

## The Role of Bhabinkamtibmas in Resolving Domestic Violence in Rokan Hilir Area

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ARTICLE INFO	ABSTRACT
<p><b>Keywords:</b> Bhabinkamtibmas, domestic violence, Problems.</p>	<p>The problem of domestic violence or commonly abbreviated as domestic violence is sometimes not a problem for 2 people, both perpetrators and victims, but often this domestic violence can be a problem for the community to participate in solving it. One of the parties who usually participates in solving domestic violence cases is Bhabinkamtibmas. In addition to Bhabinkamtibmas, the participating parties include the families of both perpetrators and victims, village heads, hamlet heads or neighborhood heads, community leaders and Bhabinkamtibmas itself. The police as one of the law enforcement officers responsible for law enforcement have the duty to carry out law enforcement, one of which is in acts of domestic violence and conduct investigations and provide protection for victims of domestic violence. The formulation of the problem in this study is: 1. What is the Role of Bhabinkamtibmas in Resolving Domestic Violence in the Rokan Hilir area? 2. What are the obstacles faced by Bhabinkamtibmas in tackling Domestic Violence in Rokan Hilir area? This study used Sociological juridical legal research. This sociological juridical legal research is conceptualized as the manifestation of symbolic meanings of social actors as seen in their interactions. That the real reality of life does not exist in the empirical realm which is also the realm of observation, does not appear in the form of objectively patterned and structured (let alone normative) behavior and can therefore be measured to produce quantitative data. The role of Bhabinkamtibmas in solving Domestic Violence includes: enforcing the law for the sake of creating security and order in the community itself. The resolution of acts of domestic violence committed by Bhabinkamtibmas in the Rokan Hilir Region encountered obstacles in the field, these obstacles include: Some victims of domestic violence are still reluctant to report their acts of violence, this causes Bhabinkamtibmas as a representative of law enforcement to be unable to do much or make enforcement efforts or conduct investigations because acts of domestic violence are complaint delicacy.</p>

### INTRODUCTION

The existence of problems in the community is not an early thing for us to know. Many problems that arise in the midst of society are not impossible to find solutions or solutions. One of the problems that we often encounter is the problem involving domestic violence. Domestic violence is not only experienced by women, the victims may be men. The problem of domestic violence or commonly abbreviated as domestic violence is sometimes not a problem for 2 people, both perpetrators and victims, but often this domestic violence can be a problem for the community to participate in solving it. One of the parties who usually participates in solving domestic violence cases is Bhabinkamtibmas. In addition to Bhabinkamtibmas, the participating parties include the families of both perpetrators and victims, village heads, hamlet heads or neighborhood heads, community leaders and Bhabinkamtibmas itself. Why should other parties participate in solving domestic violence cases in the community? Because there are actually many domestic violence problems that they cannot solve family-wide, they usually prefer to report domestic violence cases to the authorities. Domestic problems that lead to violence usually often occur in the community, but many cases of domestic violence when victims complain to the authorities, they are more directed to early familial resolution. It will be attended by the families of the victims

and perpetrators, community leaders, hamlet/neighborhood heads, village heads and Bhabinkamtibmas to make arrangements to the perpetrators not to repeat their actions. This is actually the background of the problem why the author raised the theme of the role of Bhabinkamtibmas in solving domestic violence, especially in the jurisdiction of the Bagan Sinembah District Police Station.

The formulation of the problem in this study is to find out how the role of Bhabinkamtibmas in solving domestic violence in the Bagan Sinembah Rokan Hilir District Police Area. What are the obstacles for Bhabinkamtibmas in tackling domestic violence in the jurisdiction of the Bagan Sinembah Rokan Hilir District Police Station.

## **METHOD**

This type of research uses Juridical-Sociological law. In this sociological juridical legal research, law is conceptualized as a manifestation of the symbolic meanings of social actors as seen in their interactions. That the real reality of life does not exist in the empirical realm which is also the realm of observation, does not appear in the form of objectively patterned and structured (let alone normative) behavior and can therefore be measured to produce quantitative data. The reality of life actually exists only in the realm of meaning that appears in the form of symbols that can only be understood after interpretation. Such a reality cannot be easily "captured by external observation and measurement. These realities can only be grasped through internal experiences and passions that produce a complete picture of understanding. The specification this study uses is descriptive analytical. Analytical descriptive legal research is a method that serves to describe or describe the object under study through data or samples that have been collected as they are without conducting analysis and making conclusions that apply to the public.

## **RESULTS AND DISCUSSION**

### **A. The Role of Bhabinkamtibmas in Resolving Domestic Violence in the Bagan Sinembah Rokan Hilir District Police Area**

Before further discussing the role of Bhabinkamtibmas, it is better for the author to explain first about what Bhabinkamtibmas is. Bhabinkamtibmas stands for Bhayangkara Pembina Security and Public Order. This designation is pinned in accordance with the Decree of the Chief of the National Police of the Republic of Indonesia No.Pol: KEP/8/II/2009 concerning the amendment of the field manual of the Chief of Police No.Pol: BUJUKLAP/17/VII/1997 concerning the designation of Babinkamtibmas (Bintara Pembina Kamtibmas) to Bhabinkamtibmas (Bhayangkara Pembina Kamtibmas) from the rank level of Brigadier to the Inspector. As a Community Policing officer or abbreviated as Polmas, Bhabinkamtibmas serves at the village and village levels in accordance with Article 1 point 4 of the Chief of Police Regulation Number 3 of 2015. Thus, Bhabinkamtibmas becomes a direct liaison between the National Police institution and the community at the village and village levels in its work area.

Bhabinkamtibmas are police officers on duty in the community and sub-districts who partner with the community. Bhabinkamtibmas carries out preemptive and preventive duties and roles in order to describe and enforce policies and strategies in carrying out the duties of the National Police. In carrying out its role in carrying out its duties, a Bhabinkamtibmas must know clearly about the roles and duties as well as the functions and authorities of the Bhabinkamtibmas that support in creating a positive image in the eyes of the community. The role of Bhabinkamtibmas related to the Main Duties, functions and authorities can be seen as follows:

#### **1. Function Bhabinkamtibmas**

Bhabinkamtibmas officers carry out preemptive functions by partnering with the community, this function is stated in Article 26 of the Chief of Police Regulation Number 3 of 2015. The functions of Bhabinkamtibmas include: (1) Carrying out visits / sambang to the community with the aim of listening to complaints of community members about Kamtibmas problems and providing explanations and resolutions, maintaining friendly / fraternal relations; (2) Guiding and counseling in the field of law and Kamtibmas to increase awareness of law and Kamtibmas by upholding Human Rights (HAM); (3) Disseminate information about the policies of the National Police leadership related to the Maintenance of Public Security and Order (Harkamtibmas); (4) Encourage the implementation of the system in environmental security and community activities; (5) Provide police services to communities in need; (6) Mobilizing positive community activities; (7) Coordinate Kamtibmas development efforts with village/village officials and other related parties; Carry out consultation, mediation, negotiation, facilitation, motivation to the community in Harkamtibmas and solving crime and social problems.

## **2. The main Tasks Bhabinkamtibmas**

The main task of Bhabinkamtibmas is to conduct community development, as well as conduct early detection and mediation or negotiation in order to create conducive conditions in the village or kelurahan. The main task is as stated in Article 27 of the Regulation of the Chief of Police Number 3 of 2015. In carrying out its duties, Bhabinkamtibmas conducts the following activities: (1) House-to-house visits in all areas of its assignment; (2) Perform and assist in problem solving; (3) Regulating and securing community activities; (4) Receive information about the occurrence of a criminal offence; (5) Provide temporary protection to lost persons, victims of crime and offense Participate in providing assistance to victims of natural disasters and disease outbreaks; (6) Provide guidance and guidance to the community or community related to Kamtibmas and Police Service problems

### **1. Authority of Bhabinkamtibmas**

The authority of Bhabinkamtibmas as a National Police officer who partners with the community at the village or village level, as stated in Article 28 of the Chief of Police Regulation Number 3 of 2015. (1) Resolve disputes of citizens or communities. Take necessary steps as a follow-up to the FKPM agreement in maintaining environmental security. (2) Visit the crime scene (crime scene) and take the first action at the crime scene (TPTKP). (3) Monitor the flow of beliefs in society that may cause division or threaten the unity and unity of the nation.

Domestic Violence (KDRT) has become a national issue that requires serious handling, special attention is needed to reduce the number of domestic violence. This is where the role of Bhabinkamtibmas is needed in the midst of society. Where the role of Bhabinkamtibmas related to the resolution of domestic violence is as follows: (1) Receiving information about the occurrence of domestic violence crimes; Bhabinkamtibmas has the right to receive information about the occurrence of domestic violence crimes in their work area. (2) Conduct and assist in solving problems related to domestic violence; (3) Bhabinkamtibmas after receiving information about the occurrence of domestic violence crimes, participate in conducting and assisting in solving problems related to domestic violence that occur to be resolved by kinship and deliberation. (4) Carry out consultation, mediation, negotiation, facilitation of parties related to domestic violence; and in resolving cases of domestic violence, Bhabinkamtibmas carries out by means of consultation, mediation, negotiation and facilitating parties related to domestic violence in its jurisdiction (5) Enforcing the law for the creation of security and order in the community itself.

Bhabinkamtibmas are obliged to enforce the law for the sake of creating security and order in their society regardless of the interests of either party. However, all parties are responsible for the creation of security and order in the jurisdiction of their duties. The definition of Domestic Violence in article 1 paragraph (1) of Law No. 23 of 2004 concerning the elimination of Domestic Violence is any act against someone, especially women that results in physical, sexual, psychological, and domestic misery or suffering, including threats to commit acts, coercion, or deprivation of independence unlawfully and within the scope of the household. Mansour, in Saraswati, defines violence as an attack or invasion of one's physical or psychological mental integrity. Whatever the reason, physical attacks or attacks on the psychological mental integrity of a person that occur in the household are not justified.

### **3. Prohibition of Domestic Violence (Domestic Violence)**

Establishing an eternal and lasting home is the basis of the Number Marriage Law. 1 In 1974, the purpose of marriage in the explanation of the law, that husband and wife help and complement each other so that each can develop his personality to achieve spiritual and material well-being. The background to the issuance of Law No. 23 of 2004 concerning the Elimination of Domestic Violence (KDRT), specifies a prohibition by emphasizing the existence of "Prohibition of violence within the scope of the household", namely: (a) Physical Violence This physical violence can be in the form of abuse, murder either carried out with bare hands or with weapons aids, sharp objects or blunt objects that cause disability, Injury, as well as the loss of one's life, whether intentional or unintentional (negligence), is prohibited and punishable by imprisonment with a fine. (b) Psychological Violence Violence committed by family members, whether husband, wife or children in domestic relationships that results in fear, loss of self-confidence, loss of ability to act or loss of work, a sense of helplessness and severe psychological suffering. (c) Sexual violence such as forced conjugal sexual relations, or forced sexual relations against one person within the scope of the household, or with another person for commercial purposes and certain purposes. (d) Domestic Neglect Within the scope of the household, every person is prohibited from "abandoning" persons, when according to the law applicable to him is, by agreement or agreement, he is obliged to provide a life of mental bread,

care, maintenance and sufficiency for the needs of the household.

#### 4. Impact of Domestic Violence

There are several repercussions for victims of domestic violence. According to La Jamaa and Hadidjah, domestic violence has widespread and long-term negative impacts. Every victim of violence will experience an atmosphere of terror that imprints traumatic consequences for their victims that will be experienced both in the violence and afterwards. So even if the victim manages to get out of the grip of violence, but the trauma still lingers so that stress is accompanied by behavioral disorders, commonly known as Post Traumatic Stress Disorder (PTSD). PTSD can result from acts of domestic violence, or as a result of rape and various deviant sexual acts.

According to Soerjono Soekanto, five reasons for violence are the occurrence of violent crimes, namely the orientation to objects that cause the desire to get material easily, there is no channeling of will and there is some kind of mental pressure on people, the courage to take risks, lack of guilt and the existence of bad examples. Based on the definition above, researchers can draw conclusions Domestic Violence (KDRT) can have a serious impact on the closest victims for example the physical impact may be more visible such as injury, pain, disability, pregnancy, miscarriage, death. Whatever the form of violence there is always a psychic impact of domestic violence, a psychological impact can be distinguished after the incident, as well as a more persistent medium or long impact. The impact such as fear and threat, confusion, loss of self-confidence, concentration and the impact is enormous for victims affected by domestic violence.

#### B. Obstacles for bhabinkamtibmas in Tackling domestic violence in Rokan hilir

There are several obstacles for Bhabinkamtibmas in resolving domestic violence in Rokan Hilir jurisdiction, including:

1. Lack of public knowledge about domestic violence That domestic violence as a criminal act is regulated in Law No. 23 of 2004 concerning the elimination of domestic violence.

The lack of public understanding about domestic violence is an important factor in resolving domestic violence in Rokan Hilir. The public needs to be educated that domestic violence is a criminal act in the form of mistreatment of one partner in the household. For married couples, it is common for domestic disputes to even lead to beatings and abuse, which is something they usually find. This needs to be given an understanding for them that disputes in the household are indeed common. However, if there has been an act of domestic violence that results in physical and mental health for the victim, then this has entered the realm of criminal acts which we already know the regulation contained in Law Number 23 of 2004 concerning the elimination of domestic violence.

There is no single and clear definition of domestic violence. However, usually domestic violence basically, includes (a) physical violence, which is every act that causes death, (b) psychological violence, which is every act and speech that causes fear, loss of self-confidence, loss of ability to act and a sense of helplessness in women, (c) sexual violence, which is every act that includes sexual harassment to forcing someone to have sexual relations without consent of the victim or when the victim does not want and/or engage in sexual relations in ways that are unnatural or unwelcome to the victim and/or distances her (isolates) her from her sexual needs, (d) economic violence, i.e. any act that restricts people (women) from working inside or outside the home that produces money and/or goods or allows the victim to work for exploitation, or abandonment of family members.

Criminal threats for perpetrators of domestic violence can be seen in Article 44 of Law Number 23 of 2004 as follows:

"Any person who commits acts of physical violence within the scope of the household as referred to in Article 5 letter a shall be punished with a maximum imprisonment of 5 (five) years or a maximum fine of IDR 15,000,000.00 (fifteen million rupiah).

"In the event that the act as referred to in paragraph (1) results in the victim getting sick or seriously injured, it shall be punished with a maximum imprisonment of 10 (ten) years or a maximum fine of IDR 30,000,000.00 (thirty million rupiah).

"In the event that the act as referred to in paragraph (2) results in the death of the victim, it shall be punished with a maximum imprisonment of 15 (fifteen) years or a maximum fine of IDR 45,000,000.00 (forty-five million rupiah).

"In the event that the act as referred to in paragraph (1) is committed by the husband against the wife or vice versa that does not cause disease or hindrance to carry out the work of the position or livelihood or daily activities, it shall be punished with a maximum imprisonment of 4 (four) months or a maximum fine of IDR 5,000,000.00 (five million rupiah).

2. Some victims of domestic violence are still reluctant to report their acts of violence, this causes Bhabinkamtibmas as a representative of law enforcement to be unable to do much or make enforcement efforts or conduct investigations because acts of domestic violence are complaint offenses; There are several factors that cause victims of domestic violence to be reluctant to report it, including: (a) Fear to report cases of domestic violence due to threats from the perpetrator and the perpetrator's family. (b) There is a feeling of shame that the domestic violence is known to the public. (c) Not knowing where to complain and to whom. This is a factor that is an obstacle for Bhabinkamtibmas to solve domestic violence that occurs in the community.

## CONCLUSION

The role of Bhabinkamtibmas related to solving domestic violence is to receive information about the occurrence of domestic violence crimes. Perform and assist in solving problems related to domestic violence. Carry out consultation, mediation, negotiation, facilitation of parties related to domestic violence and enforce the law for the creation of security and order in the community itself.

Obstacles for Bhabinkamtibmas in tackling domestic violence include: lack of public knowledge about domestic violence, that domestic violence as a criminal act is regulated in Law No. 23 of 2004 concerning the elimination of domestic violence. Some victims of domestic violence are still reluctant to report their acts of violence, this causes Bhabinkamtibmas as a representative of law enforcement to be unable to do much or make enforcement efforts or conduct investigations because acts of domestic violence are complaints.

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