

Gender Bias in Interpretations of Domestic Violence in Rural Areas: A Case Study in Ciamis District, Indonesia

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ABSTRACT

Violence against wives is a very serious social problem in Indonesia, but often it lacks optimal response from various circles, even when, constitutionally, there is a legal umbrella that prevents acts of domestic violence. The purpose of this study is to examine how gender bias can lead to domestic violence in Muslim families in rural areas. This is a case study which used qualitative methods based on critical paradigms. The findings show that Muslim women in rural areas tend to experience simultaneously different types of violence which range from economic, physical, psychological, to sexual. The connection between gender bias and domestic violence can be understood from three different perspectives: the people's understanding of the religion that is discriminatory on women, the way the government uses patriarchal legal norms as social institutions, and the cultural norms that promote patriarchal values in the community.

Keywords: Domestic violence, gender bias, religious issues, social strata

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INTRODUCTION

Women and violence is one of the most pervasive issues in Indonesia. Figures show that cases related to violence against women have been on the rise since 2010. Data from the National Commission on Violence against Women (2014, 2015) for example, indicate that there were 293,220 cases of violence against women compared to 279,688 cases in 2013. Violent acts

on women seem to be most prevalent in the household and are related to personal relationship issues. Other incidences of violence against women include those committed by government officers acts such as physical body checks by the police and the arrest of migrant workers.

Constitutionally, in Indonesia there are laws that criminalizes domestic violence, such as Law No. 23 of 2004 which concerns the elimination of domestic violence. However, in reality, violence against wives is still an inherent social problem in the country and often lacks optimal response from various circles. S. 1.1 of *Law on the Elimination of Domestic Violence 2004* (IDN) defines domestic violence as any act against a person, especially women, which results in physical, sexual, and psychological suffering and/or neglected household, including threats to commit acts, coercion, or seizure of independence against the law in the household. According to Soeroso (2010), violence against women in the household can be in the form of: (a) psychological violence, (b) physical violence, (c) sexual violence, and (d) economic violence.

Psychological violence is any action by the husband that may evoke fear in the wife including acts such speaking out loud, denouncing/insulting, threatening and frightening, as well as abandoning her to marry another woman in secret, and isolating her from the outside world. Physical violence is the husband's brutal actions on his wife which include beating, crushing, pinching, and kicking or other similar acts. Sexual violence relates to the

use of coercion by the husband to demand sex or forcing himself onto the wife, and also his lack of attention to fulfilling his wife's sexual needs. Economic violence includes the refusal to seek income, failure to provide financial assistance, not addressing to basic needs including food, not allowing the spouse to seek healthcare and employment. In other words, economic violence involves neglecting the life, care, and maintenance of household members (Soeroso, 2010).

These four acts of violence against wives are prevalent in rural areas and the local community is often not aware of these acts. One factor that may be a reason for this is gender bias within the family. As pointed out by Sumadi (2017), some types of physical punishment are considered by society to be part of a husband's rights as a means to control women. According to the Office of the Ministry of Women's Empowerment (2001), Republic of Indonesia, gender is defined as social roles constructed by the community, as well as the responsibilities and opportunities of men and women that are expected by the community. Marcoes (2001) stated that violence was an attack or invasion on the physical, psychological, and mental integrity of a person. There are many causes of violence but where violence against gender is concerned, it may be caused by gender bias. Violence caused by gender bias is called gender-related violence and this type of violence is due to the inequality of forces that exist in society.

Gender bias is generally based on the assumption that the husband has a right to control his wife (Sumadi, 2017). This

kind of perspective emphasizes the view that a man occupies a higher position or status in society than a woman even though the woman is his partner/wife (Umberson et al., 1998). Such imbalance of power would inevitably lead to violence against women by men. Gender bias and domestic violence can be observed in many countries and cultures. For example, many women in Pakistan, especially in the Bahawalpur district, constantly face domestic violence committed by their own family members especially the males (Ashraf et al., 2017). Despite claims of success in the promotion of human rights and women emancipation, there are still many women who are victims of sexual and physical violence by a partner during their lifetime (Smith et al., 2017).

Based on these studies, there is an assumed relationship between gender bias and domestic violence. It is, therefore, the purpose of this study to examine how gender bias can lead to domestic violence in selected Muslim families in rural areas, especially in the Ciamis district of West Java, Indonesia.

METHOD

This research used the qualitative approach based on critical paradigms. More specifically, this is a case study that examined the role of gender bias as the main cause of domestic violence in Muslim families in rural areas. The data was collected through in-depth interviews with the female victims of violence committed in a household (Daymon & Hallway, 2010). The participants of the interview

were selected based on cases handled by the *amil* in Ciamis. The *amil* is an officer who handles domestic violence cases and requests for divorce arising from domestic violence.

According to Given (2008), a study with a critical paradigm such as this requires a specific methodology, which in this case is via in-depth interviews. Reinhartz and Davidman (1992) emphasized that any research that concentrated on gender issues should employ the in-depth interview approach as the key method of data collection. Mulyana (2010) asserted that in-depth interviews in this type of study should be flexible, unstructured, and occasionally involved informal conversations or semi structured interviews, where the questions asked were based on the issues emerging from the response to the previous question. Although the theme in the interview must focus on gender-based violence, it does not have to follow a rigid structure (Given, 2008). The participants in this study consisted of five female victims of domestic violence from five families: (1) AC (family A), (2) AT (family B), (3) Y (family C), (4) IC (family D), and (5) IN (family E).

RESULTS

From the interviews it was found that the women experienced various types of violence from their husbands. In this section, the description of the interview is provided and discussed according to the individual families.

Family A: According to AC, she had to work hard to earn a living to support

her family. Her husband who was a retiree, preferred to have a good time by himself and did not care about the welfare of his wife and children. The family lived together in the same house in the past year but the husband rarely played the role as the head of the family and did not communicate with other family members. AC had to go out and work in order to support the family. Consequently, this led to conflicts involving the fight over controlling the assets in the household. Various items acquired by the wife with her income were claimed by the husband to be his property, as he considered himself as head of the family and therefore had the right to. In this case, AC can be regarded as a victim of economic violence.

Family B: The same type of violence was also experienced by the wife in this family. Family B consisted of AT, her husband and their 4 children. The husband was unemployed, yet he never attempted to find an income. AT tried to fulfil the needs of the family by becoming a trader. In addition, her husband's attitude was that he felt that he was always right. According to AT, there was nothing much she could do except to cry and be patient. The psychological violence persisted as the husband felt that, as the head of the family, it was within his rights to do as he pleased. Unfortunately, all AT's income went straight to the husband. It was really tough on her as she had to manage both work outside the house as well as the housework. However, AT never considered herself as the victim of domestic violence. According to her, as a wife, she must accept and be patient under the circumstances.

Family C: Y caught her husband J with another woman; she was accused by her husband of going around without his permission. After the incident, Y was subjected to physical mistreatment by her husband, which resulted in injuries to her face and head. The physical violence continued and this affected their marriage. She would be beaten, suffered insults and verbal abuse. Nevertheless, she believed that as a wife she must be patient. Y claimed that her neighbours perceived her as a good woman, and as someone who had always carried out her duties as a housewife responsibly. According to Y, her husband had recently become ruder and would scold her every time he came home. Y would receive more physical and verbal abuse if his needs were not fulfilled. In the case of family C, Y was not only the victim of physical and verbal abuse, but was also a victim of economic violence as she never received any proper financial support from her husband.

Family D: Unlike victims of economic violence, IC suffered psychological violence from her husband. In this case, her husband CC had unofficially married several other women. IC and CC had three children. IC worked as a teacher while her husband was a civil servant. The psychological violence usually happened after her husband returned home from work at night. As pointed out by IC during the interview, "*sabuni-bunina bangke pasti kaambe*" ("even though a carcass is hidden, it will smell bad"). Apparently, CC had unofficially married another woman who lived in a

different district. Despite that, IC was accepting as she believed that, as a wife, that was how she should behave. The first unofficial marriage ended, but soon after, IC unofficially married another woman. CC felt so hurt by her husband's behaviour. Despite feeling disappointed, she was advised by her mother, who was a religious teacher, to continue to persevere as it was a wife's duty to obey the husband.

Family E: BK (husband) and IN (wife) got married in June 1971. BK was a successful businessman, and over the years, the family managed to live comfortably and amassed significant amount of properties such as expensive cars, land and rice fields. Despite their wealthy life style, according to IN, her husband often hit her. He would grab, hit, throw, and break things, kick, threaten, and get angry for no apparent reason.

BK believed that, as IN's husband, he has the right to educate his wife. He also believed that educating his wife could not be done in a subtle way and would be much more effective if it was done through violence. According to IN, she was often tortured. Although BK's abuse of his wife attracted other people's attention, they could not help or did not dare get involved because of the cultural belief that no one should get involved in another household's issues. The continuous violence was inflicted not only on IN but also on their children and daughter-in-law because BK believed that he needed to educate them.

On February 8, 2016, BK assaulted IN so violently that she had to seek medical

treatment. Before going to the hospital, IN consulted the *amil*, the officer who handled matters related to marriage and divorce in the village, for advice. The *amil* advised her to see a doctor and filed a police report. According to the MZ, BK had contravened Criminal Code 356 concerning the mistreatment of family members and Law Number 23 of 2004 concerning Elimination of Domestic Violence. However, after returning from the doctor and the police station, IN changed her mind and chose not to pursue her case as she was worried for her two children and her daughter-in-law. Instead she chose to file for divorce. According to IN's view, there was no hope of continuing the marriage as she feared that the violence might recur in the future.

DISCUSSION

All the women interviewed in this study were victims of various types of domestic violence. In some cases the women experienced more than one type of violence simultaneously, but what is interesting about the findings is that some of the women did not even recognize the fact that they had been victims of domestic violence. As pointed out by Soeroso (2010), there are 4 types of domestic violence; (a) psychological violence, (b) physical violence, (c) sexual violence, and (d) economic violence. Based on the interviews, the economic violence committed by a husband was not always perceived as an act of abuse by the wife. That may explain why no action was taken by the wife to rectify the situation. In one case, a wife experienced

economic, psychological and physical violence simultaneously. The husband's refusal to provide basic living necessities to the family (psychological violence) forced the wife to work to provide for the family (economic violence). Unfortunately, all of her income was taken away by the husband and if the wife protested, she would be physically abused (physical violence).

All the above cases examined in this study point to the fact that domestic violence can be linked to the issue of gender bias. In the context of Indonesian Muslims, the link between domestic violence and gender bias may be explained from three perspectives: the people's understanding of the religion (i.e., Islam), the legal system and the cultural norms that promote local patriarchal social institutions.

Islam is the main religion in Indonesia and the misunderstanding of the religion may explain why there is a persistent gender-biased attitude among the males in the country. One of the main principles in Muslim marriage emphasizes the need for a wife to obey her husband and that she does not have authority over the property (Sumadi, 2018). As stated in the Quran:

Men are in charge of women by [right of] what Allah has given one over the other and what they spend [for maintenance] from their wealth. So, righteous women are devoutly obedient, guarding in [the husband's] absence what Allah would have them guard. But those [wives] from whom you fear arrogance - [first] advise them; [then if they persist], forsake them in bed; and [finally], strike them. But if they obey

you [once more], seek no means against them. Indeed, Allah is ever Exalted and Grand. (al-Nisa: 34).

This verse has been interpreted in such a way that it leads to the deeply-ingrained understanding that women should be submissive to their husband regardless of the circumstances. In addition, there are many Islamic sources, works of *fiqh* in Indonesia as well as *hadiths* (sayings of the Prophet), including misogynist *hadiths* that marginalizes women (Marhumah, 2015). According to Mernissi (1991), there are at least five misogynist *hadiths*:

1. Those who give up their affairs to women do not get prosperity.
2. Dogs, donkeys and women will cancel prayers if passing between people who pray and the *qibla*.
3. There are three things that bring disaster: home, women and horses.
4. After my death there is no more fatal problem for men except women.
5. I looked to heaven and I saw that most of the inhabitants were the poor, and I looked to hell, I saw most of the inhabitants were women.

These *hadiths* belittle women and discredit their role in society. According to Mernissi (1991), the narratives of religion about women such as in the above *hadiths* tend to emphasize men's superiority over women. Indeed, in some of the case studies examined in this paper the husbands felt that as the leader in the family they are obligated to educate their women and therefore, their actions, which sometimes involve physical violence, can be considered as legitimate.

Gender bias ideology also seems to be pervasive in the context of the Indonesian legal system. Men are often given the advantageous position in the law compared with women. For example, in UUP (Laws about Marriage) Article 34, Paragraph (2) and KHI (Compilation of Islamic Law) Article 83, Paragraph (2), it is stated that it is the obligation of the wife to organize and manage household affairs as much as possible. This justifies the stereotypical assumption of the community that the most appropriate place for women is at home. This leads to the misguided understanding that since it is the wife who is responsible for performing all the duties in the household, she will be considered as a disgrace if she leaves the house as she has neglected her obligations (Nafisah, 2008). The above also encourages the process of impoverishment (and marginalization) which then makes the wife become economically dependent on the husband. This was, in fact, the case with one of the respondents in the interview (family E) where the wife had to endure countless beatings from him until she had to seek medical treatment.

The cultural norms inherent in the local community may also play a role in the growth of gender bias attitude among the males, which ultimately leads to the occurrence of domestic violence. According to Khotimah (2009), in Javanese culture, there is the assumption that women do not need to go for higher education, because they will eventually end up in the kitchen. Similar assumptions on women subordination and discrimination may also be observed

in Sundanese culture. Traditional sayings such as *Adep hidep* [a wife must serve her husband]; *Taraje nanggeuh dulang tinande* [Women must be prepared to accept and carry out the orders of men]; *Awewe mah dulang tinande* [women depend on men and have no choice]; and *Babon kapurba ku jago* [a woman must obey her husband] (Gemini, 2016) which have been passed down over generations emphasize women's dependency on men.

As pointed out by Nafisah (2008), culture plays a significant role in encouraging men to rule and women to depend on men. Culturally, women must display total obedience to their husbands. The assumption that women are irrational or emotional further portrays women as being unable to lead, and this results in the emergence of an attitude that places women in a less important position. Such views and cultural norms encourage and provide an avenue for acts of violence against women. Women who do not obey their husbands or have different world views will be considered as having violated the cultural and religious norms of their society. In many domestic violence cases, the community often blames the wife as the cause of violence as it reflects the wife's inability to serve her husband. The violence inflicted on women by the husband is considered normal and legitimate. As the interviews reveal, the women who were abused often felt that they had no choice but to persevere because that seemed to be the right thing to do.

CONCLUSION

This research showed that domestic violence is a significant and pervasive problem in rural Indonesia. Women often experienced more than one type of domestic violence on one occasion. More importantly, the findings showed that there is an inevitable link between gender bias and domestic violence. The connection between gender bias and domestic violence can be understood from three different perspectives: (i) the people's understanding of the religion that is discriminatory on women, (ii) the way the government uses patriarchal legal norms as social institutions, and (iii) the cultural norms that promote patriarchal values in the community. Although the government has endorsed laws to address domestic violence, more significant efforts should be made in raising society's awareness on the problem of gender bias as this, in the long run, may be more impactful in reducing domestic abuse cases. This includes conducting a more comprehensive understanding of Islamic education as a way to change society's cultural norms and the people's attitude towards women. The government could also play a role in improving women's economic capacity by opening more employment and economic avenues for women so that they can become more financially independent. Last but not least, campaigns that encourage victims of domestic violence to come forward to the authorities should be conducted to make women become more aware that they do not have to endure the violence and that there are places where they can seek help.

REFERENCES

- Ashraf, S., & Abrar-ul-Haq, M. (2017). Domestic violence against women: Empirical evidence from Pakistan. *Pertanika Journal of Social Sciences & Humanities*, 25(3), 1401-1418.
- Daymon, C., & Holloway, I. (2010). *Qualitative research methods in public relations and marketing communications*. London, England: Routledge.
- Gemini, G. E. (2016). *Perempuan dalam budaya Sunda* [Women in Sunda culture]. Retrieved November 29, 2016, from <http://galun-radjasunu.blogspot.com/2016/11/perempuan-dalam-budaya-sunda.html/>
- Given, L. M. (Ed.). (2008). *The SAGE encyclopedia of qualitative research methods*. California, USA: SAGE Publications.
- Khotimah, K. (2009). Diskriminasi gender terhadap perempuan dalam sektor pekerjaan [The gender discrimination against women in job sector]. *Jurnal Yin Yang*, 4(1), 158-180. *Law on the Elimination of Domestic Violence 2004* s. 1.1. (IDN).
- Marhumah, M. (2015). The roots of gender bias: Misogynist in Pesantren. *Indonesian Journal of Islam and Muslim Societies*, 5(2), 283-304.
- Marcoes, N. L. (2001). *Pengarusutamaan jender: Suatu strategi dalam pembangunan* [Gender mainstreaming: As a strategy in Developments]. Jakarta, Indonesia: Women Support Project II (WSP II) and Canadian International Development Agency (CIDA).
- Mernissi, F. (1991). *Women and Islam: An historical and theological inquiry*. Missouri, USA: South Asia Books.
- Mulyana, D. (2010). *Metodologi penelitian kualitatif: Paradigma baru ilmu komunikasi dan ilmu sosial lainnya* [Qualitative research methodology: New paradigm of communication and social sciences]. Bandung, Indonesia: PT Remaja Rosdakarya.

- Nafisah, D. (2008). Politisasi relasi suami-istri: Telaah KHI perspektif gender [Politicization of husband and wife relations: Review of KHI on gender perspective]. *Jurnal Yin Yang*, 3(2), 195-208.
- Ministry of Women's Empowerment. (2001). *Panduan pelaksanaan Inpres nomor 9 tahun 2000 tentang pengarusutamaan gender dalam pembangunan nasional* [Guide to the implementation of Presidential Instruction number 9 in year 2000 concerning gender mainstreaming in national development]. Jakarta, Indonesia: Author.
- National Commission on Violence against Women. (2014). Kegentingan kekerasan seksual: Lemahnya upaya penanganan negara [The seriousness of sexual violence: The weakness of state's involvement]. Retrieved September 30, 2018, from <https://www.komnasperempuan.go.id/reads-catatan-tahunan-tentang-kekerasan-terhadap-perempuan-2014/>
- National Commission on Violence against Women. (2015). Kekerasan terhadap perempuan: Negara segera putus impunitas pelaku [The violence against women: The state breaks off the impunity of perpetrators immediately]. Retrieved October 1, 2018, from <https://www.komnasperempuan.go.id/reads-catatan-tahunan-tentang-kekerasan-terhadap-perempuan-2015/>
- Sumadi, S. (2017). The development of feminist epistemology in Islamic studies in Indonesian university: A case study of akhwal syaikhshiyah study program of Darussalam Islamic Institute, Ciamis West Java. *Epistemé: Jurnal Pengembangan Ilmu Keislaman*, 12(1), 231-259.
- Sumadi, S. (2018). Ideology of exclusion of women in the text of hadiths in the pesantren in Indonesia. *Al-Afkar Journal for Islamic Studies*, 2(1), 1-14.
- Soeroso, M. H. (2010). *Kekerasan dalam rumah tangga dalam perspektif yuridis-viktimologis* [Domestic violence on juridical-victimology perspective]. Jakarta, Indonesia: Sinar Grafika.
- Reinharz, S., & Davidman, L. (1992). *Feminist methods in social research*. New York, USA: Oxford University Press.
- Smith, S. G., Basile, K. C., Gilbert, L. K., Merrick, M. T., Patel, N., Walling, M., & Jain, A. (2017). *National intimate partner and sexual violence survey (NISVS): 2010-2012 state report*. Retrieved October 1, 2018, from <https://stacks.cdc.gov/view/cdc/46305/>
- Umberson, D., Anderson, K., Glick, J., & Shapiro, A. (1998). Domestic violence, personal control, and gender. *Journal of Marriage and the Family*, 60(2), 442-452.

