

Eliminating Sexual Violence and Ensuring Gender Justice

Editorial

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Articles

"We Need More Beyond the Policies": The Challenges of Integrated Services for Sexual Violence in West Kalimantan and Central Sulawesi Provinces

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Retno Daru Dewi G. S. Putri

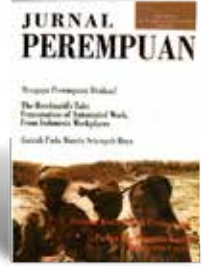
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Eliminating Sexual Violence and Ensuring Gender Justice

Nearly two years have passed since the enactment of Law Number 12 of 2022 concerning Criminal Acts of Sexual Violence (UUTPKS). The ratification of this law represents a significant milestone in the ongoing efforts to uphold gender justice in Indonesia. Sexual violence is a critical issue that requires a serious response to ensure the protection and fulfillment of women's rights. However, the implementation of the TPKS Law continues to face various challenges, largely due to the lack of clear derivative regulations (Sinombor 2023).

Data from the National Commission on Violence Against Women (2023) indicates that the incidence of sexual violence in Indonesia remains alarmingly high. Komnas Perempuan's records for 2022 show that sexual violence is the most prevalent form of violence against women, accounting for 2,228 cases or 38.21% of the total. It is also the form of violence that most frequently occurs in public spaces. Although there has been an increase in awareness and courage among victims to report cases following the introduction of policies such as the TPKS Law, Minister of Education and Culture, Research, and Technology Regulation Number 30 of 2021, and PMA No. 73/2022, the absence of clear implementing regulations hinders the effective enforcement of these policies.

Several feminist scholars argue that sexual violence is a fundamental element of patriarchal power structures, which both enable and perpetuate men's dominance over women (Brownmiller in Mason 2022). However, the prevailing narrative in courts, media, and policy often frames sexual violence as an individual act and responsibility. This perspective leads to reactive and partial responses, rather than comprehensive and transformative efforts for radical change.

In Indonesia, the normalisation of a culture of sexual violence remains deeply ingrained. Statements from representatives of feminist civil society organisations working at the grassroots level indicate a persistent lack of understanding, impartiality, and seriousness among law enforcement officials in handling cases of sexual violence. The absence of derivative regulations from the TPKS Law is often cited as a reason by law enforcement officials for not applying this law, particularly in rural, remote, and conflict areas (Boang Manalu & Wulandari

2023; Pertiwi 2023; Kompas 2023; Sinombor 2023). Although the TPKS Law is intended to prevent violence, provide a response, and ensure recovery for victims, its goals are frequently undermined by the non-implementation of these policies and the prevalence of gender bias among individuals, communities, and institutions.

Stigma and myths related to sexual violence are still prevalent in the handling of cases. The myth that rape is a rare crime, typically committed by strangers, often hinders the recognition and proper treatment of cases involving known individuals or occurring within romantic relationships (Masson 2023). There is also skepticism toward reports of sexual violence when the victim is not a woman, as well as in situations that do not conform to traditional myths about perpetrators and victims of violence.

The myth that victims of sexual violence 'invite' violence through their clothing or behavior often influences the handling of cases. However, sexual violence always involves an abuse of power and is intertwined with complex identities and varying power dynamics (Crenshaw 1989; Ross 2017). Victims of sexual violence often belong to vulnerable groups, including feminine men, masculine women, the elderly, people with disabilities, and others with diverse identities. Feminist scholars argue that power relations must be critically examined to reveal that sexual violence is a structural issue, rather than merely an individual problem (MacKinnon 1979; Superson 1993).

This highlights that eliminating sexual violence is a long and complex process. Anti-sexual violence policies are just one step, but aspects such as dominant societal beliefs, policy implementation, gender perspectives, and challenges within the legal system must be critically examined and addressed in a coordinated manner to ensure the right to be free from sexual violence.

JP 117 aims to offer a transdisciplinary discourse on the examination of efforts to eliminate sexual violence in Indonesia. Despite the existence of public policies addressing sexual violence, many challenges remain in their implementation. This edition of JP seeks to reflect on these efforts from a feminist perspective, particularly in the context of the second anniversary of the passing of the Sexual Violence Crime Law.

Selected writings in JP 117 include:

1. *"We Need More Beyond the Policies": The Challenges of Integrated Services for Sexual Violence in West Kalimantan and Central Sulawesi Provinces* by Andi Misbahul Pratiwi et al. This article elaborates on the challenges faced in providing integrated services for victims of sexual violence in these areas, emphasizing the need for support beyond formal policies.
2. *Cyber Sexual Harassment: Issues and Response to Case* by Antik Bintari. This article discusses sexual violence occurring online and in the cyber realm, the various challenges faced by victims, and community and law enforcement responses.
3. *The Fragile Walls of Digital Sexual Violence Victims' Protection* by Lidwina Inge Nurtjahyo. This article examines the weak legal protection for victims of sexual violence in the digital realm, and the need to strengthen regulations and support for victims.
4. *Challenging the Domination of Patriarchal Law: Experiences and Reflection of Women Activist in Advocating the Implementation of Anti Sexual Violence Law* by Desintha Dwi Asriani and Defirentia One Muharomah. This article shares the experiences and reflections of women activists who have struggled to advocate for the implementation of the TPKS Law in Indonesia, highlighting the challenges they faced.
5. *Building "Safe Spaces": Indigenous Women and Sexual Violence in Indigenous Communities* by Melya Findi Astuti et al. This article explores the sexual violence faced by Indigenous women within their communities and the efforts to achieve justice for the victims.
6. *The Need for Collective Work in Handling Sexual Violence Cases at Universitas Indonesia* by Retno Daru Dewi G. S. Putri. This article underscores the importance of collective efforts in addressing cases of sexual violence within the university environment, as well as the steps taken to create a safer and more supportive space for victims.

With these writings, JP 117 aims to make a meaningful contribution to the efforts to eliminate sexual violence and promote gender justice in Indonesia. We hope this edition serves as a source of inspiration and guidance for readers in understanding and addressing the issue of sexual violence more effectively and empathetically.

(Abby Gina Boang Manalu)

Abstracts

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“We Need More Beyond the Policies”: The Challenges of Integrated Services for Sexual Violence in West Kalimantan and Central Sulawesi Provinces

Jurnal Perempuan, Vol. 29 No. 1, May 2024, page. 1–14, 3 tables, 38 bibliography

The Law on Sexual Violence Crimes (Indonesian: Undang-Undang Tindak Pidana Kekerasan Seksual, abbreviated as UU TPKS) brings hope amid the continuously rising rates of sexual violence in Indonesia. The UU TPKS guarantees legal certainty for victims, victims’ families, and witnesses, ensuring they receive care facilities, protection, and recovery. The UU TPKS mandates that both the central and local governments provide integrated services for handling, protecting, and recovering from sexual violence cases. These integrated services are crucial for eradicating sexual violence and preventing its recurrence in the future. This article is part of research conducted by Wahana Visi Indonesia and the Gender Research Center of the University of Indonesia in 2023. The research aimed to map the readiness of local governments in West Kalimantan and Central Sulawesi Provinces to implement the UU TPKS. The study was conducted in seven regencies/cities: Kubu Raya Regency, Bengkayang Regency, Landak Regency, Palu City, Donggala Regency, Parimo Regency, and Sigi Regency. The research found that local policies support the implementation of the UU TPKS. However, there are still various challenges in realising integrated services for victims. These challenges include a lack of commitment to ensuring the availability of budgets, human resources, and effective working mechanisms in each institution. Ultimately, these challenges hinder sexual violence victims from accessing the justice envisioned in the UU TPKS.

Keywords: local policies, sexual violence, UU TPKS, The Law on Sexual Violence Crimes, integrated services

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Cyber Sexual Harassment: Issues and Response to Case

Jurnal Perempuan, Vol. 29 No. 1, May 2024, page. 15–25, 1 table, 65 bibliography

Cyber sexual harassment is a common and dangerous form of aggression perpetrated against women, yet little attention has been paid to attitudes related to sexual violence in cyberspace. The increase in violence against women, including sexual violence in cyberspace, has become a global concern; this increase is in line with the development of social media in Indonesia. There is new hope since the enactment of Law Number 12 of 2022 concerning Criminal Acts of Sexual Violence (UU TPKS), which is expected to provide guarantees of prevention, protection, access to justice and recovery, as well as comprehensive fulfillment of victims’ rights which have never been obtained until now. It is hoped that this will be a breath of fresh air for law enforcement against all forms of sexual violence, including cybersexual violence. However, after almost two years of having passed the TPKS Law, this regulation’s implementation still faces challenges. It is not yet optimal in handling cyber sexual violence, which tends to be considered an act of sexual violence with new methods and means in line with current technological developments. This article discusses the current phenomenon of cyber sexual harassment and further explores the

response of the Indonesian state/government to this phenomenon, along with its opportunities and challenges.

Keywords: sexual harassment, cyber sexual harassment, Sexual Violence Crime Law

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The Fragile Walls of Digital Sexual Violence Victims’ Protection

Jurnal Perempuan, Vol. 29 No. 1, May 2024, page. 27–38, 31 bibliography

Despite Indonesia has enacted the Anti-Sexual Violence Law, cases of sexual violence on social media platforms continue to occur and are not easy to resolve. There are problems in implementing regulations in the digital space: criminalization of the victim, regulations that do not accommodate women’s experiences, and the issue of evidence. This article discusses digital sexual violence cases, focus on the non-consensual sharing of intimate content and trespassing of private spaces. How regulations are still unable to provide a safe space in the digital sphere. This article is based on literature research including analysis of regulations, court verdict, and some news about sexual violence in digital sphere. The author uses a feminist legal studies perspective in the analysis.

Keywords: digital sexual violence, trespassing boundaries between private and public space, personal data protection.

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Challenging The Domination of Patriarchal Law: Experiences and Reflection of Women Activist in Advocating the Implementation of Anti Sexual Violence Law

Jurnal Perempuan, Vol. 29 No. 1, May 2024, page. 39–48, 47 bibliography

This article describes the experiences and reflections of women activists in facing the challenges of advocating for the issue of sexual violence and the implementation of Anti Sexual Violence Law (UU TPKS) at the community level. A qualitative research method with a feminist perspective was deployed and thus data collection was conducted through interviews with women activists from different regions such as Aceh, Flores, Banjarmasin, Semarang and Yogyakarta. This study develops the perspectives of sociology of law and feminism to understand the extent to which internal and external aspects influence the implementation of the TPKS Law in the community including gender issues in it. The study results show that the implementation of UU TPKS needs to be seen as a complex and non-linear process due to the challenges of legal plurality reflected by the diversity of customary/ local laws in a number of communities in Indonesia. Thus, special efforts are needed that not only focus on the provision of legal products, but also on how the legal products, such as UU TPKS, could be seen as inputs that have targets on the transformation of legal culture to the community level.

Keywords: UU TPKS, women activists, sexual violence, legal plurality

Melya Findoi Astuti, Tracy Pasaribu, & Widya Anggraini
KEMITRAAN Partnership for Governance Reform

Building “Safe Spaces”: Indigenous Women and Sexual Violence in Indigenous Communities

Jurnal Perempuan, Vol. 29 No. 1, May 2024, page. 49–62, 1 table, 32 bibliography

Sexual violence in indigenous communities occurs because of the social structure, namely the existence of layers that have different levels and authority in indigenous communities. This condition causes certain groups to feel entitled to commit violence against other groups. Apart from that, unequal power relations are one of the roots of problems in indigenous communities, which means that victims do not have the power to fight back and defend themselves. Women, children, and people with disabilities are groups that often experience violence, this is because there is no space in traditional communities that provides a sense of security and justice for them. This journal reviews the need to know the forms of violence in traditional communities so that we can then answer the challenges of solving the problem of sexual violence in traditional communities. Through research using ethnographic methods for 3 months, it was concluded that safe spaces can be a solution in overcoming sexual violence in indigenous communities through participation in four stages, namely: participation in decision making in the community including development planning, participation in prevention and recovery programs, participation in the education of traditional leaders, village, and key opinion leader (KOL), KOL as well as the participation of indigenous communities in the program evaluation.

Keywords: Indigenous women, indigenous community, sexual violence, safe place, social protection, indigenous law

Retno Daru Dewi G. S. Putri
Jurnal Perempuan

The Need for Collective Work in Handling Sexual Violence Cases at Universitas Indonesia

Jurnal Perempuan, Vol. 29 No. 1, May 2024, page. 63–74, 1 table, 32 bibliography

The emergency situation of sexual violence in educational institutions, especially universities, triggered the issuance of Regulation of the Minister of Education, Culture, Research and Technology Number 30 of 2021 on Prevention and Handling of Sexual Violence (Permendikbudristek PPKS). In its implementation, the formation of a Task Force for the Prevention and Handling of Sexual Violence (Satuan Tugas Pencegahan dan Penanganan Kekerasan Seksual – Satgas PPKS) is an obligation for every university in Indonesia. Universitas Indonesia has three organizations that fight for justice for victims of sexual violence by accepting reports and providing assistance and protection: Satgas PPKS UI (PPKS UI Task Force), Komite PPKS FISIP UI (PPKS FISIP UI Committee), and HopeHelps UI. In their work, support from the university is a determinant of success or increasing barriers to combating sexual violence on campus. The experiences of these three organizations are analyzed in this article through Levine's (2018) three strategies for engaging organizations through Haraway's (1988) lens of objectivity. The findings in this paper show that the impact of the patriarchal culture and mindset at Universitas Indonesia still marginalizes efforts to implement strategies in fighting for justice for victims of sexual violence.

Keywords: anti-sexual violence organization, sexual violence in higher education, collective work strategies, situated knowledge

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Jurnal Perempuan (JP) is a quarterly interdisciplinary publication in the English language that aims to circulate **original ideas in gender studies**. JP invites critical reflection on the theory and practice of feminism in the social, political, and economic context of Indonesian society. We are committed to exploring gender in its multiple forms and interrelationships.

The journal encourages practical, theoretically sound, and (when relevant) empirically rigorous manuscripts that address real-world implications of the gender gap in Indonesian contexts. Topics related to feminism can include (but are not limited to): sexuality, queer, trafficking, ecology, public policy, sustainability and environment, human and labor rights/ issues, governance, accountability and transparency, globalization, as well as ethics, and specific issues related to gender study, such as diversity, poverty, and education.

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JP appears annually and the contents of each issue include: editorials, peer-reviewed papers by leading writers; reviews, short stories, and poetry. A key feature of the journal is appreciation of the value of literature, fiction, and the visual narrative (works of art, such as paintings and drawings) in the study of women's issues

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To discuss ideas for contributions, please contact the Chief Editor: Anita Dhewy via anitadhewy@jurnalperempuan.com. Research papers should be between 5000-10000 words. Please make sure to include in your submission pack an **abstract outlining the title, purpose, methodology and main findings**. It is worth considering that, as your paper will be located and read online, the quality of your abstract will determine whether readers go on to access your full paper. We recommend you place particular focus on the impact of your research on further research, practice or society. What does your paper contribute? In addition, please provide up to **six descriptive keywords**.

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