

The Complexity of Sexual Abuse Problems on Children in West Nusa Tenggara: the Culture against the Law

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Abstract- The issue of sexual abuse today is quite alarming. Many cases have occurred including in West Nusa Tenggara. A social rehabilitation center that provides services to Children Associated with Law (ABH) in Lombok is quite overwhelmed with client problems, especially those related to sexual abuse issues among minors. The cases handled are quite complex and varied, such as the high incidence of incest and usually perpetrators of sexual abuse are the people closest to the victims. The "Merariq" culture is the habit of "escaping" bride to marry has contributed to the problem. This research is to find out (1) the picture of sexual abused cases in West Nusa Tenggara (2) the causes of the high incidence of sexual abuse (3) how to settle incest or "Merariq" cases by the local community, and (4) Who has the role to resolve incest or "Merariq" cases. This research used descriptive qualitative method, with interviews, documentation studies and focus group discussions. The results shows that in incest cases the perpetrators were the biological fathers with problems. Beside, cases of early marriage occur because of using the "Merariq" to end in early marriage. The conclusion is that culture also influences the high incidence of sexual abuse in West Nusa Tenggara.

Key words: Sexual abuse, Incest, "Merariq", victims and perpetrators.

I. INTRODUCTION

Child sexual abuse has become a common concern in recent decades and has become one of the highest crime profiles. Since the 1970s, sexual abuse of children and child abuse has increasingly been recognized as being highly harmful for children and thus unacceptable to society as a whole. Many cases related to those two issues have been revealed in various mass media or social media. However, it has not represented a true picture of the reality as it is assumed that there are still many unrevealed cases other than the exposed ones. The reasons are since these issues are related to sex which is still considered as taboo by most people. Furthermore, they consider it as a shame if one of their family members become one of the victims of sexual abuse. In addition, because of their ignorance, there are even some who are precisely at issue (being blamed) for telling their bitter experiences, or they are under threat from the perpetrators so they do not dare to speak. This fact is really alarming, Children who are innocent and naïve are supposed to be protected and be given affection instead of being harmed and harassed by adults or even other children.

One phenomenon of the high incidence of sexual abuse is in West Nusa Tenggara (NTB). In West Nusa Tenggara, which has its capital in Mataram (and is on the island of Lombok), although it cannot be said to be bombastic, it turns out that the case of sexual harassment that occurred was quite complex. The perpetrators are the closest people to the victims such as their own families or boyfriends. There is an interesting thing to be revealed. There is a culture which is held by the Sasak Tribe in West Nusa Tenggara called as "Merariq". It is a culture in which to escape a girl to be married. It becomes counter-productive with child protection efforts due to some losses encountered by the doers, especially those who are still underaged. In West Nusa Tenggara, Merariq is usually done by a teenager couple to leave home so that they can get married eventhough they are still underaged. However, not all people can accept this culture leading to some controversies. On the other hand, not all people can accept Merariq culture so that complaints can arise. On the other hand, there is another loss such as incest relationship as the children are sexually abused by their closest relatives such as their own biological father or uncles. This abuse commonly happen in the family which the wife must work abroad for years as the female migrant workers (TKW/ Tenaga Kerja Wanita). The house without a mother becomes one main cause of the sexual abuse leading to incest relationship. As a consequence, the children are considered as children in conflict with the law (ABH) either as the perpetrators, witnesses, or even victims. The house without a mother becomes one main cause of the sexual abuse leading to incest relationship. As a consequence, the children are considered as children in conflict with the law (ABH) either as the perpetrators, witnesses, or even victims. The Social Rehabilitation Center for Children in Needs of Special Protection (BRSAMPK) "PARAMITA" Mataram which belongs to the Indonesian Ministry of Social Affairs, is the only institution that provides services for ABH in West Nusa Tenggara. The social workers become the professions that are quite crucial as the cases related to sexual abuse and harassment on children frequently happen in this area. The officers especially social workers in this institution must struggle to make people aware and convince various parties, that local culture and prevailing values, are very influential in this matter. It is definitely a

challenging task to accomplish as culture and belief are things preserved by the local community representing their identity.

II. LITERATURE REVIEW

A. The Problem of Sexual Abuse Against Children
Sexual violence against children, according to Lyness (in Maslihah: 2006), includes the act of touching or kissing a child's sexual organs, sexual acts or rape of children, showing media or pornographic objects, showing genitals in children and so on. There are several forms of sexual violence that are often found in the community, namely: Sodomy; Rape; Sexual Harrashment; Incest (=is sexual violence where the victim and the offender are still in the blood relationship, becoming part of the nuclear family. In this case, including someone who is a substitute for parents, such as stepfather, or love, caregiver or person who is trusted to care for children) (Mayer in Tower: 2002).

In cases of sexual abuse, there must be victims on the one hand and perpetrators on the other. Nearly every case revealed, the culprit was a person who was close to the victim. Not a few of the perpetrators are people who have dominance over victims, such as parents and teachers. There is no specific characteristic of personality that can be identified by a perpetrator of sexual violence against children. In other words, anyone can become a perpetrator of sexual violence against children. Sexual abuse is a type of persecution which is usually divided into two categories while describing as perpetrators, namely: Familial Abuse and Extra Familial Abuse.

B. Merariq

Merariq is one of the ways the Sasak tribe holds a marriage that begins with a promise between a woman and a bachelor who has been tied to a beberaye relationship or dating, to escape the girl from her house without the knowledge of parents, other relatives and those who are suspected of failing that is. This event is carried out at night. Prospective husbands are assisted by people who are trusted to bring prospective wives to hiding places, namely the house of the groom's family. Merariq as a tradition of traditional marriage in the Sasak tribe turned out to save the potential for conflict which often ends in disputes, because it begins with the theft or stealing on the girl's consent from her parents' power, as a form of knight's attitude as well as the man's seriousness to marry girl.

III. METHOD

This research applied descriptive qualitative method, with data collection techniques, namely documentation, interviews, and Focus Group Discussion (FGD). Documentation method collected data based on data available at BRSAMPK "Paramita" Mataram-Lombok. Interviews were conducted involving several people having experience in sexual harassment in West Nusa Tenggara, while the Focus Group Discussion (FGD) involved several related professions, such as: government employees working in related fields, social workers, psychologists, and medical doctors.

IV. RESULT AND DISCUSSION

A. Result

1. What is the description of sexual abuse cases in West Nusa Tenggara?

BRSAMPK "Paramita" Mataram-Lombok provides social rehabilitation services to Children in Conflict with Law (ABH=Anak Berhadapan Hukum) in the West Nusa Tenggara region and its surrounding. A description of cases that occurred in children in the West Nusa Tenggara region and handled in the BRSAMPK "Paramita" Mataram, can be seen in the following table:

Table 1. Number of Cases of Children Against the Law (ABH) in West Nusa Tenggara by Gender 2017 – 2019 in BRSAMPK "Paramita" Mataram

No.	Sex	Year 2017		Year 2018		Year 2019 (up to February)	
		Cases Number	Dominant Cases	Cases Number	Dominant Cases	Cases Number	Dominant Cases
1.	Male	222	Victims of sexual violence (65 cases) and immorality (25 cases)	233	Stealing or robbing (92 cases) and immorality (38 cases)	68	Victims of sexual violence (67 cases & trafficking (3 cases)
2.	Female	107		93		38	
	Total	329		326		106	

Resource: BRSAMPK "Paramita" Mataram, year 2019.

The number of cases of Children in conflict with the law (ABH) handled by BRSAMPK "Paramita" Mataram in the period of 2017 - 2019 (up to February) was 761 cases. The cases handled were dominantly those experienced by boys which is 68.73% (523 cases) while the remaining 31.27% (238 cases) were experienced by girls. In details, there were two types of cases happened in 2017. In 2017, the prominent cases were those involving children as the victims of sexual violence (i.e. 65 cases (19.76%)) and immoral actions (i.e. 25 cases (7.60%)).

Based on the data recorded in Mataram-Lombok BRSAMPK "Paramita", there are two categories of perpetrators, namely: the closest people whom the children frequently meet and the others whom the children have known before as well as strangers. The number of cases of violence or sexual abuse of children committed by the closest people of the child in 2016 - 2018 is as many as 25 cases. These cases spread throughout the West Nusa Tenggara Province. The most cases happen in Sumbawa and West Lombok regions (7 and 6 cases respectively) while the least cases happen in North Lombok regions having only 2 cases (BRSAMPK "Paramita" Mataram, 2019).

In terms of the perpetrators of violence and sexual abuse toward children, the following data reveals an unexpected finding. The perpetrators are mostly their closest people, particularly their biological fathers. Other perpetrators may also be their uncles, brothers, grandparents, and cousins..

The following table provides data on the perpetrators' relationship with the victims of violence or sexual abuse, especially girls in the past three years.

Table 2. Number of Sexual Abuse Cases by Region in West Nusa Tenggara, 2016 - 2018

No.	Original Region	Year 2016		Year 2017		Year 2018		Number (Cases/persons)
		F (cases/persons)	%	F (cases/persons)	%	F (cases/persons)	%	
1.	West Lombok	3	33.33	1	12.50	2	25.00	6
2.	Central Lombok	0	0	0	0	3	37.50	3
3.	Sumbawa	1	11.11	4	50.00	2	12.50	7
4.	Mataram	2	22.22	1	12.50	0	0	3
5.	East Lombok	2	22.22	2	25.00	0	0	4
6.	North Lombok	1	11.11	0	0	1	12.50	2
	Total	9	100.00	8	100.00	8	100.00	25

Resource: BRSAMPK "Paramita" Mataram, year 2019.

The table above shows the number of cases of violations or sexual abuse of children committed by the closest person in 2016 - 2018 in West Nusa Tenggara Province amounted to 25 cases. Six districts in West Nusa Tenggara Province, with the highest number occurring in the Sumbawa and West Lombok regions (7 and 6 cases respectively), and the least in the North Lombok region, with only 2 cases.

2. What are the causes of the high incidence of sexual abuse in West Nusa Tenggara?

The results obtained from the informants' answers indicate that there are several reasons for the high incidence of sexual abuse in the West Nusa Tenggara region, namely:

- a. The absence of mother of mother at home. The family which the mother works as the female migrant worker are prone to experience violence or sexual abuse on children. As an addition, mothers who work and leave the house all day long are also considered as absent. The presence of a mother brings balance to the family life that may protect the children, especially girls, from sexual abuse by their closest people.
- b. Inharmonious family
Inharmonious relationships in the household is also perceived as one of the factors triggering violence and sexual abuse on children. Divorce causes unfavorable conditions for children. It may endanger the children in some particular conditions, such as when a child must live with his/ her stepfather or even lives only with his/ her biological father after the divorce, the child may become the victims of violence or sexual abuse of the fathers. The social workers at BRSAMPK "Paramita"

Mataram mentioned that the atmosphere of the home becomes unsafe for children when parents are out of harmony.

c. Culture

Merariq culture is predicted to be a trigger for the high number of cases of early marriage among children of early marriage to children, because this culture gives children a chance to get married quickly. It eventually becomes a habit constructing assumption that getting married early will be good for children. On the other hand, early marriage is also one factor leading to the increasing number of divorce.

d. The lack of internalization value in family

The people in this region lack of internalization value which can be gained through education or consultation becoming a reason of the bad habits happened in the society. The bad habits mentioned previously refer to escaping a girlfriend to get married early, the emergene of incest relationship, and sexual abuse done by biological and step fathers.

e. The dysfunction of traditional and religious institutions

Traditional institutions have begun to erode and not shown their existence. Moreover, the culture of Merariq has been "misunderstood" by people outside the Sasak tribe. These institutions have not shown their dominant role in preventing the increasing emergence of cases on violence and sexual abuse on children.

3. How to settle incest or "Merariq" cases by the local community

a. Promoting local regulations on the prohibition of "Merariq Kodeq"

At the end of 2018, the West Lombok District Government redistributed local regulations governing the prohibition of the codeq culture or marriage at the age of children through the Anti-Code Movement (GAMAK). This movement is socialized on a large scale to all elements of society and this is one of the efforts of local governments to mobilize awareness and change people's perspectives. This code of conduct in the socialization effort is a sign that the regional government is aware of the increasing number of child marriages due to cultural influences.

b. Customary and family settlement

The settlement of the draw cases is always done through a family settlement or it can be said in a traditional manner which is usually followed by the people particularly the children who must marry soon. Likewise with the case of incest, family resolution is is often considered as the solutions of problems faced.. This condition, according to the informant, can be caused by some reasons. First, the community did not understand the law. Thus, it was better to do things according to the family rules. So it was better in a family way. Second, there are habits to solve similar problems through family consultations. Third, the family shame occurs when there are family members involved in such cases. It results in the resistance of revealing the cases and taking solutions through family negotiation.

c. Dissemination and education on child protection and child care

It is needed to hold education about child care for parents in the community, particularly in the areas prone to sexual violence against children (one of them is in Sumbawa) about patterns of child care in the family. Child protection included in the child protection law must continue to be conveyed to the wider community, so that the community can fully understand the consequences and make efforts to prevent such cases to emerge.

4. Who has the role to resolve incest or "Merariq" cases

a. Local Government

The government having firm rules such as by establishing regional regulations on the prohibition of early marriage, child protection regulations, and regional regulations on cultural arrangements accompanied by programs for their implementation. The local governments can continue to disseminate and educate the public.

b. Religious and traditional leaders

Religious institutions and traditional institutions must have more power to coerce or regulate community behavior, because these institutions still have power to drive the community by the community. The customary institutions can regulate sanctions for violators, so that the culture of Merariq is not misused.

B. Discussion

From the data obtained, that violence or sexual harassment in West Nusa Tenggara is more experienced by girls. Cases of sexual abuse committed by people closest to the child, namely by biological fathers, uncles and cousins, with the majority committed by biological fathers. This condition is very alarming, considering the biological father is a parent who must protect children from dangerous things. This reality is in line with cases of sexual abuse that occur in all parts of the world (the results of research that has been done a lot). It is said that the predators of sexual harassment are people who are close or in the environment of children.

Why did this happen? Especially in West Nusa Tenggara, people are known to be very religious and religious. On the one hand, a child, especially in religious teachings, is strongly emphasized to obey parents. On the other hand, good sex education is still far from expectations. Talking about sex is still considered taboo. When sexual violence is committed by a biological father, the child cannot do anything, afraid to scream, because he is threatened, or is said to be unloving or disobedient to his parents. Children are afraid that they are considered sinners by their parents. This makes the child as a victim in a weak position and unable to defend himself, while the perpetrator feels powerful and becomes the owner of his child.

In addition, family disharmony is quite common in West Nusa Tenggara, such as divorce and infidelity, for example, one of which is caused by mothers who leave their families because they have to make a living as migrant workers, which in some cases contribute to violence. or sexual abuse of children. Husband left at home, and the house in a lonely condition caused the daughter to become an outlet for the biological needs of the father. Children obey the wishes of parents, children are afraid to refuse, or children are afraid of being considered sinful if they refuse, this is

misinterpreted by parents (father). Or it could be, the child is threatened. Furthermore, despite the reasons mentioned above, families who experience shame sometimes feel better if the case is not disclosed and resolved by family.

Another factor is Merariq culture. Merariq is derived from the Sasak language which means run, and contains two meanings. The first meaning is the real meaning and the second is the overall implementation of marriage according to Sasak custom. Running or running means technique or method, in connection with this means the act of running away or freeing the girl from the bonds of her parents and family. Merariq is a traditional marriage tradition in the Sasak tribe, which is the dominant community in West Nusa Tenggara (especially Lombok). Tradition in marriage begins with the event of stealing based on the agreement of the girl and her parents, as a form of knight attitude and the seriousness of the man to marry the girl.

Many children enter adolescence, who begin to have romance. Boys and girls date like other teenagers in today's millennial era. A comfortable place not at home. They tend to go places they consider appropriate to express their mutual love. Their departure outside the house, when viewed from the perspective of Merariq culture, is an attempt to escape a girl. The neighbors already knew, so they were finally married, because if not, it would only cause embarrassment or shame, for the girl's family. This condition is not in line with the regulations of Law Number 35 Year 2014 concerning Child Protection. Children under the law are those under the age of 18 and on the other hand parents / family have an obligation to prevent marriages from occurring at an early age. This condition shows that Merariq culture has been internalized into customary customs. Children who run away with their girlfriends or sexually abuse can have the power of support from the local culture. The offender's child feels that he has gained strength from the environment and culture. This condition cannot be tolerated because it causes cultural changes that harm children or have a negative impact on children. In line with the perspective of behaviorism that children are shaped by their environment, and children's behavior is a reaction to an environmental response (Papalia & Olds, 2001: 13).

The widening of cases of high levels of sexual harassment / violence in West Nusa Tenggara, can be directly or indirectly influenced by the culture of the local community. Cases of pregnancy out of wedlock, then taken and finally married, as if an easy way to legalize sex outside of marriage. This condition becomes embedded or learned and eventually becomes a habit. In line with the concept of culture it is something that humans have by learning. Referring to the theory of behaviorism that human behavior is the result of imitation and presentation of an example (modeling), then examples of easy case resolution without punishment that aggravate the perpetrators, can continue to be examples that must be done. Therefore cases of sexual abuse against children, especially those committed by adults, even by their parents/families, need to be punished severely, because in fact these adults are protectors for children. Incriminating penalties are not only part of the implementation of the Child Protection law, but also part of

the formation of new behaviors in the community for not committing arbitrary acts against children, namely sexual violence/harassment.

Another problem is the habit of closing cases or terms that they finish as a family, can also support violence/harassment/sexuality that is increasingly spreading because the perpetrators feel that they will eventually be free from punishment through the settlement of family consultation. Children are victims of adult domination, children are not respected at all in the perspective of children's rights. Adults consider children to be obedient and later children who become victims will recover over time. This view must be removed from the viewpoint of the community. Perspectives against adultism must be developed, namely a pragmatic perspective on social work, presented by Petr, C.G. (2004), who oppose adultism centered on adults in looking at children. Decisions for children are not only based on adult thought but must explore children's perspectives, what children think and feel.

V. CONCLUSION AND RECOMMENDATION

A. Conclusion

Cultural factors have been a direct and indirect cause of the high number of sexual harassment cases in Lombok. Habits that are internalized by the community include incest and children of men who can run away from their girlfriends or women to get married immediately. Internalized culture shows that women are in a weak condition that can be treated as desired by men.

Community leaders, religious leaders and social leaders can help change what happens in their community. Cultural change can be done very well. Apaila has strong support from leaders in the community. Customary and religious figures play a role in stating that the Merariq culture is not good to continue, because it can cause high levels of child abuse. Children can learn wrong behavior without feeling guilty.

B. Recommendation

1. Education or understanding is needed regarding Merariq's cultural provisions that the escape process only applies to the bride and groom, part of the traditional wedding ceremony, not for those who are still dating.
2. Need intensive education and outreach in the NTB region which is quite high in the case of children who are in conflict with the law (ABH) regarding Indonesian legal regulations and child protection policies that contain provisions and sanctions relating to the protection of children's rights including the prohibition of marriage early age.
3. A child protection system needs to be established in the Mataram region, a system developed by the local government that unites various areas of child protection or various institutions related to child protection. This system will have a strong prevention program, in addition to having a curative and rehabilitation program. This system will have an Operating Procedure System (SOP) to make various efforts to create child protection.
4. Longitudinal evaluation or research is needed to see developments and changes in the application of this

culture. If it is still misused, then this Merging culture can be considered eliminated.

5. Involvement of Professional Social Workers in professional service tasks and handling of social problems of children (article 1 paragraph 14 of Law No. 11 of 2012 SPPA). Social workers can also carry out case response tasks and support ABH. Children who are victims of sexual violence need complete care to recover trauma and other psychological and social disorders. Children must get a complete treatment for psychological recovery.

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