

RINGKASAN

Fenomena kekerasan dalam rumah tangga di Indonesia tidak hanya terjadi dalam bentuk kekerasan fisik, tetapi juga kekerasan verbal yang berdampak pada kondisi psikologis korban dan sering menjadi penyebab terjadinya perceraian. Meskipun kekerasan verbal telah diakui sebagai bagian dari kekerasan psikis dalam hukum positif Indonesia, praktik pembuktiannya di pengadilan masih menghadapi berbagai kendala. Penelitian ini bertujuan untuk mengetahui dan menganalisis pengaturan hukum mengenai kekerasan verbal sebagai bentuk kekerasan psikis dalam Undang-Undang Republik Indonesia Nomor 23 Tahun 2004 tentang Penghapusan Kekerasan Dalam Rumah Tangga, serta menganalisis pertimbangan hukum hakim dalam memutus perkara perceraian akibat kekerasan verbal berdasarkan Putusan Pengadilan Agama Nomor 1257/Pdt.G/PA.Mlg.

Penelitian ini menggunakan metode penelitian yuridis normatif dengan pendekatan perundang-undangan (*statute approach*), pendekatan konseptual (*conceptual approach*), dan pendekatan kasus (*case approach*). Sumber data yang digunakan berupa bahan hukum primer, sekunder, dan tersier yang dianalisis secara kualitatif. Hasil penelitian menunjukkan bahwa kekerasan verbal secara yuridis merupakan bagian dari kekerasan psikis sebagaimana diatur dalam Pasal 7 Undang-Undang Republik Indonesia Nomor 23 Tahun 2004 dan dapat dijadikan dasar hukum dalam pengajuan perceraian apabila terbukti menimbulkan penderitaan psikis yang berat.

Pertimbangan hakim dalam Putusan Pengadilan Agama Nomor 1257/Pdt.G/PA.Mlg didasarkan pada fakta persidangan, alat bukti yang diajukan, serta ketentuan peraturan perundang-undangan yang berlaku, sehingga kekerasan verbal dipandang sebagai alasan yang sah untuk memutus hubungan perkawinan demi memberikan perlindungan hukum kepada korban.

Kata Kunci: Kekerasan Verbal, Kekerasan Psikis, Perceraian, Penghapusan Kekerasan Dalam Rumah Tangga, Pertimbangan Hakim.

SUMMARY

The phenomenon of domestic violence in Indonesia is not limited to physical violence but also includes verbal violence, which has significant psychological impacts on victims and frequently becomes a cause of divorce. Although verbal violence has been recognized as a form of psychological violence under Indonesian positive law, its evidentiary process in court remains challenging. This study aims to examine and analyze the legal regulation of verbal violence as a form of psychological violence under Law of the Republic of Indonesia Number 23 of 2004 concerning the Elimination of Domestic Violence, as well as to analyze the legal considerations of judges in deciding divorce cases arising from verbal violence based on Religious Court Decision Number 1257/Pdt.G/PA.Mlg.

This study employs a normative juridical research method using a statutory approach, a conceptual approach, and a case approach. The data sources consist of primary, secondary, and tertiary legal materials, which are analyzed qualitatively. The results of the study indicate that, from a juridical perspective, verbal violence constitutes a form of psychological violence as regulated under Article 7 of Law of the Republic of Indonesia Number 23 of 2004 and may serve as a legal ground for filing a divorce petition when it is proven to have caused severe psychological suffering.

The judges' legal considerations in Religious Court Decision Number 1257/Pdt.G/PA.Mlg were based on the facts established during the trial, the evidence presented, and the applicable laws and regulations. Accordingly, verbal violence was recognized as a legitimate ground for dissolving the marriage in order to provide legal protection to the victim.

Keywords: Verbal Violence, Psychological Violence, Divorce, Elimination of Domestic Violence, Judicial Considerations.