

The Nature of Law Enforcement of Violence Against Women in The Household

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ABSTRACT

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This research aims to: (1) To find out, analyze and find out the nature of law enforcement against women victims of domestic violence. (2) To know, analyze and find out how to implement Law Enforcement Against Women Victims of Domestic Violence in the Jurisdiction of the South Sulawesi Police. (3) To find out, analyze and find what factors affect the Law Enforcement of Violence Against Women in the Household in the Jurisdiction of the South Sulawesi Police. This type of research is legal research with an empirical legal research type, This research is carried out in the Jurisdiction of the South Sulawesi Regional Police (Polda Sulsel) both in the Police Area and the Police in the Regency/City, namely in the Jurisdiction of South Sulawesi Province. The results of the study show that: (1) The essence of law enforcement against Women Victims of Domestic Violence is Law Enforcement for Women Victims of Domestic Violence in realizing the values of justice, certainty and benefit for women victims of Domestic Violence. (2) The implementation of law enforcement against women victims of domestic violence in the jurisdiction of the South Sulawesi Police is less effective. (3) What factors affect the Law Enforcement of Violence Against Women in the Household in the Jurisdiction of the South Sulawesi Regional Police are Legal Substance Factors, Legal Structure Factors, Facilities or Facilities Factors, Community Factors, Community Law Culture Factors.

Keywords: Nature, Law, Violence, Enforcement, Women, Household.

INTRODUCTION

Indonesia is a State of Law. This has been stated expressly in the explanation of the 1945 Constitution of the Republic of Indonesia that "The State of the Republic of Indonesia is based on law (*rechtsstaat*)", not based on mere power (*machstaat*). The ideal of a rule of law contained in the 1945 Constitution of the Republic of Indonesia is not just a state based on unclear laws. A coveted law is not a law established solely on the basis of power, which can lead to or reflect absolute or authoritarian power. Such a law is not just law, which is based on justice for the people. In a state of law (*rechtsstaat*), the state recognizes and protects the human rights of every individual. The positive impact of national development is the realization of an increase in the welfare and prosperity of the Indonesian people. Meanwhile, one of the negative impacts is the increase in crime in various ways and forms. These negative impacts are very large and can hinder the smooth and successful development of development.

The police as a state apparatus in terms of law enforcement have a very important position and role, namely as a security maintainer whose implementation is to prevent and overcome a crime and violation. The police generally have two types of powers. The first is the power of the police in the field of law, and the second is the power of the police in the field of government. These two powers give birth to the three main tasks of the National Police of the Republic of Indonesia as follows:

- a. Maintaining public security and order;

- b. Enforce the law; and
- c. Providing protection, protection, and service to the community.

The police in carrying out their duties and functions, the police can be preventive or repressive. As a guardian of public order, at first the police emphasized more on the preventive aspect, namely making preventive efforts so that crimes do not occur with the support and active participation of the community. If prevention efforts fail, the police will take repressive measures. In terms of law enforcement and crime eradication, the repressive character of the police is more prominent. The laws and regulations that are the basis for the implementation of the duties of the National Police of the Republic of Indonesia, hereinafter referred to as the National Police, before being regulated in Law Number 2 of 2002 (Statute Book Number 2 of 2002, Supplement to Statute Book Number 4168) is Law Number 28 of 1997 concerning the National Police of the Republic of Indonesia (Statute Book of 1997 Number 81, Supplement to Statute Book Number 3710) as a refinement of Law Number 13 of 1961 concerning Principal Provisions of the State Police (Statute Book No. 245 of 1961, Supplement to Statute Book No. 2289). Law Number 2 of 2002 concerning the National Police of the Republic of Indonesia generally regulates professional development and professional code of ethics so that the actions of National Police officials can be accounted for, both morally and technically, especially human rights. In addition, this law accommodates regulations on membership of the National Police which include certain regulations regarding the rights of members of the National Police, both personnel rights, political rights and their obligations are subject to the power of the general judiciary. Another new substance is the regulation of the national police institution whose task is to provide advice to the President on the direction of police policies and considerations in the appointment and dismissal of the National Police Chief in accordance with the mandate of the Decree of the People's Consultative Assembly of the Republic of Indonesia No. VII / MPR / 2000 concerning the Separation of the TNI and the National Police. In addition, it also contains the function of functional supervision of the performance of the National Police.

Violence against women is a form of act that is contrary to the joints of humanity. That is why acts of violence against women are one of the acts that violate human rights, so a national legal instrument is needed on the elimination of violence against women in Indonesia. Women are one of the individuals who carry out a dual mission in community life. The first mission of women is the continuation of the offspring that cannot be replaced by men. The second mission of women is as a mother which is one of the fundamental reasons why women need to receive special attention to be protected and their rights respected. That is why all acts related to crimes against women, including violent crimes, receive attention in the criminal law. In reality, the position of women is still considered not equal to men, women are often victims of domestic violence such as physical and psychological violence to the point of casualties. This view hints that so far women are still placed in a marginalized position. The problem of crime, especially violence against women, is part of the social reality and is not new, even though the place and time are different, but the principles are considered the same. This similarity can be seen from many phenomena in society that illustrate that the crime rate is increasing and this also affects the crime of violence against women. The increase in violence against women from time to time is inevitable with various forms of change as a driver.

Domestic Violence (hereinafter abbreviated as Domestic Violence) is a complex problem to solve. There are many reasons, which are likely to be the cause, namely: The perpetrator of domestic violence is completely unaware that what has been done is an act of domestic violence. Or, it could also be that the perpetrator realizes that the act he did was an act of domestic violence. It's just that the perpetrator ignores it because he takes refuge under certain norms that have been established in society. Therefore, the perpetrator considers the act of domestic violence as a natural and personal thing. Violence does not only arise because there is power but also because there is power. Legally, the Domestic Violence Law has been enforced since 2004. The mission of this law is as an effort, an effort for the elimination of domestic violence. With this provision, it means that the State seeks to prevent the occurrence of domestic violence, take action against perpetrators of domestic violence, and protect victims of domestic violence, something that previously could not happen, because it is considered an internal problem of a person's family. The reason is, it is expressly said that acts of physical, psychological, sexual, and domestic neglect (economic neglect) carried out within the scope of the household are criminal acts. These actions may be common and can occur between the husband to the wife and vice versa, or the parents to their children. As a law that requires special

arrangements, in addition to containing the regulation of criminal sanctions, this law also regulates procedural law, the state's obligation to provide immediate protection to victims who report. Thus, it can be said that this provision is a legal breakthrough that is very important for human rights enforcement efforts, especially the protection of those who have been harmed in a family or household order. Problem solving in Domestic Violence (KDRT) has been regulated in Law Number 23 of 2004 concerning the Elimination of Domestic Violence, the purpose of Law Number 23 of 2004 concerning the Elimination of Domestic Violence is stated in Article 4 stipulates that:

1. Preventing all forms of domestic violence;
2. Protecting victims of domestic violence;
3. Cracking down on perpetrators of domestic violence; and
4. Maintaining the integrity of a harmonious and prosperous household.

Then in Article 3 of the Law on the Elimination of Domestic Violence, the Elimination of Domestic Violence is carried out based on the following principles:

- 1) Respect for human rights;
- 2) Gender justice and equality;
- 3) Non-discrimination; and
- 4) Victim protection.

Then in Article 3 it is also strengthened in Article 5 of the Law on the Elimination of Domestic Violence that the Elimination of Domestic Violence that everyone is prohibited from committing domestic violence against people within the scope of their household, by:

- a. Physical violence;
- b. Psychological violence;
- c. Sexual violence; or
- d. Household neglect.

In the general explanation of Law Number 23 of 2004 concerning the Elimination of Domestic Violence, it is explained that the integrity and harmony of a happy, safe, peaceful, and peaceful household is the dream of everyone in the household. The integrity and harmony of the household can be disturbed if the quality and self-control cannot be controlled, which in the end can occur domestic violence so that insecurity or injustice arises against the person within the scope of the household. Domestic violence (KDRT) is a serious problem that occurs in various parts of the world, including in Indonesia. It includes any form of behavior that harms or hurts family members, whether physically, emotionally, psychologically, or sexually. Domestic violence not only harms victims directly, but also has a significant long-term impact on their physical and mental health so victims need to have the following rights:

- a) Protection from the family, police, prosecutor's office, court, advocate, social institution, or other parties either temporarily or based on the determination of protection orders from the court;
- b) Health services in accordance with medical needs;
- c) Handling is specifically related to the confidentiality of the victim;
- d) Assistance by social workers and legal assistance at each level of the examination process in accordance with the provisions of laws and regulations; and
- e) Spiritual guidance services.

Domestic Violence (KDRT) is a serious problem faced in Indonesia, especially in South Sulawesi, so problem solving is needed to prevent the occurrence of Domestic Violence (KDRT) because it has a great impact on the

occurrence of divorce and is very detrimental to the victim and the perpetrator's children. The data on Domestic Violence is as follows:

Table 1. The Amount of Violence Against Women and Children

N	Criminal	Year			
		2021	2022	2023	2024
1	Violence Against Children	5	24	65	31
2	Obscene Acts Against Children	18	27	50	17
3	Sexual Assault Against Children	26	57	79	47
4	Domestic Violence	13	71	85	28
5	Persecution	15	79	17	23
6	Sexual Violence	-	6	85	34
7	Obscene Acts	5	21	13	2
Sum		82	285	394	182

Source: Data was obtained from the results of a field study carried out in June 2024 by visiting the South Sulawesi Regional Police.

Based on the data mentioned above, it proves the legal fact that Violence Against Women and Children is still increasing from year to year so that it is necessary to solve problems (Problem Solving) in the midst of society, so as to be able to prevent and reduce the problem of Violence Against Women and Children which is very detrimental to women and their children which has an impact on a person, especially women, which results in physical misery or suffering. sexual, psychological, and/or domestic neglect including threats to commit unlawful acts, coercion, or deprivation of independence within the scope of the household.

Table 2. Data on Cases of Crimes Against Women that Occur in the Household

N	Sekker/Ranks	Data for Semester 1 of 2023			Data for Semester 1 of 2024		
		Report Police	Selra	Percentage Selra	Police Reports	Selra	Percentage Selra
1	Makassar Police	197	103	52,28%	182	23	12,64
2	Bulukumba Police Station	47	20	42,55%	33	13	39,39%
3	Police Match	55	46	83,64%	66	38	57,58%
4	Gowa Police	177	68	38,42%	175	26	14,86%
5	Maros Police	82	79	96,34%	45	20	44,44%
	Sum	558	316	-	501	120	-

Source: Data was obtained from the results of a field study carried out in June 2024 by visiting the South Sulawesi Regional Police.

Based on the case mentioned above, it was found that legal facts that Cases of Crimes against Women that Occurred in the Household were still increasing, so it was necessary to solve problems (Problem Solving) in the midst of society. Domestic violence legal issues involve a number of complex issues, including victim protection, law enforcement against perpetrators, and prevention efforts. Here are some of the main issues in the context of domestic violence law:

1. **Victim Protection:** One of the main challenges in domestic violence law is to provide adequate protection for victims. This includes physical, psychological, and legal protection against violence that may occur in the future.
2. **Legal Definition and Recognition of Domestic Violence:** Many countries have different definitions of domestic violence, and legal recognition of domestic violence can vary significantly. Some countries may not

recognize all forms of domestic violence or may not have laws strong enough to protect victims.

3. **Law Enforcement:** It is important to have an effective and responsive law enforcement system to domestic violence cases. This includes handling cases by the police, courts, and other justice systems in order to provide justice for victims and punish perpetrators firmly.

4. **Legal Challenges:** There are many legal challenges in dealing with domestic violence cases, including the issue of sufficient evidence, sentencing commensurate with the severity of the violence, and the management of cases that are sensitive to the safety of the victim.

5. **Intervention and Prevention:** Better to prevent than to cure. Efforts to prevent domestic violence through public education, gender equality education programs, and social support can help reduce the incidence of domestic violence before it occurs.

6. **Access to Services:** Victims of domestic violence need easy and quick access to services such as medical services, psychological counseling, legal aid, temporary shelter, and social support to help them cope with the physical and emotional impact of violence.

Legal issues, based on the background of the above problems, it appears that Domestic Violence (KDRT) is a problem that must be immediately sought for Problem Solving because neither in the Quran nor in the Law does not justify a man (husband) committing Domestic Violence, so that if legal facts are found that the husband commits Domestic Violence, he is held accountable for the violation of the law committed. The consequences of Domestic Violence (KDRT) can be a strong reason for a wife to sue for divorce from her husband. In the context of law enforcement against women, victims of domestic violence reflect the difference between ideal legal norms and the reality on the ground. To achieve justice for women, it is important to continue to fight for legal reform, strengthen victim protection systems, and address cultural and structural barriers that hinder the fair and effective implementation of the law.

The basic expectation and principle is that women should be treated fairly and protected by the law from all forms of violence, and that the law should hold perpetrators accountable for their actions. However, it illustrates the fact that often law enforcement is still far from ideal, with various challenges ranging from the incompetence of law enforcement officials, social stigma, to limited access to justice. The idea offered by the author, after searching for scientific papers at the level of a dissertation at S3 (Strata three), especially those that take a study on Law Enforcement Against Women Victims of Domestic Violence, but there has not been a research that specifically examines Law Enforcement Against Women Victims of Domestic Violence, the author found that the previous dissertation research focused more on legal protection against domestic violence, In fact, ideally, in addition to the need to study more deeply about legal protection, it is also necessary to study from a philosophical study on Law Enforcement Against Women Victims of Domestic Violence (KDRT). Based on the description mentioned above, the author is interested in conducting research to compile legal writing on matters related to Law Enforcement Against Women Victims of Domestic Violence which the author then constructs as the title of his dissertation, namely: "The Essence of Law Enforcement Against Women Domestic Violence (A Study in South Sulawesi)".

LITERATURE REVIEW

Overview of Law Enforcement

Law enforcement is an effort to realize the ideas of justice, legal certainty and social benefits into reality. So law enforcement is essentially a process of realizing ideas. Law enforcement is the process of making efforts to uphold or function legal norms in real terms as a guideline for perpetrators in traffic or legal relations in the life of society and the state. Law enforcement is an effort to realize the ideas and concepts of law that the people expect to become a reality. Law enforcement is a process that involves many things. The definition of criminal law enforcement can be interpreted as the administration of the law-by-law enforcement officers and by every person who has an interest in accordance with their respective authority according to the rules of the applicable law. If it is associated with the enforcement of blasphemy laws, then currently the law should be enforceable Criminal law enforcement to deal with crimes and violations of blasphemy if it is connected to Hoefnagels' opinion, it can be applied in several ways, namely:

- a. Criminal law application.
- b. Prevention without punishment, and
- c. Influencing public views on crime and criminalization through mass media.

The enforcement of criminal law with humanistic values also requires attention to the idea of "Criminal Individualization" in criminal law policy. The idea of criminal individualization contains several characteristics as follows:

- a. Criminal liability is personal or individual (Personal principle).
- b. Punishment is only given to the guilty person (the principle of culpability "no crime without guilt").
- c. Criminal charges must be adjusted to the characteristics and conditions of the perpetrator, there is flexibility for judges in choosing criminal sanctions (type and severity of sanctions) and there must be the possibility of criminal modifications (changes or adjustments) in its implementation.

Criminal law enforcement is a system that involves the harmonization between values and the rules and real behavior of society. These rules then become guidelines or benchmarks for behavior or actions that are considered appropriate or should be. The behavior or attitude aims to create, maintain, and maintain peace. According to Jimmly Asshadique, law enforcement is also the process of making efforts to uphold or function legal norms in real terms as a guideline for behavior in traffic or legal relations in the life of society and the state. Another word from law enforcement is the functionalization of criminal law which is intended as an effort to overcome crime through rational criminal law enforcement to meet the sense of justice and usefulness. Enforcing criminal law must go through several stages that are seen as a rational effort or process that is deliberately planned to achieve a certain which is a chain of activities that does not include originating from values and leads to criminality and criminality. According to the author, criminal law is a law that includes all legal rules that contain criminal threats. A crime is a consequence given to a person who has caused the cause or evil itself. Causes come from various ways that cause harm to some people, so it is the ruler who can cause the cause to accept the consequences that have been done (punishment).

Overview of Crime

Crime in Dutch is called misdrijven which means a reprehensible and legally related act. Crime is part of an unlawful act or delicacy; the other part is a violation. Quoting Frank Tannembaum's view, J.E Sahetapy stated that crime is a human problem. Therefore, where there are human beings there must be evil. Crime is eternal as eternal as society. Thus, crime develops along with the progress of a nation's civilization. Crime is seen as a label attached to an act, in this case the technical terminology of crime is replaced with a general term, namely deviant behavior. As stated by Howard Backer, deviant behavior is not a quality of action taken but the result of the application of a certain label to the behavior. Crime in this sociological view is interpreted as an act that violates the expectations of a group and crime as a social product. Society (groups of people) decides what is considered a crime and what is not. Juridically, crime is a form of behavior that is contrary to human morality (immoral), harms society, is social, and violates laws and criminal laws. In the formulation of the articles of the Criminal Code (KUHP), it is clear that crimes are all forms of acts that meet the formulation of the provisions of the Criminal Code. In summary, juridically formal, crime is a form of behavior that violates criminal law. Furthermore, all behaviors prohibited by law should be avoided.

Overview of Victims

According to Arif Gosita, what is meant by victims are those who suffer physically and spiritually as a result of the actions of others that are contrary to their own interests or others that are contrary to the interests of human rights who suffer. According to muladi as quoted by Zaky Alkazar, what is meant by a victim is a person who has suffered a loss as a result of a crime and or whose sense of justice has been directly disturbed as a result of his experience as a target or target of a crime. According to United Nations General Assembly Resolution Number: 40/34 of 1985 Number 1 stipulates that: "Victims means person who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss, or substantial impairment of their violation of

criminal laws operative within member state, including of criminal laws operative within member state, including those laws proscribing criminal abuse of power". In simple terms, the definition can be translated as follows, victims of crime are people who, either individually or collectively, suffer losses due to acts or inactions that violate the criminal laws in force in a State, including regulations that violate the abuse of power. Victims of crime, who are basically the most suffering parties in a criminal act, do not get as much protection as the law gives to the perpetrators of crimes. As a result, after the perpetrator of the crime has been sentenced to criminal sanctions by the court, the victim's condition is not taken into account. In fact, justice and respect for human rights do not only apply to the perpetrators of crimes, but also to victims of crime whose consequences will be felt for life. The settlement of criminal cases is often too much of a matter of the law prioritizing the rights of the suspect or defendant while the rights of the victim are ignored, as stated by Andi Hamzah that in discussing criminal procedure law, especially related to human rights, there is a tendency to discuss matters related to the rights of suspects without also paying attention to the rights of victims. The rights of victims in Law Number 13 of 2006 are stated in Article 5 paragraph (1) between obtaining protection for the security of their personal, family, and property, and being free from threats related to the testimony that they will, are or have given; participate in the process of selecting and determining forms of protection and security support; provide information without pressure; get a translator; free from ensnaring questions; obtain information about the development of cases and court decisions; obtaining a new identity and a new residence; obtain reimbursement of transportation costs according to needs; get legal advice; Obtain temporary living expenses assistance until the protection deadline ends.

An Overview of Domestic Violence

The term violence is used to describe behavior, whether overt or covert, either offensive or defensive, accompanied by the use of force against others. Law no. 23 of 2004, defines domestic violence as any act against a person, especially a woman, that results in physical, sexual, psychological, and/or domestic neglect or suffering, including threats to commit acts, coercion, or unlawful deprivation of independence within the scope of the household. Globally, victims of domestic violence are generally women, and women generally experience a lot of violence throughout their lives. World Health Organization estimates state that 1 in 3 women in the world experience violence in her lifetime. It is also supported that men often use violence to defend themselves. A number of studies have demonstrated a correlation between the level of gender equality and the rate of domestic violence in a country, which shows that countries with low levels of gender equality have a high rate of domestic violence. Domestic violence is one of the crimes that is rarely reported from both men and women. She added that social stigma causes men who are victims of domestic violence to often be ignored by health care providers. There is no single and clear definition of domestic violence. However, usually domestic violence is fundamental, including:

- a. Physical violence, which is any act that causes death;
- b. Psychological violence, which is any act and speech that causes fear, loss of confidence, loss of ability to act and feeling helpless in women;
- c. Sexual violence, which is any act that includes sexual harassment to forcing a person to have sexual intercourse without the victim's consent or when the victim does not want to; and or engage in sexual intercourse in ways that are unnatural or unfavorable to the victim; and or keep him away from his sexual needs;
- d. Economic violence, which is any act that restricts people (women) from working inside or outside the home that makes money and/or goods; or allowing the victim to work for exploitation; or abandoning family members.

Domestic violence often occurs when the perpetrator is convinced that he or she has the right to use it. This leads to a cycle of intergenerational violence in children and other family members, who may find violence acceptable or forgivable. Many people do not claim to be abusers or victims, because they think it is an uncontrollable family conflict. Awareness, perception, understanding, and documentation of domestic violence vary greatly from one country to another. In addition, domestic violence often occurs in the context of forced marriage or child marriage. In violent relationships, there is a cycle when problems peak and a phase of violence occurs, then there is a period of *islah* (reconciliation) and calm. Victims of domestic violence often experience isolation, financial trauma, ostracism, fear, and shame. As a result, the victim can experience physical disabilities, aggressiveness, chronic health problems, mental illness, poverty, or not wanting to socialize in a healthy way. Many victims of domestic

violence experience psychological disorders such as post-traumatic stress disorder. Children living in troubled families often exhibit psychological problems such as avoidance, fear of threats and unexpected aggression, which can lead to prolonged trauma.

Legal Liability and Criminal Law

A concept related to the concept of legal obligation is the concept of liability. A person is said to be legally responsible for a particular act that he can be subject to a sanction in the case of the opposite act. Normally, in the case of sanctions imposed on the delinquent, it is because of his own actions that make the person responsible. In this case, the subject of responsibility and the subject of legal obligation are the same. According to traditional theory, there are two types of liability that are distinguished, namely fault-based liability and absolute responsibility.

Current legal techniques require a distinction between cases where an individual's actions have been planned and intended for a particular effect of the act and cases where an individual's actions have harmful consequences (external relationships between the act and its effects) without being planned or intended so by the perpetrator. The idea of individualist justice requires that a sanction should be given to an individual's actions only if the harmful effect of the act has been planned and intended to be so by the individual perpetrator and the intention is a prohibited act. The principle of sanctioning individual actions simply because the consequences of those actions have been planned and with wrong intent are not fully accepted by modern law. Individuals are legally liable not only if the harmful effect is objectively carried out in a prohibited manner, but also if the consequences of the act have been intended even without wrong intentions, or if the consequences occur without any intention or planned by the individual perpetrator. However, the sanctions may differ in different cases.

METHODOLOGY

This type of research is legal research using a type of non-doctrinal legal research or also called empirical legal research, or sociological or sociological juridical legal research (social legal research). The type of empirical legal research is research that examines phenomena, legal issues, and legal norms in the real world. With an approach of 3 (three) areas of legal structure, namely legal dogmatics, legal theory and legal philosophy. Empirical legal research is research conducted with an approach to the legal reality in society. This research is based on the existence of a symptom in the form of a gap between expectations (*das sollen*) and reality (*das sein*) in the field of law. In this connection, the orientation of the research is law in action. In this study, 3 (three) approaches are used, namely the area of legal structure, namely legal philosophy with axiological studies, legal theory with epistemological and dogmatic legal studies, ontological studies.

Data Types and Sources

1. **Primary Data.** Primary Data is data obtained directly in the field which is raw data that still needs further processing. This kind of data is obtained through interviews or interviews or through the distribution of questionnaires or questionnaires. The data obtained through primary data is at the research site through direct interviews with respondents/informants who are competent with the problem being discussed, in this case, 10 (Ten) Investigators, especially in the Women and Child Protection (PPA) section in each Police Jurisdiction, both the Makassar Police and the Police, 5 (five) Victims of Domestic Violence (KDRT), 5 (five) perpetrators of Domestic Violence (KDRT) who are considered to know a lot about the problems discussed in this study.
2. **Secondary Data.** Secondary data is data in the form of documents, scientific journals, scientific articles, dissertations, obtained from a government or private agency. As well as official documents and other writings that are relevant to the discussion of this research in order to provide an overview and basis of knowledge through a sharp, logical and systematic frame of thinking. In contrast to primary data that has not been processed, secondary data is data that has been processed. The data used are the data of the last 5 (five) years whose data is related to the title being studied.

Population and Sample

1. **Population.** The population of this study is all objects of observation at the research location, namely those

located in 5 (five) Regencies/Cities, the location of this research was carried out in South Sulawesi Province (South Sulawesi) with 5 (five) City Regencies for research in Investigators, especially in the protection of women and children (PPA) in each of the Police Jurisdictions, with research on Victims of Domestic Violence (KDRT) and perpetrators of Domestic Violence (KDRT) in The jurisdiction of South Sulawesi Province, especially in Makassar City, Gowa Regency, Bulukumba Regency, Parepare City, and Maros Regency.

2. Sample. Based on the sample of the population, the number of respondents is 43 (forty-three) Investigators, especially in the protection of women and children, 30 (thirty) Victims of Domestic Violence (KDRT), 27 (twenty-seven) perpetrators of Domestic Violence (KDRT), so that the total number of respondents is 100 (One Hundred) people. The sample selection technique in this study is carried out by means of Purposive Sampling, namely by direct appointment by the researcher to be used as a research sample.

Data Collection Techniques

1. Documentation, i.e. data collection, is the author takes data by observing documents and archives provided by related parties;
2. Interviews, data collection techniques carried out by direct interviews with resource persons directly related to this study, in this case 10 (ten) Investigators, especially in the section of women and child protection in each of the Police jurisdictions, 5 (five) Victims of Domestic Violence (KDRT), 5 (five) perpetrators of Domestic Violence (KDRT) who are considered to know a lot about the problems discussed in this study.
3. Questionnaire, which is data collection by asking written questions to respondents who have been determined in this study. These questions were in a structured form whose answers were provided by the researcher, with the population and sample consisting of Investigators, especially in the protection of women and children as many as 43 (forty-three) people, Victims of Domestic Violence (KDRT) as many as 30 (thirty), Perpetrators of Domestic Violence (KDRT) as many as 27 (twenty-seven), so that the total number of respondents was 100 (One Hundred) people.

Data Analysis Techniques

In analyzing the data, Qualitative analysis and quantitative analysis are used. Qualitative analysis is the analysis of the meaning of the law (argumentation of legal norms) in the form of an analysis of legal principles, norms and rules while quantitative analysis is an analysis of the meaning of data obtained from the respondents which are quantified in the form of numbers or numerical figures expressed in the form of frequency tabulation. After obtaining primary data and secondary data as mentioned earlier, to produce a systematic scientific paper, a qualitative data analysis is required. And then the data is presented in descriptive form and then makes conclusions.

RESULTS AND DISCUSSION

The Essence of Law Enforcement of Violence Against Women in the Household.

The results of this study are a description of the data obtained through the library to obtain normative data through books, dissertations, journals and laws and regulations while empirical research is carried out by collecting data in the field through interviews, dissemination of questionnaires and observations, and strengthening empirical data related to the title of the research, Furthermore, in the discussion will be carried out an analysis of the results of the research on the Nature of Law Enforcement of Violence Against Women in households in South Sulawesi (a study in South Sulawesi). According to the author, to examine the essence of law enforcement of Violence Against Women in the Household, it is inseparable from the philosophical study of the values of law enforcement to the implementation of problem solving regarding violence against women in the household so that it can be understood from various perspectives with a comprehensive study, both the study of legal principles, the legal purpose of values or the "value" of the Respect for Human Rights, the Value of Justice and Gender Equality, the value of Non-discrimination, the value of Victim Protection, and the value of the Purpose of Marriage.

Implementation of Law Enforcement of Violence Against Women in the Household in South Sulawesi.

In this sub-section, the researcher will explain the results of the research. The results of this research are a description of the data obtained through the library to obtain normative data through books, dissertations, journals and the hierarchy of laws and regulations while empirical research is carried out by collecting data in the field through interviews, dissemination of questionnaires and observations, and strengthening empirical data related to the title of the research, Furthermore, in the discussion there will be an analysis of the results of research on the Nature of Violent Law Enforcement Against women in households in South Sulawesi. Based on the results of research at the Makassar Police, several Domestic Violence are as follows: 1). Persecution; 2). Abortion; 3). Kidnapping; 4). Domestic violence; 5). Pornography and Pornography; 6). Humiliation; 7). Domestic Violence (Verbal/Non-Physical); 8). Harassment (word2); 9). Obscene acts; 10). Pemakosaan; 11). Sexual slavery; 12). Forced prostitution/prostitution; 13). Forced Marriage. The state is obliged to prevent, protect victims, and take action against perpetrators of domestic violence. The state must be of the view that all forms of violence, especially domestic violence, are violations of human rights and crimes against human dignity and forms of discrimination. Acts of violence can not only have implications for physical and mental health, but this phenomenon is not just a stand-alone criminal phenomenon, but a phenomenon that crosses the scope of law, health, and is also related to moral, cultural, political, and personal ethics. Based on Article 3 of Law of the Republic of Indonesia Number 23 of 2004 concerning the Elimination of Domestic Violence, it stipulates that:

- a. Respect for human rights;
- b. Gender justice and equality;
- c. Non-discrimination; and
- d. Protection of victims.

Based on Article 4 of Law of the Republic of Indonesia Number 23 of 2004 concerning the Elimination of Domestic Violence, it stipulates that:

- a. prevent all forms of domestic violence;
- b. protect victims of domestic violence;
- c. cracking down on perpetrators of domestic violence; and
- d. maintaining the integrity of a harmonious and prosperous household.

Based on Article 5 of Law of the Republic of Indonesia Number 23 of 2004 concerning the Elimination of Domestic Violence, it is stipulated that: Everyone is prohibited from committing domestic violence against persons within the scope of his household, by:

- a. Physical violence;
- b. Psychological violence;
- c. Sexual violence; or
- d. Household neglect.

Factors that affect the Law Enforcement of Violence Against Women in the Household in the Jurisdiction of the South Sulawesi Police.

The factors that affect the Law Enforcement of Violence Against Women in the South Sulawesi Regional Police, in practice in the field, are certainly influenced by several factors, the existence of this influence is because Law Enforcement Against Women Domestic Violence is inseparable from the legal umbrella that regulates, Law Enforcement Officers as problem solving if there is a problem in Domestic Violence, community as legal subjects who commit marriage and victims and perpetrators of domestic violence, facilities and facilities that support Law Enforcement Officers and community legal culture. So that with the involvement of some of the factors mentioned above, it will certainly affect Law Enforcement Against Women Domestic Violence in the Jurisdiction of the South Sulawesi Police, if one of the aspects does not go well in accordance with the applicable law, the degree of effectiveness will not run effectively. The above opinion is also strengthened by several opinions of law enforcement

officials, stating that of course in practice in the field several factors that affect Law Enforcement Against Women Domestic Violence in the Jurisdiction of the South Sulawesi Police, of course cannot be separated from several elements of the legal system, so that from the legal system that has the potential to influence factors, for example in the case of Domestic Violence cannot be separated from the elements of the system Law starting from the Legal Substance, Legal Structure, Adequate Facilities and Facilities, Community, and Community Legal Culture, so that some elements of the legal system need good legal relations, and synergy to prevent the occurrence of Law Enforcement Against Women Domestic Violence in the Jurisdiction of the South Sulawesi Police so that the level of effectiveness can be realized. To measure the effectiveness of the implementation of a legal sanction, Soerjono Soekanto stated that the effectiveness or not of a law (sanction) is determined by 5 (five) factors that affect it:

1. Legal Substance Factors (laws);
2. Legal Structure Factors (the factor in question is the party that has the authority to form laws or apply laws);
3. Factors of facilities or facilities that support law enforcement;
4. Community factors, the environment where the law is enforced (i.e., the place where the law applies or is applied);
5. The cultural factors of the law of society are the relationship between social behavior and its relation to the law.

CONCLUSION

Based on the results of the discussion through analysis in the research studied in this focus, the researcher formulated several conclusions as follows: 1). The essence of law enforcement of Violence Against Women in the Household is the enforcement of human rights values, the application of justice, the recognition of gender equality, non-discrimination, and victim protection. This essence must focus on respecting the rights of victims and in accordance with the goals of married life based on justice, legal certainty, and utility, to ensure effective protection and recovery. 2). The implementation of law enforcement against women victims of Domestic Violence in the jurisdiction of the South Sulawesi Police is less effective, this is due to various factors that affect the law enforcement process. 3). Factors that affect the Law Enforcement of Violence Against Women in the Household are Legal Substance Factors, Legal Structure, Facilities or Facilities, Society, Community Legal Culture and the most dominant influences are legal substance factors, legal structure factors and community factors.

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