
Deviant Behavior In Dating Violence

Siswantari Pratiwi¹, R. Jossi Belgradoputra²

^{1,2}University of Krisnadwipayana Jakarta, Indonesia

ABSTRACT: The purpose of this study is to determine the criminal sanctions for violent behavior in dating relationships and to understand the basis and rules for imposing criminal sanctions. This is normative juridical research conducted using the statute approach, relevant literature, and regulations related to the issues and cases at hand. The method employed by the author involved collecting materials obtained from literature data, including (1) primary legal materials, which are mandatory basic information containing legal rules, and (2) secondary legal materials, which are academic books related to theory and research results. (3) Non-legal materials refer to information that provides guidance and explanations about primary and secondary legal information, such as Internet media and articles.

The results show that demonstrates how the perpetrator's upbringing in an authoritarian-styled home had a significant impact on his psychological growth. Couples that engage in sexual activity together as though they are husband and wife will almost certainly do it again. The male will feel entitled to treat his wife in any way he pleases, hurting her in the process and hurting her. This is the reason why occasionally aggressive dating behavior occurs.

KEYWORDS: criminal sanctions, violent behavior, deviant behavior in dating violence

INTRODUCTION

Dating is a beautiful time in life, whether for teenagers, young adults, or even older people before they move on to marriage. This opinion raises questions about what an unhealthy relationship is. During dating, everything feels pure, romantic, respectful, and full of joy. This is called a healthy relationship. According to Adisti F Soegoto, a child psychologist from Mayapada Hospital in South Jakarta, an unhealthy relationship can be identified by its pattern, where one party is too dominant, pressuring the other party, or being too controlling.¹

When considering the conditions referred to as unhealthy dating, a pattern of violence can be observed during the dating period. Therefore, violent behavior during dating can lead to criminal and sadistic acts, where many men have been found to abuse their female partners. This is suspected to occur when the couple has engaged in sexual intercourse. Acts of rough treatment, aggression, or violence in romantic relationships usually involve physical aggression, intimidation, or coercion, ranging from threats, pushes, and slaps to beatings and sexual assault. This can be seen in the news that is widely broadcast on various online news portals.

In 2013, a member of the Indonesian National Armed Forces, Prada (Private First Class) MAI (23), stationed at Yonif 303 Kostrad Garut, murdered his 8-month pregnant girlfriend, Shinta (18), and her mother, Opon (39), using a machete. The motive for the murder was his refusal to take responsibility for impregnating Shinta, which was demanded by her mother. As a result of his cruel actions, Prada MAI was sentenced to death by the Chief Judge of Military Court II-09 Bandung, (CHK) Sutrisno.² Feeling dissatisfied with the verdict, Prada MAI appealed, but the result remained the same. As a result of his cruel actions, Prada MAI was sentenced to death by the Chief Judge of Military Court II-09 Bandung, Letkol (CHK) Sugeng Sutrisno. Feeling dissatisfied with the verdict, Prada MAI appealed, but the result remained the same. He then attempted to file a cassation, but his efforts were unsuccessful. T.G. Lumbuun, who at the time was acting as a member of the judging panel, stated that the death penalty would remain as he was deemed to have killed three civilians in a heinous and brutal manner.³

In another incident that occurred in April 2018 in Sidoarjo, a perpetrator named MZA (21) assaulted a female student identified as SK (20), who was his ex-girlfriend. The victim was first kicked, causing her to fall, then punched on her right cheek and arms, choked, undressed, and had her face covered with a pillow. MZA then proceeded to rape SK. According to his confession, the

¹ Anonim, "Masa Muda Mau Pacaran? Pacaran Sehat Dong!", <https://smansasingaraja.sch.id/>, diunduh 03/01/2023, jam 20:17 WIB

² Kompas.com, "Anggota TNI Pembunuh Perempuan Hamil Divonis Mati", <https://nasional.kompas.com/>, diunduh 17/12/2023, jam 22:58 WIB

³ detikNews, "MA Vonis Mati Prada Mart, Pembunuh Ibu dan Kekasih yang Hamil 9 Bulan", <https://news.detik.com/berita/>, diunduh 18/12/2023, jam 15:25 WIB.

Deviant Behavior in Dating Violence

perpetrator's motive was the victim's refusal to rekindle their romantic relationship. Following the incident, the victim reported it to the police with the assistance of her family. MZA was subsequently arrested and charged under Article 285 of the Criminal Code, with a maximum penalty of 12 years' imprisonment.⁴

In October 2018, another case of violence against women occurred in Makassar, where a woman with the initials NR was victimized by NES (18). The motive behind the attack was that the perpetrator wanted to engage in sexual intercourse with the victim as if they were married, despite having already engaged in sexual activity twice before. The victim refused, stating that the perpetrator would not take responsibility for marrying her. The victim's response angered the perpetrator, who immediately grabbed a knife from the kitchen and stabbed the victim in the stomach once. Unsatisfied with their actions, the perpetrator dragged the victim to the bathroom and slammed their head against the toilet, causing bleeding in the head. To make matters worse, the perpetrator also took three of the victim's mobile phones.⁵

From the cases presented, it is evident that Deviant Behavior In Dating Violence is a crime that has existed throughout history.

PROBLEM STATEMENT

From the background description above, two questions arise: why does violent behavior in dating relationships continue to occur over time, and how are criminal sanctions imposed on perpetrators of violence in dating relationships?

The purpose of this study is to determine the criminal sanctions for violent behavior in dating relationships and to understand the basis and rules for imposing criminal sanctions.

RESEARCH METHODS

This is normative juridical research conducted using the statute approach, relevant literature, and regulations related to the issues and cases at hand. The method employed by the author involved collecting materials obtained from literature data, including (1) primary legal materials, which are mandatory basic information containing legal rules, and (2) secondary legal materials, which are academic books related to theory and research results. (3) Non-legal materials refer to information that provides guidance and explanations about primary and secondary legal information, such as Internet media and articles.

LITERATURE REVIEW

Crimes Against the Human Body

Regarding violence in romantic relationships, it is considered a *misgaven legem het lijf* (crime against the human body), which includes physical harm and can be committed through:

- a) Intentional harm, which is classified as ordinary assault (Article 351 of the Criminal Code), is the main form of assault, even though the article only contains the crime's qualification and its criminal penalty. This type of assault does not result in serious injury or death.
 - The offense of minor assault (Article 352 of the Criminal Code) refers to non-premeditated assault that is not committed against a parent, child, spouse, or public official on duty, does not involve the use of hazardous substances, and does not cause illness or obstruction of work.
 - Premeditated assault (Article 353 of the Criminal Code) refers to assault that is planned before being carried out.
 - Serious assault (Article 354 of the Criminal Code) can be defined as an intentional act committed by one person against another to cause serious injury as stated in Article 90 of the Criminal Code. The elements are: (a) The act is intentional; (b) The act causes serious injury; (c) The object is the body of another person; (d) The consequence is serious injury.⁶
 - Aggravated serious maltreatment (Article 355 of the Criminal Code) can be inferred from its name that this crime is a severe assault that was planned.
 - Maltreatment using and against persons of a certain aggravating quality (Article 356 of the Penal Code). The definition of this crime is maltreatment in the sense of the combination of Articles 351, 353, 354, and 355. However, the crime is committed against the mother, legal father, wife, or child, as well as against an official who is performing a legal duty. The crime is committed by administering a substance harmful to life or health, which is mixed into food or drink.
- b) Unintentional or negligence.
 - The crime of maltreatment with the element of negligence or unintentionally can be interpreted as a person's carelessness. For example, the act of driving a vehicle, due to lack of caution, accidentally hits a pedestrian, and so on.

⁴ Suparno, "Marah Ditolak Balikan, Pemuda Bangkalan Ini Perkosa Bekas Pacar", <https://news.detik.com/berita-jawa-timur/>, diunduh 03/01/2023, jam 21:00 WIB.

⁵ Ibnu Munsir, "Eko Tusuk dan Siksa Kekasihnya yang Tolak Berhubungan Badan", <https://news.detik.com/berita/>, diunduh 03/01/2023, jam 21:53 WIB

⁶ Adam Chazawi, *Kejahatan terhadap Tubuh dan Nyawa*, (Jakarta: Rajawali Pers, 2013), hlm 32.

Deviant Behavior in Dating Violence

Crimes Against Life

Misdrijven tegen het leven is an attack on another person's life, which according to the Criminal Code is classified based on:

- 1) The errors are categorized as follows:⁷
 - a) Committed intentionally (*dolus misdrijven*) is referred to as murder, which is listed in Articles 338 to 350 of the Criminal Code, Chapter XIX Crimes Against Life.
 - b) Committed unintentionally (*culpose misdrijven*) which is stated in Article 359 of the Criminal Code "Any person through whose fault (negligence) another person dies, shall be punished by a maximum imprisonment of five years or a maximum light imprisonment of one year."
- 2) The object is human life, which is further divided into 3 (three) types, namely:
 - a) Common crimes against life, are listed in Articles 338, 339, 340, 344, 345 the Penal Code.
 - b) Crimes against the life of an infant at the time of birth or shortly after birth are listed in Articles 341, 342, and 343 of the Penal Code.
 - c) Crimes against the foetus of a baby still in the mother's womb are listed in Articles 346, 347, 348, and 349 of the Criminal Code.

The principal form of the crime against life is murder, as stated in Article 338 of the Criminal Code "Any person who with deliberate intent takes the life of another person, shall, being guilty of murder, be punished by a maximum imprisonment of fifteen years." From this formulation, the objective element is the existence of an act of deprivation, the object of which is the life of another person. The subjective element is the existence of deliberate actions that cause the death of another person, as well as the existence of a causal verband relationship between the two.

The objective and subjective elements also relate to the existence of malicious intent (*mensrea*) of the perpetrator. Between the subjective element of intent and the form of the act of taking life, there is a condition that must also be proven. In the execution of the act of taking the life of another person, it must be not long after the intention (*mensrea*) to take the life of the other person. So if there is a long period from the onset of the intention to kill to its execution, it can be used by the perpetrator to think about various things. For example, whether the intention is unanimous to be carried out or not, how to realize it, whether to use a sharp weapon and so on. So that it is no longer an ordinary murder, but is categorized as premeditated murder (Article 340 of the Criminal Code).⁸

Dating violence also results in crimes against the lives of babies who are still fetuses in the mother's womb, or shortly after birth. There are many cases of women throwing away their babies because they feel ashamed that their male friends are not responsible, which in legal practice is called infanticide. In the case of crimes against the life of the baby can be classified into 2 (two) types, namely:

- a) Infanticide not with premeditation (*kinderdoodslag*), which is stated in Article 341 of the Penal Code "A mother who, for fear of being found with child at the time of birth or shortly thereafter, with deliberate intent takes the life of her child, shall, being guilty of infanticide, be punished by a maximum imprisonment of seven years."
- b) Infanticide with premeditation (*kindermoord*), is stated in Article 342 of the Penal Code "A mother who, in order to carry out a predetermined intention, for fear of being discovered that she is about to give birth to a child, at the time when the child is born or shortly thereafter takes the life of the child, shall, being guilty of infanticide with premeditation, be punished by a maximum imprisonment of nine years."

To be able to distinguish between the two articles (341 and 342 of the Criminal Code), the elements in both articles must be seen. To make the difference easier, it will be explained in the table below as follows:

| | Article 341 Common infanticide | Article 342 Premeditated infanticide |
|--------------------|------------------------------------|---|
| Performers | A mother | A mother |
| | | The existence of a volitional decision (carrying out the specified intention) |
| His/Her actions | Taking lives | Taking lives |
| The object is | Her own baby's life | Her own baby's life |
| When | (1) when the baby is born | (1) when the baby is born |
| | (2) shortly after the baby is born | (2) shortly after the baby is born |
| Motive | don't want anyone to know | don't want anyone to know |
| Subjective Element | On purpose | On purpose |

⁷ *Ibid.*, hlm 55.

⁸ *Ibid.*, hlm 57.

Deviant Behavior in Dating Violence

From the table above, it is easy to see that the crime of deprivation of life of an infant with premeditation is ordinary infanticide, but the addition of one element, namely the phrase "there is a decision of the will" can be interpreted that this has long been planned by the perpetrator. However, in the case of infanticide, the perpetrator, namely the mother of the infant, involves other people, so the answer is contained in Article 343 of the Criminal Code "The crimes described in Articles 341 and 342 shall be deemed to be murder or infanticide with premeditation for other persons participating in the crime."

Legal Protection for Victims of Dating Violence

In reality, victims of dating violence are always women and this has been the case throughout history. This is evidenced by the National Commission on Violence against Women's report, which recorded 1,000 cases of dating violence since 2010. The actual number of cases is likely to be even higher as many victims do not report the abuse.⁹ According to data obtained from Komnas Perempuan on 10th October 2023, dating violence is the second most common type of violence against women in personal spaces, following violence against wives.¹⁰

As previously described in the forms of dating violence, which are mostly physical, this series of abuse can be categorized as femicide, a term defined as gender-related murder. Femicide is the most brutal and extreme manifestation of violence against women and girls.¹¹

To provide legal protection for victims of dating violence, it is necessary to have not only the concept of legal protection as stated by Philipus M. Hadjon, which consists of preventive and repressive legal protection, but also for law enforcement officials to be more responsive to reports from the community, especially victims of violence and their families. Where is it enshrined in Law No. 7 of 1984 on the Ratification of the Convention on the Elimination of All Forms of Discrimination against Women?

Legal protection for victims of dating violence is provided in various articles of Indonesian law, including Article 285-288 of the Criminal Code on morality, Article 351-358 of the Criminal Code on physical assault, Article 1 of Human Rights Law No. 39 of 1999, Article 81 and Article 82 of Child Protection Law No. 35 of 2014 jo Law No. 23 of 2002 on Child Protection, and Article 1 number 6 of Witness and Victim Protection Law No. 13 of 2006. The National Criminal Code (Law Number 1 of 2023) also regulates Articles 466-471 regarding bodily harm, and Article 473 regarding rape. Victims of dating violence, who are usually women, can also report violence against them to the National Commission on Violence against Women, whose duty is to respond to and handle issues of violence against women.

Violence Victims in Romantic Relationships from a Criminological Perspective

From a criminological perspective, violence victims have suffered twice: first at the hands of the perpetrator and secondly at the hands of the justice system. The first point of contact for victims with the criminal justice system is the police, where they report the incident and hope that the police will accept their version of events. However, victims are often unaware that the police's primary concern at the scene is to assess whether a crime has been committed or not. If the victim is considered a genuine victim, then the crime committed will be reclassified as either a serious crime or a minor offense. This is because the police prioritize the investigation of grave crimes.¹²

Victims of minor crimes are often unaware that perpetrators of such crimes will only be arrested by the police if they are present at the scene of the crime or if the victim makes an official complaint to the police. The above classification may disappoint victims because they want the perpetrator to be arrested and charged with the most serious crime possible, although in reality, this is often not the case. If the police fail to collect evidence, the process may come to a halt. Victims of crime often feel that the initial handling by the police is ineffective. This police handling can cause frustration and suffering for the victim.¹³

In the prosecutor's office, it is not uncommon for the prosecution to fail to prosecute the perpetrator or not prosecute at all for various reasons. This can cause disappointment for both the victim and the police. The victim feels that the perpetrator has cheated the existing system, for example, the perpetrator has connections with high-ranking officials. However, both the victim and the prosecutor want punishment for the perpetrator. The success of the public prosecutor in winning their case against the defendant in court is influenced by various factors, such as whether the judge or jury accepts the defendant's alibi, the credibility of the victim as a witness, and the evidence that has been successfully collected. It may even be determined whether the case being handled will determine the prosecutor's future career.¹⁴

⁹ Siska Nurifah, "Tindak kekerasan tidak mesti berupa fisik, tapi juga sikap yang memaksa dan mengontrol dari pasangan Anda", *Media Indonesia 12 Mei 2013*, <https://www.jurnalperempuan.org/>, diunduh 26/12/2023, jam 17:22 WIB

¹⁰ Komnas Perempuan, "Siaran Pers Komnas Perempuan tentang Dugaan Femicida dalam Relasi Personal (Kasus Tewasnya Korban Perempuan di Surabaya)", <https://komnasperempuan.go.id/>, diunduh 26/12/2023, jam 00:39 WIB

¹¹ UN Women, "Five essential facts to know about femicide", <https://www.unwomen.org/>, diunduh 26/12/2023, jam 21:58 WIB

¹² M.Kemal Darmawan, *Teori Kriminologi*, (Tangerang Selatan: Universitas Terbuka, 2018), hlm 3.3

¹³ *Ibid.*, hlm 3.4

¹⁴ *Ibid.*

Deviant Behavior in Dating Violence

The most apparent aspect of the system that is perceived as unfriendly to victims is the defense of the perpetrator. Here, the defendant's lawyer works to prove that the defendant (their client) is not guilty. Even if proven guilty, they will try to defend and ensure that the perpetrator receives the lightest possible sentence. Meanwhile, the victim expects the perpetrator to be found guilty and punished to the fullest extent of the law. When it comes to victims, lawyers often manipulate the system and do not seek truth or justice. If victims are asked to testify in court, they are bombarded with questions that undermine their testimony.¹⁵

RESEARCH FINDINGS AND DISCUSSION

Deviant Behaviour

Humans are considered social creatures because wherever they are, they cannot be separated from their social environment. This makes the social behavior of society interesting to be studied by scholars. They refer to it as social psychology, a special science that studies human behavior in their social environment.¹⁶ According to Thibaut and Kelley's theory of interaction outcomes, it explains the relationship between two or more individuals who are interdependent in achieving positive outcomes.¹⁷

Defining deviant behavior is not an easy task. For example, misbehavior includes disobeying parental orders such as smoking before being financially independent or coming home late. Raising one's feet in front of someone of higher status (in certain cultures) is considered impolite, but it can be seen as a deviation. Bringing marijuana to school or stealing from parents are deviant behaviors that violate the law. According to Carlito W. Sarwono, a psychology expert, causing the death of several people is not considered deviant behavior because there were no applicable norms in society at that time that were violated.¹⁸

Carlito concludes that any behavior that deviates from the norms of society, including religious norms, ethics, school and family rules, and others, can be referred to as deviant behavior. However, if the deviation occurs about criminal law norms, only then is it referred to as delinquency. Therefore, in the cases mentioned in the background above, it is limited to the behavior of individuals considered adults, and this is referred to as a crime.¹⁹

Dating Violence

Violence is any act of abuse of physical force with or without unlawful use of means and causing danger to the body, life, and liberty of people, including rendering people unconscious or helpless.²⁰ Meanwhile, Article 170 paragraph (1) of the Criminal Code explains "Whoever openly and with joint energy uses violence against persons or property, shall be threatened with imprisonment for a maximum of five years and six months."

The violence definition has undergone a significant change in the National Code of Human Rights (Act No. 1 of 2023), namely, "Violence is any act, with or without the use of physical force, which poses a danger to the body or life, results in physical, sexual, or psychological suffering, and deprives the person of his or her freedom, including making him or her unconscious or helpless."²¹ Thus, the concept of violence can also be understood as a crime against the human body (*misdrifven legen het lijf*), where the act is an attack on the body (part of the body) that causes pain or injury and can even result in death. Crimes against the human body can be committed either intentionally or unintentionally.

According to Dian Kurnia Sari, dating is a social relationship that has an unwritten moral bond between two people of different kinds. Though it is not written, the relationship that constitutes the covenant binds them. Critical sociology considers that interpersonal relationships are no less complex than social relationships. Dating relationships also have a tool of integrity to fulfill the element of communion called love. Love in the sociological glasses of feminism is a symptom that is universal but also particular. It can be understood that everyone experiences and has their love. While the experience of love is felt individually.²² Dating violence is common among young adults. (18-25 years).

Violence Dating Forms

According to the Office on Violence Against Women (OVW), The term "dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a

¹⁵ *Ibid.*, pp 3.5

¹⁶ Marvin E. Shaw & Philip R. Costanzo, *Theories of Social Psychology: Teori-teori Psikologi Sosial*, Sarlito Wirawan Sarwono (penyadur), (Jakarta: Rajawali, 1991), hlm 1.

¹⁷ *Ibid.*, pp 35.

¹⁸ Sarlito Wirawan Sarwono, *Psikologi Remaja*, (Depok: Rajawali Pers, 2021), hlm 251.

¹⁹ *Ibid.*, pp253.

²⁰ Indonesia, *Undang-Undang Nomor 5 Tahun 2018 tentang Perubahan Atas Undang-Undang Nomor 15 Tahun 2003 tentang Penetapan Peraturan Pemerintah Pengganti Undang-Undang Nomor 1 Tahun 2002 tentang Pemberantasan Tindak Pidana Terorisme Menjadi Undang-Undang*, Pasal 1 ayat (3).

²¹ Indonesia, *Undang-Undang Nomor 1 Tahun 2023 tentang Kitab Undang-Undang Hukum Pidana*, Pasal 156.

²² Dian Kurnia Sari, "Kekerasan Dalam Pacaran Pada Ruang Akademik Studi Kasus IAIN Tulungagung", *Jurnal Martabat: Jurnal Perempuan dan Anak*, Vol. 02, No. 01, Juli 2018, hlm 55-56

Deviant Behavior in Dating Violence

relationship shall be determined based on a consideration of the following factors: the length of the relationship; the type of relationship; and the frequency of interaction between the persons involved in the relationship.²³

The National Center on Domestic and Sexual Violence gives the following explanation: “Dating violence is when someone you are seeing romantically harms you in some way, whether it is physically, sexually, emotionally, or all three. It can happen on a first date, or once you've fallen deeply in love. Dating violence is never your fault.”

Some signs of dating abuse include:²⁴

- Forcing you to have sex when you don't want to
- Telling you that you owe them sex in exchange for taking you out on a date
- Acting overly jealous, including constantly accusing you of cheating
- Being extremely controlling, such as telling you what to wear, forbidding you from seeing friends and family, or demanding to check your phone, email, and social media
- Constantly checking in with you and getting angry if you don't check in with him or her
- Putting you down, including your appearance (clothes, makeup, hair, weight), intelligence, and activities
- Trying to isolate you from other people, including by insulting them
- Blaming you for the abusive behavior and listing the ways you “made him or her do it”
- Refusing to take responsibility for their actions
- Apologizing for abuse and promising to change again and again
- Having a quick temper, so you never know what you will do or say that may cause a problem
- Not allowing you to end the relationship or making you feel guilty for leaving
- Threatening to call the authorities (police, deportation officials, child protective services, etc.) as a way to control your behavior
- Stopping you from using birth control or going to the doctor or nurse
- Committing any physical violence, such as hitting, pushing, or slapping you

Dating and relationship violence is a pattern of coercive and abusive tactics employed by one person in a relationship to gain power and control over another person. It can take many forms, including physical violence, coercion, threats, intimidation, isolation, and emotional, sexual, or economic abuse.²⁵ Evendi's opinion, as cited by Arizal Yoseawan Fristian, states that one factor that contributes to dating violence is self-control, whereby self-control is defined as a silent reflection on the act of dating violence.²⁶

In Marcela & Supriatna (2019), Roro Dwi Asturi states that self-control refers to the ability to recognize, understand, modify, and enhance one's behavior to guide oneself down the path of one's own decisions during daily life processes. When someone has less control over themselves, this might lead to aggressive behavior, which is the conclusion drawn by Marsh & Martinovich and endorsed by Latifah Nur Aryani. People with self-control are more likely to be willing to engage in risky activities that have the potential to increase their awareness of potential victims, as evidenced by the Pratt study as cited by Roro Dwi Asturi.²⁷

In addition to self-control, another element that incites an offender to use violence when dating is the offender's early life experiences, particularly if their parents were strict educators. According to Nelson and Crick's research, children who have overly protective and high psychological control over their parents are more likely to act like victims and behave aggressively.²⁸ Therefore, parents have a crucial role in a child's development, particularly when it comes to how the child interacts with others and their environment. According to a study published in 2002 by Brendgen, Vitaro, Doyle, Markiewicz, and Bukowski, children with a history of mutually reinforcing issues are more likely to carry over their maladaptive tendencies into romantic relationships.²⁹

²³ Office on Violence Against Women (OVW), “Dating Violence”, <https://www.justice.gov/ovw/>, diunduh 21/12/2023, jam 00:26 WIB.

²⁴ The Office on Women's Health, “Dating violence and abuse”, <https://www.womenshealth.gov/>, diunduh 21/12/2023, jam 00:36 WIB

²⁵ Washington University in St. Louis, “What is Relationship and Dating Violence?”, <https://students.wustl.edu/>, diunduh 21/12/2023, jam 00:54 WIB

²⁶ Arizal Yoseawan Fristian, et al., “Dating Violence Ditinjau dari Kontrol Diri dan *Insecure Attachment* Pada Remaja”, *Jurnal Imiah Psikologi* Volume 10 No 2, Juni 2022, hlm 417.

²⁷ *Ibid.*

²⁸ Nelson, D. A., & Crick, N. R. (2002), *Parental psychological control: Implications for childhood physical and relational aggression*, In B. K. Barber (Ed.), *Intrusive parenting: How psychological control affects children and adolescents* (pp. 161-189). Washington, DC: American Psychological Association.

²⁹ Ainul Mardiah, et al., “Peranan Dukungan Sosial Dalam Mencegah Kekerasan Dalam Pacaran: Studi Korelasi Pada Remaja Di Jakarta”, *Jurnal Psikologi Ulayat*, Vol. 4, No. 1 Juni 2017, hlm 29-42

Deviant Behavior in Dating Violence

Cases That Occur

Anyone can still clearly recall Mario Dandy Satriyo's (20) harassment of David Ozora (17). It all started when Mario's first girlfriend, A (nickname), informed her friend, APA (nickname), that David, her ex-boyfriend, had been harassing her. After APA informed Mario, Mario questioned A directly, and she responded.³⁰ Due to the case, his father Rafael Alun Trisambodo, who was suspected of committing corruption-related offenses, was fired from his position as an official of the Kanwil DJP Jakarta II. Because of his carefree approach to opening the cable ties that whipped his hand, Mario Dandy's case has drawn attention from the public. Additionally, Mario apologized in the interview while flashing that stupid smile of his. He appears to believe that what he has done to David's victim is typical.

In the second case, a 29-year-old man with the initials RA mistreated a 3-year-old boy who was his lover's nephew and had the initials H. The incident took place at his contact house RT 006/RW04 Batu Ampar, Kramatjati, East Jakarta. The local RT chief clarified that they identify themselves as married couples with a single child, whom they acknowledge as their son (H), to the owner of the contract house. According to RA's admission made while transporting H to Polri Kramatjati Hospital, the victim suffered injuries from a fall. The East Jakarta Metro Police PPA unit was asked by the Polri Kramatjati hospital to check on H, who was already in severe condition because the hospital feared that H was in critical condition. This was carried out due to doubts regarding RA's evidence, which he eventually admitted to after being convinced. He confessed that ever since the poor boy's first contract at Batu Ampar in early November, he has been bothering him.³¹

In the third case, a woman identified by her initials FW (22) was killed by her boyfriend RA (20), also known as Alung. The victim was found on Saturday night (2/12/2023) in a position lying on the table of an empty shop house (ruko) on Sumeru Highway, Bogor Kota, West Java. The murder occurred in a hotel located in the Tanah Sareal, Bogor, according to information obtained from Major Commissioner Bismo Teguh Prakoso, the Chief of the Bogor Kota Police. When the victim requested a breakup after the two engaged in sexual activity. After his partner was murdered at the hotel by RA, also known as Alung, her body was transferred to a vacant lot in the Bogor Barat neighborhood. The reason was that after the offender refused to let his lover break him, they got into a fight. For five minutes, the offender sealed the victim's lips and nose, causing them to run out of breath and eventually pass away.³²

The fourth case occurred in Karo district, North Sumatra, where a man with ZI initials (19) grabbed the neck of his girlfriend RS (22) until she was unable to breathe and eventually killed. However, the perpetrator makes the play as if the victim committed suicide by drinking poison. The victim was found dead in a hotel in the Kabanjahe district. According to the testimony obtained from the suspect, they choked their mouths and argued which ended in killing the girlfriend to death. To avoid a legal trap, the suspect made a play by drinking poison to the victim and himself. It seemed like he was acting as though they were both attempting suicide. However, the victim's neck had scars, as the autopsy proved. Once the offender was apprehended, he was threatened with a 15-year prison sentence under Article 338 of the Code of Human Rights for murder as he left the Efarina Etaham Berastagi Hospital.³³

The fifth case is against DSA (29), who died after being harassed by GRT (31) who was his lover, the son of a member of the Indonesian parliament of the PKB faction, Edward Tanner. The event took place at Karaoke Blackhole KTV, Lenmarc Apartemen Orchard Tanling Surabaya. Started when they were both involved in a blackhole karaoke at KTV, then with the sadism of the GRT suspect kicking and beating with a liquor bottle. Besides, the GRT pushed over the body of the DSA and dragged 5 meters away using a car. After an autopsy of the DSA's body, scarring scars were found on the victim's neck.³⁴ For five months of dating with GRT perpetrator, she's been experiencing frequent violence in her voice notes. The perpetrator is also suspected of making a false report to Polsek Lakarsantri to cover up the incident.³⁵

CONCLUSION

The results of the above discussion demonstrate how the perpetrator's upbringing in an authoritarian-styled home had a significant impact on his psychological growth. Couples that engage in sexual activity together as though they are husband and wife will almost

³⁰ Kholisin Susanto, "Terbaru, Kronologi Lengkap Kasus Mario Dandy Aniaya David", <https://bandung.viva.co.id/news>, diunduh 17/12/2023, jam 22:39 WIB

³¹ Nabilla Ramadhian, "Balita yang Dianiaya Pacar Tantenya di Kramatjati Alami Luka Lebam", <https://megapolitan.kompas.com>, diunduh 10/12/2023, 21:30 WIB

³² Ramdhan Triyadi Bempah, "Tak Kapok Pernah Dipenjara akibat Penganiayaan, Alung Malah Bunuh dan Rekeyasa Kematian Pacarnya di Bogor", <https://megapolitan.kompas.com/>, diunduh 10/12/2023, 21:37 WIB

³³ Finta Rahyuni, "Pria di Karo Cekik Pacar Hingga Tewas, Bikin Sandiwara Seolah-olah Minum Racun", <https://www.detik.com/sumut/hukum-dan-kriminal/>, diunduh 18/12/2023, jam 01:23 WIB

³⁴ Tim detikJatim, "Rekonstruksi Ungkap Sederet Fakta Tewasnya Dini di Tangan Ronald Tannur", <https://www.detik.com/jogja/berita/>, diunduh 03/01/2024, jam 15:54 WIB

³⁵ detiksulsel, "14 Fakta Pilu Dini Sera Afrianti Tewas Dianiaya Pacar", <https://www.detik.com/sulsel/hukum-dan-kriminal/>, diunduh 03/01/2024, jam 16:15 WIB

Deviant Behavior in Dating Violence

certainly do it again. The male will feel entitled to treat his wife in any way he pleases, hurting her in the process and hurting her. This is the reason why occasionally aggressive dating behavior occurs.

Dating Violence is classified as persecution as stated in Article 351 of the Criminal Code, which is a basic form of persecution, although the article only qualifies as a crime and threatens to last for a maximum of 2 years. However, if the persecutions cause serious injuries even the victim to death, then the threat of punishment is 5 to 7 years of imprisonment.

SUGGESTION

In the cases described above, the average victim is a woman, whereas in the case of Mario Dendy, women are the cause of harassment. In the cases described above, the average victim is a woman, whereas in the case of Mario Dendy, women are the cause of harassment. Based on this, the advice that can be given, especially to women, is to remain vigilant about the ethics of decency in dating. The true nature of a man will be visible when the date already has an intimate relationship like a husband and wife, leaving the man if it begins to appear his own already possessive. Besides, a parent's over-protective pattern of caring for his child will make the child possessive of his partner. It is important to create spaces, such as communities, where the behavioral norms are not tolerant of abuse in dating relationships.

REFERENCES

Books:

- 1) Adam Chazawi, *Kejahatan terhadap Tubuh dan Nyawa*, Jakarta: Rajawali Pers, 2013
- 2) M.Kemal Darmawan, *Teori Kriminologi*, Tangerang Selatan: Universitas Terbuka, 2018
- 3) Marvin E. Shaw & Philip R. Costanzo, *Theories of Social Psychology: Teori-teori Psikologi Sosial*, Sarlito Wirawan Sarwono (penyadur), Jakarta: Rajawali, 1991
- 4) Sarlito Wirawan Sarwono, *Psikologi Remaja*, Depok: Rajawali Pers, 2021

Law:

- 1) Indonesia, Undang-Undang Nomor 5 Tahun 2018 tentang Perubahan Atas Undang-Undang Nomor 15 Tahun 2003 tentang Penetapan Peraturan Pemerintah Pengganti Undang-Undang Nomor 1 Tahun 2002 tentang Pemberantasan Tindak Pidana Terorisme Menjadi Undang-Undang
- 2) Indonesia, Undang-Undang Nomor 1 Tahun 2023 tentang Kitab Undang-Undang Hukum Pidana

Journal:

- 1) Ainul Mardiah, et al., "Peranan Dukungan Sosial Dalam Mencegah Kekerasan Dalam Pacaran: Studi Korelasi Pada Remaja Di Jakarta", *Jurnal Psikologi Ulayat*, Vol. 4, No. 1 Juni 2017
- 2) Arizal Yosewan Fristian, et al., "Dating Violence Ditinjau dari Kontrol Diri dan Insecure Attachment Pada Remaja", *Jurnal Imiah Psikologi* Volume 10 No 2, Juni 2022
- 3) Dian Kurnia Sari, "Kekerasan Dalam Pacaran Pada Ruang Akademik Studi Kasus IAIN Tulungagung", *Jurnal Martabat: Jurnal Perempuan dan Anak*, Vol. 02, No. 01, Juli 2018
- 4) Nelson, D. A., & Crick, N. R. 2002, *Parental psychological control: Implications for childhood physical and relational aggression*, In B. K. Barber (Ed.), *Intrusive parenting: How psychological control affects children and adolescents* (pp. 161-189). Washington, DC: American Psychological Association.

Internet:

- 1) Anonim, "Masa Muda Mau Pacaran? Pacaran Sehat Dong!", <https://smansasingaraja.sch.id/>, diunduh 03/01/2023, jam 20:17 WIB
- 2) detikNews, "MA Vonis Mati Prada Mart, Pembunuh Ibu dan Kekasih yang Hamil 9 Bulan", <https://news.detik.com/berita/>, diunduh 18/12/2023, jam 15:25 WIB.
- 3) detiksulsel, "14 Fakta Pilu Dini Sera Afrianti Tewas Dianiaya Pacar", <https://www.detik.com/sulsel/hukum-dan-kriminal/>, diunduh 03/01/2024, jam 16:15 WIB
- 4) Finta Rahyuni, "Pria di Karo Cekik Pacar Hingga Tewas, Bikin Sandiwara Seolah-olah Minum Racun", <https://www.detik.com/sumut/hukum-dan-kriminal/>, diunduh 18/12/2023, jam 01:23 WIB
- 5) Ibnu Munsir, "Eko Tusuk dan Siksa Kekasihnya yang Tolak Berhubungan Badan", <https://news.detik.com/berita/>, diunduh 03/01/2023, jam 21:53 WIB
- 6) Kholisin Susanto, "Terbaru, Kronologi Lengkap Kasus Mario Dandy Aniaya David", <https://bandung.viva.co.id/news>, diunduh 17/12/2023, jam 22:39 WIB
- 7) Komnas Perempuan, "Siaran Pers Komnas Perempuan tentang Dugaan Femisida dalam Relasi Personal (Kasus Tewasnya Korban Perempuan di Surabaya)", <https://komnasperempuan.go.id/>, diunduh 26/12/2023, jam 00:39 WIB

Deviant Behavior in Dating Violence

- 8) Kompas.com, "Anggota TNI Pembunuh Perempuan Hamil Divonis Mati", <https://nasional.kompas.com/>, diunduh 17/12/2023, jam 22:58 WIB
- 9) Nabilla Ramadhian, "Balita yang Dianiaya Pacar Tantenya di Kramatjati Alami Luka Lebam", <https://megapolitan.kompas.com>, diunduh 10/12/2023, 21:30 WIB
- 10) Office on Violence Against Women (OVW), "Dating Violence", <https://www.justice.gov/ovw/>, diunduh 21/12/2023, jam 00:26 WIB.
- 11) Ramdhan Triyadi Bempah, "Tak Kapok Pernah Dipenjara akibat Penganiayaan, Alung Malah Bunuh dan Rekayasa Kematian Pacarnya di Bogor", <https://megapolitan.kompas.com/>, diunduh 10/12/2023, 21:37 WIB
- 12) Siska Nurifah, "Tindak kekerasan tidak mesti berupa fisik, tapi juga sikap yang memaksa dan mengontrol dari pasangan Anda", Media Indonesia 12 Mei 2013, <https://www.jurnalperempuan.org/>, diunduh 26/12/2023, jam 17:22 WIB
- 13) Suparno, "Marah Ditolak Balikan, Pemuda Bangkalan Ini Perkosa Bekas Pacar", <https://news.detik.com/berita-jawa-timur/>, diunduh 03/01/2023, jam 21:00 WIB.
- 14) Tim detikJatim, "Rekonstruksi Ungkap Sederet Fakta Tewasnya Dini di Tangan Ronald Tannur", <https://www.detik.com/jogja/berita/>, diunduh 03/01/2024, jam 15:54 WIB
- 15) The Office on Women's Health, "Dating violence and abuse", <https://www.womenshealth.gov/>, diunduh 21/12/2023, jam 00:36 WIB
- 16) UN Women, "Five essential facts to know about femicide", <https://www.unwomen.org/>, diunduh 26/12/2023, jam 21:58 WIB
- 17) Washington University in St. Louis, "What is Relationship and Dating Violence?", <https://students.wustl.edu/>, diunduh 21/12/2023, jam 00:54 WIB