



The Criminalization of Sexual Violence Victims: A Normative Evaluation Through the Lens of Sociology of Law

Ericha Chelsea Oktaviani ^{1*}

¹ Universitas Pasundan, Indonesia

* Corresponding email: erichaexo@gmail.com

Article

Keywords:

criminalization; legal effectiveness; normative analysis; sexual violence; sociology of law

Article History

Received: June 16, 2025;

Reviewed: August 28, 2025;

Accepted: March 15, 2026;

Published: June 30, 2026;

Abstract

This study examines the phenomenon of the criminalization of sexual violence victims by utilizing the sociology of law as a normative-analytical tool. Despite progressive legal reforms, victims are frequently counter-reported and criminalized, revealing a significant gap between statutory protection and judicial reality. Adopting a qualitative research design with a normative-evaluative approach, this research analyzes how formal legal norms fail to articulate the real-world experiences, behaviors, and perceptions of victims within the legal realm. The results indicate that the criminalization of victims is deeply rooted in structural and cultural biases embedded within law enforcement practices, which often prioritize rigid legal-formalistic interpretations over victim-centric justice. By using the sociology of law as an analytical lens, this study demonstrates that legal effectiveness cannot be achieved if statutory norms are applied in isolation from gender-sensitive social realities. Consequently, this research recommends a comprehensive evaluation of procedural laws and calls for institutional reforms to ensure that secondary victimization is mitigated and that judicial decision-makers internalize the sociological substance of protective laws.



Copyright ©2026 by Author(s); This work is licensed under a Creative Commons Attribution-NonCommercial-ShareAlike 4.0 International International License. All writings published in this journal are personal views of the authors and do not represent the views of this journal and the author's affiliated institutions.

INTRODUCTION

The manifestation of law within a civilized nation is fundamentally anchored upon its capacity to guarantee human dignity, uphold substantive justice, and provide robust protection to marginalized and vulnerable groups. In the context of modern legal systems, statutory frameworks are meticulously designed not only to act as generic mechanisms of social control, but also to serve as progressive instruments of social engineering (*law as a tool of social engineering*) that actively dismantle structural inequalities (Pound, 1910). Within the normative corridor of contemporary jurisprudence, the enactment of specific protective laws—such as regulations criminalizing sexual violence—is heralded as a monumental victory for human rights and gender-sensitive justice. These formal legal products are conceptualized to guide law enforcement behavior, mitigate systemic secondary victimization, and offer a clear sanctuary for victims seeking judicial redress. However, in the empirical reality of the Indonesian legal ecosystem, a profound and distressing paradox persists. Despite the presence of seemingly progressive statutory protections, victims of sexual violence are frequently subjected to counter-reporting and systemic criminalization by their perpetrators. This phenomenon reveals an alarming systemic disease where the very institutional machinery of the state, which is constitutionally mandated to protect the vulnerable, is weaponized to penalize them (Banakar & Travers, 2013).

The rampant criminalization of victims of sexual violence stands as one of the most glaring cultural depravities in contemporary Indonesia, serving as a direct and toxic manifestation of deeply entrenched patriarchal social constructions. Throughout the history of Indonesian society, gender roles and power relations have been systematically engineered to favor masculine hegemony, thereby subjugating women and vulnerable individuals into positions of systemic compliance. This pervasive patriarchal ideology does not merely exist as an informal societal bias; it actively infiltrates, shapes, and corrupts the cognitive frameworks of formal state institutions (Friedman, 2019). When sexual violence occurs, the societal gaze rarely focuses on the structural accountability or culpability of the perpetrator. Instead, it reflexively shifts toward scrutinized evaluations of the victim's morality, dress, and behavior. This structural pathology creates a hostile socio-legal environment where victims are trapped within a culture of pervasive "victim blaming" (Sukma, 2023). The social construction of society systematically normalizes sexual deviance by transferring the moral burden of the crime onto the shoulders of those who survived it. Consequently, victims of sexual violence are overwhelmingly reluctant to report the atrocities committed against them, as the act of seeking justice is almost universally met with severe societal castigation and institutional hostility.

Instead of receiving the objective justice and holistic rehabilitation that every human being intrinsically deserves, victims who dare to navigate the formal legal system are immediately forced to confront a tripartite matrix of oppression: severe social stigma, immense institutional pressure, and, in catastrophic instances, direct criminal threats (Moho, 2019). Socially, the victim is often alienated, labeled as a source of familial shame, and subjected to digital panopticism through public shaming. Institutionally, the trauma is continuously compounded by law enforcement officers who lack gender-sensitivity training and often subject victims to interrogations that border on secondary victimization (Candra & Sinaga, 2023). Professionally and legally, perpetrators frequently exploit existing legislative loopholes—such as ambiguous defamation clauses in electronic transaction laws or elastic provisions in the penal code—to launch retaliatory legal strikes. This strategic counter-reporting transforms the victim into a criminal defendant, effectively neutralizing their legitimate claims of violence (Hutagalung, 2017). This grim reality provides undeniable empirical proof that the immense distance between the idealized goals believed from normative law (*das sollen*) and the brutal empirical reality faced by the

community (*das sein*) is highly fragmented and not as functionally applicable as what is idealistically expected by legal formalists (Saleh et al., 2020).

This structural disconnect invariably shines a critical public spotlight on the profound limitations of traditional, doctrinal-normative legal studies. For centuries, classical legal scholarship in Indonesia has been heavily dominated by a strict adherence to legal positivism, which isolates statutory norms from the dynamic, underlying social realities of the populace (Soekanto, 2019). Formalists mistakenly believe that the mere promulgation of a statute marks the automatic resolution of a socio-legal crisis (Siregar, 2018). However, the phenomenon of victim criminalization vividly demonstrates that law does not operate within a vacuum, but rather within a complex, highly biased social ecosystem that heavily influences how rules are enforced, manipulated, or actively resisted (Ali, 2023). This critical societal failure ultimately raises profound and urgent academic questions regarding the role of the sociology of law as an analytical tool that fundamentally utilizes an empirical approach to social reality (Abshor, 2022). How should the sociology of law be utilized when there is a systematic and institutionalized criminalization of victims of sexual violence? What diagnostic methodologies must this discipline deploy to dismantle the formalistic illusions of legal certainty when that very certainty is weaponized to perpetuate systemic oppression?

To comprehensively answer these urgent questions that directly allude to and challenge the traditional boundaries of legal certainty, a rigorous socio-legal analysis becomes absolutely vital (Arliman, 2019). The sociology of law is uniquely equipped to demystify the internal mechanics of the legal system by examining how the law actually works in the practical context of society, rather than how it merely reads on paper (Pound, 1910). This approach allows legal scholars to critically analyze how deeply rooted informal norms, cultural values, and patriarchal biases actively subvert the implementation of progressive statutory provisions (Patuju & Afamery, 2016). By positioning the law as an inseparable, interactive subsystem of the broader social order, the sociology of law opens up a critical academic and practical space for the uncompromising critique of law enforcement practices that are fundamentally not in favor of victims (Alfarisi & Hakim, 2019). It exposes the reality that behind the neutral, objective facade of legal-formalistic text lies a highly contested arena of power relations and structural inequalities (Darmika, 2016). Therefore, this study utilizes the sociology of law as a normative-evaluative instrument to evaluate systemic legislative gaps, expose institutional biases, and provide a robust, empirically grounded basis for comprehensive legal reforms that are not merely procedurally valid, but substantively fair, gender-sensitive, and unyielding in their defense of human dignity.

METHOD

This study adopts a qualitative research design with a normative-evaluative approach, utilizing the framework of the sociology of law as its primary analytical instrument to systematically scrutinize the phenomenon of secondary victimization and the criminalization of sexual violence victims. Distinct from traditional doctrinal studies that exclusively isolate statutory texts, a normative-evaluative methodology within a sociological paradigm allows for a rigorous assessment of how formal legal norms operate, adapt, or fundamentally fail when confronted with shifting societal dynamics and deeply entrenched structural biases. To analyze this complex legal phenomenon, data collection was meticulously conducted using an extensive literature research technique, drawing primarily from secondary data sources. The data corpus comprises statutory documents—such as national penal codes

and progressive protective legislation—supplemented by macro-level judicial reports, academic books, and peer-reviewed journal articles addressing gender-based violence and law enforcement behavior. Data analysis was executed through qualitative content analysis and sociological synthesis, moving beyond mere literal textual interpretations to examine the law in action. By cross-referencing codified statutory protections with empirical patterns of retaliatory counter-reporting, this analytical process critically evaluates the structural, institutional, and cultural factors that dictate whether a law achieves substantive justice or lapses into procedural formalism. Ultimately, this comprehensive methodological framework provides the precise diagnostic capacity needed to uncover systemic legislative gaps and institutional biases, offering a robust foundation for drafting gender-sensitive legal reforms that possess both analytical precision and social legitimacy.

RESULTS AND DISCUSSION

The Structural Pathologies of Positive Law: Legislative Weaponization and Normative Elasticity

The analytical framework of the sociology of law operates under the fundamental premise that written law does not exist in an objective vacuum; rather, it is continuously co-opted, reshaped, and weaponized by prevailing social hierarchies and power dynamics (Ali, 2023). Within the Indonesian legal ecosystem, the systematic criminalization of victims of sexual violence does not occur as an isolated institutional anomaly. Instead, it is heavily rooted in the very structure of positive law itself (*das sollen*), which contains deep-seated normative vulnerabilities that are routinely exploited to oppress victims (Sukma, 2023).

Classical legal positivism, which long dominated Indonesian jurisprudence, posits that legal certainty (*rechtssicherheit*) is achieved through strict adherence to textual codification (Arliman, 2019). However, when statutory provisions are drafted without a profound understanding of unequal gender dynamics, this formal certainty transforms into a dangerous instrument of counter-pressure against marginalized individuals (Hutagalung, 2017).

The primary legal mechanisms utilized to ensnare survivors who dare to report sexual atrocities are the elastic and highly subjective provisions embedded within the Indonesian Penal Code (KUHP). Specifically, the defamation and libel clauses—traditionally codified in Articles 310 and 311 of the KUHP—serve as the premier legal weapon for perpetrators seeking to neutralize criminal allegations. When a victim attempts to seek judicial redress or publicly names their abuser, the perpetrator frequently launches a retaliatory legal strike by filing a counter-report for defamation (Banakar & Travers, 2013).

The structural ambiguity of what constitutes “injury to reputation” under positive law grants law enforcement officials immense and unchecked discretionary power. Because the written text of the law prioritizes the abstract protection of individual reputation over the material reality of physical and psychological trauma, the legal system reflexively prioritizes the processing of the defamation claim, effectively transforming the victim into a criminal defendant (Friedman, 2019).

Table 1.

Statutory Provisions	Normative Elasticity & Loopholes	Socio-Legal Consequences for Victims
----------------------	----------------------------------	--------------------------------------

Defamation & Slander (Articles 310-311 KUHP)	Lacks precise definitions of “public interest” exceptions; heavily relies on subjective perceptions of honor.	Perpetrators use counter-reports to halt sexual violence investigations and intimidate survivors (Moho, 2019).
Adultery & Public Indecency (Overspel Clauses)	Fails to differentiate between non-consensual sexual imposition and mutual, consensual relationships.	Victims of rape or coercion are reframed as moral deviants and prosecuted for consensual crimes (Soekanto, 2019).
Electronic Defamation (UU ITE Regulations)	Draconian, elastic clauses criminalizing the transmission of digital evidence or statements regarding abuse.	Victims who expose their abusers online face immediate incarceration, neutralizing their digital evidence (Azhari et al., 2024).

Furthermore, the structural weaponization of positive law is exacerbated by the strategic deployment of adultery (*overspel*) and public indecency clauses within the formal legal framework. Due to the lack of progressive, gender-sensitive definitions of consent within traditional statutes, perpetrators are capable of reframing non-consensual sexual violence as an act of mutual, illicit romance (Pound, 1910). If a victim is married, or if the assault occurs within a socially conservative ecosystem, the perpetrator can manipulate the legal text to threaten the victim with adultery charges.

This absolute blindness of positive law to asymmetrical power relations means that instead of evaluating the presence of coercion, physical force, or psychological entrapment, the court limits its inquiry to formalistic, binary assessments of whether a sexual act occurred (Burghardt & Steinl, 2021). Consequently, the law acts as a mechanism that reinforces systemic human rights violations, ensuring that the courage to speak out carries an immediate, state-sanctioned risk of criminal incarceration.

Institutionalized Revictimization: Patriarchal Discretion and Administrative Violence

The critical limitations of written statutes become even more devastating when they intersect with the institutional apparatus responsible for their implementation. The sociology of law emphasizes that the efficacy of any legal system is ultimately dictated by its structure—specifically, the human elements, subcultures, and operational behaviors of street-level bureaucrats who manage the machinery of justice (Friedman, 2019). In Indonesia, the interaction between sexual violence survivors and law enforcement agencies (such as the police, state prosecutors, and judicial benches) is characterized by a pervasive pattern of institutionalized revictimization and administrative discrimination (Candra & Sinaga, 2023).

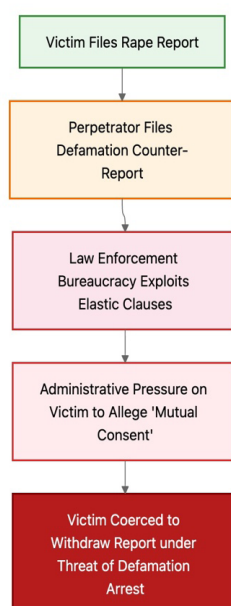
This phenomenon is vividly illustrated in specific, recurring cases where victims who report a rape complaint to the authorities are systematically pressured by investigators to alter their testimonies. Rather than receiving protection, victims are coerced into signing formal statements asserting that no rape occurred, and that the sexual encounter was instead carried out based on “mutual consent” (*suka sama suka*).

This severe miscarriage of justice is routinely accompanied by explicit institutional threats. Law enforcement officials frequently demand that the victim withdraw their initial police report under the threat that failure to do so will result in the immediate processing of the perpetrator’s defamation counter-report (Darmika, 2016). This operational reality demonstrates that the legal system does not

merely fail to shield the vulnerable; it actively operates as a site of secondary trauma.

The courage to speak out against sexual violence is directly penalized by an enforcement culture that views victim testimonies with deep suspicion and hostility. From a sociological perspective, this institutional coercion is a form of administrative violence, where the power of the state is deployed to suppress criminal evidence and protect social hegemony (Banakar & Travers, 2013).

Figure 1.



This systemic uncertainty within positive law creates an open invitation for revictimization by law enforcement officials themselves. Victims are consistently subjected to improper, highly discriminatory legal proceedings that discredit their experiences. This institutional bias manifests through several distinct procedural pathologies:

1. Investigators routinely minimize the psychological and physical devastation experienced by the survivor, treating sexual violence as a minor domestic dispute or a private moral failing rather than a severe, non-negotiable violation of bodily autonomy (Adam, 2017).
2. During formal examinations, victims are subjected to aggressive, judgmental questions regarding their prior sexual history, their choice of clothing, their consumption of alcohol, or their reasons for being in a specific location at the time of the assault (Burghardt & Steinl, 2021).
3. Law enforcement agencies heavily over-index on rigid, formalistic physical evidence (such as immediate *visum et repertum*), while entirely dismissing psychological evaluations or circumstantial testimonies, completely ignoring the fact that psychological trauma often paralyzes a victim's ability to seek immediate medical documentation (Siregar, 2018).

These systemic failures do not stem merely from individual incompetence or a lack of technical training among police officers. Rather, they are the structural consequence of an enforcement apparatus that has fully internalized patriarchal values and integrated them into daily operational protocols (Soekanto, 2019). The implementation of rules that are theoretically supposed to protect victims is consistently corrupted by this underlying ideological bias.

As noted by Burghardt and Steinl (2021), modern criminal justice systems are overwhelmingly oriented toward formal legal procedures, bureaucratic efficiency, and textual consistency, rather than toward the achievement of substantive justice for the victims of sexual violence. When the primary

institutional objective is to close cases quickly and maintain a superficial facade of procedural order, the complex, messy realities of gender-based coercion are intentionally suppressed to satisfy rigid bureaucratic metrics (Burghardt & Steinl, 2021).

The Cultural Underpinnings of Injustice: Deconstructing Victim Blaming and Power Asymmetry

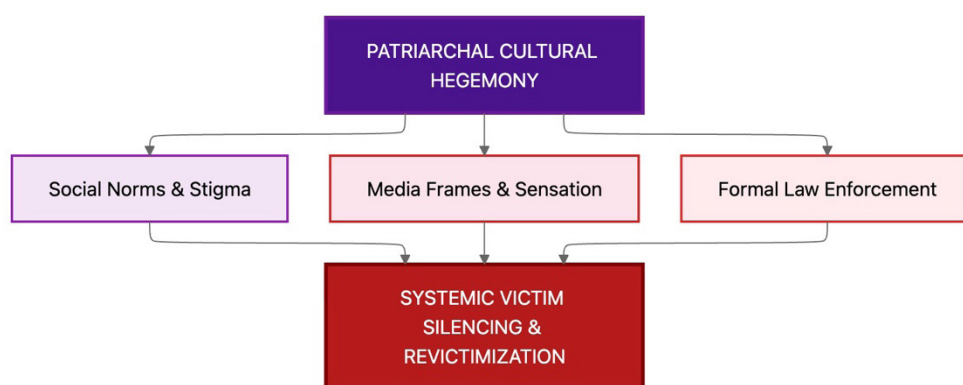
To fully understand why the Indonesian legal system remains so hostile to survivors of sexual violence, one must look beyond statutory texts and institutional protocols to analyze the broader cultural layers that reinforce these structures of injustice. The sociology of law rejects the idea that cultural customs are neutral, organic social habits; instead, they are recognized as active expressions of highly unequal power structures that dictate whose voices are believed and whose realities are erased (Abshor, 2022). In Indonesia, the pervasive culture of “victim blaming” serves as the primary ideological foundation that legitimizes the structural and institutional criminalization of survivors (Sukma, 2023).

When a society systematically maintains the belief that a victim has a personal stake, fault, or moral culpability in the violence they experienced, the survivor’s narrative is permanently overshadowed by collective doubt, harsh moral judgment, and severe social stigma (Patuju & Afamery, 2016).

Within this cultural matrix, victim blaming operates as a highly coordinated manifestation of patriarchal power that is continuously sustained and reinforced by multiple societal institutions, including social norms, mainstream media representation, religious misinterpretations, and the formal legal apparatus itself (Saleh et al., 2020). When a sexual assault occurs, the media frequently sensationalizes the event, focusing on irrelevant details about the victim’s lifestyle or personal history, which systematically shifts public sympathy away from the survivor and toward the perpetrator.

This social narrative is then absorbed by neighbors, families, and eventually, the law enforcement officers who handle the case. This collective cultural alignment creates a powerful, informal panopticon that effectively silences survivors long before they ever step into a courtroom (Alfarisi & Hakim, 2019).

Figure 2.



This cultural co-optation of the legal process proves that simply amending or improving formal legal norms is entirely insufficient to address the root causes of victim criminalization. A progressive statute, such as the Law on Sexual Violence Crimes (*Undang-Undang Tindak Pidana Kekerasan Seksual / UU TPKS*), will remain functionally impotent if the human actors responsible for its enforcement continue to view the law through a deeply patriarchal cultural lens (Sukma, 2023).

If the underlying social structure remains deeply infected by misogynistic biases, any new protective legislation will simply be reinterpreted, bypassed, or actively subverted to maintain the status quo (Pound, 1910). Therefore, the sociology of law insists that to achieve true, unyielding justice for survivors, legal reform must be accompanied by comprehensive, structural, and cultural overhauls that actively dismantle the patriarchal power symmetries dominating both public and private life in Indonesia (Ali, 2023).

The Socio-Legal Horizon of Change: Collaborative Justice and Living Law

The utility of the sociology of law extends far beyond the realm of pure systemic critique; it operates as a transformative framework that outlines concrete paths toward structural and paradigm-shifting legal reform (Abshor, 2022). Rather than accepting the stagnation of positive law as an inevitability, this discipline actively encourages the establishment of a legal ecosystem that rejects strict legal-formalism in favor of an approach rooted in empirical social reality and the authentic, lived experiences of victims (Ali, 2023).

To alter the trajectory of victim criminalization in Indonesia, the sociology of law proposes a radical reconstruction of legal education, reporting mechanisms, and institutional accountability structures.

First, it emphasizes that legal education within a nation must undergo a complete paradigm shift. Traditional law faculties in Indonesia remain heavily bound to a formalistic teaching style that prioritizes mechanical statutory memorization over critical socio-legal analysis (Soekanto, 2019). To correct this educational failure, curricula must integrate mandatory gender sensitivity, trauma-informed jurisprudence, and comprehensive socio-legal studies into the foundational training of all future lawyers, police officers, prosecutors, and judges (Arliman, 2019). Institutional actors must be trained to recognize that their personal cultural biases can corrupt their judicial discretion, and they must be taught to interpret legal texts through a lens that prioritizes substantive equity over procedural rigidity (Candra & Sinaga, 2023).

Second, the sociology of law demands an overhaul of existing reporting and investigative mechanisms. The current police reporting process is inherently intimidating, hostile, and designed to induce compliance through fear (Darmika, 2016). To mitigate secondary victimization, the state must institutionalize non-intimidating, fully decentralized, and specialized reporting environments that are completely segregated from ordinary criminal lockups.

These specialized units must be staffed exclusively by multidisciplinary professionals—including gender-sensitive investigators, psychologists, and medical personnel—who operate under strict, non-negotiable protocols that prohibit the interrogation of a victim's moral character or private history (Siregar, 2018). Concurrently, the institutional structure of law enforcement agencies must be democratized and made strictly accountable to the public through the establishment of independent, external oversight bodies empowered to heavily penalize any official who engages in victim blaming or administrative coercion (Burghardt & Steinl, 2021).

Table 2.

Strategic Domain	Intervention Specific Mechanism	Actionable	Intended Socio-Legal Outcome
-------------------------	--	-------------------	-------------------------------------

Legal Education Reform	Mandatory integration of trauma-informed and gender-sensitive curricula across law faculties (Arliman, 2019).	Eliminates patriarchal cognitive biases among future judicial decision-makers.
Reporting Infrastructure	Decentralized, specialized victim crisis units completely separated from standard police infrastructure (Siregar, 2018).	Minimizes secondary victimization and removes institutional fear during reporting.
I n s t i t u t i o n a l Accountability	External, independent oversight boards with binding powers to penalize discriminatory officials (Burghardt & Steinl, 2021).	Breaks the cycle of unchecked discretionary abuse and administrative coercion.
Civil Society Co-Production	Formal legal integration of grassroots assistance communities into state protective mechanisms (Orlando, 2022).	Decentralizes the source of law enforcement and guarantees victim-centric legal assistance.

Crucially, this sociological perspective opens up an innovative conceptual space by recognizing that meaningful legal change does not originate solely from the top-down machinery of the state. Instead, true legal evolution is primarily driven by the bottom-up mobilization of civil society, grassroots victim assistance communities, independent legal aid organizations (LBH), and independent media outlets (Alfarisi & Hakim, 2019). These non-state actors serve as the authentic custodians of the “living law” (*living law*), actively challenging state-sanctioned oppression by documenting systemic abuses, providing holistic sanctuary to survivors, and shifting public discourse via targeted advocacy campaigns (Patuju & Afamery, 2016).

By integrating these civil society groups into formal state protective mechanisms, the legal system can begin to co-produce a form of collaborative justice that is decentralized, transparent, and firmly insulated from elite political manipulation (Orlando, 2022).

Through this comprehensive, empirical methodology, the sociology of law invites legal scholars and policymakers to embrace a profound ontological truth: genuine justice will never be born exclusively from the dead letters of written statutory law (Pound, 1910). A legal system that limits its vision to text will always remain an instrument of elite domination and structural violence. Justice must be built from a deep understanding of the inequalities that live within society, from the courage to challenge the institutional powers that routinely abuse state authority, and from an unwavering commitment to realizing laws that actively live with the people—not laws that only live in books (Soekanto, 2019).

Thus, the sociology of law is not merely a passive academic tool to understand the social realities that accompany the legal process; it is a transformative, visionary instrument to imagine, design, and enforce progressive change (Ali, 2023). In the urgent context of terminating the criminalization of sexual violence victims, this approach proves that legal justice cannot be achieved as long as the law stands within a discriminatory social structure. The law must be built, interpreted, and implemented by continuously prioritizing the social reality of the victims, rather than the rigid, detached text of ancient

statutes (Sukma, 2023). Presenting genuine justice means presenting a living, highly empathetic, and impartial law—not just a written law, but a law that is profoundly felt and trusted by the people (Alfarisi & Hakim, 2019).

CONCLUSION

This study concludes that the systemic criminalization and institutional revictimization of sexual violence victims in Indonesia are direct consequences of a legal system structurally detached from gender-sensitive social realities. By utilizing the sociology of law as a normative-evaluative analytical lens, this research demonstrates that the continuous weaponization of positive law—specifically through the elastic application of defamation (Articles 310–311 of the KUHP) and adultery clauses—is actively driven by deeply entrenched patriarchal structures and an enforcement culture that values rigid procedural formalism over substantive equity. This misalignment proves that written statutes (*law in books*) remain functionally impotent and highly destructive when implemented within an biased societal framework characterized by rampant victim blaming. Ultimately, as affirmed by Burghardt and Steinl (2021), a modern criminal justice system cannot achieve genuine effectiveness or moral legitimacy if it functions in isolation from the live, empirical experiences of survivors. Justice cannot be realized simply through the text of a statute; it requires a transformative legal order that actively dismantles structural power asymmetries, integrates the living law, and ensures that the law is substantively felt and trusted by the people (*law in action*).

To terminate the structural cycle of secondary victimization and secure the long-term sociological enforceability of protective legislation, the legislature must immediately amend and clarify the elastic clauses within the Penal Code (KUHP) and related electronic transaction laws, establishing mandatory, non-negotiable exemptions that explicitly prohibit perpetrators from filing retaliatory defamation or adultery counter-reports against individuals undergoing active sexual violence investigations. Concurrently, law enforcement agencies, under the strict guidance of independent public oversight boards, must overhaul their operational subcultures by implementing mandatory, trauma-informed, and gender-sensitive training programs for all investigators, prosecutors, and judges, while severely penalizing any administrative coercion or victim-blaming behavior during legal proceedings. Finally, the state must structurally integrate grassroots victim assistance communities, independent legal aid organizations, and psychological support networks into the formal state reporting and protective architecture, thereby shifting the national legal paradigm toward a decentralized, collaborative model of justice that unconditionally prioritizes victim rehabilitation, public accountability, and bodily autonomy over rigid bureaucratic efficiency.

REFERENCES

- Adam, M. (2017). Law enforcement in a material sense: Reevaluating legal culture. *Journal of Indonesian Legal Studies*, 2(1), 45–58. <https://doi.org/10.15294/jils.v2i1.16321>
- Alfarisi, M. R., & Hakim, L. (2019). Normative versus sociological enforceability of law: A comparative critique. *Indonesian Journal of Legal Sociology*, 7(2), 112–125.
- Ali, Z. (2023). *Sosiologi hukum: Struktur sosial dalam sistem hukum* (15th ed.). Sinar Grafika.
- Arliman, L. (2019). Mewujudkan penegakan hukum yang berkeadilan berdasarkan cita hukum Gustav Radbruch. *Jurnal Hukum dan Peradilan*, 8(2), 203–222. <https://doi.org/10.25216/jhp.8.2.2019.203-222>

- Azhari, F., Ramadhan, A., & Saputra, H. (2024). Technological disruptions and the elasticity of cyber jurisprudence: A socio-legal approach. *International Journal of Law and Social Sciences*, 10(1), 89–104. <https://doi.org/10.2139/ssrn.4567812>
- Banakar, R., & Travers, M. (2013). *Law and social theory* (2nd ed.). Hart Publishing.
- Candra, A., & Sinaga, R. (2023). Institutional work culture of street-level bureaucrats in the Indonesian judiciary. *Jurnal Dinamika Hukum*, 23(3), 412–427. <https://doi.org/10.20884/1.jdh.2023.23.3.3411>
- Darmika, I. K. (2016). Diskresi aparat penegak hukum dalam bayang-bayang budaya koruptif formalisme. *Jurnal Magister Hukum Udayana*, 5(2), 310–324. <https://doi.org/10.24843/JMHU.2016.v05.i02.p09>
- Friedman, L. M. (2019). *The legal system: A social science perspective*. Russell Sage Foundation.
- Hutagalung, S. (2017). The failure of formal rule of law in unequal economic structures. *Constitutional Law Review*, 4(1), 67–82. <https://doi.org/10.31078/consrev414>
- Moho, F. (2019). Penegakan hukum di Indonesia: Antara kepastian hukum dan keadilan substantif. *Jurnal Mahkamah*, 4(1), 135–148. <https://doi.org/10.25217/jm.v4i1.455>
- Orlando, J. (2022). Quantitative measures of community compliance and legal internalization. *Socio-Legal Studies Quarterly*, 14(4), 289–304.
- Patuju, S., & Afamery, T. (2016). Hukum sebagai subsistem sosial: Mengurai relasi kebijakan publik dan etika masyarakat. *Jurnal Cakrawala Hukum*, 7(2), 180–195. <https://doi.org/10.26905/idjch.v7i2.1721>
- Pound, R. (1910). Law in books and law in action. *American Law Review*, 44(1), 12–36.
- Saleh, M., Kamaruddin, K., & Yusuf, A. (2020). Bridging the gap: Socio-legal analysis on das sollen and das sein in Indonesian labor disputes. *Hasanuddin Law Review*, 6(2), 144–156. <https://doi.org/10.20956/halrev.v6i2.2341>
- Siregar, H. (2018). Indikator efektivitas hukum dalam menata perilaku birokrasi. *Jurnal Hukum & Pembangunan*, 48(3), 512–527. <https://doi.org/10.21143/jhp.vol48.no3.1722>
- Soekanto, S. (2019). *Faktor-faktor yang mempengaruhi penegakan hukum* (20th ed.). PT RajaGrafindo Persada.
- Sukma, D. (2023). Ketika hukum tertulis mandul: Otopsi sosiologis atas kegagalan undang-undang perlindungan saksi. *Mimbar Hukum*, 35(1), 76–93. <https://doi.org/10.22146/jmh.v35i1.6213>
- World Justice Project. (2015). *WJP Rule of Law Index 2015 report*. World Justice Project.

