

LEGAL REVIEW OF ABUSIVE DATING RELATIONSHIPS

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DOI : <https://doi.org/10.21107/pamator.v16i2.22782>

Manuscript received November 24th, 2023, Revised December 10th, 2023, Published December 31st, 2023

Abstract

Researching and discussing abusive and violent romantic relationships within a legal framework is becoming an increasingly pressing social issue. The purpose of this article is to provide a comprehensive legal examination of the numerous forms of abuse in dating relationships, including physical, psychological, sexual, economic, and digital forms of abuse. The author employs normative juridical research for his study. Based on what has been said, it is clear that abusive dating relationships are a pervasive and troubling social issue that calls for legislative action. The safety of victims and the efficiency of law enforcement are of the utmost importance.

Keywords: violence, victims, abusive dating relationships.

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INTRODUCTION

Inevitably, both positive and negative effects may be traced back to the current period of globalization's lightning-fast pace of development.¹ Teens' moral decline is largely attributable to the global nature of modern technology.² Teenagers in Indonesia are easily exposed to negative media. One issue that arises as a result of this moral decline is the rise in the number of abusive partnerships involving young people.³

¹ Tuti Khairani Harahap and others, 'INTRODUCTION TO LEGAL SCIENCE', Tahta Media Publisher, 2023 <<https://tahtamedia.co.id/index.php/issj/article/view/255>> [accessed 29 October 2023].

² Bernhard Maier, 'How Has the Law Attempted to Tackle the Borderless Nature of the Internet?', *International Journal of Law and Information Technology*, 18.2 (2010), 142–75 <<https://doi.org/10.1093/ijlit/eaq001>>.

³ Al Mukhollis Siagian, Covid-19 Pandemic and Adolescent Transgressive Behavior: Viewed from WhatsApp Group Pornography, 2022.

*Violence in intimate partnerships is a growing problem that requires legal intervention. When one partner in a romantic relationship resorts to violence or harmful control over the other, the relationship ceases to be a positive source of support, love, and happiness.*⁴ Physical, emotional, sexual, financial, and technological forms of abuse all coexist in an abusive dating relationship, making it a highly nuanced problem.

Since 2023, incidents of domestic violence reported to the Indonesian National Commission on Violence Against Women by service providers have been documented in CATAHU's Annual Records. There was a rise of 3,528 incidents of domestic violence. This high tally indicates ill-preparedness on both sides of the interaction, suggesting that physical force is the only option.

CATAHU 2023 provides the following information regarding dating violence in 2022:

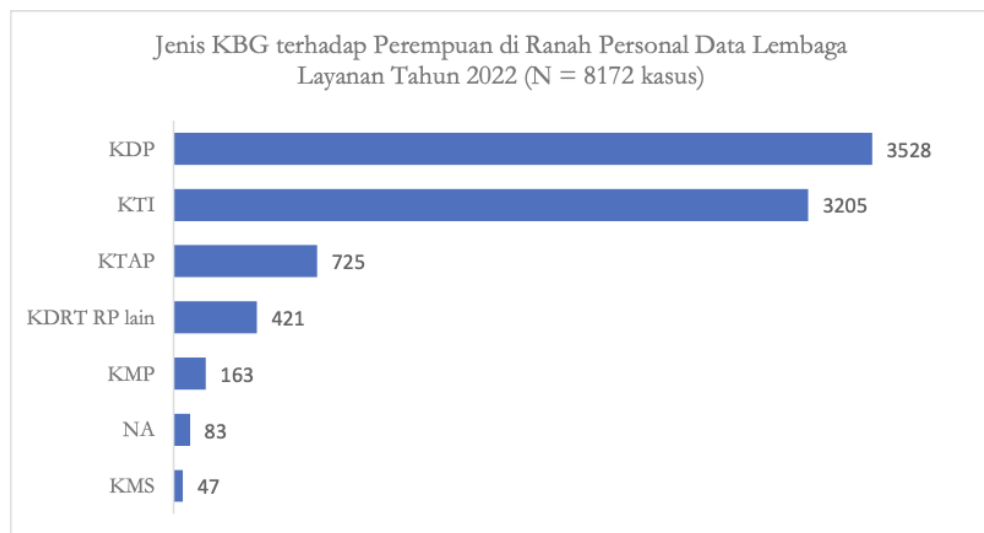


Figure 1 Types of KBG for Women in the Personal Sphere in 2022 Sourced from Service Institutions⁵

The biggest number of cases was reported for KDP related to dating violence, followed by KTI and KTAP. It's worth noting that KTI topped the charts last year, while KDP ranked second. With the passage of the TPKS Law, victims of violence were given the courage to come forward and disclose their experiences.

Multiple types of violence, including physical, psychological, and sexual assault, are frequently experienced by victims. In the context of an abusive romantic relationship,

⁴ Günnur Karakurt and Kristin E. Silver, 'Emotional Abuse in Intimate Relationships: The Role of Gender and Age', *Violence and Victims*, 28.5 (2013), 804–21 <<https://doi.org/10.1891/0886-6708.VV-D-12-00041>>.

⁵ National Commission on Women. (2023, March 7). *Violence against Women in the Public and State Spheres: Lack of Protection and Redress*. Jakarta. Pg. 2

physical and psychological violence can take many forms, both overt and covert. Abuse involving physical contact, such as striking and kicking, is considered physical violence.

Conversely, the use of words to denounce, humiliate, or otherwise verbally abuse a victim is a hallmark of psychological violence. This type of abuse can also take the form of threats, intimidation, emotional manipulation, social isolation, gaslighting, humiliation, and rejection.

Victims of violence often also suffer sexual assault. In revenge porn, the offender publicly disseminates private images or films of the victim without their consent in order to bring shame onto them. The offender makes lewd comments or jokes or acts in a degrading way towards the victim, humiliating and endangering the victim by forcing sexual activity and eventually an abortion.

Harassment of any kind is unacceptable, but sexual assault in an abusive romantic relationship is especially damaging to the victim's mental and emotional health. Victims should get help, talk to a professional, and end toxic relationships for their own good and safety. To guarantee their safety and well-being, victims of abusive dating situations need to be protected legally. Laws in many places, including Indonesia, may not yet govern abusive dating relationships directly, but there are a number of legal and regulatory safeguards that can be put in place to protect victims.

Walker himself devised a theory of cyclic abuse, postulating that once violent relationships are established, they are characterized by a predictable pattern of recurring abuse, drawing on the social cycle theory and Seligman's studied helplessness phenomena.⁶ He thinks that being a part of a cycle for an extended period of time might make victims feel hopeless. The following are symptoms of the Cycle of Abuse, also called Battered Women's Syndrome: high arousal or hypervigilance; trying to avoid the psychological impact of beatings by avoiding activities, people, and feelings; re-experiencing the beating as if repeatedly when it is not; Disruption in social interactions difficulties in intimate connections, sexual dysfunction, and distorted body images.⁷

Dating relationships that are abusive matter their age, gender, socioeconomic status, or sexual orientation. Anyone is at risk, and those who experience this type of abuse typically feel imprisoned in unhealthy patterns of interpersonal interaction. They may feel unsafe reporting the assault, or they may be unaware of the legal protections available to them.⁸

⁶ Zlatka Rakovec-Felser, 'Domestic Violence and Abuse in Intimate Relationships from a Public Health Perspective', *Health Psychology Research*, 2.3 (2014), 1821 <<https://doi.org/10.4081/hpr.2014.1821>>.

⁷ Lenore E. Walker, 'Psychology and Domestic Violence around the World', *American Psychologist*, 54.1 (1999), 21–29 <<https://doi.org/10.1037/0003-066X.54.1.21>>.

⁸ Ann L Coker and others, 'Physical and Mental Health Effects of Intimate Partner Violence for Men and Women', *American Journal of Preventive Medicine*, 23.4 (2002), 260–68 <[https://doi.org/10.1016/S0749-3797\(02\)00514-7](https://doi.org/10.1016/S0749-3797(02)00514-7)>.

Because of the prevalence of abusive dating relationships and the need for effective solutions, this article tries to give a thorough legal examination of the topic. The author is keen to learn more about the nature of abusive dating relationships, how they are defined, the legal protections afforded to victims, the penalties meted out to abusers, the judicial system's role in such cases, and public awareness campaigns aimed at shedding light on the problem.

RESEARCH METHODS

The author employs normative juridical research, which is a strategy for studying the rules, principles, rulings, and doctrines of the law as they pertain to a certain area of study. Researchers can learn more about the law, the interpretation of the legislation, and how it can be improved to better protect victims of abusive dating situations by using this normative juridical research technique.⁹

RESULT AND DISCUSSION

Abusive dating relationships

When one partner in a relationship repeatedly uses harmful techniques to exert dominance or control over another, they are engaging in abusive behavior. Abuse can manifest itself in a wide variety of ways, including physical force, threats, intimidation, social exclusion, and monetary, sexual, or emotional exploitation. Abusive behavior is any action taken towards another that causes them bodily, mental, or emotional pain. Abusive actions can take many shapes, including:¹⁰

1. One form of abuse is physical violence, which can take the form of punches, kicks, injuries to body parts, hair pulling, suffocation, or the use of blunt objects.
2. Psychological abuse: Abusive behavior characterized by the use of psychological tactics such as verbal abuse (teasing, insulting, or verbally abusing the victim with harsh, degrading words), threats and intimidation (including physical violence), emotional manipulation (including isolating the victim), social isolation (including gaslighting), humiliation (including being left out of social circles), and rejection (by the abuser).
3. Sexual harassment, sometimes known as "revenge porn," is when an offender publicly disseminates private images or films of a victim without their consent in order to publicly shame and degrade them. The abuser continually forces the victim to have sexual intercourse and coerces abortion by unsettling words, jokes, or behaviors that make the victim feel frightened and degraded.
4. Defamation, threats, or cutting off all forms of communication are all examples of verbal abuse.
5. Abuse in the form of financial control, deception, unwillingness to provide financial support, forcing the victim to depend on them financially, or theft of the victim's money or financial resources all fall under the category of financial abuse.

⁹ Peter. Mahmud Marzuki, *Penelitian Hukum* (Jakarta: Kencana Prenada Media Group, 2011).

¹⁰ Milen L. Radell and others, 'The Impact of Different Types of Abuse on Depression', *Depression Research and Treatment*, 2021 (2021), e6654503 <<https://doi.org/10.1155/2021/6654503>>.

6. 6. Cyberbullying/Digital Violence: In today's technologically advanced world, abusive dating relationships may include the use of electronic communication tools for the purposes of harassment, threats, or the unwarranted dissemination of private information.
7. Isolation from friends and family is a common tactic used by abusers in toxic dating relationships. They may forbid the victim to talk to others or experience anxiety if the victim reaches out to others for help.
8. Abusers in abusive romantic relationships frequently undergo dramatic personality shifts, such as an increase in jealousy, possessiveness, or control. They might be kind and compassionate one minute and then abrupt and hostile the next.
9. 9. The Victim Feels Afraid or Trapped Fear, isolation, and helplessness are common experiences for victims in abusive dating relationships. Threats or emotional pressure may be among the reasons they stay with their abuser.

Abuse can happen in a variety of contexts, including personal connections, romantic partnerships, and professional interactions. Injuries, mental and emotional distress, and even post-traumatic stress disorder (PTSD) have all been linked to being on the receiving end of abusive behavior.

In an abusive romantic relationship, the abuser may not be violent at first but may gradually increase the intensity of his or her actions until the victim is completely subservient. The perpetrator's possessiveness typically comes first, and the victim's isolation from the outside world is the result of the perpetrator's repeated use of restriction such that the victim begins to see his spouse as his sole source of happiness.¹¹

In addition, the victim will have a hard time ending the connection due to the abuser's repeated threats. This violent pairing has obviously affected many people.¹² An abusive dating relationship is one in which the perpetrator is currently or previously in a romantic or intimate social relationship with the victim and uses violence against them for the purpose of obtaining control.

Legal Regulations Regarding Abusive Dating Relationships

Many people have experienced some type of abuse, but not all of it meets the legal definition of assault. The victims of domestic violence, especially domestic violence in dating relationships, are protected by a number of statutes in Indonesia. Despite the lack of legislation addressing dating violence, several existing laws can be used to prosecute offenders and protect victims. The following are examples of applicable Indonesian laws:

1. Law Number 12 of 2022 concerning Crimes of Sexual Violence

¹¹ Aideen Mary Naughton and others, 'Emotional, Behavioral, and Developmental Features Indicative of Neglect or Emotional Abuse in Preschool Children: A Systematic Review', *JAMA Pediatrics*, 167.8 (2013), 769–75 <<https://doi.org/10.1001/jamapediatrics.2013.192>>.

¹² Carolien Christ and others, 'Linking Childhood Emotional Abuse and Depressive Symptoms: The Role of Emotion Dysregulation and Interpersonal Problems', *PLOS ONE*, 14.2 (2019), e0211882 <<https://doi.org/10.1371/journal.pone.0211882>>.

There are nine forms of sexual violence that are covered by this statute:

- a. Sexually explicit physical assault,
- b. Homosexual harassment that does not include physical contact,
- c. Forced contraception,
- d. Sterilization via coercion ,
- e. Marriage by coercion,
- f. Sexual torture,
- g. sexual exploitation,
- h. Sexual slavery, and
- i. Electronic-based sexual violence.

According to Article 5, anybody who engages in sexually suggestive conduct online or in person with the goal to demean another person because of their sexual orientation or moral convictions is guilty of non-physical sexual harassment and subject to a fine and/or jail time of up to 9 (nine) months. Ten million rupiah (Rp. 10,000,000.00)

Those who exploit another's weakness, inequity, or dependency, or who use coercion or deception to induce another to engage in or witness sexual intercourse or obscene acts, are subject to the regulations laid out in Article 6. with him or other people, shall be punished by a maximum of IDR 300,000,000.00 (three hundred million rupiah) in fines and/or a maximum of 12 (twelve) years in prison.

Article 14 regulates regarding

(1) Every person without the right:

- a. “against the will or without the consent of the subject, recording and/or taking photographs or screenshots that are sexually charged;
- b. sending explicit sexually-oriented material over the internet or other electronic means against the recipient's will; and/or
- c. using an electronic system for stalking and/or tracking someone for sexual motives when they are the subject of electronic information or documents, found guilty of electronic sexual violence; the maximum penalty is 4 years in prison and/or IDR 200,000,000.00 (two hundred million rupiahs) fine.”

(2) Acting in accordance with the intent of paragraph (1) happens to be geared

towards:

- a. “to force, blackmail, or threaten; or
- b. In Indonesia, the maximum sentence for intentionally misleading or tricking another person into doing, permitting to be done, or not doing something is 6 years in jail and/or a fine of up to IDR 300,000,000.00 (three hundred million rupiah).”

Additionally, types of legal protection for victims are governed by Law no. 12/2022.

2. Law no. 35 of 2014 concerning Child Protection

If a child is under 18, they are protected from any sort of abuse, including in a romantic relationship. Protection from violence, abuse, and exploitation in all relationships is included in this law's scope of application to minors.

3. Law no. 11 of 2008 concerning Information and Electronic Transactions (ITE)
Dating relationships that are abusive use electronic means (such as social media, SMS, or email) to harass, threaten, or otherwise disseminate private information about an individual without that individual's express permission.¹³ Those who engage in online harassment or circulate harmful content as part of an abusive dating relationship may be held legally responsible under the ITE statute. Among these include cyberbullying and the proliferation of revenge porn.

Two articles of this statute include the legal snares for perpetrators of revenge porn. First, according to Article 29 jo Article 1 point 8, anyone who knowingly and without consent sends another person electronic information and/or electronic documents containing threats of violence or intimidation is subject to a maximum of 4 years in prison and/or a maximum fine of Rp. 750,000,000.

In addition, Article 27 paragraph (1) jo. Article 1 number 8 states that anyone who knowingly and unlawfully disseminates, transmits, or makes available electronic information or electronic documents that contain content that violates decency shall be punished by imprisonment for a maximum of 6 years and/or a maximum fine of IDR 1,000,000,000.

4. KUHP (Criminal Code)

Crimes including assault, rape, slander, and threatening are all codified in the Criminal Code. These types of criminal activities can lead to criminal prosecution if they occur in an abusive romantic relationship.

Defamation and insults. If the information leaked is confidential and causes the victim's reputation to suffer, the victim may file a civil lawsuit against the leaker under the defamation provisions of Article 310 of the Criminal Code:

Article 310 of the Criminal Code

- 1) A maximum of nine months in prison or a maximum fine of four thousand five hundred rupiahs is threatened for defamation if a person undermines another's an honor or good name by making accusations about something with the clear goal of making it known to the public.
- 2) The maximum penalty for defamation in writing is one year and four months in prison or a fine of 4,500 Indonesian rupiah, depending on whether the defamation was broadcast, shown, or posted publicly.

¹³ Kadek Jovan Mitha Sanjaya and AA Ngurah Wirasila, 'Criminal Acts of Sexual Harassment in Social Media', *Kertha Desa*, 9.11 (2021) <<https://ojs.unud.ac.id/index.php/kerthadesa/article/download/82723/43168>> [accessed 29 October 2023].

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- 3) If a person acts in the public interest or out of necessity to defend himself, they are not guilty of defamation or written slander.

Persecution, the following are the legal snares that catch the abuser if there is violence and abuse in the relationship:

Abusive criminal behavior might occur on purpose or by accident. If someone is abusive on purpose, it's because they're trying to hurt you. Abuse crime falls under six broad categories, including the following:

1. Ordinary abuse

Article 351 of the Criminal Code defines "ordinary abuse" as any form of abuse that is neither "serious" nor "light." Normal mistreatment can be broken down into the following categories:

- a. For a minor attack that does not result in significant bodily harm or death, the maximum penalty is 2 years and 8 months in prison and a fine of Rp. 4,500 .
- b. If the assault causes serious bodily harm, the offender faces up to five years in prison.
- c. The maximum sentence for persecution is seven years in prison, and the death penalty applies.
- d. Assaults on one's health as a form of persecution.

2. Light abuse

Light abuse is governed by Article 352 of the Criminal Code, and it includes abuse that is not premeditated, does not target the mother, father, child, spouse, or employee in the course of their work, does not involve potentially lethal substances, and does not result in illness or impede the ability to earn a living.

If the abuse does not fall under the definitions of Article 353 and Article 356 of the Criminal Code and does not result in disease or a barrier to performing one's job, then the maximum penalty is three months in prison or a fine of three hundred rupiahs.

3. Premeditated persecution

According to Article 353 of the Criminal Code, there are three different kinds of premeditated abuse, each of which carries a different maximum sentence: premeditated abuse that does not result in serious injury or death is punishable by a maximum of 4 years in prison, premeditated abuse that does result in serious injury is punishable by a maximum of 4 years in prison, and premeditated abuse that results in death is punishable by a maximum of 9 years in prison. Abusers typically go out to hurt others with deliberate intent and a level state of mind.

4. Severe abuse

Article 354 of the Criminal Code establishes the maximum penalty for serious ill-treatment as 8 years in jail for anyone who knowingly causes serious injury to another person. If the action caused death, the perpetrator faces up to 10 years in prison. When someone conducts a serious act of abuse, they do so on purpose.

5. Premeditated serious maltreatment

Article 354 paragraph 1 of the Criminal Code, which deals with significant maltreatment, and Article 353 paragraph 2 of the Criminal Code, which deals with premeditated maltreatment, together define premeditated serious maltreatment. Elements of serious or planned mistreatment are required for this offense to be considered serious.

When it comes to sexual harassment, anything that is regarded as indecent might be viewed as offensive. Meanwhile, "sexual harassment" refers to sexual harassment, which is described as "unwanted attention" (Martin et al., 1992) or "imposition of unwelcome sexual demands or creation of sexually offensive environments" (legal definitions).

Thus, the refusal or dismissal of any sexual attention is a crucial component of sexual harassment. It could be something as simple as whistling or as complex as a comment on the local customs and etiquette. It is considered sexual harassment if the target of the action does not wish to be the focus of such attention. Fornication (Articles 289 to 296) is a crime that covers sexual harassment.

Threatening or physically coercing another person into doing or not doing something is illegal under Article 335 of the Criminal Code ("KUHP"), which states:

1. Felonies have a maximum sentence of one year in prison and a fine of 4,000,500 rupiah:
 - a. Somebody who coerces another person to do, not do, or endure something against their will by resorting to physical force, psychological coercion, or threats of physical force, psychological coercion, or threats of unpleasant punishment, whether directed at the victim or another person;
 - b. Defamation and written coercion are both illegal when used to coerce another person to do, not do, or allow anything.
2. In the scenario described in point 2, criminal charges are brought only once an affected party files a formal complaint.

Legal Protection Efforts for Victims of Abusive Dating Relationships

The objective of the law is to safeguard individuals' rights and freedoms. Goals in the legal system need to be met.¹⁴ The primary purpose of the law is to provide a stable and equitable social order.¹⁵ Separating individuals' legal rights and responsibilities,

¹⁴ I. Putu Surya Wicaksana Putra, Ni Putu Rai Yuliartini, and Dewa Gede Sudika Mangku, 'LEGAL POLICY CONCERNING THE REGULATION OF SANTET IN INDONESIAN CRIMINAL LAW', *Jurnal Masyarakat Yustisia*, 3.1 (2020), 69–78 <<https://doi.org/10.23887/jatayu.v3i1.28836>>.

¹⁵ Nunung Nugroho, 'REINFORCEMENT OF STATE LEGAL PRINCIPLES AS A GUARANTEE TO STRENGTHEN THE VALUE OF UNITY AND UNITY', *JOURNAL OF LEGAL SCIENCE AND SOCIETY DYNAMICS*, 18.1 (2020), 82–88 <<https://doi.org/10.56444/hdm.v18i1.1755>>.

allocating power, establishing norms for resolving legal disputes, and preserving legal certainty are all functions of law.¹⁶

Law's primary purpose is to maintain social order, and this is an absolutely necessary condition for any human community to thrive.¹⁷ The law exists to ensure that everyone is treated fairly. The purpose of every legal system is to control and balance or harmonize the interests of its citizens. Certainty, regularity, orderliness, and fairness are frequently stated independently but are understood as a process that determines each other.¹⁸

Certainty is a precondition for order, and in an unjust system, no one can reasonably challenge the legitimacy of the law. Law serves a purpose when

The objective of legislation is to safeguard individual rights and liberties.¹⁹ Separating individuals' legal rights and responsibilities, allocating power, establishing norms for resolving legal disputes, and preserving legal certainty are all functions of law.²⁰

The term "legal protection" refers to the concerted actions of every individual and organization—including the business sector—towards the goal of securing, controlling, and fulfilling human rights as they currently stand.²¹

R. La Porta writes in the *Journal of Financial Economics* that there are two distinguishing features of a country's legal protection system: a preventative emphasis and a punitive emphasis.²² The establishment of law enforcement agencies like the police and courts, as well as alternative dispute resolution (ADR) mechanisms, is the most evident type of legal protection.

¹⁶ Laurensius Arliman, 'CREATING GOOD LAW ENFORCEMENT TO REALIZE INDONESIA AS A LEGAL STATE', *Doctrinal*, 2.2 (2020), 509–32 <<https://jurnal.um-palembang.ac.id/doktrinal/article/view/2523>> [accessed 29 October 2023].

¹⁷ Ellya Rosana, 'LAW AND SOCIETY DEVELOPMENT', *Tapis Journal: A Journal of Islamic Political Aspirations*, 9.1 (2013), 99–118 <<https://doi.org/10.24042/tps.v9i1.1578>>.

¹⁸ Salman Manggalatung, 'The Relationship Between Facts, Norms, Morals, and Legal Doctrine in - Considerations of Judges' Decisions', 2014 <<https://repository.uinjkt.ac.id/dspace/handle/123456789/55783>> [accessed 29 October 2023].

¹⁹ Faisal Santiago, 'Law Enforcement of Corruption Crimes by Law Enforcers to Create Legal Order', *Pagaruyuang Law Journal*, 1.1 (2017), 23–43 <<https://doi.org/10.31869/plj.v1i1.268>>.

²⁰ Laurensius Arliman S, 'CREATING GOOD LAW ENFORCEMENT IN THE INDONESIAN LEGAL STATE', *Dialogia Iuridica*, 11.1 (2019), 1–20 <<https://doi.org/10.28932/di.v11i1.1831>>.

²¹ Rima Kurniasih and Fakhlor, 'Legal Protection of Children in Conflict with the Law Seen from a Positive Legal Perspective', 12.1 (2023), 170–76 <<https://journal.unigres.ac.id/index.php/JurnalProHukum/article/view/2451>> [accessed 29 October 2023].

²² Sarip Hidayat, 'Correlation of the Crime of Domestic Violence According to Law Number 23 of 2004 with the Concept of Nusyuz and Dispute Resolution', *Logic: Kuningan University Research Journal*, 13.02 (2022), 181–91 <<https://doi.org/10.25134/logika.v13i02.7111>>.

Soedjono Dirdjosisworo, who argues that law has a multiplicity of societal meanings, including, most obviously, the existence of law enforcement institutions, would agree with this interpretation of the law.²³ Aspects of justice, including legal protection, are intertwined.²⁴ Soediman Kartohadiprodjo believes that the ultimate goal of the law is to establish fairness.

Victims of violent romantic relationships need to be protected legally to ensure their safety, justice, and rehabilitation. In order to ensure the safety and well-being of victims of abusive dating relationships, it is crucial that they have access to legal protection.²⁵ Legal protection measures can be employed and applied even if laws do not yet clearly govern abusive dating relationships in some jurisdictions, such as Indonesia. In order to aid victims of abusive dating relationships, the following legal protection measures might be put into place:

The first is to enforce current laws that target abusive partners and safeguard their victims. When a minor older than 18 years old commits a crime, criminal penalties are imposed as appropriate for the offense. For example, if the victim is a minor, the laws governing their protection can be found in Articles 76D and 76E of Law Number 35 of 2014 Concerning Amendments to Law Number 23 of 2002 Concerning Child Protection, and if the victim is an adult, the laws governing their protection can be found in Articles 351 and 352 of the Criminal Code. The minimum criminal sentence can be reduced by a third if the offender is a youngster.

As stated explicitly in Article 1 point (18) of the TPKS Law, legislation has just been passed to provide protection for victims of abusive dating relationships by ensnaring abusers. When LPSK or other institutions are required to protect Witnesses and/or Victims, they do so by ensuring that their legal rights are upheld and by helping them feel safe in the face of potentially dangerous situations. The term "victim's rights" refers to the victim's ability to access and benefit from services that promote their health and safety. The ITE Law can also be utilized to catch criminals who commit crimes involving technological means.

The second is a court order to stop contact with a person (Restraining Order). Provides the option for the victim to seek a restraining order or other form of restrictive order against the offender. As a result, the victim is less likely to be directly targeted by the offender, giving them a greater sense of safety.

²³ Marina Hutabalian, 'LEGAL PROTECTION OF MOBILE BUYERS OF HOUSES IN CASH FROM DEVELOPERS WHOSE PROOF OF OWNERSHIP HAS BEEN TRANSFERRED TO A THIRD PARTY THROUGH BANK FACILITIES', *Journal Law of Deli Sumatra*, 1.2 (2022) <<https://jurnal.unds.ac.id/index.php/jlds/article/view/92>> [accessed 29 October 2023].

²⁴ Risna Sidabutar and Suhatrizaral Suhatrizaral, 'Legal Protection for Children Who Commit the Crime of Obscenity in Decision No.2/Pid.Sus/2014PN.Mdn', *Law Enforcement Scientific Journal*, 5.1 (2018), 22–31 <<https://doi.org/10.31289/jiph.v5i1.1976>>.

²⁵ Nicola Henry and Anastasia Powell, 'Beyond the "Sext": Technology-Facilitated Sexual Violence and Harassment against Adult Women', *Australian & New Zealand Journal of Criminology*, 48.1 (2015), 104–18 <<https://doi.org/10.1177/0004865814524218>>.

For temporary protection purposes, the police can limit the offender's freedom of movement for the purposes of protecting the victim from the offender or limiting the offender's access to certain privileges. A temporary protection order specifies the limits that must be adhered to. Article 44 also allows the police and LPSK to work with UPTD PPA to provide interim protection and security. In addition, if the suspect or defendant is not in custody and there is reason to believe that he or she will commit a crime of sexual violence, intimidation, threats, and/or violence against the victim, the victim, family, investigator, public prosecutor, or companion may petition the court for a decision to restrict the perpetrator's movement.

Finally, thirdly, public legal education and awareness. Educating the public and providing legal training to raise knowledge about abusive dating relationships, teen and young adult rights, and how to report abuse in dating relationships, particularly through public education campaigns aimed at teenagers and young adults.

As a fourth point, we have psychological aid and rehabilitation. Allow victims of abusive relationships access to counseling and other therapeutic services. Counseling, trauma treatment, and other forms of psychological aid for victims' emotional and mental health are included here.

According to Article 28, victims have the right to have an advocate present at all phases of the legal process. LPSK officers, UPTD PPA officers, health workers, psychologists, social workers, welfare administrators, psychiatrists, legal aid (including advocates and paralegals), officers of community-based service provider institutions, and other individuals are all considered Victim Companions. Reports of sexual harassment can be made to the UPTD PPA, technical implementation unit, and regional technical implementation unit in the social sector by the victim or by anybody else who knows, sees, or witnesses an incident that constitutes a Crime of Sexual Violence,

Privacy security is the fifth point. Protect the privacy of those who have been victims of crime throughout the whole legal process and beyond. This can stop additional harassment and keep private information from getting out.

The sixth is strict policing. Strict legal action against those responsible for abusive dating must be taken to serve as a deterrence and stop the cycle of violence.

Create digital and application platforms as the seventh priority. Create a mobile app or web-based resource where those affected by ADR can easily find the data, tools, and support they require.

If victims of abusive dating relationships are to be effectively protected by the law, these efforts must continue to evolve and adapt to shifting social dynamics and community requirements.

Efforts to ensure legal safety are also at their peak right now. As the number of occurrences of abusive dating relationships rises in Indonesia, it is crucial that victims have adequate protection. This means that the government has an obligation to provide citizens with safety and comfort; this obligation extends to law enforcement as well as the general populace. More attention should be paid to victims of violent dating relationships by society, law enforcement, and the government under these conditions.

CONCLUSION

Violence in intimate partnerships is a severe problem that needs to be addressed legally. A judicial evaluation of abusive dating relationships is necessary to foster an atmosphere that is safe and helpful for those who are in them. From a legal standpoint, this article outlines and analyses key characteristics of abusive dating relationships in Indonesia.

Keep in mind that there are various sorts of abuse that can occur in a dating relationship, including but not limited to physical, psychological, sexual, financial, and online forms of abuse. The victim feels imprisoned or terrified, the abuser's attitude shifts and there have been previous instances of violence or control.

Although not explicitly stated, the Sexual Violence Crime Law (TPKS), the Child Protection Law, the Criminal Code, and the Information and Electronic Transactions (ITE) Law may all be applicable to abusive dating situations in Indonesia. Existing rules and regulations, restraining orders, privacy protection, police reporting, and public education and awareness campaigns are all part of the legal protection for victims' efforts.

It is envisaged that victims will receive more effective support and that perpetrators will face appropriate legal consequences if the nature of abusive dating relationships is better understood and adequate legal protection mechanisms are put in place. Therefore, we support the continuous study and development of stricter legislation to safeguard persons in dating relationships, raise public consciousness, and encourage healthy, respectful relationships between all people.

BIBLIOGRAPHY

- Arliman, Laurensius, 'MEWUJUDKAN PENEGAKAN HUKUM YANG BAIK UNTUK MEWUJUDKAN INDONESIA SEBAGAI NEGARA HUKUM', *Doctrinal*, 2.2 (2020), 509–32 <<https://jurnal.um-palembang.ac.id/doktrinal/article/view/2523>> [accessed 29 October 2023]
- Christ, Carolien, Marleen M. de Waal, Jack J. M. Dekker, Iris van Kuijk, Digna J. F. van Schaik, Martijn J. Kikkert, and others, 'Linking Childhood Emotional Abuse and Depressive Symptoms: The Role of Emotion Dysregulation and Interpersonal Problems', *PLOS ONE*, 14.2 (2019), e0211882 <<https://doi.org/10.1371/journal.pone.0211882>>
- Coker, Ann L, Keith E Davis, Ileana Arias, Sujata Desai, Maureen Sanderson, Heather M Brandt, and others, 'Physical and Mental Health Effects of Intimate Partner Violence for Men and Women', *American Journal of Preventive Medicine*, 23.4 (2002), 260–68 <[https://doi.org/10.1016/S0749-3797\(02\)00514-7](https://doi.org/10.1016/S0749-3797(02)00514-7)>
- Harahap, Tuti Khairani, Yuyut Prayuti, Nining Latianingsih, Amsari Damanik, Tiyas Maheni, Ida Farida, and others, 'pengantar Ilmu Hukum,' *Penerbit Tahta Media*, 2023 <<https://tahtamedia.co.id/index.php/issj/article/view/255>> [accessed 29 October 2023]

- Henry, Nicola, and Anastasia Powell, 'Beyond the "Sext": Technology-Facilitated Sexual Violence and Harassment against Adult Women', *Australian & New Zealand Journal of Criminology*, 48.1 (2015), 104–18 <<https://doi.org/10.1177/0004865814524218>>
- Hidayat, Sarip, 'Korelasi Tindak Pidana Kekerasan dalam Rumah Tangga Menurut Undang-Undang Nomor 23 Tahun 2004 dengan Konsep Nusyuz dan Penyelesaian Sengketanya', *Logika : Jurnal Penelitian Universitas Kuningan*, 13.02 (2022), 181–91 <<https://doi.org/10.25134/logika.v13i02.7111>>
- Hutabalian, Marina, 'Perlindungan Hukum Atas Pembeli Rumah Secara Cash Bertahap Dari Pengembang Yang Bukti Kepemilikannya Telah Dialihkan Kepada Pihak Ketiga Melalui Fasilitas Bank', *Journal Law of Deli Sumatera*, 1.2 (2022) <<https://jurnal.unds.ac.id/index.php/jlds/article/view/92>> [accessed 29 October 2023]
- Karakurt, Günnur, and Kristin E. Silver, 'Emotional Abuse in Intimate Relationships: The Role of Gender and Age', *Violence and Victims*, 28.5 (2013), 804–21 <<https://doi.org/10.1891/0886-6708.VV-D-12-00041>>
- Kurniasih, Rima, and Fakhlor, 'Perlindungan Hukum Terhadap Anak Yang Berhadapan Dengan Hukum Ditinjau Dari Perspektif Hukum Positif', 12.1 (2023), 170–76 <<https://journal.unigres.ac.id/index.php/JurnalProHukum/article/view/2451>> [accessed 29 October 2023]
- Mahmud Marzuki, Peter., *Penelitian Hukum* (Jakarta: Kencana Prenada Media Group, 2011)
- Maier, Bernhard, 'How Has the Law Attempted to Tackle the Borderless Nature of the Internet?', *International Journal of Law and Information Technology*, 18.2 (2010), 142–75 <<https://doi.org/10.1093/ijlit/eaq001>>
- Manggalatung, Salman, 'Hubungan Antara Fakta, Norma, Moral, dan Doktrin Hukum Dalam - Pertimbangan Putusan Hakim', 2014 <<https://repository.uinjkt.ac.id/dspace/handle/123456789/55783>> [accessed 29 October 2023]
- Naughton, Aileen Mary, Sabine Ann Maguire, Mala Kanthi Mann, Rebecca Caroline Lumb, Vanessa Tempest, Shirley Gracias, and others, 'Emotional, Behavioral, and Developmental Features Indicative of Neglect or Emotional Abuse in Preschool Children: A Systematic Review', *JAMA Pediatrics*, 167.8 (2013), 769–75 <<https://doi.org/10.1001/jamapediatrics.2013.192>>
- Nugroho, Nunung, 'Penguatan Asas Hukum Negara Sebagai Jaminan Memperkokoh Nilai Persatuan Dan Kesatuan', *JURNAL ILMIAH HUKUM DAN DINAMIKA MASYARAKAT*, 18.1 (2020), 82–88 <<https://doi.org/10.56444/hdm.v18i1.1755>>
- Putra, I. Putu Surya Wicaksana, Ni Putu Rai Yuliartini, and Dewa Gede Sudika Mangku, 'Kebijakan Hukum Tentang Pengaturan Santet Dalam Hukum Pidana Indonesia',

-
- Jurnal Komunitas Yustisia*, 3.1 (2020), 69–78
<<https://doi.org/10.23887/jatayu.v3i1.28836>>
- Radell, Milen L., Eid G. Abo Hamza, Wid H. Daghurstani, Asma Perveen, and Ahmed A. Moustafa, 'The Impact of Different Types of Abuse on Depression', *Depression Research and Treatment*, 2021 (2021), e6654503
<<https://doi.org/10.1155/2021/6654503>>
- Rakovec-Felser, Zlatka, 'Domestic Violence and Abuse in Intimate Relationship from Public Health Perspective', *Health Psychology Research*, 2.3 (2014), 1821
<<https://doi.org/10.4081/hpr.2014.1821>>
- Rosana, Ellya, 'HUKUM DAN PERKEMBANGAN MASYARAKAT', *Jurnal Tapis: Jurnal Teropong Aspirasi Politik Islam*, 9.1 (2013), 99–118
<<https://doi.org/10.24042/tps.v9i1.1578>>
- S, Laurensius Arliman, 'Mewujudkan Penegakan Hukum Yang Baik Di Negara Hukum Indonesia', *Dialogia Iuridica*, 11.1 (2019), 1–20
<<https://doi.org/10.28932/di.v11i1.1831>>
- Sanjaya, Kadek Jovan Mitha, and AA Ngurah Wirasila, 'Tindak Pidana Pelecehan Seksual Dalam Media Sosial', *Kertha Desa*, 9.11 (2021)
<<https://ojs.unud.ac.id/index.php/kerthadesa/article/download/82723/43168>>
[accessed 29 October 2023]
- Santiago, Faisal, 'Penegakan Hukum Tindak Pidana Korupsi oleh Penegak Hukum untuk Terciptanya Ketertiban Hukum', *Pagaruyuang Law Journal*, 1.1 (2017), 23–43
<<https://doi.org/10.31869/plj.v1i1.268>>
- Siagian, Al Mukhollis, *Pandemi Covid-19 Dan Perilaku Transgresif Remaja: Ditinjau Dari WhatsApp Group Pornografi*, 2022
- Sidabutar, Risna, and Suhatrizaral Suhatrizaral, 'Perlindungan Hukum Terhadap Anak Yang Melakukan Tindak Pidana Pencabulan Pada Putusan No.2/Pid.Sus/2014PN.Mdn', *Jurnal Ilmiah Penegakan Hukum*, 5.1 (2018), 22–31
<<https://doi.org/10.31289/jiph.v5i1.1976>>
- Walker, Lenore E., 'Psychology and Domestic Violence around the World', *American Psychologist*, 54.1 (1999), 21–29
<<https://doi.org/10.1037/0003-066X.54.1.21>>