

**LEGAL REFORM IN ADDRESSING SEXUAL VIOLENCE IN INDONESIA: AN
ANALYSIS OF THE IMPLEMENTATION OF LAW NO. 12 OF 2022 ON SEXUAL
VIOLENCE CRIMES**

**REFORMA LEGAL NO ENFRENTAMENTO DA VIOLÊNCIA SEXUAL NA
INDONÉSIA: UMA ANÁLISE DA IMPLEMENTAÇÃO DA LEI Nº 12 DE 2022
SOBRE CRIMES DE VIOLÊNCIA SEXUAL**

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ABSTRACT: This study examines the transformative impact of Indonesia's Law No. 12 of 2022 on Sexual Violence Crimes, which replaced outdated provisions within the Indonesian Criminal Code. The new law addresses the complexities of sexual violence by expanding the definition beyond physical assault to include psychological manipulation and exploitation of power, authority, and trust. Previously, legal recognition of sexual violence was limited to instances involving physical force or threats, often overlooking abuses rooted in power dynamics. Advocacy by women's organizations played a pivotal role in the enactment of this law, emphasizing a victim-centered approach. Key challenges persist, particularly in legally defining and applying concepts such as power imbalances and deception, which are crucial for prosecuting cases involving non-physical coercion. The legislation's broader scope aligns with feminist perspectives on sexual violence as an issue intertwined with systemic gender inequalities. This research highlights the ongoing need for comprehensive legal frameworks, awareness, and institutional support to effectively address and mitigate sexual violence in Indonesia.

KEYWORDS: Sexual Violence; Sexual Violence Crimes Law; Abuse Of Power; Gender Inequality; Women's Advocacy.

RESUMO: Este estudo examina o impacto transformador da Lei nº 12 de 2022 da Indonésia sobre Crimes de Violência Sexual, que substituiu disposições desatualizadas do Código Penal Indonésio. A nova lei aborda as complexidades da violência sexual, expandindo a definição além da agressão física para incluir manipulação psicológica e exploração de poder, autoridade e confiança. Anteriormente, o reconhecimento legal da violência sexual era limitado a casos que envolviam força física ou ameaças, muitas vezes ignorando abusos enraizados em

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dinâmicas de poder. A defesa de organizações de mulheres desempenhou um papel fundamental na promulgação desta lei, enfatizando uma abordagem centrada na vítima. Desafios importantes persistem, particularmente na definição e aplicação legais de conceitos como desequilíbrios de poder e engano, que são cruciais para processar casos que envolvem coerção não física. O escopo mais amplo da legislação alinha-se às perspectivas feministas sobre a violência sexual como uma questão entrelaçada com desigualdades de gênero sistêmicas. Esta pesquisa destaca a necessidade contínua de estruturas legais abrangentes, conscientização e apoio institucional para abordar e mitigar efetivamente a violência sexual na Indonésia.

PALAVRAS-CHAVE: Violência Sexual; Lei Sobre Crimes De Violência Sexual; Abuso De Poder; Desigualdade De Gênero; Defesa Dos Direitos Das Mulheres.

1 INTRODUCTION

Prior to the implementation of Law No. 12 of 2022 on Sexual Violence Crimes, the legal system in Indonesia for handling sexual violence was regulated mainly by the antiquated Indonesian Criminal Code (Butt, 2023; Poetri & Indraswari, 2024). This code, derived from the “*Wetboek van Strafrecht*”, a remnant of the French Penal Code (Nasution et al., 2024), offers a restricted framework for handling sexual violence. It explicitly targets incidents of rape and indecent assault that involve physical violence or the threat of harm. The limited understanding of sexual violence under the previous code failed to acknowledge other types of sexual assault, especially those that involved psychological manipulation or the exploitation of authority.

The enactment of Law No. 12 of 2022 was prompted by increasing recognition and activism by women’s organizations, which aimed to establish a legislative structure that more accurately represented the actualities of sexual abuse in Indonesia (Hasyim & Mulyo, 2021). This advocacy emphasized the necessity of a more comprehensive and victim-centric definition of sexual violence, which would better safeguard the dignity and rights of women. The challenge of substantiating instances of physical violence or threats in numerous cases of sexual violence highlights the imperative nature of this legal reform. Consequently, the new legislation broadened the range of sexual assault that is considered a crime to encompass instances of physical, sexual harassment in which the offender takes advantage of their position of power, authority, trust, or influence, typically through manipulation, coercion, or deception. The

expansion is demonstrated in Article 6, paragraph c of the law, which makes it a crime to commit acts of sexual assault that occur as a result of the abuse of power or authority, especially in cases when the victim is in a vulnerable position or reliant on the perpetrator (Anjani et al., 2022).

The research on this emerging legal framework is currently in its nascent phases in Indonesia, which is indicative of the recent implementation of these legislative rules. In the past, instances of violent sexual harassment were only subject to legal action if there was concrete evidence of physical assault or explicit threats. Nevertheless, since the implementation of Law No. 12 of 2022, there has been a notable change in acknowledging and dealing with sexual assault that is based on psychological manipulation and power imbalances, including those originating from patriarchal systems, primordialism, and unequal power dynamics.

The legal amendments implemented by the Sexual Violence Crimes legislation seek to accomplish multiple primary goals. These encompass measures to prevent instances of sexual violence, establish and execute victim-centred mechanisms for prevention, response, protection, and recovery, guarantee justice for victims through rehabilitation, criminal penalties, and decisive actions against offenders, and fulfil the state's responsibilities in creating a secure environment devoid of sexual violence. The new legislation signifies a notable progression in the legal safeguarding against sexual violence in Indonesia, as it expands beyond the limited emphasis on physical violence to now include psychological violence and the exploitation of authority. This legal advancement is crucial for dealing with the intricacies of sexual violence, especially in instances where the offender's behaviour is not explicitly violent but is based on manipulation and pressure (Badan Legislasi Dewan Perwakilan Rakyat, 2021).

Even with these progressions, a notable obstacle persists in the precise delineation and comprehension of fundamental principles within the legal domain, specifically those about power dynamics and deceit. Understanding and prosecuting situations of sexual violence where the perpetrator has exploited a position of power or trust relies heavily on these fundamental principles, as they are crucial for the successful execution of the law. Power interactions encompass circumstances in which one party possesses more authority, influence, or control over another, as

observed in relationships such as teacher-student, superior-subordinate, parent-child, or healthcare provider-patient dynamics. Within such circumstances, the party possessing superior authority may manipulate this situation to perpetrate sexual violence upon the party who is more susceptible.

Deception, namely through grooming, involves manipulating, misleading, or deceiving the victim, which hinders their ability to identify the sexual violence being inflicted upon them. Psychological coercion can be employed to manipulate the victim into engaging in sexual actions, either by persuasion, presents, threats, or the abuse of authority. Nevertheless, the existing legislation lacks a definitive and comprehensive explanation of these ideas, resulting in challenges when it comes to recognizing, confronting, and legally pursuing instances of sexual abuse that involve dynamics of power and deceit. This is particularly worrisome in Indonesia, where patriarchal and primal cultural systems, along with charismatic social institutions, can exacerbate the complexities of power dynamics and sexual violence.

2 BREAKING THE SILENCE: UNDERSTANDING THE DEPTHS AND IMPACTS OF SEXUAL VIOLENCE IN SOCIETY

Sexual assault is a widespread and highly concerning problem that appears in various ways, all of which have significant repercussions for the victim (Searles, 2018). Sexual violence fundamentally revolves around the exertion of power, control, and dominance over another person rather than the mere act of sex (Howe, 2009). This violence encompasses various forms, such as rape or attempted rape, sexual abuse, sexual exploitation, and sexual harassment (Basile & Smith, 2011; Dartnall & Jewkes, 2013). These behaviours can vary from unwelcome physical contact, such as touching or causing harm to intimate body parts, to non-physical actions, like making unwelcome sexual remarks or compelling someone to observe sexual acts or remove their clothing. The underlying connection between these actions is not rooted in sexual attraction but rather in a desire to assert dominance and do harm to another individual.

Sexual violence, as defined by the World Health Organisation (WHO), is any sexual act or effort to acquire a sexual act using compulsion or violence (Jina et al.,

2010). This inclusive definition incorporates a diverse range of circumstances, such as spousal or intimate partner rape, sexual assault by unknown individuals, the physical or sexual abuse of individuals with disabilities, and the sexual exploitation of children. In addition, acts of sexual violence encompass not just physical aggression but also include practices such as forced marriage, underage marriage, and the deprivation of rights such as the use of contraceptive devices or access to services that prevent sexually transmitted illnesses. Even coercing someone into having an abortion without their consent falls within this classification (Turshen, 2020).

The victims of sexual violence endure significant and enduring suffering. Victims frequently discover themselves tormented by the encounter, with their minds entirely preoccupied by the brutality they suffered (Feder & Freitas, 2023). Sexual assault often encompasses more than the mere physical act of sexual intercourse. Frequently, it is accompanied by menacing behaviour, intimidation, and bodily harm, all of which add to a feeling of powerlessness in the individual being targeted. The profound feeling of powerlessness can result in significant trauma, which, if not well addressed, can cause enduring and detrimental consequences on the victim's psychological and emotional state. The trauma can lead to a wide range of psychological problems, such as post-traumatic stress disorder (PTSD), depression, and anxiety, which can last for many years after the initial event (Hapke et al., 2006; Scott et al., 2018).

Furthermore, sexual assault is inherently characterized by coercion. The act is non-consensual, which is what defines it as violent. Regardless of whether it is verbal or physical, sexual violence always entails the utilization of force or the intimidation of force by the assailant (Anderson, 2016). In instances of rape, the victim is frequently subjected to physical coercion, resulting in forced sexual intercourse and a profound sense of powerlessness. Perpetrators can employ drugs or other methods to incapacitate victims, therefore depriving them of the capacity to provide consent or resist (Basile et al., 2021). Victims of sexual abuse endure not just the physical violation of their bodies but also the infringement of their autonomy and dignity. The psychological trauma resulting from such an encounter can have profound and long-lasting effects, causing the individual to experience continuous feelings of humiliation, guilt, and dread.

Victims of sexual harassment might encounter a wide range of manifestations, but all of them have the shared characteristic of being both unwelcome and detrimental. Seductive behaviour is a type of sexual harassment that encompasses disrespectful, inappropriate, and unwanted sexual advances or actions towards the victim. Examples of such behaviours may encompass taunting, causing discomfort, or exerting pressure to compel individuals into things they may not desire to undertake. Seductive behaviour may also encompass inappropriate invites or recommendations that the victim neither seeks nor consents to (Mansour et al., 2021).

Another type of sexual harassment is sexual offence, which encompasses more explicit and severe actions such as unwelcome physical contact, fondling, or other forms of sexual assault. These actions are especially reprehensible because they entail physical contact that is neither wanted nor agreed to by the victim. The tangible form of these crimes can cause victims to feel violated and insecure, intensifying the emotional and psychological distress they experience (Franke, 1997).

Gender harassment is a type of sexual violence that encompasses the act of making sexist remarks or engaging in behaviours that belittle or offend someone based on their gender. This might manifest as disparaging remarks, unpleasant humour, or the dissemination of explicit content that specifically targets an individual based on their gender. Gender harassment not only sustains detrimental stereotypes but also strengthens the notion that specific genders are inferior or warrant abuse. This form of harassment can significantly affect the victim's self-esteem and perception of their value, as it explicitly targets their core identity (Burn, 2019).

Sexual coercion is a very pernicious manifestation of sexual assault, characterized by the utilization of threats or punishment to compel an individual into engaging in sexual activities against their will. In instances of sexual coercion, the victim may experience pressure to participate in sexual activities due to the risk of job termination, obtaining a detrimental review, or even risking danger to themselves or their loved ones. The magnitude of these repercussions can be so overpowering that the individual perceives themselves as having no alternative but to acquiesce despite their lack of desire to do so. Sexual coercion is a blatant exploitation of power and control, which can result in victims feeling confined and devoid of agency.

Sexual bribery is a variant of sexual violence where sexual favours are traded for incentives. In such instances, the wrongdoer may propose financial compensation, presents, or other forms of motivation in return for engaging in sexual activity, typically with the anticipation that the victim will maintain confidentiality regarding the meeting. This behaviour is highly detrimental since it takes advantage of the victim's weaknesses and forces them into a situation where they feel compelled to cooperate in order to obtain the promised reward or prevent potential harm (Folke & Rickne, 2022).

The ramifications of sexual violence are extensive and can significantly affect the victim's life. Sexual violence can result in enduring psychological problems, such as sadness, anxiety, and post-traumatic stress disorder (PTSD). Victims may also suffer from physical health issues due to the violence, including injuries, sexually transmitted infections, and unintended pregnancies. The social stigma surrounding sexual violence can result in victims experiencing social isolation due to feelings of shame or fear that prevent them from sharing their experiences. The state of isolation can intensify the psychological trauma experienced by victims, as they may perceive a lack of available support systems to seek assistance from (Jina & Thomas, 2013; Schnittker, 2022).

Sexual assault not only has individual repercussions but also exerts a broader influence on society. It fosters a culture of fear and quiet, discouraging victims from reporting their experiences and seeking assistance. The prevailing culture of silence enables offenders to persist in their abusive conduct without facing the consequences, as they are aware that their activities are unlikely to be disclosed or penalized. Sexual violence is a significant factor in maintaining gender inequality, as it strengthens negative stereotypes and power imbalances that devalue and oppress specific genders (Davis & Petretic-Jackson, 2000; Dube et al., 2005).

Tackling the problem of sexual violence necessitates a comprehensive strategy encompassing education, prevention, and assistance for survivors. Education is crucial for altering the attitudes and behaviours that contribute to sexual violence. By increasing public knowledge about the actualities of sexual violence and confronting the false beliefs and misunderstandings that revolve around it, we may initiate the

development of a society that prioritizes consent, respect, and equality (Porat et al., 2024).

It is crucial to prioritize prevention activities in order to decrease the occurrence of sexual assault. This entails enacting rules and initiatives that encourage positive relationships, educate about consent, and offer support to persons who may be vulnerable to perpetrating or being victims of sexual assault. It is crucial to ensure that those who commit sexual violence are held responsible for their acts through legal and disciplinary proceedings in order to convey a strong message that such behaviour will not be accepted (Schneider & Hirsch, 2020).

Assisting victims is essential in facilitating their recovery from the psychological and emotional impact of sexual abuse. This encompasses facilitating individuals' access to mental health services, medical care, and legal aid. Creating safe spaces is crucial for victims to freely express their stories and get help without the concern of being judged or facing retaliation. Through the provision of comprehensive assistance, we can aid victims in the process of reconstructing their lives and reclaiming their autonomy and dignity (Suzuki, 2023).

According to the translation of Moeljatno, the Indonesian Criminal Code categorizes sexual assault as offences including rape and indecent deeds, which are both classified as crimes against decency. Nevertheless, this categorization has faced criticism due to its limitations in effectively addressing the intricacies of sexual violence. The definition of rape under the Indonesian Criminal Code is minimal, as it exclusively categorizes sexual intercourse as rape when it entails the insertion of a penis into a vagina (Ramadhan, 2018). This narrow definition fails to encompass the broader range of sexual assault and disregards the diverse methods by which such crimes might take place. Moreover, the evidentiary standard needed to establish rape is incredibly demanding, particularly in instances when the victim was rendered incapable, either owing to physical incapacity or psychological manipulation, rather than just through physical violence. The conventional understanding of coercion in the Indonesian Criminal Code has frequently been restricted to the use of physical force, which means that law enforcement is required to gather evidence showing that the victim actively fought the assault, for example, by yelling, tearing the perpetrator's clothing,

scratching, or receiving physical injuries. When the victim is unable to offer proof, the level of coercion needed to prove rape is generally considered inadequate, resulting in cases where the victim does not receive justice (Adamullah, 2024).

The latest legislative revisions, including the implementation of Law No. 12 of 2022 on Sexual Violence Crimes, have brought about substantial modifications in the classification and comprehension of sexual violence. Article 4, paragraph (1) of the law enumerates nine specific manifestations of sexual violence: non-physical sexual harassment, physical sexual harassment, coercion of contraception, coercion of sterilization, forced marriage, sexual torture, sexual exploitation, sexual slavery, and electronic-based sexual violence. Paragraph (2) of the same article acts as a bridging provision, encompassing various forms of sexual violence. These include rape, indecent acts, sexual intercourse with children, indecent acts against children, sexual exploitation of children, immoral acts against the will of the victim, child pornography or pornography that explicitly depicts violence and sexual exploitation, forced prostitution, human trafficking for sexual exploitation, sexual violence within the household, money laundering related to sexual violence and other crimes explicitly classified as sexual violence under existing laws (Andriansyah et al., 2023).

A significant change brought about by Sexual Violence Crimes is the broadened definition of physical sexual harassment, which now includes acts of sexual violence that target a person's body but are executed through psychological violence. This expanded definition recognizes the influence of psychological coercion, which can arise from the abuse of power, authority, trust, or influence. It includes actions such as deceiving or manipulating the victim's situation and taking advantage of their weaknesses, inequities, or dependencies. Coercion of this nature might force the victim to participate in or yield to sexual activities, either with the perpetrator or another individual, without their valid consent. This legal reform is a crucial advancement in acknowledging the complex nature of sexual violence and enhancing the law's ability to safeguard victims by addressing the power dynamics and psychological manipulation frequently associated with these crimes (O'Doherty & Brown, 2023).

3 THE INTERSECTION OF SEXUAL VIOLENCE, FEMINISM, AND GENDER BIAS: REEXAMINING WOMEN'S RIGHTS AND EQUALITY

Sexual violence perpetrated against women is regarded as a violation of human rights that explicitly targets their gender (Warren, 1994). It constitutes a manifestation of discrimination against women and perpetuates their subordinate status and patriarchal systems throughout all societal domains. Sexual violence against women is not solely derived from gender norms; somewhat, society's gender norms are also shaped by sexual violence against women. The subordinate position of women, in terms of their economic, social, cultural, and political standing, not only represents but also facilitates the continued violation of human rights in ways that are distinctive to gender. Both male and female family members frequently perpetrate these violations (Crenshaw, 1991).

Sexual violence against women is both a reflection of and a factor that shapes gendered social institutions. Radical feminists contend that men's dominance over women extends beyond politics, law, and economics and encompasses all areas of life, including the formation of knowledge (Tong & Botts, 2024; Willis, 1984). Patriarchy, which refers to the systematic subjugation of women by men, is the essential feature of social structure according to radical feminism. Radical feminists share the belief with liberal feminists that women must have equal access to resources and opportunities to overcome their subordinate positions. The feminist anti-rape theory posits that rape is rooted in patriarchal structures that facilitate male empowerment and female oppression. In this context, Chasteen (2001) observed that those who commit rape come from all levels of society, with their only commonality being the intention to exert power and control over women through acts of violence. Rape is not solely a result of gender inequity but also functions as a means to consolidate male dominance by instilling fear in women and restricting their mobility and autonomy. Furthermore, there is a contention that rape serves as a means for men to assert dominance over one another, employing violence against women as a mechanism to achieve this control (LeMoncheck, 1997).

Originally conceived as a movement aimed at putting an end to the oppression of women based on their gender, feminism can be more accurately described as “the movement dedicated to eradicating sexism, sexist exploitation, and all forms of oppression”. This description explicitly asserts that the movement does not revolve around being opposed to males. It unequivocally highlights that the issue at hand is sexism. The clarity of this statement reminds us that both females and males have been conditioned since birth to accept sexist beliefs and behaviours (Biana, 2020).

Sex pertains to the biological and anatomical attributes of the human body, enabling us to categorize individuals as either male, female, or intersex. On the other hand, gender is utilized to delineate a societal concept that separates what is perceived as feminine and masculine. Hence, gender is a socially constructed concept encompassing attributes, such as character, personality, beliefs, values, behaviour, and attitudes, that are associated with being male or female in society. Within this framework, individuals acquire the knowledge and skills necessary to conform to societal expectations and norms associated with their assigned gender, perpetuating and reinforcing gender roles and behaviours daily. Hence, gender comprises distinct self-identification, acquired through social conditioning by external expectations and cultural norms that dictate appropriate conduct in social settings. Gender roles and gender stereotypes are derived from cultural depictions of the societal expectations placed upon individuals based on their gender. Location plays a vital role in their formation, as gendered structures are connected to particular areas. Individuals construct their existence by internalizing identity codes and signs that are imagined and culturally accepted. The admiration or condemnation of others sustains these codes and indicators. These stereotypes delineate the societal divide by assigning distinct functions or roles based on gender. Eagly et al. (2000) found a correlation between assigned responsibilities and the qualities commonly associated with individuals (correspondence bias). The assignment of domestic and family roles to women is based on the perception that they possess superior caregiving abilities, kindness, and sensitivity.

On the other hand, men are allocated the job of family provider due to their qualities linked with autonomy, domination, and power. Thus, stereotypes and gender

roles undeniably influence the individual, familial, and professional paths of both women and men. It is important to note that gender is sometimes used to quantify the number of women and men without considering the qualitative distinctions regarding their presence, participation, and the exercise of rights.

Gender bias can manifest either explicitly or implicitly. Explicit bias is the deliberate and conscious judgement of a particular entity with a preference or prejudice. Implicit bias refers to the unconscious evaluation made by an individual without their conscious knowledge or understanding. These biases arise from various origins, including stereotypes, prejudice, and discrimination, based on standard assumptions about individuals belonging to a particular social group. Gender stereotypes are widely held beliefs that highlight the distinctions between women and men in their outlook and patterns of conduct. Significantly, gender preconceptions have a profound influence on how individuals perceive themselves and are treated by others, hence reinforcing and prolonging these prejudices. Gender bias has a significant effect on all women, particularly those who also face discrimination based on other aspects of their identity, such as race, ethnicity, socioeconomic status, religion, gender expression, gender identity, sexual orientation, or disabilities (Llorens et al., 2021).

4 THE ABUSE OF POWER IN SEXUAL VIOLENCE: LEGAL PERSPECTIVES AND ETHICAL IMPLICATIONS

When it comes to contemporary legal frameworks, sexual violence is considered to be one of the most severe offences, which means that those who are convicted of it are subject to hefty punishments. Misusing power, authority, trust, or influence is a severe offence in Indonesia, and the law takes a harsh stance against it. This is especially true in situations when such misuse leads to sexual exploitation. One relevant rule is the imposition of a maximum term of twelve years in jail or a fine of up to three hundred million Indonesian rupiahs for individuals who, via deceit or the exploitation of vulnerable conditions, participate in or permit sexual intercourse or obscene acts against another individual. To punish those who take advantage of the

vulnerabilities, inequities, or dependencies of their victims in order to satisfy their sexual desires, this legal provision has been envisioned.

One of the most fundamental aspects of this law is the concept of “abuse of position, authority, trust, or influence”. In situations like these, the primary objective of the offender is to manipulate their relationship with the victim in order to participate in sexual actions. This can be accomplished through professional authority, social influence, or personal trust. Most of the time, this manipulation takes place within the context of power dynamics, in which the victim is incapable of resisting owing to various causes, including dependency or fear.

In the context of sexual assault, the term “abuse of position” refers to the perpetrator's use of personal relationships, official duties, or positions held in order to commit acts of sexual violence (Mulvihill & Sweeting, 2024). It is common for people in positions of trust, such as teachers, superiors, religious leaders, or political figures, to abuse their authority or power. These persons are the ones who misuse their power or authority. These individuals are entrusted with leading, educating, or guiding others, and society has given them the authority to do so. When, on the other hand, they abuse this power in order to satisfy their own needs, notably in the form of sexual aggression, they violate a critical ethical line.

In several instances, these individuals take advantage of the vulnerability that comes with their social or professional roles in order to coerce victims into submission. They do this by using their status as a weapon. One example of the grave misuse of trust and power is when a teacher takes use of their position to abuse kids who are under their care. Another example is when a religious leader uses their spiritual influence to manipulate believers. The victims, who are frequently women or juveniles, put their faith in these individuals, only to have that faith violated in the most heinous way possible.

The term “misusing authority” refers to situations in which the culprit exceeds the bounds of their power and engages in activities beyond their legitimate authority's domain. For this reason, it is common for individuals to combine their wants with their work responsibilities, which can lead to sexual exploitation. An example of this misuse is the act of “calling upon” a victim under the premise of performing professional or

authoritative tasks only to engage in sexual abuse against the victim. When faced with situations like these, victims frequently show reluctance to resist because they are afraid of the consequences or of losing the respect they have for the offender, who is perceived to be a leader or a caretaker.

The same thing happens when someone who is entrusted with a role of responsibility, such as a religious leader or an educator, breaches that trust to gain personal sexual advantage. This is an example of the misuse of trust. When it comes to incidents involving adolescents or vulnerable adults who look up to these individuals for direction, protection, or education, this is an incredibly horrific act. As a result of the violation of this trust, the victims' belief in the integrity of the society mechanisms that were supposed to protect them is disrupted, which in turn makes the trauma that they have experienced much more severe.

The phrase "influence" (which originates from Javanese and means an aura of respect or authority) describes the personal influence or charisma that exudes from an individual, frequently resulting in the individual being revered or feared by people in their immediate vicinity. When applied to the context of sexual violence, influence transforms into a tool for manipulation, in which the perpetrator uses their influence to compel the victim into compliance. Covert manipulation, which involves psychological manipulation or lying, is an example of this type of manipulation. Overt manipulation involves outright threats.

In certain instances, abusers make use of their power to persuade victims that sexual actions are a natural extension of their connection, whether it be as a teacher-student, an employer-employee, or a spiritual leader-disciple. The victim, who is frequently in a vulnerable state, may be encouraged to feel that rejecting the approaches made by the perpetrator will result in adverse consequences, such as social ostracism, career penalties, or spiritual damnation.

Additionally, the legal framework emphasizes the role that deception (also known as "*tipu muslihat*") plays in cases involving sexual violence. When we talk about deception in this context, we are referring to behaviours that make a situation appear different from what occurs. These actions frequently cause the victim to believe that engaging in sexual acts is part of a process that is either legitimate or necessary. As

an illustration, a religious leader may trick followers into believing that sexual actions are required for spiritual cleansing or divine favour, so manipulating the victim's beliefs and concerns.

An additional essential component of these types of crimes is exploiting vulnerable conditions. One's age, socioeconomic situation, or emotional dependency are all potential causes of vulnerability. Other potential causes include emotional dependence. The power imbalance is exacerbated when offenders take advantage of these vulnerabilities, which makes it much more difficult for the victim to put up a fight against the perpetrator. Even more apparent is the imbalance that occurs in situations involving kids or those who are mentally or emotionally vulnerable. In these instances, the perpetrator frequently employs threats or psychological manipulation in order to exert control over the victim.

In situations like these, sexual grooming is another sort of manipulation that plays a crucial role in the situation. The term “grooming” refers to the process by which a perpetrator progressively builds trust with the victim, typically through attention, gifts, or emotional manipulation, in order to get the victim ready for future sexual exploitation. As the perpetrator seeks to tear down the victim's defences and establish a sense of dependency or trust, this process might take weeks, months, or even years while the perpetrator is working to accomplish these goals.

To ensure that the victim is emotionally or physically prepared to comply with the sexual demands of the perpetrator without opposition, the purpose of grooming is to ensure that the victim is prepared. This insidious process is frequently concealed under a mask of care and affection, making it impossible for the victim to recognize the abuse until it is too late to do so. It is possible that once the victim has been groomed, the perpetrator will proceed to escalate the connection to include sexual actions. They will rely on the trust and dependency that they have built in order to keep the victim from fighting or reporting the abuse.

In many cases, there is a vast power imbalance between the person who commits sexual violence and the person who is victimized by it. Power relation is used to describe this imbalance of power. Power relations can take many forms, including social power, economic power, or spiritual power. In the context of sexual assault, the

power connection frequently takes the form of the perpetrator taking use of their position or influence in order to force the victim to comply with their sexual demands.

5 CONCLUSION

Sexual violence represents a multifaceted issue that transcends mere physical acts, fundamentally intertwined with power dynamics and the exertion of control over victims. This includes actions like rape, sexual abuse, harassment, and coercion, which affect victims in both psychological and physical ways, frequently resulting in enduring trauma such as PTSD, depression, and anxiety. Individuals affected by sexual violence may experience social isolation as a result of the stigma associated with such incidents. Legal systems globally, such as Indonesia's recent Sexual Violence Crimes Law, are adapting to tackle these offences in a thorough manner by recognising the significance of non-physical coercion and psychological manipulation. Addressing sexual violence necessitates a comprehensive strategy that incorporates education, prevention measures, legal accountability, and robust support systems for survivors, aimed at reinstating their autonomy and dignity.

Sexual violence against women is closely connected to gender bias and societal frameworks that sustain inequality, thereby reinforcing the subordinate status of women. Feminist theories, particularly radical feminism, contend that patriarchal systems enable this violence by institutionalising male dominance throughout various social spheres. Sexual violence serves as both a reflection and a reinforcement of gender norms, constraining women's autonomy and upholding restrictive societal roles. Feminism aims to deconstruct these systems, interrogating sexism and promoting equality. Gender roles and stereotypes play a significant role in perpetuating gender bias, influencing perceptions, opportunities, and the treatment of women in society, particularly for those experiencing multiple forms of discrimination.

The misuse of power in instances of sexual violence entails the exploitation of authority, trust, or influence to manipulate and dominate victims. In Indonesia, the legal frameworks establish stringent penalties, which encompass lengthy prison terms and significant fines, particularly in cases involving vulnerable individuals or dependents.

Abuses frequently manifest in relationships characterised by significant power disparities, where individuals in positions such as teachers, religious leaders, or employers exploit their authority for personal advantage. Legal provisions seek to tackle both physical violence and the psychological manipulation and grooming strategies employed by perpetrators to control their victims.

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Recebido em (Received in): 26/08/2024.
Aceito em (Approved in): 25/11/2024.



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