VIOLENCE AGAINST WOMAN AND CHILDREN

By

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Abstract

Violation is a manifestation of human emotional behaviour, rather than rational behaviour. Violence can occur physically or mentally. At present various cases of violence occur which victims are woman and children. Therefore, the problem is how far we are responsible for finding solutions to this problem. From the topic above, there are several things that can be qustioned, namely (a) what is violence; (b) why victims of violence tend to be experienced by groups of woman and children; (c) how is the solution. These three things deserve attention, because all this time seen in terms of ethics, morals and laws, everyone must know that acts of violence are human behaviour that is inappropriate. Interestingly, among those who knew about the violence were the closest people and some of them were deliberately and ever did it, even the victims who appeared seemed to be left alone, whether it was stolen or indeed was a humanitarian phenomenon in this century. Violence is not only an individual problem or national problem but it is a global problem, even transnational. Violence against woman, gender based violence, whose victims are woman, while children are so known as working children, street children an so on. In the context of human rights protection, as human being, woman and children have the same rights as other human being on this earth, namely the rights that are understood as natural inheret rights since they were born and without them human beings naturally. Violence against woman and children is an obstacle to development success. However, acts of violence will have an impact on lack of confidence, inhibit woman’s ability to participate in social activities, disrupt their health, reduce autonomy, both in economic, political, socio-cultural and physical fields. Likewise, with children, confidence in themselves in their soul growth will be disrupted and can hinder the process of mental development and its future.

Keywords: Violence, Woman, Children, Human rights, DEVAW

PRELIMINARY

Cultural development is based on creating interactions between individuals who are members of a particular community or population. Various types of inter and intergender interactions can be so dynamic. Forms of negative interaction will cause violence. Violence comes from Latin, namely Violentus. The word starts from the word vī or vīs, which means power or powerful. The implementation of the word is contained in the basic principles in Roman public and private law (Berger, 1953) which is an expression, both physically and verbally. Actions of expression reflect acts of aggression and attacks on a person's freedom or dignity that can be carried out by individuals or groups of people. This incident is generally related to its authority, that is, if it is translated freely, it can be interpreted that all authorities can be carried out freely without regard to the validity of the use or acts of arbitrariness.

With the growing issue of gender equality in Indonesia, there is a correlation between the issue of violence against objects from violence itself. The issue of gender itself is defined as a problem involving injustice that has a negative impact on women. For example, subordination (aging), the assumption that women are weak, unable to lead, whiny. This resulted in women being number two after men. The stigma develops in a directed manner, so it is not uncommon to find cases of violence against women. Some types of violence against women become an issue that develops internationally, due to the similarity of patterns of action that occur and motives that tend to be the same.

Violence against women, or internationally known as Violence Against Women (VAW) and Sexual and Gender Based Violence (SGBV) are acts of crime with women as their main object. The United Nations (2014) defines that violence against women is a manifestation of an unequal power relationship between women and men. Furthermore, violence against women has a meaning as a crucial social mechanism in which women are forced to occupy subordinate positions compared to men. Furthermore, Annan (2006), quoted by Azad (2010) states that violence against women is the culmination of the problem of pandemic proportions. At least 1 in 3 women in the world have experienced physical violence, abuse, and even murder.

Violence against women has varied characteristics. The most common stigma attached to this phenomenon is the violence committed by individuals against women in the form of violence by using physical (sexual violence), verbal (including insulting), psychological (harassment), by someone in the environment. Based on data compiled by WHO (2013), it is estimated that around 35 percent of women around the world have experienced physical and sexual violence by partners and non-partners at certain points in their lives. But surprisingly, several studies in a number of countries show that 70 percent of women have experienced physical or sexual violence from their partners throughout their lives (European Union Agency for Fundamental Rights, 2014). Furthermore, women who have experienced physical or sexual violence have more than twice as many abortions as those who have not experienced such acts of violence. Even in certain regions, these women tend to be depressed more easily, and have more than 1.5 opportunities for HIV compared to those who do not experience violence by their partners (Washington Metropolitan Area Transit Authority, 2016).

The systemic impact resulting from violence against women seizes the attention of the world, where international desires for violence against women can be eliminated and even eliminated. The problem is, there is an incorrect assumption when women protect themselves from violence sometimes leading to criminal actions that cannot be separated from the law. This background made the United Nations formulate and declare a Declaration on the Elimination of Violence Against Women (DEVAW) in 1993 which coincided with International Women's Day (UN, 2007).

The declaration is expected to be implemented by each country in an effort to eradicate violence against women.This DEVAW document is composed of U.N's efforts. Commission on the Status of Women and the U.N. Economic and Social Council to overcome violence against women is increasingly rampant. Although DEVAW which is an extension of the UN does not have binding legal force, the scope of its nature tends to be universal and provides constructive statements that are active against the international community. DEVAW defines violence against women explicitly as a whole sexual crime and intimidation.

The world effort in reducing violence against women is considered not so significant. Based on Fried's (2003) report, despite many advocacy efforts and the involvement of women's activist organizations, the problem was expressed as "forms and actions that cannot be accepted by human rights throughout the world". A broader strategy to reduce this problem is stated in Goal 5 (Goal 5) of the Sustainable Development Goals (SDGs), namely Gender Equality or gender equality, with the statement "achieving gender equality and strengthening all women”.

Ending all forms of discrimination against women is not only the basis of efforts to uphold human rights, but is also very crucial in accelerating the achievement of sustainable development. SDGs stipulates that in 2030 gender equality will be achieved with one of the indicators is reducing the number of discrimination and violence against women. It has been proven that strengthening the women's sector has a layered effect, and helps improve economic development, as well as the development of nations throughout the world. Furthermore, references and descriptions of efforts to prevent violence against women need to be analyzed for their effectiveness, to what extent they are able to reduce the number of human rights violations. Therefore, a comprehensive study needs to be carried out to assess the components of violence against women and their scope.

FORMULATION OF PROBLEMS

Based on the background described, there are several problems as follows:

Why does violence occur with women as objects?

To what extent is DEVAW's implementation able to influence the prevention of violence against women?

What is the relationship between DEVAW and the achievement of SDGs?

DISCUSSION

COMPONENTS AND PROPORTIONS OF VIOLENCE AGAINST WOMEN

Based on historical records, the main causes and origins of gender subordination to women and why violence occurred to women began with Berne's (1917) note stating that "since humans are able to interact with each other, positive, negative, like, dislike interactions will arise, agree and disagree. The contradictory nature of the individual will lead to disputes. Instinctively, women have been stigmatized as having low and weak positions. As a result, superior conditions are owned by men and harassment is unavoidable. Law in Ancient Rome made it possible and legalized husbands to beat their wives, even to death.

“Berne's statement was supported by the Ireland (1996) report that the Middle Ages in Europe were filled with torture of women who were suspected of being followers of cults, witches, and spreaders of diseases or epidemics. A long history of violence against women has a close relationship with the disinterest of women in the development of that era. Furthermore, women are only classified as "goods" and "slaves". This stigma continues to cling unconsciously from generation to generation. This historical view of women eventually accumulates as an outlet for superior people (Toren, 1994).

Descriptions regarding the partriarchy and world system of women's status quo referring to gender inequality, recorded in legal status in certain countries and regions of the world. The proportion of violence against women was contained in the UN declaration in the 1993 DEVAW, which stated that "violence against women is a manifestation of historically unequal power relations between men and women, which has led to domination over and against women by men and to the prevention of the full advancement of women, and that violence against women is one of the crucial social mechanisms by women who are forced into a subordinate position compared to men. “

Various forms and components of violence against women are in developed and developing countries. The proportions also vary, and cannot be quantified, except for a particular culture or religion that has a tradition with a certain scope. For example, dowry or the purchase of women as brides and the burning of brides' lives is rampant in countries like India, Bangladesh, Sri Lanka and Nepal. Violence using hard water is also common in Cambodia and other Southeast Asian countries. Murder practices such as honor killing, namely the murder of women legally because of harassment / abuse of men, often occur in Middle Eastern and South Asian countries. Furthermore, extreme cases such as female genital mutilation are also common in the African continent. Not to mention such cases of underage marriage, kidnapping, trafficking, and other forms of violence occur in all parts of the world.

The component and scope of violence against women proves that gender positions play a major role in determining who the object is and who the subject is. Several case studies have raised the opinion that culture, religion, and environmental conditions can also influence violence against women, both directly and indirectly. These data indicate that violence against women has broad dimensions and can happen to anyone, as well as anywhere.

Violence against women is increasingly diverse and across space, while prevention and handling systems move slowly. The worsening of the domestic violence situation which is marked by the unfolding of the wife's murder case (femicida), the high divorce claim by the wife, requires a comprehensive resolution and touches the root of the problem. The increasing openness of polygamy and the flexibility of child marriages are thought to have contributed to the worsening of domestic violence.

Based on its category, violence against women can occur in an open place, the environment is closed, and at any time in a person's life period (Fried, 2003). The dimension of the question "why violence occurs in women" does have an aspect of answers that need to be expressed ontologically and comprehensively, but based on the historical record, violence against women can occur due to the superiority of one gender and a weak stigma on women who have been embedded in their minds. individual.

DEVAW IMPLEMENTATION IN PREVENTION OF VIOLENCE AGAINST WOMEN

To elaborate the extent to which the implementation of DEVAW in preventing violence against women, it is necessary to limit the scope so that performance indicators can be more measurable. The meaning of violence against women is outlined in Recommendation Rec (2002) 5 by the European Commission including, but not limited to:

Violence that occurs in the family environment, namely mental aggression, psychological and emotional abuse, rape and sexual abuse, incest, sexual mutilation and other traditional practices that are harmful to women, including forced marriage;

Violence that occurs in the general community, including intimidation in the work environment, and human trafficking;

Violence committed or initiated by the state or government of a region or country;

Violence against women's human rights in conflict situations, especially hostage, sexual slavery, human trafficking with the aim of economic exploitation

But it should be noted that there is no broad definition of violence against women, which is acceptable to all people due to the opposition to the concepts of masculinity and femininity.

Article 3 of the DEVAW Document states that "women have the right to obtain protection of human rights and fundamental freedoms in politics, economics, social, cultural and other fields. This includes the right to life, equality, freedom and security, protection under the same law, freedom from all forms of discrimination, obtaining high standards for physical and mental health, workplace justice, and escape from the object of torture. “

Furthermore, Article 4 DEVAW describes implementation stages and forms in an effort to eliminate violence against women. In the article, DEVAW describes that PPB member countries need to make regulations and policies that protect women in the violence efforts that will occur. One of the points is as follows:

"Comprehensively developing a preventive approach that will protect women from violence and re-victimization of women does not happen again as a result of laws that tend to be insensitive to gender equality.”

Article 4 DEVAW also demands that these efforts should be included in the budget of each country, so that the handling and prevention of violence against women is comprehensive and massive. Directly, DEVAW instructs all UN member states to implement all 6 articles contained in the UN Document. If viewed from a world perspective, DEVAW tends to provide preventive efforts by limiting the scope of violence against women.

Indonesia as a member of the UN, formed the National Commission on Violence Against Women. The institution is an independent state institution for the enforcement of Indonesian women's human rights. Komnas Perempuan was formed through Presidential Decree No. 181 of 1998, on October 9, 1998, which was reinforced by Presidential Regulation No. 65 of 2005

In its journey to increase preventive efforts from increasing cases of violence against women each year nationally, the National Commission on Violence Against Women (Komnas Perempuan) records cases of violence against women received by various community institutions and government institutions spread in almost all provinces in Indonesia , as well as direct complaints received by Komnas Perempuan through the Referral Complaints Unit (UPR) and through official Komnas Perempuan e-mails, within the past one year. In 2017 Komnas Perempuan sent 751 forms to Komnas Perempuan partner institutions throughout Indonesia with a response rate of 32%, namely 237 forms.

On the other hand, the state tends to encourage family harmony through mediation efforts. Including the public which increasingly promotes the integrity of marriage institutions through the issue of over criminalization of adultery, closure of localization, without seeing the root of the problem of violence against women. Violence against cyber-based women is violence that surfaces massively but lacks reporting and handling. Even though these crimes against women can have a long impact, where victimization of potential victims for life and perpetrators have more space to be free because the law is not yet capable to prevent and deal with it. Sexual crimes show an increase or expansion of form, including incest cases with biological father perpetrators or perpetrators of sexual abuse of children under 5 years old. Although there have been punishments intended to ensnare the public through the castration regulation, there is not much change in the existing sexual violence emergency. This shows that there is a disconnection in the analysis of the country against the causes of sexual violence by handling it.

The explanation above igves an understanding that the implementation of DEVAW which was launched since 1993 has not had a significant impact in eliminating violence against women. Furthermore, all countries in the world are only limited to providing legal umbrella, not to the point of persuasive educational approaches. The regulations that have been made are effective in facilitating advocacy efforts and recording violence against women. But the thing that needs to be emphasized is that the substance of DEVAW which frees gender inequality and gender discrimination has not been able to be fully implemented by world countries.

DEVAW CONTRIBUTION TO ACHIEVEMENTS OF SDGs

The adoption of DEVAW by certain countries acts collectively to achieve a common goal. Since it was declared in 1993, the world has formulated an effort to cover all actions that can prevent and reduce acts of violence against women. Therefore, DEVAW greatly contributes to comprehensive regulations that have been established by the United Nations.

The world through the United Nations has set 17 common goals as outlined in the UN Development Program Document, with the official name "Transforming our World: the 2030 Agenda for Sustainable Development", or commonly abbreviated as Agenda 2030 (United Nations, 2015). The stated goals have a broad and interdependent scope, but each goal has separate targets that need to be achieved. There are 169 total targets in total, which must be achieved to complete the 17 objectives of the SDGs. One of the 17 goals is Gender Equality which is the No. No. 5.

Goal No. 5 of the SDGs give orders to the state to provide a stigma of gender equality for each community. Around 143 countries have recorded gender equality between men and women in their constitution in 2014. However, around 52 other countries have not taken this action. This is due to the result of discrimination of women is still a legal system and form of social norms.

The specific description of Goal No. 5 are:

End all forms of discrimination against women

End all forms of violence against women in the general and family areas, and all forms of exploitation

End the form of harassment practices, including children, forced marriage, and genital mutilation

Equality of rights in public works and services

Ensure that women get equal opportunities in implementing leadership and policy making in economic, political and social aspects.

Ensuring broad access to reproductive health and reproductive rights.

Giving women equal rights to economic resources, such as land, property and employment, is a crucial target for realizing Goal No. 5.

Nationally, all indicators on Goal No. 5 has been listed in Bappenas and the Ministry of Education and Culture. There are 24 indicators to determine the success of these achievements. All indicators used took a span of time from 1990 to 2014, and the data used came from BPS, Bappenas, World Bank and Komnas Perempuan (UNDP Report, 2015). Targets such as the Gender Development Index, the prevalence of violence, the percentage of women's representation, and the level of women's participation generally show devices that are ready to be measured globally. That is, the availability of data is a form of implementation that has been carried out in accordance with RJPMN Indonesia.

DEVAW mandate in each country, implemented simultaneously with the achievement of SDGs. This can be seen from the Principles of the Presidential Directive in the Cabinet Meeting 12/23/2016, which directs:

Optimizing the coordination role of KemenPPN / Bappenas in development, considering that almost all Sustainable Development Goals (TPB / SDGs) have been accommodated in the RPJMN;

Involving all parties (government, parliament, CSOs & media, philanthropy & business, experts & academics) to work together in accordance with the roles, functions and capabilities of the parties;

Existing institutions can directly work, both strategically and operationally.

Several other countries have poured out specific forms of DEVAW regulation and alignment with the achievement of SDGs. However, the extent to which its contribution has not been able to be measured clearly is because the time step is not yet possible to make measurements.

CONCLUSION

Violence against women results from negative interactions between individuals and unequal gender stigma.

The DEVAW Declaration is slowly able to effectively reduce violence against women in certain conditions and conditions, but it needs more effort by the state government to reduce the number of violence against women by giving actions that more touch the layered segments of society.

The contribution of the DEVAW declaration is actually capable of achieving overall SDGs achievement based on predetermined measurement indicators.

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