

## Sexual Violence and Gender Inequality

### Editorial

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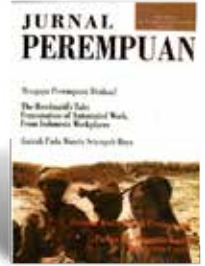
Recognizing the Needs and Challenges in Handling the Victims of Sexual Violence:  
Learning from the Experiences of 'Forum Pengada Layanan'  
*Atnike Nova Sigiro & Bagus Takwin*

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## Sexual Violence and Gender Inequality

Feminism frames sexual violence not merely as aggressive actions such as rape, sexual assault, sexual harassment, or other physical attacks that target a person's sexuality. Rather, it puts these actions into the context of a more complex relationship of gender and structural inequality. Essentially, a hierarchy of sexuality allows women to be one of the groups that are vulnerable to violence, including sexual violence. Sexual violence closely relates to power relation; thus, it can happen to children, gender minorities, students, persons with disabilities, domestic workers, subordinates in industrial relations, and any kinds of subordination and other hierarchies in society.

Sexual violence is socially recognized as a problem, but it tends to be seen as a matter of morality, public decency, honor, or as a crime against family and society. The essence of sexual violence as a violation of one's bodily integrity is often negated. This perspective imposes a moral burden and stigma on a victim and even her family. Therefore, the victims often feel reluctant to talk about their experience of violence. When a victim talks about the sexual violence she has experienced, her morality and sexual history tend to be judged by her family, community, and the officers of law enforcement.

Another problem of sexual violence is the fact that the legal positivism paradigm is not able to see sexual violence more broadly. This paradigm imposes the burden on legal evidence - such as penetration, evidence, witnesses; to the victim. As a result, the law often fails to dispense justice and remedies fairly to the victims, let

alone to make people aware that sexual violence is a crime.

Legislation to eliminate and prevent sexual violence is a political action to voice the issue of sexual violence. Furthermore, if sexual violence is recognized as a social problem, the opportunity to assert the position of women and other marginal groups as equal citizens is possible. It is one of the main principles of women's struggle against The Elimination of Sexual Violence Bill (RUU PKS).

In other countries, the legal definition of sexual violence has evolved. For example, rape and sexual assault are defined as acts imposed by force or coercion with a lack of consent. In addition, legal thinking on sexual violence has emphasized the dimensions of protection and support for the victims/survivors needed during the process of unveiling sexual violence, the legal process, and also after the legal process.

The number of cases of sexual violence recorded by Komnas Perempuan (The National Commission on Violence against Women) and various women's organizations for the last ten years or so has actually shown the tip of the iceberg from the depths of the situation of violence against women in Indonesia. Therefore, suspicion of attempts to position sexual violence as a social problem is a patriarchal tactic to perpetuate the status quo of gender inequality and the hierarchy of sexuality towards women. (Atnike Nova Sigiro)



Abstracts Sheet

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**Risna Desimory Tambunsaribu & Ikhaputri Widiyantini**  
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Universitas Indonesia

**The Political Personal Realm in the Draft Law on the  
Elimination of Sexual Violence in Indonesia**

Jurnal Perempuan, Vol. 26 No. 2, August 2021, page. 79-89, 1 table, 22 references

This article is using a critical interpretation based on radical feminist theory to analyze the issue of sexual violence against women in Indonesia. Based on data from Komnas Perempuan in 2020, the number of victims of sexual violence is increasing. The root of sexual violence comes from the biological differences between women and men that has been constructed in society. Men are considered to have sexual dominance on women. The existence of sexual politics maintains by the state have taken away women's authority both in private and public spheres. Using the critical and praxis feminist approach, this article assesses the data research from Komnas Perempuan, especially related to cases of sexual violence. The analysis and criticism of sexual politics in this article also highlights the Draft Law on the Elimination of Sexual Violence. The analysis proves the importance of state involvement in ensuring the lives of Indonesian female citizens, especially concerning protection from sexual violence.

Keywords: personal, public, RUU PKS, sexual politics, sexual violence

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**Livia Iskandar**

Komisioner LPSK-Lembaga Perlindungan Saksi dan Korban

**LPSK-Establishing State Presence in Protection of  
Witnesses and Victims, inclusive of Sexual Violence Crimes**

Jurnal Perempuan, Vol. 26 No. 2, August 2021, page. 91-101, 2 grafik, 4 tables, 12 references

The Indonesian Witness and Victim Protection Agency (LPSK in Indonesian) was established based on Law No.13/2006 Protection of Witness and Victims, which was later amended by Law No 31/2014. It is an independent non-structural agency headed by seven commissioners for 5-year terms. One of the Agency's priority crimes is sexual violence. The Agency protects witnesses, victims, whistleblowers, justice collaborators, and experts. For the years 2019-May 2021, the Agency has given protection to a total of 984 victims of sexual crimes, consisting of 67% children and 33% adults. Out of that, 78% are female victims compared to 22% male victims. Based on Law No. 31/2014, there are 16 types of witness and victims' rights. The three most sought-after protection programs for victims of sexual violence are Procedural Rights, Psychological Rehabilitation, and Restitution Facilitation. For prevention programs, we need to learn who are sexual violence perpetrators.

Keyword: LPSK, sexual violence, witness and victim rights

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**Sri Agustin**  
Ardhanary Institute

**The Hidden Blackbox: Corrective Rape Against Lesbian,  
Bisexual (Women) and Male Transgender**

Jurnal Perempuan, Vol. 26 No. 2, August 2021, page. 103-108, 10 references

This article discusses about the corrective rape against lesbian, bisexual (women), and male transgender that is performed by the perpetrator with aim to correct the LBT's (lesbian, bisexual, and transgender) sexuality. Such sexuality that are deemed bad, abnormal and cursed, therefore must be corrected. Corrective rape is perceived as a form of punishment, and it is everyone's responsibility to undertake correction. Corrective rape has rarely been revealed. In order to reveal the facts about corrective rape against LBT in Indonesia, this article writes the stories of four LBTs that would open up our conscience, that any form of corrective rape must be abolished, in line with our hope to abolish sexual violence against women through the legislating of the draft law on the abolition of sexual violence (RUU PKS).

Keywords: corrective rape; LBT; power relation; sexual orientation; gender identity

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**Ikhaputri Widiyantini**

Departemen Filsafat, Fakultas Ilmu Pengetahuan Budaya,  
Universitas Indonesia

**Sexual Violence at University Level: A Philosophical  
Feminism Overview**

Jurnal Perempuan, Vol. 26 No. 2, August 2021, page. 109-116, 11 references

This paper highlights the philosophical issues related to sexual violence cases at the university level. Many reports were found related to the sexual violence cases at the university level, but did not come to a solution that take sides to the victim. This is not just a problem about the unstrict law to handle the cases. There is a basic problem that underline in the mindset and behavior. Rape culture in society failed us to understand that this is a form of violence against humanity. The basis of patriarchal logic also affirms the condition. Based on the standpoint feminism method, also supported by data on sexual violence reports, I pointed the importance of using the feminist logic approach in viewing this issue. I aim to restore the point of view on siding the victim which can provide justice in handling the sexual violence cases at the university level.

Keywords: sexual violence at university level; rape culture; feminist logic; standpoint feminism

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**Titiek Kartika Hendrastiti & Noeke Sri Wardani**

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**Narrative of Denial from Five Cases of the Incestuous  
Fathers**

Jurnal Perempuan, Vol. 26 No. 2, August 2021, page. 117-128, 2 pictures, 1 table, 20 references

Various data from the society show the tendency of increasing number of incest's cases. This study aims to analyze the narratives of five cases of fathers who become perpetrators of incest. This study was conducted in 2016 to five fathers of incestuous perpetrators, who inhabited two Correctional Institutions in Bengkulu. This study was conducted using feminist narrative analysis and found that incestuous perpetrators rationalize their crimes based on their sexual identity and history to the victim. The history of the victims' sexuality, which represents corrupted, dirty, wild, and naughty bodies, became a justification for incest. Persons with disabilities faced multiple vulnerabilities, not only being humiliated through the rape by their fathers, but they were also being blamed for their inability to participate in the investigation process and court hearings. The research has found linkages between incest and early marriage, troubled marriages, and early divorce. The construction of hypersexuality and the objectification of the perpetrators towards child sexuality had failed to guide the perpetrators towards a sane relationship.

Keywords: incest narrative, feminist narrative analysis, incest rationalization, disabled incest victims

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**Sulistiyowati Irianto**

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**Power Relations and Sexual Violence in the Campus**

Jurnal Perempuan, Vol. 26 No. 2, August 2021, page. 129-135, 11 references

Sexual violence on campus is a crime against humanity that is difficult to uncover because of professors' power relations and domination over students. Power relations also manifest at the structural level so that sexual violence is often dismissed and silenced by the administrators. The campus environment's hierarchy of status and positions makes sexual crime cases go on for years without any accountability. On the other hand, there are efforts such as the collective action of lecturers

across faculties to protect victims from the perpetrators and bring the perpetrators to justice. This study describes the author's experience in dealing with sexual violence on campus and using a reflexive approach in addressing sexual violence in Indonesia.

Keywords: Keywords: sexual violence in campus, power relations, crimes against humanity

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**Recognizing the Needs and Challenges in Handling the Victims of Sexual Violence: Learning from the Experiences of 'Forum Pengada Layanan'**

Jurnal Perempuan, Vol. 26 No. 2, August 2021, page. 137-152, 3 tables, 5 grafik, 17 references

This article will describe a research on the experiences of the members of 'Forum Pengada Layanan' or Service Provider Forum (FPL), a civil society initiative, in handling the victims of sexual violence. Through FPL's experience, this article will analyze the importance of legal protection and the availability of financial and human resources, in handling and protecting victims of sexual violence. This research was conducted using mixed methods, namely quantitative methods using surveys and qualitative methods using in-depth interviews. This article concludes that the legal umbrella regarding the elimination of sexual violence with victims' perspective would provide stronger foundation for protection, legal processes, and the availability of resources in handling cases of sexual violence in Indonesia.

Keywords: sexual violence; victim's perspective; abolition of sexual violence; legislating sexual violence

## Power Relations and Sexual Violence on the Campus

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### Abstract

Sexual violence on campus is a crime against humanity that is difficult to uncover because of professors' power relations and domination over students. Power relations also manifest at the structural level so that sexual violence is often dismissed and silenced by the administrators. The campus environment's hierarchy of status and positions makes sexual crime cases go on for years without any accountability. On the other hand, there are efforts such as the collective action of lecturers across faculties to protect victims from the perpetrators and bring the perpetrators to justice. This study describes the author's experience in dealing with sexual violence on campus and using a reflexive approach in addressing sexual violence in Indonesia.

Keywords: sexual violence; sexual violence in campus, power relations

### Introduction

It is unimaginable for parents who send their children to university to gain knowledge, skills, and good character but then the children became victims of sexual violence from those who are supposed to protect them. No one thought that sexual predators were also roaming in the campus looking for prey. They can "dress up" as fellow students, lecturers, even professors, or anyone on campus. After committing his actions, does the perpetrator get the punishment he deserves for his actions? Many escape punishment because it is difficult to be processed by law. Why? This paper will not explain various theories about sexual violence against women, but rather a dimension of the locus of sexual violence that has received less attention even though it has been going on for a long time, namely in the campus environment. Campus as a production house for knowledge, yet it is difficult for victims of sexual violence to get justice.

In reality, degrading humanity kinds of crimes, in the form of sexual violence, also occur in places where the educated people gather. Covered by myth, the crime is hidden, not reported, and in result the perpetrator was never punished. In some cases where the perpetrator received punishment, it is never equal with the suffering of the victim who has experienced lifelong trauma (Schwendinger & Schwendinger 1974; Olsen 2018). Generally, the victims of sexual violence on campus are

our younger generation, female students, and our own pupils. This immoral act adds to the long list of ethical defects of (some of) our intellectuals in addition to the issue of plagiarism, and university governance or allowing campuses to become an arena of practical politics interests. On the other hand, most academics are silent, they do not want to know because they consider the case to be a private matter, embarrassing the institution if it is public figure out, or denying, even blaming the victim. Some of them were afraid to speak because the perpetrators were people who had served as teachers before, had the title of professor and were needed in the department of their institution.

The next myth is that sexual violence is caused by the perpetrator's lack of religious education. Whereas religious lessons are taught from preschool to university. Generally, the public does not understand that the cause is the abuse of power, which is carried out by a trusted person, who is supposed to protect the victim, and is considered close by the victim. They include biological fathers, grandfathers, uncles, brothers, at school they are school teachers, religious teachers, and on campus they are lecturers. Law enforcers whose job is to enforce the law in places where women should be able to seek protection from crime, are actually perpetrators of sexual violence. These facts are from the evidence based of hundreds of thousands of cases reported to Komnas Perempuan (2021) from all over Indonesia to the public

every year. In the report, from year to year, sexual violence is generally carried out in private spaces, meaning that the perpetrators are people who are known to the victims, in fact is more than number of sexual violence occurred in public places. This proves that sexual violence occurs in a relationship in which there is unequal power between the victim and the perpetrator.

On campus, the perpetrators of sexual violence can be anyone, such as fellow students, administrative staff, lecturers, guest lecturers who in principle have more power than the victims. Generally, victims see the perpetrators as people who are smarter, more senior, and have the power to determine the grades and fate of students. Unfortunately, when the perpetrators are lecturers, professors, the incident is not easily believed by the head of the study program, departments, and faculties, as well as most of the lecturers. In fact, what often happens is backlash against the victim accompanied by stereotypes and stigma against women such as seducing lecturers, or volunteering for sexual transactions to pass or obtaining good grades from lecturers.

Often the institution's reputation is more important than protecting and showing compassion for victims, and trying to solve problems. There is no gender awareness and victim's perspective. Lecturers who are involved in defending the victim are often asked for evidence on the grounds and that they should not make arbitrary accusations. In this case, proving crimes against humanity in the form of sexual violence is considered as easy as finding evidence for ordinary crimes such as theft or beatings. Meanwhile, the victim is getting more and more afraid because the evidence is imposed to them as their responsibility and difficult to fulfill. This fear takes time to overcome. There are psychological, social, and cultural barriers that make victims do not dare to complain. As a result, it is increasingly difficult to provide evidence because the crime has taken place for a long time, it could be several months, years or even the victim had become an alumni, and the evidence became overdue.

If there are lecturers who commit sexual violence of whatever form and type, then in fact, the principle of the university as a moral movement in the hearts of the people as declared in the Magna Charta Universitatum 1988, loses its spirit, collapsed. It must never take place. Why? Intellectuals are seen as gatekeepers of truth. Their job is to produce science, to carry out a never-ending search for truth because there is always a new truth from the next discovery. Lecturers are places where people learn and ask questions. The university's mandate is to

respond to the needs of society through teaching and research.

The main problem is that many campuses do not have specific regulations to address the handling of sexual violence and its prevention. Similarly, we do not yet have specific national laws that protect victims and sexual violence. The current law does not accommodate the experiences and realities of victims (Olsen 2018; Bartlett 2018). As a result, if there is a lecturer who accompanies the victim, they have no clue what to do. The accompanying lecturers also deal with most of the other lecturers who do not have sexual violence literacy and victim perspectives. Lack of literacy is the second problem. Not many understand that sexual violence is a crime against humanity, because the victim can die, or be disabled for life, and the types of actions are very diverse. From catcalling, harassment, which is often taken for granted, to attempted rape, rape, forced abortion and sexual abuse. As yet catcalling (whistles, calls, comments of a sexual nature) is also dangerous. There was a female student who avoids naughty whistles every time she leaves her house by using a headset, then she crossed the train tracks, she did not hear the train coming, and then lost her life.

On my campus, services such as "first aid" are available at the initiative of caring lecturers. Among them are law lecturers who established the Legal Clinic for Women and Children since 2017, as a development of the Gender and Law course which was founded in 1992 by Professor Tapi Omas and myself. There are also lecturers from other faculties who network to provide assistance whenever there is a case of sexual violence. In addition, there are initiatives from the students themselves. Law students created several aid initiative schemes, which eventually brought forth HopeHelps UI in 2017, which were later developed in various other universities. This service forum accepts online complaints from victims of sexual violence. The emergence of academic initiatives which later gave birth to service forums for lecturers and students underscores the importance of this initiative as a best practice in handling sexual violence. Although handling cases and assisting victims is very difficult because of the legal vacuum, the growth of initiatives from the academic community is very meaningful for victims.

This article has been modified from my article in *Opini* in *Kompas*, March 26, 2021, and has been amended and researched more deeply in a scientific format. This paper explains how cases of sexual violence occur on campus. What happened to the victim? What is the process for

handling cases pursued by concerned parties on campus? What lessons can be conveyed to campus authorities so that campuses are free from sexual violence?

### Research Methods

Methodologically, it is not easy to obtain data and facts from cases of sexual violence on campus because it occurs in a closed room. Cases of sexual violence are rarely brought together by lecturers, and silence is maintained by the power relationship between the perpetrator and the victim. Cases are obtained only when there are reports from victims or people who are trusted to represent themselves to the available assistance services, which are also very limited and the overall problem is not fully described. Therefore, the appropriate method in this paper is a reflexive qualitative method. I use a feminist perspective that emphasizes the "women's experience." The position in favor of the "women's experience" was used by women activists in the West in the 1960s and 1970s. The starting point of women's experiences is used to form feminist awareness and is described in terms of "personal" and "political" by Hainisch (1970) quoted from Mansbridge (1995). This relationship is important to note because in the case of sexual violence on campus, this issue is related to educational institutions. This means that educational institutions should also be responsible for the safety of their students.

This paper is based on my own observations and experiences at the campus where I work, the University of Indonesia, and especially from cases that I have handled myself. The names of the victims and perpetrators were not mentioned (Gardiner, Rahardi & Can 2021). For this research, I will describe three cases that I think are useful for understanding sexual violence on campus.

### Sexual Violence in Numbers and Cases

The following is quantitative data collected on a limited basis as the tip of the iceberg of cases in various campuses in Indonesia. After that, several cases will be described which are taken from the author's own experience, who has been involved in handling and witnessing cases of sexual violence on campus.

#### *National Sexual Violence Rate*

Sexual violence on campus is confirmed from the Komnas Perempuan Report on Violence against Women (KTP) in the community/public domain, which is 21%

or 1,731 cases (Komnas Perempuan 2021). The most cases were sexual violence, namely 55% or 962 cases, consisting of rape (229 cases), sexual harassment (181 cases), fornication (166 cases), the rest were attempted rape. Meanwhile, 79% of KTPs occur in the private sphere or the perpetrators are people who are close to the victim, such as Domestic Violence (KDRT) (49%), dating violence (20%), the rest is violence from ex-husbands, ex-girlfriends, and violence against women domestic workers.

Overall, the KTP reports received by Komnas Perempuan in 2020 amounted to 299,911 cases, a decrease of 31.5% from the previous year (2019) of 431,471 cases. However, this decline cannot be seen as a decrease in KTP, but the impact of the pandemic, namely: (1) changes in working hours and technological unpreparedness of service institutions, (2) During PSBB (Large Scale Social Restriction), victims are afraid to report because they are at home with the perpetrator, (3) the victim's technological literacy is low.

#### *Sexual Violence Rates on Campus*

Cases of sexual violence on campus that can be reported are from 2019, which is 174 cases in 79 campuses in 29 provinces. The perpetrators are lecturers, students, staff, religious leaders on campus, clinical health workers on campus, and other residents. The scene can be on or off campus such as the location of Students Community Service, internships and student events. Ninety six percent (96%) of the victims were female students. As many as 20% did not report and 50% did not tell anyone (Zuhra 2019). Unreported cases are sinking icebergs.

Cases of violence on campus also hide in cyber gender-based violence (KBGS), because the perpetrators do it digitally. KBGS cases reported directly to Komnas Perempuan increased from 241 cases in 2019 to 940 cases in 2020. KBGS reports from service agencies also increased from 126 cases in 2019, to 510 in 2020 (Komnas Perempuan 2021).

The following is a data log from HopeHelps UI. From March to May 2020, 47 reports of sexual violence cases have been received. The victims came from various faculties. There were also cases from other universities and the general public as well. As the later cases do not fall within the scope of the HopeHelps services under the Hopehelps Articles of Association, these reports are transferred to the services of their respective jurisdictions. Therefore, the reports that were accompanied by HopeHelps UI were 39 cases, consisting of various types

of sexual violence, some of which were carried out online. The report states that the main problem faced in assisting victims is the absence of specific legal instruments to protect victims (HopeHelps 2021).

### Case study

Of the many cases, both known and hidden, the three cases below will illustrate how sexual violence on campus occurs, who the victims and perpetrators are, and how to resolve them. Of course these three cases cannot be generalized and describe all sexual violence incidents on campus. However, at least these three cases will provide a portrait or pattern that is likely to be a portrait or pattern of sexual violence cases in other cases or other campuses.

#### *Case 1: Mr. Lecturer Turns Out to Be A Predator*

Lecturer X always held lectures on Saturday afternoons, and it went on for years. No one thought that the choice of the day of the lecture had a meaning. For students, who dares refuse to attend lectures on the days and hours that have been set by the lecturer? Then came the various stories that appear and linger among the students about the behavior of the lecturer. For example, there is a student whose hair is disheveled before entering class so that she does not look beautiful and attracts the lecture's attention. Then there is also a story when a student was asked to come to the lecturer's house for a purpose, since she already knew the flirty trait of the lecturer, hence she asked her boyfriend to come with her, and the lecturer was not pleased. Or there is another story where there is a student who complains to the LKBH (Legal Consultation and Aid Institute) in her faculty, yet she is reported to the university rector, then a warning letter is issued. Nevertheless, the story continues, vaguely circulating among the campus society. Including about the victims who are generally beautiful and veiled female students, not those who are dressed in sexy clothes. The story has often been heard by students about Mr. Lecturer X but only in general and there is no continuation.

Until one day around 2007 a serious complaint occurred. The head of LKBH came to me because I have a Gender and Law course and several lecturers in my department understand women's issues. According to the story, there was a female lecturer who told LKBH that a student had experienced sexual violence, even raped by Lecturer X. The incident had passed a year ago, but she only had the courage to report it to her academic

supervisor, who then reported it to LKBH. Why is she only reporting now? Because the victim is afraid of her parents. She always remembers her mother's message, which will not tolerate if her child is no longer a virgin for whatever reason. She also mustered up her courage for a year to be brave to report to her supervisor, who then reported to the head of the Faculty's LKBH, and came to me. At that time, apparently the case had already been handled by a lawyer who accompanied the victim, and this lawyer was also a victim of Lecturer X when she was still in college. This female lawyer also knows many other friends who had been his victims.

I decided to create a consortium of lawyers consisting of several LKBH universities in Jakarta, LBH Apik and LBH Jakarta. In the course of the process of resolving this case, we encountered several incidents. For example, there are news in several local newspapers which state that there are stories of defamation from students to lecturers. Or the slow process of reporting to the police.

Finally, representatives from each institution in the consortium of lawyers decided to go to the head of the Indonesian Police Criminal Investigation Agency (Bareskrim – POLRI). When we arrived at the Bareskrim Head's room, there was the Deputy Chief of the Criminal Investigation Unit and there were about five or six other people – they happened to be police officers investigating this case. The head of the Criminal Investigation Unit asked us the reason of our visitation. Then we asked why the investigation process of this case was slow. It was Friday, so the Head of Criminal Investigation Unit had to go to the mosque for Friday prayers, and leave the continuity of this event to his deputy.

Next I want to continue the story of how this case is from the point of view of the female victim. Those of us who attended happened to have different scientific backgrounds, so we put forward arguments in philosophy, psychology, law, and gender studies. However, every time we put forward any arguments, the Bareskrim Deputy's answer was: "Change the Criminal Law Procedural Code first - the Criminal Procedural Code, ma'am." There was no other argument, as if the police have only made themselves the mouthpiece of the law. Finally, the lecturers from across faculties who were networked to accompany this case decided to arrange a meeting with the victim, which was attended by the parents of the victim. The awaited meeting happened. There may be about 10 lecturers in one of the rooms of the Psychology Clinic. The atmosphere that evening was very tense. We listened carefully to what the victim's father had to say. He was very angry, her daughter was treated like that by

her teacher. According to him, actually he wanted to take revenge with his own hands. However, his heart softened when he saw that there were so many lecturers who sympathized with his daughter.

Actually this victim is very strong, she was able to survive for one year holding thesis guidance with the predatory lecturer who harmed her, until she successfully completed her thesis and passed the bachelor degree exam. During the guidance, the victim was raped with all kinds of persuasion, including a promise to marry. Even more terrifying, according to the victim's story, she was once asked by the perpetrator for a guidance session in a hotel, because the perpetrator was staying at the hotel, in the context of his participation in an event discussing a revision of the law. This case is then ready to be submitted to the court by the lawyer accompanying the victim. However, it always runs into problems. It was impossible to provide physical evidence because the case had happened a long time ago. The only evidence was the victim's testimony. The proof of this case was planned to be asked from other victims support. There were victims who are willing to be witnesses in court. However, as soon as the time came, the victim's witness canceled on the grounds of shame that she had become a lawyer, had become someone's wife, or had become the runner-up for Putri Indonesia and so on.

In the end, this case failed because the victim herself was always in doubt whether to take this case to court or not. Eventually she decided she would not proceed with the case in court due to concerns over the public response. In this case, she had often received questions, including from police investigators, why rape occurs repeatedly, and concluded that it means consensual. The police were unable to analyze the main factor causing this case, namely the great power relationship between the perpetrator and the victim. The perpetrator was never punished for his actions. He even often appears on television talk shows and is considered a criminal expert and is called a professor. According to the victim, she felt nauseous whenever she heard the perpetrators talk about various legal norms and justice on television. Her trauma will not easily disappear from her life.

#### *Case 2: The Culprit Is An Outsider*

One day I was asked to become an expert in sexual violence cases where the victim was a student in a different faculty from the first case, around 2013. I came to Polda Metro from 9 am, then typing until 3 pm without a lunch break. My task was to analyze Article 285 of the Criminal Code (KUHP).

The article states that there are two elements of violence limitation, namely the existence of coercion and penetration. This article cannot accommodate rape in different situations. The element of "coercion" may not exist but "penetration" can occur. The unequal power relations have a very strong impact on the weakening of the victims. When the actor is considered to have mastered the source of knowledge, and gives the impression or gives hope that he can support the smooth writing of the thesis, should students be suspicious? Even when the students were asked to come to meet the person who promised that?

Sexual violence should not only be the presence of coercion and penetration, but is an act carried out in the form of violence, threats of violence, or deception, or using the condition of a person who is unable to give consent to have sexual intercourse. This condition has been stated in the draft Law on the Elimination of Sexual Violence, the latest version of the 2020 Komnas Perempuan and Civil Society Network and has been submitted to the Supporting Faction in the House of Representatives.

That was roughly what I wrote at length in answering several questions about the articles related to rape in the Criminal Code. The basis of the argument is the experience and facts of rape experienced by the students. I also got a bundle of transcripts containing digital conversations between perpetrator and victim. Later, I heard from fellow lecturers accompanying the victim that the transcript I received had been edited to give the impression that the victim was very active in approaching the perpetrator. The perpetrator was a speaker who are invited to campus to give presentations or public lectures on a specific topic. A student would write a thesis which topic is related to the perpetrator's expertise. Then communication was established between the two, which was also added by "flowery" effort from the perpetrators, such as writing poems for the victim as an attempt to win her heart. Until finally the victim was asked to come to discuss her thesis and meet in a public place, which was in a theater. However, along the way, the perpetrator sent a digital text, changing the meeting place, which was at the perpetrator's house. That was where the rape took place, which then repeated over a period of time, until finally the student became pregnant.

This case has attracted enough public attention because the perpetrator is well known in his field. There is a legal assistant for this case who is networked with lecturers across faculties. The case has reached the police investigation process. However, it is not clear exactly how, this case never made it to the trial process.

### *Case 3: Mega Scandal*

In this third case, the victims are students who are not small in number, because according to the faculty lecturers where the victims studied, the incident occurred from the 1990s to 2021 in the first semester during the pandemic. I was indirectly involved in that case, because one day there were male and female lecturers from the faculty who contacted me to share their thoughts on this case. Then the movement of the lecturers grew until one day I was invited again by the lecturers who were generally heads of departments or study programs and secretaries. Then lecturers from across faculties also joined in this movement. From these various communications, I received information that there were more than 20 victims who even set up a communication forum between victims. The victims are not only undergraduate students but also postgraduate and postgraduate masters, and many of them are already alumni. His actions varied, among them, during the pandemic when all lectures had to be conducted online, the perpetrator deliberately asked new students to come to his house for various reasons such as taking reading materials, delivering assignments, and anything. Then there were also lecturers from other faculties who said that the perpetrator also committed sexual harassment at the graduate program at their faculty, where the perpetrator taught. The actions were carried out in the classroom, taking the guidance student to a restaurant, and on the street when the perpetrator asked to be picked up by the victim.

The difficulty faced by the network of assistant lecturers in handling this case is that there is no clear and specific regulation protecting victims of sexual violence on campus. There are also no individual units available in a structured manner. Cases of sexual violence require special prevention and treatment. It cannot be equated with ordinary general offenses on campus. Access to various complaints related to academic and institutional fields at existing universities cannot be used as a complaint channel for cases of sexual violence. The victim is faced with the problem of power politics on campus, especially if the perpetrator is a lecturer and holds a position. Then there are also psychological and social barriers for victims to complain, they are afraid. In this case, the accompanying lecturers also faced obstacles because there were other lecturers even in structural positions who did not believe in the occurrence of this case, and even asked for evidence to be provided. Even though this case has been going on for decades and it is not easy to provide evidence.

### **Closing**

In this section, I present an analytical note that underscores the socio-juridical problem. Cases of sexual assault on campus rarely reach the court. There are several reasons. First, nationally, we do not yet have a special legal instrument for the elimination of sexual violence, and it has been four years since this draft law has experienced political obstacles in the parliament so that it has not been ratified. The current Criminal Code (KUHP) places sexual violence as a crime of morality, even though sexual violence is a crime against humanity, because it threatens the lives and living of the victims. In my opinion, it is necessary to think about how the law is formulated and enforced become a problem from the perspective of feminism as reviewed by Frug (1995) and Bartlett (2018). Second, it is difficult to fulfill the evidentiary procedures as stipulated in the Criminal Law Procedural Code (KUHP) and various investigation procedures and investigations in law enforcement agencies because there must be physical evidence and witnesses. Third, there are various myths and stereotypes that blame victims which are held by law enforcement officers, or become part of their legal culture (Nelken 2014). Fourth, the myths and stereotypes that exist among law enforcers that originate in the community. This makes the victim afraid, embarrassed, worried, psychologically ill, which prevents them from reporting.

As a result, many cases of sexual violence continue. There are always cases with many victims from a perpetrator with a position and title, because the crime has been going on for years and has been left unchecked. If a victim dares to speak up, followed by the next victim, then everything is hampered by the missing evidence. The only evidence is the victim's testimony. It is also difficult to obtain because usually the victim is an alumni, or a respected person and does not want the public to know about her case. As a result, sexual violence on campus has become a closed crime and the perpetrators are not punished. There are also victims who choose to move to another campus rather than questioning their case with the faint hope of getting justice.

Sexual crimes mark the degeneration of our campus. It is paradoxical, because on the other hand, various campuses are the center of the Sustainable Development Goals (SDGs) program, including programs to eliminate violence against women and children, as well as quality education. The achievement of the SDGs is an important parameter to measure national success in improving the quality of life and human dignity. However, even in such an unfavorable situation, the initiative and courage that

grew from the campus academic community itself is a social capital that should be appreciated. Such voices and efforts are urgently needed to be echoed and supported when the law is unable to help victims of sexual violence seek justice. Hopefully in the near future at my campus, the University of Indonesia, the Rector's regulations regarding sexual violence and handling service units will be ratified.

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