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Gender-Based Cyber Violence: A Challenge to Gender Equality in Indonesia

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Abstract

The cyber dimension of gender-based violence is evolving worldwide and obstructing a few affirmative action's being taken to bring gender equality. Indonesia has recently seen a continuum of gender-based cyber violence offline which includes online hate speech, trolling, cyber harassment, cyberstalking, sharing content without consent, hacking, identity theft, cyberbullying, and image-based sexual abuse. Such gender-based cyber violence is the most severe form of gender-based discrimination as now it employs technology to inflict harassment and prejudice. Such activities disproportionately against women based on their gender are detrimental to establish gender equality in society State governments have policies to address gender-based violence and maintain gender equality, but they are not applicable to gender-based cyber violence. Even the developed nations like the United States have failed to address online gender-based violence on a legislative level despite pressure from media and women activists. There is a need to frame concrete policies that denounce and decrease the pervasiveness of online gender-based violence. This study investigated the extent to which gender-based cyber violence has corrupted the Indonesian society and weakening the efforts to bring gender-based equality

Introduction

The term Online Gender-Based Violence (OGBV) refers to such cybercrimes that can be termed as criminal, civil or harmful, sexually aggressive and harassing acts, committed with the help of digital communication technologies (Powell & Henry, 2017). The OGBV assaults a person's gender identity, and also seen as a violation of human rights (Amnesty International, 2018; Lewis et al., 2017; UNHRC, 2018), that are carried out by people obsessed with sexual or gender identity of their victims. This puts particularly the women and young girls in danger. By making use of internet technology, the offenders are involved in crimes like stalking, bullying, sexual harassment, defamation, hate speech, and exploitation (Hinson et al., 2018). For this reason, the International Center for Research on Women calls OGBV as a Technology-Facilitated Gender-Based Violence or, sometimes, Technology-Facilitated Sexual Violence.

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Even the developed nations like the United States have failed to address online gender-based violence on the legislative level despite pressure from media and women activists. In Indonesia, the National Commission on Violence Against Women's (*Komnas Perempuan*), in their 2020 Annual Report, revealed that there is an increase of 300% in OGBV cases compared to the previous year (Perempuan, 2020). Even during the pandemic, an increase of 400% cases of OGBV were recorded as compared to 2019 (Ratnasari et al., 2021). The SAFENet (Southeast Asia Freedom of Expression Network) is a civil society organization that fights for digital rights in Southeast Asia and launches protests against OGBV. Such reports are detrimental to the Indonesian attempts to bring gender equality and giving broadband access to females to ICT applications. It is envisaged that ICT can transform the lives of millions of women in terms of their health, education, financial status and community participation. The access to ICT will also prevent violence against women and make internet a safe place for women. Last, but not least, ICT and the access to Internet will also open new avenues of gender equality.

The current study aimed at addressing the critical issue of gender equality amidst challenges of online gender violence that has corrupted the Indonesian society and weakened the efforts to bring gender-based equality. Among all gender-based crimes, recently the cyber violence is the most severe form of gender-based discrimination as it employs the uncontrollable and infinite power of technology to harass women and young girls. This study also attempted to examine the extent to which the government policies have succeeded in addressing the gender-based violence in order to achieve gender equality. The study strongly recommended the need to frame concrete policies to prevent online gender-based violence and participation of social media platform to raise awareness campaign for building an environment of gender equality, and respect for another gender.

Problem's statement

Cyber Violence Against Women and Girls (Cyber-VAWG) has emerged as a global issue affecting adversely the society as well as a nation's economy. Women globally are subjected to different forms of online violence, especially women of specific religions, ethnic or racial groups, sexual orientation, economic status, and with disabilities. Women aged 18 to 24 are at a heightened risk of being exposed to every kind of Cyber-VAGW. Amnesty International (2018) reports that approximately one-fourth of the 4,000 women surveyed in the European nations including the most developed ones like United States, United Kingdom, Spain, and Italy have experienced online abuse or cyber harassment at least once. In the EU nations, 18 per cent of women have experienced a form of serious Internet violence since the age of 15, which corresponds to about 9 million women .44

VAWG is in the form of intimidating and sexually explicit text messages, threats of violence, emails, images, and videos. The sender platforms are majorly online dating and social media platforms, or form chat rooms and instant messaging services. Women and girls of all age groups are more likely to experience this form of harassment than men and boys (Davis & Schmidt, 2016; Moriarty & Freiburger, 2008; Reynolds et al., 2011). Cyberbullying does not seem to be a gender-based cybercrime since the research on the role of gender in cyberbullying got mixed results. A few

studies found gender as a statistically significant predictor of cyberbullying (Beran & Li, 2005; Kowalski & Limber, 2007; Navarro & Jasinski, 2012, 2013; Patchin & Hinduja, 2006) while others did not (Calvete et al., 2010; Fanti et al., 2012; Livingstone et al., 2016; Rivers & Noret, 2010; Slonje et al., 2013; Peter K. Smith, 2012; Peter K Smith et al., 2006).

Technology-Facilitated Gender-Based Violence (TFGBV) has globally impacted women's productivity and the ability to perform everyday tasks. When faced such a situation, women prefer to withdraw and self-censor, as a result of which they lose contacts and employment opportunities (Amnesty International, 2018). Besides, they also suffer economic losses and as survivors often need to bear high costs for legal fees, health care, relocation or having their information or images removed online (Dunn, 2020). A few of them even have loss to home and property and their social relations (OHCHR, 2018). With the rise of new technology and social media platforms, gender-based cyber violence is growing at a constantly increasing speed, with significant impacts on the safety of women and girls. Online harassment, stalking, and other threats have only been exacerbated by the online shift during the pandemic, and the action taken so far has been inadequate.

This study used a qualitative approach to examine the legal-juridical data available in books, legal documents, Acts and Archives. The data was collected through observations, survey methods and literature review. There is a dearth of studies on gender-based cyberbullying in the context of Indonesia where VAGW has not only corrupted the Indonesian society but also weakened the government's efforts to bring gender-based equality. Hence, with the view to fill this research gap, the current study aimed at examining the extent to which gender-based cyber violence has penetrated into the Indonesian society and what laws and policies have been framed to curb the pervasiveness of online gender-based violence.

The paper is organized as follows: The first part dealt with the background information about the current state of gender inequality and the role of cyber bullying in accelerating this issue. This section also included a problem statement that highlighted the magnitude of the problem. This section is followed by a literature review which presents previous studies and efforts made to establish gender equality and the role played by the laws to prevent and curb cyber bullying that is contributing to widening the gender inequality. The next section discusses significant findings of the study highlighting the current state of gender equality in Indonesia and what role the government has played towards this cause. This section is followed by a discussion and analysis ending with a conclusion that provides some recommendations.

Literature review

• *Online gender-based cyberbullying*

Online gender-based cyberbullying includes undesirable sexual remarks, posting of sexual media without consent, impersonation, hacking, spamming, tracking and surveillance, malicious threats, and harassment through gender-based discriminatory photos and posts. There are various forms of cyber violence against women and girls, including, but not limited to, cyberstalking, non-consensual pornography (or "revenge porn"), gender-based slurs, hate speech and harassment, "slut-shaming", unsolicited

pornography, “sextortion”, rape threats and death threats, and electronically facilitated trafficking. In Ghana, women suffer from online abuse through sexually explicit images and videos and offensive comments (Abissath, 2018). There are several studies reporting cases of gender-based harassment from across the globe (Li, 2006, 2007; Powell & Henry, 2017). Women's rights activists and feminist organizations have also been subjected to cyber harassment and cyberstalking for example, in Colombia, incidents of online sexual violence and stalking against women activities were reported (Lyons & Blanchard, 2016). Even being a female public figure invites online sexual harassment and misogynistic comments as reported by UK Labor MP, Jess Phillips, who received over 600 rape threats in one night and derogatory comments on her online accounts (Rawlinson, 2018).

The vulnerable groups include not only women and young girls, but asexual, bisexual, gay, intersex, trans, intersex, queer, and lesbian. Powell and Henry (2017) call Online gender-based cyberbullying as a “technology-facilitated sexual violence” which employs information and communication technology (ICT) measures “to facilitate or extend sexual and gender-based harm to victims,” including “technology enabled sexual assault;... image-based sexual abuse; ... cyberstalking and criminal harassment;...online sexual harassment; and... gender-based harassment and hate speech” (Henry & Powell, 2014; Powell & Henry, 2017; Powell et al., 2018). Cinco (1999), of the Association for Progressive Communications (APC), asserts that “violence against women is mutating because of technology”, and remarks that “the Internet has opened up private lives into new avenues of potential violence”.

The threat of VAWG has increased with the increase in the usage of the new digital technologies, which has given tool to cause harm to women and girls. The easy access to the Internet and social networks made it further easier for cybercriminals to contact and harass women without obstructions. It has become even much easier for perpetrators to search online and locate women and girls. Navarro and Jasinski (2013) show their concern by observing that women do not feel safe having “same geographic and spatial boundaries” as men have. With the increase in the ICT devices like GPS, it is now easier to locate and communicate with people globally, resulting in the erosion of women's safety. Indonesian women are subjected to what is called image-based sexual abuse (IBSA) or 'revenge porn', a new kind of cyber harassment (Henry et al., 2019) evolved to cause “distress and humiliation” to victims. Powell and Henry (2017) observed that behind 'revenge porn', there is the perpetrator's motivation to obtain monetary benefits or boost social status, which is detrimental to gender equality.

- *Issue of gender equality*

The Sustainable Development Goals (SDGs) has marked gender equality as one of its priorities and a goal for global development of women. This includes giving women access to technology for their empowerment and open their road to progress. In order to realize this goal, it is necessary that all stakeholders take actions to ensure a safer and secure Internet without any discrimination of gender, race or culture. In the past also, there were similar efforts made through social media platforms to trigger feminist social movements and advocate gender equality. These efforts addressed social problems resulting from sexual assaults and traumatization and tried to act as effective tools for communication and coordinating to solve such issues.

Recently, Anam et al. (2020) launched online activism measures to bring gender equality. Online activism is also known as digital activism that focuses on human rights issues (Monshipouri et al., 2016), or politics (Jati & Sunderland, 2018), or anti-corruption (Zempi & Rahayu, 2019), and environmental protection (Anam et al., 2020). According to them, online activism has three categories: awareness, mobilization and reaction. First, awareness refers to public awareness towards a cause by the use of the internet and disseminating information across all information channels to mobilize a social reaction; second, mobilization can be executed by inviting people to take offline and online actions; third, reaction refers to activities taken up to stop or abolish violence.

In Indonesia, online or digital activism focuses on anti-violence movement against gender discrimination or violence against women, making use of YouTube (Maryani & Astari, 2018; Ratnasari et al., 2021). The United Nations Human Rights Council stated that the use of technology and online spaces should serve as a tool for accelerating the achievement of gender equality and the empowerment of women instead of a tool of subjugation, the perpetration of violence and silencing of women in all their diversity.

- *Legislative measures to check gender-based violence*

A shift towards digital is a greater cause of concern as perpetrators of cyber violence make use of it indiscriminately and without any fear for legislation. Due to the absence of adequate legal measures, several nations have requested European Commission to come forward with legislative proposals on gender-based violence. It was demanded that many of their legislations should expand to cover online gender-based crimes or crimes committed with digital tools. European Commission and its Member States included gender-based violence in the list of euro-crimes in Article 83(1) of the Treaty on the Functioning of the European Union in order to have a solid legal basis for an effective and holistic directive to combat all types of violence against women and girls, both online and offline.

As a result, a few initiatives were taken to curb the problem of online gender-based violence. For instance, UNESCO and the Office of the United Nations High Commissioner for Human Rights issued several guidelines to the countries to end online gender-based violence. The Swedish International Development Cooperation Agency (SIDA) was the first organization to demand the need for regulations against online gender-based violence. The SIDA report serves as a source of information to further regulation process. It also noted the role of organizations such as the Women's Rights Programme of the Association of Progressive Communication in pushing for an increase in substantive policies regarding online gender-based violence. This report also points out the discrepancies between international regulations and state implementation.

Findings

The Indonesian constitution explicitly guarantees gender equality which was ratified in 2000 in the International Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). The Convention enacted a Presidential Instruction on Gender Mainstreaming (INPRES No.9/2000) making it mandatory for

all government ministries and agencies at national and local levels to prioritize gender mainstreaming in all development projects. The Ministry of Finance disseminated a document called Gender Equality and Diversity (GED) to all government units asking them to build GED taskforces to ensure effective implementation of gender mainstreaming. These taskforces should comprise high government officials who would be assigned the role of “Gender Champions” and its members to develop action plan for Gender Equality. A very good example of compliance of GED regulations was the step taken by the Indonesian Customs Department which devised a *Gender Equality Organizational Assessment Tool* (GEOAT) to assess whether the existing policies and procedures on gender equality adhered to the GED norms. They also devised an analytical tool called the *Gender Analysis Pathway* (GAP) to examine where improvement was needed to achieve gender equality.

Owing to these efforts, undoubtedly, it is evident that Indonesia has initiated gender equality programs in the country. This is also reflected in improved rates of literacy, school enrollment, and employment, as well as such women empowerment policies that hint at a more gender-equitable society. In terms of curbing violence against women, particular online and cyberbullying, in 2008 anti-pornography laws were passed in the national parliament. These laws set to only protect the women and young girls for being subjected to be used as sex objects, it also defined protective mechanisms for the Indonesian lesbian, gay, bisexual and transgender (LGBT) community. These laws strengthened their progress towards gender equality.

During COVID-19, National Commission on Violence Against Women (Komnas Perempuan) reported incidents of violence against women had increased, particularly because of too much exposure to Internet and ICT devices. Currently, the government is speculating to pass anti-sexual violence bill, keeping in view the SDG goals. Indonesia is ‘moderately improving’ its SDG metrics in terms of gender equality, however there is still a long way to go, both socially and politically. The country aims to attain its gender equality goals by 2030.

Responding to the global demand for taking action against gender based cyberbullying, the National Commission on Violence Against Women (Komnas Perempuan) also agreed to carry out research studies on online gender-based violence (KBGO). Their efforts succeeded in identifying acts of gender based cyber violence that occur during this digital era. The National Commission on Violence Against Women (Komnas Perempuan) was forced to declare cyber-violence as a growing trend against women in Indonesia. In its 2017 annual report, it highlighted various categories of cyber bullying like online defamation, malicious distribution, infringement of privacy, illegal content, hacking, cyber-harassment and cyber-grooming. These categories not only marginalized the women as they became easy targets to be victimized, hinting at the growing inequality in the Indonesian society despite several successive attempts to bring gender equality.

The Indonesian law has paid scant attention to prevent online harassment; instead there are several loopholes and lapses that embolden the perpetrators to commit more crimes. As an example, the Indonesian Information and Electronic Law (UU ITE) protects alleged offenders by giving them the opportunity to report victims for

defamation. In this way, both victims and perpetrators are grouped together. The victims fail to assess the risks in revealing their identities and narrate their experiences not knowing that the Law itself could become a source for further defamation. Several NGOs and women activities organizations came forward to eliminate the UU ITE or to amend it.

Discussion

Gender-based violence has undoubtedly been proven as a cause of gender inequality, which not only widen the gap between the genders in the socio-cultural roles, but also create a barrier to social and economic development. To quote the UN's 2030 Sustainable Development goals once again, Goal No 5 clearly states to achieve gender equality and empower women and girls (United Nations, 2015). To accomplish this, the UN stipulates two targets: Target one requires "to end all forms of discrimination against all women and girls everywhere" and Target two requires "to eliminate all forms of violence against all women and girls in the public and private sphere." In this way, the UN explicitly linked gender-based violence and gender inequality.

Several critics have felt to broaden the gender inequality issue by including the online gender-based abuse and cyber bullying (DeKeseredy et al., 2017; Harris, 2020). Harris (2020), for instance, raised the gender equality issue by openly alleging that abuse and physical violence against women (VAW) is a "typical" and "aberrant" male behavior, aiming at widening the gender inequality. Moreover, sexual harassment at work and in public places and physical assaults such as domestic violence, create an environment of gender inequality. By being subjected to threats for their rights and freedoms, women and girls lose their autonomy, dignity, and privacy and the equal opportunity to participate in socio-economic activities.

Many nations have enacted laws to sustain gender equality while there are social platforms to establish a sort of stage-wise, structural equality (Dragiewicz et al., 2018). These laws and social media platforms suggest changing user's attitude and behavior through education and cultural transformation, making them learn to systematically respond to online bullying and gradually return to a more acceptable and effective online communication between genders. These laws and platforms have also addressed GBV and other forms of cyberbullying in order to identify systemic inequality and design policies for enforcement (Kaye & Šlmonović, 2017).

Conclusion

This study has demonstrated that women and girls experience various forms of gender based cyber violence and bullying with the motive to denigrate their self-respect and demean their dignity, in other words, causing gender inequality. These gender-based cyber violence has socially, physically, psychologically and economically impacted women and girls which is also an infringement of the principles of equality.

The study forwarded a few recommendations. The Indonesian government should formulate policies for cyber violence against women and girls with the view to recognize the gender equality. Such strategies should be adopted that integrate gender-based cyber violence prevention measures with the rights to equality and

right to freedom of expression irrespective of race, caste, gender and religion. Such civil society organizations should come forward with awareness campaigns to educate women and girls about gender-based cyber violence and their safety and privacy.

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