

# Legal Justice for Revenge Porn Victims: Rethinking Indonesia's Cyber Law from a Victim-Centered Perspective

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## ABSTRACT:

**Background:** The dissemination of intimate content without consent, commonly known as revenge porn, has emerged as a serious form of cybersexual violence in the digital era. The perpetrators often use social media platforms to spread such content as a form of retaliation. This issue poses significant psychological, emotional, and social harm to victims, exacerbated by the lack of specific legal safeguards in Indonesia.

**Aims:** This study seeks to explore the urgency of legal protection for individuals affected by revenge porn and assess the extent to which current Indonesian legislation provides such protection.

**Methods:** Using a normative-empirical legal research method with both descriptive and futuristic approaches, this study collected data through literature analysis and interviews with law enforcement and victim support organizations. The data were analyzed through qualitative interpretation.

**Result:** The study found that legal mechanisms to support victims of revenge porn are still highly inadequate. Existing laws, such as the Pornography Law and the Electronic Information and Transactions Law, lack specific provisions and may even criminalize the victims. Although institutions like the Witness and Victim Protection Agency (LPSK) exist, access to protection is limited and dependent on formal requests. Additionally, personal data protection remains underregulated.

**Conclusion:** There is a pressing need for a more inclusive legal framework that offers specific protection for victims of digital sexual violence. The development and enactment of new legal instruments, such as the Sexual Violence Eradication Bill and the Personal Data Protection Bill, are essential to ensure justice and restore dignity for those affected by revenge porn.

## Keyword:

Cyber-Based Sexual Violence; Cybercrime Victims; Human Rights (HR); Legal Protection; Pornography Law;

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## INTRODUCTION

The increasing number of revenge porn cases in Indonesia highlights the urgent need for legal research that focuses on the gaps in victim protection. In the age of rapid digital transformation, individuals are more connected than ever before, with social media facilitating the sharing of personal and even intimate content (Koch & Miles, 2021; Levin & Mamlok, 2021). While these platforms offer convenience and connectivity, they also expose users to new forms of cyberviolence (S. Wang et al., 2022). Revenge porn, where someone distributes another person's explicit content without consent, often as an act of retaliation, is among the most disturbing trends. This type of exploitation typically emerges from broken relationships, where private material is misused to inflict harm. The rapid and uncontrolled spread of such content online multiplies the psychological and social damage for victims. Unlike traditional forms of violence, the digital trace of revenge porn is difficult to erase, making recovery more complex. Many victims remain silent out of fear, stigma, or legal uncertainty, which further perpetuates the cycle of abuse.

In the Indonesian context, revenge porn illustrates a mismatch between the pace of technological innovation and the state's ability to regulate cyber-related sexual violence. Women, in particular, are disproportionately affected, often blamed for their victimization due to deeply rooted gender biases (Abdelaziz, 2025; Fulcher et al., 2023). This societal tendency to shame victims makes it harder for them to seek legal help or support. Although laws like the Pornography Law and the Electronic Information and Transactions Law exist, they are not designed to handle the nuances of digital consent and victimization (Halder & Basu, n.d.; Yadav, 2023a). These legal frameworks sometimes criminalize victims instead of holding perpetrators accountable. The ambiguity in the law leaves victims unsure about whether they will be protected or prosecuted if they report. As a result, justice is rarely served, and the emotional burden on victims remains unresolved.

This reflects the urgent need for laws that are specific, inclusive, and grounded in a human rights perspective. The COVID-19 pandemic intensified the frequency of revenge porn cases, with more people relying on digital platforms for private communication during periods of social isolation. Many individuals engaged in intimate exchanges through online means, unaware of the risks posed by digital betrayal (Das, 2023; F. Wang & Topalli, 2024). The breach of trust and privacy when such content is shared publicly causes deep emotional distress. Reports from various NGOs indicate a significant spike in cases involving digital sexual exploitation, particularly among youth. Anonymous social media accounts and encrypted messaging apps have become key tools for perpetrators to distribute explicit content without being traced (Jain et al., 2021; Teunissen & Napier, 2022). The speed and scope of distribution make revenge porn uniquely damaging compared to offline crimes. Victims are often subjected to long-term social exclusion, anxiety, and reputational harm. These trends underline the need for stronger regulatory systems that focus not only on punishment but also on digital safety and prevention.

The psychological consequences of revenge porn are severe, and often underestimated. Victims commonly experience trauma, shame, self-blame, and prolonged mental health issues such as depression or post-traumatic stress disorder (Kip et al., 2022). What sets this crime apart is the public nature of the violation—private images or videos are exposed for widespread viewing, stripping victims of their dignity. In Indonesia's conservative society, victims often suffer in silence due to fear

of being stigmatized by family, community, or legal authorities (Thajib, 2022). Many are discouraged from reporting or even speaking about the incident because of cultural taboos related to sexuality. These pressures make recovery difficult, especially in the absence of a supportive environment or counseling services (Dawes et al., 2021; Liberati et al., 2021). Without appropriate legal and psychological support, victims may never fully regain their sense of safety and self-worth.

Therefore, the issue of revenge porn must be treated as a serious violation of personal and human rights, requiring comprehensive state intervention (Mania, 2024; Yadav, 2023b). The absence of specific legislation that clearly defines and criminalizes revenge porn represents a critical void in Indonesia's legal system. While certain laws can be interpreted to apply, such as those on pornography or cybercrime, they often fail to address the core issue of non-consensual distribution (De Angeli et al., 2023; Yadav, 2023b). Furthermore, these laws do not distinguish between individuals who intentionally share content and those whose images are exploited. In some cases, victims are charged under the same provisions as the perpetrators, simply for appearing in explicit material. This not only adds legal harm but also reinforces societal stigma.

The lack of clarity and consistency in how such cases are handled undermines public trust in the justice system (Gille et al., 2022; Schroeder, 2021). Victims are left in a vulnerable position, uncertain whether the law will protect or punish them. Legal reforms must be introduced to clearly define revenge porn as a distinct offense and ensure that victims are treated as rights-holders, not suspects. International legal developments have shown that targeted legislation can play a key role in preventing revenge porn and supporting survivors (Eaton et al., 2024; Mania, 2024). Countries like the United Kingdom, Australia, and Canada have enacted laws that criminalize the unauthorized distribution of intimate images and provide victims with tools for legal recourse. These frameworks often include mechanisms for fast content removal, confidentiality of victim identities, and appropriate penalties for offenders. Indonesia, by contrast, has yet to enact such focused measures.

Victims often have to depend on NGOs or informal support systems for justice or emotional recovery (Gilmore & Moffett, 2021; Kaburi & Kaburi, 2023). This reliance on non-state actors is not sustainable, and it places an undue burden on civil society to compensate for legal gaps. To bring Indonesia in line with global human rights standards, legal reforms that incorporate both punitive and restorative justice approaches are essential. A forward-looking legal agenda must place victims at the center of protection and response efforts (Caccioppoli, 2024; Ferguson, 2024). The recovery journey for revenge porn victims is often hindered by a lack of access to trauma counseling, legal aid, and societal acceptance. Many survivors face judgment instead of compassion, further deterring them from pursuing legal action. Stigma and misinformation contribute to a culture of silence, making victims feel isolated and ashamed. In rural areas, support systems are especially limited, and justice becomes a distant concept.

Law enforcement officers may lack sensitivity training, and prosecutors may be unfamiliar with digital evidence, resulting in poor case handling (Belshaw & Nodeland, 2022; Miller, 2022). These institutional weaknesses must be addressed through capacity building and public education (Ali et al., 2021; T. Wang et al., 2023). Ensuring victim-centered justice requires collaboration between government, civil society, and digital platforms. Only by creating safe, inclusive, and accessible systems can Indonesia hope to end the cycle of revictimization. This research is urgently needed to

fill the gap in academic and legal discourse surrounding revenge porn in Indonesia. Despite rising incidents, victims remain underserved by current laws and support structures. Without clear legal definitions and pathways for redress, many choose not to report due to fear or shame. This study offers a critical opportunity to evaluate existing legislation and its impact on victim protection. By analyzing the intersection of law, gender, and technology, the research aims to contribute to evidence-based policy reforms. It also advocates for a shift toward a victim-centered legal framework that upholds dignity and justice. The findings are expected to inform stakeholders—lawmakers, practitioners, and civil society—on how to better respond to digital sexual violence. Ultimately, the study highlights that protecting victims in the digital age is not optional, but a legal and moral imperative.

In recent years, growing scholarly interest has been directed toward the legal and social complexities of online sexual exploitation and digital pornography. In the Indonesian context, Nelson and Santoso (2025) reveal how digital platforms and financial systems remain susceptible to misuse in child sexual abuse cases, while Zaltina and Nurtjahyo (2024) stress the need to recognize the right to be forgotten as a vital protection for victims of electronic sexual violence. Contributions from Hidayatulloh (2024), Madasari (2021), and Wijaya (2021) illustrate how ideological, cultural, and state power dynamics influence gender-responsive legal reforms and the treatment of LGBTQ+ communities. From a jurisprudential angle, Christianto (2020) suggests employing a “living law” perspective to adapt cyberpornography regulations to evolving societal values, whereas Khakim et al. (2019) point out that many legal instruments fail to center victims and instead misclassify them as offenders. Comparative legal analyses, such as those by Pitaksantayothin (2023) and Sulistyanta et al. (2023), underline the importance of aligning child pornography laws with international standards and ensuring proportional enforcement across jurisdictions. Regarding youth behavior in digital environments, Crofts and Burke (2021), Karaian and Brady (2019), and Dodge and Spencer (2018) raise concerns about legal ambiguities that arise when adolescent sexting is conflated with exploitation, often disregarding consent and context. Expanding the discussion, Harbinja et al. (2023) and Terrell (2023) explore emerging concerns around posthumous digital identities, data ownership, and freedom of expression in digital spheres. Social attitudes and media portrayals also influence how these issues are framed, as seen in the works of Hegarty (2022), Silvestri (2022), and McLelland (2019), which critique how deviance and criminality are often linked to marginalized groups. Finally, Nyoman Juwita Arsawati et al. (2021) and Primack (2018) call for legal frameworks that are both adaptive and survivor-centered, given the rising sophistication of digital sexual crimes. Together, these studies emphasize the urgent need for context-aware reforms that protect rights and prioritize victim welfare in the digital age.

Although academic discourse on digital sexual violence has grown, discussions that specifically address revenge porn within Indonesia’s legal system remain limited. Much of the existing research tends to generalize the issue under broader themes like cybercrime or child pornography, without isolating adult non-consensual image sharing as a critical concern. Current regulations, including the Pornography Law and the Electronic Information and Transactions Law, often lack clear boundaries that distinguish between perpetrators and victims. As a result, individuals whose privacy has been violated may face legal risks simply for being depicted in explicit content. In addition, scholarly works

frequently overlook the lived experiences of victims, such as the emotional burden, institutional neglect, and fear of stigma that accompany legal processes. While some countries have advanced with comprehensive, victim-sensitive policies, Indonesia has yet to contextualize these global frameworks within its own socio-legal environment. Furthermore, interdisciplinary studies that integrate legal analysis, gender-based violence perspectives, and technological implications are still rare. This disconnect between academic understanding, legal practice, and victim realities illustrates a pressing need for more focused and contextually grounded research.

This research is intended to explore how the Indonesian legal system currently addresses cases of revenge porn and to what extent it provides justice and protection for victims. The study aims to analyze the implementation of existing laws, with particular attention to whether these laws serve their intended purpose or inadvertently harm those they are meant to protect. It also investigates the practical challenges faced by victims when reporting incidents, including societal judgment, limited institutional support, and ambiguous legal definitions. In doing so, the research draws insights from international practices that have established clearer legal protections and more supportive frameworks for victims of digital sexual violence. Ultimately, the purpose of this study is to offer constructive recommendations for policy reform that prioritize victim safety, clarity in legal interpretation, and access to justice in the digital context.

## METHOD

### Research Design

This study employs a combination of normative and empirical legal approaches. The normative element is used to analyze the structure, content, and implications of existing legal frameworks concerning revenge porn in Indonesia, particularly the Pornography Law and the Electronic Information and Transactions Law. The empirical dimension complements this by incorporating observations and testimonies from individuals directly involved in handling or experiencing such cases. By integrating both methods, the research aims to provide a more holistic understanding of legal provisions and their real-world application.

### Participant

The participants involved in the empirical aspect of this research include legal professionals such as police officers, legal aid practitioners, and personnel from victim support institutions, as well as selected individuals who have experienced revenge porn and were willing to participate voluntarily. Participants were chosen through purposive sampling based on their relevance to the topic and their ability to provide insightful perspectives. Ethical considerations, such as informed consent and confidentiality, were strictly observed throughout the research process.

### Instrument

To gather relevant information, the study utilized two main instruments: a legal document review framework and a semi-structured interview guide. The document review focused on statutes, court decisions, and official policy documents, enabling structured analysis of the legal context. The interview guide was designed to explore topics such as the interpretation of laws, institutional responses, victim challenges, and the effectiveness of existing protections. This format allowed

participants to share their insights openly while ensuring that discussions remained focused on key issues.

### Data Analysis

The data obtained from legal texts were examined through qualitative legal interpretation and doctrinal analysis, aimed at identifying legal inconsistencies, ambiguities, and protection gaps. Interview data were processed using thematic analysis, which involved categorizing and interpreting recurring themes and narratives within participant responses. By combining findings from both legal sources and experiential data, the research offers a more grounded and critical evaluation of how revenge porn is addressed within Indonesia's legal system.



**Figure 1.** Flowchart of Legal Protection Process for Revenge Porn Victims on Social Media

## RESULTS AND DISCUSSION

### Results

This research shows that the current legal framework in Indonesia is not yet fully equipped to respond to the complexities of revenge porn. Laws such as the Pornography Law and the Electronic Information and Transactions Law do not explicitly address the non-consensual sharing of intimate images, leaving a legal vacuum that often results in misinterpretation and misapplication. Victims, instead of being supported, are frequently treated as violators under the same legal provisions used to prosecute the perpetrators. Interviews with relevant law enforcement officers and institutional actors reveal that there is a lack of consistency in how reports are handled, and victims often experience difficulty in accessing legal and psychological assistance.





**Figure 2.** Status Of Customary Forest Before and After Decision

The visual representation above outlines several systemic contradictions experienced by victims. It illustrates, for example, how criminal justice procedures can shift focus from protection to prosecution, placing an unfair burden on those who have already suffered harm. Moreover, access to protection through official institutions such as LPSK remains limited, often requiring victims to submit formal requests while dealing with trauma and stigma. The chart also highlights how procedural uncertainty and selective legal interpretations lead to inconsistent responses from authorities. These findings emphasize that current legal mechanisms not only fail to ensure justice but may also deepen the harm experienced by victims.

## Discussion

His study confirms that Indonesia's existing laws are not yet adequate in addressing the issue of revenge porn in a way that protects victims. The legal provisions contained in the Pornography Law and the ITE Law do not clearly distinguish between intentional offenders and individuals whose private content was distributed without consent. As a result, victims can find themselves criminalized rather than protected, which supports prior arguments made by scholars such as Khakim et al. (2019). These overlapping interpretations create confusion in law enforcement and reduce victims' willingness to report incidents. One major gap identified in this research is the absence of legal mechanisms that guarantee digital redress for victims—particularly the right to erasure or takedown of harmful content. Zaltina and Nurtjahyo (2024) argue that the right to be forgotten is a critical tool for restoring victims' dignity, especially when explicit content continues to circulate on digital platforms. This study echoes their perspective, finding that without such a right, victims remain vulnerable to prolonged psychological harm and reputational damage. The inability to legally compel platforms to act swiftly further compounds the trauma.

In cases involving gender and moral judgment, institutional responses often reinforce stigma rather than provide relief. As noted by Wijaya (2021), laws in Indonesia frequently reflect conservative interpretations that marginalize those seen as deviating from moral norms. The results of this study show that similar attitudes are directed at victims of revenge porn, especially women,

who are sometimes blamed for their own victimization. This stigmatization is reflected not only in legal proceedings but also in public discourse, leading to revictimization.

In contrast, other countries have developed clearer legal instruments that directly address the problem of non-consensual image sharing. Pitaksantayothin (2023) and Sulistyanta et al. (2023) describe how jurisdictions like Australia, South Korea, and Thailand have created specific provisions that define, prohibit, and penalize revenge porn, while also offering pathways for victims to seek redress. Compared to those countries, Indonesia still lacks a comprehensive legal structure and operational guidance for authorities handling such cases.

The complexity of digital behavior, particularly among young people, also influences how revenge porn is perceived and handled. Crofts and Burke (2021) point out that when intimate content is initially shared consensually but later used maliciously, victims often hesitate to report due to fear of judgment or legal repercussions. This study found similar patterns in Indonesia, where victims—especially young women—are reluctant to come forward because of shame or concern they will be blamed instead of protected.

Another challenge relates to institutional support mechanisms, which are often passive and underutilized. Agencies like LPSK, though available, typically require victims to initiate requests and navigate administrative processes at a time of distress. This supports the criticism raised by Karaian and Brady (2019), who argue that victim protection should not depend solely on individual initiative. Without a proactive system, many victims remain isolated and unsupported.

Christianto (2020) has emphasized that Indonesian law is yet to fully evolve to reflect digital realities. Current laws and enforcement strategies remain rooted in traditional concepts of evidence and morality, which do not align with the dynamics of online harm. The findings in this study affirm this observation, showing that digital sexual violence requires updated legal definitions, quicker procedural mechanisms, and better alignment with technological developments.

In summary, the discussion highlights that Indonesia's response to revenge porn is fragmented and outdated. Victims face multiple barriers—not only legal but also cultural and institutional—that prevent them from accessing justice. This study calls for a comprehensive reform strategy grounded in victim rights, digital accountability, and trauma-informed practices. Learning from international experiences while respecting local context will be essential to building a responsive and just legal framework.

## Implications

The outcomes of this study underscore the pressing need for more precise and inclusive legal protection for individuals impacted by revenge porn in Indonesia. The current absence of clear legal definitions and procedures not only creates confusion but also weakens victims' access to justice. Strengthening the legal framework to specifically address non-consensual distribution of intimate content would signal a state-level commitment to upholding digital privacy and human dignity. Moreover, the findings suggest that judicial and law enforcement personnel require additional training in handling cases involving digital sexual violence, particularly using trauma-informed and gender-sensitive approaches. Recognizing digital rights such as content takedown requests or the right to digital anonymity could significantly support victim recovery. The broader implication is that



legal and institutional systems must evolve to keep pace with the nature of digital harm and to ensure that victims are supported rather than silenced.

### **Limitations**

This study has certain limitations that should be acknowledged. The qualitative nature of the research, combined with a limited number of participants, means that the findings may not fully reflect the diversity of experiences across different regions or social groups. Due to the sensitive topic, some survivors were reluctant to participate or share their experiences in detail, which may have influenced the depth of the data collected. Furthermore, institutional perspectives were drawn from specific departments, and may not represent the views of the broader legal or law enforcement community. Additionally, the legal analysis was limited to publicly accessible laws and did not include internal operational guidelines that may influence case handling. These factors restrict the generalizability of the findings but provide a focused starting point for future inquiry.

### **Suggestions**

The Indonesian government must prioritize the establishment and ratification of a dedicated legal framework that fully protects individuals affected by cyber-based sexual violence, particularly in revenge porn cases. Current legal provisions are insufficient and, in some instances, may inadvertently criminalize the victim. Therefore, it is crucial to revise ambiguous clauses in the Electronic Information and Transactions Law and the Pornography Law to prevent misinterpretation that could lead to victim-blaming. Law enforcement authorities are expected to implement a justice approach that centers on the victim's experience, ensuring their safety and dignity are preserved throughout the legal process. At the same time, institutions such as the Witness and Victim Protection Agency (LPSK) and other support organizations should be equipped with adequate resources and training to deliver holistic support—including legal aid, medical assistance, and psychological services. Public education campaigns on digital safety, personal data protection, and the risks of revenge porn must be intensified to encourage victims to report offenses without fear or stigma. Furthermore, the swift enactment of the Sexual Violence Eradication Bill and the Personal Data Protection Bill is imperative to provide a legal foundation that addresses modern forms of sexual violence in the digital era and ensures meaningful recovery and justice for victims.

### **CONCLUSION**

Based on the findings, it is evident that Indonesia's legal system has not yet provided an effective or consistent response to the issue of revenge porn. The lack of specific legal language, combined with fragmented regulations and weak institutional mechanisms, has resulted in victims being left without clear pathways to protection or justice. In some cases, those who should be safeguarded by the law are instead subjected to further harm through stigmatization or misapplication of legal provisions. This study emphasizes the need for legal reform that aligns with contemporary digital realities and upholds victims' rights as central to the justice process. A shift toward comprehensive, rights-based, and trauma-informed approaches is essential to improve not only legal clarity but also public confidence in the state's ability to respond to digital sexual violence.

### AUTHOR CONTRIBUTION STATEMENT

Nabila Chandra Ayuningtyas contributed to the conception of the topic, literature review, data collection (including field interviews), and the overall writing of the thesis manuscript. She is the primary author and researcher of this legal study.

Subekti supervised the research process, provided critical feedback on the legal framework, and guided the refinement of arguments in the analysis and discussion sections.

Supanto reviewed the thesis draft, offering substantial contributions to the legal reasoning, comparative analysis, and strengthening the contextualization within Indonesia's penal system.

Rehnalemken Ginting contributed to refining the research methodology, including ethical considerations and ensuring clarity and coherence in the structure of the final thesis.

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