

Crime of Physical Violence in Domestic Violence (Study of the Medan District Attorney's Office)

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Abstract: Victims of physical violence in the household are mostly women and children. The research aims to find out the legal arrangements for perpetrators of criminal acts of physical violence in the household, how to prosecute various cases of criminal acts of physical violence in the household in Kajari Medan and legal protection for victims of physical violence in the household. The research method was carried out empirically. An important finding in this study is that domestic violence consists of several forms; such as physical, psychological, sexual and neglect. Forms of physical violence experienced by victims such as beatings, support, slashing and others so that victims experience injuries and even serious injuries or death. There are several legal regulations for perpetrators of physical violence in the household, namely Article 44 paragraph no. 23 of 2004, Criminal Code and Child Protection Law. Perpetrators of physical violence in the household should be given the maximum punishment so that the perpetrators are deterred and other people understand the legal sanctions for committing physical violence in the household. Legal protection for victims of physical violence in the household is very necessary so that security and goodness for victims can be met by the state and society.

Keywords: *Physical; Violence; Victim; Household*

Abstrak: Korban kekerasan fisik dalam rumah tangga sebagian besar adalah perempuan dan anak-anak. Tujuan penelitian adalah untuk mengetahui pengaturan hukum bagi pelaku kekerasan fisik dalam rumah tangga, bagaimana pemidanaan terhadap berbagai kasus kekerasan fisik dalam rumah tangga di Kajari Medan dan perlindungan hukum bagi korban kekerasan fisik dalam rumah tangga. Metode penelitian dilakukan secara empiris. Temuan penting dalam penelitian ini adalah bahwa kekerasan dalam rumah tangga terdiri dari beberapa bentuk, yaitu kekerasan fisik, psikis, seksual dan penelantaran. Bentuk kekerasan fisik yang dialami korban seperti pemukulan, penyangga, pemukulan dan lain-lain sehingga korban mengalami luka-luka bahkan luka berat hingga meninggal dunia. Terdapat beberapa pengaturan hukum bagi pelaku kekerasan fisik dalam rumah tangga seperti Pasal 44 ayat No. 23 Tahun 2004, KUHP dan UU Perlindungan Anak. Pelaku kekerasan fisik dalam rumah tangga harus diberikan hukuman yang maksimal agar pelaku jera dan orang lain memahami sanksi hukum jika melakukan kekerasan fisik dalam rumah tangga. Perlindungan hukum terhadap korban kekerasan fisik dalam rumah tangga sangat diperlukan agar rasa aman dan kebaikan bagi korban dapat dipenuhi oleh negara dan masyarakat

Keywords: *Fisik; Kekerasan; Korban; Rumah Tangga.*

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Introduction

The State of Indonesia has guaranteed to all Indonesian people the right to form a family and have offspring from a valid marriage, this is explained in Article 28B paragraph (1) of the 1945 Constitution. The family referred to in the Constitution is in the form of a household, where sociologically a household can be interpreted as a social unity based on marital or blood relations.¹ Marriage is based on the integrity and harmony of a happy, safe, peaceful and peaceful household is everyone's dream in being married.² However, there are many problems in the household ranging from small problems to big problems, such as quarrels due to the economy, quarrels due to jealousy or infidelity, misunderstandings between people in the household, even because of criminal acts committed between husband or wife against their spouse or criminal acts committed by people who live in the household. Criminal acts or criminal acts committed are acts of domestic violence also known as domestic violence.³

Domestic violence that occurs is like physical violence committed by a person in the household, and most cases of physical violence occur that are committed against their spouse in the household.⁴ For legal arrangements for perpetrators of domestic physical violence, namely in Article 44 of Law Number 23 of 2004 concerning the Elimination of Domestic Violence. In the law, it is explained that those who are included in the household are a person or several people

who live or settle in the household. In addition to the domestic violence law, the legal regulation for perpetrators of physical violence is contained in the Criminal Code as in Article 335, namely coercion on others by using violence or threats of violence, then in Articles 351 to 358 concerning persecution and several articles in the Criminal Code. Another law related to this violence is the Law on Child Protection, which of course if the violence is committed by parents or guardians against their children.⁵

Kajari Medan as a government agency acts as a prosecutor against people who commit crimes throughout the city of Medan, also prosecuting cases of physical violence crimes, such as various cases in 2023, here are some of these cases:

1. The perpetrator Juanda committed physical violence against his mother by stabbing her with scissors on the right hip, a criminal sanction of Article 44 paragraph (1) No. 23 of 2004 with a criminal sentence of 10 months in prison.
2. The perpetrator Basarhuddin Nasution committed physical violence against his wife by banging the victim's head and threatening the victim, demanding criminal sanctions Article 44 paragraph (1) No. 23 of 2004, a criminal verdict of 2 months in prison.
3. The perpetrator Cristian Mangatas Indra Utama Pardede committed physical violence against his biological mother by committing the crime of intimidation, the demand for criminal sanctions Article 44

¹ Zaitunah Subhan, *Fostering the Sakinah Family* (Yogyakarta: Pustaka Pesantren, 2004).

² Rena Yulia, "Implementation of Law Number 23 of 2004 concerning the Elimination of Domestic Violence in the Law Enforcement Process," *Projustitia Law Journal* Volume 24, no. 3 (July 2006): 292.

³ Agung Budi Santoso, "Kekerasan Dalam Rumah Tangga (KDRT) Terhadap Perempuan: Perspektif Pekerjaan Sosial," *KOMUNITAS* 10, no. 1 (23 September 2019): 39–57, <https://doi.org/10.20414/komunitas.v10i1.1072>.

⁴ Rosma Alimi dan Nunung Nurwati, "FAKTOR PENYEBAB TERJADINYA KEKERASAN DALAM RUMAH TANGGA TERHADAP PEREMPUAN," *Jurnal Penelitian dan Pengabdian Kepada Masyarakat (JPPM)* 2, no. 1 (22 Mei 2021): 20–27, <https://doi.org/10.24198/jppm.v2i1.33434>.

⁵ Rochmat Wahab, "Kekerasan Dalam Rumah Tangga: Perspektif Psikologis Dan Edukatif," *Unisia*, no. 61 (2006): 247–56, <https://doi.org/10.20885/unisia.vol29.iss61.art1>.

paragraph (1) No. 23 of 2004, a criminal verdict of 1 year and 6 months in prison.

4. The perpetrator Sudirman Can committed physical violence against his stepdaughter in one house by committing the crime of beating, the demand for criminal sanctions Article 44 paragraph (1) No. 23 of 2004, a 2-year criminal sentence.
5. The perpetrator of the Hasudungan Panjaitan Embankment committed physical violence against his wife by beating the victim's head, demanding criminal sanctions under Article 44 paragraph (2) No. 23 of 2004 and a criminal verdict of 4 years in prison.

From the various cases mentioned above, it can be seen that the perpetrator is an adult man while the victims are women and children and the punishment imposed is only a few years or even only 2 months. Of course, this needs attention from all parties, the government, law enforcement and the community that many victims of physical violence that occur in the household are women and children, where in some cases many women are victims of Domestic Violence because of the patriarchal culture that still exists in Indonesia.⁶ The punishment given is also very light, in terms of existing regulations the maximum punishment can be up to 5 years, 10 and 12 years in prison. Especially if the victim is a child and the perpetrator is a parent, the Child Protection Law provides an additional penalty of 1/3 of

the existing punishment provisions.⁷

Cases of domestic physical violence show that the perpetrators have excessive and uncontrollable emotions.⁸ Because the emotional occurrence of the perpetrators should be controlled, because the problem is very trivial or a problem that should be solved properly. Of course, it is very necessary to be firm in regulation, especially in demanding punishment for the perpetrators of physical violence so that the perpetrators will no longer repeat their actions or so the public to understand the punitive sanctions that can be given for acts of physical violence in the household so that women and children in the household can get the best legal protection.⁹ Legal protection is juridical (in the field of public and civil law) and non-juridical (in the fields of social, health and education).¹⁰

This research is to see and find out, (1) how the form of physical violence in domestic violence and legal protection for victims, (2) how to regulate the law for perpetrators of physical violence and (3) how to criminalize perpetrators of physical violence in domestic violence.

Method

Research is carried out using an empirical system, which is a type of sociological legal research and can be said to be field research, which is a study of the applicable legal provisions and what happens in reality in society.¹¹ The qualitative analysis method is used in analyzing the data obtained, this

⁶ Fikihudin Abdul Kodir dan Ummu Azizah Mukarnawati, *Referensi Bagi Hakim Peradilan Agama Tentang Kekerasan Dalam Rumah Tangga* (Jakarta: Komnas Perempuan, 2008).

⁷ Abdul Aziz, "ISLAM DAN KEKERASAN DALAM RUMAH TANGGA," *Kordinat: Jurnal Komunikasi antar Perguruan Tinggi Agama Islam* 16, no. 1 (8 April 2017): 177–96, <https://doi.org/10.15408/kordinat.v16i1.6460>.

⁸ Mery Ramadani dan Fitri Yuliani, "KEKERASAN DALAM RUMAH TANGGA (KDRT) SEBAGAI SALAH SATU ISU KESEHATAN MASYARAKAT SECARA GLOBAL," *Jurnal Kesehatan Masyarakat Andalas* 9, no.

2 (2015): 80–87, <https://doi.org/10.24893/jkma.v9i2.191>.

⁹ Zunea Farizka Azyza Harro Uasni, "Posttraumatic Growth Pada Korban Kekerasan Dalam Rumah Tangga," *Psikoborneo: Jurnal Ilmiah Psikologi* 7, no. 1 (18 Maret 2019), <https://doi.org/10.30872/psikoborneo.v7i1.4700>.

¹⁰ Ahmad Zein Yahya, *Problematisa Hak Asasi Manusia, Pertama* (Yogyakarta: Liberty, 2012).

¹¹ Bambang Waluyo, *Penelitian Hukum Dalam Praktek* (Jakarta: Sinar Grafika, 2002).

analytical method is a research used to investigate, find, describe, and explain the qualities or privileges of social influences that cannot be explained, measured, or described through a quantitative approach.¹² In this study, we will look at how physical violence occurs in the household, and for data information on the occurrence of physical violence, the research is carried out at the Medan District Attorney's Office. Information as legal material and data is carried out by interviews and in the form of journal books, official documents, books and others which are all related to the law and the title of this research.

Result and Discussion

Forms of physical violence in domestic violence and legal protection for victims.

Crimes that occur in the household are caused by "violence" committed by one or more people against other people who are still in the same household. "Violence" can be interpreted as "an aggressive behaviour that a person commits against another person deliberately to cause the victim to experience physical and mental suffering".¹³ From the definition of "violence", the perpetrators of violence have an awareness of committing "violent" acts, even these "violent" acts can be carried out with planning.

Violence that occurs in the household has forms of violence, such as physical, psychological, sexual and family abandonment. A form of "violence" in the domestic where one of them is "physical violence" which can be interpreted as "or refers to an attack on a person's physical condition, such as beating, persecution,

murder".¹⁴ In addition, the meaning of physical violence is "an act that results in pain, illness or serious injury"¹⁵. In general, physical violence in the household victims are women and children. This is very worrying because for women and children, in addition to physical violence, they usually also experience psychological violence, so the trauma of the violent event is always their bad memory. They must take protective action so that they avoid prolonged trauma and that protection provides a sense of comfort and security from threats or other acts of violence from violent perpetrators.

To protect victims of physical violence, so that they feel comfortable and safe, legal protection is needed, where the meaning of protection for victims of violence is "all efforts aimed at providing a sense of security to victims carried out by the family, advocates, social institutions, police, prosecutors, courts, or other parties, either temporarily or based on court determination".¹⁶ Victims are given all efforts to feel safe from all forms of threats, violence or others carried out by their families or other parties.

The state must provide protection as soon as possible to victims of domestic physical violence, as explained in Law Number 23 of 2004, Article 16 paragraph (1), namely "if the victim reports the occurrence of domestic physical violence to the police, so that 1x24 hours the police must respond to provide temporary protection to the victim of physical violence". Article 16 paragraph (2) states "the protection is provided for 7 days" and in paragraph (3) "the provision of police protection requests the determination of a

¹² Sugiyono, *Metodologi Penelitian Pendidikan Pendekatan Kuantitatif, Kualitatif, dan R&D* (Bandung: Alfabeta, 2013).

¹³ Ridwan Mansyur, *Mediasi Penal Terhadap Perkara KDRT* (Jakarta: Yayasan Gema Yustisia Indonesia, 2010).

¹⁴ Kodir and Mukarnawati, *Op Cit*, Thing. 61.

¹⁵ Article 6 of Law Number 23 of 2004 concerning the Elimination of Domestic Violence.

¹⁶ Article 1 Number 4 of Law Number 23 of 2004 concerning the Elimination of Domestic Violence.

protection order from the court". The temporary protection provided in Article 17 states that "the police can cooperate with various elements such as spiritual guides, accompanying volunteers, social workers or health workers".

Article 25 of Law Number 23 of 2004, the obligation of Advocates in protecting victims of physical violence is "the provision of legal consultation such as information on the victim's rights in the judicial process, assistance to the victim during the investigation to the court and coordination with spiritual counsellors, accompanying volunteers, social workers or health workers who provide spiritual guidance, accompanying volunteers, social workers or health workers so that the judiciary runs properly".

Article 32 of Law No. 23 of 2004 states that "the protection of victims of physical violence can be given to victims for 1 year and can be extended according to judicial determination". The existence of protection for 1 year is of course given if the safety of the victim is still in danger, such as the perpetrator of physical violence has not been caught and this is considered from the victim's statement and spiritual counsellors, accompanying volunteers, social workers or health workers. Of course, with the provision of protection for 1 year, the state has carried out its obligations by protecting its citizens who need protection from criminal acts, in this case, physical violence.¹⁷

Of course, by being given this protection, victims of physical violence can live more calmly and safely from the threat of the perpetrator of the violence. The protection also provides hope for victims to accept their right to legal certainty, so that they can live

their lives normally without any fear of threats or forms of violence from the perpetrators of violence. It is also better for the government to socialize about the protection of victims of domestic violence to the public and it is hoped that the public understands and dares to face perpetrators of domestic violence by reporting them to the police.

Legal arrangements for perpetrators of physical violence crimes.

The word regulation can be interpreted according to KBBI as an act regulation, process, or method. The existence of regulation can be interpreted as an act or rule. Utrecht argues that regulation is a command or prohibition that regulates order in society and should be obeyed by the members of the community concerned.¹⁸ So legal arrangements can be said to be regulations that are in written form and must be obeyed by the entire community or every person in a certain area and the regulations apply in that particular area. For example, the legal arrangement for the crime of robbery in Indonesia, the crime of robbery can be processed legally or investigated and prosecuted through the Criminal Code.

What is the legal regulation of physical violence in Indonesia? Legal arrangements for perpetrators of physical violence in Indonesia have been made by written regulations in the form of laws, which apply to every person in Indonesia. There are 2 legal arrangements for perpetrators of physical violence according to the legal system in the applicable regulations:

¹⁷ Faquiddin Abdul Kodir, "KEKERASAN DALAM RUMAH TANGGA (KDRT) PERSPEKTIF ISLAM: Kompilasi Awal Teks-teks Hadits Rujukan,"

Mahkamah : Jurnal Kajian Hukum Islam 1, no. 1 (31 Mei 2016), <https://doi.org/10.24235/mahkamah.v1i1.318>.

¹⁸ Utrecht, *Pengantar Dalam Hukum Indonesia* (Jakarta: Ichtiar, 1957).

Law No. 23 of 2004 concerning the Elimination of Domestic Violence.

Legal arrangements for acts of physical violence in the household have been regulated in Law Number 23 of 2004 which means that the criminal act is included in a special criminal act. Legal arrangements for perpetrators of physical violence are carried out with separate legislation outside of the Criminal Code. There are several legal arrangements for acts of physical violence, such as who the perpetrators of "physical violence" referred to in the scope of the household:¹⁹

1. Husband, wife, children.
2. persons who have a family relationship with a person as referred to in letter a due to blood relations, marriage, lactation, nurturing, and guardianship, who reside in the household; and/or
3. People who work help the household and settle in the household.

From the information above, the perpetrator of physical violence can be committed by a husband or wife, even children and people (other than husband/wife/children) who live in the house and the victim also lives in the household.²⁰ The regulation of anyone who is referred to as the perpetrator of violence, of course, by explaining in the law, is increasingly clear that the legal regulation of physical violence is very clear and clear.

Furthermore, arrangements are made that everyone is prohibited from committing domestic violence such as physical, psychological, sexual and family violence.

People who violate the rules will be given punitive sanctions whereas people who commit acts of physical violence will be given punishment arrangements as written and regulated in Article 44 of Law No. 23 of 2004 and can be given prison sanctions following the criminal acts committed by looking at the consequences of the injuries suffered by the victims. If the injury is minor, the punishment can be up to 5 years in prison, if the injury is serious or there is a disease, then 10 years in prison and if the death is sanctioned 15 years in prison.²¹

Physical violence that occurs in the household where the perpetrator is a husband or wife and as a result of the violence there is no obstacle to carrying out activities, work or daily positions, then it is a complaint offence, the arrangement is as seen in Article 51 of Law Number 23 of 2004, "the criminal act of physical violence as referred to in Article 44 paragraph (4) is a complaint offence". The definition of "complaint offence" or "*klachtdelict*" is "a complaint that can only be prosecuted if there is a complaint from an interested party, if there is no complaint, then the act cannot be prosecuted in front of the court".²²

Criminal Code

In addition to Law Number 23 of 2004 mentioned above, the legal regulation of the crime of physical violence in the household is regulated by the Criminal Code, as seen in Article 335 paragraph (1) point 1, namely "if a person orders, commits violence, then or by using the threat of violence in the law for a

¹⁹ Article 2 Paragraph (1) of Law Number 23 of 2004 concerning the Elimination of Domestic Violence.

²⁰ Sitorismi Banur Zafirah dan Yeniar Indriana, "STRATEGI KOPING KORBAN KEKERASAN DALAM RUMAH TANGGA (KDRT) (Interpretative Phenomenological Analysis)," *Jurnal EMPATI* 5, no. 2 (30 April 2016): 229–35, <https://doi.org/10.14710/empati.2016.15048>.

²¹ Putri Aprilianti, O. Irene Prameswari Edwina, dan Lie Fun Fun, "Peningkatan Derajat Self-Esteem Istri Korban Kekerasan Dalam Rumah Tangga Melalui Penerapan Cognitive Behavior Therapy Di Kota Bandung," *Humanitas (Jurnal Psikologi)* 3, no. 1 (30 April 2019): 63–84, <https://doi.org/10.28932/humanitas.v3i1.2082>.

²² Franz Maramis, *Hukum Pidana Umum dan Tertulis di Indonesia* (Jakarta: Rajawali Press, 2013).

maximum of 1 year in prison". It can be seen from the explanation of Article 335 that each person is prohibited from telling others to commit violence or if the person commits violence against another person or also the person gives a threat of violence against another person, then the person will be given a punishment sanction. For some cases of "physical violence" in the household Article 335 of the Criminal Code is used as an alternative article or second charge in the prosecution.²³

If the perpetrator gives an overt threat of violence, he can be punished according to Article 336 paragraph (1) with a maximum prison sanction of 2 years and 8 months and if the threat given is in the form of writing, which is usually done with the media written on paper in the form of a letter or written through messages on various applications / social media on the internet according to Article 336 paragraph (2), then a maximum prison sentence of 5 years will be given. The existence of this explanation provides punitive sanctions to people who make written threats using written paper media or internet media where at this time social media is a media that almost everyone in the world has, even more than 1 social media.²⁴

Criminalization of perpetrators of physical violence in domestic violence.

Criminalization has the same meaning as Andi Hamzah put forward, namely

establishing law or deciding on the punishment.²⁵ So it can be said that the legal process in a person that criminalization is the peak of the legal process, whether the person is guilty of having committed a criminal act or even the person is free or innocent. If guilty of having committed a criminal act, the punishment will be given punitive sanctions. The penalty sanctions for the crime itself can be seen in Article 10 of the Criminal Code, namely the death penalty, fine, imprisonment or imprisonment and this is the main crime. Furthermore, in additional crimes, the revocation of certain rights, the announcement of judges' decisions and the confiscation of certain items can be carried out.²⁶

The crime of domestic physical violence or domestic violence perpetrators in their lawsuits is a special crime because the legal arrangement has criminalized domestic violence perpetrators with a separate law, namely the Law on the Elimination of Domestic Violence. Criminalization for domestic violence perpetrators is not an act of revenge but is an effort by the state in guaranteeing and aiming to eliminate domestic violence as explained in Article 1 number 2 and Article 4 letter c of the PKDRT Law.²⁷

Criminalization of perpetrators of physical violence in the household is if a person or she lives in Indonesia, then that person or all Indonesia citizens that it has

²³ M. Asasul Muttaqin, Ali Murtadho, dan Anila Umriana, "BIMBINGAN KONSELING BAGI PEREMPUAN KORBAN KEKERASAN DALAM RUMAH TANGGA DI LRC-KJHAM SEMARANG," *Sawwa: Jurnal Studi Gender* 11, no. 2 (12 April 2016): 177–210.

²⁴ Mahmudin Kobandaha, "PERLINDUNGAN HUKUM TERHADAP ANAK KORBAN KEKERASAN DALAM RUMAH TANGGA DALAM SISTEM HUKUM DI INDONESIA," *JURNAL HUKUM UNSRAT* 23, no. 8 (2017), <https://ejournal.unsrat.ac.id/v3/index.php/jurnalhukumunsrat/article/view/15070>.

²⁵ Tolib Setady, *Pokok-Pokok Hukum Pemintesian Indonesia* (Alfabeta, 2010).

²⁶ I. Dewa Ayu Dwika Puspita Dewi dan Nurul Hartini, "Dinamika Forgiveness Pada Istri Yang Mengalami Kekerasan Dalam Rumah Tangga (KDRT)," *INSAN Jurnal Psikologi Dan Kesehatan Mental* 2, no. 1 (3 Juli 2017): 51–62, <https://doi.org/10.20473/jpkm.V2i12017.51-62>.

²⁷ Evi Tri Jayanthi *, "FAKTOR-FAKTOR PENYEBAB TERJADINYA KEKERASAN DALAM RUMAH TANGGA PADA SURVIVOR YANG DITANGANI OLEH LEMBAGA SAHABAT PEREMPUAN MAGELANG," *Dimensia: Jurnal Kajian Sosiologi* 3, no. 2 (2009), <https://doi.org/10.21831/dimensia.v3i2.3417>.

been prohibited from committing physical violence in the household, this is clarified in Article 5 of the PKDRT Law, which in essence every human being is not allowed to commit acts of physical violence against people who are in the household or who are in the same house as the perpetrator of physical violence. Of course, the prohibition is the beginning for perpetrators of physical violence who have committed a criminal act to be legally processed with criminal punishment, after which if proven then a prison sentence will be given according to the consequences of pain or illness or serious injuries for the victim according to the regulations that have been set.²⁸

The police, it is required to immediately conduct an investigation as soon as there is a report of physical violence (Article 19 of the PKDRT Law) because the perpetrator can be criminalized, of course, according to Article 55 paragraph (1) of the Criminal Code, "they (someone) commit, order or participate in the act of a criminal act, then they are the perpetrators of a criminal act" and based on Article 5 mentioned above, an investigation of the criminal act that occurred, namely the examination of victims of physical violence by looking at the consequences of physical violence and the testimony of people to the physical violence. The police can also arrest the perpetrator without having to have an arrest warrant if the perpetrator violates temporary protection for the victim, this is following Article 35 paragraph (1) of the PKDRT Law.²⁹

For the perpetrators of physical violence,

the punishment is in Article 44 of the PKDRT Law, of course, the punishment given is according to the consequences of what he has done to the victim and who the victim is. For example, if the victim is a wife or husband and as a result of the physical violence, there is no disease suffered by the victim or does not interfere with his daily activities or work, the perpetrator is only sanctioned with a maximum sentence of 4 months in prison. If the victim is not injured, the perpetrator is sanctioned with a maximum sentence of 5 years in prison. If the victim of physical violence is seriously injured or falls ill, the perpetrator is sanctioned for a maximum of 10 years in prison and if the victim dies, the maximum prison sentence is 15 years in prison. As explained above, the prison sanction is not an act of revenge but to no longer commit acts of physical violence in the household.³⁰

So it can be explained that the criminal system for perpetrators of physical violence in the household is carried out with prison sanctions and fine sanctions where if the perpetrator is unable to pay the fine sanctions, it is transferred to prison sanctions, how long the prison must be passed is of course following the level of the consequences of the physical violence that has been committed. The worse the victim suffers from the injuries suffered, the longer the prison sentence given. It is better for the community as social creatures to form a family must understand the laws of the family such as various laws related to the family.

²⁸ Fini Fajrini, Rr Arum Ariasih, dan Noor Latifah A, "Determinan Sikap Tindak Kekerasan dalam Rumah Tangga di Provinsi Banten," *Aspirasi: Jurnal Masalah-masalah Sosial* 9, no. 2 (26 Maret 2019): 173–89, <https://doi.org/10.46807/aspirasi.v9i2.1113>.

²⁹ Sartika Dewi, "Perlindungan Hukum terhadap Korban Kekerasan dalam Rumah Tangga (KDRT) dihubungkan dengan Undang-Undang Kesehatan Nomor 36 Tahun 2009 Tentang Kesehatan," *Jurnal*

Sehat Masada 14, no. 2 (13 Juli 2020): 121–34, <https://doi.org/10.38037/jsm.v14i2.133>.

³⁰ Maysitoh Maysitoh dan Dini Fitriani, "Kebermaknaan Hidup Perempuan Korban KDRT: Konsep Psikologis Dan Faktor Yang Melatarbelakangnya," *SCHOULID: Indonesian Journal of School Counseling* 2, no. 3 (21 November 2017): 54–59, <https://doi.org/10.23916/o8434011>.

Conclusion

Domestic violence consists of forms, such as physical, psychological, sexual and abandonment violence. Forms of physical violence experienced by victims such as beatings, supports, beatings and others so that the victim is injured or even seriously injured or killed. For the safety and comfort of victims of violence, victims of physical violence can be given protection by the state following Article 16 paragraph (1) of Law No. 23 of 2004. The legal arrangement for perpetrators of physical violence is contained in Article 44 of Law No. 23 of 2004 where the perpetrator can be punished starting from 4 months in prison, 15 years, 10 years and 15 years in prison. In addition, legal arrangements are also seen in Article 335 of the Criminal Code. For perpetrators of physical violence in the household, the punishment is carried out not for retaliation but to prevent the recurrence of physical violence in the household and the existence of legal certainty for the perpetrator and victim.

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