

CHOOSING FRIENDS TO HELP A VICTIM OF DOMESTIC VIOLENCE IN SURABAYA

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Abstract: State actors and non-State actors have an important role and contribution to solving acts of domestic violence. These actors are given space through Law No. 23 of 2004 concerning the Elimination of Domestic Violence. Legal protection and human rights are the main points for victims of domestic violence in protecting their dignity and dignity as human beings. Victims of domestic violence have the option to resolve it through both State and non-State actors, they seem comfortable with their choice of friends in resolving these acts of domestic violence. This article uses ethnographic methodology by observing the behavior, knowledge, beliefs, network of friends, and culture of the selection process for solving domestic violence in the city of Surabaya. This article is derived from data collected through documentation, semi-participant observation, and interactive dialogue. Friends as an institution where to complain, and seek resolution has been chosen by victims of domestic violence. They consider that friends play an important role as a preliminary institution rather than other actors such as nuclear relatives, police and courts who are State and other non-State actors.
Keywords: Domestic violence, Friend, Protection

Abstrak: Para aktor Negara dan aktor non-Negara memiliki peran dan kontribusi penting dalam penyelesaian tindak kekerasan dalam rumah tangga. Para aktor ini diberikan ruang melalui Undang-Undang No. 23 Tahun 2004 tentang Penghapusan Kekerasan dalam rumah tangga. Perlindungan hukum dan hak asasi manusia menjadi poin utama bagi para korban Kekerasan dalam rumah tangga dalam melindungi harkat dan martabatnya sebagai seorang manusia. Para korban Kekerasan dalam rumah tangga memiliki pilihan untuk menyelesaikannya melalui aktor Negara maupun aktor non-Negara, mereka terlihat nyaman dengan pilihannya terhadap teman dalam penyelesaian tindak Kekerasan dalam rumah tangga ini. Artikel ini menggunakan metodologi etnografi dengan mengamati perilaku, pengetahuan, kepercayaan, jaringan pertemanan dan budaya proses pemilihan penyelesaian Kekerasan dalam rumah tangga di Kota Surabaya. Artikel ini berasal dari data yang dikumpulkan melalui dokumentasi, observasi semi partisipan dan dialog interaktif. Teman sebagai institusi tempat untuk mengadu, dan mencari penyelesaian telah dipilih oleh para korban Kekerasan dalam rumah tangga. Mereka menganggap bahwa teman berperan penting sebagai institusi pendahuluan daripada para aktor yang lain seperti kerabat inti, kepolisian dan pengadilan yang merupakan aktor Negara maupun aktor non-Negara lainnya.

Kata Kunci: Kekerasan dalam rumah tangga, Teman, Perlindungan

Introduction

Law No. 23 of 2004 on the Elimination of Domestic Violence mandates the Police, Prosecutors, Courts, officials in the Ministry of Women's Empowerment and Child Protection, Ministry of Social Affairs, Ministry of Health, and so on to provide human rights protection and

fulfillment of ordinary rights to victims of domestic violence in Indonesia. These State actors are entrusted by the State to be present and demand accountability from the perpetrators of these acts of domestic violence. Law No. 23 of 2004, also calls for the involvement and participation of non-State actors to contribute by exercising control, cohesion, mentoring, reporting, prevention, and so on. These non-State actors include families, social institutions, advocates, volunteer assistants, spiritual guides, and so on. State actors and non-State actors play an important role in protecting human rights.¹

State actors have differences in the recording based on complaints from victims of domestic abuse. The Women and Children Protection Unit of the Surabaya City Resort Police Investigation and Crime Unit handled complaints of victims of domestic violence in 87 (eighty-seven) cases in 2021.² The Surabaya District Court decided as many as 19 (nineteen) cases in 2022.³ In 2022, the Surabaya Religious Court tried 68 (sixty-eight) cases, in which the divorce petition contained the respondent's reasons for committing acts of domestic violence.⁴ The Central Bureau of Statistics -Badan Pusat Statistik- of East Java Province recorded 0 (zero) cases in 2022.⁵ The Office of Women's

¹ Universitas Islam Indonesia (Yogyakarta). Pusat Studi Hak Asasi Manusia (PUSHAM) et al., *Hukum Hak Asasi Manusia* (Pusat Studi Hak Asasi Manusia, Universitas Islam Indonesia (PUSHAM UII), 2008), 53.

² Kompas Cyber Media, "Kasus Kekerasan Seksual di Surabaya Tinggi, Polisi Luncurkan Program Perlindungan Korban Halaman all," KOMPAS.com, January 20, 2022, <https://surabaya.kompas.com/read/2022/01/20/073625378/kasus-kekerasan-seksual-di-surabaya-tinggi-polisi-luncurkan-program>.

³ "Direktori Putusan," accessed April 6, 2023, https://putusan3.mahkamahagung.go.id/direktori/index/pengadilan/pn-surabaya/kategori/kekerasan_dalam_rumah_tangga-1/tahunjenis/putus/tahun/2022.html.

⁴ "Direktori Putusan," accessed April 16, 2023, https://putusan3.mahkamahagung.go.id/search.html?q=kekerasan_dalam_rumah_tangga&jenis_doc=&cat=72ad007bdb08c14033b593604e8b2cdf&jd=&tp=&court=401240PA801+++++++&t_put=&t_reg=&t_upl=2022&t_pr=.

⁵ Tim Penyusun, *Provinsi Jawa Timur Dalam Angka Jawa Timur Province In Figures 2023* (BPS Provinsi Jawa Timur, 2023), 211 <https://jatim.bps.go.id/publication/download.html?nrbvfeve=NDQ2MDM2ZmJiNThkMzZiMDA5MjEyZGJj&xzmn=aHR0cHM6Ly9qYXRpbS5icHMuZ28uaWQvcHVibGljYXRpb24vMjAyMy8wMi8yOC80NDYwMzZmYml1OGQzNmIwMDkyMTJkYmMvchJvdmluc2ktamF3YS10aW11ci1kYWxhbS1hbmdrYS0yMDIzLmh0bWw%3D&twoadfnorfeauf=MjAyMy0wNC0wNiAyMDoxOT00Mw%3D%3D>.

Empowerment and Child Protection as well as Population Control and Family Planning of Surabaya City received complaints of 152 (one hundred and fifty-two) cases of domestic violence.⁶ Non-State actors such as the Savy Amira Women's Crisis Centre received 128 (one hundred and twenty-eight) complaints of domestic abuse cases submitted by victims.⁷

From the data sourced from State actors and non-State actors above, it shows that there are choices that victims of domestic violence feel comfortable in reporting their violence. From these data, many victims of domestic violence may choose friendship institutions in handling their complaints and experiences. The above statistics are a challenge that must be faced by State actors and non-State actors in facing various vulnerabilities that can occur in women who can experience domestic violence, divorce, loss of affection, harassment, financial limitations, and discrimination.⁸ It is interesting to obtain knowledge from victims of domestic violence regarding the selection of appropriate legal institutions in the process of resolution.

Not all victims of domestic abuse are satisfied to resolve it through the legal institutions of the State, they try to find alternative solutions according to their respective knowledge and experience. Domestic violence has made its victims weak in quality of life. Moreover, when women are accused of being housewives, they are one of the vulnerable groups in getting domestic violence. They have two vulnerable positions: jobless and female. This article presents the story of the struggle of women who are victims of domestic violence and who choose friends as a place to complain and solve domestic violence. This theme relies on a shared activity or arrangement that seeks to perpetuate a mutually supportive bond of friendship between individuals.⁹

⁶ Esti Widiyana, "Kasus KDRT Tahun 2022 di Surabaya Meningkat," *detikjatim*, accessed December 20, 2022, <https://www.detik.com/jatim/berita/d-6476076/kasus-kekerasan-dalam-rumah-tangga-tahun-2022-di-surabaya-meningkat>.

⁷ Alivia Indah Lukitasari, Dialogue With Koordinator Pendamping Savy Amira Women's Crisis Centre, December 13, 2022.

⁸ Wahidah Zein Br Siregar, "Kekerasan Dalam Rumah Tangga Dengan Cara Membakar Istri Di Masa Pandemi COVID-19," *Al-Hukama'* 12, no. 2 (2022): 132–49.

⁹ Jochen Dreher, "Phenomenology and Sociological Research: The Constitution of 'Friendship,'" *Società Mutamento Politica* Vol 6 (January 22, 2016): 29-42 *Paginazione*.

Previous studies have shown several choices for victims of domestic abuse to non-State institutions through friends, family, and religious leaders.¹⁰ The choice of the victim to the Court is a solution because of various things such as love, children do not provide support, dependence, patriarchy, and most importantly not being complicated.¹¹ On the other hand, there are family members who try to keep victims away so as not to get support from other family members and friends.¹² In the condition of victims of domestic violence, some choose to forgive the perpetrators of domestic violence on the grounds of maintaining the integrity of the household, being patient, sincere, and closing themselves.¹³

This article focuses on the struggles of victims of domestic abuse in the city of Surabaya that illustrates how they choose friends as a place to complain and seek this solution. How can those who are part of urban communities with *cangkru'an* culture or hang out with their friends from the same alma mater both at the high school and college levels try to benefit from friendship bonds in solving cases of domestic violence? What was experienced by the victim? The purpose of this study is to reveal the behavior and knowledge of victims of domestic violence who choose friends as a place for them to complain to find solutions to cases of domestic violence.

This article uses an ethnographic methodology that observes the behavior, knowledge, beliefs, friendship networks, and culture of the process of selecting the solution to domestic violence in the city of Surabaya. This article provides a comparison against alternative literature and uses the local procedures extensively available under

¹⁰ Suzanalisa Suzanalisa and Che Thalbi Md Ismail, "Alasan Istri Sebagai Korban Kekerasan Dalam Rumah Tangga Lebih Memilih Bercerai Daripada Penegakan Hukum Terhadap Kekerasan Dalam Rumah Tangga," *Legalitas: Jurnal Hukum* 7, no. 2 (2017).

¹¹ Elen Kavarina, "Pemahaman Perempuan Korban Kekerasan Dalam Rumah Tangga Terhadap Permasalahannya Dan Solusi Hukumnya.(Studi Kasus Di LRC-KJHAM)" (Thesis-Universitas Katolik Soegijapranata, 2011).

¹² Faisal Khadafi, "Perlindungan Dan Kedudukan Korban Dalam Tindak Kekerasan Dalam Rumah Tangga Menurut Undang-Undang Nomor 23 Tahun 2004 Tentang Penghapusan Kekerasan Dalam Rumah Tangga Di Indonesia," *Jurnal Pembaharuan Hukum* 3, no. 3 (2016): 391–99.

¹³ Hamidah Nasution, "Analisis Faktor-Faktor Dominan Forgiveness Pada Korban Kekerasan Dalam Rumah Tangga (KDRT)." (Masters thesis, Universitas Negeri Padang, 2022).

positive law taking into account the inevitable ethnocentric character of locally developed arrangements. This article comes from data collected through documentation, semi-participant observation, and interactive dialogue,¹⁴ these data are presented in the form of descriptions of ideas and experiences of ethnographers who have reflexivity. The use of dialogue is preferable to interviews because it establishes a balanced and equal relationship between the researcher and the researcher.¹⁵

This article is part of the results of research located in Karangpilang District, Surabaya City, with a period of 6 (six) months, namely from May 5, 2022, to December 21, 2022. The subjects of this study were 3 (three) women who were victims of domestic violence repeatedly and who were highly educated (S1 graduates); 3 (three) women who were friends of victims of domestic violence; and 3 (three) women who are the nuclear family of victims of domestic violence.

This article does not mention the names or initials of research subjects to maximize confidentiality, then replace them with capital letters and numbers, for example for victims' names written with KDRT1,¹⁶ KDRT2,¹⁷ and KDRT3,¹⁸ names of friends of victims of TKDRT1,¹⁹ TKDRT2,²⁰ and TKDRT3,²¹ and names of nuclear family members SKDRT1,²² IBKDRT2,²³ and SKDRT3.²⁴

Discussion

Urban Muslim Women in Viewing the Resolution of Domestic Violence

Urban women also do not escape their experience in dealing with domestic violence, even though they have higher education. Their

¹⁴ Francis Phil Carspecken, *Critical Ethnography in Educational Research* (London: Routledge, 2013), 154.

¹⁵ Elizabeth Murphy dan Robert Dingwall, "The Ethics of Ethnography", dalam Paul Atkinson, ed., *Handbook of Ethnography* (London ; Thousand Oaks, Calif: SAGE, 2001).

¹⁶ KDRT1, Dialogue with Domestic Violence Victims, May 20, 2022.

¹⁷ KDRT2, Dialogue with Domestic Violence Victims, July 7, 2022.

¹⁸ KDRT3, Dialogue with Domestic Violence Victims, October 19, 2022.

¹⁹ TKDRT1, Dialogue with Friends of Domestic Violence Victims, June 15, 2022.

²⁰ TKDRT2, Dialogue with Friends of Domestic Violence Victims, September 18, 2022.

²¹ TKDRT3, Dialogue with Friends of Domestic Violence Victims, November 2, 2022.

²² SKDRT1, Dialogue with Sisters of Domestic Violence Victims, June 1, 2022.

²³ IBKDRT2, Dialogue with Mothers of Domestic Violence Victims, August 18, 2022.

²⁴ SKDRT3, Dialogue with Sisters of Domestic Violence Victims, November 5, 2022.

courage in telling their struggles and experiences deserves appreciation from all parties, both State and non-State actors. Their behavior and knowledge are described in the following account:

Telling KDRT1's Story:

When we got married in 2015, the husband's parents did not attend the contract for unclear reasons. At first, my extended family and I were both shocked and disappointed by the absence of my in-laws and besan. Over time, I considered that to be a challenge for our household. After getting married, we lived with my parents and had a child in 2017. Within 5 years, our household was fine, then verbal and psychological abuse began after my biological father passed away, and my husband began to change his behavior.

My husband started making fun of me for not working, at the beginning of the commitment he asked me not to work. Suddenly, the husband seemed to have a tattoo, when asked about the tattoo, he replied that this tattoo is not permanent and easy to remove. My family and I felt shocked and uneasy at the neighbors who started gossiping about this tattoo. Moreover, he began to rarely go home for work reasons. I got information from my high school friends and my husband's co-workers if my husband had cheated on me, then I asked my husband's cellphone to be able to read the contents of his WhatsApp and sms but was rejected several times. At its peak, before Ramadan in 2022 I forced my husband to borrow a cell phone but what happened was that he strangled me and stomped on my hand until it was bruised while threatening to kill the child. I just cried and screamed as loud as I could to seek help, because there was my biological mother at home.

After the incident, I tried to call TKDRT1 (a woman) - who was my husband's co-worker and was also my confidant - without telling my biological mother about the incident. TKDRT1 is a confiding friend that I often meet at coffee shops in Surabaya. I also contacted SKDRT1 (a woman) -who is my older sister- to come to the house immediately. When TKDRT1 came, I immediately spilled all the stories of violence that occurred. I invite children to ask permission to stay at TKDRT1 because they are worried that their husbands will be confused and will realize his threat. I felt calm and comfortable at TKDRT1 home for a week. On the advice of TKDRT1 who was already upset about the husband's

treatment and TKDRT1 saw that the husband's treatment should be reported to the Police, I did a post-mortem and reported the act of domestic violence to the police agency. The police received my report well and will follow up on the report.

After the police report, I tried to ask PPKDRT1 - a high school friend who became a lawyer - to make a divorce petition at the Religious Court. PP often handles divorce cases in PA Surabaya telling her experience in accompanying victims of domestic violence, domestic violence cannot be stopped without going through a divorce. PPKDRT1 advised me to withdraw the report to the police, I accepted the suggestion and retracted the report. At that time I had no idea to consult women's protection agencies either run by the State or non-State. In a state of panic and confusion, I tend to be more relieved and satisfied if I consult a friend and I feel calm if my friend has been able to calm and protect me. I feel annoyed at SKDRT1 who always asks me where I am at TKDRT1, I ask SKDRT1 not to contact me, I will contact him after my emotions have calmed down. In the end, I just told my family about the events that had happened. I ask my biological mother and SKDRT1 to be willing to be witnesses to the divorce application filed at the Surabaya Religious Court.

Telling KDRT2's Story:

Our marriage has been going on for almost 7 years. At first, we were happy, because my husband gave me and my two children great attention. But in early 2021 I got information that my husband started drinking. I felt uncomfortable with the information, especially since my husband had begun to rarely return home when I asked instead of being yelled at and threatened to divorce him. I tried to be patient and told TKDRT2 - who was a schoolmate at a high school in Surabaya - in a coffee shop, we used to *cangkru'an* in this place after graduating from high school. TKDRT2 then traced the truth of my husband's information, and I was surprised when I got information from TKDRT2 that all this time my husband had not only been drinking but also had an affair by checking in at the hotel. I tried to ask my husband, but he got angry and slammed the door hard until my two children were shocked.

So far, I have never told my parents or siblings about domestic problems, IBKDRT2 chatteringly wondered about the things I

experienced, but I ignored it, I was ashamed, afraid, and did not want to burden my mind, energy, and property, I did not want IBKDRT2 to interfere with this matter and I wanted to be given free space to solve it. I even tried to tell stories with TKDRT2 as well as chat material while looking for solutions in the coffee shop. I feel more comfortable when telling stories with friends, especially because my friends are nice to tell stories with. TKDRT2 suggested that I stay at home first to calm down while inviting me to reflect on the violent incident without taking any legal action for some time because reporting to the Police or filing a divorce application to the Religious Court will require a lot of money, energy, and time. At that time I was advised by TKDRT2 to consult with the Women's Protection Agency in Surabaya, but after careful consideration, I chose not to follow her advice. I neither approve nor reject these suggestions. In the end, it was my husband who filed for divorce at the Surabaya Religious Court. At that time I was relieved and satisfied with his decision, but I did not go to the Surabaya Religious Court.

Telling KDRT3's Story:

My husband and I used to get acquainted at a coffee shop in Surabaya, we felt suitable and comfortable with the condition of both of us. In 2019 we got married, before getting married I was already working in a private company, but my husband asked me to quit my job, and I voluntarily agreed to his request. We live in the house I bought in 2018, in which my parents also live.

At first, my husband was responsible for this marriage, but when I gave birth to my first child in 2020, he began to rarely return home, he reasoned all sorts of things. I started checking with my husband's family about his whereabouts, but instead of getting an answer, my husband's family suggested going to my husband at his parents' house.

I then went to my husband's parent's house, where I tried to get information about his husband's identity. When I opened my husband's laptop, I found a picture of my husband with my 3-year-old daughter, when I asked, my husband replied that it was a picture of his niece. I couldn't believe it because I knew all my husband's nieces and nephews. Then my husband got angry and yelled at me, and in the end, he confessed that the child was a child from a previous marriage. I felt

shocked and very stressed, the husband who claimed to have never been married at all turned out to be deceiving me. Even after this confession, the husband wanted to invite the child into our household.

I felt cheated by my husband, then went home. SKDRT3 (a woman) - who is my younger sister - was shocked by the change in my attitude and behavior after returning home from my husband's house. SKDRT3 who tried to ask questions instead I snapped and I asked him not to interfere with my affairs. I am lazy to tell SKDRT3 because so far I have never complained to him.

One day I was *cangkru'an* in a coffee shop. There I met TKDRT3 (a woman) - who was my friend in college-. I told him incident after incident. TKDRT3 felt disappointed and hurt over my husband's treatment of me. He asked me for a divorce to end this suffering. I asked TKDRT3 for permission to stay at her house for two to three days to cool my emotions, luckily TKDRT3 and her husband did not object to my request. I don't know if there is a Women's Protection Agency that can provide advice and protection for the violence I experienced. I was confused and panicked, instead of following his advice, I melted at the words of my husband who called and wanted to stay married and build a household until I got old.

In 2022, I gave birth to our second child. But my husband's behavior remains the same, he does not show good faith and responsibility, he does not give money for childbirth costs in the hospital and until now I cannot contact him by phone or WhatsApp. My parents wanted me a divorce, my parents went to a shaman to resolve this domestic violence. This shaman gave me amulets and prayers so that I could be free from this suffering and torment, but I still loved my husband and did not want to divorce for the happiness of my child. Until now we are still not divorced and we live each other's lives, I still hope that my husband will return home and continue our marriage until old age.

Knowledge and Behavior of Victims of Domestic Violence

One in three women experiences violence in some country. Violence in English comes from the Latin *violentia*, etymology is *violentus* (violent, cruel, vile), violence (violence, cruelty, rape), vehemence

(passion, passion, fiery), impetuosity (impatience, haste), ferocity (ferocity, savagery) and fury (anger, indignation). Excessive acts of violence often result in violations of norms, rights, or rules. Often associated with violations, violence tends to combine the idea of an act of physical force with an offense.²⁵

The World Health Organization defines violence as the intentional use of physical force or power, a threat or actual act, against oneself, others, or against a group or community, resulting in or having a high probability of resulting in injury, death, psychological harm, misdevelopment, or deprivation.²⁶ Women who experience violence will result in discomfort, death, injury, trauma, stress, and others. Women will experience physical and mental disorders in their daily lives.²⁷

Women can experience some type of violence either directly or indirectly. Violence can happen repeatedly or only once, it can occur by involving a variety of subtle tactics or manipulations. In any form, violence greatly affects the health and well-being of individuals. Forms of violence against women can be identified through direct violence, structural violence, and cultural violence.²⁸ There are at least nine types of violence and harassment that can be experienced by women, namely physical violence, sexual violence, emotional violence, psychological violence, spiritual violence, cultural violence, verbal abuse, financial violations, and negligence.²⁹

The three stories above show that domestic violence is terrible, inhumane, and deplorable behavior. Violence of any kind is a threat and danger to every member of the household, and every member of the

²⁵ Vittorio Bufacchi, "Two Concepts of Violence," *Political Studies Review* 3, no. 2 (April 2005): 193–204.

²⁶ World Health Organization, ed., *World report on violence and health* (Geneva: World Health Organization, 2002), 5.

²⁷ Bufacchi, "Two Concepts of Violence."

²⁸ Johan Galtung, "Cultural Violence," *Journal of Peace Research* 27, no. 3 (August 1990): 291–305.

²⁹ Government of Newfoundland and Labrador, *Respect Aging: An Education and Training Program for Recognizing, Preventing and Intervening in Violence Against Older Persons* (Violence Prevention Initiative, 2013), 20–27 https://www.respectaging.ca/training/Participant_Manual.pdf.

household has the intention to create *sakīnah mawaddah* and *rahmah*.³⁰ Victims of domestic violence do various ways to solve this case as best as possible. They choose the right institution according to their interests, needs, and desires. When victims of domestic violence choose to use State institutions in resolving domestic violence, this can be observed through several things, including being tired of getting violent, avoiding the threat of their husband, and the experience of friends. Conversely, victims of domestic violence choose to use non-State institutions in solving domestic violence, observed through several things, including still loving the perpetrator, worrying about the happiness of the child, and feeling comfortable living far away from the perpetrator.

The data above also shows that there has not been an awareness of victims of domestic violence regarding the importance of knowledge on the safety of every household member from the dangers of domestic violence, both through parents, close relatives, and women's protection institutions in Surabaya. On the other hand, they do not have the knowledge to consult with government and non-government institutions, such as the Office of Women's Empowerment and Child Protection and Population Control and Family Planning, the Integrated Service Center for Women and Children Protection, the Savy Amira Women Crisis Centre and so on. Victims of domestic violence have the following, namely: this mindset of belief about domestic violence is a disgrace and natural that is common in any household, so it can be handled by the victim; victims of domestic violence do not know there is protection for women because they are panicked and confused at the violence they experience; and the knowledge of his friends in dealing with domestic violence.

There was one victim who was already aware of the dangers of domestic violence by reporting the perpetrator to the Police and submitting a divorce petition to the Surabaya Religious Court, she used the services of a lawyer and did not choose the Legal Aid Post within the Religious Court. The victim seems to know that her decision in choosing this State institution is considered very necessary because it is very

³⁰ Achmad Fageh and Ahmadun Najah, "Construction of Wife's Permit on Polygamy Practice of Tablig Pilgrim's Mayangan Jogoroto Jombang," *Al-Hukama'* 12, no. 1 (2022): 1-27.

useful to avoid the occurrence of domestic violence that can recur if she maintains her marriage bond. She listened to the advice of her friends because she could immediately decide what was best in her mind rather than telling her family and the women's protection agency in Surabaya.

The emergence of several legal systems that apply to people in certain regions of the world shows the existence of a State legal system that is forced to live side by side, intertwined, synergistic, and interconnected with customary law, religious law, hybrid law, and even international law. The nature of the discipline of legal anthropology is known as legal pluralism. John Griffiths claims that a centralized State legal system will deal with other legal systems that have long lived and developed in society.³¹ Legal centralism in the face of legal pluralism will result in people having three choices, namely resignation, following, negotiating, and giving resistance.

According to the stories of the victims above, it shows that friends who met at the coffee shop as friends of *cangkru'an* had the ability and knowledge that felt good to hear complaints, protect, and provide a sense of security from the domestic violence they experienced. They trust and put more hope in their friends than in their family, especially in people and institutions they don't know or don't know. The suggestions of these friends are more listened to and considered by the victim in protecting his dignity and dignity.

Both State and non-State institutions they chose because as part of the urban community of the city she believed in her friend's knowledge and ability to solve this domestic violence. These friends are considered capable of accompanying victims in dealing with domestic violence cases within their means. There are times when the suggestion is accepted and there are times when the suggestion is rejected. This is following the knowledge possessed by the victims. According to the victim who chose the State institution, she felt that the Police and the Religious Court³² had provided good service. This choice of State

³¹ John Griffiths, "What Is Legal Pluralism?," *The Journal of Legal Pluralism and Unofficial Law* 18, no. 24 (January 1986): 1-55.

³² Muhammad Jazil Rifqi, "Sejarah Sosial Talak Di Depan Pengadilan Agama Dalam Undang-Undang Perkawinan Di Indonesia," *Al-Hukama'* 11, no. 2 (2021): 55-84.

institutions shows the strong hegemony of the State to monopolize its citizens in solving cases.³³

Two victims of domestic violence feel that non-State institutions are considered comfortable and following their legal experience and knowledge, on the other hand, State institutions are not able to monopolize³⁴ citizens or communities, so they look for non-State institutions that are considered capable of fulfilling their interests. The influence of non-State institutions in resolving domestic violence shows the existence of pluralism in the legal world, the spread of various types of laws, regulations, and social controls that are intertwined, making State legal monopolies get resistance and competition from non-State laws. These rivals and rivals can arise from normative influences that can be sourced from such as transnational corporations, self-help organizations, shared legal cultures, and so on.³⁵

Data from the above State institutions show that Indonesia, like other developing countries, shows the existence of a non-State legal system that can solve most domestic violence. Non-State legal systems are capable of maintaining substantial autonomy and authority. Under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), States should be able to commit to a range of measures to end and eliminate discrimination against women in all forms, including: to include the principle of equality of men and women in their legal systems, to abolish all discriminatory laws and adopt appropriate ones prohibiting discrimination against women; establish courts and other public institutions to ensure effective protection for women from discrimination; and to ensure the elimination of all acts of discrimination against women by persons, organizations or companies.³⁶

The Convention provides the basis for realizing equality between women and men by ensuring women's equal access and equal

³³ Brian Z Tamanaha, "Understanding Legal Pluralism : Past to Present, Local to Global.," *The Sydney Law Review* 30, no. 3 (September 1, 2008): 375–411.

³⁴ Tamanaha.

³⁵ Boaventura de Sousa Santos, *Toward a New Legal Common Sense: Law, Globalization, and Emancipation*, Third edition, Law in Context (Cambridge, United Kingdom New York, NY, USA Port Melbourne, VIC, Australia New Delhi, India Singapore: Cambridge University Press, 2020), 164.

³⁶ Susanne Zwingel, *Translating International Women's Rights: The CEDAW Convention in Context*, Gender and Politics (London: Palgrave Macmillan, 2016).

opportunities in political and public life – including the right to vote and run for office – as well as education, health, and employment. States parties agree to take all appropriate measures, including temporary laws and special measures, so that women may enjoy all their human rights and fundamental freedoms. The convention is the only human rights treaty that affirms women's reproductive rights and targets culture and tradition as influential forces shaping gender roles and family relationships. It affirms the rights of women to acquire, change or retain their citizenship and the citizenship of their children. States Parties also agree to take appropriate measures against all forms of trafficking in women and exploitation of women. As of 2013, 187 countries have ratified the Convention. UN member states that have not ratified the convention are Iran, Palau, Somalia, South Sudan, Sudan, Tonga, and the United States. States that have signed the Convention must report progress on its implementation every four years.³⁷

These most fundamental human rights principles are based on the presumption that all human beings – regardless of time and place of birth, national or ethnic origin, race, language, class or caste, gender, sexual orientation, disability, or any other classification that human beings may be able to establish among themselves and regardless of their actual differences – are potentially rational and responsible beings who have a genuine desire for control their own lives. Equality and dignity mean that not conquest but participation, not dependence but autonomy, not slavery but freedom are key ideas in this human being of rights value orientation. That means that neither destiny nor destiny, cultural heritage, or religious prescriptions, but the autonomy and capacity of each human being to realize his life plan are fundamental ideas behind human rights. Even today, such freedom and autonomy are most often denied by women through various discriminatory laws and practices, beliefs, customs, and traditions around the world, which are based on gender stereotypes and remain the gender roles of parents.³⁸

³⁷ “All Countries and Territories Who Ratified CEDAW,” n.d., <https://www.ohchr.org/en/what-are-human-rights>.

³⁸ Beate Rudolf, Marsha A. Freeman, and Christine Chinkin, eds., *The UN Convention on the Elimination of All Forms of Discrimination against Women: A Commentary*, Oxford Commentaries on International Law (Oxford ; New York: Oxford University Press, 2012).

The Role of Friends in Resolving Domestic Violence

Friends have good abilities and roles in this case in the resolution of domestic violence, they can play a role in listening to victims' complaints, giving attention and support, giving a sense of security, giving advice, and determining the best solution for victims. The victim has more trust in his friends than his family, let alone State and non-State institutions that he does not know at all. At this time, society tends to move to an individualistic lifestyle that makes friendship bonds more important and reduces kinship to the nuclear family only. The bond of friendship has succeeded in separating the close ties of kinship and becoming a new root in getting references to old friends who can be needed or left at any time.³⁹

This *cangkru'an* friend has a concern and makes time to accompany the victim. Their willingness to provide a temporary shelter to calm down is a form of concern for *cangkru'an* friends, this is felt by the victims. The complexity of the existence of psychological and social persuasion provides knowledge for society that what laws will be used in meeting its interests, needs, and desires. In this case, non-State institutions with their order become binding institutions and are well embedded in the social structure.⁴⁰

Friends who seek to lend help in efforts to resolve domestic violence have developed bonds of friendship that may be emotionally stronger than bonds with extended family. The possibility of friends giving help, service and even giving gifts, can lead to sympathy or involvement in the lives of others, where morally they have feelings of obligation or feelings of indebtedness to others because of the help they have received.⁴¹

The manifestation of feelings of attraction or disinterest, sympathy or antipathy, or involvement or involvement, and the stronger

³⁹ Graham Allan and Rebecca G. Adams, "Reflections on Context," in *Placing Friendship in Context*, ed. Rebecca G. Adams and Graham Allan, 1st ed. (Cambridge University Press, 1999), 159.

⁴⁰ Bronislaw Malinowski, *Crime and Custom in Savage Society* (New Brunswick: Transaction Publishers, 2013), 58.

⁴¹ Aafke Komter and Wilma Vollebergh, "Gift Giving and the Emotional Significance of Family and Friends," *Journal of Marriage and the Family* 59, no. 3 (August 1997): 747.

or weaker feelings of mutual obligation stem from their social relationships of friendship and brotherhood. This can be observed through the exchange of gifts when there is closeness and purity of social relationships can be characterized by the lack of gift giving. Conversely, emotional distance and impurity can be characterized by the abundance of gift-giving.⁴²

Anthropologically, friendly relations have closeness as in kinship, although in this case it is included as 'pseudo' or fictitious kinship or para kinship. They have an important element in establishing interconnectedness between them both unrelated and not closely related by kinship.⁴³ A friend can show homophily in his genotype through several possibilities, namely: individuals tend to choose friends because of the similarity and geographical closeness, ethnicity, or ancestry between them; individuals tend to choose or retain friends of the same genotype; individuals tend to choose a certain environment, where they can meet people with similar phenotypes influenced by a particular genotype; and individuals tend to choose friends through third parties or through environments where they then come into contact with similar people.⁴⁴ Friendship bonding can involve cooperative interactions that rely in part on memories and emotions associated with past interactions.⁴⁵

The friends in this study show the existence of relationships, networks, and bonds that they establish on the grounds of respect and trust. As an urban society, friendships in Surabaya⁴⁶ are included in communities of care for the reason that friendship networks are considered productive tools where actors can form solidarity and

⁴² Marshall Sahlins, *Stone Age Economics* (London ; New York, NY: Routledge Classics, 2017).

⁴³ Charles Stafford, *Cultures of Relatedness: New Approaches to the Study of Kinship*, ed. Janet Carsten, *Chinese Patriline and the Cycles of yang and laiwang* (Cambridge [England] New York: Cambridge University Press, 2000), 35-54..

⁴⁴ Nicholas A. Christakis and James H. Fowler, "Friendship and Natural Selection," *Proceedings of the National Academy of Sciences* 111, no. supplement_3 (July 22, 2014): 10796-801.

⁴⁵ Robert M. Seyfarth and Dorothy L. Cheney, "The Evolutionary Origins of Friendship," *Annual Review of Psychology* 63, no. 1 (January 10, 2012): 153-77.

⁴⁶ Adinda Dwi Wulandari and Margaretha Margaretha, "Understanding Rape Myth Acceptance: The Impact of Ambivalent Sexism and Conservatism in Surabaya," *Jurnal Psikologi* 21, no. 1 (n.d.): 23-34.

closeness; The network of friends enforces socio-spatial and the network of friends allows affective meaning to the network and its social capital.⁴⁷

Social life is inseparable from the figure of friends, friends are included as an integral and important part that contributes to shaping personality. Humans be friend and get along with other individuals in their social environment. The friendship between them is established and formed through several adjustments and adaptations according to patterns, characteristics, values, and habits that are different from the nuclear family environment.

In Islam, this friendship is explained through the Qur'an and the Sunnah of the Prophet Muhammad (PBUH). In the Qur'an sura al-Zukhruf: 67, Allah says, "On that Day, even friends will become enemies of one another except for the righteous people.⁴⁸ Ibn Kathir argues that enmity can occur between friends because the intention and intent of this friendship is not because of sincerity, on the contrary friendship will remain eternal because of sincerity. He quoted a hadith narrated by Abu Hurairah. He said that the Prophet (peace be upon him) once said: "If there were 2 (two) people who loved each other because of Allah -one is in the eastern hemisphere, while the other is in the western hemisphere- Allah will surely gather between the two someday in the Day of Judgment, then Allah said, "This is the one you love for my sake'."⁴⁹

Supporting above history, we can look at the hadith narrated by Abu Musa Al-Ash'ari. He explained another history as the following text. "I heard the Prophet saying, "The similitude of good company and that of bad company is that of the owner of a musk and the one blowing the bellows. The owner of a musk would either offer you some free of charge, or you would buy it from him, or you smell its pleasant fragrance; and as

⁴⁷ Laavanya Kathiravelu and Tim Bunnell, "Introduction: Urban Friendship Networks: Affective Negotiations and Potentialities of Care," *Urban Studies* 55, no. 3 (February 2018): 491–504.

⁴⁸ "Compare Surah 43. Az-Zukhruf, Ayah 67 Online from Holy Quran | Islamic References & Recitation | Compare.Alim," accessed April 27, 2023, <https://www.alim.org/quran/compare/surah/43/67/>.

⁴⁹ Isma'il ibn 'Umar abu al-Fida'Ibn Katsir, *Tafsir Al-Qur'an al-'Adhim* (Beirut: Dar al-Kutub al-'Ilmiyah, 1419), Juz 7, 218.

for the one who blows the bellows (i.e., the blacksmith), he either burns your clothes or you smell a repugnant smell."⁵⁰

Islamic teachings strive to provide firm instructions and directions to the ummah to choose friends who can bring comfort to their social life. Friendship comes through experience and knowledge of the strengths and weaknesses of others over ideas, emotional, physical, economic, and so on. Good friendships bring benefits and goodness rather than harm and damage.⁵¹

Islam requires individuals who make friends in social life to choose good friends and bring a lot of good and benefits. Friends who bring goodness and benefit will form a good personality. He can motivate, direct, and teach on all matters related to religious, worldly, and hereafter affairs. He gave good advice and reminded me of the deeds forbidden by the religion of Islam. In the end, he can set an example to say, do and behave that reflects noble moral values. The above data shows that friends of victims of domestic violence can direct, motivate, advise, and provide the best resolution, they do not direct victims of domestic violence to ugliness and damage. This is different for victims of domestic violence where their parents even go to shamans. This is not following the teachings of Islam and instead of solving cases of domestic violence but can make matters worse.

Conclusion

Victims of domestic violence choose friends as institutions to complain and try to find solutions to their cases. This choice shows that friends have played an important role as the first person chosen to raise complaints and complaints about domestic violence experienced, friends are preferred as the first person rather than nuclear relatives as well as State actors and other non-State actors. Hybrid law is also seen in the resolution of domestic violence, where victims try to combine State law, religious law, and customary law, this hybrid law manifests in flexible and complex spatial dynamics. Hybrid law has the right position in

⁵⁰ Muḥammad bin Ismā'īl al-Bukhārī, *Ṣaḥīḥ Al-Bukhārī* (Bayrūt: Dār ibn Kathīr, 2002), Juz 5, 2104.

⁵¹ Sayyid Muḥtaba Musawi Lari, *Ethics and Spiritual Growth* (Qom: Foundation of Islamic C.P.W, 2007), 211.

solving domestic violence, this is because there is a strong response, and easy to adjust to the conditions of victims of domestic violence.

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