive and comprehensive approach. Handling gender-based violence requires not only legal handling, but also an approach that involves psychological and social aspects. Unfortunately, many officials are not sufficiently trained to handle cases in a more comprehensive way, leading to dissatisfaction and confusion among victims who engage in legal proceedings.

Disharmony of Coordination Between Institutions

Ineffective inter-agency coordination is also a major obstacle in the implementation of legal protection policies for women victims of gender-based violence in Yogyakarta. Although there are institutions such as P2TP2A that have an important role in providing services to victims, there are often coordination problems between these institutions and other law enforcement agencies such as the police, prosecutor's office, and hospitals. This disharmony slows down the handling of cases and worsens the recovery process for victims.

P2TP2A in Yogyakarta has a huge responsibility to provide protection to victims, but it often lacks trained staff or adequate facilities to handle a wide range of gender-based violence cases. Although P2TP2A provides legal and psychological assistance to victims, resource constraints often prevent them from providing optimal services. For example, they often lack competent psychologists or social workers, who can provide intensive assistance to trauma victims. In addition, the lack of budget also limits the agency's capacity to provide temporary protection services, such as safe housing for victims of violence.

Lack of Funding and Adequate Resources

The limited funding experienced by institutions that handle gender-based violence cases is one of the main obstacles that must be overcome immediately. Many non-governmental and government agencies focused on protecting women victims of violence do not have sufficient budgets to increase their capacity. Without adequate funding, these institutions cannot carry out the various activities necessary to support victims, such as awareness campaigns, staff training, or the provision of better services. These limitations also impact their ability to hold community education meetings or programs to raise legal awareness among women and the general public.

Thus, to overcome these challenges, there needs to be better cooperation between governments, law enforcement agencies, the community, and non-governmental institutions. Counseling to the community, increasing the capacity of law enforcement officers, and increasing funds for gender-based violence management institutions are important steps that must be taken immediately. Without it, existing legal protection policies will remain ineffective in providing full protection for women victims of gender-based violence.

Conclusion

The implementation of legal protection policies for women victims of gender-based violence in Yogyakarta shows progress, but still faces various challenges. Although there is a strong legal basis through laws such as Law No. 23 of 2004 and Law No. 35 of 2014, patriarchal social and cultural norms that treat domestic violence as a personal problem prevent victims from reporting. In addition, the low level of legal education in the community and the length of the legal process are significant obstacles in law enforcement. Limited human resources, facilities, and funds in related institutions, as well as lack of coordination between agencies, worsen the situation. Therefore, while policies are in place, social, cultural, and structural challenges need to be addressed to ensure effective protection for women victims of violence.

References

- Amaritasari, I. P. (2022). The Study on the Coronavirus Pandemic Using Human Rights and Human Security Approach. *Jurnal HAM*. https://heinonline.org/hol/cgi-bin/get_pdf.cgi?handle=hein.journals/jnlham13%5C§ion=28
- Anggraeny, K. D., Ramadhan, D. N., & ... (2023). Cyber Child Grooming on Social Media: Understanding the Factors and Finding the Modus Operandi. ... *Journal of Law and ...*

<https://al-kindipublisher.com/index.php/ijlps/article/view/4770>

- Arnez, M. (2024). Gender, Islam and Sexuality in Contemporary Indonesia: An Overview. *Gender, Islam and Sexuality in Contemporary ...* https://doi.org/10.1007/978-981-99-5659-3_1
- Asman, A. (2021). Inequality of Gender Relations during the COVID-19 Pandemic: A Study of Violence against Women in Sambas, West Kalimantan. *Sawwa: Jurnal Studi Gender*. <https://journal.walisongo.ac.id/index.php/sawwa/article/view/9552>
- Fathurrahman, M. M. H., & Romli, M. (2023). Islamic Law Analysis of Chemical Castration Punishments Post The Decision of Mojokerto State Court No. 69/PID. SUS/2019/PN MJK. *Al-Mada: Jurnal Agama, Sosial ...* <https://e-journal.uac.ac.id/index.php/almada/article/view/2779>
- Katinah, K., Sembodo, S. P., & ... (2019). Prevention of Human Trafficking with AMP Model with based vilage education. *International Journal of ...* <https://techmindresearch.org/index.php/ijme/article/view/1091>
- Khasanah, N. U. (2020). The Criminal Cases of Children in Conflict With The Law: Litigation and Non-Litigation Resolutions. *Justicia Islamica: Jurnal Kajian Hukum Dan ...* <http://repo.unida.gontor.ac.id/2066/>
- Khoironi, M. A. (2023). A PROFESSIONAL LEGAL THOUGHTS ON HOUSEHOLD VIOLENCE (KDRT) AND ISLAMIC LAW. *ICIFL: International Conference on Islamic Family Law*.
- Lewoleba, K. K., & Tarina, D. D. Y. (2022). Legal Protection against Children Rape and Fornication: 10.2478/bjlp-2022-001115. *Baltic Journal of Law \& Politics*. <https://versita.com/manuscript/index.php/Versita/article/download/600/709>
- Mahson, M., Kusriyah, S., & ... (2022). Handling domestic violence through mediation out of court. *Law Development Journal*. <https://jurnal.unissula.ac.id/index.php/ldj/article/view/21218>
- Mulyono, S., & Sudewo, F. A. (2022). Implementation Practice Restitution of Children Victims of Sexual Crime. ... *1st International Conference on Law ...* <https://doi.org/10.4108/eai.28-5-2022.2320550>
- Nazmi, N. (2023). SEXUAL CRIMES AGAINST CHILDREN BETWEEN CRIMINALITY AND THE NATION'S MORAL DEGRADATION IN THE ERA OF DIGITAL TRANSFORMATION. ... *Collaboration Conference on Law, Sharia ...* <http://proceeding.iainkudus.ac.id/index.php/ICCoLaSS/article/view/274>
- Nurbayani, S., Dede, M., & ... (2022). Fear of crime and post-traumatic stress disorder treatment: investigating Indonesian's pedophilia cases. *Jurnal Ilmiah ...* <http://www.journal.scadindependent.org/index.php/jipeuradeun/article/view/657>
- Pello, J., Bunga, G. A., & Pello, S. C. (2024). Community Response to The School at The Dawn Policy of The Regional Government of East Nusa Tenggara For Legal Protection of Children in The City of Kupang. *Journal of Law and Sustainable ...* <https://ojs.journalsdg.org/jlss/article/view/2627>
- Rolobessy, V. Y., Malik, F., & Suwarti, S. (2023). Legal Liability of Illegal Online Loans in the Perspective of Criminal Law. *Journal of Social Science*. <https://www.jsss.co.id/index.php/jsss/article/view/542>

- Rosdiana, A. C. (2022). Online Prostitution in Media Social: How is the Victim Protection? *Indonesia Media Law Review*. <https://journal.unnes.ac.id/sju/imrev/article/view/60584>
- Salam, F., Badu, L. W., & Puluhalawa, J. (2022). Legal Protection for Children as Victims of the Crime of Sexual Intercourse. *Estudiante Law Journal*. <https://ejournal.ung.ac.id/index.php/eslaw/article/view/16041>