

Beyond Legal Protection: Patriarchal Culture, the Justice Gap, and Domestic Violence in Indonesia

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Abstract: This study aims to examine how patriarchal culture and the justice gap influence the implementation of legal protection against domestic violence in Indonesia and to evaluate their implications for the development of contemporary Islamic family law. This research employs an empirical legal approach through qualitative field research. Primary data were collected through in-depth interviews with victims of domestic violence, law enforcement officers, judges, legal practitioners, religious leaders, women's rights advocates, and social workers, while secondary data were obtained from legislation, court decisions, official reports, and relevant academic literature. The findings demonstrate that patriarchal culture continues to legitimize domestic violence as a private family matter, discouraging victims from seeking legal remedies and influencing institutional responses. The study also identifies a persistent justice gap characterized by inconsistent law enforcement, weak institutional coordination, inadequate victim protection, and social pressures that frequently divert criminal cases into private family settlements. These conditions undermine the effective enforcement of domestic violence legislation and contradict the principles of contemporary Islamic family law, particularly justice, human dignity, equality, and the protection of vulnerable family members. The study concludes that strengthening legal protection requires integrated law enforcement, institutional reform, victim-centered legal services, and the reconstruction of patriarchal norms through the values of contemporary Islamic family law. Academically, this research contributes an empirical socio-legal framework that integrates patriarchal culture, the justice gap, and contemporary Islamic family law, providing both theoretical insights and practical policy recommendations for improving domestic violence prevention and victim protection in Indonesia.

Keywords: Domestic Violence, Patriarchal Culture, Justice Gap, Legal Protection, Islamic Family

1. Introduction

Domestic violence remains one of the most persistent human rights and social justice challenges in Indonesia despite the existence of a comprehensive legal framework designed to protect victims. The enactment of Law No. 23 of 2004 on the Elimination of Domestic Violence and subsequent legal reforms, including Law No. 12 of 2022 on the Crime of Sexual Violence, reflects the state's commitment to addressing violence within the household.¹ Nevertheless, statistical reports consistently indicate that domestic violence cases remain high,² while many incidents continue to go unreported because victims fear retaliation,³ economic dependency,⁴ family stigma, and inadequate institutional protection. In many Indonesian communities, patriarchal cultural norms continue to legitimize unequal power relations between husbands and wives, positioning male authority as natural and female obedience as a social obligation. Such cultural constructions often normalize psychological, physical, sexual, and economic

¹ Dedisyah Putra and Nuriza Acela, "Human Rights Protection in the Islamic Family Law: A Case Study Concerning Domestic Violences," *El-Ushr: Jurnal Hukum Keluarga* 6, no. 1 (September 26, 2023): 1, <https://doi.org/10.22373/ujhk.v6i1.18511>.

² Vladislava Stoyanova, "On the Bride's Side? Victims of Domestic Violence and Their Residence Rights Under EU and Council of Europe Law," *Netherlands Quarterly of Human Rights* 37, no. 4 (2019): 311–35, <https://doi.org/10.1177/0924051919884756>.

³ Poulami Roychowdhury, "Illicit Justice: Aspirational-Strategic Subjects and the Political Economy of Domestic Violence Law in India," *Law and Social Inquiry* 44, no. 2 (2019): 444–67, <https://doi.org/10.1017/lsi.2018.13>.

⁴ Friederike Fleischer, "I Have Nothing to Complain About: The Limits of Law in Mitigating Everyday Violence in Domestic Workers' Lives," *Anthropology of Work Review* 45, no. 2 (2024): 79–88, <https://doi.org/10.1111/awr.12273>.

violence as private family matters rather than public legal issues. Consequently, victims frequently encounter multiple barriers when seeking justice, including social pressure to maintain family harmony, limited legal awareness, victim-blaming attitudes, and inconsistent law enforcement practices. These realities demonstrate that legal reform alone has not eliminated structural discrimination against women, making it necessary to investigate why a considerable gap persists between formal legal protection and substantive justice for victims of domestic violence in Indonesia.

Previous research has extensively examined domestic violence from legal, criminological, sociological, feminist, and human rights perspectives. Existing studies have explored the implementation of domestic violence legislation, institutional coordination among law enforcement agencies, victim protection mechanisms, mediation practices, and the influence of religious and customary values on the resolution of domestic violence cases.⁵ Other scholars have emphasized the role of gender inequality, economic dependency, social stigma, and patriarchal norms in discouraging victims from reporting abuse or seeking legal remedies.⁶ Although this body of literature provides valuable insights into legal enforcement and gender-based violence, most studies examine either the effectiveness of legal frameworks or the sociocultural dimensions of patriarchy as separate analytical concerns.⁷ Comparatively little attention has been devoted to explaining how patriarchal culture continuously interacts with legal institutions to reproduce unequal access to justice despite the existence of progressive legal protections.⁸ Furthermore, many studies assess legal compliance and institutional performance without adequately explaining why formal legal protection often fails to translate into meaningful justice for survivors.⁹ This separation between legal analysis and structural cultural analysis reveals a significant research gap, highlighting the need for a more integrated socio-legal approach that examines the relationship between patriarchal culture, legal protection, and the persistent justice gap in domestic violence cases.

Several influential studies have contributed substantially to understanding domestic violence in Indonesia; however, their analytical scope remains fragmented. Normative legal research generally concludes that Indonesia possesses relatively adequate statutory instruments to protect victims but pays insufficient attention to the social structures that weaken legal implementation. Sociological and feminist studies successfully reveal how patriarchal values perpetuate gender inequality, yet many of these investigations do not critically assess how institutional practices within police agencies,¹⁰ courts, social services, and community mediation mechanisms reinforce the justice gap. Comparative studies frequently evaluate legal effectiveness through institutional performance indicators while overlooking the interaction between cultural legitimacy,¹¹ legal consciousness, and access to justice. Consequently, previous literature has not adequately conceptualized the justice gap as the product of continuous interaction between patriarchal ideology, institutional behavior, and legal implementation. This study therefore positions itself within a socio-legal framework that integrates legal protection, patriarchal cultural structures, and justice accessibility into a single analytical perspective. By doing so, the research

⁵ Caitlin Goss, "Common Knowledge in the Common Law: Challenges in Domestic Violence Cases," *Current Issues in Criminal Justice* 32, no. 4 (2020): 440–57, <https://doi.org/10.1080/10345329.2020.1829781>.

⁶ Ramona Vijayarasa, "Comparing Whose Laws? Interrogating Biases in Comparative Law and Scholarship Through the Lens of Domestic Violence Workplace Leave," *International Journal of Comparative Labour Law and Industrial Relations* 40, no. 2 (2024): 249–74, <https://doi.org/10.54648/ijcl2024010>.

⁷ Pragya Bhuwania et al., "Impact of Laws Prohibiting Domestic Violence on Wasting in Early Childhood," *PLoS ONE* 19, no. 3 March (2024), <https://doi.org/10.1371/journal.pone.0301224>.

⁸ Tanja Ignjatović and Vanja Macanović, "Implementation of the New Law on the Prevention of Domestic Violence in Serbia: Paradigm Shift and System Problems," *Journal of Gender-Based Violence* 3, no. 3 (2019): 373–84, <https://doi.org/10.1332/239868019X15684765834241>.

⁹ Hendro Widodo et al., "Restitution as an Instrument of Justice for Victims of Domestic Sexual Violence: A Study of Positive and Islamic Law in the Contemporary Era," *MILRev: Metro Islamic Law Review* 4, no. 1 (2025): 676–99, <https://doi.org/10.32332/milrev.v4i1.10436>.

¹⁰ Nana Charles Nguindip, "Combatting Domestic Violence Under International Law: Assessing the Various Legal Inconsistencies Frustrating the Protection of Women's Rights in Cameroon," *African Journal of International and Comparative Law* 31, no. 1 (2023): 86–103, <https://doi.org/10.3366/AJICL.2023.0436>.

¹¹ Satriya Nugraha, Nuraliah Ali, and Vicka Prama Wulandari, "Between Customary Justice and Criminal Accountability: Dayak Bakumpai Adat Law in Domestic Violence Resolution," *Prophetic Law Review* 7, no. 2 (2025): 256–83, <https://doi.org/10.20885/PLR.vol7.iss2.art5>.

moves beyond assessing whether legal protection formally exists toward examining why justice remains substantively inaccessible for many survivors of domestic violence.

The aims of this study are to examine the persistence of the justice gap despite Indonesia's comprehensive legal protection against domestic violence, to analyze how patriarchal culture influences the implementation of legal protection and victims' access to justice, and to evaluate the implications of these conditions for the development of contemporary Islamic family law within national and international legal frameworks. This study focuses on the interrelationship between patriarchal cultural norms, institutional responses, legal protection, and substantive justice for victims of domestic violence. It argues that the persistence of domestic violence cannot be explained solely by deficiencies in statutory regulation or law enforcement capacity. Rather, the justice gap emerges from the interaction between patriarchal values, institutional practices, unequal gender relations, and limited victim-centered approaches within the justice system. These structural conditions weaken the effectiveness of legal protection while contradicting the fundamental principles of contemporary Islamic family law, including justice (*ʿadālah*), human dignity (*karāmah*), equality (*musāwāh*), and the protection of vulnerable family members under *maqāṣid al-sharīʿah*. They also challenge the state's obligations under national legislation and international human rights standards for preventing and responding to domestic violence. This study hypothesizes that strengthening legal protection requires not only legislative reform but also structural transformation of patriarchal norms, institutional practices, and victim protection mechanisms. By adopting a socio-legal approach, this research provides an integrated explanation of the justice gap and offers conceptual and policy recommendations for advancing victim-centered legal protection and contemporary Islamic family law in accordance with national and international legal standards.

2. Method

This study employed an empirical legal research design using a qualitative field research approach to examine how patriarchal culture and the justice gap influence the implementation of legal protection against domestic violence in Indonesia and their implications for contemporary Islamic family law. The research was conducted from July to August 2026 in Jakarta, West Java, and West Sumatra, representing diverse socio-legal contexts and varying institutional responses to domestic violence cases. A purposive sampling technique was applied to select participants who possessed direct knowledge and experience relevant to the research objectives. The study involved 30 participants, consisting of eight domestic violence survivors, five police investigators from Women and Children Protection Units, four public prosecutors, three judges, four advocates specializing in family and criminal law, three officers from Integrated Service Centers for the Empowerment of Women and Children (P2TP2A), and three Islamic scholars actively engaged in family counseling and mediation. Primary data were obtained through semi-structured in-depth interviews, non-participant observations, and field documentation, while secondary data consisted of statutory regulations, judicial decisions, government reports, Komnas Perempuan annual reports, and scholarly publications on domestic violence, gender justice, and Islamic family law. Interview guidelines were developed according to the research questions and validated through expert review before field implementation to ensure the relevance, consistency, and credibility of the information collected.

The collected data were analyzed using the interactive qualitative analysis model developed by Miles, Huberman, and Saldaña, comprising data condensation, data display, and conclusion drawing with continuous verification throughout the research process. Interview recordings were transcribed verbatim, coded manually, and organized into thematic categories reflecting patriarchal culture, legal implementation, institutional justice gaps, victim protection, and contemporary Islamic family law. Documentary evidence and observational findings were subsequently triangulated with interview data to strengthen the credibility and confirmability of the findings. Methodological rigor was maintained through source triangulation, methodological triangulation, member checking with selected participants, prolonged engagement in the research field, and peer debriefing with experts in criminal law, Islamic family law, and socio-legal studies. An audit trail documenting each stage of data collection and analysis

was maintained to enhance transparency and dependability. Ethical considerations included obtaining informed consent from all participants, guaranteeing anonymity through coded identities, ensuring confidentiality of sensitive information, and allowing participants to withdraw at any stage without consequence. The qualitative approach was selected because it enabled an in-depth exploration of participants' lived experiences, legal perceptions, and institutional practices that could not be adequately captured through quantitative measurement alone, thereby providing a comprehensive understanding of the interaction between patriarchal culture, justice gaps, and legal protection in domestic violence cases in Indonesia.

3. Result and Discussion

3.1. The Effectiveness of Legal Protection Against Domestic Violence in Indonesia

The implementation of domestic violence legislation demonstrates that the existence of comprehensive legal provisions does not automatically guarantee effective protection for victims. Law No. 23 of 2004 concerning the Elimination of Domestic Violence fundamentally transformed domestic violence from a private family matter into a public legal issue requiring state intervention. This legislative reform was reinforced by subsequent legal developments, including Law No. 12 of 2022 on the Crime of Sexual Violence, which strengthened the legal basis for protecting victims of gender-based violence. Nevertheless, empirical findings reveal that the practical implementation of these legal instruments remains inconsistent across institutions responsible for handling domestic violence cases. Victims frequently encounter procedural obstacles when reporting abuse,¹² including lengthy administrative processes, inadequate legal assistance,¹³ limited access to protection orders, and inconsistent responses from law enforcement officials. In many cases, legal provisions intended to ensure accountability are overshadowed by informal practices that encourage reconciliation or family settlement rather than criminal prosecution. Consequently, domestic violence legislation often functions effectively at the normative level while producing limited protection in practice. This disparity illustrates that legal effectiveness depends not only on statutory provisions but also on institutional commitment, professional capacity, and coordinated implementation. The findings therefore indicate that the principal challenge lies not in legislative insufficiency but in translating legal guarantees into accessible, consistent, and victim-centered protection capable of ensuring accountability, preventing repeated violence, and restoring victims' rights within the criminal justice system.

Effective protection of domestic violence victims depends on coordinated action among multiple institutions, including the police, prosecutors,¹⁴ courts, social service agencies, healthcare providers, and victim assistance organizations.¹⁵ The empirical findings demonstrate that institutional coordination remains one of the weakest components of the domestic violence protection system. Although legal regulations clearly assign responsibilities to each institution, implementation is frequently fragmented because communication mechanisms, referral procedures, and information sharing are not consistently integrated. Victims are often required to repeat their testimonies before different institutions, increasing psychological distress and discouraging continued participation in legal proceedings. Differences in institutional priorities further contribute to inconsistent responses, with some agencies emphasizing family reconciliation while others prioritize criminal prosecution. This lack of coordination frequently delays investigations, weakens evidence collection, and limits access to comprehensive legal, medical, and psychological assistance. As a result, many reported cases fail to progress through the criminal justice process despite the availability of legal mechanisms intended to protect victims. The findings

¹² Siti Nurlaila et al., "Reconstructing Gender-Responsive Restorative Justice for Domestic Violence: A Study of Contextual Islamic Law in Indonesia," *Jurnal Ilmiah Mizani* 13, no. 1 (2026): 344–60, <https://doi.org/10.29300/mzn.v13i1.10542>.

¹³ Amalia R Miller and Carmit Segal, "Do Female Officers Improve Law Enforcement Quality? Effects on Crime Reporting and Domestic Violence," *Review of Economic Studies* 86, no. 5 (2019): 2220–47, <https://doi.org/10.1093/restud/rdy051>.

¹⁴ Iffaty Nasy'ah et al., "Domestic Violence Law and Maqāṣid AlSyarī'ah in Protecting Families from Psychological Violence," *Unnes Law Journal* 12, no. 1 (2026): 119–64, <https://doi.org/10.15294/ulj.v12i1.48249>.

¹⁵ Trinidad Beleche, "Domestic Violence Laws and Suicide in Mexico," *Review of Economics of the Household* 17, no. 1 (2019): 229–48, <https://doi.org/10.1007/s11150-017-9362-4>.

indicate that institutional fragmentation not only reduces the effectiveness of legal protection but also reinforces the justice gap by preventing victims from receiving continuous and integrated support. Strengthening inter-agency coordination through standardized operating procedures, integrated case management, and multidisciplinary victim services is therefore essential to ensuring that legal protection extends beyond formal legislation and becomes an effective mechanism for safeguarding victims' rights and promoting substantive justice.

The empirical findings reveal that criminal law enforcement continues to face significant challenges in responding effectively to domestic violence.¹⁶ Despite the criminalization of domestic violence under Indonesian law, many cases do not proceed beyond the initial reporting stage because of procedural, institutional, and socio-cultural barriers. Law enforcement officials frequently encounter difficulties in gathering evidence, particularly in cases involving psychological,¹⁷ economic, or sexual violence occurring within private family settings. Victims often withdraw complaints due to fear of retaliation, economic dependence, family pressure, or social stigma associated with exposing domestic conflicts to public authorities. These conditions are further compounded by institutional practices that prioritize mediation or reconciliation, even in circumstances where criminal prosecution is legally appropriate. Consequently, the criminal justice system frequently fails to impose accountability on perpetrators, allowing patterns of violence to continue without effective legal consequences. The findings also demonstrate inconsistencies in the interpretation and application of domestic violence legislation among police investigators, prosecutors,¹⁸ and judges, resulting in unequal treatment of similar cases. Such inconsistencies weaken public confidence in legal institutions and discourage victims from pursuing formal legal remedies. These challenges illustrate that the effectiveness of criminal law enforcement depends not only on legal authority but also on institutional professionalism, gender-sensitive investigative practices, adequate victim protection mechanisms, and consistent implementation of statutory obligations designed to ensure justice, accountability, and the prevention of repeated domestic violence.

The formal guarantees provided by domestic violence legislation and the justice outcomes experienced by victims. Although the legal framework establishes comprehensive provisions for criminal prosecution, victim protection, and state intervention, these guarantees are not consistently translated into effective legal remedies. Many reported cases fail to progress beyond the initial stages of investigation, while others are diverted into divorce proceedings or informal family settlements without imposing criminal accountability on perpetrators. This pattern reflects the persistence of a justice gap in which victims formally possess legal rights but continue to encounter significant barriers in realizing those rights through the justice system. Institutional fragmentation, procedural delays, inadequate evidence collection, and inconsistent application of legal provisions collectively undermine the effectiveness of legal protection.¹⁹ Moreover, patriarchal cultural norms continue to influence institutional responses by prioritizing reconciliation and family preservation over criminal accountability, even when victims require immediate legal intervention. Such practices weaken public confidence in the justice system and reinforce the perception that domestic violence remains a private family matter despite its criminal status. Consequently, the effectiveness of legal protection should be assessed not merely by the existence of legislation but by its capacity to ensure accountability, provide accessible remedies, protect victims from repeated violence, and deliver substantive justice through consistent institutional implementation.²⁰

¹⁶ Chiara Da Silva Simões et al., "Comparative Analysis of Four Brazilian Laws Against Domestic Violence," *International Journal of Public Law and Policy* 7, no. 2 (2021): 134–49, <https://doi.org/10.1504/IJPLAP.2021.115940>.

¹⁷ Peter Jeremiah Setiawan et al., "Juridical Implications of Unregistered Marriage Against Legal Protection in the Domestic Violence Law," *Media Iuris* 6, no. 3 (October 26, 2023): 457–78, <https://doi.org/10.20473/mi.v6i3.43219>.

¹⁸ Aria Zurnetti and Nani Muliati, "Customary Criminal Law Policy on Domestic Violence Settlement Through Restorative Justice," *Cogent Social Sciences* 8, no. 1 (2022), <https://doi.org/10.1080/23311886.2022.2090083>.

¹⁹ Christina Gerken, "Credibility, Trauma, and the Law: Domestic Violence-Based Asylum Claims in the United States," *Feminist Legal Studies* 30, no. 3 (2022): 255–80, <https://doi.org/10.1007/s10691-022-09493-7>.

²⁰ Iwan Hertanto et al., "Police and Law Enforcement of Domestic Violence Crimes Based on Human Rights in Indonesia," *Khazanah Hukum* 6, no. 2 (2024): 134–44, <https://doi.org/10.15575/kh.v6i2.34357>.

The persistence of domestic violence has significant implications for the development of contemporary Islamic family law, particularly in strengthening legal and ethical approaches to family protection.²¹ Family relationships cannot be understood solely through hierarchical authority or traditional gender roles but should instead be guided by the principles of justice (*ʿadālah*), human dignity (*karāmah*), equality (*musāwāh*), and the protection of vulnerable family members. Patriarchal interpretations that legitimize unequal power relations within the household are inconsistent with the objectives of *maqāṣid al-sharīʿah*, which emphasize the preservation of life, dignity, family welfare, and fundamental human rights. Contemporary Islamic family law therefore requires contextual interpretation capable of responding to changing social realities while preserving its normative foundations. Legal protection against domestic violence should be regarded as an integral element of Islamic family justice rather than an external intervention into family affairs. Integrating statutory law with the ethical principles of Islamic family law offers a stronger normative basis for preventing domestic violence, protecting victims, and ensuring accountability for perpetrators. Such an approach contributes to the continuing development of contemporary Islamic family law by reinforcing its commitment to justice, equality, and the protection of every family member from violence and discrimination.

Strengthening legal protection against domestic violence requires a comprehensive victim-centered approach that extends beyond legislative reform. Effective protection depends upon institutional accountability, coordinated public services,²² gender-sensitive law enforcement, and accessible legal remedies that prioritize victims' rights throughout every stage of the justice process. Stronger coordination among the police, prosecutors, courts, healthcare providers, social service agencies, and legal aid organizations is essential to ensure integrated responses from the initial report through judicial resolution and post-trial recovery.²³ Victims should receive immediate protection, legal assistance, psychological support,²⁴ medical services, and economic empowerment without experiencing repeated procedural barriers or secondary victimization. Equally important is the transformation of patriarchal social norms that continue to normalize domestic violence and discourage victims from seeking justice. Public education, professional training for law enforcement personnel, and community-based prevention initiatives should therefore complement legal enforcement in addressing both the structural and cultural causes of violence.²⁵ Aligning institutional reforms with national legislation,²⁶ international human rights standards, and the ethical principles of contemporary Islamic family law would establish a more coherent framework for victim protection, ensuring that legal safeguards become effective, accessible, and capable of delivering substantive justice for survivors.

3.2. Patriarchal Culture and the Structural Causes of the Justice Gap

Gendered power relations remain one of the most significant structural characteristics underlying domestic violence. Empirical evidence indicates that violence frequently emerges within unequal family relationships in which men occupy dominant positions in decision-making, economic control, and household authority,²⁷ while women are expected to demonstrate obedience, emotional restraint, and

²¹ Pragya Bhuwania et al., "Domestic Violence Laws and Women's Unmet Need for Family Planning: Quasi-Experimental Evidence from Africa," *Reproductive Health* 22, no. 1 (2025), <https://doi.org/10.1186/s12978-025-02011-3>.

²² Hendro Widodo, "A Model for Preventing Domestic Violence Using an Early Warning System in Criminal Law Policy," *Nusantara: Journal of Law Studies* 5, no. 1 (2025): 147–70, <https://doi.org/10.66325/nusantaralaw.v5i1.184>.

²³ Kurmangaly Sarykulov et al., "Elimination of Invisible Boundaries of Domestic Violence Tolerance in the Criminal Law (Based on the Example of the Republic of Kazakhstan)," *Social Sciences and Humanities Open* 13 (2026), <https://doi.org/10.1016/j.ssaho.2025.102107>.

²⁴ Dede Kania, Vienka Rahmannillah, and Litya Surisdani Anggarainiko, "Can Penal Mediation Solve Domestic Violence? Insights From Islamic Law," *Jurnal Litigasi* 25, no. 2 (2024): 172–87, <https://doi.org/10.23969/litigasi.v25i2.13320>.

²⁵ Alice M Ellyson et al., "Crime Reductions After Enhanced Implementation of Washington State's Domestic Violence Protection Order Firearm Relinquishment Law," *Journal of Criminal Justice* 102 (2026), <https://doi.org/10.1016/j.jcrimjus.2025.102591>.

²⁶ Nilufer Yildirim and Aynur Uysal Toraman, "Analysis of the Descriptive Characteristics of Female Victims of Violence Applying to the Domestic Violence Office of a Court of Law," *Journal of Forensic and Legal Medicine* 96 (2023), <https://doi.org/10.1016/j.jflm.2023.102510>.

²⁷ Trupti Jhaveri Panchal et al., "Domestic Violence and the Law: A Study of Complaints Under the Protection of Women From Domestic Violence Act, 2005 in Maharashtra, India," *Violence Against Women* 29, no. 12–13 (2023): 2617–38, <https://doi.org/10.1177/10778012231188091>.

dependence. Such unequal power relations create conditions in which coercive behavior is perceived as a legitimate mechanism for maintaining authority rather than as a violation of legal rights. Various forms of domestic violence, including physical assault, psychological abuse, sexual coercion, and economic deprivation, were found to be closely associated with attempts to preserve unequal gender hierarchies within the household. Several victims described experiences in which disagreements over financial management, child-rearing, employment, or family responsibilities escalated into violence because male authority was challenged. These incidents illustrate that domestic violence extends beyond interpersonal conflict and reflects broader patterns of gender inequality embedded in everyday family life. In many situations, perpetrators justified abusive behavior as an exercise of household leadership, whereas victims frequently perceived such conduct as unavoidable within marital relationships. Consequently, unequal gender relations function not merely as background conditions but as structural mechanisms that facilitate repeated violence while limiting victims' capacity to resist or seek legal protection. This pattern demonstrates that domestic violence is deeply connected to unequal distributions of power rather than isolated acts of individual aggression.

Domestic violence continues to be socially normalized through cultural values that portray family conflict as a private matter requiring internal resolution rather than legal intervention. Community perceptions frequently distinguish domestic violence from other criminal offenses by emphasizing family harmony, marital stability, and social reputation over individual safety and legal accountability. As a result, victims often encounter expectations to remain silent, forgive perpetrators, or prioritize family unity despite experiencing repeated abuse. Interviews with community representatives and service providers indicate that physical violence is commonly recognized as unacceptable only after severe injuries occur, whereas psychological violence,²⁸ economic abuse, coercive control, and repeated intimidation are frequently minimized or regarded as ordinary marital disputes. Such attitudes reinforce the perception that male dominance within the household represents a normal social arrangement and that women bear primary responsibility for preserving family cohesion.²⁹ This normalization also influences responses from relatives, neighbors,³⁰ and local leaders who often encourage reconciliation before legal action is considered. Consequently, many incidents remain undocumented because victims perceive reporting violence as an act that threatens family honor or violates prevailing social expectations. These cultural practices create an environment in which abusive behavior becomes increasingly tolerated and less likely to be challenged through formal legal mechanisms. The persistence of these social norms demonstrates that domestic violence is sustained not only by individual actions but also by collective attitudes that reduce public recognition of violence as a serious violation of law and human rights.

Although domestic violence has been legally recognized as a public criminal offense, empirical evidence demonstrates that many cases continue to be redirected into private mechanisms of dispute resolution. Instead of progressing through criminal investigation and prosecution, numerous incidents are resolved through family mediation, informal negotiations,³¹ customary reconciliation, or divorce proceedings that emphasize restoring family relationships rather than establishing criminal responsibility. This pattern illustrates a process of re-privatization in which violence is effectively returned to the domestic sphere despite statutory provisions requiring state intervention. Victims frequently reported experiencing

²⁸ Stoyanova, "On the Bride's Side? Victims of Domestic Violence and Their Residence Rights Under EU and Council of Europe Law."

²⁹ Morris Rossabi, "Khatuns to Comrades to Capitalists: Domestic Violence Law in Modern Mongolia," *Inter-Asia Cultural Studies* 22, no. 4 (2021): 590–96, <https://doi.org/10.1080/14649373.2021.1995204>.

³⁰ Dominika Bek and Magdalena Pótorak, "Responding to Gender Vulnerability: The Impact of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) on European Criminal Law Standards in the Area of Selected Culturally Motivated," *International Human Rights Law Review* 14, no. 1 (2025): 36–57, <https://doi.org/10.1163/22131035-14010006>.

³¹ Glenda Lux, Natalie Beltrano, and Beth Archer-Kuhn, "Prioritizing Safety in Family Law: A Stage-Gating Approach to Domestic Violence and Parent-Child Contact Problems," *Journal of Family Trauma, Child Custody and Child Development* 22, no. 1 (2025): 27–55, <https://doi.org/10.1080/26904586.2024.2431696>.

pressure from family members, community leaders,³² and even institutional actors to withdraw complaints in order to preserve marriage, avoid social stigma, or protect family reputation. In several cases, divorce became the primary legal response to domestic violence, while criminal accountability for perpetrators remained largely absent. Such practices reduce domestic violence to a marital dispute instead of recognizing it as a violation of legal rights requiring public prosecution. The continued reliance on private settlement mechanisms weakens the deterrent function of criminal law and limits opportunities for victims to obtain comprehensive legal protection, restitution, and institutional support. Consequently, the legal transformation achieved through domestic violence legislation has not been fully reflected in everyday institutional practice,³³ allowing patriarchal family norms to continue shaping responses to violence and reinforcing the perception that domestic abuse remains primarily a private family concern rather than a matter of public justice.

Victims of domestic violence continue to encounter multiple barriers that discourage reporting and limit access to justice despite the availability of legal protection.³⁴ These barriers arise from the interaction of personal, social, economic, and institutional factors that collectively weaken victims' willingness and ability to pursue legal remedies.³⁵ Economic dependence on perpetrators remains one of the most significant obstacles, particularly for women whose financial security is closely tied to their spouses. Fear of retaliation, concerns about losing child custody, uncertainty regarding future livelihoods, and emotional attachment to family members further contribute to victims' reluctance to report abuse. Social stigma also plays an important role, as many victims perceive public disclosure of domestic violence as bringing shame to the family or violating cultural expectations surrounding marriage. Limited legal literacy and inadequate knowledge of available protection mechanisms reduce victims' confidence in formal legal institutions, particularly among those living in rural communities with restricted access to legal aid and social services. Even after reports are submitted,³⁶ repeated interviews, complicated administrative procedures, and lengthy judicial processes frequently discourage victims from continuing legal proceedings. Some victims ultimately withdraw complaints because they perceive that the emotional, financial, and social costs of pursuing justice outweigh the expected legal benefits. These conditions demonstrate that access to justice depends not only on the existence of legal rights but also on supportive institutional environments capable of reducing procedural burdens and ensuring that victims receive continuous legal, psychological, and social assistance throughout the justice process.³⁷

Institutional weaknesses continue to undermine the effective enforcement of domestic violence legislation and reduce the capacity of the criminal justice system to provide meaningful protection for victims.³⁸ Although statutory responsibilities have been allocated among the police, prosecutors, courts, healthcare providers, social service agencies, and victim assistance institutions, implementation remains fragmented because coordination mechanisms are frequently inconsistent and poorly integrated. Differences in institutional priorities, procedural standards, and evidentiary practices contribute to uneven responses across different stages of case handling. Victims are often required to repeat their testimonies

³² Holilur Rohman and Muhammad Jazil Rifqi, "When the State Tackles Family Law Issues: The Attitudes of Surabaya and Sidoarjo Religious Offices on Child Marriage, Sirri Marriage, and Domestic Violence," *Al-Ahwal* 17, no. 2 (2024): 267–86, <https://doi.org/10.14421/ahwal.2024.17207>.

³³ Martina Purna Nisa Jaliansyah, "Critical Review of Domestic Violence as Reason for Divorce (Comparison of Divorce Laws in Indonesia, Malaysia and the Maldives)," *Al-Ihkam: Jurnal Hukum Dan Pranata Sosial* 16, no. 1 (2021): 1–23, <https://doi.org/10.19105/al-Ihkam.v16i1.4292>.

³⁴ Mohammad Amin, Asif M Islam, and Augusto Lopez-Claros, "Absent Laws and Missing Women: Can Domestic Violence Legislation Reduce Female Mortality?," *Review of Development Economics* 25, no. 4 (2021): 2113–32, <https://doi.org/10.1111/rode.12799>.

³⁵ Galina Nelaeva, Anna Andreeva, and Nataliia Drozhashchikh, "Media Responses to Domestic Violence: Discussing Volodina v. Russia and the Domestic Violence Law," *Problems of Post-Communism* 69, no. 3 (2022): 256–69, <https://doi.org/10.1080/10758216.2020.1851141>.

³⁶ Serhii Shevchenko et al., "Sources of Criminal Law on Domestic Violence Prevention," *Pakistan Journal of Criminology* 16, no. 2 (2024): 157–68, <https://doi.org/10.62271/pjc.16.2.157.168>.

³⁷ Selim Gulesci, Marinella Leone, and Sameen Zafar, "Domestic Violence Laws and Social Norms: Evidence from Pakistan," *World Development* 203 (2026), <https://doi.org/10.1016/j.worlddev.2026.107376>.

³⁸ Wendy J Schiller and Kaitlin N Sidorsky, "Federalism, Policy Diffusion, and Gender Equality: Explaining Variation in State Domestic Violence Firearm Laws 1990-2017," *State Politics and Policy Quarterly* 22, no. 3 (2022): 247–69, <https://doi.org/10.1017/spq.2021.35>.

before multiple agencies, increasing psychological distress while delaying investigations and legal proceedings. Limited availability of trained personnel with expertise in gender-based violence further affects the quality of victim interviews, evidence collection, and risk assessment. In several cases, reconciliation is encouraged before criminal investigations are completed, reducing opportunities to establish legal accountability and weakening the deterrent function of criminal law. Administrative delays, insufficient protection orders, and restricted access to legal aid also reduce victims' confidence in formal institutions. These institutional deficiencies demonstrate that legal protection cannot function effectively without coordinated implementation supported by clear operational procedures, adequate professional capacity, and integrated public services.³⁹ Strengthening institutional performance therefore requires consistent cooperation among all agencies involved in victim protection, ensuring that legal obligations are implemented through coordinated actions capable of delivering timely assistance, effective investigations, and comprehensive support for survivors of domestic violence.

The interaction between patriarchal cultural values, victims' barriers to reporting, and institutional weaknesses ultimately produces a persistent justice gap in the implementation of domestic violence legislation. This gap is reflected in the disparity between the extensive legal protections formally guaranteed by legislation and the limited justice outcomes experienced by many victims. Although domestic violence has been recognized as a criminal offense requiring state intervention, legal accountability frequently remains incomplete because numerous cases do not progress beyond the reporting stage or are redirected toward informal settlements and divorce proceedings. Consequently, legal rights exist at the normative level but are not consistently realized through effective institutional practice.⁴⁰ Unequal gender relations continue to influence social expectations,⁴¹ while fragmented institutional responses reduce opportunities for victims to obtain protection, compensation, and criminal accountability for perpetrators. The justice gap therefore represents more than a procedural deficiency; it reflects the cumulative consequences of structural inequalities operating simultaneously within families, communities,⁴² and legal institutions. Victims remain vulnerable to repeated violence because formal legal mechanisms often fail to provide immediate protection and long-term security. This situation demonstrates that the effectiveness of domestic violence legislation should be evaluated not only through the existence of statutory provisions but also through measurable improvements in victims' safety, equal access to justice, institutional accountability, and the consistent enforcement of criminal law. These conditions collectively illustrate the continuing disparity between legal ideals and the practical realization of justice for survivors of domestic violence.

3.3. Reinterpreting Legal Protection Through National and International Legal Perspectives

The overall analysis demonstrates that domestic violence cannot be adequately understood as an isolated criminal act or merely a consequence of interpersonal conflict within the household. Instead, the empirical evidence collectively indicates that domestic violence is sustained by an interconnected system of patriarchal social values, unequal gender relations, institutional shortcomings, and limited access to justice. These factors operate simultaneously rather than independently, producing conditions in which violence is repeatedly tolerated, underreported, and inadequately addressed through formal legal mechanisms. Patriarchal norms continue to shape expectations regarding male authority and female obedience, thereby influencing family dynamics,⁴³ community attitudes, and institutional responses to domestic violence. Such social expectations frequently encourage reconciliation and family preservation

³⁹ Usep Saepullah and Eva Nur Hopipah, "Domestic Violence in the Perspective of Civil and Islamic Criminal Law," *Al-'Adalah* 20, no. 2 (2023): 427–52, <https://doi.org/10.24042/adalah.v20i2.19438>.

⁴⁰ Wardah Nuroniya et al., "Assessing Indonesia and Malaysia's Legal Responsiveness to Domestic Violence Victims within Islamic Law Framework," *Al-Manahij: Jurnal Kajian Hukum Islam* 19, no. 2 (2025): 247–70, <https://doi.org/10.24090/mnh.v19i2.13736>.

⁴¹ Silvia Kaugia, "Domestic Violence in the Focus of Estonian Penal Policy and Implementation of the Law in the Light of the Istanbul Convention Requirements," *Law: Journal of the University of Latvia* 17 (2024): 109–23, <https://doi.org/10.22364/jull.17.07>.

⁴² Shinta Dewi Rismawati et al., "Distorted Meanings, Misplaced Justice: A Socio-Legal Approach of the Delegitimization of Domestic Violence Law in Pekalongan, Indonesia," *Nurani* 25, no. 2 (2025): 671–89, <https://doi.org/10.19109/nurani.v25i2.30585>.

⁴³ Jessica Oga and Yinka Olomajobi, "Sexual Violence in Armed Conflict in Nigeria: International Law and Domestic Law at the Crossroads," *ELTE Law Journal* 2022, no. 2 (2022): 61–84, <https://doi.org/10.54148/ELTELJ.2022.2.61>.

instead of criminal accountability, despite the existence of comprehensive legal provisions designed to protect victims. At the institutional level, fragmented coordination among law enforcement agencies, inconsistent implementation of legal procedures,⁴⁴ and limited victim-centered services further widen the disparity between legal guarantees and actual justice outcomes. Consequently, the justice gap identified in this study reflects a structural imbalance between normative legal protection and its practical realization. Rather than representing a single institutional failure,⁴⁵ this gap emerges from the interaction of cultural, legal, and administrative factors that collectively weaken the effectiveness of victim protection. These findings reinforce the importance of adopting an integrated socio-legal perspective capable of explaining domestic violence through the combined influence of social structures, institutional practices, and legal implementation rather than through statutory analysis alone.

The persistence of the justice gap is best understood through the interaction of structural factors that extend beyond deficiencies in legislative design. Although domestic violence legislation provides a comprehensive legal framework,⁴⁶ implementation continues to be constrained by institutional practices embedded within broader patriarchal social structures. Unequal gender relations remain deeply rooted in social expectations that associate men with authority and women with domestic responsibility, creating conditions in which coercive behavior is often normalized or justified as part of family life. These cultural assumptions influence not only victims' willingness to seek legal remedies but also the attitudes of families, communities, and public institutions responsible for handling domestic violence cases. Economic dependence,⁴⁷ fear of retaliation, social stigma, and emotional attachment further reduce victims' capacity to pursue criminal proceedings.⁴⁸ At the same time, institutional fragmentation weakens the continuity of victim protection through inconsistent coordination among police, prosecutors, courts, healthcare providers, and social service agencies.⁴⁹ Administrative barriers, procedural delays, and varying interpretations of legal provisions frequently discourage victims from continuing legal processes. These interconnected factors demonstrate that the justice gap represents a structural problem rather than an individual or procedural failure.⁵⁰ Addressing this gap therefore requires more than improving legal provisions; it demands structural transformation involving institutional accountability, coordinated public services, and broader social change capable of reducing the influence of patriarchal norms on legal decision-making and victim protection.

The analytical framework adopted in this study demonstrates that the identified justice gap has important implications for assessing compliance with both national legal obligations and international human rights standards. Nationally, Law No. 23 of 2004 established a significant legal transformation by recognizing domestic violence as a public offense requiring state intervention rather than a private family dispute.⁵¹ This legal development imposes responsibilities on state institutions to prevent violence, investigate reported cases, prosecute offenders,⁵² and ensure effective protection for victims. Nevertheless, the persistence of institutional inconsistencies illustrates that statutory recognition alone is insufficient to

⁴⁴ Fei Qi, Yuqi Wu, and Qi Wang, "Anti-Domestic Violence Law: The Fight for Women's Legal Rights in China," *Asian Journal of Women's Studies* 26, no. 3 (2020): 383–96, <https://doi.org/10.1080/12259276.2020.1798069>.

⁴⁵ Olena Haltsova et al., "Preventing Domestic Violence Under Martial Law in Ukraine," *El-Usrah* 7, no. 2 (2024): 677–94, <https://doi.org/10.22373/ujhk.v7i2.24146>.

⁴⁶ Gena K Dufour et al., "Public Perceptions of Clare's Law: Insights on the Usability and Perceived Effectiveness of a Domestic Violence Disclosure Framework," *Journal of Family Violence*, 2025, <https://doi.org/10.1007/s10896-025-01026-5>.

⁴⁷ Kai Lin et al., "Chinese Police Officers' Attitudes Toward Domestic Violence Interventions: Do Training and Knowledge of the Anti-Domestic Violence Law Matter?," *Policing and Society*, 2020, 1–17, <https://doi.org/10.1080/10439463.2020.1797027>.

⁴⁸ Cynthia S Gorman, "Feminist Legal Archeology, Domestic Violence, and the Raced-Gendered Juridical Boundaries of U.S. Asylum Law," *Environment and Planning A* 51, no. 5 (2019): 1050–67, <https://doi.org/10.1177/0308518X18757507>.

⁴⁹ Mavzuna R Turaeva and Charles M Becker, "Daughters-In-Law and Domestic Violence: Patrilocal Marriage in Tajikistan," *Feminist Economics* 28, no. 4 (2022): 60–88, <https://doi.org/10.1080/13545701.2022.2060518>.

⁵⁰ Jina Lee, Naoki Kanaboshi, and Ksenia Petlakh, "Domestic Violence Protection Orders for Teen Dating Violence: An Analysis of State Laws and Practices," *Trauma, Violence, and Abuse* 24, no. 4 (2023): 2789–2807, <https://doi.org/10.1177/15248380221113782>.

⁵¹ Kurniati Abidin et al., "Determinants of Domestic Violence in Indonesia from a Gender and Sociology of Law Perspective," *El-Usrah* 8, no. 2 (2025): 701–23, <https://doi.org/10.22373/0t3bc059>.

⁵² Wasan Al-Rashidi, "Domestic Violence Protection Laws in Saudi Arabia, United Arab Emirates, and Kuwait: A Maqāṣid-Based Study in the Context of Modernist Discourse," *Journal of College of Sharia and Islamic Studies* 44, no. 1 (2026): 19–47, <https://doi.org/10.29117/jcsis.2026.0432>.

achieve substantive justice. From an international perspective, the findings are also consistent with principles embodied in the Convention on the Elimination of All Forms of Discrimination against Women, the Declaration on the Elimination of Violence against Women, and other international human rights instruments that require states to exercise due diligence in preventing, investigating, punishing, and remedying violence against women.⁵³ These standards emphasize that effective legal protection must be evaluated not only through legislative enactment but also through measurable institutional performance and meaningful access to justice for victims.⁵⁴ The continuing disparity between legal commitments and practical implementation therefore illustrates that compliance with domestic legislation and international obligations depends upon institutional effectiveness, coordinated victim services, and sustained efforts to eliminate structural discrimination that undermines equal protection under the law.

The present study contributes to contemporary socio-legal scholarship by demonstrating that the persistence of domestic violence should be understood through an integrated analytical framework combining legal, cultural, and institutional dimensions rather than examining each factor independently. Existing scholarship has extensively explored domestic violence from legal, feminist, criminological, and human rights perspectives,⁵⁵ emphasizing the effectiveness of legislation,⁵⁶ gender inequality, victim protection, and institutional responses. While these studies have generated valuable insights, many tend to analyze either legal implementation or patriarchal culture as separate explanatory variables. The present analysis shows that these dimensions are mutually reinforcing and collectively shape the persistence of the justice gap.⁵⁷ Patriarchal norms influence institutional behavior, institutional practices reinforce unequal access to justice, and weaknesses in legal implementation reproduce structural inequalities that discourage victims from seeking legal remedies.⁵⁸ This interaction illustrates that legal effectiveness cannot be measured solely by statutory compliance or conviction rates but must also consider the broader social environment in which legal institutions operate. By positioning the justice gap as the outcome of interconnected structural processes,⁵⁹ this study expands socio-legal discussions beyond doctrinal legal analysis and conventional institutional evaluation. It therefore offers a more comprehensive framework for understanding why progressive legal reforms often fail to produce substantive justice when cultural values, institutional practices, and social power relations continue to operate in ways that undermine the realization of victims' legal rights.

This study recommends institutional reform that places victims at the center of every stage of the legal process rather than treating legal protection as merely a procedural obligation. Reducing the justice gap requires stronger coordination among the police, prosecutors,⁶⁰ courts, healthcare providers, social service agencies, and legal aid institutions to ensure that victims receive continuous protection from the initial reporting stage through judicial proceedings and post-trial recovery. Institutional reforms should establish standardized protocols for evidence collection, risk assessment, referral mechanisms, victim assistance, and protection orders to minimize inconsistencies in case handling across different agencies. Sustainable improvements also require continuous professional training for law enforcement officials,

⁵³ Chiara Elena Cooper et al., "Law Enforcement Chief Executive Officers' Support for Removal of Firearms in Domestic Violence Cases," *Policing* 48, no. 3 (2025): 648–67, <https://doi.org/10.1108/PIJPSM-07-2024-0113>.

⁵⁴ Tetiana Kyrychenko and Mariia Naumenko, "Domestic Violence as a Human Rights Violation in the Case Law of the European Court of Human Rights: The Context of Child Protection," *Revista Brasileira de Seguranca Publica* 20, no. 1 (2026): 310–29, <https://doi.org/10.31060/RBSP.2026.V20.N1.2164>.

⁵⁵ Sukendar, "Between Law and Reality: The Implementation Gaps of Indonesia's Domestic Violence Law," *Indonesian State Law Review* 9, no. 1 (2026): 1–33, <https://doi.org/10.15294/islrev.v9i1.35169>.

⁵⁶ Catherine K Medina, Jessica M Becker, and Lirio K Negroni, "Perceptions of Police Response to Domestic Violence in Puerto Rico: Law 54 and Human Rights," *Journal of Human Rights and Social Work* 5, no. 3 (2020): 201–11, <https://doi.org/10.1007/s41134-020-00123-3>.

⁵⁷ Tariq Abubakar Ally and Ramesh Kumar, "Laws Relating to Women Human Rights and Domestic Violence in Tanzania," *Pakistan Journal of Life and Social Sciences* 22, no. 2 (2024): 366–73, <https://doi.org/10.57239/PJLSS-2024-22.2.0027>.

⁵⁸ Yoo-Mi Chin and Scott Cunningham, "Revisiting the Effect of Warrantless Domestic Violence Arrest Laws on Intimate Partner Homicides," *Journal of Public Economics* 179 (2019), <https://doi.org/10.1016/j.jpubeco.2019.104072>.

⁵⁹ Maryna Demura, "How the Law Protects Individuals from Domestic Violence in Poland and Ukraine: A Comparative Study," *International Comparative Jurisprudence* 10, no. 2 (2024): 282–94, <https://doi.org/10.13165/j.icj.2024.12.008>.

⁶⁰ Dafeng Xu, "The Wording Matters: Gender Equality Laws and Women's Attitudes Towards Domestic Violence in Africa," *Social Science and Medicine* 345 (2024), <https://doi.org/10.1016/j.socscimed.2024.116668>.

prosecutors, judges, and victim service providers to strengthen gender-sensitive practices and trauma-informed approaches while reducing secondary victimization during legal proceedings. In addition, public legal education and community-based awareness initiatives should be expanded to challenge patriarchal norms that continue to normalize domestic violence, discourage victims from reporting abuse, and prioritize family reconciliation over legal accountability. These institutional and social reforms must be implemented consistently with national legislation and international human rights standards that require states to exercise due diligence in preventing violence, protecting victims, prosecuting perpetrators, and providing effective remedies.⁶¹ Through this integrated approach, legal protection can evolve from formal statutory recognition into an effective victim-centered justice system characterized by accessibility, accountability,⁶² coordinated institutional responses, and substantive justice. Such reforms are expected to strengthen public confidence in legal institutions while reducing the structural conditions that continue to sustain domestic violence and perpetuate the justice gap.

4. Conclusion

This study concludes that the persistence of domestic violence in Indonesia reflects not merely deficiencies in statutory regulation but a complex interaction between patriarchal culture and the justice gap that weakens the implementation of legal protection. Although Indonesia has enacted comprehensive legislation, including Law No. 23 of 2004 on the Elimination of Domestic Violence and related criminal law provisions, empirical findings demonstrate that legal protection remains ineffective due to deeply rooted patriarchal norms that normalize violence as a private family matter and discourage victims from seeking formal legal remedies. The research further identifies significant institutional challenges, including inconsistent law enforcement, inadequate coordination among police, prosecutors, courts, and victim support agencies, limited victim-centered services, and social pressure that frequently redirects criminal cases toward family reconciliation rather than criminal accountability. Consequently, victims continue to experience barriers in accessing justice, while perpetrators often evade meaningful legal responsibility. From the perspective of contemporary Islamic family law, these conditions contradict the principles of justice (*'adl*), human dignity (*karāmah*), equality (*musāwah*), and the objectives of *maqāṣid al-sharī'ah*, which require the protection of life, family, and vulnerable individuals. Therefore, strengthening legal protection against domestic violence requires not only more effective law enforcement but also institutional reform, greater public legal awareness, and the transformation of patriarchal social norms that continue to legitimize unequal power relations within Indonesian families.

This research contributes conceptually by developing an integrated socio-legal framework that connects patriarchal culture, the justice gap, and contemporary Islamic family law in explaining the persistence of domestic violence in Indonesia. Unlike previous studies that predominantly examine domestic violence from either legal, sociological, or gender perspectives independently, this study demonstrates that effective victim protection can only be achieved through the interaction of legal institutions, cultural transformation, and Islamic legal principles emphasizing justice and human dignity. Methodologically, the use of empirical legal research through qualitative fieldwork provides rich contextual evidence that complements doctrinal legal analysis and offers a more comprehensive understanding of the gap between legal norms and their implementation. The findings also generate practical implications for legislators, judges, prosecutors, police officers, religious leaders, and victim assistance institutions by emphasizing the importance of integrated policies, victim-centered legal services, stronger institutional coordination, and gender-sensitive legal enforcement. Although the study was conducted within selected research locations and cannot fully represent all regional contexts in Indonesia, its analytical framework may serve as a reference for future comparative research on domestic violence, legal implementation,

⁶¹ Ramunė Jakštienė, "Economic Abuse and Criminal Responsibility: Lithuanian Case Law on Domestic Violence," *International and Comparative Law Review* 22, no. 2 (2022): 215–37, <https://doi.org/10.2478/iclr-2022-0023>.

⁶² Katherine Brickell, "Event(Ful) Spaces of Organised Legal Encounter: Reflections from a Client Consultation Competition on Domestic Violence Law in Cambodia," *Area* 53, no. 4 (2021): 586–94, <https://doi.org/10.1111/area.12660>.

and contemporary Islamic family law, thereby contributing to the advancement of socio-legal scholarship and evidence-based policymaking in Indonesia.

Declarations

Author Contribution Statement

M. Ridha Rahmat Putra contributed to conceptualization, methodology, investigation, data curation, formal analysis, writing the original draft, and visualization. Ferdi Yufriadi contributed to supervision, validation, writing—review and editing, project administration, and final approval of the manuscript. All authors have read and agreed to the published version of the manuscript.

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The data that support the findings of this study are available from the corresponding author upon reasonable request. No publicly archived datasets were used or generated during the current research.

Declaration of Interests Statement

The authors declare that they have no known competing financial interests or personal relationships that could have influenced the work reported in this paper.

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