

No Viral No Justice in the Law Enforcement System: The Study of Domestic Violence

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Abstract

Social media can indirectly have a great influence on the current law enforcement system. In principle, public participation through social media has a positive impact arising from community control on social media, one of which is as an effort in law enforcement to be more transparent and accountable. Regarding cases of domestic violence, in fact, until now, there are still many victims of domestic violence who do not speak up to voice their suffering. Even though the case has gone viral on social media and has received much public attention, the cases will likely be quickly processed by law enforcement officials and escorted by the community on social media, so it is hoped that the victim will get justice. The research method used is descriptive analysis, which describes or provides an overview of the object being researched, either through data or through samples collected as they are. A form of analysis is carried out, and a conclusion is made that applies to the general public. The materials used in this study are literature, consisting of primary, secondary, and tertiary materials. The phenomenon of domestic violence (KDRT) has been increasing lately. Data collected from January to August 2024 recorded 15,490 cases of violence. Domestic violence cases dominated the report, with a total of 9,503 cases. One of the law enforcement processes in tackling domestic violence cases is also triggered by the virality that arises in social media.

Keywords: Virality, Law Enforcement, Domestic Violence.

1. Introduction

The existence of social media in its current development has become an inseparable part of social life, so its existence dramatically influences all aspects of life, including the influence of the law enforcement system. Social media helps people become more aware of the law and be more compassed or confirmed, which means that society can become socially controlled in the form of formal behavior towards events that deviate from applicable legal norms.

Suppose you look at the positive influence of social media that can be used as a social control over the problems that occur. In that case, it is part of the positive things that can be obtained from social media. However, indirectly, the widespread understanding of the term no viral, no justice must also be used as a criticism for law enforcers to be more consistent in dealing with

legal problems that are rampant (viral) in society. Viral legal cases are expected to be able to erode law enforcement that is carried out selectively so that equality before the law can be enforced in society.

It seems as if there is a phenomenon of no viral, no justice. This gives the impression that the government must work more agilely, fast, transparently, and accountable in law enforcement. However, the decisions taken must be made by justice in society in general. Because society is currently a social control and is always concerned about viral problems, its existence cannot be stopped by power.

Concerning domestic violence cases, until now, there are still many victims who have not been able to speak up to voice their suffering. When it goes viral on social media, it will reap a lot of public attention, so domestic violence cases will most likely be processed by law enforcement and escorted by many people on social media.

Domestic violence is usually considered a Hidden crime, which has taken quite a lot of victims of families from various walks of life. This can occur in various forms of domestic violence, and the causes are various factors. The impact of this domestic violence is not only experienced by wives or husbands as perpetrators and victims. However, it will also have an impact on the suffering of their children because in the household, of course, there are not only husbands and wives but also children who are likely to see, hear, and witness directly their parents committing domestic violence. Violence against wives in a household, often by experts, is considered to be a Hidden crime. Although it has taken many victims from various walks of life, its existence is still not widely revealed because several factors affect it (Ismiati, 2023). The problem that arises in law enforcement is the reluctance of a victim who is a victim of domestic violence to report to the authorities (Adicipta et al., 2020).

Domestic violence committed by husbands against wives, from the perspective of human rights, is a form of action that violates the basic principles of international declarations of human rights. This is because, among other things, it concerns the principle of basic rights owned by every human being, especially women's rights, through the elimination of violence against women. Convention on the Elimination of all forms of Discrimination Against Women". At the international level, the problem of human rights law enforcement cannot be separated from the existence of the United Nations. The existence of the United Nations has a fairly central role. According to the opinion conveyed by Thomas Buergenthal, this can be seen historically from the efforts made by the United Nations related to the development of international human rights law, such as in establishing the normative foundation. (Buergenthal, 2000).

The problem of domestic violence basically became a public concern in the mid-1970s and the early 1980s; the problem is a form of feminist activism that aims to achieve equality for women, especially making violence that occurs in the family a public problem, no longer a private problem. (Nancarrow, 2019). Forms of domestic violence can be in the form of verbal, physical, psychological, and sexual violence, whether they are aware of it or not.

Domestic violence is a form of self-control from the perpetrator in controlling himself so that he can refrain from losing control of his actions so that his actions can be controlled so that his actions do not hurt his family members. Removing the problem of domestic violence is a

complex problem, and domestic violence can be categorized as a "sadistic" crime. This is because the place where domestic violence occurs in the household, between the perpetrator and the victim, has a marital relationship and lives under the same roof, the victim and the perpetrator always meet; this can be a great chance that domestic violence will be repeated.

Domestic violence is not new in this world, and its existence is not only in developing countries; in developed countries, there are also many cases of domestic violence, and the way to protect and resolve domestic violence cases is always related to the culture that applies in each country.

In Indonesia, before the existence of a regulation made explicitly regarding domestic violence, namely Law Number 23 of 2004 concerning the Elimination of Domestic Violence (UU-PKDRT), based on existing data, there has been much violence that has occurred in the household. However, the solution still uses the articles in the Criminal Code regarding persecution whose punishment is light and difficult to prove. Then, the enactment of the PKDRT Law No. 23 of 2004 proves the seriousness of the government in order to take action against perpetrators of domestic violence and protect their victims.

Related to the sanctions of perpetrators and the protection of victims of domestic violence with the influence of social media that is very rapid today, causing the public to become more concerned about the problem of domestic violence, this is expected to have an influence on law enforcement in providing justice, especially to victims and providing a deterrent effect on perpetrators of violence within the family sphere. From the description above, the author is interested in researching "No Viral No Justice in the Law Enforcement System of the Study of Domestic Violence."

2. Materials and Method

The research method used is a descriptive analysis method, which is a method that has a function to describe or provide an overview of the object being researched, either through data or through samples that have been collected as it is. A form of analysis is carried out and a conclusion that applies to the general public. The materials used in this study are literature materials consisting of primary, secondary, and tertiary materials.

3. Discussion

Social media is used to carry out community participation as a form of control over the law enforcement process. In principle, public participation through social media has a positive impact caused by community control on social media, one of which is that law enforcement will be transparent and accountable, where public voices or opinions on social media will also affect the decisions that will be taken by law enforcement. (Mariyam & Putra Satria, 2023).

The power of the virality of legal cases has transformed social media into a public arena where individuals and groups can express opinions, share information, and rally support for various issues. Legal initiatives that may have previously been limited to a specific geographic area can now gain global attention and support, allowing for a more inclusive and diverse legal

movement. Its ability to expedite legal processes, increase transparency, and facilitate public participation in legal dynamics shows significant changes in how society interacts with legal institutions. This virtualization, when directed positively and wisely, can bring substantial progress in achieving justice that is more effective and responsive to the needs of society. Therefore, a deep understanding of these dynamics and a balanced approach to responding to their challenges and opportunities is crucial to ensure that the power of virtualization serves as a sustainable and beneficial tool for legal empowerment for the entire community. (Sugitanata et al., 2024).

Domestic violence is a form of global violence that is a crime or not, depending on the positive law of a country either from its form or formulation so perceptions can differ from time to time or from one country to another (Sutiawati, 2020).

Several cases of domestic violence that had gone viral on social media invited much sympathy from the surrounding community to oversee the process of resolving the case. As an example of a case of violence that was crowded in Indonesia, it was experienced by one of the celebrities with the initials CIN. CIN experienced physical violence that went viral because it was uploaded through her official social media account in the form of a CCTV video when her husband beat CIN in front of his child. During the press conference, CIN explained that he wanted to see many other women who could learn from his case so that they could have the courage to act if they were victims of domestic violence. The CIN case has received a lot of sympathy from the public with the crowded news on social media and the power of virality caused by social media.

This CIN case is one of the other cases because in Indonesia itself, based on the latest report from the Online Information System for the Protection of Women and Children issued by the Ministry of Women's Empowerment and Child Protection, Indonesia has experienced a significant spike in violence cases throughout 2024. Data collected from January to August 2024 recorded 15,490 cases of violence. Domestic violence cases dominated the report, with a total of 9,503 cases. So that domestic violence is still an exciting issue and needs urgent attention in society. This figure shows a significant increase compared to previous years, indicating the need for more attention to the protection and empowerment of women in the domestic environment.

The elimination of the circle of violence is something that needs to be done. (Badruzaman, 2020). To reduce cases of domestic violence, the community needs to be encouraged to educate about human rights and women's empowerment; disseminate information and promote the principles of healthy living, non-violence against women and children and reject violence as a way to solve problems; holding counseling to prevent violence; promoting gender equality; promoting the attitude of not blaming victims through the media.

As for perpetrators and victims of domestic violence who still want to continue their domestic continuity, they are obliged to seek help from a psychologist to restore their psychological condition. Psychologists are needed so that the root cause of domestic violence can be revealed and learn to empathize by undergoing cognitive therapy. Without a change in attitudes and mindsets between the perpetrator and the victim in understanding, understanding, and accepting the situation in their household, violence will have the opportunity to occur again.

Perpetrators and victims of domestic violence also need to be involved in group therapy where each can share to foster a belief that a healthy marital relationship is not based on violence but on mutual empathy. In addition, husbands and wives need to learn how to be assertive and manage emotions so that if there is a difference of opinion, there is no need to use violence. Domestic violence has the potential to imitate such violent behavior. Therefore, as part of the family, children need to learn from their parents how to be empathetic and manage emotions as early as possible.

Domestic violence is a violation of human rights, so the state must protect victims and take strict action against domestic violence perpetrators. (Ismiati, 2020) The state has an obligation to establish Family Consultation Centers in Indonesia to save families from domestic violence cases. Because the family is the forerunner of a country, if families in a country are safe, peaceful, and prosperous, then a prosperous country will also be realized (welfare state).

The phenomenon of domestic violence (KDRT) that has been increasing lately has occurred due to various factors, including. (Ismiati, 2023):

1. There is still a low awareness to dare to report because of the community itself who are reluctant to report problems in their households, as well as from related parties who do not socialize about domestic violence, so that case data on (domestic violence) is often ignored or considered a trivial problem. The community or parties related to domestic violence will only really act if the domestic violence case causes severe physical and death victims, even if the mass media cover it. There is much domestic violence (domestic violence) that is not handled directly by the authorities; even small cases of domestic violence are more underestimated than other cases.
2. Cultural issues, a patriarchal society is characterized by an obvious division of power between men and women where men dominate women. Male dominance is associated with a positive evaluation of male assertiveness and assertiveness, which makes it challenging to encourage legal action against the perpetrator. In addition, there is also the view that the way parents treat their children, or the way the husband treats his wife, is entirely their own business and can affect the impact of domestic violence (domestic violence).
3. Domestic Factors There is an assumption that others should not know about family disgrace. This causes a feeling of shame because it will be considered by the environment to be incapable of taking care of the household. So shame beats hurt; domestic problems in the family are not for others to know, so this can have an even more substantial impact in domestic violence cases.
4. Environment. The environment's or the closest family's lack of responsiveness to what happened can be a pressure for the victim. The victim may think that what he is experiencing is not important because the environment does not respond, which will weaken the victim's confidence and courage to get out of the problem.

Solutions that can be done to prevent cases of domestic violence include (Ismiati, 2023):

1. Building awareness that the problem of domestic violence is a social problem, not an individual, and is a violation of the law related to human rights

2. Socialization in the community about domestic violence is an act that cannot be justified and can be given legal sanctions. By changing the foundation of domestic violence at the community level, first and foremost, it requires a consensus that violence is an unacceptable act.
3. Campaigning against the display of violence in the media that imposes violence as an ordinary, entertaining and worthy of appreciation.
4. The Role of Mass Media. Print media, television, cinema, radio and the internet are macrosystems that are very influential to be able to prevent and reduce domestic violence (domestic violence). The role of the mass media is very influential in preventing domestic violence, how the mass media can provide a news that can change a cultural pattern, domestic violence is an act that can violate the law and can be subject to imprisonment in any form of persecution.
5. Assisting victims in solving problems (counseling) and the possibility of placing them in shelters so that victims will be more monitored and protected and counselors can quickly help with psychological recovery.

With the number of cases of domestic violence still increasing, there is a need for an effort that can minimize the cases that occur. In law enforcement, it is appropriate that the legal process can still provide a sense of justice for every case without having to wait for virality first. Law enforcement is an effort to realize the ideas of justice, legal certainty, and social benefits into reality (Hasaziduhu Moho, 2019). The law must carry out its function as a social control that arises in society. Meanwhile, virality is only a driver, not the main thing, so the law can be enforced.

4. Conclusion

The phenomenon of virality on social media currently has a positive influence on cases that develop in society so that problems that exist and develop in society can be immediately processed legally because when there are cases that go viral in the media, the public can directly access and control the legal process that occurs so that these cases can be resolved and provide a sense of justice for the community. Regarding cases of domestic violence, not a few victims of domestic violence hide their cases related to several factors. This can cause the legal process to be impossible, and domestic violence will likely continue. The rapid development of social media today helps and encourages victims of domestic violence to more easily and dare to voice their cases on social media so that it can be a concern for many people, and it is hoped that the legal process will run optimally. This, if studied from a positive perspective, proves that social media can help to uncover problems that previously domestic violence cases were still considered the family domain and taboo to be exposed. However, with the development of the media and when domestic violence cases have gone viral on social media, this can be a trigger for other victims of domestic violence to voice their suffering as victims of domestic violence to get justice.

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