



Analysis of the Crime of Sexual Violence in the Study of National Criminal Law Indonesia

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ABSTRACT: Criminal acts of sexual violence that occur in adolescent relationships can be said to be a form of unhealthy relationship. Not a few teenagers make unhealthy relationships as an outlet for emotions that are not channeled properly, and can also be a psychological trauma that encourages a teenager to take retaliatory actions against others. Sexual violence against women and children is an essence in the form of violence by showing the vulnerability of the position of women or children to sexual interests that occur in men. The identification of acts committed by a perpetrator of sexual violence is sexual desire and power that cannot be restrained and most women are always used as object. The issues raised in this writing are What are the forms of sexual violence in unhealthy relationships and Analysis of Toxic Relationship crimes. This research method uses normative juridical methods with a statutory approach and a case approach. Based on this study, the spread of sexual violence that occurs in unhealthy relationships usually attacks victims, especially women who are trapped in a relationship with the perpetrator. The government and law enforcement officials have a role to punish and sanction perpetrators of toxic relationship crimes.

KEYWORDS: Crime, National Criminal Law Indonesia, Sexual Violence.

INTRODUCTION

The State of Indonesia is a state of law called "rechtstaat" It is written in the 1945 Constitution contained in Article 1 paragraph (3) which reads: "The State of Indonesia is a state of law". Therefore, the role of law will always be established and applied in society. Every action must be accountable and must always be based on applicable law without exception.[1] The meaning of state of law itself has the meaning of a state in which various aspects of regulations or norms are binding and have strict sanctions if violated. These norms or rules are also of course those that have limited all forms of authority. So that in the end justice and balance can be realized in community life.

Society in Indonesia also includes many young people or teenagers who have grown up. Adolescence is a transitional period that starts from childhood to adulthood, which is characterized by biological growth and development and psychological development.[2] Biologically characterized by the growth and development of primary sex (which is directly related to pubic organs such as menstruation or wet dreams) and secondary sex is (physical changes, namely the growth of Adam's apple and hair and genitals) while psychologically characterized by attitudes and feelings, desires and emotions that are labile or erratic.

A person can be said to enter the limit of adolescence growing up, namely at the age of 18 years. Hurlock explains "In late adolescence, the individual has reached a developmental transition closer to adulthood". In this late adolescence, the average person has been confronted by romance stories against the opposite sex, not all who live romance stories always live healthily (mutual support for each other with positive circumstances) some live stories with unhealthy relationships, which means that their dating style resembles someone who has been married or is too possessive of their partners. This can be triggered by the environment of friends or in the neighborhood. The toxic partner's behavior is exogenous and the main source of addiction is income or wealth we find that an asymptotically stable equilibrium with positive love is always possible.[3]

Therefore, teenagers who will grow up must be very concerned about their development so as not to be wrong in choosing a relationship. Someone who has fallen in love will experience changes in attitude and emotions, it could be that the teenager who falls into an unhealthy relationship will have or be entangled in which rules can or cannot be made by their partner, and excessive jealousy will cause the partner to have a possessive nature that is by prohibiting friends with the opposite sex until their lives must be under what their partner wants. Not only that, in this teenage relationship, it does not deny that at their age they also have lust that makes some teenagers desperate to do negative things to their partners. A person's perspective and attitude towards a dating



relationship will affect the quality of a courtship relationship. unhealthy relationship or unhealthy romantic relationships can cause serious problems in relationships. [4]

The form of reckless acts committed on a partner with coercion only because it satisfies its lust can be said to include acts of sexual violence, The subject of law perpetrators of sexual violence is usually experienced by women and children who are often considered weak victims.[5] heterosexual relationships have been evolving since the dawn of humanity, there continues to be a considerable amount of inequality, toxicity, and dissatisfaction within heterosexual couplings. [6] Sexual violence is an act or act that intimidates victims by having sex or sexual relations carried out by force, resulting in victims suffering psychologically, materially to physically. Acts carried out without consent, which are forced to perform sexual acts against partners, such as hugging, kissing, and touching to forcing sexual relations with threats to their partners which result in a sense of degrading, causing injury, suffering or trauma, and even victims losing their lives are included in the definition of sexual violence that occurs in a relationship.

Cases that occurred against criminal acts of sexual violence committed by juvenile couples On April 25, 2022, in the Jakarta area, Indonesia there was a case of a girl who was raped by her boyfriend and held to death because the victim had resisted, starting from the victim who was resting in her boarding house then the perpetrator who was the victim's lover came secretly and raped the victim in rotation with her friend. After being raped in turns and carried out many times, the victim still tried to scream and resist, seeing the victim resisted, the perpetrator smothered the victim using a pillow and beat until the victim fainted. The victim was taken to the hospital and declared dead by the hospital, the hospital contacted the police regarding the presence of patients who were indicated to be victims of sexual violence and physical violence.[7]

The case was on May 28, 2022, in the Jambi area. Starting when the perpetrator asked his friend to contact the victim to meet, the invitation was responded by the victim and agreed to meet. After maghrib the perpetrator went to the victim's house but did not arrive at the victim's house, the perpetrator contacted for an appointment. The victim immediately came out of the house and waited for the perpetrator's pick-up, long story short finally the perpetrator with his friend, and also the victim rode a three-wheeled motorcycle. But on the way they stopped on the side of the road and one of the perpetrators went to piggyback on the victim, with a distance of 1km the perpetrator had the evil intention of wanting to the victim. The perpetrator who was carried away by the lust smelled the victim's perfume and then put the motorbike into the palm oil plantation owned by residents in front of the cemetery, the perpetrator forced the victim to take off his clothes with the threat that if he did not want to be left alone there. The victim was frightened and finally obeyed the perpetrator's words to take off all his clothes, and the perpetrator immediately committed the rape. After being satisfied with doing forbidden things, the perpetrator asked his friend to drive the victim home, but on the way home the perpetrator's friend took the victim to a rubber plantation owned by residents and committed rape (the second time) against the victim, which resulted in the victim being traumatized. Based on this background, the problems to be studied are: What are the forms of sexual violence in unhealthy relationships and Analysis of Toxic Relationship crimes

METHODS

The research method used is the Normative Juridical research method. This research was also conducted using several approaches such as legislative and conceptual approaches. The statutory approach is used to examine what is the *ratio legis* of the formation of the rule. so that we can know about what are the forms of sexual violence in unhealthy relationships and analysis of toxic relationship acts. By examining the applicable legal provisions and what happens in reality in society, namely applying a statutory approach (Statue Approach), by understanding laws related to the content and regulation of problems. In addition, it also uses a Case Approach in exploring a problem that occurs, especially about the criminal act of sexual violence in a Toxic Relationship.

DISCUSSION AND RESULT

Sexual Violence in Indonesia

This sexual violence actually existed from the past in 1965 experienced by GERWANI (Indonesian Women's Movement) who was slandered as the executor of the death of 7 generals who were in a crocodile hole so that GERWANI received very tragic treatment, ranging from violations of human rights, detention without trial, persecution, sexual torture to sexual slavery.[8] Not only that, there was also the May 1998 Tragedy where at that time sexual violence was rife in which the victims were narrow-eyed women of Chinese ethnicity. This incident occurred to take many female victims because, at the time of the incident, none



of the victims dared to speak out for what they had experienced. They cover up their fear and keep silent about this, the victims also continue to live their lives as usual and choose not to remember the events of that time.

Indonesia has experienced an emergency of sexual violence that has been rife. However, the compilation was carried out in 2014 which has been drawn from various discussions, and the alignment of various theories and facts that are true. In Indonesia, there are many more acts of sexual violence against women, usually experienced by someone who is bound in a romantic relationship by the opposite sex, but not only that, this can also be done by individuals or someone unknown. According to Suyanto, victims who get sexual violence are mostly experienced by women compared to men because women have a physical constitution and patriarchal cultural system that places women as sexual objects, it can be said to include women who are still teenagers and children who are still mature enough and not independent because it is felt that these women are weak creatures.[9]

Acts of Sexual Violence can also occur because they are triggered by a lack of educational knowledge about sexual violence which is one of the causes of women in Indonesia experiencing a lot of sexual violence. According to Marchman, 2002 suggests women's obedience to men who invite sexual intercourse that the man feels has power over him. Violence that occurs in women takes place continuously or in various series is a form of violence that occurs in a relationship that can change so that self-control in certain situations makes victims always feel anxious and afraid.[10] Recent international relations scholarship tends to view sexual violence, especially rape, as an exceptional.[11]

And according to Fitzgerald, Gelfand in Sternberg, 2004 explains that sexual violence, rape, and sexual harassment not only harm women but also provide limits on women's power by reducing the ability to get out of unhealthy relationships or can be said to be unhealthy relationships and end them. The power and position of men can be formed because of the existence of a social status that is naturally higher than women, therefore, influencing women to always obey all kinds of coercion from men to have sexual relations that are not desired at all by women. Probability of exposure to sexual violence among women residing in rural and less developed regions. A decrease in the women's level of education increased their probability of exposure to sexual violence.[12]

Factors Causing Sexual Violence

As for the factors based on perpetrators to commit acts of sexual violence, there are 2 factors, including internal factors and external factors.[13]

1. Internal factors are factors that come from within, namely:
 - a. Psychological perpetrators Conditions like this can be triggered because the perpetrator cannot control his sexual appetite or it is difficult to neutralize the stimulation that appears in him resulting in sexual acts carried out in public places or with his partner.
 - b. Biological perpetrator Biological conditions are sexual needs that are not met or needs that cannot be channeled properly, so that the perpetrator vents to his girlfriend who should not be allowed to do such things without the agreement of both parties.
2. External factors are factors that originate outside the self, namely:
 - a. Economic factors also influence actors to do so, because the low income that cannot meet their needs is based on the assumption that if the tariff income is low, it causes a low level of education as well. This results in the perpetrator being unable to think rationally and perform the act.
 - b. Environmental factors can also influence perpetrators to do this, because it is based on a closed environment so that perpetrators who are in that environment do not socialize with many people, there will arise daily consumption of things that smell of pornography that triggers this criminal act.
 - c. This factor is the most important factor for a person, the loss of morals in the perpetrator which contains goodness in behavior then the person will be filled with feelings that tend to cause evil things in others.

Behaviors that seem to be considered not that important in this relationship also need to be known and understood because if you don't understand it will later be a support for unhealthy relationship actions in the future. The following are things that can trigger this act of sexual violence to occur, which is based on the following factors:

- a. Lack of sex education in Indonesia An understanding of sex education is very important for society, especially for children and adolescents so that they cannot be entangled by actions that should not be done, this lack of education about sex can be an important role in the occurrence of sexual violence in Indonesia because it is felt that discussing or learning about



sex knowledge is considered taboo, dirty, unethical and impressed disrespectful by society. Whereas from childhood a woman must be taught about something sexually nuanced so that later when meeting men who commit smelly acts in a sexual direction, women who have been equipped and taught about this will be more courageous to report and not just silence events like this. So that there are no more cases of women receiving sexual violence among adults, adolescents to children.

- b. No matter how the impact is on themselves and the victim Perpetrators who commit abuse, or even to the point of sexual violence never once think about the aftermath, because all he has in mind is satisfaction for themselves, he does not care even if he will later get punishment or trauma experienced by the victim.
- c. Continuously watching, and seeing things that smell of pornography The factor of consuming too often movies, videos, or photos about pornography can also be said to be a major factor, because it is felt that too often seeing will be addictive and can damage the mental people who watch so that it can cause high curiosity about the relationship carried out by married couples.
- d. Knowing a woman's weak points if seduced Acts of harassment, sexual abuse to sexual violence are also usually carried out by individuals or someone who knows the nature of the victim's character and movements. As well as people who often do activities together for example: girlfriends, teachers, and people whose positions are above the victim. Therefore, it is very easy for the perpetrator to melt it can make the victim feel helpless.
- e. The perpetrator feels that he has a position above the victim so that he can act as he pleases Someone who feels he has a high status in society often acts arbitrarily. Good honorable because of wealth and glory. A status that should be a guideline for people is the opposite of being a perpetrator of sexual violence. This kind of person always takes advantage of weaker and inferior people to become his victims. With what he has, the perpetrator feels that the victim who finds it will not dare to report it to the authorities.[14]

This conscious act makes women who are forced to do this feel that they are degraded and damaged by someone so that they dare to give resistance, instead the perpetrator dares to commit violence so that the woman (victim) is no longer powerless to fight him.

Forms of Sexual Violence that Occur in Unhealthy Relationships

That is the romance story of people who are dating some are in an unhealthy relationship or toxic relationship, the types of an unhealthy relationship in this relationship are quite a lot, so people who are dating must know it so as not to be classified as a toxic relationship. Here are the types that often occur:

- a. Abusive Relationship Describes an unhealthy relationship in which one party arbitrarily controls and regulates through violence, both violence (physical, verbal, nonverbal, emotional, financial to sexual).[15] Men do things like this with the aim that their lovers can obey their wishes and always obey, the impact that women get is fear but can not do anything, so they can only surrender and obey what men say.
- b. Manipulative One partner will influence a person's emotions so that what is his will will will be followed. This act occurs if the man has a mistake and does not want to admit it but seems to distort the facts that make the woman guilty and make up a story to anyone so that he looks right. This attitude needs to be known because it can manipulate the facts that actually happened, impose the will, make the victim always feel guilty, and so on.
- c. Silent treatment The attitude of silence of the partner when there is a problem that aims to have a deterrent effect on the couple if they make a mistake, but this can be classified as a toxic relationship if it continues to be done and never ends because it will not solve the problem and hurt the partner's mentality so that the couple is ignored and further distant.
- d. Parental mirroring A toxic attitude that arises because one party has not resolved the problem with his parents so he vents his bad behavior towards his partner. The bad attitude of both parents will be imitated and applied to their lovers, things like this will make women feel depressed and uncomfortable.
- e. Blaming your partner With the attitude of always blaming the partner, one party will feel the source of the problem so that when there is a conflict there will be no such thing as finding a solution together to solve the problem. This kind of behavior includes immature thinking that can only blame one-sidedly, this will make women always feel that their existence is always wrong and never right in the eyes of their men.
- f. This toxic relationship attitude, which is like underestimating their partner, is usually shown by giving unpleasant comments



and reactions every time their partner does something. So that makes underestimated couples have no room for opinions or opinions. For example, if her lover makes food and it doesn't fit her tongue, then the man immediately comments badly and says that her lover is not good at cooking so this woman feels that she is useless.

- g. Temperamental Is the attitude of a partner who always puts forward his anger and seems unable to control emotions that will cause actions called abusive. This behavior is shown when there is a mild problem the perpetrator cannot hold back his emotions or anger so that he can commit violence or can be said to be light which means easy to hit, this is very dangerous for the mental and health of his lover who always gets physical violence by his partner.
- h. This attitude is a partner who is always passive and dependent on their partner caused by things that always do not feel enough and do not want to take part in making a decision, this if done protracted will later make one party feel used. It can also be said that he does not have a mature nature and always relies on his partner in any case, especially since he cannot make decisions independently if he gets into a problem.
- i. If in a relationship there are couples who are jealous of each other it is natural because it is included in the sign of affection, but if jealousy cannot be controlled will make one partner feel uncomfortable. This excessive jealousy occurs because of ingratitude to oneself so it is always jealous if the lover is friends with friends of the opposite sex, always feels worried, and always anxious.
- j. Giving limits on interacting with others Not much different from excessive jealousy, this last attitude is included in a toxic relationship, this can happen because from the beginning it has had a high jealousy and then forbids socializing, interacting with others, especially the opposite sex will make couples feel uncomfortable and seem to have no friends if they follow their partner's words.

Sexual violence that occurs against women will create a sense of fear which will later cause a sense of worry, trauma, and not feel calm or safe in carrying out daily activities. Sexual violence can be classified into violence committed verbally, non-verbally, visually, physically, and psychologically.

- a. Verbal violence. Usually more towards taboo speech such as jokes, seduction, and sexual stories. Verbal violence itself is the form of violence that is most underestimated and not too much attention such as violence that threatens women's sense of security. Almost many women are not aware that men who are known or do not make catcalls when found on the street are included in the form of verbal violence because in the form of seduction and jokes are usually complimenting but lead to sexual things, for example, words that are often thrown by male perpetrators to victims by mentioning that the physique of women they meet is sexy and plump. So that makes women feel uncomfortable but if resisted most perpetrators will say that the victim is too rigid, too sensitive or can be said to be baper (too emotional) and can rarely admit that he is wrong to say that.[16]
- b. Nonverbal violence Is violence that is not through words or words but through physical contact and gestures that lead to sexual direction, such as winking, poking, and showing obscene movements. This action can be done with the closest person or stranger who is unknown. If you feel that your partner has done something like this, it's better to end the relationship immediately because if he has dared to do things like suddenly touching the back of a woman, holding a woman's chest area and even daring to kiss her and being silenced, it will become worse which makes women feel tainted and leaves quite a trauma that is quite scarred.
- c. Visual sexual violence is an activity carried out by showing pornographic videos, showing nude photos and things related to immorality, and showing their genitals deliberately to their partners to invite curiosity that will be vented on their partners. Couples who get this will feel that they are considered as a cure for their curiosity and will certainly do the same with what is watched in the porn video.
- d. Physical Sexual Violence Physical Sexual Violence is Sexual Violence that threatens and can physically attack the victim. This sexual violence is a sexual violence that has occurred a lot, even male perpetrators easily commit this act in public places and it is also not a big problem. The perpetrator does this solely so that the victim feels ashamed, and afraid so that the victim can always submit to him. The example is no different and even the same as violence carried out nonverbally, namely daring to hold the victim's forbidden parts in public places.
- e. This violence has included all other sexual violence because this form of sexual violence is any form of repeated request for sexual help. So that victims who experience it always feel underestimated and have no self-esteem personally, as well



as professionally. This sexual violence also results in damage to physical health, and social life to disrupts the careers of victims who have been underestimated for acts of sexual violence psychologically because victims feel that they are no longer the same before experiencing acts of violence like this. Such sexual violence often occurs in Indonesia, and news of various sexual violence often appears in various information media. But with so many cases that have occurred victims also do not get proper justice, instead, the perpetrators often blame for their actions triggered because of the victim's clothes, or the victim's behavior that makes the perpetrator feel provoked, this is commonly called victim blaming.

Even though the existence of victim blaming makes a considerable impact on victims, the victim will feel ashamed, afraid to report, and experience trauma, some obstacles will hold the victim back from continuing life as before, experiencing depression and some even intend to end their lives because it is considered that no one appreciates it, especially if the victim has a dating status relationship with the perpetrator then, Korban will feel that his loved ones do not respect women but are only needed when fulfilling their sexual desires. Actually, in Law Number. 12 of 2022 concerning Sexual Violence Crimes, various forms of acts included in Sexual Violence Criminal Acts have been explained, precisely in Article 4 paragraphs (1) and (2). Which consists of:

- a. Nonphysical or verbal sexual harassment is a dominant act of one party having the nature of controlling, degrading, insulting, and even verbally harassing through speech. Not only done by people around but other people who don't know can do this action. For example, if a woman walks and passes a group of men, then later this man makes a sound that seems to tease this woman like whistling or saying "Girl, here" This is usually said as catcalling. People who do catcalls do not want to be blamed, they even blame women for dressing that invites them to do this, which results in this woman being embarrassed and disrespected by people she does not know. Even though not a few women who have been covered also get such things, meaning that things like this cannot be said to be entirely the fault of the woman this man has no ethics towards the person who gets the catcall.
- b. Physical sexual abuse is an act of unwanted touching and leads to sexual acts such as, kissing, groping, and staring lustfully at the victim. Things like this are very prevalent in unhealthy relationships, men who are the boyfriends of the victim will be free to do actions such as groping women's body parts, kissing, and poking which starts from joking but ends up being sexual harassment. Women who lack an understanding of what leads to sexuality will feel normal so men increasingly do things that can be worse because they think the woman enjoys her treatment. Things like this if left unchecked will increasingly become, the woman will always be used to be the curious material of men. Later the man will do further things such as having sex with his girlfriend, if the woman does not want to and this man his lust is high may coerce and violence his lover to obey his will.
- c. Forced Contraception and Sterilization Forced Contraception and sterilization is an installation of contraception during intercourse or sterilization carried out without consent to women. This act is done by men without any prior chat with women, forced contraception and sterilization measures aim the two have sex together will prevent or even not be able to have children. Therefore, it is very necessary for this big impact should be discussed together with women because this sterilization action occurs and is experienced by the woman herself. Because of the risk of side effects that may occur in women who do sterilization or birth control, among others: Severe bleeding, Excessive pain, Infection to swelling, Damage to other organs around the stomach, such as the intestines, bladder, Pregnancy outside the uterus or ectopic pregnancy. [17]
- d. Forced Marriage Forced Marriage is a marriage process that occurs without the consent of someone who is married. The language that is often used is arranged marriage, but what is meant by arranged marriage here can occur because it is felt that the age of the woman is time but never married, the selfishness of parents who force their children to marry immediately even though the child is not ready to marry to get a grandchild, can also occur because the woman's parents are bound by debt by her partner so that the child becomes a guarantee to be forced by the man's family. If this forced marriage is carried out, it can have bad effects on the child in the future. Women who experience forced marriage will later get things that are not good from their husbands or the man's family and may get insults, insults and even domestic violence.
- e. Marital Torture is an act of violence against a couple when they have entered into marriage, for example, domestic violence. This act occurs when they have become a married couple and the factor of marriage abuse is based on forced marriage or another language is arranged marriage because this compulsion makes couples who have no love still carry



out marriage. Usually arranged marriages are carried out because the parents know each other, one party is from a wealthy family, or it could happen because the woman's parents have debts to the man whose daughter is guaranteed to be married to the man's family, either his child or the woman's own parents' friends which causes revenge. After all, the parents cannot pay off the debt.

- f. Sexual Exploitation Sexual Exploitation is an act that utilizes the sexual organs of others to obtain a profit, for example, commercial sex workers. Actions like this are things that prioritize the selfishness of someone who is for profit, this act of violence also often occurs among teenagers, adults to children who are employed by their parents to serve men with striped noses. Teenagers who experience this are also mostly forced to become commercial sex workers by their girlfriends, therefore the victim also does not dare to report this so they can only be reluctant and resigned to live it. The factors behind this action can also be due to the lack of economy and selfishness of one party so it forces women to be employed like this.
- g. Sexual Slavery Sexual slavery is an act when having intercourse with violence and is done many times. This is done consciously by the perpetrator, this is based on the fact that the man feels he has authority in the woman's life, it can also be from his own family or the victim's lover who does it. Sexual slavery is carried out solely so that men vent their lust for women who can be enslaved to satisfy them by having intimate relations with violence so that the woman who is a victim does not dare to resist and always submits to her.
- h. Electronic-Based Sexual Violence Electronic-Based Sexual Violence is an act carried out by recording, taking photos, or taking sexually suggestive screenshots of women who are objects but there is no consent. This usually often happens in everyday life because many men like to record women secretly without knowing what the video will be made of, there are also pranksters for actions that are considered natural to save videos, and photos of women and then can be edited as if the woman is taking pictures or doing immoral things in the video. Men who do things like this are someone who needs to be given a deterrent effect so as not to do silly things like that because what is done can have a bad impact on the victim, that is, the victim will feel ashamed if the photos or videos obtained by the perpetrator will be spread, feeling depressed over the abuse in his environment.
- i. Rape Rape is an act carried out by men to force the victim with violence to have sex with her. Rape is usually committed because of factors in the development of the environment, psychosocial, education, and local culture in viewing and understanding what sex is like in society. The view of women also needs to be understood because some areas think that women are indeed weak creatures and easily deceived so there can be potential for this rape act.

Legal Analysis of Sexual Violence in Unhealthy Relationships

Before the enactment of Law Number. 12 of 2022 concerning the Criminal Act of Sexual Violence, this act was based on the Criminal Code (KUHP) in Article 285 which reads: "Whoever by force or threat of violence forces a woman to have intercourse with him outside marriage, shall be threatened with rape with a maximum imprisonment of twelve years." So, currently, the legal basis for Sexual Violence that occurs in unhealthy relationships is regulated in Article 6 letter b in Law No. 12 of 2022 concerning Sexual Violence which says:

"Any person who commits physical sexual acts shown against the body, sexual desires, and/or reproductive organs to place someone under his authority unlawfully, both inside and outside marriage with a maximum imprisonment of 12 (twelve) years and/or a maximum fine of IDR 300,000,000.00 (three hundred million rupiah)."

In a dating relationship carried out by two people, including in a relationship outside marriage because there is no legal bond in a relationship that is being run, if an event occurs that contains elements of violence, the legal basis used is Article 6 letter b which explains physical sexual abuse committed by someone who commits acts of sexual violence aimed at the body, reproductive organs in people Another position is that the person is under his power which is against the law because he has a relationship that has the status of dating that the victim has been entangled into the context of being in an unhealthy relationship or toxic relationship, so that the event can be experienced by the victim who feels that he has destroyed his future with his girlfriend.

Please note that Sexual Violence with Sexual Harassment that look the same are different, here are the differences in the two things that people often misinterpret, including:

1. Sexual violence: an act committed based on sexuality against a person's sexual organs without consent, carried out with coercion or threat.[18] Acts that can be said to be Sexual Violence, include:



- a. Verbal or physical sexual abuse
- b. Sexual exploitation
- c. Forced Marriage
- d. Coercion of contraception and sterilization
- e. Sexual torture and so on that contain elements of coercion to obtain sexual acts.

Sexual Violence also does not look at gender, so anyone can be a victim to the perpetrator Sexual Violence is not limited to relationships with victims and can occur anywhere.

2. Sexual Harassment: an act that has sexual nuances, either through non-physical contact or physical contact to make the person who gets it feel uncomfortable, degraded, or offended to cause physical and mental health problems. Here are some things that can be said about sexual harassment, including:
 - a. Obscene or seductive behavior
 - b. Promising rewards that make others feel offended
 - c. Intentional physical touching and sexual overtones without consent
 - d. Invite to have intercourse

Sexual harassment is also included in the form of sexual violence.

In Law Number. 12 of 2022 concerning Criminal Acts of Sexual Violence which regulates physical sexual violence, it is regulated in several articles, including Article 6 letters a, b, and c. In the context of perpetrators of sexual violence that has been discussed, namely in an unhealthy relationship commonly called a "Toxic Relationship" where someone commits this unlawful act and has a love bond with the victim which includes his lover. So the legal basis used to impose criminal sanctions on the perpetrator is contained in Article 6 letter b which reads:

"Any person who commits physical sexual acts directed against the body, sexual desires, and/or reproductive organs to place someone under his authority unlawfully, both inside and outside marriage with a maximum imprisonment of 12 (twelve) years and/or a maximum fine of Rp. 300,000,000.00 (three hundred million rupiah)."

The article explains that there are acts of sexual violence committed physically in the form of sexual desire for reproductive organs in his lover which is included in relationships outside marriage. Therefore, perpetrators who commit acts of sexual violence that result in legal consequences that have been prohibited must be able to account for the actions they have committed. The enactment of laws regulating the criminal act of sexual violence is merely to deter perpetrators of deprivation of dignity of someone who feels that he has lost a sense of security around him and feels that his self-esteem no longer exists. The legal basis governing acts of sexual violence committed physically is several articles in Law number. 12 of 2022 concerning Criminal Acts of Sexual Violence, but those that regulate the occurrence of people who have dating status which means that the act is carried out outside marriage are only regulated in Article 6 Letter b of Law number. 12 of 2022 concerning Criminal Acts of Sexual Violence. However, many people want to doubt and worry that there will be a repetition of the actions committed by the perpetrator even though he has served the sentence that ensnared him. Rehabilitation is a relevant effort to minimize the repetition of similar crimes, the number of experts who are competent in the rehabilitation of these perpetrators is the basis for rehabilitation to be continued and carried out. This rehabilitation treatment consists of Psychiatry (a branch of medicine that focuses on the diagnosis and treatment of mental, and emotional disorders); medical treatment; and social. The sentence of imprisonment for perpetrators who commit acts of sexual violence has become a natural thing and has even become an obligation as an effort to provide a deterrent effect on perpetrators. Imprisonment has indeed become the hope of society for the last solution to overcome the events of sexual violence and the like that have polluted society. However, it is undeniable that a repeat of events like this can occur carried out by the same perpetrator. Here it can be seen if the prison sentence is no longer relevant to the times. Therefore, the law must have efforts to provide treatment or therapy to perpetrators of criminal acts other than imprisonment, namely carried out through rehabilitation efforts.[19]

Article 17 also explains that perpetrators of sexual violence are not only sentenced to criminal punishment, but also carry out the rehabilitation process, Article 17 which contains: (1) "In addition to being criminalized, perpetrators of sexual violence can be subject to actions in the form of rehabilitation." (2) "Rehabilitation as referred to in paragraph (1) includes: a. Medical Rehabilitation, and b. Social Rehabilitation." (3) "The implementation of rehabilitation as referred to in paragraph (2) shall be carried out under the coordination of prosecutors and periodic supervision by the Minister who organizes government affairs in



the social sector and the Minister who organizes government affairs in the field of Health." In Law Number. 12 of 2022, rehabilitation is divided into 2 including:

1. Medical Rehabilitation Medical Rehabilitation handled by Medical Rehabilitation Specialists or Sp. RM who have a role to help restore body functions that experience disorders or disabilities resulting from injuries, certain diseases or accidents that have been experienced by sufferers. Rehabilitation doctors have a role to treat patients according to the management plan or through treatment programs that are in accordance with the patient's Medical History. In exercises that are in accordance with the program, patients will be helped to improve their physical health abilities as well as their quality of life has become better than before.
2. Social Rehabilitation Social Rehabilitation is a form of effort to restore and develop an ability possessed by someone who experiences social dysfunction (inability to perform social roles) can return to carry out their social functions reasonably.[20] In the implementation of social rehabilitation, most of them are given to someone who is a person with social welfare problems in the form of:
 - a. Provision of motivation and psychosocial diagnosis,
 - b. Care and upbringing,
 - c. Spiritual mental guidance, physical guidance, social guidance and psychosocial counseling,
 - d. Social assistance and assistance.

CONCLUSION

Unhealthy Relationships Reais an unhealthy relationship, where one partner has more dominant characteristics towards his lover. So that this victim feels that he does not have the authority to argue on the basis of affection with his partner, and is entangled in an unhealthy relationship. This toxic relationship also has several forms including abusive, temperamental, excessive jealousy, even always no share in a relationship that makes their partner feel always used, and many more. The existence of an unhealthy relationship or toxic relationship is also a factor triggering sexual violence, because the attitude of the male partner who always controls the life of his lover must always follow what is his desire, one of which is to obey the lust experienced by this man. Women who are already entangled in the relationship will obey the wishes of their partners. So the perpetrator who includes her lover will also do sexual things continuously, even if this woman refuses, the perpetrator will threaten and force to commit violence. The legal basis governing acts of sexual violence committed in unhealthy relationship is regulated in Law Number. 12 of 2022 concerning Crime of Sexual Violence Article 6 letters a, b and c.

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