

**Justice for Cut Intan Nabila: Integration of Islamic Law and Psychology in Adjudicating Cases of Violence Against Women**

***Keadilan untuk Cut Intan Nabila: Integrasi Hukum Islam dan Psikologi dalam Peradilan Kasus Kekerasan terhadap Perempuan***

**Faradila Hasan**

Institut Agama Islam Negeri Manado, Sulawesi Utara, Indonesia, Jl. Dr. S.H.  
Sarundajang Kawasan Ring Road I Kota Manado, 95128  
E-mail: faradila.hasan@iain-manado.ac.id

**Fioreza Ayulis Putri Rajak**

Institut Agama Islam Negeri Manado, Sulawesi Utara, Indonesia, Jl. Dr. S.H.  
Sarundajang Kawasan Ring Road I Kota Manado, 95128  
E-mail: fioreza.rajak@iain-manado.ac.id

**ABSTRACT**

This research examines the integration of Islamic law and psychology within the Indonesian criminal justice system to enhance protection for women victims of violence. Utilizing the domestic violence case of social media influencer Cut Intan Nabila as a case study, this research develops the Islamic-Psychological Judicial Framework (IPJF), which combines principles of Islamic law, understanding of trauma psychology, and best practices in the judicial system. Through juridical-normative analysis and an interdisciplinary approach, this study identifies gaps in the existing system and formulates strategies for IPJF implementation. The findings indicate that IPJF has the potential to increase the effectiveness of case handling, reduce revictimization, and enhance victim recovery. The implementation of IPJF is projected to transform legal culture to become more gender-responsive and victim protection-oriented, as well as serve as a potential model for other Muslim-majority countries.

**Keywords:** Violence against women; Islamic-Psychological Judicial Framework (IPJF); Islamic law; Trauma psychology; Indonesian criminal justice system.

**ABSTRAK**

*Penelitian ini mengkaji integrasi hukum Islam dan psikologi dalam sistem peradilan pidana Indonesia untuk meningkatkan perlindungan perempuan korban kekerasan. Menggunakan kasus KDRT selebgram Cut Intan Nabila sebagai studi kasus, penelitian ini mengembangkan Islamic-Psychological Judicial Framework (IPJF) yang menggabungkan prinsip-prinsip hukum Islam, pemahaman psikologi trauma, dan praktik terbaik dalam sistem peradilan. Melalui analisis yuridis-normatif dan pendekatan interdisipliner, penelitian ini mengidentifikasi kesenjangan dalam sistem yang ada dan merumuskan strategi implementasi IPJF. Hasil penelitian menunjukkan bahwa IPJF berpotensi meningkatkan efektivitas penanganan kasus, mengurangi reviktifikasi, dan meningkatkan pemulihan korban. Implementasi IPJF diproyeksikan dapat mentransformasi budaya hukum menjadi lebih responsif gender dan berorientasi pada perlindungan korban, serta menjadi model potensial bagi negara-negara Muslim lainnya.*

**Kata kunci:** Kekerasan terhadap perempuan; Islamic-Psychological Judicial Framework (IPJF); Hukum Islam; Psikologi trauma; Sistem peradilan pidana Indonesia.

## **INTRODUCTION**

Violence against women remains a complex problem that tarnishes the face of modern civilization, including in Muslim-majority countries like Indonesia. According to the National Commission on Violence Against Women (Komnas Perempuan) report for 2022, of all reported cases of violence against women, sexual violence dominated with 2,228 cases (38.21% of the total). Psychological violence ranked second with 2,083 cases (35.72% of all reports (Komnas Perempuan, 2023). These alarming figures reflect the urgency to evaluate and reconstruct the legal protection system for women, particularly in the context of criminal justice, considering aspects of Islamic law and psychology.

The latest case that has shocked the public is the domestic violence experienced by celebrity Cut Intan Nabila. Intan reported her husband, Armor Toreador, for physical and psychological domestic violence, and one of the video evidences of domestic violence committed by Armor was uploaded to her Instagram account @cut.intannabila. This case has become a media spotlight and triggered a rapid response from the police as well as capturing the attention of Indonesian society. Although this case has received public attention due to Intan's celebrity status, she is just one among thousands of women who experience domestic violence in Indonesia each year. This case highlights the importance of a responsive and sensitive justice system to the needs of domestic violence victims.

The Indonesian criminal justice system, which has roots in positive law, customary law, and Islamic law, faces unique challenges in accommodating the needs and rights of women victims of violence. Gender stereotypes, victim-blaming, and narrow interpretations of religious texts often become obstacles for women to obtain equal access to justice (Kilmartin, 2015; Koppa & Duffy, 2020). On the other hand, the psychological impact of violence on women is often overlooked in the judicial process, adding to the complexity of this problem (Osborn & Rajah, 2022).

Previous studies have explored various aspects of legal protection for women victims of violence. Nasrudiansyah and Alijaya (2023) examined the effectiveness of the implementation of Law No. 23 of 2004 on the Elimination of Domestic Violence (PKDRT) in the context of Islamic law in Indonesia. Meanwhile, Wulandari and Krisnani (2020) studied the psychological impact of violence against women and its implications for the judicial process. From an Islamic law perspective, Efendi (2020) conducted a study on the reinterpretation of the concept of *qiwamah* in the context of gender equality and women's protection..

Although these studies have made significant contributions, there is still a gap in terms of integrating Islamic law and psychology perspectives in the Indonesian criminal justice system. Previous research tends to separate aspects of positive law, Islamic law, and psychology, thus not yet producing a holistic approach that harmonizes these three aspects in the context of the criminal justice system.

This research proposes to reconstruct the Indonesian criminal justice system by integrating a new paradigm that combines progressive Islamic law perspectives and forensic psychology approaches. The main innovation proposed is the concept of Islamic

Psychology combined with the criminal justice theoretical framework, which the author then calls the "Islamic-Psychological Judicial Framework" (IPJF), a systemic framework that integrates principles of gender justice in Islam, *maqasid al-shariah* (the objectives of sharia), and understanding of trauma psychology into every stage of the criminal justice process.

IPJF not only focuses on legislative reform but also includes: (1) Reinterpretation of Islamic texts on gender justice and women's protection; (2) Integration of trauma psychology understanding in judicial procedures; (3) Capacity development of law enforcement officers in sharia and forensic psychology aspects; and (4) Establishment of special units for handling gender-based violence cases with an interdisciplinary approach.

This approach is expected to address the weaknesses of conventional criminal justice systems that often fail to understand the complexity of cases of violence against women from religious and psychological perspectives. By combining Islamic wisdom and insights from modern psychology, IPJF has the potential to create a justice system that is more responsive to the needs of women victims of violence, while remaining rooted in Islamic values embraced by the majority of Indonesian society.

This research aims to conduct a comprehensive analysis of legal protection for women victims of violence in the Indonesian criminal justice system and formulate an Islamic-Psychological Judicial Framework (IPJF) model that is adaptive to Indonesia's socio-cultural and religious context. Specifically, this study will examine the effectiveness of existing legal frameworks from Islamic and psychological perspectives, identify gaps in law implementation caused by narrow interpretations of religious texts and lack of psychological understanding, and formulate transformative strategies to realize a gender-just criminal justice system with a sharia basis and sensitive to the psychological aspects of victims. Finally, this research aims to develop an IPJF model that can be implemented in the Indonesian criminal justice system, with the hope of creating a more holistic and effective approach in handling cases of violence against women.

To achieve these objectives, this research uses a juridical-normative method enriched with an interdisciplinary approach of Islamic law and psychology. Analysis will be conducted on relevant legislation, jurisprudence, classical and contemporary fiqh literature, as well as forensic psychology studies.

Through this research, it is expected to produce a deeper understanding of the complexity of problems and innovative solutions that combine Islamic wisdom with insights from modern psychology in the context of the criminal justice system. The analysis results and the proposed IPJF model will not only contribute to the development of Islamic law, gender studies, and forensic psychology but are also expected to become a blueprint for criminal justice system reform that better ensures justice and protection for women victims of violence in Indonesia.

Furthermore, this model has the potential to be adapted in other Muslim countries, offering an approach that respects Islamic values while being responsive to the

psychological needs of victims of gender-based violence. Thus, this research is not only significant in the Indonesian context but also offers a new perspective in the global dialogue on women's rights, Islamic law, and gender justice in the criminal justice system.

## **METHODS**

This research employs a juridical-normative approach (Sudrajat, 2022; Ziemiński & Ziemiński, 1976) with a qualitative descriptive analysis method through literature study (Colorafi & Evans, 2016; Ziemiński & Ziemiński, 1976). This approach is chosen to examine aspects of Islamic law, Indonesian positive law, and psychological perspectives in the context of protecting women victims of violence within the criminal justice system. As a doctrinal legal research enriched with interdisciplinary studies, this research integrates Islamic law, positive law, and psychology studies to formulate the Islamic-Psychological Judicial Framework (IPJF).

The main data sources for this research consist of primary, secondary, and tertiary legal materials (Budianto, 2020). Primary legal materials include legislation related to women's protection and handling of violence cases, classical and contemporary fiqh books, and forensic psychology literature. Secondary legal materials encompass scientific journals, books, research reports, and official documents related to the research theme. Tertiary legal materials include legal dictionaries, encyclopedias, and other relevant sources.

Data collection techniques are carried out through literature study by examining written sources relevant to the research theme. Data analysis uses content analysis methods and legal interpretation, with the following stages: (1) identifying Islamic legal principles related to women's protection, (2) analyzing the Indonesian positive legal framework on handling cases of violence against women, (3) examining forensic psychology perspectives in handling victims of violence, and (4) integrating these three aspects to formulate the IPJF.

This research utilizes a statute approach, conceptual approach, and case approach to analyze cases of violence against women that have been decided by the courts. The theoretical framework used includes the theory of *maqasid al-shariah*, the theory of gender justice in Islam, and the theory of psychological trauma as the foundation for analysis.

The research stages begin with preparation, data collection through literature study, data analysis, formulation of IPJF by integrating analysis results, up to the compilation of reports in scientific article format. Through this method, the research aims to address the objectives outlined in the introduction, namely analyzing legal protection for women victims of violence and formulating a holistic and applicable IPJF model in the context of the Indonesian criminal justice system.

## **RESULTS AND DISCUSSION**

### **Comparative Analysis of Protection for Women Victims of Violence: Perspectives from Islamic Law, Psychology, and the Indonesian Criminal Justice System**

Protection for women victims of violence is a complex issue that requires a multidisciplinary approach. A comparative analysis from the perspectives of Islamic law, psychology, and the Indonesian criminal justice system can provide a more comprehensive understanding of how to effectively protect and fulfill the rights of women victims of violence.

Islamic legal principles related to women's protection and gender justice have strong roots in the Qur'an and Sunnah. Islam emphasizes human equality before Allah SWT, including equality between men and women. The Qur'an, Surah An-Nisa verse 1, affirms that men and women were created from a single soul, indicating a fundamental equality between them. Furthermore, Islam teaches the principle of protecting the weak, including women who become victims of violence (Antasari, 2021; Cholil & Sudirman, 2019).

In the context of women's protection, Islamic law establishes several basic principles. First, the principle of justice (*al-'adalah*) (Khasan, 2017) which mandates fair treatment of all parties, including in the context of husband-wife relationships and protection of victims of violence. Second, the principle of equality (*al-musawah*) (Abdullah, 2018) which emphasizes that men and women have equal rights and obligations in social life and law. Third, the principle of protection (*al-himayah*) (Wardi et al., 2023) which requires the state and society to protect those who are weak and vulnerable, including women victims of violence.

However, narrow and gender-biased interpretations of religious texts often hinder the effective implementation of these principles. For example, misinterpretation of the concept of *qiwamah* (male leadership in the family) is sometimes used to justify male dominance and even domestic violence (Hassan et al., 2022). Therefore, a more progressive and gender-sensitive reinterpretation and contextualization of Islamic teachings is needed to ensure effective protection for women victims of violence.

From a psychological perspective, understanding the impact of trauma and the needs of victims of violence is crucial in the judicial process (Kunst et al., 2015). Violence against women, whether physical, psychological, sexual, or economic, can result in deep and prolonged trauma (Krahé, 2016; Sharma, 2015). Post-Traumatic Stress Disorder (PTSD) is often experienced by victims, characterized by symptoms such as flashbacks, nightmares, excessive anxiety, and withdrawal from social environments (Hyland et al., 2017; Yehuda et al., 2015).

In the context of the judicial process, the trauma experienced by victims can affect their ability to participate effectively in legal proceedings (Ashworth, 2019; Katz & Haldar, 2015; McGarry & Walklate, 2015). Victims may experience difficulty in providing coherent testimony, remembering details of traumatic events, or even be

reluctant to report crimes due to fear of social stigma or retaliation from perpetrators (O'Donohue, 2019). Therefore, a trauma-informed approach is essential in the criminal justice system (Moreland & Ressler, 2021).

The psychological needs of victims in the judicial process include a sense of security, emotional support, clear information about legal processes, and recognition of their suffering. Psychological assistance during the judicial process, including counseling and therapy, can help victims overcome trauma and prepare for legal proceedings. Additionally, a justice system that understands the dynamics of gender-based violence and its traumatic impact can prevent secondary victimization, where victims experience additional trauma due to insensitive judicial processes.

Evaluation of the effectiveness of Indonesia's legal framework and criminal justice system in handling cases of violence against women shows significant progress, but also reveals several weaknesses. Indonesia has a number of legal instruments specifically aimed at protecting women from violence, such as Law No. 23 of 2004 on the Elimination of Domestic Violence (PKDRT) and Law No. 21 of 2007 on the Eradication of Human Trafficking.

The PKDRT Law, for example, has expanded the definition of violence to include not only physical violence but also psychological, sexual, and domestic neglect. This law also regulates victims' rights, government and community obligations, and procedures for victim protection and recovery. However, the implementation of this law still faces various challenges, including lack of understanding among law enforcement officials about the dynamics of domestic violence, strong social stigma, and limited resources for providing victim protection and recovery services.

Indonesia's criminal justice system has also undergone reforms to be more responsive to the needs of victims of violence, including women. Supreme Court Regulation No. 3 of 2017 on Guidelines for Adjudicating Cases of Women Facing the Law is an important step in increasing gender sensitivity in the judicial process. This regulation requires judges to consider aspects of gender equality and avoid stereotypes that disadvantage women in trial processes.

Nevertheless, there are still gaps between the progressive legal framework and practices in the field. The judicial process is often still revictimizing, where victims must repeatedly recount their traumatic testimony, face victim-blaming questions, or even be directly confronted with perpetrators without adequate protection. Moreover, the criminal justice system's focus on punishing perpetrators rather than recovery and empowerment of victims also becomes an obstacle in providing holistic protection for women victims of violence.

Identification of gaps and potential integration of these three aspects - Islamic law, psychology, and the Indonesian criminal justice system - opens opportunities for developing a more comprehensive approach to protecting women victims of violence. Several identified gap areas include:

1. Interpretation of Islamic law that has not fully accommodated principles of gender equality and women's protection in modern contexts (Duderija, 2020).
2. Lack of integration of trauma psychology understanding in criminal justice procedures, which can result in revictimization of victims (Kunst et al., 2015).
3. Limitations of the criminal justice system in adopting a holistic approach that not only focuses on punishing perpetrators but also on victim recovery and empowerment (Lacey & Pickard, 2015).

The potential for integrating these three aspects can be realized through several strategies:

1. Reinterpretation of Islamic law with a more progressive and gender-sensitive approach, which can provide a strong theological foundation for protecting women victims of violence.
2. Development of trauma-informed judicial procedures that integrate psychological understanding of trauma impact at every stage of the legal process.
3. Reform of the criminal justice system that combines principles of restorative justice with a victim-centered approach, integrating elements from Islamic law and psychology.
4. Capacity building for law enforcement officials in understanding and applying progressive Islamic law principles, concepts of trauma psychology, and gender-sensitive judicial procedures.
5. Development of integrated support mechanisms for victims that combine legal, psychological, and social services, based on Islamic principles of protecting the weak and psychological understanding of trauma recovery.

The integration of these three perspectives has the potential to create a more comprehensive and effective protection system for women victims of violence. This approach will not only strengthen the legal and social legitimacy of protection efforts but also ensure that the psychological and spiritual needs of victims are met.

In the Indonesian context, this integration can be realized through the development of an Islamic-Psychological Judicial Framework (IPJF) that harmonizes Islamic legal principles, understanding of trauma psychology, and best practices in the criminal justice system. IPJF can serve as a foundation for legal and policy reforms that are more responsive to the needs of women victims of violence, while bridging the gap between religious values, scientific understanding of trauma, and judicial practices.

Thus, this comparative analysis not only reveals the complexity of issues in protecting women victims of violence but also paves the way for developing more holistic and contextual solutions. The integration of perspectives from Islamic law, psychology, and the Indonesian criminal justice system has the potential to create a new paradigm in handling cases of violence against women that is more effective, just, and in accordance with the socio-cultural values of Indonesian society.

### **Formulation of Islamic-Psychological Judicial Framework (IPJF) for the Protection of Women Victims of Violence**

The Islamic-Psychological Judicial Framework (IPJF) is an innovative concept aimed at integrating Islamic legal principles, psychological understanding of trauma, and the criminal justice system in the context of protecting women victims of violence. The formulation of IPJF is based on the need for a holistic and contextual approach in handling cases of violence against women in Indonesia, a country with a Muslim majority population but a pluralistic legal system.

Reinterpretation of Islamic legal concepts related to gender justice and women's protection is a crucial first step in the formulation of IPJF. This process involves a re-understanding of Qur'anic texts and Hadiths related to gender relations and protection of the weak. One key concept that needs reinterpretation is *qiwamah*, which is often misinterpreted as male dominance over women. A progressive reinterpretation sees *qiwamah* as a responsibility to protect and nurture, not as a legitimation to dominate or commit violence.

The concept of equality (*al-musawah*) in Islam also needs to be re-emphasized. The Qur'an, Surah Al-Hujurat verse 13, affirms that nobility in Allah's sight is not based on gender, but on piety. This becomes a strong theological basis for promoting gender equality in all aspects of life, including in the justice system. Additionally, the principle of protecting the weak (*istid'af*) that is emphasized in many Qur'anic verses and Hadiths can be the foundation for developing a comprehensive protection system for women victims of violence.

Reinterpretation also includes a re-understanding of the concept of justice (*'adalah*) in Islam. Justice in this context does not only mean punishing the perpetrator, but also ensuring the recovery and empowerment of the victim. This aligns with the principle of restorative justice that is increasingly adopted in modern justice systems. Thus, IPJF combines the Islamic understanding of justice with contemporary approaches in handling violence cases.

The integration of *maqasid al-shariah* principles, Indonesian positive law, and trauma psychology approaches in IPJF is the core of this framework. *Maqasid al-shariah*, which are the main objectives of Islamic sharia, include protection of religion (*din*), life (*nafs*), intellect (*'aql*), lineage (*nasl*), and property (*mal*) (Abd Razak et al., 2023; Rohmah & Ilmiah, 2023). In the context of protecting women victims of violence, these five aspects are highly relevant. Violence against women clearly threatens the protection of



life and intellect. Furthermore, the impact of violence on child victims is also related to the protection of lineage.

IPJF integrates maqasid al-shariah with Indonesian positive law, particularly Law No. 23 of 2004 on the Elimination of Domestic Violence and Law No. 31 of 2014 on the Amendment of Law No. 13 of 2006 on Witness and Victim Protection. This integration ensures that the principles of protection in Islamic law are aligned with and strengthen the existing legal framework in Indonesia. For example, the concept of protection of life (hifz al-nafs) in maqasid al-shariah can strengthen the implementation of articles in the Domestic Violence Elimination Law that regulate the physical protection of victims.

The trauma psychology approach is integrated into IPJF to ensure that the justice system not only focuses on legal aspects but also considers the psychological impact of violence on victims. Understanding of Post-Traumatic Stress Disorder (PTSD) (Hyland et al., 2017; Wallis & Mechling, 2019), complex trauma syndrome, and the dynamics of gender-based violence becomes an integral part of IPJF. This allows the justice system to be more responsive to the psychological needs of victims and prevent revictimization during the legal process.

The design of gender-responsive and trauma-informed judicial mechanisms is a key aspect of IPJF. This mechanism covers all stages of the judicial process, from case reporting to court decisions and victim recovery programs. Some important elements in this design include:

1. Safe and easily accessible reporting system: IPJF proposes the development of a multi-channel reporting system that allows victims to report violence through various means, including 24-hour hotlines, mobile applications, and integrated service centers spread across various regions.
2. Gender-sensitive investigation: The investigation process is designed to minimize trauma to victims. This involves the use of child and women-friendly investigation rooms, trauma-informed interview techniques, and the availability of psychological companions during the investigation process.
3. Court procedures that protect victims: IPJF proposes the use of technologies such as video conferencing for victim testimony, restricting public access to sexual violence case trials, and providing separate waiting rooms for victims and perpetrators.
4. Court decisions that consider recovery aspects: In addition to punishment for perpetrators, court decisions must also include protection orders for victims and their families, as well as comprehensive rehabilitation programs.
5. Post-decision recovery programs: IPJF emphasizes the importance of long-term recovery programs for victims, which include psychological counseling, skills training, and social reintegration support.

Capacity development of law enforcement officials in aspects of sharia and forensic psychology is an important component in the implementation of IPJF. This capacity development program is aimed at all law enforcement officials, including police, prosecutors, judges, and correctional officers. Some key aspects of this capacity development include:

1. In-depth understanding of Islamic legal principles related to gender justice and women's protection: This includes studying relevant Qur'anic verses and Hadiths, as well as contemporary interpretations that support gender equality.
2. Knowledge of maqasid al-shariah and its application in cases of violence against women: Law enforcement officials are equipped with an understanding of how maqasid al-shariah can be the foundation for victim protection and violence prevention.
3. Training on trauma psychology and its impact on victims of violence: This includes understanding PTSD symptoms, the dynamics of gender-based violence, and the long-term impact of trauma on victims' cognitive functions and behavior.
4. Trauma-informed investigation and interrogation techniques: Police and prosecution officials are trained to use investigation methods that minimize the risk of revictimizing victims.
5. Understanding of forensic evidence in cases of violence against women: This includes training on the collection and interpretation of forensic evidence, including in cases of sexual violence.
6. Gender-responsive judgment writing techniques: Judges are equipped with the ability to write judgments that consider gender aspects and the psychological impact of violence on victims.
7. Holistic case management: All law enforcement officials are trained to apply a multi-disciplinary approach in case handling, including coordination with social and health services.

The implementation of IPJF also requires structural changes in the justice system. This includes the establishment of special units for handling cases of violence against women at the police, prosecution, and court levels. These units must be equipped with human resources trained in aspects of sharia and forensic psychology, as well as infrastructure that supports sensitive case handling.

The formulation of IPJF also considers implementation challenges in the field. Cultural resistance and conservative interpretations of religion can be significant obstacles. Therefore, IPJF emphasizes the importance of involving religious leaders and community figures in the socialization and implementation of this framework. Dialogue between ulama, psychologists, and legal practitioners needs to be facilitated to build a

shared understanding of the urgency of protecting women victims of violence from the perspectives of religion and modern science.

Continuous evaluation and improvement are an integral part of IPJF. Monitoring and evaluation mechanisms need to be developed to measure the effectiveness of IPJF implementation in improving protection and access to justice for women victims of violence. The results of this evaluation will be the basis for periodic refinement of the framework.

With this comprehensive formulation, IPJF is expected to become an innovative model in handling cases of violence against women that is not only legally effective but also in accordance with Islamic values and responsive to the psychological needs of victims. This holistic approach has the potential to increase public trust in the justice system, encourage more victims to report cases of violence, and ultimately contribute to reducing the number of cases of violence against women in Indonesia.

### **Implementation and Impact Projection of IPJF in the Indonesian Criminal Justice System**

The implementation of the Islamic-Psychological Judicial Framework (IPJF) in the Indonesian criminal justice system is a progressive step that has the potential to transform the handling of cases of violence against women. An in-depth analysis of IPJF's compatibility with Indonesia's legal framework and socio-cultural context, case studies of its application, implementation strategies, and impact projections are crucial to understanding the potential and challenges of applying this framework.

Analysis of IPJF's compatibility with Indonesia's legal framework and socio-cultural context shows a strong foundation for implementation. Legally, Indonesia already has various instruments that align with IPJF principles. Law No. 23 of 2004 on the Elimination of Domestic Violence (PKDRT), for example, has recognized various forms of violence against women and established victim protection mechanisms. This aligns with the protection principle in IPJF derived from *maqasid al-shariah*, particularly the protection of life (*hifz al-nafs*) and intellect (*hifz al-'aql*).

Furthermore, Law No. 31 of 2014 on the Amendment of Law No. 13 of 2006 on Witness and Victim Protection provides a strong legal basis for the aspects of victim protection and recovery in IPJF. Supreme Court Regulation No. 3 of 2017 on Guidelines for Adjudicating Cases of Women Facing the Law also shows that the Indonesian justice system has begun to adopt a gender-sensitive approach, which is one of the key elements of IPJF.

From a socio-cultural perspective, Indonesia, as a country with a Muslim majority population (Sahasrad, 2019), has cultural compatibility with the Islamic principles that form the basis of IPJF. However, challenges arise from the diversity of religious interpretations and customs that sometimes conflict with the principle of gender equality (Beaman, 2017; Hakim, 2016). IPJF must be able to bridge this gap by involving religious and community leaders in its implementation process.

The context of legal pluralism in Indonesia, where national law, Islamic law, and customary law operate side by side (Anggraeni, 2023; Hamida, 2022; Sumardi et al., 2021), also needs to be considered in the implementation of IPJF. This framework must be able to harmonize these various legal systems to create comprehensive protection for women victims of violence.

A case study of IPJF application in handling the domestic violence case of celebrity Cut Intan Nabila provides a concrete illustration of how this framework can be applied in a real case. Cut Intan Nabila, a social media celebrity, reported her husband, Armor Toreador, for alleged physical and psychological domestic violence. This case became a public spotlight and triggered a rapid response from the police.

In the IPJF paradigm, handling this case would involve several key stages:

1. **Reporting and Case Reception:** IPJF emphasizes the importance of a safe and easily accessible reporting system. In Cut Intan's case, the fact that she was able to report her case and get a quick response from the police shows good access. However, IPJF would ensure that the reporting process is conducted in a safe and supportive environment, with the presence of officers trained in handling domestic violence cases and understanding trauma.
2. **Gender-Sensitive Investigation:** IPJF requires an investigation process that minimizes revictimization. In Cut Intan's case, the investigation should be conducted considering the psychological aspects of the victim. Interviews should be conducted by officers trained in trauma-informed investigation techniques, and in a safe and comfortable room for the victim.
3. **Immediate Protection:** IPJF emphasizes the importance of immediate protection for victims. In Cut Intan's case, this could include issuing a temporary protection order prohibiting the perpetrator from approaching the victim, as well as providing a safe house if necessary.
4. **Psychological Assistance:** IPJF integrates psychological assistance into the legal process. Cut Intan should have access to trauma counseling services to help her psychological recovery and prepare her for the legal process.
5. **Judicial Process:** In the trial, IPJF will ensure that Cut Intan receives maximum protection. This could include testimony via video conference to avoid direct confrontation with the perpetrator, or the use of barriers in the courtroom.
6. **Verdict and Recovery:** IPJF emphasizes that court decisions must consider the aspect of victim recovery. In addition to punishment for the perpetrator, the verdict should include long-term protection orders and a comprehensive rehabilitation program for Cut Intan.

The application of IPJF in Cut Intan Nabila's case has the potential to result in a more holistic and sensitive handling of the victim's needs, while upholding the principles of justice in Islam and Indonesian positive law.

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Adaptation and implementation strategies for IPJF in the Indonesian criminal justice system require a multi-dimensional approach. Some key strategies include:

1. **Legislative Reform:** Although many IPJF principles are already reflected in existing laws, amendments or creation of new laws are needed to fully integrate the IPJF approach. This could include strengthening the Domestic Violence Elimination Law by incorporating specific elements from IPJF.
2. **Capacity Development:** Comprehensive training programs need to be developed for all law enforcement officials, from police, prosecutors, judges, to correctional officers. This training should cover aspects of Islamic law, trauma psychology, and gender-sensitive case handling techniques.
3. **Supporting Infrastructure:** Development of physical infrastructure such as child and women-friendly investigation rooms, secure online reporting systems, and integrated service centers in various regions.
4. **Cross-Sector Cooperation:** Building close cooperation between judicial institutions, the ministry of religion, psychological institutions, and civil society organizations for holistic implementation of IPJF.
5. **Public Socialization and Education:** Massive education programs to increase public awareness about violence against women and protection mechanisms available through IPJF.
6. **Monitoring and Evaluation:** Development of a comprehensive monitoring and evaluation system to measure the effectiveness of IPJF implementation and make continuous improvements.

The projected impact of IPJF implementation on the protection and recovery of violence victims shows potential for significant changes in handling cases of violence against women in Indonesia:

1. **Increased Case Reporting:** With a more responsive and sensitive system to victims' needs, it is projected that there will be an increase in the number of

victims willing to report violence cases. This will help uncover the "dark figure" of violence cases that have been unreported.

2. **Decreased Revictimization:** The trauma-informed approach in IPJF is expected to significantly reduce the risk of revictimization of victims during the judicial process. This will increase victims' trust in the justice system and encourage their participation in legal processes.
3. **More Effective Victim Recovery:** Integration of psychological services and social support in the judicial process will increase the effectiveness of victim recovery programs. Victims will not only get legal justice but also support for trauma recovery and social reintegration.
4. **Violence Prevention:** Through public education and effective case handling, IPJF has the potential to create a deterrent effect and increase public awareness, which in turn can contribute to the prevention of violence against women.
5. **Increased Legitimacy of the Justice System:** The IPJF approach that integrates Islamic values with human rights principles and modern psychology has the potential to increase the legitimacy of the justice system in the eyes of society, especially in areas with strong Islamic culture.
6. **Transformation of Legal Culture:** Implementation of IPJF is expected to transform the legal culture in Indonesia to become more gender-sensitive and victim protection-oriented.
7. **Model for Other Countries:** The successful implementation of IPJF in Indonesia has the potential to make it a model for other Muslim countries in integrating Islamic principles with modern, gender-responsive justice systems.

However, this impact projection must also consider potential challenges and resistance. Conservative interpretations of religious teachings, social norms that are still gender-biased, and resistance from some law enforcement officials to system changes can be obstacles in implementing IPJF. Therefore, the implementation strategy must include a careful and gradual approach, involving intensive dialogue with various stakeholders, and accompanied by massive public education campaigns.

In the long term, the implementation of IPJF is expected not only to change how the justice system handles cases of violence against women but also to contribute to changing society's perceptions about gender equality and women's rights. This, in turn, can drive broader social transformation towards a more just and gender-equal society.

In conclusion, the implementation of IPJF in the Indonesian criminal justice system offers significant opportunities to improve protection and access to justice for women victims of violence. Although challenges in its implementation cannot be ignored, its potential positive impact on the justice system and society as a whole makes IPJF an innovation worth adopting and further developing.

## CONCLUSION

The integration of Islamic law and psychology in the Indonesian criminal justice system through the Islamic-Psychological Judicial Framework (IPJF) offers a holistic and innovative approach in handling cases of violence against women. The Cut Intan Nabila case study illustrates the potential of IPJF in improving victim protection and recovery, as well as strengthening the legitimacy of the justice system. Although the implementation of IPJF faces socio-cultural challenges, this framework has the potential to transform the way cases of violence against women are handled in Indonesia. IPJF not only promises improvements in the legal and psychological aspects of case handling but can also contribute to changing society's perceptions about gender equality and women's rights. Thus, IPJF represents a significant step towards a more just, gender-sensitive, and victim recovery-oriented justice system.

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