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MORALITY BEFORE KNOWLEDGE

Stigma and protection of girls: socio-economic impact of pregnancy outside of marriage

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ABSTRACT

Background: This research explores the experiences of three girls, KH, RH and AL, who faced emotional and social difficulties related to a lack of attention and affection from their families. This situation highlights the challenges girls face in obtaining protection, which often leads to exploitation and betrayal. Social norms that pressure women to fulfill family and community expectations are also an important factor in exacerbating their condition. **Methods**: This study used a qualitative approach with narrative analysis to explore the subjective experiences of three research subjects who came from family backgrounds with limited attention. Data were collected through in-depth interviews and analyzed to identify relevant themes regarding the emotional, social and psychological impacts they experienced. **Findings**: The findings showed that lack of family attention and oppressive social norms caused the three subjects to experience difficulties in building healthy relationships, and led to social stigma that affected their mental state. Out-of-wedlock pregnancy triggered an identity and social crisis that added to their psychological burden. The stigma that arises from society and family further worsens their situation. **Conclusion**: This research emphasizes the important role of family, community and government in providing adequate protection, emotional care and support for girls. A more holistic approach to addressing the social problems faced by women, particularly in situations at risk of infanticide, is needed to prevent further exploitation and support their psychological recovery. **Novelty/Originality of this article**: This article presents a perspective rarely found in previous research, namely the influence of social stigma on young women facing out-of-wedlock pregnancies, and the importance of family support and government policies in reducing these negative impacts. By highlighting the narrative-based personal experiences of the subjects, this study provides new insights into how society can be more sensitive and supportive of girls' well-being in the face of life's challenges.

KEYWORDS: betrayal; exploitation; family support; protection of girls; social stigma.

1. Introduction

When women are criminalized due to the limitations they experience, the penalties often become more severe. In addition, women who get into legal trouble are often labeled with negative attributes that are full of cruelty. For example, they can be labeled as femme fatale, child murderers, or even witches, as expressed by the Alice Project (2018). This phenomenon reflects the discrimination that occurs in society, where women are often treated differently than men. This gender bias results in the view that women are considered inferior and not comparable to men in various aspects of life, including in dealing with legal and social issues.

The situation is similar in Indonesia. From 2017 to 2021, it was found that the rate of detention of children was still high and fluctuating (Ditjenpas, 2021). Only in 2020 there

was a drastic decrease in both male and female juvenile detainees and prisoners due to the COVID-19 pandemic assimilation policy. Despite their inherent vulnerability, not all children in detention receive the same rights. Especially for the context of girls, there are still 34 children who are still categorized as child detainees and prisoners throughout Indonesia (Ditjenpas, 2021). The number of female offenders is not greater than that of male offenders, let alone infanticide cases, which have a smaller proportion, so the phenomenon of infanticide rarely receives adequate attention.

Research by Watson & Edelman (2012) shows that there is an increasing trend in the conviction rate of girls in the United States by 98% compared to boys by 29% from 1991 to 2003. With a similar situation, the detention of girls in Indonesia from 2011 to 2018 has also increased by 63%, higher than the increase in detention of boys of 56% (Ditjenpas, 2021). This shows that alternatives to punishment for children, especially girls who violate the law are still very limited.

The high increase in the number of arrests of girls is found not because girls are becoming more violent, but because society is becoming more brutal in defining girls' actions as delinquent or offenses (Chesney-Lind, M., et al., 2010; Flores, 2008). In fact, the actions taken by girls do not arise because they want to commit offenses. Rather, it is a response they give to the multiple vulnerabilities and pressures they experience, such as resistance to sexual harassment by friends and family members, pressure from the community environment, limited access to adequate socio-economic access, and independent healing efforts for the pressures they experience (Alice Project, 2018 and Flores, 2008).

Through research by UN Women (2020), the expectation of successful social reintegration of detained children is a serious problem. It was found that there are further problems with the state's provision of guidance for children, such as safety issues during and after sentencing, mental and physical health problems, decreased economic opportunities after sentencing, difficulties in reintegrating into society due to stigma against them, and long-term impacts on their children (UN Women, 2020). This situation arises for women in general and is not limited to age categorization. This then influences the emergence of skepticism regarding the justice of the detention of girls who violate the law. In a situation where children are placed in multiple vulnerabilities that threaten the fulfillment of their needs to grow and be properly protected, the perspective on the fulfillment of their rights as children also needs to be highlighted in this study. Although they are children whose freedom is restricted in prison, children are still human beings who must be guaranteed the certainty of protection and fulfillment of their rights in the criminal justice process (Coyle & Fair, 2018). The state's inability to fulfill the rights of girls under its guidance actually adds problems to the child's future development, such as being prevented from getting access to quality education, a decent life, and sufficient love from their environment. This problem arises because the act of involving children in the justice process reinforces the stigma that places girls as individuals who deserve to be discriminated against and deprived of their rights as a child by society (Coyle & Fair, 2018; Corradi & Desmet, 2015; Bos et al., 2013).

Research shows that the best care for children in conflict with the law is provided by their own families or caregivers outside of restrictive detention facilities (Goldman, Bakermans-Kranenburg, Bradford, & et.al., 2020). Unfortunately, Indonesia still maintains detention even with care that cannot be guaranteed to be better than what families can provide. For this reason, it is time for further exploration of the impact of detention to be the beginning of reform for children in conflict with the law, especially for girls. In looking at cases of girls in conflict with the law, it is not enough to use the child's perspective alone, but it is also necessary to adequately accommodate a gender perspective (Sherman, 2005). Hopefully, this research will be able to raise the voices of girls who have been neglected from the Indonesian legal system. This needs to be done, because so far girls who violate the law are also treated by the state from a male perspective (Hodgson, 2020). As a result, it is not surprising that the needs of children as a woman have also not been able to be

accommodated by the state adequately. The purpose of this study is to analyze the factors that influence girls' experiences of pregnancy in stressful social situations, the impact of stigmatization, and the relationship between access to health and education facilities and the risk of infanticide, in order to offer more effective policy solutions and better social protection for girls involved in the justice system. This research is expected to make an important contribution to policy reforms that accommodate the needs of girls who are neglected in the Indonesian justice system.

2. Methods

The data collection process in this study began in the period November to December 2020. Researchers are interested in digging deeper into the conditions of survivors of sexual violence that lead to infanticide, because society generally has the view that survivors of sexual violence should have the courage to disclose their experiences and ask for protection. However, this view often ignores survivors' personal feelings and meanings of their traumatic experiences. This research adopts a qualitative approach with a case study design, in line with Goffman's (1963) research on stigma and its impact. In this context, the use of a quantitative approach was not possible due to the focus on a deeper understanding of the phenomenon. Therefore, a case study was chosen as an appropriate method to holistically describe the experiences of girls involved in infanticide, with diverse socioeconomic backgrounds.

This research relies on the thick description approach, as described by Geertz in Neuman (2014), which allows the researcher to capture the details of the phenomenon under study in depth and organize them into a comprehensive narrative. This method aims to present a broader and more detailed understanding of the social processes that influence the experiences of the research subjects. An in-depth assessment was conducted on three cases with five research subjects who each underwent an in-depth interview. The data obtained from these interviews was supported by information from open documents, including relevant books, journals, reports, news reports and social media content, to enrich the analysis and provide a more in-depth picture of the phenomenon of infanticide experienced by girls.

The three main subjects in this study are KH, RH, and AL, who are associated with the Special Development Institute for Children (LPKA) under the Ministry of Law and Human Rights of the Republic of Indonesia. In addition, the researcher also worked with colleagues involved in community development activities at LPKA. Interviews with KH and RH were conducted on December 2, 2020, after prior discussion with LPKA officers. Meanwhile, the interview with AL was obtained through the researcher's contact with a friend who is AL's neighbor. The researcher previously met AL in 2018 during a community development activity involving various parties, including the government, NGOs, and youth organizations, which focused on issues such as prevention of early marriage and premarital sex. To protect the privacy of the research subjects, the researcher decided not to include the specific location of LPKA.

The primary data collection process and the entire research procedure were designed with the comfort of the research subjects in mind, with two main considerations. First, in qualitative research that addresses sensitive issues, it is important to build a good relationship between the researcher and the interviewee, which was done by starting the phone interview with general questions to open the conversation. During the data collection process, the researcher always paid attention to the situation and the comfort of the subject. Secondly, to ensure a proper understanding of the interviewees' experiences, the researcher allowed sufficient time to examine the data for in-depth analysis. Data processing began with recording findings from the interviews (field notes) and making transcripts, which were not fully included in the report in order to maintain the confidentiality of the research subjects' identities. Field notes include findings that were not recorded in the audio recordings, such as expressions or situations faced by the subjects. After the interview, the researcher immediately transcribed the interview results and

manually coded the data using Office 365 software, then categorized the data based on the relevance between the concept of the question and the answers given by the research subjects.

3. Results and Discussion

The experiences of KH, RH and AL illustrate the reality that girls around the world often face enormous challenges in their lives. While there are many inspiring stories of women who are strong, independent and able to realize their dreams, the reality is that many women and girls are in extremely vulnerable conditions. Their protection should not only be considered a yes or no choice, but an obligation that every member of society must fulfill. This includes families, communities, and policy makers who must work together to create a safe and supportive environment for girls. Therefore, it is important to pay more attention to the conditions of girls facing difficulties and ensure they receive proper and adequate protection.

The conditions faced by these three research subjects, including poor communication with their parents, insufficient guidance, and lack of affection, were factors that influenced their decision to seek comfort from their boyfriends. In many cases, girls like KH, RH, and AL felt that they did not receive enough attention from their parents, which led them to seek alternative figures to replace the attention they should have received. Their resignation to not demanding more attention from their parents reflects their sense of responsibility towards the family situation, although at the same time they feel emotionally neglected. Their search for a boyfriend figure to replace parental attention became a way to fill the "missing space" in their lives. This indicates a deep need for greater emotional support and proper attention from their family and loved ones.

When KH, RH and AL saw that their father was busy working outside the home to meet the family's needs, and their mother also had her own activities, such as taking care of the household and caring for younger siblings, they began to realize that their parents' attention to them was very limited. This condition makes them think twice about demanding the affection they should get from their families. Busy lives divided between their parents' work and other family demands forced the subjects to seek attention and affection outside the home. When they found a boyfriend of the same age and felt that he could provide the comfort and affection they lacked from their parents, they considered it a temporary solution to their emotional void. However, even though they felt they were getting more attention, their helplessness was taken advantage of by their partners.

The initial intention to show affection, love, and trust to their partners by giving their honor turned into a catastrophe for them. The powerlessness they felt, due to lack of attention from their parents, living in a society that looked down on their position as women, and the absence of social and emotional support, was instead exploited by their partners for personal gain. The subjects of this study, who initially hoped to find comfort and protection, were instead victims of exploitation in a relationship that was supposed to be mutually supportive. When they spoke about the pregnancy, the response they received was irresponsible. This further undermined their trust in others, while further exacerbating their already neglected emotional state.

The story told by RH, who felt pressured and cornered alone, reflects the dominance of men over women in the context of their relationship. RH expressed her confusion in taking responsibility for her pregnancy, even though she knew that it was not entirely her fault. In her confession, RH explained that her ex-boyfriend, who was supposed to be responsible, avoided her and threw the entire burden on her. "He didn't want to help, so everything was put on me," she said sadly. This story illustrates how heavy the burden is for young women like RH, who feel isolated in the face of consequences they did not choose.

The researcher realizes that it is difficult to fully understand how painful the experiences of RH, KH and AL have been. They have gone through the agony of not getting the attention they deserve from their families and not having the opportunity to grow up with adequate facilities. On the other hand, they were also faced with societal expectations

that demanded they always obey and please others, even though they were struggling in solitude. Their expectation of emotional support and protection from a partner ends in betrayal. The trust they placed in their boyfriend or girlfriend, who they thought would ease their burden, was instead used in a very irresponsible way.

Those who are left in a state of confusion will be even worse off because they are haunted by the demands of the community and school that will prevent them from pleasing their families and society if everyone knows about their suffering. When the research subjects felt that telling their parents was not the best option, felt that they had lost a boyfriend who could no longer be trusted, and worried about the fate of their partner, family, and environment who might lose honor because of them, in the end, KH, RH, and AL struggled independently so that no one knew about their suffering. The prevailing norms in Indonesia, where girls are accustomed to obeying orders, also contributed to suppressing the subjects' situation. For example, in the situation when she was approaching labor, RH was known to obey her boyfriend's orders to run away to Jakarta alone so that no one would know about RH's situation in order to hide the disgrace of RH and her boyfriend. While the subject ran away, her boyfriend was still able to continue going to school and continue his life as usual.

When RH arrived in Jakarta, she worked as a household assistant where the family who hired RH was said to be unaware of the condition of RH's pregnancy. Subject RH felt lucky because she was placed on the second floor of the house, so practically her situation was not easily monitored by her employer. Without trying to abort the pregnancy, RH finally gave birth to her baby prematurely on her own in her bedroom. At that time, it was discovered that the baby was still alive, but soon died. Because there was no vacant lot, RH then wrapped the baby and sent it to her boyfriend's home address. Subject RH felt that her boyfriend should be able to help her to cover her situation. Unluckily, on the way, the driver of the package delivery service smelled a fishy odor and found that there was a dead baby in the package sent by RH. The driver then reported to the local police, so that the case automatically involved the parents of RH's girlfriend as the recipient of the package. The wealthier and more powerful parents of RH's boyfriend eventually contributed to other pressures for RH and her family. The picture of the pressure experienced by the research subjects can be illustrated in the following diagram (Figure 1).
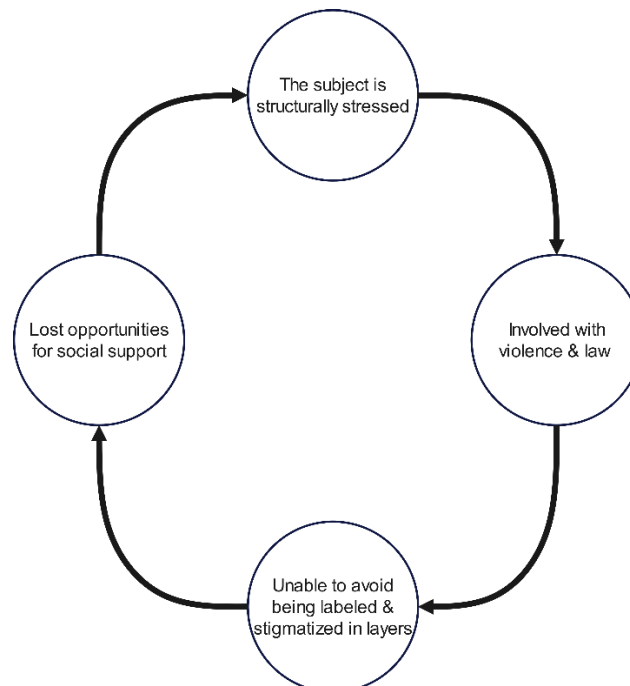

Fig. 1 Diagram of the stigmatization process of women involved with infanticide

The situation illustrates that while the research subjects tried to hide the pregnancy, perform avoidance, and eliminate traces of pregnancy as described by NGDO (2014) as an effort to avoid stigmatization, their efforts were interpreted as a crime by the community. When people find out about the situation, the process of stigmatization against them begins. The burden of structural pressure on women to be obedient individuals who can please everyone is considered unfulfillable because they are unable to maintain family honor. Their suffering is further exacerbated when they have to assume a new status as suspects, defendants, and convicts in cases related to infanticide. The situation makes them more deeply involved with laws that do not understand their needs. Instantly they are subjected to derogatory labels that lead to stigmatization. When girls date, experience pregnancy under duress, kill their children, and become involved with the law, girls are doubly labeled and stigmatized by their environment. Findings show that families perceive them as dissidents and destroyers of the family image. When friends around them began to know the indications of pregnancy, their friends cornered them as sinful and feared that they would bring shame to their neighborhood. Likewise, KH, RH and AL were labeled as barbaric, immoral and satanic women.

The labels and stigma against them are also experienced by other girls who share the same fate as the research subjects, where they are considered witches and other labels that are full of cruelty as if they are the most sinful people and deserve to be cornered (Alice Project, 2018). In this situation, labels and stigma continue to be attached to them even after they have completed their training in the LPKA, which should have been handled by the state from the beginning and as early as possible to save girls from this frightening experience. In the end, they lost the opportunity to obtain proper social support.

The situation experienced by the research subjects was caused by factors previously identified by a number of studies as causes of infanticide. Among them are women's inability to access adequate socio-economic life, the unavailability of adequate education and parenting by the family, limited social support by the wider community, experiences of sexual and emotional abuse by those closest to them, age which affects differences in meaning and ability to take responsibility, and the situation from the beginning of the women who have lived with labels and stigma, both of which are obtained from the family and the immediate environment which should be a safe space for women (Zaman, Arslan, Malik, and Mehmoof, 2014; Argo & Francomano, 2013; Aqsa & Isnur, 2012; Friedman & Resnick, 2007; Drescher-Burke & Penick, 2004).

Based on the chronology and experiences of the research subjects, it becomes clear that the position of the research subjects in infanticide is actually that of victims who are unfairly involved. Their maximum efforts to give birth away from health facilities are solely done to eliminate traces of their suffering in order to prevent the bad reputation of their lovers, families, and neighbors. Ignoring the context in which they acted not to protect themselves, but to maintain the honor of their families and communities, often deprives them of the opportunity to be treated humanely. The situation in the community presents a stark contrast. A number of studies have shown that when girls become young mothers, they are doubly labeled by society as immoral, followed by the closure of opportunities to continue their education, encouraging them to run away from home, and starting girls to be involved in violence, which further puts them in multiple vulnerabilities (Alice Project, 2018; Moore & Osho, 2017; WHO, 2014). This situation is very relevant to the research subjects who were forced to leave their homes with wounds because they felt negatively attributed as immoral for their honor protection efforts.

These negative attributes or labels have triggered stigma, which according to Goffman (1963) has an impact on weakening a person's dignity so that they are considered inferior to others around them. The NGDO (2014) study shows that stigma can have an impact on the emergence of the phenomena of concealment, avoidance, pity, shame, being made fun of, respect, and prospects of marriage. However, in the context of pregnant girls this is not entirely relevant. How can a pregnant girl continue to hide her pregnancy and avoid being made fun of for having a pregnancy from a relationship under duress? The consequences are even more severe in terms of shame and multiple losses of honor. Those involved with

infanticide, instead of receiving compassion, are seen as witches who have no dignity. This ultimately contributes to blocking girls' access to opportunities for a better life.

Given the vulnerability of stigmatization by society towards girls who break the law, such stigma can prevent children from being reintegrated into society as intended. A number of studies have shown that girls who break the law are more likely to be stigmatized, preventing them from accessing social services such as quality education and decent work with the result that they are trapped in internalized stigma, survival sex, and other instances that make them vulnerable to multiple abuses (Bracey-Rowlette, 2019; UN Women, 2018; Ellsberg, et al., 2017; Berkum & Oudshoorn, 2015; McGrath, 2014; UNODC, 2014; Buchanan, 2007). In other words, they will be prevented from achieving prosperity, resulting in a cycle of poverty, violence and crime.

Looking at the explanation by Sparks (1981) regarding the driving factors that increase the risk of multiple victimization, there are at least three (3) aspects that can be identified as appearing in the research subjects. First, as daughters, KH, RH, and AL are in the outward situation of a daughter living in a patriarchal society, where when they commit delinquency, the research subjects are not only considered bad for committing infanticide, but also for being considered unable to fulfill their roles as daughters and mothers who love their children. Secondly, the research subjects were further beaten up by society for their choice to run away from home. When juxtaposed with the context of the research conducted by Sangoi and Goshin (2014), society criminalizes children's choice to run away from home where the choice is affirmed by children as a way to "treat the suffering" they experience. Thirdly, the labeling and stigmatizing experiences they experienced were the result of the "detention" carried out by the state in the LPKA. In addition to the research subjects experiencing a situation where they were stigmatized, which was amplified because they were brought together with other "naughty children" in the LPKA, KH, RH, and AL were also victims of the state's inability to fulfill their rights, such as the guarantee of proper education, the right to be cared for by their families, and access to social services equal to all girls in Indonesia.

Studies recommend that girls involved with infanticide should be responded to without a punitive approach and replaced with a medically and socially rehabilitative approach (Argo & Francomano, 2013). Unfortunately, the law in Indonesia dictates otherwise. Legal instruments, such as the SPPA Law, limit the possibility for girls to receive treatment that favors them. Restrictions on the granting of diversion and the absence of a legal obligation for judges to consider the context of the incident, background, and developmental experiences of girls when responding to infanticide by girls are obstacles for girls to obtain special protection rights in their best interests.

4. Conclusions

The experiences of KH, RH and AL illustrate the reality of the difficulties faced by girls, particularly in relation to the lack of attention and affection from the family. The three research subjects, who came from family backgrounds with limited attention, sought comfort and emotional support from partners. However, their hopes for protection ended in exploitation and betrayal. This shows the importance of the role of family, community and government in providing proper protection and care for girls.

This research reveals the devastating impact of social norms that pressure women to meet family and community expectations, leading to the stigmatization and criminalization of women facing pregnancy outside marriage. When young women like KH, RH and AL tried to hide their pregnancies to preserve family honor, their efforts were misinterpreted as criminal acts, further worsening their situation. The stigma attached to them, whether from family, friends or the community, only adds to the psychological and emotional burden they feel.

The solution is to take a more holistic approach in understanding and addressing the problems faced by girls, especially those involved in situations that can lead to infanticide.

Protection of girls should start with providing adequate emotional support, adequate education and opportunities to access a better socio-economic life. Without proper attention from families and communities, young women caught in these difficult situations will continue to be trapped in a cycle of violence and discrimination that harms them psychologically and socially.

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