

## Women's resilience against politically driven digital violence and legal responses analysis in Indonesia

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### Abstract

Women's responses to politically driven digital violence have become increasingly significant in Indonesia, where such threats undermine equal political participation. Despite the existence of legal frameworks governing elections, digital spaces, and gender-based violence, many remain legally inadequate and insufficiently responsive to women as victims of cyber violence. Existing studies tend to treat digital violence as a cybercrime issue or focus narrowly on women's political participation, often neglecting its digital dimension. This study addresses that gap by conducting a comprehensive normative legal analysis within the broader framework of democracy and human rights. Using a normative legal research method and literature review, it examines the 1945 Constitution of the Republic of Indonesia, CEDAW, and relevant legal instruments, including Human Rights Law, Election Law, Electronic Information and Transactions Law, Law on Sexual Violence Crime, and regulations issued by the Ministry of Women Empowerment and Child Protection and the General Election Commission. The findings indicate that digital political violence against women commonly manifests as intimidation, sexual harassment, and misinformation aimed at discrediting their credibility and dignity. The study also highlights women's resilience and resistance strategies. Documenting these experiences contributes to the development of more inclusive, adaptive, and responsive legal frameworks that ensure safe, meaningful political participation in digital spaces.

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## Introduction

The rapid development of technology has transformed the way politics are engaged with and participated in by all citizens in democratic countries. (Setiyaningsih et al., 2023; Asimakopoulos et al., 2025; Hafel, 2023; Fischli & Muldoon, 2024) Digital tools, specifically social media, have established themselves as predominant sites for the political conveyance of messages, scouting and recruiting the target audience for campaigns, and capturing the public's attention (in the sense of the audience rather than the participants in the political discussion), as well as involving citizens in politics. Political actors and advertisers on social media can communicate promos instantly and respond to, engage with, and manage audience messages without relying on traditional gatekeepers. Social media is frequently depicted as a space for democratisation, where access and participation are lowered, and previously silenced individuals can speak out. Alongside these benefits, however, digital platforms have created new forms of political risk. The same digital infrastructure that heightened political participation also creates heightened forms of political risk (Setiyaningsih et al., 2023; Bosi et al., 2022; Marres et al., 2025; Stein et al., 2025).

The affordances of anonymity, algorithmic amplification, and rapid circulation have transformed harassment from an incidental byproduct of online interaction into a structural constraint on democratic participation. The potential to act freely and anonymously, and the algorithmic amplification of harmful behaviours, have created a digital infrastructure for harassment as an integral part of the structural problem that challenges democratic engagement, rather than merely a byproduct of online activity. This situation represents the emergence of digital political violence as a structural phenomenon, extending beyond mere differences of opinion or intense online polemics. This violence refers to the systematic use of digital technology to intimidate, silence, delegitimise, or harm political actors. Digital political violence is aggressive action carried out through digital platforms (such as social media, messaging apps, or hacking) that targets individuals or groups based on their political views, activities, or identities.

The goal is not to engage in argument, but rather to kill the character or demoralise the target into withdrawing from the public sphere (Petersen & Johansen, 2025; Zur & Hatuka, 2023; Domalewska, 2025; Fife et al., 2023). This violence is not always verbal; it can be highly technical and organised: doxing (Lee, 2022; Anderson, 2025), cyber-harassment and mobbing gender/identity-based disinformation (Haciyakupoglu & Wong, 2022; Riedl et al., 2025), hacking and surveillance (Aradau & McCluskey, 2022), and forced deplatforming (Gorissen, 2024). Thus, digitally motivated violence becomes a systemic threat to the constitution and democracy. The lack of democratic participation in potentially violent campaigns alters the fundamental nature of democratic engagement. The consequences of this hostile risk environment in digital violent civil campaigns disproportionately affect women, who are subjected to systemic and structural violence in politics. Understanding digitally motivated political violence, democracy, and civil campaigns as a systemic challenge is crucial for developing a comprehensive, bottom-up view of digital inclusive participation in civil political engagement. This undoubtedly has detrimental effects on democratization efforts, particularly for women. As citizens, they should have equal access and opportunities (Lupien, 2022).

The role of gender in shaping the exposure, severity, and consequences of digital political violence in cases with unequal impact is even more pronounced. Women are targeted more often than men, and in different ways, both politically and non-politically. Men in politics are more likely to face criticism and attacks for their political views. However, women are more often attacked and ignored for their political opinions due to the gendered focus on harassment (Ahsan & Ali, 2026), sexual violence, and threats, as well as the general silencing of political opinions and criticism because they are considered political, resulting in attacks against them being ignored. Women must experience, understand, and feel digital political violence (Koch et al., 2025; Faith, 2022; Dalia, 2025; Estrada, 2025; Krook & Sanin, 2020). Society defines political

participation, and violence against women is more pronounced than against men. Digital politics is geared towards reinforcing these patriarchal norms at a systemic level. The exclusion of women from political violence is not accidental but a direct consequence of this system of violence.

The role of digital violence in participation is deeply structural in its impact on women's engagement (Yilmaz, 2025). Digital participation in politics and violence is even more structural for women. Violence that is considered normalised occurs against women due to traditional masculinity in patriarchal cultures. In fact, women's political engagement is highly flexible when it is not accompanied by violence. In fact, women's political involvement is very flexible when not accompanied by violence. For example, Chiluwa (2025) describes the women's struggle in Ghana in her research findings. The impact of violence should not be underestimated; instead, it should be measured. The long and crucial analytical tradition of complexity should not be the sole method applied to political engagement to measure violence, ignoring the violence itself.

Despite constitutional guarantees of democratic rights, participation, and women's rights, the issue of women's political rights in Indonesia remains contentious. In Indonesia, the affirmative action policy mandates the inclusion of 30% women candidates, and beyond the legal requirements, there is recognition of the need for women's inclusion in politics. What is crucial is recognising the unsafe digital spaces that women politicians, leaders of civil society, and even some women documentary filmmakers encounter. Such politically and culturally hostile digital spaces negatively and adversely discriminate against women, especially during politically charged moments.

In Indonesia, there is a sense of political hostility and women in the sense that the political formulations, suggestions, comments, or critiques that are proffered are, in a general way, aligned with the prevailing dominant culture in the system (rather than a pluralistic culture), and so are politically hostile digital outcomes that are likely to precede any overt politically hostile documented suggestions. Such documented political suggestions are, in a sense, pre-political in that they are politically hostile to any overtly documented and politically sensitive suggestions. In such spaces, hostile digital documentation is often used to silence suggestions, critiques, or comments that are deemed politically speculative or otherwise objectionable. This suggests that Indonesian women are granted some fundamental political rights, but their political participation remains low in both quantity and depth.

Evidence from Indonesia documents the growth and consolidation of digital gendered violence within the politics of the region. According to the National Commission on Violence against Women (Komnas Perempuan) CATAHU 2023 Annual Report on Violence against Women, there was a growth of 620 reports of violence of ICT-based gendered violence within a single year (Komnas Perempuan, 2023). These women were visible and active as political protestors, journalists, and politicians. These reports identify the primary locations of digital violence. The Southeast Asia Freedom of Expression (SAFE) network has also documented and reported on the violence and has revealed 1902 reports of violence, with most victims being women (Ma'rup, 2025).

The most prevalent violence documented was doxxing, hacking, non-consensual dissemination of pornography, and threats of various forms of digital sexual violence. Such violence was more prevalent during the election cycle, where political violence was overtly documented. Such data demonstrates that violence against women politically and digitally, in the region, is not an isolated phenomenon. Hostile digital environments can indeed alter the nature of civic engagement, making participation a risk in and of itself (De Coninck et al., 2025). Such a hostile risk environment has disproportionate consequences for women, who endure systemic and structural violence in the realm of politics. As such, understanding digitally driven political violence as a systemic problem is critical when considering inclusive political participation. Field findings also show that digital violence against female politicians is not only

personal in nature, but structural and systemic. This violence is repetitive, involves multiple perpetrators, and impacts women's decisions to withdraw from the digital political space (Biroli, 2018)—the delays in reporting and legal processes that are also gender insensitive further isolate victims. Therefore, the use of intersectionality and victim-centric legal approaches is crucial in understanding the complexities of digital political violence (Chadha et al., 2020).

Indonesia has developed legal and regulatory frameworks related to digital violence, such as the Electronic Information and Transactions Law and the Law on Sexual Violence Crimes (Krook & Sanín, 2020). The initial standards regarding equality are set by the Constitution and international documents such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). However, most existing frameworks have yet to acknowledge the discriminatory harm and the overlaps between digital political violence and discriminatory harm. As for other normative frameworks, such as constitutional guarantees and international legal instruments, including the Convention on the Elimination of All Forms of Discrimination Against Women, they all provide grounds for equality and the elimination of discrimination. However, again, most of these frameworks do not openly recognise political digital violence as discriminatory violence (Lestari et al., 2025).

The same law enforcement practice of focusing on formalistic law violations while ignoring contextual harms results in offering victims mostly illusory protection. In addition to that, the existing legal frameworks do, in some instances, expose women to primary victimisation, such as the criminalisation of women by way of defamation and other charges of a moral nature. In Indonesia, the output of studies has predominantly focused on digital violence as a problem of cybercrime or examined certain facets of women's political participation without the digital dimension (Nurcahyo, 2016). Such a situation shows that the exclusion of women from the digital political sphere is not merely a matter of individual security, but rather a matter of power in democracy. When women face intimidation and silencing in the digital sphere, it is not only their personal safety that is threatened, but also the principle of equal participation in the political system. This phenomenon reveals a structural imbalance in gender relations in the digital political arena, which has not been analysed in depth in political studies. To close that gap, there should be extensive legal scholarship on the nature of digital political violence, and the study should be situated within the context of democracy and human rights.

Building on the introduction, the study focuses on the continuing problem of political digital violence against women in Indonesia. The primary objective of this research will be to address the following three questions: (1) What are the forms of political digital violence that women experience? (2) How much resilience do women have in the experience of political digital violence? Furthermore, (3) What is the response of the Indonesian laws and regulations to the phenomenon of politically motivated digital violence against women? This research seeks to support women's safe, inclusive, and meaningful participation in digital politics by advancing gender-responsive legislation.

## Method

This study by Irwansyah (2021) examines the occurrence of digital violence against women in politics, the relevant legal frameworks, and legal blindness in Indonesia, employing a combination of normative legal research and descriptive legal analysis. This is based on Soekanto's view that descriptive research aims to systematically describe the legal facts under study (legal norms) and then analyse them to solve existing legal problems (Soekanto & Mamudji, 1990). Such an approach does justice to the structured analysis of the legal norms, policies, and processes that intertwine in the discourse on gender and digital politics, particularly through the ordering of the hierarchy, the consistency, and the application of the legal provisions in the given context. This research focuses on legal writings in normative legal research. It analyses policies and legal documents governing digital political spheres and the

protection of women. The study does not intend to engage in social-behavioural measurement of digital violence in politics. Instead, it focuses on the appraisal of social legal constructs in terms of sufficiency, congruence, and social responsiveness.

The research involves both primary and secondary legal materials as well as contextual legal materials. Primary legal materials are as follows. The 1945 Constitution of the Republic of Indonesia, CEDAW, Law No. 39 of 1999 on Human Rights, Law No. 7 of 2017 on General Elections, Law No. 1 of 2024 as the Second Amendment of Law No. 11 of 2008 on Electronic Information and Transactions, Law No. 12 of 2022 on Criminal Acts of Sexual Violence, and Ministry of Women's Empowerment and Child Protection (Permen PPPA) regulations and XIII the General Election Commission regulations. Secondary legal materials include Komnas Perempuan (2023) reports, SAFEnet reports on digital violence, the 2024 General Election monitoring reports, reports on the enforcement of the Sexual Violence Crimes Law, gender journals, law and digital politics literature, and peer-reviewed articles.

The examined materials were subject to qualitative content analysis (Marzuki, 2005; Marzuki, 2009), comprising a detailed reading and interpretative analysis of relevant legal documents and policy materials. Marzuki emphasised that normative legal research does not stop at collecting regulations, but also provides systematic explanations (descriptions). The study focuses primarily on recognising patterns of regulation, inconsistencies of a dispositive nature, gaps of a legal character, and a lack of legal provisions concerning the safeguarding of women from politically motivated digital violence. The legal materials were divided into themes based on regulatory aims, legally protected interests, and the associated issues in the legal protection of women.

This study identifies a '*norm vacuum*', on operational grounds, for three reasons: (1) no existing legal frameworks that explicitly speak to gendered digital forms of political violence; (2) the fragmentation of, or overlap between, the electoral legal regime, the digital regulatory regime, and the gender protective regime; and (3) the absence of strong, relevant, and legally-institutionalized connections between the broad and abstract human rights-related sector and the legally regulated (and weakly institutionally regulated) spheres of digital political participation. While a significant portion of the study relies on a normative analysis, the victimisation reports, empirical evidence from previous studies, and official reports are used for contextual analysis, not for primary analysis. Such a choice promotes and maintains the methodological 'boundaries' and 'orthodoxy' of normative analysis and sustains its focus on the social realities, or the gendered social realities, of the phenomenon being studied.

## Results and Discussion

### Forms of Digital Political Violence against Women: Analysis and Implications for Political Participation

The systematic and patterned nature of digital political violence against women in Indonesia is evidenced in the scope of the research. Analysis of reports from civil society organisations, victims' testimonies, and other primary and secondary digital records reveals that women engaging in any form of political activity are the primary targets of aggressive digital interactions (Datta et al., 2020). The stated findings are based on documented instances obtained from Indonesian civil society organisations, automated media analytics, and qualitative assessments of victims' experiences in the digital realm. Documented evidence shows that women are targets of digitally aggressive interactions and violence in situations when they attempt to exercise their political rights and agency, advocate for the criticism of unjust policies, or initiate debates on the rational and equitable distribution of resources. Based on a search of news documents and simple data on women's experiences in politics in the digital world, they often experience problems in the form of bullying, doxing, and sexual harassment in online media.

Women activists experience intimidation across every political agenda, especially during election campaigns. The attacks use schismatic, prejudicial, and misogynistic language, abusing and framing women as emotionally weak, politically unfit, and intellectually unworthy of political debate. Intimidation against women, including receiving aggressive messages, threats, and insults when they post and express their political opinions on social media. Based on a search of female politicians' Instagram content, several comments from other users were found to be rude, physically harassing, and to make negative moral attacks and individual criticism, which were far from the work of these politicians in the political world.

The data show that intimidation of women most often goes beyond political discourse and criticism to include violence in the form of personal attacks directed at a woman victim's looks, sexually abusive and immoral behaviour, and her socially constructed role as primary caregiver in a family. The data shows that the attacks are most often timed to politically volatile events like elections and debates, suggesting that intimidation is used to silence women's voices when their political power is most needed. According to political participation theory, intimidation undermines citizens' willingness to participate and engage in public dialogue by increasing the clear, inescapable risk of participation. According to political participation theory, intimidation diminishes citizens' propensity to participate and engage in open discussion by raising the obvious, unavoidable risks associated with participation.

The doxxing of individuals involved in politics is also a commonly observed manifestation of digital political violence. Doxxing is characterised by the unreasonable collection and sharing of private/personal information (Talamayan, 2020). Data indicates that individuals participating in political activities are primarily the target of doxxing, as women are the most victims of this phenomenon. Victims reported that doxxers shared and displayed their residence information, phone number, and workplace, as well as details about their family members. Such information sharing and exposure are often documented alongside women's political activism, particularly in their political statements, thereby establishing a link between political engagement and digital violence (Bloom et al., 2022). From a human rights perspective, doxxing is an infringement of an individual's freedom regarding their personal information, and the doxing of individuals also represents an infringement of their right to personal safety (Firdaus et al., 2024).

Data illustrates that the practica and available options are of doxing a woman as a political participant is based on the irreparable damage to her safety that results in a systematic and selective absence of political engagement, mainly digital, to expose themselves in political contests Thus, there is substantial and developing empirical evidence to stem the assertion that doxing represents a profound and if not the profound, form of political deselection. Doxxing primarily creates a political climate of silence, motivated by the conscious self-preservation of the individuals involved (Setiyaningsih et al., 2023b). This climate of silence directly contradicts the principle of active citizenship by transforming political participation into a personal risk rather than a civic right. Therefore, doxing clarifies and re-establishes the underpinning mechanisms whereby the active evidence of women and democracy is unconditionally at stake.

The data findings also include harassment as a form of digital political violence against women. Women are attacked online with sexist messages, degrading comments, and non-consensual images meant to humiliate and intimidate them. These attacks are frequently unrelated to any political issue being discussed. Instead, they reduce women's public engagement to their sexuality and bodies. Feminist theory views this as a form of objectification that reinforces women's marginalisation from positions of public power (Yandy & Mustajab, 2022). Sexualised harassment undermines the political engagement of women because of the psychological impact and emotional exhaustion created from this form of abuse. Feminist theory argues that this harassment violates the democratic principle of participation and disproportionately impacts women's political freedom and expression. Victims of this

harassment also underreport this form of abuse because of fear of stigma, secondary victimisation, and normalising digital abuse. These findings show that sexualized harassment is a unique form of abuse, deeply personal, and a political system that fails to include women (Wuya, 2021).

The finding illustrates that digital political violence is a continuum of the violence women are confronted with in the socio-political united is/outside the digital space. This finding can be situated within the scope of feminist political theory, which views the violence women face in the political domain as a means of control to maintain the patriarchal political order and space (Afdhal, 2024). The research provides evidence that digital technologies are new spaces for the assertion of power relations within the patriarchal order in the socio-political domain and the reproduction of power parity in democracy. The digitally political violent acts are a form of political violence that acts as a barrier to women's political engagement and activities. The research is a good starting point for understanding and analysing the multiple dimensions of violence that women are confronted with in their political engagement (Elmhirst et al., 2017).

Feminist legal theory further explains that threats to private life are primarily an issue for a specific subset of the population. That subset is women, based on the "social contract" that expects them to be safe and that their lives are to be "respected" and "protected". This study has found online bullying as a form of digital political violence against women, in line with what has been discussed by Krook & Sanin, that women receive aggressive messages, threats, and insults when they post and express their political opinions on social media (Krook & Sanín, 2020). Feminist theorists describe this as the use of language to impose hierarchical violence (Ali & Kamraju, 2023). The result of this is that intimidation severely limits women's political participation and democratic access (Aspinall et al., 2021).

The data show that the phenomenon also socialises the younger generation to the digitally harmed condition of women in politics and exposes them to the same issues and problems. This result also indicates the feminisation of the political space. The results of the data also show the impact of the absence of women's participation in the decision-making process of politics or the absence of women's voices in politics, contrary to the belief that they lack interest and ill-fate, which is simply the result of poor structural violence (Im et al., 2022). This also serves as the basis for confirming that digital violence in politics is a form of violence that contradicts the belief that democracy is a valid concept within the social contract theory.

The results of the research confirm the existence of different types of digital political violence against women and its ability to stifle and remove women's voices from public political dialogue and participation. By integrating primary research findings with feminist political theory and participation theory, the study illustrates the existence of digital violence as a socially constructed and politically motivated violence of exclusion.

The findings contradict existing political and doctrinal approaches that qualify the digital abuse of women as a personal or technical problem, and instead qualify digital political violence as a public and structurally mandated threat to democratic equality. The research results indicate the need for a politically and socially integrated response to systemic digital political violence, and for a legally defined violence that is the result of digital public abuse of women. Without a defined response, violence in digital spaces is certain to reproduce the structures of exclusionary power. This section presents the empirical and theoretical groundwork for the discussions that follow on digital political violence against women, with a particular focus on legal and policy reform.

### **Women's Resilience in Facing Political Digital Violence: Network Strategies and Solidarity**

The growing phenomenon of political digital violence against women as a distinct threat and as a circumstance of structural violence goes well beyond the individual and has implications for the democracy that attacks women's political and activist citizenship. Indonesian civil society organisations have reported that such attacks are more frequent during

specific political moments, such as during election campaigns and debates on electoral policies. The women politicians, activists, and public participants in the discussion of democracy endure, suffer from, and survive threats, harassments, and gendered violence aimed at silencing them. These attacks from the arsenal of violence against women are never random, isolated, and uncoordinated, but, instead, function as a part of a strategy to undermine the legitimacy of women's political opposition and deter sustained political engagement. Reports on online gender-based violence in Indonesia show that women political actors are targeted more than men political actors.

The feminist political theory, in a conceptualisation of violence and the political control of women, violence as political control, and of this informal violence, describes this as gendered exclusion. This makes women's resilience particularly important. This so-called resilience extends beyond psychological boundaries, defining an active phenomenon in which women reconfigure, renegotiate, and reconfigure the hostility of the digital public space (Datta et al., 2020). In this context, resilience manifests as continued political visibility and engagement despite persistent digital threats. The primary and most prominent strategy of those women who are subjected to violence and attacks in public digital spaces and who survive and never stay silent and inactive is political engagement and visibility. These acts of political engagement demonstrate that resilience is both a strategy of survival and an expression of political agency. When women speak, organise, and move within digital containers, digital political violence attempts to silence them, but their digital political activism counters that silence.

One of the most prominent forms of resilience among women facing political digital violence is the strengthening of digital literacy (Asyari, 2023). Digital literacy in this context is understood as the ability to use digital technology safely, critically, and strategically. From an empowerment theory perspective, improving digital literacy strengthens autonomy by reducing vulnerability and increasing individual control over online interactions.

Empirical findings show that women with higher levels of digital literacy have a better capacity to anticipate, manage, and respond to online risks, including harassment, doxxing, and identity theft. Evidence from digital security training programs in Indonesia indicates that technical skills such as privacy settings, two-factor authentication, documenting abusive content, and utilising platform reporting mechanisms play a significant role in mitigating the direct impact of digital violence. Documentation of abusive content has also proven important in supporting legal complaints and policy advocacy by women's organisations.

However, digital literacy does not solely function as a self-protection mechanism. This skill also enables women to identify disinformation and gendered narratives that aim to delegitimise their political positions. Women can strategically strengthen political messages, build counter-narratives, and mobilise support. In this sense, digital literacy represents active political agency, not merely a defensive response to attacks. Therefore, digital literacy needs to be positioned not only as an individual skill, but as a fundamental civic competency for democratic participation in the digital age.

These findings show that resilience is not only defensive in nature but also includes proactive engagement. Therefore, digital literacy should be understood as a basic component of women's resilience, strengthening personal security and political effectiveness in digital participation. However, psychological resilience alone is not enough to guarantee protection (Schweitzer Dixon, 2021). When responsibility for security and adaptation is placed entirely on women, resilience risks becoming an individual burden rather than a collective and institutional response. Without structural support, this burden reinforces systemic inequalities. This highlights the importance of incorporating mental health aspects into broader protection strategies against digital political violence.

From a feminist movement theory perspective, this process is understood as the transformation of personal experiences of violence into political consciousness (Purnamasari

& Konety, 2023). These findings show that network solidarity not only strengthens individual resilience but also weakens the function of digital violence as a tool of silencing. When attacks are met with visible collective resistance, their deterrent power diminishes. Thus, resilience needs to be understood as a relational practice that relies on sustainable social networks and strengthens women's political agency in the digital space.

These organisations provide legal assistance, digital security training, psychological counselling, and safe spaces to share experiences. From an institutional resilience perspective, WHRDs serve as a link between victims' individual experiences and broader advocacy at the systemic level. When the state is unable to provide adequate protection, civil society actors become the main source of support and a mechanism for accountability (Krook & Sanín, 2020).

In addition, community-based digital campaigns show how solidarity can be a transformative form of resilience. Initiatives such as *#WomenSupportWomen* show that horizontal support among women can counter the normalisation of digital violence. Research shows that such campaigns increase survivors' visibility, reduce stigma, and build a sense of shared struggle. From a social movement theory perspective, these dynamics are explained through the concept of collective identity, in which shared experiences of oppression give rise to solidarity and coordinated action.

Digital platforms enable rapid mobilisation and emotional connections across regions, thereby expanding the reach of solidarity networks. These campaigns also challenge the dominant narrative that positions women as passive victims by highlighting agency, courage, and resistance. Significantly, the digital solidarity movement disrupts the logic of intimidation by showing that attacks against one woman will be met with a collective response (Ullman, 2022). This collective visibility shifts power dynamics in the digital space and reduces the effectiveness of harassment as a silencing tactic. The findings suggest that resilience becomes transformative when it extends beyond coping and actively reshapes social norms. Through sustained digital solidarity, women reclaim political space and redefine participation on their own terms. Therefore, community-based campaigns represent an essential dimension of resilience that bridges personal survival and structural change.

### **Evaluating Indonesia's Legal Response to Gender-Based Digital Violence: Challenges and Necessary Reforms**

The safety and protection of women in Indonesia from digitally based gendered violence is constitutionally guaranteed due to the recognised rights to safety and security, dignity, and freedom from discrimination. Article 28G and 28I of the 1945 Indonesian Constitution, paragraph (2), constitutionally affirms the protection of personal rights and the prohibition of discrimination. Furthermore, these articles serve to uphold the fundamental rights of women to be recognised, protected, and fulfilled by the state, including in the New Digital Era, from a Human Rights perspective.

Notably, the results of this study show that the public constitutional norms stay hypothetical and poorly framed in the face of the realities of technology-enabled gender violence. Digital violence, online sexual violence, and misogynistic cyber violence are not addressed at all in the constitutional interpretation and jurisprudence. Hence, the constitutional protection remains more of a mere protective shield than a viable legal protection. The situation exposed a constitutive weakness in Indonesia's Constitution, which is not yet responsive to the gendered character of the digital world. Women are exposed to digital malevolence that is not captured by traditional definitions of violence, which are physical and to which authorities can respond, unless constitutional interpretation keeps pace with the realities of the digital world and the violence likely to occur there (Yandy & Mustajab, 2022). Hence, a constitutional guarantee that is not contextualised or interpreted in light of the realities of the digital world is of no value.

An example of this limitation becomes clear when considering Indonesia's obligations on human rights law, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). CEDAW, which Indonesia ratified in 1984, creates obligations to remove all forms of discrimination against women, including non-physical forms of violence and technology-mediated violence. General Recommendation No. 19 and No. 35 describe gender-based violence as a form of discrimination and further extend state responsibility to acts of violence which are perpetrated in private and in virtual spaces (Maret, 2024). CEDAW remains unratified, and there is no significant institutional or systemic focus on violence that is digitally mediated. The lack of any mention of digitally mediated gender-based violence in the law indicates that there is a severe lack of domestication of these international legal norms. This is primarily a problem of a domestically aligned legal culture when compared to the global world. International commitments remain aspirational rather than being developed, which diminishes their ability to influence the enforcement of law and the policies related to digital violence against women (Sinko & Saint Arnault, 2020).

Further deficiencies in protection can also be seen in Indonesia's Human Rights Law, especially Law No. 39 of 1999. Under the legal doctrine, the law protects against discrimination and promotes equality among women. However, as far as the facts are concerned, the law does not recognise and address the problems of violence in the digital space or the practice of gender-based violence in the digital space, as though they are not violations of human rights (Azmy, 2024). From the point of substantive justice, the omission of this critical dimension illustrates the law's poor ability to respond to the injurious forms of violation of the law. There are numerous instances of a lack of human rights recognition, and the law does not address human rights protection from the breaches of online harassment, cyber sexual violence, and digital intimidation. Such omissions result in little to no protection for the victims of these law violations.

Law enforcement authorities have little or no ability to understand violence in the digital space as falling within the scope of human rights abuses. Such Violence being perpetrated in the digital space suggests that in Indonesia, little or no ability to respond to the demands of their human rights regime. In the absence of normative recognition, violence in the digital space, which is based on the gender of women, is seen as peripheral and non-systemic. Such efforts must be in keeping with the provisions of law, which is known as Feminist Legal Theory, the criticism involving structured law that is neutral in character and has no intention on the realities, the state of which is that it is the law that governs the vulnerable, without recognition of the particular gender (Tagliacozzo & Di Tullio, 2021).

This study also uncovered additional regulatory omissions besides the general elections and human rights. This includes political and electoral legislation in Indonesia, particularly Law No. 7 of 2017 on General Elections. Indonesian legislation on politics and elections contains gaps regarding the automation of electoral systems and the use of technology in politics. Evidence indicates that women involved in politics, who are candidates, politically active, and who provide political support, are victims of heightened harassment, misinformation surrounding digitally perpetrated hate campaigns, and advocacy of violence. However, the Elections Law does not consider digitally perpetrated violence directed against women and politically supported as an electoral offence. This absence of regulations on the digitally perpetrated gendered violence in political campaigns contributes to the theory of structural discrimination and the increased disparities in women's political participation. KPU and other electoral management systems have no tangible or specific violence against victims of digital violence, thus abandoning them (Smith & Sinkford, 2022).

The application of the Electronic Information and Transactions Law (ITE Law) also involves legal protection obstacles. Though the law is meant to address issues of cybercrimes, the paradox of the law as it relates to women victims of digital violence is most clearly evidenced in research. Articles 27 and 29 are often cited to 'criminalise' a host of activities in

cyberspace. However, these articles are so poorly constructed that they leave room for selective and arbitrary enforcement, and as a result, enforcement may be disproportionately directed at women. Critical legal studies would view the ITE as yet another legal mechanism that reinforces hierarchies and power asymmetries in the legal system, where speaking out on digital abuse may also see the victim being subjected to legal abuse. Women in these situations, who are often the first to speak out on the harassment that they have experienced, may find that they are being accused of some form of defamation or decency violation. This is a perfect example of legal victimisation. Still, the most striking aspect is that there are no legal interpretive frameworks that take women's perspectives into account.

Notwithstanding some of its structural challenges, the enactment of Law No. 12 of 2022 on Sexual Violence Crimes (TPKS Law) marks a significant milestone. For the first time, the law addresses and criminalises electronic-based sexual violence (Abdullah et al., 2025). The law's progressive nature is also consistent with victim-centred justice theory, which focuses on the recognition and protection of victims and their right to recovery (Datta et al., 2020). The findings show the TPKS Law to be more progressive and legally sophisticated to the extent that the law recognises severe digital violence as an affront to the victim's person. No doubt the law is progressive, but other issues in its implementation continue to challenge its potential. Many victims of sexual violence do not report the crime, and cite stigma associated with sexual violence, fear of retaliation, and the lack of gender sensitivity of officers in the field. The TPKS Law will impact victims of sexual violence, but there will be a need for other laws and reforms, and the creation of a digital forensic unit (Purnamasari & Konety, 2023). The more regulations are created to respond to gender-based digital violence, the more apparent it becomes that this issue is not merely technical or legal in nature but rather concerns the dynamics of power in digital democracy. The findings of this study show that the state's response remains fragmented and reactive, failing to provide consistent protection for women as political actors in the digital space.

Drawing on feminist legal theory and a human rights-based approach, this study emphasises that the necessary reforms do not end at normative recognition but require a restructuring of the state's political priorities (Widyawati et al., 2021). This includes aligning policies with international standards, revising relevant sectoral regulations, and strengthening the capacity of law enforcement institutions and election organisers.

**Table 1.**

*Evaluation of the Strengths and Weaknesses of Legal Instruments Addressing Gender-Based Digital Political Violence in Indonesia*

Legal Instruments	Strengths	Weakness	Evaluative Notes
The 1945 Constitution of the Republic of Indonesia	Guaranteeing the right to security and freedom from discrimination (Articles 28G & 28I)	Not specific to digital or gender-based violence	A progressive interpretation and harmonization with CEDAW are needed
CEDAW	Regulating the state's obligation to protect women from all forms of discrimination, including non-physical discrimination.	Not yet fully integrated into national policy	The implementation of CEDAW General Recommendation (GR No. 35) has not been optimal.
Law No. 39 of 1999	Recognizing the right to freedom of expression and protection from discrimination.	Does not explicitly mention digital/gender violence	Substantive or derivative revisions are needed to keep up with digital developments.
Law No. 7 of 2017	Regulating the conduct of campaigns and election ethics.	Does not include specific protections against gender-based digital violence	Urgent revision needed to include provisions on gender-based online political violence

Legal Instruments	Strengths	Weakness	Evaluative Notes
Law No. 1 of 2024	Regulating cybercrime	Potential criminalization of victims is open to multiple interpretations	There is a need to reformulate articles (particularly Articles 27, 28, and 29) in light of gender justice.
Law No. 12 of 2022	Recognizing electronic-based sexual violence	Slow implementation, digital forensic evidence is still inadequate	There is a need to strengthen the authorities and establish special units to handle online cases.
PPPA Regulation	Administrative guidelines for victim support	Not having criminal legal force	Must be supplemented by derivative regulations or integration with sectoral laws
KPU Regulation	Managing campaign techniques and political ethics	Not accommodating to digital gender-based violence	Needs to be updated to include mechanisms for reporting and preventing political digital violence.

Source: Author's Analysis, 2025.

As evidenced by the table above, the *ius constitutum* in Indonesia embodies the normative virtue of protecting women through the various legal instruments of the Constitution. However, it also clearly lacks the spatial responsiveness as it relates to the dispensation of protection in the form of political violence against women in the digital realm. In this case, it is noted that, despite the 1945 Constitution and CEDAW having a rich assortment of instruments for the distribution of human rights, their implementation is relatively scant. Arguably, the same can be said of the *ius constitutum* in relation to sectoral regulations, specifically the Election Law and the PKPU, which remain silent on digital violence against women in the context of election processes.

## Conclusion

This study concludes that politically motivated digital violence against women constitutes a systemic and gender-based form of harm within the digital political sphere, extending beyond isolated online misconduct to threaten personal security, democratic equality, and women's citizenship rights. Such violence includes cyber harassment, intimidation, sexualized attacks, and coordinated efforts aimed at discrediting women's legitimacy in politics. Empirical findings show that women develop multilayered resilience strategies at individual, relational, and collective levels, including adaptive coping mechanisms, peer solidarity, and informal support networks to withstand digital attacks; however, this resilience should not be interpreted as a substitute for state responsibility, but rather as an indication of inadequate formal protection and a gap between legal guarantees and lived realities. The analysis further demonstrates that Indonesia's legal framework remains fragmented and insufficiently gender-sensitive, as key regulations, including the Electronic Information and Transactions Law and laws addressing violence against women, fail to explicitly recognise politically motivated digital violence as a distinct and intersectional harm, resulting in ineffective protections in practice. Therefore, this study emphasises the urgent need for comprehensive legal reform that integrates prevention, protection, and restoration, including explicit legal recognition, gender-responsive enforcement mechanisms, and accessible, participatory justice for victims, alongside strengthened accountability from political actors and enhanced roles of civil society and digital platforms in fostering digital literacy, safe online environments, and preventing the normalisation of gender-based digital repression.

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