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The Protection of Women's Rights of People With Mental Illness (ODGJ) From Violence In Pekanbaru City

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Abstract

Protection against ODGJ is absolutely given to anyone whether it be men, women and children, because with the circumstances and limitations they have, will often be utilized by those who are not responsible. The formulation of the problem in this study is How is the Protection of Women's Rights of People With Mental Disorders (ODGJ) From Violence In Pekanbaru City, What is the Factor of Inhibiting the Protection of Women's Rights of People With Mental Disorders (ODGJ) From Violence In Pekanbaru City, How is the Ideal Form of Protection of Women Women With Mental Disorders (ODGJ) From Violence In Pekanbaru City. The results of this study hope that the local government can provide social housing that has programs in the field of rehabilitation services and guidance , skills (workshops), serves to improve the quality of human resources and empower people with social problems towards physically, mentally and socially normative lives for women.

INTRODUCTION

When human beings begin in the womb and moments after being born into this world, every human being has a right that can automatically not be disturbed by anyone, namely Human Rights. Human rights are the self-esteem of every human being who cannot be bothered by anyone as well and as a person has the right to defend their human rights and everyone must and respect every right that others have.

As an independent country of Indonesia, in its constitution has specifically governed human rights namely in Chapter XA, which consists of articles 28A, 28B, 28C, 28D, 28E, 28F, 28G, 28H, 28I, 28J, thus Indonesia is one of the countries that upholds human rights. Various legal policies and instruments are created by the government to protect the human rights of Indonesian citizens. From the basic constitution of the Constitution of the Republic of Indonesia in 1945 to the provisions of the most basic law containing human rights values.

In terms of state institutions, the Indonesian government has established many State institutions aimed at protecting human rights.

After being stipulated in the Constitution of the Republic of Indonesia 1945, Indonesia also has one legal instrument that regulates specifically on human rights is Law No. 39 of 1999 on Human Rights. This law contains all provisions in various international instruments on human rights, such as UDHR, ICCPR, CRC and so on. The arrangements on human rights in the law are still common such as arrangements on the right to life, women's rights, children's rights and others including those with mental disorders or mental disorders.

Mentally disorders people are better known as crazy people, so their existence often gets unpleasant treatment, such as being displaced, supplied, and or delivered to other social institutions. This condition certainly has a bad impact on those with mental disorders. Mental disorders can occur to any person caused by the death of a loved one, a stool or a failure in a purpose that he truly wants, to be stopped from work, and to those whose daily life is always controlled by others.

In the framework of protecting human rights, in essence, protection towards women and children is a manifestation of the right to life, rights to be free from servitude or slavery. This human right is immutable and universal, meaning that it applies to everyone regardless of origin, gender, religion and age, so that every country has the obligation to uphold it without exception.¹

As a large country and has a national basis that is Pancasila, Pancasila is the basis of the philosophy of the country and the philosophical view of the Indonesian nation, every citizen should be able to carry out every philosophy that is in it. Every attitude and deed of the Indonesian people has a moral imperative to consistently realize it (values in every grain of Pancasila) so that every aspect of public life, nationality and country is more targeted. The reality is philosophically and objectively that Indonesians in society and country are based on the values found in the philosophical Pancasila.²

The national awareness of a diminished lack of participation and mutual respect and protecting fellow human beings is felt at this time, it can be seen from prolonged social

¹ Ratna Sumirat, "Legal Protection of Women and Children Victims of Human Trafficking Crime", *Journal of Gender and Child Studies* 3, No. 1, January-June (2016): 21.

² Mukhlis R, *Pendidikan Pancasila di Perguruan Tinggi*, (Pekanbaru: UR Press, 2012) 16.

conflict, diminished manners and virtuousness in social relations, weakening honesty and trust in national life, disregard for the provisions of laws and regulations, and so on caused by various factors originating both from home and abroad.³ One example that we need to improve is social ethics and social participation of citizens with mental disorders.

People with ordinary mental disorders in short (ODGJ) can be said to be mentally disabled because disability means deficiencies that cause poor or less perfect value or quality (contained in the body, objects, inner or moral), whereas the mental is concerned with the inner and human disposition, which is not body or energy. Then if we see the meaning of "Crazy", i.e. memory pain (lack of memory), mental disorders (his nature is disturbed or his mind is abnormal). This means "crazy" can mean mental disability due to a lack of mental or mental ity (which is related to the mind).

Then in the Regulation of the Minister of Health of the Republic of Indonesia No. 54 of 2017 on tackling the treatment of people with mental disorders, people with mental disorders are people who experience disorders in thought, behavior, and feelings manifested in the form of a bunch of symbols, and/changes in behavior that are coercive, and can cause suffering and obstacles in carrying out the functioning of people as human beings.⁴

In data released by The Tampan Mental Hospital (RSJ) of Riau Province, they recorded in the period January-September 2019 there were 1,365 patients or experienced an increase of 862 patients compared to the period January-September 108 which recorded 503 patients.⁵ Mental disorders are one of the biggest health problems, mental disorders are also a serious health problem because the number of people who continue to experience the increase, although Pekanbaru's government has made policy on social regulation, especially for citizens with mental disorders is stdisorders very far from the expectations desired, this is due to the lack of optimality of pekanbaru city government in implementing local regulations on social order because of the weak implementation by the government in Pekanbaru city. Even the number of patients in Pekanbaru City Tampan Mental Hospital continues to increase

³ <http://repository.ump.ac.id/812/3/FAJAR%20KURNIAWAN%20BAB%20II.pdf>, accessed on November 10, 2020.

⁴ Article 1 point 2 Regulation of the Minister of Health of the Republic of Indonesia No. 54/2017 on Tackling Human Abuse in People With Mental Disorders

⁵ Accessed in www.antaranews.com, on Tuesday, October 6, 2020, time 19.00 Wib

in number as well as many citizens with mental disorders who roam in public places (on the streets) this is because citizens with mental disorders are considered a family disgrace.

Gaining a sense of security, enjoying tranquility, and achieving the opportunity of happiness is the right of everyone, family, including her to a woman. No one can make his life persecuted, suffered, displaced, and moreover must always be accompanied by violent treatment, cruelty both physically and spiritually. Women are the most beautiful graces and trusts given by the Almighty God to his partner, who should be looked after, loved, guided and always given the best compassion, being a gift to every one who gets the trust and does not get violent treatment.

The sense of violence juridically can be seen in article 89 of the Penal Code, which is to "make people faint or helpless equalized by using violence". Fainting is defined as memory loss or unconsciousness. Then, the meaning of helplessness can be interpreted as having no power or energy at all so that it is not able to hold a fight at all, but that helpless person can stdisorders know what happened to him.⁶

The study of power and violence was started by Thomas Hobbes (1651) in his book Leviathan. Leviathan is a large, frightening and powerful marine animal over other beings using violence. According to Hobbes, man acts on the basis of self-interest and becomes a fitrah of man to quarrel and quarrel. People also have a desire to live peacefully, therefore disputes and quarrels must be resolved through power. Rulers have unlimited powers including using force to maintain such power. Homo homini lupus, man becomes a wolf for others and consequently not omnium contra omnes, war all opponents all.⁷

Cases of violence against women and children are stdisorders high in Pekanbaru City. Data from P2TP2A Pekanbaru until November 2018, there are 105 cases of violence against women and children. Economic factors are one trigger for violence against children and women in Pekanbaru City. We realize that the people of this city are compound. They come from various regions to find a decent livelihood here, some of them economic

⁶ *Ibid.*

⁷ Thomas Santoso, *Teori-Teori Kekerasan*, (Jakarta: PT Ghalia Indonesia, 2002) 170.

difficulties, said Mayor Pekanbaru Firdaus as previously reported, Riau Province came second in Indonesia in cases of violence against children and women in 2017.⁸

Protection against ODGJ is absolutely given to anyone whether it be men, women and children, because with the circumstances and limitations they have, disorders often be utilized by those who are not responsible. Then based on data of the Ministry of Women Empowerment and Child Protection the number of cases of violence until October 2019 was: 11,709 cases, with details of 2,902 male victims and 9,694 female victims. For female victims with the following percentage of age groups: 0-5 years 5.2%, 6-12 years: 15.1%, 13-18 years old: 11.2 %, 19-24 years old: 11.2 %, 25-44 years old: 32.65, 45-59 years old: 5.9%, 60+ years: 0.8%.

Citizens of mental disorders (ODGJ) disorders do not get special measures from the government even leading to discrimination, departing from the mandate enacted in article 28 of the Act 1945 which, among other things, the freedom of association and assembly, the issue of oral and written thoughts and so on' is issued in article 28 1 paragraph 2 which says every person has the right to be free from discriminatory treatment on the basis of any right to protection against such discriminatory treatment. In article 28G paragraph 2 of the 1945 Constitution, every person has the right to be free from torture or degrading treatment of a degree of human dignity and entitled to a political voice from another country.

The local government in this case the Pekanbaru City Government, as a large city area in Riau is certainly very important in protecting human rights in ODGJ women, the efforts made by the government should be based on justice, humanity, protection and non-discriminatory. As well as helping them get out of the stigma of exclusion and discrimination that leads to violence by the community.

The protection of women that ODGJ aims to ensure the fulfillment of women's rights to grow, develop and participate optimally in accordance with the dignity and dignity of humanity, as well as to protect from efforts of exploitation economically and sexually. Thus expressly concerning the equal right for men or women to obtain protection, maintenance, development and growth in the performance of their lives without discrimination despite mental retardation.

⁸ Bertuahpos.com, Tuesday March 13, 2018.

The concept of rule of law and the concept of democracy are different concepts but have similarities and harmony in providing protection of human rights and limiting power. In today's modern state development, the principle of a rule of law (nomocracy) is often side by side with the principle of democracy. The concept of rule of law is not opposed to the concept of democracy. The two concepts (rule of law and democracy) work together and support each other, so that both can achieve the same goal, namely protecting human rights.⁹

The formulation of the problem in this study is How is the Protection of Women's Rights of People With Mental Disorders (ODGJ) From Violence In Pekanbaru City, What Are the Factors of Inhibiting the Protection of the Rights of Women With Mental Disorders (ODGJ) From Violence In Pekanbaru City, and How is the Ideal Form of Protection of Women's Rights of People With Mental Disorders (ODGJ) From Violence In Pekanbaru City.

PROTECTION OF THE RIGHTS OF WOMEN WITH MENTAL DISORDERS (ODGJ) FROM VIOLENCE IN PEKANBARU CITY

Protection of People with mental disorders (ODGJ) in Pekanbaru City, specifically does not distinguish between men, women and children. The implementation of this protection as described in Pekanbaru City Regional Regulation No. 12 of 2008 on Social Order. Protection in this regulation is described as an effort implemented as a form of social welfare security and maintenance to enable welfare problems to be able to perform its social functions in public life and including those who experience mental disorders.

Table 1
Data of People With Mental Disorders 2019

| No. | Age / Year | Gender | Number of People |
|-----|------------|--------|------------------|
| 1 | 30 – 50 | Female | 5 |
| 2 | 14- 78 | Male | 143 |

Source: Pekanbaru City Social Service 2020

⁹ A. Muhammad Asrun, “Human Rights in the Framework of a State of Law (Notes on the Struggle at the Constitutional Court)”, *Jurnal Cita Hukum* 4, No. 1 (2016): 133-154, DOI: 10.15408/jch.v4i1.3200.2016.4.1.133-154.

In general, people with mental disorders are mentally impaired, so the person in particular will need protection in the order of life and social, materil and spiritual livelihoods that include a sense of salvation, decency and peace of birth and mental, so that the physical, spiritual, and social needs will have the best effect in order to protect their human rights and obligations, especially if this condition is faced by a woman will certainly have a profound impact , because women often get unfair treatment, such as violence, sexual harassment, and even rape.

The provisions regarding the protection of women's ODGJ are stipulated in Articles 6 of paragraphs 1 and 2 which read: "Any person with a particular disease that interferes with public view and or disturbs the public, is prohibited from walking, green lanes, parks and public places 2. Every person with the disease in paragraph (1) shall be the responsibility of his parents or family, unless the person with a particular disease and his family are in poor or displaced condition then the responsibility of handling is taken over by the government."¹⁰

Then in the implementation of odgj protection mentioned, Article 13 Pekanbaru City Regional Regulation No. 12 of 2008 on Social Order, explaining about how the implementation of protection against women who have mental disorders, namely:¹¹

1. Refer to the applicable legal signs, In the protection of ODGJ as described in pekanbaru city regional regulations, the city government is also subject to and in compliance with other laws and regulations, among others:
 - a. Government Regulation No. 31/1980 on tackling homelessness and beggars (Statute Book No. 51/1980, Additional Statute Book No. 3177);
 - b. Government Regulation No. 42/1981 on The Poor Fakir Beggars (Statute Book No. 59/1980, Additional Statute Book No. 3206);
 - c. Law of the Republic of Indonesia No. 18/2014 on Mental Health (Statute Book No. 185, Additional Statute Book Nomro 5571);
 - d. Presidential Decree No. 40/1983 on The Coordination of Homeless Social Welfare Business and/or Beggars;

¹⁰ Explanation of Regional Regulation Number 12 Year 2008 Article 6 concerning on Social Control for People with Mental Disorders (ODGJ).

¹¹ Interview with Mr. Gustian Kepada Bidang ODGJ of Sosial Service Pekanbaru City. August 2020.

- e. Regulation of the Minister of Health of the Republic of Indonesia No. 54/2017 on Tackling Human Abuse in People with Mental Disorders;
2. Provide equal opportunities to those in need to obtain service; This is by carrying out its work with Tampan Asylum (RSJ) and Nursing Home to provide services and opportunities if there is an ODGJ.
3. Appreciate and pay attention to each client in the capacity as an individual as well as as a member of the community, in this case the Pekanbaru Government does not discriminate against anyone ODGJ who has unsettling the community to be handed over to Tampan Asylum (RSJ), in order to get medical treatment and other actions.
4. To perform the function of social welfare services that are preventive, protection, service and rehabilitation and development, in the implementation of this function Social Service with Pamong Praja Police Unit Pekanbaru city provides welfare services to ODGJ both socially, materially and spiritually, including a sense of south. decency, and peace are born and inner.
5. To conduct social welfare services that are implemented in an integrated way between the social work profession and other sustainable work.
6. Provide social welfare services based on the needs of clients to improve their social functioning.
7. Provide opportunities for clients to actively participate in the relief efforts provided.
8. Account for the implementation of social welfare to the government and or the community.

The importance of protection against ODGJ is inseparable from the symptoms that cause them to have mental retardation, namely:¹²

1. Having the mind to end life, in this condition the family's care is very important that by always providing support in his life, in other words

¹² Litbangkes Kementerian Kesehatan RI, Oktober 1, 2020

agreeing and giving consideration with all the consequences and benefits that disorders be obtained in the decisions he will take;

2. Incapable of doing useful things in life, in general humans are social beings who need others, no one can live alone, before this happens as fellow human beings we must always offer help to every one of them who needs it, it is possible that sometimes everyone has their own way of thinking when doing something;
3. Feeling useless, in these conditions every time we will better appreciate every result and work they do, although in fact it is not good, we can just give judgment in a good way and in the right situation;
4. Losing interest in various things, restoring his spirit by providing motivation is the right way in this condition, because losing interest and talent will make a person feel that he or she is no longer able to give his best, and in the pride of others, appreciate the work of others not only focused on the results, tetepi can also through the intentions and processes he faced in achieving his goals;
5. Daily work is disrupted, in these circumstances against anyone who faces it will certainly be difficult, why not the work that is usually and has been pursued provides benefits for the continuity of his life, by having to end, and abandonment. This condition of every person closest to him must give confidence and believe that the process of life must be continued and must not despair, for every one of us disorders inevitably experience setbacks and difficult times.

The number of people with mental disorders in Indonesia is currently 236 million people, comprising mild mental disorders 6% of the population and severe mental disorders 0.17% of the population. People with severe mental disorders over the age of 15 in Indonesia reached 0.46%. This means that more than 1 million people in Indonesia suffer from severe mental disorders from the population (14.3% of whom are supplied). The proportion of households with ART (Household Members) who are severely mentally impaired and have been supplied with 1,655 households (Riskesdas, 2013). The exposure to ODGJ leads to limited fulfillment of basic living needs, including health, education, and employment for the

person. The supplied ODGJ has self-care problems.¹³ The method of archery is not limited to traditional compaction (using wood or chains on the feet) only, but includes other restraints that limit movement, isolation, including locking, and disposition that accompany one of the methods of storage.¹⁴

Violent behavior is caused by loss of self-esteem because it cannot meet the needs so that individuals do not dare to act, irritability and explosive emotions (irritability), the need for self-actualization that is not achieved so as to cause tension and make the individual quickly offended and frustrated as a result of goals not being achieved or inhibited so that the individual feels anxious and threatened. Frustrated individuals will try to cope regardless of the rights of others.¹⁵ The above causes can trigger violent behavior with some signs and symptoms appearing.

The most commonly accepted violence against women is sexual violence or rape, rape is a form of violence against women that is classified as severe and can cause deep psychological trauma. Rape experienced by early adult women has various negative impacts, both Posttraumatic Growth in Early Adult Women, Physiological, emotional and psychological victims of sexual violence, so that more special protection is needed, especially if they are mentally retarded.¹⁶

In Law No. 36/2009 on Health Article 148 paragraph (1); "people with mental disorders have the same rights as citizens." Under the article's arrangement, people with psychiatric problems and people with mental disorders have the same rights as citizens so that they are free of discrimination. Then Section 149 "persons with mental disorders who are displaced, bullied, threaten the safety of themselves and or others, and or interfere with public order and or safety are obliged to obtain treatment and care in health care facilities."

In addition, Law No. 36 of 2009 on mental health also states; Mental health efforts include preventive, promotive, curative, rehabilitative patients with mental disorders and

¹³ <http://download.portalgaruda.org/article.php?article=431511>, accessed on October 16, 2020.

¹⁴ [http://www.depkes.go.id/resources/download/general/Hasil%20Riskasdas% 202013.pdf](http://www.depkes.go.id/resources/download/general/Hasil%20Riskasdas%202013.pdf), accessed on October 16, 2020.

¹⁵ Dalami, E., Suliswati, Rochimah, Suryati, K. R & Lestari, W., *Asuhan Keperawatan Klien dengan Gangguan Jiwa* (Jakarta: Trans Info Media, 2009) 90.

¹⁶ Essah Margaret Sesca & Hamidah, "Posttraumatic Growth in Early Adult Women Victims of Sexual", *Journal of Clinical Psychology and Mental Health* 7 (2018), 1-13.

psychosocial problems.¹⁷ Article 6 to article 9 governs promotive efforts as a series of mental health services that promote mental health. Article 10 to article 16 governs preventive efforts, namely prevention of mental disorders, article 17 to article 24 governs curative efforts or health care activities to ODGJ which include proper process and diagnosis and management so that ODGJ can function again reasonably in family, environment, institutions and communities. Article 25 to article 32 regulates rehabilitation efforts which are health service activities aimed at restoring social functions and preparing and giving ODGJ the ability to be independent in society.

In order to implement Regional Autonomy is seen as necessary to put more emphasis on the principles of democracy, community participation, equalization and justice in Pekanbaru City. One sector that needs to get attention for it is the implementation and handling in the field of social welfare. As an effort of pekanbaru city government in providing protection against ODGJ namely establishing Local Regulation No. 12 of 2008 on Social Order to improve efforts to control and supervise carefully and continuously on social welfare by providing a firm, clear, complete, precise and comprehensive legal basis and can reach the future to ensure legal certainty in the implementation of social welfare.

In this case, the local government provides social housing that has programs in the field of rehabilitation services and mentoring, skills (workshops), as stipulated in Article 12 of Pekanbaru City Regional Regulation No. 12 of 2008 on Social Order which serves to improve the quality of human resources and empower people with social problems towards normative life physically, mentally and socially. As referred to as a social problem or PMKS (Social Welfare Problem) is a person or family who due to an obstacle, difficulty or disorder cannot carry out its social functions and therefore cannot establish a compatible and creative relationship with its environment so that it cannot meet its life needs (physical, spiritual and social) adequately and reasonably.

Some of the groups included in this PMKS group include displaced toddlers, children with disabilities (ADK), homeless people, beggars, scavengers, victims of NAPZA abuse, victims of violence, women prone to socioeconomic, socially problematic families, people with disabilities, and other groups who are included in the PMKS group according to the Ministry of Social Affairs of the Republic of Indonesia. When viewed from these groups,

¹⁷ Law Number 36 of 2009 concerning on Mental Health.

ODGJ women are included in this PMKS group, which is as a mentally disabled group. Pekanbaru City Government should be able to apply the above principles in its implementation in an effort to provide protection and fulfillment of odgj rights for women to realize social order.

INHIBITION FACTOR OF PROTECTION OF WOMEN'S RIGHTS WITH MENTAL DISORDERS (ODGJ) FROM VIOLENCE IN PEKANBARU CITY

Mental health services for everyone and the guarantee of the rights of people with mental disorders are often neglected, both personally and legally, socially there is still a stigma of society, so families hide the existence of family members who suffer from this mental disorder. Here are some factors to inhibit the Protection of Women's Rights With Mental Disorders (ODGJ) From Violence In Pekanbaru City:

1. Budget Factors. Limited budget from Pekanbaru City Government in the handling of ODGJ so that what odgj needs can not be facilitated properly. There are still many people who let ODGJ roam or lock him up at home without seeking rehabilitation or treatment of ODGJ. This is because the family cannot afford to take ODGJ to the Asylum and pay for ODGJ treatment. While the Local Government as the party responsible for this does not facilitate so that odgj rights are neglected.¹⁸
2. Lack of facilities. There are still minimal facilities and special places odgj that have exceeded the capacity in accommodating ODGJ. So there are still ODGJ who do not get proper treatment. It can be seen still wandering ODGJ in public places.¹⁹
3. The implementing officer, in this case acting is pamong praja police unit, (SATPOL PP) on its realization, the authorities do not carry out their duties and authority properly, and only are waiting. If there is an ODGJ that is displaced or already unsettling, protection is implemented. This can be seen from the lack of active authorities in protecting ODGJ.

¹⁸ Interview with Mr. Agustian to ODGJ on Social serve of Pekanbaru City. August 2020.

¹⁹ Interview with Mr. Desheriyanto to ODGJ on The Pamong Praja Police Unit Pekanbaru City.

4. Legislation, currently the regulation governing social order in Pekanbaru city namely Pekanbaru City Regional Regulation No. 8 of 2012 on Social Order is still public and the nature of waiting and not regulating specifically regarding the handling of ODGJ, especially women from violence.
5. Community culture. People consider the person with mental disorders (ODGJ) in the middle of people's lives to be ordinary who do not need special attention, and more consider it to be a family disgrace, and do not want to report it to the relevant institution.²⁰
6. Economic factors, in this condition ODGJ families who happen to be from poor families or under-able families seem to be faced with great financing of their care, so many of them do not want to report their families who have ODGJ, and prefer to keep caring for themselves.

The concept of human rights protection is to protect the rights given directly by The Almighty God as the creator, therefore no power in the world can revoke it, so that any form of protection and service provided or determined by the Law must uphold human rights. Then in the State the law has become the obligation of each State to provide a sense of security and order to its citizens by ensuring the right and obligation of the right targets so as to give birth to a sense of justice.

IDEAL SIDE OF PROTECTION OF WOMEN'S RIGHTS OF PEOPLE WITH MENTAL DISORDERS (ODGJ) FROM VIOLENCE IN PEKANBARU CITY

Protection of People with Mental Disorders (ODJ) has been stipulated in Local Regulation No. 12/2008 on Social Order. This regulation is the basis for providing access, participation, and protection of both men and women odgj. But the regulation in its implementation is still not effective. Ideally rules are created with the aim of keeping life organized and protecting the whole community.

²⁰ Interview with Mr. Agustian to ODGJ on Social serve of Pekanbaru City. August 2020.

The handling of male ODGJ can be said to be different from women, because female ODGJ can experience various kinds of crimes that do arise because they are women, here are the forms of violence that can occur in female ODGJ, namely:²¹

1. Physical and psychological violence. In physical violence, the human body is physically harmed even to the death. While psychological violence is a pressure that is intended to reduce mental or brain abilities.
2. Positive and negative influences. The actual reward oriented system is "controlling", not free, less open, and prone to manipulative, despite providing enjoyment and euphoria.
3. There is an object or not. In certain actions there remains a threat of physical and psychological violence, although it does not take casualties but limits human actions.
4. There is a subject or not. Violence is called direct or personal if there is a perpetrator, and if no perpetrator is called structural or indirect. Indirect violence is already part of that structure (the structure is bad) and manifests itself as an unequal power that causes unequal life chances.
5. Intentional or not. Dotted heavily on consequences and not goals, an understanding that only emphasizes deliberate elements is certainly not enough to see, overcoming structural violence that works subtly and inadvertently. From the victim's point of view, intentionally or inadvertently, violence remains violent.
6. Visible and hidden. Visible, manifest violence, both personal and structural, can be seen even indirectly. While hidden violence is something that is not visible (latent), but can easily explode. Hidden violence disorders occur if the situation becomes so unstable that the actual realization rate can decrease easily. Structural hidden violence occurs if an egalitarian structure can be easily transformed into feudal, or the hierarchical evolution of military support results can turn again into a hierarchical structure once the main challenge is missed.

The injustice against ODGJ women in providing protection seems to create a new space for other types of crimes, because women can get treatment that is not as harsh. To

²¹ Windhu I. Marsana, *Kekuasaan & Kekerasan Menurut Johan Galtung*, (Yogyakarta: Kanisius, 1992) 68-72.

answer the whole of it the following ideal form of protection against women ODGJ, by revising the local regulations with the following points:

1. In this case it can be seen that there is no clear and unequivocal provision regarding the meaning of "certain diseases" so this can give rise to different interpretations of what kind of disease belongs to the "specific disease" group. It is therefore necessary to provide an explanation of the criteria that go into the "specific disease" intended in this regional regulation;
2. This Regional Regulation on Social Order needs to regulate specifically on the fulfillment of the rights and protection of ODGJ women from violence, because women's condition in fact there is a lot of violence committed against ODGJ women such as sexual violence and so on, so in this case it is necessary a clear and firm arrangement that governs the protection of ODGJ, especially women, this is in line with the theory of human rights that includes women as one of the vulnerable groups of human rights violations , so more specific regulations are needed to protect women's rights;
3. Establish certain institutions or facilities specifically for women to protect women who ODGJ, so that they can feel safe and protected from all threats and violence that lurk;
4. Create a sustainable program specifically for the protection of ODGJ women, with programs that can try them to heal, so that if they can recover will be continued with the concept of women empowerment, because in general women's groups have a habit of gathering and working together;
5. There are operational standards that can facilitate odgj women through their families to access the treatment and treatment that should be, because in practice the family has difficulty in accessing the treatment provided by the government;
6. There is cooperation, coordination between the parties involved such as Women Empowerment Office, Social Service, Health Office, Pamong Praja Police Unit, Tampan Mental Hospital (RSJ).

Departing from the mandate of the purpose of the Republic of Indonesia which is clearly set out in the opening of the Constitution 1945 in the 4th paragraph which reads: "protecting all Indonesians and all Indonesian spills, advancing public welfare, smartening the

life of the nation, implementing a world order based on freedom, lasting peace and social justice. The core of the country's goal is to protect all nations, without discriminating against the rights of its citizens.

This legal protection, then a legal protection must be provided by the government for ODGJ in the form of regulations and policies to protect the rights of ODGJ women from violence in Pekanbaru City and regarding health that must be realized in the field, namely through the provision of mental health service facilities for ODGJ, provision of health workers soul and adequate mental health supplies. So that it can provide justice for the entire community without exception, including for ODGJ in fulfilling the protection of the rights to violence in Pekanbaru City.

CONCLUSION

The local government provides social housing that has programs in the field of rehabilitation services and mentoring, skills (workshops), as stipulated in Article 12 of Pekanbaru City Regional Regulation No. 12 of 2008 on Social Order which serves to improve the quality of human resources and empower people with social problems towards normative life physically, mentally and socially for women. In its implementation, the efforts made by the Pekanbaru City Government are not in accordance with Pekanbaru City Regional Regulation No. 12 of 2008 on Social Order. This can be seen from the lack of provision of facilities and services from social housing as referred to in Article 12 and 13 of Pekanbaru City Regional Regulation No. 12 of 2008 on Social Order so that it cannot fulfill odgj rights specific to ODGJ women.

There are several inhibiting factors in odgj social ization including budget factors, lack of facilities, lack of law enforcement role, legal factors, and community culture. The need to set out the provisions clearly and expressly regarding the meaning of "certain diseases" in Pekanbaru City Regional Regulation No. 12 of 2008 on Social Order so as not to give rise to different interpretations of what kind of disease belongs to the "specific disease" group, and the need to be regulated specifically regarding the fulfillment of rights and protection of ODGJ women from violence.

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