Victim Blaming in Sexual Harassment Cases: A Critique of Societal Views

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ABSTRACT: Most Indonesians today are still trapped in a patriarchal culture, especially when it comes to sexual harassment cases. Where it is assumed that women victims of sexual harassment (women victims) play a "main role" in inviting the perpetrators of crime, beginning with the victim's clothing, behavior, and even their sexuality is considered seductive. Not only are the perpetrators punished, but the victim is blamed or blames the perpetrators. This article employs several paradigms and reveals its discussion in viewing cases of blaming the victims in sexual harassment cases in Indonesia, such as: (1) conducting studies based on muted group theory or silent group theory; (2) the mass media plays a role as a form of public opinion on rape cases with denotative editorial meaning, which leads to the theory of gender feminism; and (3) massive behavior of blaming sexual harassment victims in order to save victims from their example, and strive for the government is urged to be serious and responsive in addressing the problem of sexual violence, as well as to build a literate society in guarding all forms of narratives against female victims in cases of sexual violence, in order to reduce victim blaming, which harms the victim both physically and mentally.

KEYWORDS: sexual harassment, women, victims, victim blaming

INTRODUCTION

Sexual harassment, as an act of sexual violence, is a crime that is considered to be very harmful not only to the physical but also to the victims' souls. The presence of an exaggerated general reaction can sometimes corner the victim. When a rape occurs in Indonesia, the first thing that is highlighted is the victim's clothing. The Indonesian mentality, which is still very patriarchal, sees women as a source of temptation and evil. The victim's trauma is frequently exacerbated by the victim's social situation.[1]

When looking at the cases that occurred in Indonesia, from the YU case to the sexual harassment of teachers, the most prevalent cause was the strong patriarchal culture in society. Society still believes that victims of sexual crimes are to blame for the crimes that befell them. Based on the victim's clothes, where the victim was attacked, and even when the victim was attacked, they are still being questioned as if these things were the main trigger for sexual violence, rather than the perpetrator's evil intentions. Until now, Indonesia has been unable to resolve the victim-blaming case. This occurs because society's patriarchal culture, which is still very strong, always places women in an inferior and subordinate position. In the midst of the darkness of victim blaming culture in Indonesian society, the #MeToo hashtag movement has become a small flame like a candle in the midst of the darkness of victim blaming culture. The #MeToo movement is a show of support for victims of sexual violence that is being driven by victims of sexual crimes and victim blaming.[2]

Victim blaming in YU's sexual harassment case can be linked to victim feminism theory. Women are viewed as passive objects in victim feminism theory. Furthermore, if they become victims of sexual crimes, women are held accountable. This occurs because women's sexuality is perceived to be seducing men. In YU's case, the media and the general public engaged in victim blaming, accusing YU of walking a lonely road alone. YU's is blamed for the sexual crimes that occurred because society sees her as a passive object whose sexuality seduces men.

Next cases, AG, a student at the university, was sexually harassed by a colleague in her own group while participating in the Community Service Program (KKN) on Seram Island, Maluku, in mid-2017. The victim's identity was only revealed to the public the following year, when the university-level student press conducted an exclusive investigation. Then, university was thought to have missed and appeared to be slow in dealing with the harassment case, even though it was actually protecting the perpetrators. Even though, AG eventually received psychological treatment to restore his mental health. The victim always had difficulty speaking up for him before the case became widely publicized. In addition to the Yogyakarta Regional Police and the

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[1] Ekandari, Mustaqfirin, & Faturochman. 2001. Perkosaan, Dampak, dan Alternatif Penyembuhannya. *Jurnal Psikologi 1(1)*, 1-18.
[2] Budaya Victim Blaming di Indonesia, Apakah Itu? http://captivate.id/captivating/budaya-victim-blaming-apakah-itu/

local police at the KKN location. Meanwhile, the university birocrachy formed an independent investigative team to look into the allegations of sexual harassment against the two students. What is strange is that the outcome of the sexual harassment case ends peacefully, as if AG efforts thus far have not resulted in the perpetrator being punished or at least receiving strict sanctions from the university, despite the fact that AG received psychological assistance throughout the process.

Figure of Illustrative Image of Handling Sexual Harassment in the Campus Environment
Source: https://tirto.id/yang-harus-kampus-lakukan-mengatasi-pelecehan-seksual-cNnF

Victims of sexual harassment are vulnerable to intimidation or pressure, particularly from the perpetrator, causing their rights to be silenced. According to the muted group theory, men believe they are superior to those who do not wield as much power as women. In this case, victim feminism theory can also be examined. Victims of sexual harassment are held accountable for the sexual crimes committed against them. The victim was considered to have harmed the reputation of the campus and received poor grades as a result of the sexual harassment she endured. This is consistent with the victim feminism theory, which holds women accountable for the sexual crimes that befall them.[3]

Meanwhile, in Lombok, West Nusa Tenggara, a victim who recorded an immoral conversation between a school principal and himself, intending to use the recording as evidence, was instead found guilty because he violated the ITE Law by distributing immoral electronic documents. In line with the victim feminism theory, which regards women as passive objects who are held responsible for the sexual crimes that befall them.[4] According to the explanation above, the case of victim blaming can be explained by the victim feminism theory, which places women as passive objects and parties responsible for sexual crimes that befall them.

The media has an impact on how victims perceive their situation. In sexual harassment cases, the media plays an important role in shaping public opinion about rape victims. The way the news is written can influence whether a sexual harassment victim is good or bad. So far, journalists have tended to use denotative language in describing the sequence of sexual harassment cases, including descriptions of the victims, weakening the victims' position in the public eye. So, in a sexual harassment case, not only is the perpetrator punished, but the victim is also blamed or blamed. This is evident in the news and in the general public's reaction to sexual harassment incidents.[5]

The muted group theory (MGT) is the main theory that is in accordance with the case of victim blaming. This theory emphasizes how groups with less power, such as women, the poor, and people of color, must learn to work within communication systems developed by dominant groups, such as men. Because of the subordination of positions in the community, women's communication is hampered. Male domination reproduces itself and benefits men in hierarchical organizations. Men's experiences, particularly white men, are assumed to be more dominant than women's experiences, particularly those of color. Women of color face double marginalization in this environment, both because they are women and because of the color of their

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[3] Adib Sofia, *Aplikasi Kritik Sastra Feminis: Perempuan dalam Karya-Karya Kuntowijoyo.* Yogyakarta: Citra Pustaka, pp. 17.
[4] *Ibid.*
[5] Kuatnya budaya *victim blaming* hambat gerakan #MeToo di Indonesia from http://theconversation.com/kuatnya-budaya-victim-blaming-hambat-gerakan-metoo-di-indonesia-107455

skin. Because of the obvious social hierarchical structure that separates the two, the group may not have greater dominance than the dominant group.

METHOD

A qualitative approach in criminology refers to the collection and interpretation of textual, verbal, or real-world observational data to learn about the causes, nature, consequences, and responses to crime (Miller & Yang, 2008). Qualitative research can assist researchers in overcoming research problems with no variables and a need to explore. Because previous research literature is a weakness for researchers, qualitative research can be used for research studies that produce little information about specific phenomena (Creswell, 2009).[6] Then qualitative research ini this paper refers to single or partial symptoms of an object. Thus, when researchers use this approach, they will examine the social situation under investigation, which may include places, actors, and activities that interact in a synergistic manner.

RESULTS AND DISCUSSION

According to National Commission Women's Annual Note in 2019 (Catahu Komnas Perempuan), there were 406,178 cases of violence against women were reported and handled in 2018 (up from 348,466 the previous year). Cases of violence against women included 13,568 cases handled by 209 service provider partner institutions spread across 34 provinces, and as many as 392,610 cases handled by Religious Courts based on case/case data. There is a new phenomenon among the complaint data directly to Komnas Perempuan of cases of violence against women based on cyber or cyberspace, which amounted to 65 cases in Catahu Komnas Perempuan 2018 and has increased to 97 cases this year. Retribution porn (33%), malicious distribution (20%), cyber harassment/bullying/spamming (15%), impersonation (8%), cyber stalking/tracking (7%), cyber recruitment (4%), sexting (3%) and cyber hacking (6%).[7]

Aside from that, the case of victim blaming can be examined using the just world hypothesis theory, which holds that the world is a very fair place where everyone gets what they deserve. According to this theory, victims of sexual crimes are "deserving" of sexual assault.[8] Another explanation for victim blaming can be found in the invulnerability theory, which states that people blame rape victims to protect themselves from feelings of insecurity and discomfort. When the perpetrators of crimes are close family members, public figures, or figures respected by the community, society will blame the victims to cover up their fears.[9]

The theory of invulnerability can also be used to explain the stalemate in dealing with cases of victim blaming in rape victims. The many parties who reject and question the Elimination of Sexual Violence Law (PKS Law), which has the main mission of protecting victims of sexual crimes from victim blaming and criminalization, as well as restoring victims' rights, demonstrate the stagnation in efforts to deal with victim blaming cases. Sexual criminals are dominated not only by ordinary people, but also by respected religious figures, political figures, academics, and community leaders. The large number of prominent figures and authorities who become sexual criminals instills fear and insecurity in society. As a result, in accordance with the theory of invulnerability, they cover up their discomfort and insecurity by blaming the victim. They feel safe by blaming the victim because they are shifting the blame onto the victim, who is helpless and cannot harm them, rather than important figures and rulers who have great power and can harm them.[10]

The series of cases above are just a few of the many cases of victim blaming in Indonesia. So far, the handling of victim blaming cases in Indonesia still encounters many obstacles and hurdles. One of the efforts to protect victims of sexual crimes is by drafting the PKS Law, which has the main mission of protecting and defending the rights of victims of sexual crimes.[11] In tandem with these efforts, Komnas Perempuan and academics continue to call on the government to pass the PKS Law as soon as possible in order to protect victims of sexual crimes and restore their rights. Aside from that, the urgency of ratifying the PKS Law stems from an increase in the number of cases of sexual crimes that are not being balanced with good and adequate handling. The PKS Law calls for the end of impunity for perpetrators of sexual violence and for victims to have access to truth, justice, and recovery,

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[6] Creswell, J. W. (2012). *Educational Research: Planning, Conducting and Evaluating Quantitative and Qualitative Research.* Pearson.

[7] Lembar Fakta dan Poin Kunci Catatan Tahunan Komnas Perempuan Tahun 2019 https://www.komnasperempuan.go.id/read-news-lembar-fakta-dan-poin-kunci-catatan-tahunan-komnas-perempuan-tahun-2019

[8] J. Dzuka & Dalbert, C, *Aggression at School: Belief in a Personal Just World and Well-Being of Victims and Aggressors* (Studia Psychologica, 49, 2007), pp. 313 - 320.

[9] Janoff-Bulman, Ronnie & Timko, Christine & Carli, Linda, *Cognitive biases in blaming the victim.* (Journal of Experimental Social Psychology, 21 (2), 1985)., pp. 161-177.

[10] *Ibid.*

[11] Indonesia Darurat Kekerasan Terhadap Perempuan https://www.voaindonesia.com/a/indonesia-darurat-kekerasan-terhadap-perempuan/3324692.html

as well as equality for women before the law.[12] So it is hoped that with the immediate passage of the PKS Law, sexual crime cases will be handled properly and victims of sexual crimes will be well protected.[13]

Male domination does not imply that the male is particularly powerful, but rather that there is a concentration of power, and males are the only ones who should have it. Male dominance does not imply that all women are helpless. Male domination, on the other hand, persists, with the exception that male domination is a rule. Women, like all subordinate groups, manage some of the remaining power from men.[14]

The media has an impact on how victims perceive their situation. In rape cases, the media plays an important role in shaping public opinion about rape victims.[15] The way the news is written can influence whether a rape victim is good or bad. So far, journalists have tended to use denotative language in describing the sequence of rape events, including descriptions of the victims, weakening the victims' position in the public eye.[16] So, in a rape case, not only is the perpetrator punished, but the victim is also blamed or blamed. This can be seen clearly in the news and in the general public's reaction when rape cases occur.[17]

The muted group theory is the main theory that is in accordance with the case of victim blaming. This theory emphasizes how groups with less power, such as women, the poor, and people of colour, must learn to work within communication systems developed by dominant groups, such as men. Because of the subordination of positions in the community, women's communication is hampered. Male domination reproduces itself and benefits men in hierarchical organizations. Men's experiences, particularly white men, are assumed to be more dominant than women's experiences, particularly those of color. Women of color face double marginalization in this environment, both because they are women and because of the color of their skin. Because of the obvious social hierarchical structure that separates the two, the group may not have greater dominance than the dominant group.

The muted group theory has inspired many feminist movements and attracted other feminist researchers, such as Dale Spender and Cheris Kramarae, to modify it.[18] Dale Spender sees the 'silence' of women in the muted group theory as a result of men's power over the meaning of language, which allows men to influence and even force other groups under them to follow his views. Women, on the other hand, are unable to accommodate their experiences into male language, so they usually force themselves to use the male language channel—alienating women from their own world—or not speaking at all (silenced). Cheris Kramarae then discussed women's coping strategies with silence. Kramarae discovered that women can overcome these constraints by developing a distinct female mode of expression that is often limited to a small group of people..[19] According to Cheris Kramarae (1981), there are three (3) basic assumptions about women based on muted group theory, namely:[20]

1. Women perceive a different world than men do because men and women have very different labor divisions. Women are responsible for domestic work, whereas men are responsible for work outside the home; in other words, women work to care for the household, whereas men work to provide for their families.
2. Men are the dominant group in society, and their perception system reflects this. This dominance restricts the freedom of expression of alternative female models.
3. Women must transform their model in terms of the dominant system of expression in order to participate in society.

When a sexual harassment case occurs, media coverage that blames the victim is also very compatible with the theory of gender feminism, which states that boys and girls grow into adult men and women with distinct gender values and goodness where the values these values reflect the importance of separation in men's lives and the importance of being attached to women's lives to function to empower men and weaken women in a patriarchal society. In this regard, communication places men in the spotlight and women in the background. All public spaces are dominated by men. Starting with the decision makers and policies of the main actors, the position in front, the wide range of opportunities, and the availability of time for men are all important.

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[12] Tertuang dalam bagian rekomendasi pada Siaran Pers Catatan Tahunan (CATAHU) Komnas Perempuan 2019 https://www.komnasperempuan.go.id/read-news-siaran-pers-catatan-tahunan-catahu-komnas-perempuan-2019

[13] Akademisi Desak RUU Kekerasan Seksual Segera Diratifikasi https://nasional.republika.co.id/berita/nasional/umum/19/01/23/pls51q349-akademisi-desak-ruu-kekerasan-seksual-segera-diratifikasi

[14] A. G. Johnson. 2015. *The Gender Knot: Unravelling Our Patriarchal Legacy.* Philadelphia: Temple University Press.

[15] Thacker, L. K., & Day, L. (2017). Rape Culture, Victim Blaming and the Role of Media in the Criminal Justice System. *Kentucky Journal of Undergraduate Scholarship, Vol.1 Issue 1 Article 8*, 89-99.

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[17] http://theconversation.com/kuatnya-budaya-victim-blaming-hambat-gerakan-metoo-di-indonesia-107455

[18] Wall, C.J. & Gannon-Leary, P. 1999. *A Sentence Made by Men: A MGT Revisited.* The European Journal of Women's Studies, 6 (21-29).

[19] *Ibid*., pp. 25.

[20] Musta'in. 2013. *Op.Cit.*

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Women are unconsciously experiencing silence if the entire problem places men as actors and owners of the most dominant access.[21]

Even though women have begun to participate in development programs, their presence is still undervalued. Different conceptions of development (developmentalism) continue to treat women as objects rather than subjects in the ongoing development process. As a result, the feminist movement's strategy in this country will always be directed toward correcting the theory of development, which still tends to reflect that development is a male domain/project.[22]

CONCLUSIONS

Today, blaming the victim frequently appears to accompany women victims, namely as a phenomenon in which women are made victims of crimes that occur as a result of social construction (gender) inequality that is still present today, such as rape or sexual harassment. The issue of blaming the victim also arises from narratives/reports thrown out to the general public by the mass media that appear to suggest that women and sexuality are also responsible for the rape cases that befell them because they are seen as inviting crime. The muted group theory or theory of silence, which in general means that the silence of groups with lower power—such as women, the poor, and people of color—should work within the communication system developed by the dominant group; man. It's as if women don't have the same freedom to express themselves as men, which is exacerbated by Indonesian society's patriarchal culture.

According to the researcher's opinion, the mass media should not present reports on cases of rape or sexual harassment (women victim) with a narrative of blaming the victim. Journalism must be neutral and civilized, not subject to a patriarchal culture that marginalizes women victims of rape. In addition, another urgency is the need for education about gender from an early age in schools and tertiary institutions so that the younger generation becomes human beings who are aware of living in an environment and culture full of gender discrimination and trying to eliminate these differences and strata. These efforts should have been intensified by the government to provide outreach regarding victim protection and to cooperate with related parties such as legal aid agencies and non-governmental organizations (NGOs) to ensure that victims of sexual crimes have their rights protected and their identities protected from the frequent press publicize the identity of victims of sexual crimes.

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