

Aisyiyah's Involvement in the Prevention of Violence Against Women

Study on Aisyiyah's Anti-Violent Activities in Bekonang, Sukoharjo

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ABSTRACT

As a human rights violation and societal sickness, violence against women must be addressed by both the state and society at large. 'Aisyiyah's role in reducing violence against women was examined in this research in light of the organization's role as a women's organization. 'Aisyiyah's policies were used as secondary data in this study because of the normative and empirical methods used. Decisions are the normative form of this. Field data from grassroots 'Aisyiyah activity was the primary source of information. According to the findings, 'Aisyiyah's role in reducing violence against women was to prevent it. Decisions made in the form of policies are used as a guide for implementation at the lowest level of the organization (district branches and village sub-branches). There are two components to this model, one being mental-spiritual and another being socio-economic, both of which are focused on the community. The model is named Qaryah Thayyibah.

Keywords: *anti-violent activities, Aisyiyah, Qaryah Thayyibah.*

1. INTRODUCTION

Violence against women is a crime that has become a concern of the world community today because of the unique nature of crime is born from cultural factors, as in Javanese culture the view of women as fear friend. It means, women play a role in the household and dress up only. And for married women are described that woman's heaven follows her husband and hell is carried by her husband, it means women's life are described that they must obey the husband's orders under any circumstances. The other view in Javanese culture is often expressed that women are "a kitchen", "a well", "a bed", and "a face powder." There for This view cause women do not have opportunity to express themselves as a human being. Their movements are limited and controlled by men. As a result, they get stereotype that women are identic household and run into marginalization. Finally, the condition have to impact on women's poverty, which is this poverty cause's violence against women. Now this view was no longer the belief society, however the assumption that women are the second class.

International community calls the violence as gender-based violence. The concept of violence and its forms are written in the UN Declaration of December 20, 1993, namely the Declaration on the Elimination of Violence against Women, as follows:[1]

Violence against women means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

Violence against women shall be understood to encompass, but not limited to the following:

(a) Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;

(b) Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution;

(c) Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.

These forms of violence do not only occur between individuals, or individuals and community groups, but can also be carried out by the state or by experts referred to as regime of violence i.e. violence perpetrated by the state through a regulation (misrecognized). Willem Schinkel calls the forms of violence in general in 3 types; first, private violence, which is violence between individuals; second, public violence, which is violence committed by community groups against individuals or groups; third, state/regime violence. These three forms of violence are called trias violentiae.

The declaration also formulates the state's obligation to eliminate violence against women, among others: (1) condemning acts of violence against women and not asking for consideration of custom, tradition or religion to avoid their obligations; (2) developing legal regulations (criminal, civil, labour, and administrative) to punish perpetrators; (3) the state must notify women's rights in obtaining justice.

Indonesia as a member country has carried out these obligations by enacting various laws and regulations to combat violence against women. Laws (criminal) that exist to overcome this crime include the domestic violence law i.e. Law No. 23 of 2004 on the Elimination of Domestic Violence; the law on unsafe abortion, which contained in Law No. 36 of 2009 on Health; the law on violence against girls, which does not stand alone but is integrated in Law No. 23 of 2002 on Child Protection, which has undergone several changes. The latest changes are in Law No. 17 of 2016. In addition, there are general legal regulations generic in nature, but providing protection in obtaining their rights (such as compensation, rehabilitation and others) in Law No. 13 of 2006 on the Protection of Witnesses and Victims, later changed to Law No. 31 of 2014.

Violence against women is still prevalent, despite the fact that several laws have been enacted to prevent it. The National Women's Commission (KOMNAS Perempuan) provided the statistics on this violence is depicted below: [2]

Table 1. Violence Against Women Data

No	Year	Personal Domain	Community Domain	Number
1	2015	199,390 (68%)	90,898 (31%)	293,220
2	2016	202,137 (78%)	57,013 (22%)	259,150
3	2017	247,397 (71%)	96,868 (27.8%)	348,446

Source: KOMNAS Perempuan

A personal domain is one in which the violence happens inside the confines of one's own relationships, such as within the nuclear or extended family of the victim, such as a boyfriend or girlfriend. The term "community domain" refers to the whole community, including those who may be completely unknown to you.

There is a chance that the data shown here may not accurately reflect the reality of violence against women. Only incidents of violence against women reported to escort agencies and courts are included in the statistics. In criminology, this is known as a "iceberg phenomenon," which means that what appears on the surface is simply the tip of the iceberg. Despite this, the statistics shows a significant number of incidents of domestic abuse against women. Even in 2017, there was a significant growth.

Therefore, violence against women must not only be mitigated by using legal means, but it must be tackled through other means outside the legal effort [3]. The United Nations as a representative of the international community at its Congress in Doha in April 2015 on Crime Prevention and Criminal Justice affirmed a shared commitment to uphold the supremacy of law to fight crime in all its forms and manifestations (this includes crimes against women) and uphold human rights. Although the declaration affirmed the law enforcement, in the subsequent statement the congressman also stated the need to fight crime by means outside the law by involving elements of the community to promote (develop) a culture that respects human rights. The statement is as follows:[4]

(10) We support the development and implementation of consultative and participatory processes in crime prevention and criminal justice in order to engage all members of society, including those at risk of crime and victimization, to make our prevention efforts more effective and to galvanize public trust and confidence in criminal justice systems.

Crime mitigation by using utilities outside of criminal law in criminal theory is called crime prevention without punishment, which can be pursued through social policy or development policy [5]. The implementation of social/development policies oriented to eliminating the root causes of violence, especially against women, must get the support of all elements of society, especially women's organizations. This is because women's organizations as civic organizations are also responsible for the quality of life of women, after the state [6].

'Aisyiyah is a women social organization that is familiar for all level of society, it is obliged to participate in prevention of crime against women. This organization movement is not only in the da'wah, but also the social and economic problems which is experienced by women..

The National Medium Term Development Plan (RPJMN) Book I regulates the strengthening of partnerships with civil society organizations, the private sector and the media to educate the public about the importance of public information and participate in the development process [7]. The participation of this social organization can be done through its planned activities and programs that support state policies in social development, especially in terms of woman empowerment. The participation of this civil society organizations ('Aisyiyah) will later have an impact on improving the quality of life of women both from the material aspects (economic-socio) and from the mental-spiritual aspects. Thus, violence against women can be prevented do not have to use criminal law, but it can be done with various steps/strategies or models in accordance with the values that exist in the local community and the peculiarities possessed by social organizations in their field of motion. Therefore, this paper attempted to enlighten the role of 'Aisyiyah as a women's organization in its participation in mitigating violence against women. This considers 'Aisyiyah as the largest women's organization, whose name and works are familiar to people throughout Indonesia.

2. METHODS

Study about "The prevention of Violence against Women: A Study of the Role of Aisyiyah " is a study about the 'Aisyiyah's policy in their legal decision or tanfidz on the participation in developing the nation, especially in mitigating violence against women. That study in law research is called as normative law research or doctrinal. Therefore, the data used were secondary

data [8][9] in the form of regulations or decisions or tanfidz of Aisyiyah Organization. Collection techniques of secondary data were inventory, identification and categorization. The results of the secondary data collection were analysed using the theory of crime prevention. Thus, the role of 'Aisyiyah in dealing with crime against women will be known in activities programs have been decided.

The study also views actual implementation of 'Aisyiyah decisions in society. In other words, in legal research it is called empirical legal research, namely the research that views the social reality that occurs in the community [9]. In this study, the researcher had selected the area of Mojolaban District, Sukoharjo Regency. The 'Aisyiyah's name is the Headship of Branch 'Aisyiyah Bekonang. This selection of 'Aisyiyah Bekonang Branch was based on some reasons. Firstly, the area of Bekonang was the beginning of the Muhammadiyah and 'Aisyiyah movements in Sukoharjo Regency, which had existed before independence in 1938 [10]. Secondly, 'Aisyiyah is the dominant organization living among the Bekonang community. Thirdly, the Bekonang area is a suburb of Sukoharjo Regency, but it is the Batik Industry base which is a typical industry of Indonesian society, which can be a financial resource of their movement especially at its inception. Beside that the headship of branch 'Aisyiyah Bekonang is the only one that has legal services, by name Wisma Sakinah.

The data needed in this study is the field data. The data were collected using direct observation and in-depth interviews with followers of 'Aisyiyah (not the leader of 'Aisyiyah), followed by cross-clarification (cross-check) with the leader. The informants were randomly selected in order for them to provide answers spontaneously without any prior manipulation, for the data to be valid. The author presented the data, after analyze it by using the theory of crime prevention without criminal law (punishment) and also the conformity of decisions with implementation in society

3. RESULT AND DISCUSSION

3.1 *The Policy of 'Aisyiyah in Anti-Violent Activities Efforts*

Policy in the Black Law Dictionary is the general principles by which a government is guided in its management of public affairs [11]. In essence, policies are always related to the state or government.

It's possible for any company or institution to put in place a policy. Substantive and administrative policies, as described by Sherri Torjman, are the two types of policies that fall under this category. The first is frequently associated with the state/government since this policy is in the form of legislation or programs for particular government operations.. Torjman's second form of policy is one that relates to a corporation or organization.

Vertical policy is what we think of as the normal or traditional way in which policy decisions are made. Vertical policy is developed within a single organizational structure and generally starts with broad overarching policy, sometimes called "corporate" or "framework" policy. Such decisions are made at head office and guide subsequent decisions throughout the organization. At the regional level we might develop regional or "strategic" policy, which translates the national decisions to the regional level, taking into consideration the specific context. Finally, the regional policy is made specific enough to guide operational decision-making [12].

'Aisyiyah, as an organization, can create or determine a policy that solely pertains to the organization and is binding on its members. Because it is not a public policy, it does not apply to everyone. Vertical-horizontal policy, according to Sherri Torjman, doesn't fall under the umbrella of substantive and administrative policy.

'Aisyiyah's territorial organization has a significant impact on how its policies are implemented via legal judgments, thus it is vital to describe it before discussing its approach to combating violence against women. As a social organization, 'Aisyiyah has the following structure, which is dependent on region: the authority to make decisions that apply to the entire 'Aisyiyah of Indonesia; 2) Regional Leader (PW), provincial scope, is authorized to make policies based on the central leader's policies, but the enactment of policies and decisions is only valid in the provinces of their authority; 3) Regional Leader (PD), the regency/city area is the territory as the exec; However, this PD determination may not clash with the PP and PW Decrees, but it may pay respect to local knowledge in order to facilitate decision-making in the region. Finally, there is the Sub-Branch Leader (PR), whose territory is at the village level; he is the executor of the decision of the Regional Leader, which is more definite, and may make decisions that only relate to his region. As a result of Sub-Branch Leader (PR), practical decisions can be implemented. He is unable to make a choice in his role as a sole executor. There is a solid foundation for this decision, namely the guidance of the

Qur'an and the Hadith, which is available to all of humanity. Due to the fact that 'Aisyiyah is not just a social organization but also a non-profit engaged in Islamic education and outreach, its policies must adhere to Islamic principles.

Decision of 'Aisyiyah Organization is valid as the rule of law for its organization and its citizen. Therefore, based on rights in making a decision if reviewed from perspective law principle, so applied principle *lex superior derogat legi inferiori*. Its meaning that rule in this decision of top level 'Aisyiyah has more legal law, so if substantiation of 'Aisyiyah organization decision that low level with top level, so the low level is not valid.

Andries J du PLESSIS, said that it is important to remember that the policies, procedures and rules should not choke creativity and initiative [13]. This thing is exist in 'Aisyiyah organization, with giving space that in a form looseness and freedom to organization leader especially in regional leader and more specific in branch leader and twigs leader, to interpret decision the next level according to local wisdom its area in order to works program of organization can be implemented in reality of community.

The Mukhtar is organization strategic decision, which is in level of central leader. Its decision establish vision, mission, goals and outline of work program which is must be implemented by organization from central leader level to the lowest leader that is twigs leader, over the next five years. As for organization vision this as a *da'wah* movement and *tajdid* (renewal) in order to realize the community members who *baldatun thayyibatun wa rabbun ghafur* or in Javanese term is *tata tentrem kerta raharjo, gemah ripah loh Jinawi*. This community is the goals of community by UUD NKRI 1945, with the terms *Masyarakat Adil dan Makmur*.

The mission and vision show that 'Aisyiyah also pays attention to the issue of violence against women although it is not explicitly stated in its vision and mission. However, if it is examined in depth, it is clear that 'Aisyiyah strongly disagrees with violence against women [14]. This is shown especially in the second and third visions i.e. "enlightenment movement ... and the progressive development of women ...". To achieve this condition, there are several work programs that must reach the lowest level/grassroots. In addition, the grassroots can also feel the existence benefits of 'Aisyiyah (its programs). The results of the Congress's agenda which are known as the 'Aisyiyah strategies'

agenda include: 1) the development of scientific movements, primarily aimed at women because the 'enlightenment movement according to' Aisyiyah must start from a scientific movement and thought, so that education in this case holds a very important and primary position. 2) Strengthening *sakinah* family, that strengthening morality, mentality, spirituality must begin from the smallest scope, namely family, and this institution must be a fertile seedling in the life of the community, nation and state. 3) Reactualization of practical business, this is achieved through a) economic empowerment of the community, which is expected to reduce poverty and even eliminate it; b) service and empowerment of public health, quality of health especially for women is a necessity that cannot be negotiated. This will have an impact on women's lives including the lives of their children; 4) contributions of assembly and humanity; this is done by 'Aisyiyah by spreading and instilling the values of goodness, peace and progress. This is actually the essence of Islamic teachings as *rahmatan lil amin alamin*. 5) contributions of nationality, 'Aisyiyah has an active and reactive role in the nation's problems, especially in issues of women and children. One of these movements is the empowerment of women and children whose orientation is not only in the economic and health fields as mentioned above, but also in the legal aspects of justice.

Fajarudin stated the Other commitment that *aisyiyah* will prove to the community is 1) 'Aisyiyah's national and worldwide reputation as a Muhammadiyah women's movement, which may help the Law and Human Rights Council develop contact and collaboration with diverse parties, both social and government, to support the battle for' Aisyiyah. 2) The board's strong religious drive in administering the organization provides sincerity, which may be a motivator in carrying this council's obligations forward. 3) 'Aisyiyah's commitment to expanding the movement's role in quantity and quality via *amar ma'ruf nahi munkar* as the Mukhtamar' Aisyiyah's mandate. 4) The dedication of 'Aisyiyah to enhance national and worldwide cooperation in responding to social and religious challenges in society serves as a catalyst for the development of better communication methods and collaboration amongst organizations. 5) 'Aisyiyah's dedication to fighting for women's rights and access to growth in a variety of disciplines [15].

Implementation of Mukhtamar decision as a strategic agenda that includes all of life people aspect which is impossible manifested properly without parts that have handle aspect according to provisions. These parts in

'Aisyiyah organization from central level till twig level are called *majelis dan lembaga*. This assembly include *majelis tabligh*, education, cadre builder, health, environmental, law and human right. Meanwhile its agency include culture agency and the research and development agency of 'Aisyiyah. Task of assembly and agency in Central level and Region essentially is interpreting vision, mission, and determine work programs, in addition to formulate seed work program which is its implementation can be synergy and integrated. Seed work program that appropriate with vision and mission is *Qaryah Thayibah* which has the meaning good village/area is area that mention in previous paragraph. At the lower levels of (regional, branch, and twig) is implementing that work program concretely in its regional and achieve *Qaryah Thayibah*.

Qaryah Thayibah Program described by each assembly and agency that appropriate its work aspect. *Tabligh* assembly in implementing this program is conducted with strengthening spiritual mental to manifest faithful person and *akhlaqul karimah*. Its concrete activity is conducted by religious studying and encouraging Islamic value among society such as honesty, caring, tolerance and another togetherness. Concrete Activity of education assembly in this program is the understanding the Islamic values to students as master key. Concrete step is there a honest market as the early effort to prevent a behaviour corruption. In addition the understanding of solidarity to friends, and respect for older person. Concrete step of health assembly is a routine check every month, which begin with giving health information and obligation religious communities (Islam) in health maintain. Health care is especially for women. Agency of research and development 'Aisyiyah conducts monitoring and evaluation against concrete activity in the context of creating a flagship program that in the region. Culture agency, developing culture or local artistic based on the Islamic value. Seems like modify 'tayub' dance, which is not swallow valence and dignity of woman. Assembly of law and human right gives public awareness about women rights and children which is still protected, and open a practice to give legal services to communities in need, includes women who has been become a victim of violence.

Gender- and disability-inclusive legal counsellors need to be made available. Furthermore, interpreters who are sensitive to women and disabilities and have the skills to interact with victims should be provided so that victims feel protected and comfortable. Medical, psychiatric, and disability expert witnesses must be consulted and

referred to in court cases. Attendance at each level of the investigation, prosecutors and trials should also be required [16].

Work program which is strategic not monopoly one assembly or certain agency but a form of cooperation, synergy even network internally and externally, In an effort to create Qaryah Thayibah. Thus to reduce, decrease or even eliminate violence against women.

3.2 Contribution of Bekonang Branch ‘Aisyiyah in the Anti-Violent Activities Against Women in the Society

The implementation of the Qaryah Thayibah program at the level of Bekonang Branch which is implemented in the form of society empowerment both in the mental - spiritual and from the side of materially or economic. The term is, derived from Arabic namely qaryatun and thayyibatun. Qaryatun means village, or country, while thayyibatun means good. So Qaryah Thayyibah means good land/good country. With the formation of a great village could be the power in developing a Nation, because village is the lowest level within a government system, so it is a first basis of nation or society empowerment.

Qaryah Thayibah which is purposed to tackle the problem of poverty in its environment. Poverty here is not only about economy but also poverty about mentally-spiritually. This is recall that poverty in Indonesia still relatively high especially in the suburb/villages. This was recorded 15, 15 million people of poor people in suburb areas in 2019, whereas previously in 2018 is 15, 54 million people [17]. The international society admitted in Beijing conference that poverty is a cause of violence against women [18]. Also in Indonesia that poverty (lack of a chance in the aspect of education and economic) causes women abused that it could be happened conscious and involuntarily [19]. Nevertheless, for reducing poverty is needed to find a model that matches with local society [20], did not leave the nature of local characteristic, so it can be accepted by the local society [21]. Qaryah Thayyibah or good village was built and developed based on natural potential, available resources and the local wisdom who live in the village, that appropriate with good values and bring benefits to the people especially for the local environment.

Real implementation of women empowerment by the movements of Qaryah Thayyibah in regional of the Bekonang branch ‘Aisyiyah, reached through two

aspects. First aspect, from the side of mental–spiritual empowerment, this empowerment is important, as by a strong mental spiritual, can develop the highest strength and the conviction for women, so the woman could be independent. Tameka L. Gillum from Johns Hopkins University, Baltimore, Maryland, and Cris M. Sullivan and Deborah I. Bybee from Michigan State University have ever done a research of spirituality for women, states that spiritual which is derived from the God is the highest of beliefs and the power of women, especially to those a victim of violence with powerful spiritual beliefs can reduce depression and improve the welfare of women psychology, so the woman could stand upright .A source of spiritual belief is obtained from their religious community [22].

Firstly, Real implementation of mental - spiritual empowerment which is conducted by ‘Aisyiyah Bekonang branch as follows:

Islamic study group especially about the women in accordance with Al Quran and guided messenger from Rasulullah more popular called as recitation. There was also study the Al Quran tafsir with teachers or ustadz or ustadzah of Muhammadiyah or ‘Aisyiyah itself. These activities are conducted once each month with audience are residents, recitation performed on the first week of every month, while tafsir study in the second week every month.

Provision of health care (POSYANDU) for women which is free of charge. This Activities is conducted routinely every month or every Wednesday of the fourth week. Health services provided are blood pressure checking, blood sugar, and another checking, and the provision of supplementary food as snack, staple food, or milk non cholesterol .An officer who inspects is midwives that is already off duty . But this activity is incidentally in partnership with the health department of Regency Sukoharjo and/or hospital. RS. PKU Muhammadiyah to a certain check-up like pap smear, check tuberculosis and the other. This check-up also free of charge.

The provision of consultation and legal aid, which is free of charge. This service is called Sakinah. Consultation time is everyday but on a given day (Sunday Kliwon) open a practice in front of pasar Bekonang. This service is partnership with the consultation and legal aid (BKBH) Faculty of Law Universitas Muhammadiyah Surakarta. For this partnership, model because homestay Sakinah, lawyer did not have new to have the legal, so if there are clients needing assistance, litigation process

then the partner accompanying. Homestay of Sakinah it stands in November 2017, and have some client in 2018 there are 19, clients in detail clients are 9, consultation as many as asked for legal assistance to assist in the judicial process are 3, and the mediation by deliberation familial are 7. In the number of clients who come were 2019 are 23 in detail 13 consultation, legal aid in the judicial process are 3, mediation by deliberation familial are 7.

Secondly; Real implementation of economic - socio aspects empowerment which is conducted by 'Aisyiyah Bekonang branch as follows:

Women economic empowerment through the economy business 'Aisyiyah (BUEKA) work managing industry households and. marketing their products. As the batik clusters that will compile home industries batik for training of both the skill and helped into product marketing. Clusters of food products this brought home industry moving in the field of food. The agency in the food not only sell their products but helpful nor in matters of security hignes food with him leave the home industry product registration certificates (SPP - IRT). Ownership of this permit means the, to consumer protection that can be had an impact on the market demands.

The provision of natural disaster management especially flood, considering the Bekonang area having village which is prone to flood (Village Laban and Gadingan) .The new service serves if there was a flood with the provision and distribution of their essential needs (food , drinking water and clothing) .It is also the provision of women needs and a child like a woman bandage , woman and the child clothes .The provision of a drugs lightly as their need for health services , and medical personnel who cooperate with RS PKU Muhammadiyah and community health center.

The associated facilities owned a fatherless child women. The existence of this facility have the purpose that the orphan especially of women so that they do not have been displaced either mental - spiritual and economic, that can become the object of violence. They are the orphans will be formal receive education via the schools belonging to Muhammadiyah/'Aisyiyah and the state school. Also given the informal education in the form of the Quran and hadith, the manners/akhlaq education. Besides that they were also given life skill education, so that they have sufficient skill so that they can handle high skill life and living in communities with properly.

Based on the results of a description above about the real activities in Bekonang branch of 'Aisyiyah manifest

to create Qaryah Thayyibah of which the aspect covering the field of mental-spiritual and socio-economic .Essentially to make independent woman, with sufficient knowledge the religion of good and life enough skill, so that dependence which has resulted in the violence can be abolished without having to means law (criminal) .Violence against women reduction this reduction is preventive in nature . Having the character of preventive, namely by removing the causes for factors or the abolishment of poverty [5]. Or with other word that the strategy developed by 'Aisyiyah is doing a movement to the public to the environment people it becomes (more) carefully from the side of a social environment or human ecology. The program Qaryah Thayyibah is performed by 'Aisyiyah through the intervention of a local level which is an individual, to the most widespread. Michel Vallée calls it with the term social development society based [23].

4. CONCLUSION

The prevention against women can not only rely on the use criminal law, but also use the coping models based on community, and 'Aisyiyah applies it, with called Qaryah Thayyibah. This is carried out through empowerment of women from aspect of mental – spiritual and socio – economy with the purpose of improving the quality of women life.

Aspect of mental - spiritual develops the power and the conviction for woman women through recitation and study, so that they get confident in overcome the problem either as individuals, as a family member or society members. Aspect of Socio - economic to form independent women especially from economic aspect in order to not dependent on a man (husband) by increasing skill (training and course) which is adapted to the ability of the woman itself and local wisdom.

AUTHOR'S CONTRIBUTIONS

Kuswardani, Syaifuddin Zuhdi and Andria Luhur Prakosa have made substantial contributions to the conception, acquisition of data, and analysis of data. Marisa Kurnianingsih has been involved in drafting the manuscript and revised critically for important intellectual content, and has given final approval of the version to be published.

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