

# Salasika

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# Influences of Patriarchal Culture and Femicide as a Form of Gender-based Violence against Women from Human Rights Perspective

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## **ABSTRACT**

A patriarchal culture is a form of normalization of violent crimes committed by men against women. Patriarchal culture itself is a wrong assumption because cultural elements are everything that can be inherited from one generation to another. However, Patriarchy, which is the oppression of women and should not be used as a culture to be inherited, still exists and is justified in society so that there is a gender gap between men and women. The phenomenon of femicide that occur in Indonesia is the influence of patriarchal culture and gender inequality, where there is social inequality towards the culture and status of women in the community. Currently, patriarchal culture is still in the midst of society and patriarchal culture itself is considered normal. However, patriarchal culture gave birth to femicide with rampant killings on the basis of grudges and hatred by men against women. Before the occurrence of femicide, the perpetrator first often persecutes the victim, such as those of rape, sexual harassment, domestic violence, coercion or restraint. The rise of the phenomenon of femicide in Indonesia is proof of the weak law enforcement in Indonesia and the carelessness of public attention to women and girls in their own country. Femicide is a violent crime committed with an element of awareness by the perpetrator who ends up killing the victim. It is a gender-based human rights violation.

**KEYWORDS:** *patriarchy, femicides, gender-based violence*

## **INTRODUCTION**

The phenomenon of cases of violence against women is no longer new in terms of crime. In Indonesia, this problem still receives minimal attention. Acts of violence that target women as victims are still considered a form of ordinary crime. The articles applied are

guided by the Criminal Code in cases of murder, whether planned or not. This case is also rarely monitored because the victim has also passed away. Femicide in UN documents is identified as a form of murder for various reasons, including murder by an intimate partner, killing for reasons of honor, killing in the context of armed

conflict, dowry-related killing, and killing because of sexual orientation or gender identity (Suryaningsi et al., 2021; Suryaningsi et al., 2020). Several countries in the world have declared the problem of femicide to gain legal legitimacy to protect women (Zulaichah, 2022).

Femicide comes from the word "femi," which comes from the word "female," meaning *woman*, while "sida" comes from the Latin "caedera," meaning *murder*. Femicide means taking the life of a woman or girl because she is a woman or because of gender-based violence (Nadia et al., 2021). Gender-based murder of women is motivated by various motives, ranging from hatred, conquest, humiliation, control, enjoyment, satisfaction, and others (Salamor et al., 2024).

One of the Mexican activists, Marcela Legarde, translated femicide into *feminicidio*. Legarde considers that femicide is a hate crime of killing women fueled by machismo culture and the ideology of sexism (Wahyuddin, 2020). When viewed from a political perspective, femicide appears as an alternative to recognizing and demonstrating inequality and systematic violence against women (Suryaningsi et al., 2024). Femicide also contributes to breaking the argument that gender-based violence is a private and personal problem because this problem has political, social, and cultural dimensions (Reza, 2018). According to Nur Rofiah, this injustice is manifested in five things, including violence, marginalization, stigmatization, subordination, and double burden. These five things are called women's social experiences (Rofiah, 2020). These things that are forms of injustice move various

parties to elevate the position of women and equalize women with men so as not to create a patriarchal culture (Anwar, 2017).

The patriarchal social system makes women subordinate or their placement in the structure of society is secondary. This social system tends to be detrimental to women. Women who experience sexual harassment and sexual violence are considered normal because women's job is to be the object of men's fantasies. The pressures faced by women will affect aspects of their lives as human beings. Women as victims of sexual violence tend to experience changes in their physical appearance due to the violence they experience (*biological*) and face disruption of mental health due to the trauma faced (*psychological*); further, women tend to close themselves off from social relations with the surrounding environment (*sociological*) (Fushshilat & Apsari, 2020).

In Indonesia itself, violence against gender is a problem that never ends; it is getting worse. Based on the National Commission on Violence Against Women's Annual Records, in 2021, there was a significant increase in cases of gender-based violence in Indonesia. Throughout 2021 there were 338,496 cases of violence against gender, an increase of 50% from 226,062 cases in 2020. This figure was obtained from the National Commission on Violence Against Women report, service reports, and data from the Religious Justice Agency (BADILAG). The sharp spike in cases of gender-based violence comes from BADILAG data which shows an increase of 80% from 2,134 cases in

2020 to 3,838 cases in 2021 (Komnas Perempuan, 2020).

The data from the National Commission on Violence Against Women's 2023 Femicide report 162 types of femicide of the 159 cases reported. Some cases involve two types of femicide, such as the murder of a mother and child. Data for 2023 shows that intimate femicides, committed by husbands, ex-husbands, boyfriends, ex-boyfriends, or cohabiting partners, dominated the news (67% of the total cases or 109 cases). Intimate femicide is divided into several types, including Violence against Wives, Violence in Dating, Violence against Ex-Girlfriends, and Violence against Ex-Husbands (Hutasoid, 2024).

Victims of the crime of femicide never expected that violence would happen to them, victims deserve protection for their rights from the state as they should based on their human rights as human beings. Femicide is a severe violation of human rights in the form of killing women. The close relationship between patriarchal culture, in which men feel the most powerful, and a tendency to feel more dominant and superior to women considered lower and weaker gives rise to injustice in the form of gender inequality.

Therefore, based on the arguments above, the author is interested in studying the influence of patriarchal culture and femicide as a form of gender-based violence against women from a human rights perspective. A patriarchal culture is a form of normalization of criminal acts of violence committed by men against women, which then blames

women with the narrative, "Because you are a woman." What is wrong with being a woman? This deviant culture has damaged the nation's generation. Women are the people who gave birth to civilization. If there were no women, there would be no civilization. It is not appropriate for femicide to be normalized. Patriarchal culture itself is a wrong assumption because cultural elements are everything that can be passed down from one generation to another. However, Patriarchy, which is an oppression of women and a culture that should not be inherited, actually still exists and is normalized in society, resulting in a gender gap between men and women.

The formulation of the problems that will be studied are: (1) What is the influence of patriarchal culture and femicide as a form of gender-based violence against women? and (2) What is the Human Rights Perspective on Femicide as a Form of Gender-Based Violence Against Women Based on Law Number 12 of 2022 concerning Crimes of Sexual Violence? Meanwhile, the aims of this research are (1) to examine and analyze the influence of a patriarchal culture and femicide as a form of gender-based violence against women and (2) to examine and analyze the human rights perspective on femicide as a form of gender-based violence against women based on Law Number 12 of 2022 concerning Criminal Acts of Sexual Violence.

## **METHODS**

The research method used to discuss the problem formulation is the Normative Legal Research

method. Meanwhile, in terms of its nature, this research is descriptive analytical in nature. Descriptive analytical research is research that aims to provide an overview and description of the object under study through data or samples that have been collected without carrying out analysis and making a summary that is applicable to the general public. After the data has been obtained and has been completely collected, both primary and secondary data, the data can be analyzed qualitatively. Qualitative analysis is analysis by describing/detecting, then comparing the data with statutory regulations and also the opinions of legal experts. The analysis stages start from data collection, data processing and finally data presentation (Tim Penulis, 2021).

## RESULTS AND DISCUSSION

### Results

#### 1) The Influence of Patriarchal Culture and Femicide as a Form of Gender-Based Violence Against Women

Patriarchal culture has been embedded in the principles of Indonesian society, which in the end only gives rise to and results in weakening the status of women and further strengthening the status of men. If patriarchal culture continues to be embedded in everyday life, the term toxic masculinity will never be eliminated. The word patriarchy itself originates from a narrow meaning which refers to a system that historically originates from Greek and Roman law, where the head of the household is a man who has absolute legal and economic power over all

family members, including the slaves who are dependents in the family. Then the word patriarchy began to be used everywhere to describe conditions where men dominate over women and basically women are marginalized or neglected and seen as weak (Farid, 2019). In reality, patriarchal culture is very unfavorable for women, therefore Article 1 paragraph 3 as well as Article 3 paragraph 3 of Law Number 39 of 1999 concerning Human Rights explains that discrimination based on gender is prohibited by law. Then other legal regulations must eliminate discrimination in every aspect of life, social, political, economic, cultural and legal (Kania, 2015).

The patriarchal system is still dominating the lives of Indonesian society. Not only in Indonesia, this system has also become an issue in all countries from various parts of the world. The issue of gender inequality is considered to be the impact of patriarchal culture. The feminist movement emerged as a form of voice to fight gender inequality (Arifin I et al., 2022).

The violence that occurs often discriminates against gender. The concept of gender is interpreted as a concept of visible differences between men and women in terms of their values and behavior. This concept seeks to make differences between men and women in terms of roles, behavior, mentality and emotional characteristics, this is a form of social constructions (Sovitriana, 2020).

Women who are treated with violence will not be able to respond to their environment in terms of their physical and mental psychological realities. Self-actualization is degraded, so that self-esteem falls and the soul is depressed. Violence that occurs against women includes physical, psychological, sexual violence, economic violence and socio-cultural violence (Mulkan, 2002). Gender-based violence is violence that occurs due to gender differences or in the context of power relations that exist between men and women. Related to this is the gender discrimination and inequality inherent in the social structure (Ihsani, 2021).

Prof. Dr. Emy Susanti, Dra., MA., as UNAIR Professor of Sociology and Head of UNAIR Center for Gender and Social Inclusion Studies Prof. Emy defines it as various forms of violence directed against an individual based on their sex or gender identity. The essence of gender-based violence is a very widespread form of human rights violation and efforts to eliminate it require the involvement of social, political and economic forces through institutions at all levels (UNAIR News, 2020).

“It should be noted that gender-based violence is rooted in unequal gender relations. The understanding that gender is still very rigid, such as men having to be masculine and dashing, where women have to be graceful and obey what men say. These kinds of culture are one of the factors that

perpetuates gender-based violence.”

Femicide is related to the concept of patriarchy because femicide is one of the oppressions that women face in a patriarchal society dominated by men. Patriarchy is defined as the tendency of men to achieve higher hierarchical positions and the tendency of women to remain under their authority, resulting in inequality (Sakina & A., 2017).

According to WHO, femicide is a form of violence against women which consists of various actions. Femicide itself comes in various forms. Quoted from Femicide in Canada, here are 7 (seven) forms of femicide, including:

#### 1. Intimate Femicide

Femicide is a form of crime of murder against women committed by their partners or former partners. This is the culmination of violence carried out by successive partners.

#### 2. Non-intimate femicide

This type of femicide, also called femicide against strangers, is carried out by men against women who are not related to them, but the woman is the target of his murder.

#### 3. Femicide of armed conflict

This femicide takes the form of physical, sexual and psychological violence committed against women, where women are used as

'weapons during war' which falls into this category of femicide. This action is generally aimed at punishing or mistreating women from certain groups.

#### 4. Femicide is connected

Femicide is an act that refers to the act of killing women who are not actually the main target of the perpetrator. This action can occur when there are women other than the main target who try to stop the murder that is about to occur.

#### 5. Femicide has a cultural background

This femicide takes the form of a criminal act of murder committed against women because it is considered to tarnish the good name of the family, so it is also said that femicide is influenced by cultural elements where there is a habit of killing female children who have embarrassed the family. Murders are committed because women are considered to have committed a crime, committed adultery, were raped, or became pregnant out of wedlock (WHO, 2012).

#### 6. Sexual femicide

Femicide refers to sexual violence that results in the death of a woman. This type of femicide can occur intentionally or unintentionally.

#### 7. Racist femicide

Racist femicide occurs when the murder of a woman is

carried out because of hatred or rejection of a particular race or ethnicity.

The Indonesian National Commission on Violence Against Women is concerned about the many cases of femicide killing of women that have occurred recently. The National Commission on Violence Against Women called the incident a femicide, namely the killing of women because of their sex or gender and as a result of the escalation of previous gender-based violence. The recent cases of murder of female victims include the murder of a 'woman in a suitcase' in Bekasi, a husband mutilating his wife in Ciamis, and a murder case in South Minahasa where a wife was killed by her husband because he was delirious (Sidik, 2024).

This case of murder of a woman in a suitcase is not the first time this has occurred in Indonesia, this is a criminal act of murder that has occurred the umpteenth time. In fact, in one case, a woman from Bogor, West Java, with the initials RA (23 year old), was murdered by her male partner in the Kuta area, Bandung Regency. The AARP perpetrator (21 year old), admitted to killing the victim because he was emotional about being asked to pay more for a commercial dating service. In another, more sadistic case, the perpetrator mutilated his victim, who was none other than the perpetrator's wife. In fact, the perpetrator not only ended the victim's life, but also offered pieces of the victim's body to his neighbors (Nur, 2024).

In fact, recently, the appearance of the film Vina: Before 7 Days has become a hot topic of conversation among the public. The reason is, this film is inspired by the tragic true story experienced by a woman named Vina Dewi Arsita and her lover, Muhammad Rizky Rudiana alias Eky, who were victims of a motorcycle gang murder in 2016 known as the Vina Cirebon case. The depiction of chronology in the film which is considered too detailed has drawn pros and cons from the public. In fact, quite a few people think that what Vina experienced was not just an act of sexual violence, but something more terrifying, namely femicide (KumparanWOMAN, 2024). The reason is that the motive for this murder case was a deep sense of revenge and hatred from one of the perpetrators towards the victim Vina because his love was rejected by the victim. Before being killed, the victim Vina was raped by the perpetrator.

Cases of femicide, which is physical violence, are also in some cases related to sexual violence which results in the death of the victim. In one case, the perpetrator named Argiyan killed the victim with the initials KRA because the victim refused when he was forced to have sex. The incident began when the victim came to the perpetrator's rented house in Sukmajaya, Depok, last Thursday, January 18 2024. The victim resisted by struggling and screaming, because he did not accept the victim's resistance, the perpetrator immediately strangled and pushed the victim

onto the bed until the victim lay helpless, after that the perpetrator tied the victim's hands and feet so that she could not fight back (Huda, 2024). In February 2024, Indonesia was also shocked by the murder of a family committed by a 16 year old teenager. Based on the investigation, the initial motive for this murder was hurt or revenge. The perpetrator was none other than a close neighbor and former lover of this family's 15 year old daughter. Not only did he kill one family, the perpetrator also had sex with the corpse of the teenage girl and her mother (BBC News Indonesia, 2024).

## 2) The Human Rights Perspective on Femicide as a Form of Gender-Based Violence Against Women Based on Law Number 12 of 2022 concerning Crimes of Sexual Violence

The 1945 Constitution provides guarantees and protection for Human Rights (HAM) for all Indonesian citizens. Furthermore, Article 28 A of the Constitution of the Republic of Indonesia states "the right to life and the right to defend one's life and living". Then Article 28 B paragraph (2) "Every child has the right to survive, grow and develop and has the right to receive protection from violence and discrimination". Second, Article 28 G paragraph (1) "Everyone has the right to protect themselves personally, family, honor, dignity and property under their control, and has the right to a sense of security and

protection from the threat of fear of doing or not doing something which is a human right". Paragraph (2) "Every person has the right to be free from torture or treatment that degrades human dignity and has the right to obtain political asylum from another country".

Further regulations regarding human rights can be seen in Law Number 39 of 1999 concerning Human Rights. Regulations related to femicide are not explicitly regulated, but can be seen in several articles. Article 9 paragraph (1) of the Human Rights Law states "everyone has the right to live, maintain life and improve their standard of living". And Article 33 paragraph (1) says "everyone has the right to be free from torture, punishment or treatment that is cruel, inhumane, degrading to their human status and dignity". Paragraph (2) further regulates "everyone has the right to be free from enforced disappearance and loss of life".

One form of femicide against women, namely sexual violence, is synonymous with power and everything that is superior to men or perpetrators of sexual violence often takes advantage of their power relations, according to Foucault based on his theory, namely power relations which is defined as "power cannot be separated from knowledge, because with power, knowledge will be produced and knowledge will be shaped by power", meaning that there is a dynamic relationship between power and knowledge (Rohmaniyah, 2018). Michel Foucault stated that there

are four dangerous discourses, firstly politics (power), secondly desire (sexuality), thirdly madness, and fourthly what is considered false or true (Lubis, 2016).

As explained in the background, the types of femicide are sexual violence which ends in murder, forced marriage, covert prostitution and violence in relationships and households which are regulated in Law Number 12 of 2022 concerning Criminal Acts of Sexual Violence (TPKS Law). There is no explicit regulation of femicide in the TPKS Law. The existence of the Sexual Violence Crime Law is a response from the Indonesian government and state in line with the increasing cases of sexual violence against women and girls.

Article 4 paragraph (1) of the Sexual Violence Crime Law states that The Sexual Violence Crime consists include:

- a. non-physical sexual harassment;
- b. physical sexual harassment;
- c. forced contraception;
- d. forced sterilization;
- e. forced marriage;
- f. Sexual torture;
- g. Sexual exploitation;
- h. sexual slavery;
- i. Electronic-based sexual violence.

Furthermore, Article 4 paragraph (2) states that apart

from criminal acts of sexual violence as referred to in paragraph (1), criminal acts of sexual violence also include:

- a. Rape;
- b. Obscene acts;
- c. sexual intercourse with children, obscene acts against children, and/or sexual exploitation of children;
- d. Acts that violate morality and are contrary to the wishes of the victim;
- e. Pornography involving children or pornography that explicitly contains violence and sexual exploitation;
- f. Forced prostitution;
- g. Acts of human trafficking aimed at sexual exploitation;
- h. Sexual violence in the domestic realm;
- i. The crime of money laundering where the origin of the crime is a crime of sexual violence; And
- j. Other criminal acts that are expressly stated to be criminal acts of sexual violence as regulated in the provisions of statutory regulations.

Article 12 of Law Number 12 of 2022 concerning Criminal Acts of Sexual Violence explains that:

“Any person by violence or threat of violence or by abusing their position,

authority, trust, trust arising from deception or relationship of circumstances, vulnerability, inequality, helplessness, dependency of a person, debt bondage or giving payments or benefits with the intention of gaining profit, or exploiting sexual organs or other bodily organs of that person for the purpose of sexual desire with them or with another person, shall be punished for sexual exploitation, with a maximum imprisonment of 15 (fifteen) years and/or a maximum fine of IDR 1,000,000,000. 00 (one billion rupiah)”.

The realm of international law categorizes sexual violence as a case of serious human rights violations (Marhaen, 1998). The Vienna Declaration on Human Rights 1993 in Articles 18 and 38 classifies violence against women as a violation of human rights. Acts of violence against women are an obstacle to their progress and prevent them from enjoying human rights and freedoms, which also hinders the achievement of gender equality between women and men (Kinasih, 2007).

Universal Declaration of Human Rights (UDHR). The Indonesian government then passed Law Number 39 of 1999 concerning Human Rights. Article 3 states: “Everyone has the right to life, liberty and security as an individual”. Article 5 “No one shall be tortured or treated

cruelly, treated inhumanely or insulted".

The International Covenant on Civil and Political Rights (ICCPR) which has been ratified through Law Number 12 of 2005 concerning Ratification of the International Covenant on Civil and Political Rights. Article 3 states "Everyone has the right to life" and Article 7 "the right to be free from torture and inhumane treatment".

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) which has been ratified through Law Number 7 of 1984 concerning CEDAW. Article 1 prohibits all forms of discrimination against women. Femicide is killing based on a woman's gender. Article 1 of CEDAW covers gender-based violence, namely violence directed against women because they are women. Gender-based violence is a form of discrimination that prevents women from being able to enjoy basic rights and freedoms on an equal basis with men. Article 2 states that state parties are obliged to adopt policies to eliminate discrimination against women, including violence against women. This obligation is natural, there must be no justification for delays based on anything, including economic, cultural or religious reasons. State obligations include responsibility for acts of violence against women or omissions committed by state actors or non-state actors.

## Discussion

### 1) The Influence of Patriarchal Culture and Femicide as a Form of Gender-Based Violence Against Women

In Indonesia, the problem of femicide often occurs due to several typologies of factors, including: offended masculinity, anger, being pressured to take responsibility for pregnancy, material responsibility, being rejected by love, and forced sexual services. It is felt that the existence of regulations regarding murder does not provide a deterrent effect for perpetrators so that new cases are still increasing. In the context of violations of women's human rights, the issue of femicide can be a tool to ask for state obligations. This is related to the state's obligation to protect the people, as well as efforts to eliminate all forms of discrimination against women.

According to the author's analysis based on information on several news portals, it is known that in 2024 alone there will be many cases of femicide in the form of criminal acts of murder against women. The murder of this woman was carried out in a cruel and sadistic manner based on deep hatred. The hatred embedded in the mind of a perpetrator gives rise to a feeling of power and desire to dominate women who are opponents who are considered weak. This is because it reflects the culture of patriarchy, misogyny and heteronormativity on women's vulnerability.

The author is of the view that femicide, which is a criminal act of murder that targets women, is a very serious problem, considering that the widespread cases of femicide that occur in Indonesia are the influence of patriarchal culture and gender inequality which has become an alarm for many parties that there is social inequality regarding the culture and status of women in society, where a man feels he has power and is the holder of full authority who can impose his will on women who are often considered weak objects.

According to the author's analysis, patriarchal culture forms a mindset in society where men are the people who must be listened to and do not accept rejection and resistance from women because they feel insulted and their self-esteem is hurt if women resist. This is where the strong holders of patriarchal culture consider themselves to be in full control and must dominate, when their self-esteem is hurt they will show their strength because they believe they are superior, dominant and have the right to carry out acts of violence in any form against women as a form of disciplinary effort and also action which is done to make women aware of their lower position.

Talking about the connection between femicide and patriarchal culture, according to the author, this does not escape patriarchal ideas which are often normalized or are commonplace in people's lives so it is not an emergency and needs attention

from society. Society seems to think that men's role is supposed to be dominant and powerful. Many people don't even realize that their behavior reflects patriarchal behavior. Basically, this patriarchal behavior can be carried out both consciously and unconsciously. In fact, according to the author, patriarchy is not culture, because the concept of culture itself is behavior or lifestyle within a group that is passed down from generation to generation. Patriarchy, which is said to be a culture, is a wrong assumption, considering that patriarchal behavior, which in reality is oppression of women, is not a culture that needs to be inherited.

Oppression of women has become normal in society under the pretext of Patriarchy. Even though in reality it is just evil behavior that is considered normal. Perpetrators often use deep grudges and hatred as an excuse to justify violence against women which even ends in murder. This happened only because the woman intended to defend herself, resist and reject the perpetrator's depraved actions, therefore the perpetrator considered the victim worthy of being killed.

The author concludes that based on the widespread phenomenon of femicide against women in Indonesia, this is evidence that law enforcement in Indonesia is weak and the public's attention is negligent towards women and girls in their own country. Being born as a woman seems to be an unfortunate fate where in a

social system that still upholds patriarchal culture and gender inequality, this weakens the position of women. Women are forced to become people who obey and comply with patriarchal culture. Often the position of women is weakened, where in some positions in an agency, the majority are occupied by men. When women voice their rights to receive equal treatment as human beings as mandated in the 1945 Constitution, women are considered dissidents and rebels. In several cases where women are victims of sexual violence and demand justice for themselves, the parties responsible actually cover it up under the pretext of a "good name" or even make fun of the woman by assuming that the woman was the one who seduced the man first.

Even in several cases that were forced to be suppressed, the victims' voices were not heard because there was deemed to be insufficient evidence. Despite the evidence, women are forced (threatened) not to speak out. In the realm of femicide which ends in the murder of women, is it again the woman's fault? Then the cases of femicide that occur are considered normal and can disappear easily. Women who have died can no longer demand justice, but we as a society and humans who are still alive and well should fight for justice for those who have died. This does not only apply to women who must promote "woman support woman", but applies to all levels of society

without gender differences, because we are human. Apart from that, the state is obliged to uphold justice by investigating the case, providing compensation to the family and the necessary restoration and punishing the perpetrator according to his actions. Patriarchy is not culture, but a form of crime against women under the pretext of normalized "culture".

**2) The Human Rights Perspective on Femicide as a Form of Gender-Based Violence Against Women Based on Law Number 12 of 2022 concerning Crimes of Sexual Violence**

Talking about murder in cases of femicide which is generally carried out with premeditation, of course it can be charged under the Articles of General Murder and Premeditated Murder contained in the Criminal Code. If the perpetrator commits rape first before committing murder, he can also be charged with the Article Rape Causing Death.

Article 338 of the Criminal Code which regulates murder in general is:

"Whoever intentionally takes the life of another person, for murder, is threatened with imprisonment for a maximum of fifteen years."

Article 340 of the Criminal Code concerning Premeditated Murder, namely:

"Anyone who deliberately and with premeditation takes the life of another person, for committing premeditated

murder, is threatened with the death penalty, life imprisonment or a maximum of twenty years."

Femicide is a violent crime that ends tragically with the death of a woman. The provisions that the author has explained previously are that legal rules can be imposed on perpetrators of femicide because in cases of femicide they themselves fulfill the elements formulated in the articles mentioned above. Perpetrators can be subject to multiple articles because they have committed criminal acts of violence against women, whether in the form of abuse that results in death, rape that ends in pre-planned or unplanned murder.

According to the author's analysis of various femicide cases that have existed so far, the author can say that femicide is not just an ordinary criminal act. However, this is an extraordinary violation of Human Rights (HAM), which has become a common problem that seems to be "normalized" in society. In fact, the problem of femicide is a serious human rights violation that should be an alarm to law enforcers regarding weak law enforcement that cannot protect women and girls throughout Indonesia. Viewed from the perspective of national legal rules and international law, criminal acts of violence against women are serious human rights violations. So, it should not be normalized and should not be justified by the culture of patriarchy and gender inequality in society. It is important for the

state and society to unite in fighting the patriarchal culture that triggers violence against women.

In Law Number 12 of 2022 concerning Crimes of Sexual Violence or the Criminal Code, there are no article formulations that specifically regulate femicide. However, in the author's opinion, the legal umbrella of these regulations explains in general what acts are categorized as violence against women and the sanctions imposed on perpetrators of violence that result in the death of women. Femicide, which is basically a criminal act of violence carried out with an element of awareness by the perpetrator who ultimately commits the murder of the victim, is clearly a gender-based human rights violation.

## CONCLUSION

Patriarchal culture is not actually a culture like in general that can be passed down from generation to generation. However, patriarchy is oppression in the form of normalizing acts of violence committed by men against women. Patriarchy which is still upheld in society causes gender inequality. Patriarchy is just an excuse to normalize deviant behavior towards women where perpetrators can freely do anything to women because they feel superior and have power. Femicide is not just a criminal case, but also a serious human rights violation. The legal vacuum in special regulations regarding femicide is a strong alarm and warning to the State

government to immediately formulate special regulations regarding femicide. In cases of femicide, the victim who dies can no longer demand justice for himself, but the state is obliged to uphold justice by investigating the case, providing compensation to his family and the necessary restoration

and punishing the perpetrator according to his actions. The murder of women is not something that can be considered normal and normalized. But it must be fought and eradicated because femicide itself is a violation of human rights for women.

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