

PUBLIC PERCEPTION OF MARITAL RAPE IN YOGYAKARTA: STUDY QUALITATIVE METHOD

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ABSTRAK

Salah satu permasalahan dalam pernikahan adalah kekerasan dalam rumah tangga. Data Komisi Nasional Anti Kekerasan Terhadap Perempuan (Komnas Perempuan) tahun 2023, kekerasan berbasis gender yang terjadi sepanjang tahun 2022 mengalami peningkatan paling signifikan dalam 10 tahun terakhir yaitu sebanyak 339.782 kasus. Laporan tersebut juga menyebutkan bahwa kekerasan berbasis gender didominasi oleh kekerasan seksual dan fisik, yaitu 38,21% kekerasan seksual dan 35,72% kekerasan fisik. Perkosaan dalam pernikahan adalah kekerasan seksual yang terjadi dalam hubungan perkawinan. Berdasarkan data Komisi Nasional Anti Kekerasan Terhadap Perempuan (Komnas Perempuan), terdapat 422 kasus kekerasan seksual yang dilakukan oleh suami terhadap istrinya sepanjang tahun 2022. Dari setiap jenis kekerasan tersebut, tidak luput dari dampak merugikan yang ditimbulkan pada korbannya. Dampak kekerasan bersifat fisik, psikis, seksual, ekonomi, sosial, dan hukum. Tujuan penelitian ini adalah untuk mengetahui persepsi masyarakat terhadap kejadian perkosaan dalam pernikahan di wilayah kerja Puskesmas Jetis Kota Yogyakarta. Penelitian ini menggunakan metode penelitian kualitatif dengan pendekatan deskriptif analisis. Pengumpulan data dilakukan dengan menggunakan wawancara mendalam. Partisipan berjumlah 13 orang yang dipilih melalui metode purposive sampling dan snowball. Hasil penelitian ini mendeskripsikan bagaimana persepsi masyarakat terhadap perkosaan dalam pernikahan meliputi persepsi mengenai definisi perkosaan dalam pernikahan, dampak, dan persepsi mengenai cara penanganan kekerasan dalam rumah tangga di wilayah tempat tinggalnya.

Kata Kunci : kekerasan berbasis gender; kekerasan dalam rumah tangga; pemerkosaan dalam pernikahan;

ABSTRACT

One of issue in marriage is domestic violence. Data from the National Commission on Violence Against Women in 2023 (Komnas Perempuan), gender-based violence that occurred during 2022 experienced the most significant increase over the past 10 years, namely 339,782 cases. The report also states that gender-based violence is dominated by sexual and physical violence, namely 38. 21% of sexual violence and 35.72% of physical violence. Marital rape is sexual violence that occurs in a marital relationship. Based on data from the National Commission on Violence Against Women (Komnas Perempuan), there were 422 cases of sexual violence committed by husbands against their wives throughout 2022. In every type of violence, it does not escape the detrimental impact on the victim. The impact of violence is physical, psychological, sexual, economic, social, and legal. The purpose of this study was to explore community perceptions of the incidence of marital rape in the Jetis Health Center working area, Yogyakarta City. This research uses a qualitative research method with a descriptive analysis approach. Data collection was carried out using in-depth interviews. Participants totaled 13 people who were selected through purposive sampling and snowball methods. The results of this study describe how people's perceptions of marital rape include perceptions of the definition of marital rape, the impact, and perceptions of how domestic violence is handled in the area where they live.

Keywords : domestic violence; gender-based violence; marital rape

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INTRODUCTION

Marriage is an internal link between a man and a woman as husband and wife to build a joyful and forever family (home) based on the Almighty God, according to Law Number 1 of 1974 Chapter 1 Article 1. Domestic violence is one of the problems that can arise in a marriage. Domestic violence is defined as any action against a person, especially women, which results in physical, sexual, psychological, or domestic neglect. This includes threats to commit acts, coercion, or unlawful taking of freedom that occurs within the scope of the household (UU RI-No.23, 2004). Komnas Perempuan (2019) states that the perpetrators of domestic violence and violence come from the closest people such as husbands, fathers, uncles, and grandfathers. Violence against women committed by unmarried couples is also the most prevalent problem in Indonesia.

According World Bank Data (2023), 30% of women in the world experience violence committed by their partners. The two regions with the highest cases of violence occur in Africa – Sub Sahara as many as 33% of cases, and South Asia as many as 35% of cases. In Indonesia itself, according to Komnas Perempuan (2023) in the annual record (catahu) in 2022, in Indonesia alone

the incidence of violence against women occurred as many as 3,772 cases throughout 2022. Cases were dominated by psychological violence as much as 40%, sexual violence as 29% of cases, followed by physical violence as much as 19 cases, and economic violence as much as 12%. The highest cases occurred in West Java Province with a total of 594 cases, followed by East Java Province, Central Java, and DKI Jakarta. Meanwhile, Yogyakarta Province is ranked 18th in the most cases of violence in Indonesia. Based on data from BAPPEDA Daerah Istimewa Yogyakarta (2021), the highest number of domestic violence cases occurred in Bantul Regency with 112 cases, followed by Yogyakarta City with 94 cases, Sleman Regency with 76 cases, Kulon Progo Regency with 42 cases, and Gunung Kidul Regency with 13 cases (BAPPEDA Daerah Istimewa Yogyakarta, 2021).

Marital rape is a form of sexual crime that makes the victim physically and mentally unhealthy. According to WHO (2002) women who experience marital rape are at higher risk of depression and mental disorders. Research has also revealed that marital rape has a serious impact on pregnancy and increases the risk of miscarriage and abortion, besides that



marital rape also increases the risk of contracting sexual diseases. Despite the negative impact marital rape has on its victims, many countries around the world have yet to impose penalties on perpetrators of marital rape. India is one of the 34 countries that have not criminalized marital rape. This leads to many cases of marital rape going uncovered and unreported, as under Indian law marital rape is considered a gray area to be assessed and understood as domestic violence (Banerjee & Rao, 2022)

Apart from India, Sri Lanka is also one of the countries that has not established a law for perpetrators of marital rape, this is noted in Sri Lanka's domestic violence prevention law No. 34 of 2005 which states that marital rape is not recognized as a crime (Udani, 2017).

Research conducted in Nigeria noted that 1 in 7 women experience marital rape, while the factor that causes marital rape in Nigeria is the age of the husband, husbands who are over 30 years old are more at risk of committing marital rape. Marital rape is usually also carried out with physical violence and threats. The study also explained that women who had previously been victims of sexual violence as children or adolescents were at higher risk of becoming victims of marital rape. This research explains that women who have a

history of sexual violence consider sexual violence to be “normal” in expressing feelings of love, so they tend to normalize the act of marital rape. This becomes one of the obstacles in handling marital rape because women as victims tend to consider marital rape as a normal thing within socio-cultural boundaries and consider reporting marital rape cases as unnecessary. (O. Ogunwale & F. Afolabi, 2022).

Cases of sexual violence in marriage or marital rape in 2017 amounted to 172 cases, in 2018 as many as 195 cases (Komnas Perempuan, 2019), while in 2020 the number decreased to only 57 reported cases. According to Komnas Perempuan, this happened as a result of the COVID – 19 pandemic which caused limited victim services. Based on Komnas Perempuan's annual records in 2023, there were 403 cases of rape and 632 cases of sexual harassment committed by husbands throughout 2022.

Domestic violence and forced sexual intercourse that occurs in marriage (Marital Rape) do not get good and adequate handling, this is due to the lack of access to information from victims to the authorities and health service units, the victim's fear of domestic neglect, the victim feels embarrassed if she bears the social status of a widow, the victim tries to maintain the



good name of the family, and avoid children from the psychological impact of divorce (Setiawan et al., 2018). The impact of marital rape is detrimental to the victim's life, both now and in the future. These include serious psychological and physical impacts. Psychologically, victims of marital rape may experience depression, post-traumatic stress disorder (PTSD), and anxiety disorders (Agarwal et al., 2022).

Meanwhile, physical impacts involve injuries such as bruising, bleeding, and injuries to reproductive organs. In addition, victims may also experience impaired reproductive function which can have serious implications for their reproductive health. In addition, the risk of contracting sexually transmitted diseases is also a significant physical impact resulting from marital rape (Komnas Perempuan, 2023). All these impacts together create a heavy burden for victims, affecting their well-being and victims are in dire need of adequate support and care.

The community needs to understand the importance of preventing marital rape considering the many adverse effects caused. So the researcher is interested in how the general public perceives marital rape and conducts research with the title Perception of Marital Rape which focuses on the work area of the Jetis Health Center,

Yogyakarta City (Arifin, 2017).

METHODS

This research method uses a type of qualitative research. The approach used in this research is a descriptive qualitative approach which is an approach that aims to build meaning according to the perceptions of participants presented through writing and images. The number of participants in this study amounted to 13 people in the age range of 27 to 40 years, with a composition of 9 female participants, and 4 male participants. 9 people are people who live in the working area of Puskesmas Jetis, 2 people are married couples who are victims and perpetrators of marital rape, and 2 people are professional health workers, psychologists, and staff who work at Puskesmas Jetis.

Table 1 : Characteristics Of Participants

| Participants | Age | Gender | Length of Marriage |
|--------------|-----|--------|--------------------|
| R1 | 24 | Female | Health Workers |
| R2 | 27 | Female | 7 Years |
| R3 | 26 | Female | 6 Years |
| R4 | 31 | Female | Health Workers |
| R5 | 35 | Female | 12 Years |
| R6 | 38 | Female | 13 Years |
| R7 | 39 | Female | 14 Years |
| R8 | 40 | Female | 8 Years |
| R9 | 40 | Female | 13 Years |
| R10 | 34 | Male | 9 Years |
| R11 | 35 | Male | 1 Years |
| R12 | 36 | Male | 10 Years |
| R13 | 40 | Male | 7 Years |



This research was conducted in Padukuhan Jogoyudan, Gowongan Village, Jetis District, Yogyakarta City. This research conducted for 2 month and the variables in this study are public perceptions of marital rape, perceptions of victims and perpetrators of marital rape, and how health services provided by the Jetis Health Center for victims of domestic violence, especially marital rape. The instrument in this study used an interview guide. Data analysis in this study uses the Miles and Huberman method which consists of 3 steps, namely data reduction, data presentation, and conclusion.

In this study, the validity test used is a member checking technique, namely rechecking research data with participants so that the data obtained is appropriate and can be accepted by research participants. Researchers also use peer debriefing techniques with colleagues with the aim that research gets a critical assessment and reduces the subjectivity of researchers in processing data.

RESULTS

The results of this study show that the majority of participants stated that marital rape is an act of forced sexual intercourse that is prohibited in marriage. Although the term marital rape was very unfamiliar to them, participants were able to express their

opinions about marital rape after the research translated the word marital rape into Indonesian. Participants were also able to express their opinions about the impact of marital rape. Majority of participants stated that the impact of Marital Rape is trauma to having sexual intercourse with her husband, in addition to the impact caused by depression, stress, and suicidal thoughts, while physical impacts such as vaginal wounds, bruises on the body, and miscarriages.



Table 2 : The summary of In-Depth Interviews on Public Perceptions of Marital Rape

| Theme | Result |
|--|---|
| <p>Perception of marital rape</p> | <p>Perception of marital rape The majority of participants believed that marital rape is a form of forced sexual intercourse in the context of marriage and is considered a prohibited act of violence.</p> <p>"In my opinion, the relationship between husband and wife is forced, mba, not of their own free will, it is forced, mba, for example, the wife is forced by the husband, maybe that's how I see it". (Male, 34 years old)</p> <p>“(marital rape) is an act that is not allowed, if you are married, you can't do something like that. being forced is not allowed, mba, without any consent” (Women, 35 years old)</p> |
| <p>Perception impact of marital rape</p> | <p>The majority of participants thought that marital rape hurts the victim. The impacts are psychological impacts such as depression, stress, trauma and suicide. While physical impacts such as vaginal wounds, sexually transmitted diseases, miscarriages, and bruises.</p> <p>“Of course there are (negative effects of marital rape), because it must be painful and there must be abrasions (vaginal) or something like that, then psychological disorders, for example, women who are victims, for example when they are close to (husband), they are afraid” (Women, 27 years old)</p> <p>“Maybe you can be traumatized if you are forced to do it. And afraid to do it (sexual intercourse) too, that's all, I think” (Women, 35 years old)</p> |
| <p>Perceptions of the law and health services and assistance for victims of domestic violence</p> | <p>Most people know that domestic violence, which includes marital rape, is a violation of the law, but participants do not know how to handle domestic violence because they have never been exposed to health education about handling to help victims of domestic violence. The handling of domestic violence is usually done in a family manner and rarely involves the legal process. Participants also expressed reluctance to get too involved in other people's household problems.</p> <p>“I know there is a law (domestic violence law), but I don't know which law it is. If you have to report it, maybe to the neighborhood head, but I'm afraid to interfere, because it (marital rape) is someone else's household problem” (Women, 26 years old)</p> <p>“If there is a law, but I've never seen it on TV or in the newspaper, if you report it, it's usually to the head of the neighborhood, reconciled to the head of the</p> |



| | |
|--|---|
| | neighborhood, then if for example the mother or victim is injured, they are usually treated by a midwife or orderly" (Male, 40 years old) |
| Marital rape victim perception | <p>The participant was a victim of marital rape at the beginning of her marriage and suffered a miscarriage as a result of the act. The impact felt by the victim besides the miscarriage was pain in the vaginal area, the victim stated that she was afraid that her husband would be angry if she refused to have sex. However, after the miscarriage, the participant said that her husband did not commit marital rape again.</p> <p>“Yes, it hurts (marital rape), then I want to tell my husband directly but I'm still afraid, afraid, meaning that my husband will get angry. (marital rape) happened early in the marriage. after that I miscarried, after miscarrying my first child my husband never forced me again (sexual intercourse)” (Women, 27 Years old)</p> |
| Perceptions of perpetrators of marital rape | <p>The participant as the perpetrator felt regret after committing marital rape on his wife. The participant said that the reason he committed marital rape was because his ego wanted to always be served by his wife.</p> <p>“(The cause) is probably more about ego, more according to personal desires, that's all. I did my coercion after that I felt regretful, but because I regretted it, I felt that I loved my wife more and felt more responsible because I felt that my wife really obeyed my wishes, if the negative side that I felt was that I felt regretful, then it was also possible that my wife felt depressed”(Male, 40 years old)</p> |
| Health workers' perception of marital rape | <p>Participants of the health workers of Puskesmas Jetiš Yogyakarta stated that the role carried out was assistance to victims of domestic violence, in addition to providing health services, Puskesmas also provided assistance services to related legal institutions. However, the challenge faced is that the handling of domestic violence cases at Puskesmas has not been able to reach the needs, because it is still centered on handling non-communicable diseases (NCDs).</p> <p>“For that we don't have a program for health education about domestic violence, because so far we are still focusing on health education about NCDs, stunting, and immunization because that is our main focus, maybe in the future a program like that can be made, because cases like this are rarely discussed, hopefully we can work with institutions that focus on working in this field (Domestic Violence)” (Health worker staff, 31 years old)</p> |



DISCUSSION

The results of this research showed that all participants considered that marital rape is an act of coercion of sexual intercourse in marriage and is an act that is not allowed. However, this study also found that most of the community had never been exposed to health education about domestic violence, participants stated that most cases of domestic violence were only resolved in a family manner with the help of the neighborhood head (Ketua RT). Participants also stated that they did not know the reporting flow in seeking legal assistance or health care assistance for victims of domestic violence. In addition, participants stated that they were reluctant to get involved in handling domestic violence because they were afraid of being considered interfering in other people's problems and they considered domestic violence a disgrace. This finding is supported by the results of a study which stated that there are two obstacle factors in the law enforcement process of cases of violence against women and children, namely the absence of community reports related to domestic violence incidents (Unreported Cases), and handling that does not shoot (Unsolved Cases) which raises public distrust of legal institutions (Sari & Sularto, 2019).

Based on the results of research by (Fatmawati & Sari, 2018) revealed that good health education for the community and family is very influential on increasing the knowledge and perceptions of the community and family towards domestic violence, so that it is hoped that the community will be able to take preventive action against domestic violence besides that health education about domestic violence can also increase public awareness of the importance of protecting victims, A good understanding can also reduce the stigma that exists in the community that can prevent victims from seeking legal and health assistance, and effectively be used as a reference for policy development in decision making so that the government can take firm steps to protect victims of domestic violence.

From the results of interviews that have been conducted, participants stated that the impact of marital rape is divided into two, namely physical impact and psychological impact. Physical impacts include vaginal wounds, physical injuries, contracting venereal diseases such as HIV, lazy sexual intercourse, and miscarriage. This is supported by research, There is strong evidence in scientific studies showing that sexual violence in marital relationships can result in serious impacts on physical,



sexual, reproductive and psychological health. Health consequences include an increased risk of developing sexually transmitted infections or reproductive tract infections and HIV/AIDS due to coerced sex. Sexual violence is also linked to the incidence of stillbirths, pelvic inflammatory disease (PID), impeded access for women to prenatal care, and suicide attempts by women (Deosthali et al., 2022).

The results of this study are also supported by research conducted Sutrisminah (2022) which states that there are harmful effects arising from acts of violence against women. The impact of marital rape involves reproductive health disorders, such as menorrhagia, hypomenorrhea, early menopause, decreased libido, difficulty achieving orgasm, risk of miscarriage, premature labor, or fetal death. In addition, other impacts include loss of uterine contractions, prolonged labor, transmission of sexual diseases, and vaginal laceration.

The inequality of sexual interactions between a husband and wife will be extremely harmful to the wife. Marital rape, according to participants, is a violation of human rights. The victims of marital rape argue that their rights as human beings are violated because they have the right to refuse sexual relations, because the act violates their rights and will negatively

affect them, because it is an act of violence, and because it shows a lack of respect for their humanity. Based on Azzahra (2017) research, which indicates that torture and other forms of physical and mental assault, especially domestic violence, are a form of violation of human rights (HAM).

The study mentioned the factors that cause domestic violence in Bantul Regency Yogyakarta which stated that gender injustice, economy, family environment, alcohol consumption, low intellectual and emotional levels, and underage marriage are factors that contribute to the occurrence of domestic violence (Eskawati & Endarto, 2017). However, the lack of knowledge and still consider marital rape a taboo, making people reluctant to help victims. A study discusses the difficulties in handling domestic violence cases caused by several factors. One was the lack of opportunities for women to access the legal system, which was reflected in the lack of provisions in the Criminal Code addressing the rights and obligations of a wife. Other factors include the victim's decision to withdraw the report in order to maintain the integrity of the household, cultural considerations or community norms that view domestic violence as taboo, and a lack of evidence that can be used in the legal process (Maisah & SS, 2016).



The study stated that the low number of reported cases of marital rape was due to the lack of awareness of victims about their status as victims of sexual violence by their husbands. This finding is in line with the results of research conducted by Azzahra (2017), which states that the non-disclosure of domestic violence cases is often caused by the victim's perception that the experience they are experiencing is common, and they may not realize that the incident can be categorized as a criminal offense. In addition, the culture of blaming the victim that often occurs in society is also a major factor why women are reluctant to report the violence they experience. This culture tends to defame the victim and blame the wife who is considered unable to fulfill her husband's needs properly (Suwaryo & Yuwono, 2017).

According to the results of this study, the government and medical professionals were criticized for not recognizing the need to educate the public about domestic violence, especially marital rape. As a result, there are barriers to providing health services to victims of domestic violence. Conversely, if the community is properly informed about the importance of protecting victims of domestic violence, acts of domestic violence, especially marital rape, can be avoided. This finding is in line with

research on factors that make women victims of domestic violence reluctant to report the violence they experience, such as the perception that domestic violence is a trivial problem that often occurs in households, the view that domestic violence should be hidden, and the community's belief that women should always obey their husbands (Titania Tamaris, 2021).

STRENGTHS RESEARCH

1. **The Contribution of Local Knowledge:** This research adds specific knowledge related to community perceptions in the local area of Jetis, Yogyakarta. The results can be used to understand local social and cultural dynamics in terms of domestic violence, especially marital rape.
2. **Exploring Socio-Cultural Aspects:** The focus on the local context provides an opportunity to explore the cultural factors, religion and social norms that influence people's views on marital rape, which often differ from other areas.
3. **Raising Awareness:** This research has the potential to raise awareness among communities as well as health professionals about issues related to marital sexual violence



that may be overlooked or considered taboo.

4. **Support for Policy:** The results of the study can be used by policymakers and stakeholders in the health sector or local government to design programs that are more responsive and in line with community needs, especially marital rape.

WEAKNESSES RESEARCH

1. **Respondent Subjectivity:** People's perception of marital rape can be heavily influenced by individual beliefs, socio-cultural background, and environment. This may lead to bias in the research results.
2. **Limited Scope of Study:** Focusing only on the work area of Puskesmas Jetis may limit the generalizability of the findings, so the results cannot be directly applied to other areas that have different socio-cultural dynamics.
3. **Lack of Understanding or Recognition:** People in the area may have a low understanding of the concept of marital rape, so the results of interviews or

questionnaires may not be accurate or responses may not fully reflect reality.

4. **Obscenity and Sensitivity of the Topic:** Marital rape is a sensitive topic and is often considered taboo, so respondents may not feel comfortable talking or giving honest answers, which may affect the validity of the data.

IMPLICATION RESEARCH

1. **Comparative Research in Different Areas:** Given that the results of this study focus on the work area of Puskesmas Jetis, further research can be conducted in other regions, both within and outside Yogyakarta. Comparative research could explore whether there are differences in community perceptions of marital rape based on cultural, economic or educational differences.
2. **Deepening Gender and Power in the Household:** Further research could examine in depth how gender factors and power dynamics in marriage influence perceptions of marital rape. This approach could use in-depth interviews with married couples, community



leaders, and religious leaders to gain a more comprehensive understanding.

3. Exploration of the views of victims and perpetrators: Further studies could focus on victims of marital rape and their abusers to understand the perspectives of both parties in greater depth. This will provide more concrete insights into the motivations, constraints and impacts of marital sexual violence.
4. Analyze the Role of Health Services: Future research could further explore the role of health workers at Puskesmas or other health facilities in handling marital rape cases. This focus is important to see the extent to which health workers understand this issue, as well as how they respond or provide support to victims

CONCLUSION

Most participant agree that marital rape is a crime that has a detrimental impact on the victim, including physical and psychological harm. Marital rape is defined as the act of forcing sexual intercourse in the context of marriage. This understanding is in line with the confession of the victim in this study, who suffered a miscarriage after experiencing marital rape.

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) prohibits marital rape and other acts of sexual violence as a form of Gender-Based Violence and Discrimination in Articles 1-3 and 5(a) of the Convention. CEDAW serves as the international norm governing marital rape. In Indonesia, marital rape is regulated by Article 8 of Law No. 23/2004, which addresses domestic violence, rather than under criminal law (KUHP). Therefore, victims of marital rape cannot report their experience as a criminal offense of rape, and perpetrators can only be faced with charges as perpetrators of domestic violence.

Aside from the impartiality of the legal process towards victims, marital rape cases generally go unreported because society considers it a taboo topic that is not worth discussing openly and is considered shameful. In fact, the impact of marital rape is very detrimental to the victim.

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