



## Law Enforcement of Symbolic Violence against Women in the Context of the Domestic Violence Eradication Law

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### Abstract.

**Background,** The notion of domestic violence, frequently rationalized by the general populace, predominantly manifests as physical aggression. However, the inclination to prioritize physical and interpersonal dimensions of violence obscures the recognition of non-physical forms, leading to the conclusion that violence is inherently subjective. Several cases of symbolic violence often appear in society, one of which is about expressing a wife's feelings of sadness and disappointment for accepting her husband's betrayal in a marriage relationship that has been lived for years even though it does not physically hurt, but this violence can occur because of masculine dominance. This dominant position of men contributes to symbolic violence as a result of patriarchal culture.

**Aim,** This research aims to identify the factors contributing to symbolic violence against women within households that persist in a patriarchal culture and to examine law enforcement related to symbolic violence against women in the context of the Law on the Elimination of Domestic Violence.

**Methods,** This research employs a normative juridical approach, focusing on the implementation of laws against symbolic violence towards women as examined through the Law on the Elimination of Domestic Violence. Data gathering methods included in this study include literature analysis, interviews, and observations.

**Results,** Numerous victims of domestic violence remain hesitant or afraid to report the abuse they have endured. This is affected by multiple factors, including the stigma associated with domestic violence, economic reliance on the abuser, and the inadequate response of law enforcement officials.

**Conclusions,** By combining effective prevention and intervention approaches, this effort is believed to not only reduce cases of symbolic violence but also improve family relationships, create a more harmonious society, and support the comprehensive elimination of domestic violence.

**Implication,** The findings of this study indicate that law enforcement on the Law on the Elimination of Domestic Violence in Cirebon necessitates more enhancement and oversight, particularly with symbolic violence against women inside the domestic context.

**Keywords:** Law Enforcement, Symbolic Violence, Women

## INTRODUCTION

Women in the Indonesian Dictionary are defined as a gender, namely a person or human who has a uterus, menstruates, becomes pregnant, gives birth, and breastfeeds. Whereas the word "*wanita*" is usually used to refer to adult women. Throughout history, the role of women has been very significant, starting with giving birth, nurturing, and raising generations of superior, spirited, active, creative, humanitarian, and initiative-filled successors of the nation. Although this is indeed the nature of women, on the other hand, women are weak beings because they still experience domestic violence. Every married couple undoubtedly aspires to a familial existence characterized by love and joy. Initially, every family aspires to establish a household that is secure, pleasant, and conducive to happiness. (Rochmat, 2006)

The prevalent societal perception of domestic abuse primarily manifests as physical aggression. However, the tendency to emphasize the physical and interpersonal aspects of violence makes it difficult to recognize forms of violence that do not involve these two aspects. It can be concluded that violence is subjectively meaningful. Each person has different reflections on violence depending on the socio-cultural context in which they are socialized. Moreover, violence is also systemic, driven, reproduced, and institutionalized by the existing socio-cultural systems.

Violence against women has emerged as a global concern that garners significant attention in numerous nations, both socially, culturally, and legally. One form of violence that is often overlooked is symbolic violence, which can manifest itself in the form of social and cultural influences that discredit, dominate, and suppress the position of women in society. Unlike physical violence, which is visible, symbolic violence operates more through norms, language, and cultural representations that reinforce gender inequality. This phenomenon frequently transpires in intimate environments, where women not only endure physical violence but also face oppression through social structures that restrict their independence, rights, and dignity.

Law No. 23 of 2004 on the Elimination of Domestic Violence (PKDRT) in Indonesia is a statute aimed at safeguarding women from various forms of domestic violence, encompassing physical, psychological, sexual abuse, and neglect inside the household. However, even though the Domestic Violence Eradication Law (UUPKDRT) explicitly regulates the protection of women, symbolic violence that occurs within households often does not receive adequate attention in law enforcement. Symbolic violence in this context

includes all forms of behavior that express dominance and gender inequality through the use of language, stereotypes, or neglect of women's rights within the family. In many cases, this symbolic violence is even more difficult to detect and measure, yet its impact on the psychological and social well-being of women is no less damaging.

Several cases of symbolic violence often arise in society, one of which involves the expression of sadness and disappointment by a wife due to her husband's betrayal in a marriage that has lasted for years. Although this does not cause physical harm, such violence can occur due to masculine dominance. Pierre Bourdieu explains that masculine dominance is an ethnographic analysis of gender-based division of labor. This dominant position of men contributes to symbolic violence as a result of patriarchal culture.

In this case, women are the objects or victims of symbolic violence because they lack the modalities or strong positions within the patriarchal culture to avoid such violence, especially in the domestic sphere, which is often not realized by either the husband or the wife. From the aforementioned background, the author is interested in taking the title "Enforcement of the Law on Symbolic Violence against Women in the Context of the Domestic Violence Eradication Law."

This research aims to examine the extent to which the Domestic Violence Law (UUPKDRT) can provide legal protection to women from symbolic violence occurring within households, as well as to explore the challenges and obstacles in law enforcement against this invisible form of violence. The approach used is legal and sociological; this paper is expected to contribute to a deeper understanding of the importance of recognizing symbolic violence within the framework of women's protection, as well as strengthening the justice system in handling broader gender-based violence cases.

## **RESEARCH QUESTIONS**

- 1) What are the factors causing symbolic violence against women within the household?
- 2) How is the law enforcement of symbolic violence against women viewed from the Domestic Violence Eradication Law?

## **METHOD**

This research employs a normative juridical approach, concentrating on the examination of legal sources, including legislation, judicial rulings, contracts, legal theories, and scholarly opinions. The written regulations will be scrutinized for their adherence to

legal concepts, legal systematics, and the legal values inherent in societal life. This research falls into the category of qualitative research, which involves examining and analyzing library materials to gain an understanding of the normative study object. In discussing the research results, it does not use quantitative research methods that represent data in the form of numbers or graphs.

## **DISCUSSION**

Symbolic violence constitutes a non-physical form of aggression that exerts considerable influence, despite frequently being overlooked or disregarded. (Putri, 2020) In households, this type of violence involves actions such as mocking, playing with, or belittling someone through symbols, words, or certain labels that have negative connotations. (Mrs. Maulidiyah Nuryanti, 2024)

Symbolic violence is governed by Article 7 of Law Number 23 of 2004 About the Elimination of Domestic Violence (UUPKDRT) in Indonesian law. Although it does not leave physical wounds, the psychological impact caused by symbolic violence is very serious, especially for married women who have significant responsibilities in various aspects of their lives such as family needs and children, not to mention if the victims are career women whose minds are burdened with work responsibilities. (Zahrok & Suarmini, 2018)

The Head of the Women's Protection Division asserts that symbolic violence within households is a precursor to more severe manifestations of violence, including physical and sexual abuse. Violence manifests in various forms that can be classified into three primary categories, specifically:

- 1) Domestic violence/intimate personal ties: Types of violence involving a perpetrator and victim who share familial or personal connections;
- 2) Violence in public areas: A type of violence that transpires outside familial or personal relationships;
- 3) State-perpetrated violence: physical, sexual, and psychological violence executed, sanctioned, or permitted by the state in any context.

The explanation of domestic violence (KDRT) delineates three primary forms: physical violence, psychological violence, and sexual violence. As for symbolic violence, it is a form of violence that arises from the development of these three types of violence. In the family, symbolic violence is often disguised as part of daily interactions, such as comments

that belittle or demean one's partner, which may seem trivial but can destroy the victim's mental health and self-esteem, leading to a profound sense of helplessness. (Alam & Alfian, 2022).

The impact of symbolic violence on victims is no less serious compared to physical violence. (Munfarida, 1970) Victims may experience a decrease in self-confidence, mental health issues such as stress and depression, and even long-term trauma that can affect their daily lives. (Musarrofa, 2015) Women who often become targets of symbolic violence in the household face significant challenges due to their position, which is frequently sidelined within patriarchal social norms. (Alam & Alfian, 2022) This condition shows that symbolic violence is not only an interpersonal issue but also a structural problem related to social injustice. (Pitriyani & Aryanti, 2024)

Quoting S. Jehel, Haryatmoko stated that the logic of violence is the logic of death because it can physically injure, psychologically harm, be detrimental, and pose a threat to the integrity of every individual. (Haryatmoko, 2010) Haryatmoko also explained that violence does not have to be in physical form but can destroy the foundation of someone's life. The type of violence that is difficult to address is symbolic violence because its impact is not visible like ordinary violence, as seen in several households in the city of Cirebon. One example is a case where a wife divorced her husband because she was constantly belittled, as the husband believed that his wife could not contribute to the family. This is caused by the wife who does not work and labels herself as unemployed. (Mrs. Maulidiyah Nuryanti, 2024) Symbolic violence is reflected in forms of ageism such as age limits, job segregation, demands for physical appearance (lookism), termination of employment contracts, difficulty in career opportunities (glass ceiling), and wage gaps for women. (Bourdieu, 2010)

The repercussions of such aggression can result in physical, sexual, and psychological anguish, and domestic neglect, encompassing threats of violence, coercion, or unlawful denial of liberty within the home. The elements contributing to domestic violence, as articulated by Farha Ciciek, are as follows:

- 1) Society still bases boys' upbringing on instilling the belief that men must be strong and brave. Men are trained to feel powerful over themselves and those around them when they enter a household. The husband seems to have rights over his wife, so in any way, the husband can act towards his wife, including in the form of violence. This is what perpetuates a culture of violence;

- 2) The existence of a habit that encourages women or wives to depend on their husbands, especially economically. This makes women completely under the husband's control. As a result, wives are often treated arbitrarily according to their husband's will.
- 3) The facts show that men and women are not positioned equally in society. The assumption that husbands or men have power over their wives can be interpreted as meaning that within the household, the wife is entirely the property of the husband and must always be under the husband's control. (Ciciek, 2005)

Symbolic violence can be triggered by various factors related to the experiences and conditions of the perpetrator as well as their surrounding environment. (Ramadani & Yuliani, Kekerasan Dalam Rumah Tangga (KDRT) Sebagai Salah Satu Isu Kesehatan Masyarakat Secara Global, 2017) According to the Head of the Women's Protection Division at DP3APPKB Cirebon City, factors such as dissatisfaction in relationships, parenting styles, and parental upbringing play an important role. Unresolved dissatisfaction often drives perpetrators to vent their frustration through insults, mockery, or negative labeling towards the victims. Poor parenting and education, such as an environment filled with criticism or verbal insults, can shape behavior patterns that view symbolic violence as a normal way to communicate or resolve conflicts. (Mrs. Maulidiyah Nuryanti, 2024)

Additionally, external factors such as infidelity, economic problems, and neglect also contribute to the occurrence of symbolic violence. (Jayanthi, 2009) Economic problems, for example, can create pressure within the household that increases the tendency of the perpetrator to release stress by uttering words or actions that belittle their partner. Likewise, infidelity, whether it actually occurs or is merely a suspicion, can trigger feelings of anger expressed through symbols that hurt and worsen the situation by creating a sense of being unappreciated, which increases the likelihood of violence in the relationship.

All these factors indicate that symbolic violence is the result of a complex combination of personal, relational, and environmental factors that require an approach and the involvement of a third party for its resolution. (Alimi & Nurwati, 2021) Although various triggering factors of symbolic violence have been identified, their handling still requires special attention, especially in the context of legal protection for the victims. (Sembiring & Saleh, 2019)

Following the principles and aims of eradicating domestic violence as mandated by law, certain regulations have been instituted to address acts of domestic violence aimed at safeguarding victims. (Mestika, 2022) In this case, there are 5 ways to address domestic violence, namely:

- 1) The rights of domestic violence victims;
- 2) Duties of the command and society;
- 3) Victim protection;
- 4) Victim recovery;
- 5) Addressing domestic abuse through the enforcement of legal penalties.

Consequently, victims of domestic abuse (KDRT) are entitled to protection as KDRT victims and are afforded special consideration under this statute.

Legal safeguards for female victims of domestic violence are governed by Law Number 23 of 2004, which seeks to protect and assist victims of such violence. The enactment of this law represents a significant advancement, as it affords victims the ability to pursue justice and enhances their sense of security through legal protection. The existence of this law plays a significant role in creating legal order, considering that the law is the primary source of law needed to maintain order in society. (Mansur & Gultom, 2008)

Despite the enactment of Law Number 23 of 2004, numerous victims of domestic violence remain hesitant or afraid to report the abuse they have endured. This is affected by multiple factors, including the stigma associated with domestic violence, economic reliance on the abuser, and the inadequate response of law enforcement officials. An illustrative instance transpired in Cirebon, where many cases encountered impediments owing to the protracted procedures inside the Women's and Children's Protection Unit (PPA) of the Cirebon City Police's Criminal Investigation Unit.

The Women's Protection Division at the Women's Empowerment, Child Protection, Population Control, and Family Planning Office (DP3APPKB) in Cirebon City has addressed multiple situations. Nonetheless, the protracted procedures at the PPA Polres render those situations ambiguous. This circumstance necessitates prolonged waiting periods for victims managed by the Women's Protection Division for the resolution of their cases. This impediment not only extends the anguish of the victims but also erodes public confidence in the law enforcement system. To resolve this issue, enhanced cooperation among relevant authorities is essential, along with an augmentation of capacity and efficiency in managing domestic violence cases within law enforcement.

## CONCLUSION

Symbolic violence is a prevalent form of violence inside households that exerts considerable psychological effects, however it is sometimes challenging to recognize and accept as a serious type of violence. In Cirebon, economic instability, inadequate parenting, and infidelity are primary elements that incite symbolic violence, fostering an unstable familial atmosphere and potentially harming the psychological well-being of the victims. The effects of symbolic violence are significant, particularly for female victims who frequently endure anxiety, despair, and diminished self-esteem. This condition not only affects the mental health of the victims but also their productivity and social roles in daily life. However, the handling of violence cases in Cirebon City still faces many challenges. The slow legal process and the dominance of resolution through mediation indicate shortcomings in the legal protection provided. The mediation approach often does not provide adequate justice for the victims, thus requiring further evaluation to ensure that the victims' rights remain protected. Improving the effectiveness of law enforcement, providing psychological support for victims, and educating the public about the dangers of symbolic violence and its impacts are very important efforts. With a coordinated strategy between the government, women's protection agencies, and the community, cases of symbolic violence can be handled more effectively, thereby providing justice for the victims while also supporting the creation of healthier and safer family and community environments.

Furthermore, it is essential to enhance the function of institutions like the Integrated Center for the Empowerment of Women and Children (P2TP2A) in addressing instances of symbolic violence. These institutions need to be equipped with adequate resources, both in terms of expert personnel and facilities, to provide optimal support to the victims. An approach that focuses on the recovery of victims, such as psychological counseling and emotional rehabilitation, must be a priority to help victims cope with the psychological impact they experience. On the other hand, the oversight mechanisms for the implementation of mediation also need to be strengthened to ensure that they do not harm the victims and that the solutions provided truly resolve the conflict fairly. Preventive measures are equally important in efforts to address symbolic violence. Educational initiatives and public campaigns aimed at families, schools, and communities are essential to enhance understanding of the perils of symbolic violence. Local governments, together with community organizations, can collaborate in conducting training on healthy parenting, conflict management, and ways to create respectful communication within families. By

combining effective prevention and intervention approaches, this effort is believed to not only reduce cases of symbolic violence but also improve family relationships, create a more harmonious society, and support the comprehensive elimination of domestic violence.

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