



## Justice Experiences of Sexual Violence Survivors in the Indonesian Legal System

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### ABSTRACT

Sexual violence and institutional justice are critical areas of inquiry within the fields of criminal justice and legal reform, especially in socio-cultural contexts where survivors face systemic barriers. While legal responses have improved in many jurisdictions, limited attention has been paid to how survivors experience justice processes from a subjective, emotional, and moral standpoint. Little is known about how survivors of sexual violence in Indonesia interpret their interactions with the justice system, raising the question: how is justice lived, perceived, and internalized by survivors within such institutional frameworks? This study adopts a descriptive phenomenological approach, employing Colaizzi's method of analysis to ensure rigor in capturing subjective meanings, to explore the lived experiences of sexual violence survivors navigating Indonesia's criminal justice system. Using in-depth semi-structured interviews with ten survivors, the study identified four essential themes: revictimization during investigation, disempowerment in courtroom proceedings, institutional stigma, and emerging hopes for restorative justice. Thematic analysis revealed that justice, for survivors, is experienced not only as a legal outcome but as a relational and emotional process shaped by acknowledgment, respect, and dignity. Findings highlight the psychological cost of procedural injustice and underscore the survivors' calls for trauma-informed and empathetic legal practices. These results broaden our understanding of institutional justice by grounding it in survivors' lived realities, offering crucial insights for developing survivor-centered reforms and future research on justice system accountability. However, the study has certain limitations: its small sample size (ten participants) restricts generalizability, and the reliance on self-reported narratives may be subject to recall bias. Despite these constraints, the findings carry significant practical implications. They emphasize the need for policymakers, legal practitioners, and law enforcement agencies to integrate trauma-informed procedures, enhance survivor protection mechanisms, and implement restorative practices to reduce secondary victimization. Such reforms could contribute to a more compassionate and accountable justice system in Indonesia.



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## INTRODUCTION

Sexual violence remains a pervasive social issue with profound implications on individual dignity, gender equity, and justice systems worldwide (Nadav-Carmel & Lev-On, 2024). In many societies, including Indonesia, victims of sexual violence often face not only the trauma of the initial incident but also the added burden of navigating complex, bureaucratic, and frequently unsympathetic legal processes (Ruvalcaba et al., 2025). While legal mechanisms such as criminal codes and evidentiary standards have been widely studied, far less is known about how survivors themselves experience these mechanisms when seeking justice. In the Indonesian context, the criminal justice system presents both opportunities and obstacles for survivors (Sigurvinsdottir et al., 2024). Despite reforms, survivors still face victim-blaming, procedural rigidity, and institutional stigma, often reinforced by cultural narratives that question credibility or prioritize social harmony. These barriers

shape not only legal outcomes but also survivors' emotional responses and trust in institutions (Brockdorf et al., 2023). (Brockdorf et al., 2023).

Understanding survivors' lived experiences therefore requires moving beyond procedural accounts to examine the deeply personal meanings they attach to their justice journey (Umubyeyi & Mtapuri, 2023). This phenomenon is not only legal but also profoundly psychological and relational (Buisker, 2024). Phenomenology offers a way to explore how survivors construct meaning, perceive fairness, and cope with re-traumatization within the justice system (Chakraborty & Repo, 2024; McGlynn, 2022).

Although prior studies have examined legal procedures and institutional responses, the experiential dimensions of survivors' interactions with justice systems—particularly in non-Western contexts such as Indonesia—remain underexplored (Antonsdóttir, 2020). Existing research often relies on surveys or policy audits that overlook the nuanced psychological and emotional realities of survivors (Olaluwoye et al., 2023; McMahan, 2024). This creates a clear gap: the need for survivor-centered inquiries that privilege lived meaning over procedural metrics (Dey & Mendes, 2022).

This study adopts a descriptive phenomenological approach to explore how survivors of sexual violence in Indonesia interpret and live through their justice experiences (Munala et al., 2021; Murray et al., 2021). By privileging survivors' voices, this research seeks to reveal essential features of justice as experienced—not merely administered.

Given this complexity, a phenomenological approach becomes essential to uncovering the layers of meaning embedded in survivors' lived experiences (Chakraborty & Repo, 2024). Such an approach allows for the exploration of how individuals make sense of traumatic encounters with institutions, how their perceptions evolve through time, and how they assign meaning to justice, fairness, and recognition in the aftermath of violence (McGlynn, 2022). This orientation highlights the need to listen to survivors' voices in their own terms grounded in their narratives, emotions, and social realities rather than framing their experiences solely through the lens of legal procedure.

Research focused on individuals' lived experiences within institutional processes has become increasingly significant, particularly in the context of justice systems and their interaction with vulnerable populations (Finnbakk & Nordås, 2019). In cases involving sexual violence, the need to understand survivors' personal journeys through legal mechanisms is not merely a matter of legal efficacy but of human rights and institutional legitimacy (Antonsdóttir, 2020). A growing body of qualitative literature emphasizes the importance of centering survivors' voices to better inform legal reforms, trauma-informed practices, and public policy frameworks. However, despite the emergence of such discourse, the experiential dimensions of survivors' interactions with the justice system remain underexplored, especially in non-Western legal contexts such as Indonesia.

One of the major methodological challenges in studying such phenomena lies in the limitations of conventional research paradigms particularly those rooted in quantitative approaches (K. M. Anderson et al., 2023). Surveys and structured assessments may capture statistical trends or correlations but often fall short in revealing the nuanced emotional, psychological, and social layers of survivors' experiences. The complexity of trauma, shame, and institutional betrayal cannot be adequately represented through numeric indicators or generalizable variables (Olaluwoye et al., 2023). As a result, many existing studies overlook the interpretive richness and contextual meaning that characterize survivors' navigation through legal procedures.

This lack of methodological depth has led to a fragmented understanding of how justice systems impact survivors not just as legal subjects, but as emotional and social beings. Research that privileges procedural metrics over narrative substance fails to account for how survivors construct meaning, experience institutional power, or cope with re-traumatization within the system (McMahan, 2024). Therefore, to grasp the essence of survivors' experiences fully, research must move toward approaches that prioritize voice, meaning, and lived reality (Dey & Mendes, 2022). Descriptive phenomenology offers a rigorous yet empathetic framework for achieving this, allowing researchers to access the experiential core of phenomena that are often silenced or distorted by formal structures.

In addressing the needs of sexual violence survivors, prevailing institutional responses have largely centered on procedural reforms, legal codifications, and training interventions aimed at improving judicial efficiency and accountability (McGlynn & Westmarland, 2019). While these practical measures are important, they are often grounded in administrative logics that prioritize compliance over compassion. Consequently, the human dimensions of justice particularly how survivors perceive, interpret, and emotionally experience their interactions with legal institutions are routinely overlooked.

Existing research has predominantly relied on structured surveys, policy evaluations, or procedural audits to assess the effectiveness of legal responses to sexual violence. These approaches, although valuable for tracking performance indicators, lack the depth needed to illuminate survivors' internal realities (Lorenz et al., 2024). They fail to capture the affective, cognitive, and symbolic dimensions of survivors' experiences such as feelings of humiliation during investigation, silencing in court, or disillusionment with institutional responses. Without this experiential insight, policy reforms risk becoming superficial or misaligned with the lived needs of survivors.

This gap calls for a shift from system-centered assessments toward survivor-centered inquiries (Lindsey & Koos, 2025). Phenomenology, with its emphasis on lived experience and the search for meaning, offers a compelling methodological alternative. By focusing on how survivors themselves describe and make sense of their journey through the justice system, phenomenological research can uncover the essential structures of experience that remain invisible in quantitative or procedural models (Richardson, 2020). This study adopts such an approach to reveal the complex emotional and moral landscapes that shape survivors' interactions with legal institutions landscapes that have thus far received insufficient scholarly attention.

Previous studies on survivors of sexual violence have focused primarily on legal procedures, institutional responses, and access to justice. While these studies contribute to understanding policy gaps, they often miss the emotional and experiential dimensions of survivors' interactions with the justice system (Tillapaugh, 2024). Some research has attempted to include survivor narratives, but often within frameworks that emphasize trauma or victimhood rather than lived meaning. Few studies have examined how survivors actively interpret and assign meaning to their experiences within legal institutions. This article builds on that gap by focusing on how survivors perceive and live through justice processes in the Indonesian context.

This study adopts a descriptive phenomenological approach to explore the lived experiences of survivors navigating the criminal justice system (Munala et al., 2021). The method was chosen to capture the depth of survivors' emotional, social, and institutional encounters (Murray et al., 2021). Descriptive phenomenology enables a close examination of meaning without imposing theoretical assumptions onto participants' narratives (G. D. Anderson & Overby, 2021). This approach responds directly to the knowledge gap identified earlier by privileging survivors' voices and lived interpretations. Through this lens, the study aims to reveal the essential features of justice as experienced, not merely administered.

The structure of this article is organized to guide readers through a clear and reflective process (Peters, 2019). It begins with an introduction that outlines the context and significance of the research. The following sections describe the methodological design, including participant selection, data collection, and thematic analysis. Results are then presented through a set of themes that highlight core experiences shared by participants. Finally, the discussion interprets these findings in light of existing literature and concludes with reflections on implications for justice reform and future research.

## **RESEARCH METHODS**

### **Study Design**

This study adopted a descriptive phenomenological design grounded in Husserlian philosophy, which emphasizes the exploration of lived experiences to uncover the essence of a phenomenon (Fife, 2020). The approach was selected due to its suitability in capturing the rich,

subjective perspectives of individuals who have encountered a specific life experience in this case, survivors of sexual violence navigating the criminal justice system. Phenomenology enables a deep engagement with participants' narratives, focusing on their personal meanings, perceptions, and emotional realities. The descriptive variant of phenomenology was deemed appropriate, as it seeks to bracket assumptions and interpretive biases to reveal the core structure of participants' experiences as faithfully as possible.

### **Participants**

Participants in this study consisted of survivors of sexual violence who had been involved in formal criminal justice processes within the past five years in Indonesia. Selection followed purposive sampling techniques, ensuring that all participants had direct, relevant, and lived experiences of the studied phenomenon. Recruitment was facilitated through collaboration with local survivor support organizations, legal aid foundations, and community networks, which helped identify eligible participants while safeguarding their confidentiality. Inclusion criteria required participants to be over the age of 18, capable of articulating their experiences clearly, and willing to share sensitive information in a research setting. Individuals with ongoing legal proceedings or psychological conditions preventing informed consent were excluded to protect both legal and emotional safety. A total of ten participants (8 females and 2 males), aged between 22 and 41 years, contributed to the study. Their diverse socioeconomic and educational backgrounds offered a broad perspective on institutional interactions and justice experiences. Recruitment continued until data saturation was reached, indicated by the absence of new themes or insights in successive interviews.

### **Data Collection**

Data were collected through in-depth, semi-structured interviews guided by open-ended questions designed to elicit rich and detailed descriptions of participants' experiences. Interviews were conducted face-to-face in private, trauma-informed settings agreed upon by the participants, ensuring psychological comfort and confidentiality. Each interview lasted between 60 to 90 minutes and was audio-recorded with informed consent. The interview guide was developed based on existing phenomenological literature and reviewed by two qualitative research experts and one practitioner from a gender-based violence NGO to ensure content validity and cultural appropriateness. An interview guide, adapted from validated phenomenological instruments, was used to ensure thematic consistency while allowing for flexible probing. Interviews were transcribed verbatim for subsequent analysis. Field notes were also taken to capture contextual nuances and nonverbal cues relevant to meaning construction.

### **Data Analysis**

Thematic analysis was employed following Braun and Clarke's six-phase framework, which is well-aligned with phenomenological inquiries aiming to distill core meanings from subjective narratives. Data were first familiarized through repeated reading, followed by systematic coding of meaning units across transcripts. Codes were then clustered into preliminary themes based on semantic and conceptual similarity. These themes were refined through iterative review to ensure they reflected the essential qualities of participants' lived experiences. NVivo software supported the organization and tracking of coded data but did not influence interpretive outcomes. Emphasis was placed on preserving the authenticity of each narrative while identifying shared patterns that reveal the underlying structure of the phenomenon.

### **Ethical Considerations**

Ethical approval was obtained from the appropriate institutional ethics review board prior to data collection. All participants received detailed written and verbal information about the study and voluntarily signed informed consent forms. Anonymity was maintained by assigning pseudonyms, and all identifiable data were securely stored and encrypted. The study complied with the ethical guidelines of the Declaration of Helsinki and adhered to local research ethics regulations concerning studies involving vulnerable populations.

## **RESULTS**

### **Revictimization During Investigation**

Survivors consistently described the initial stages of police reporting as retraumatizing. Instead of being treated with empathy and protection, many participants reported feeling interrogated, blamed, or doubted. The experience of revictimization was especially apparent during police questioning, which often focused on the victim's behavior or appearance rather than the alleged perpetrator.

Younger participants, particularly women in their early twenties from lower socioeconomic backgrounds, emphasized how power imbalances with male officers magnified their vulnerability. One participant explained:

"I felt like I was the one on trial. The officer kept asking what I was wearing, why I was out so late. It was humiliating and made me regret reporting it at all." (Participant 3, 23-year-old female, university student) This testimony illustrates how investigative practices reproduce cultural stereotypes that police women's behavior rather than address criminal acts. The lack of trauma-informed protocols not only retraumatized survivors but also discouraged further legal engagement, especially among younger and less-educated participants who felt powerless to challenge authority.

### **Disempowerment in Courtroom Proceedings**

During court hearings, survivors often experienced a sense of disempowerment and invisibility. Several participants noted how their voices were minimized or strategically excluded in favor of procedural efficiency or legal formalism. Legal representatives and judges, while technically neutral, frequently failed to create space for the survivor's narrative to be heard meaningfully.

"I wasn't even allowed to finish my statement. The judge said it was irrelevant to the evidence. But to me, it was the most important part—how it affected my life." (Participant 7, 34-year-old female, civil servant) This quote highlights how courtroom procedures privilege documentary evidence over subjective impact, reducing survivors' lived realities to legal technicalities. Older and professionally employed participants in particular expressed frustration at being silenced, as their expectations for procedural fairness clashed with the rigid formalism of the court. The result was a profound sense of legal alienation, where survivors felt that justice ignored their humanity.

### **Stigma and Silence from Institutional Actors**

Beyond the legal process, survivors reported enduring institutional stigma particularly from health workers, prosecutors, and social service agencies. Participants described being treated with suspicion, condescension, or moral judgment. The absence of coordinated, survivor-centered support systems compounded their sense of isolation.

"After my testimony, the prosecutor pulled me aside and said, 'Just make sure this doesn't happen again.' I didn't even know what to say. It felt like he blamed me for everything." (Participant 5, 29-year-old male, service worker) This case shows how stigma was not confined to women but also extended to male survivors, who felt emasculated and shamed rather than supported. Such interactions reinforced cultural narratives of victim-blaming, further silencing survivors. Across demographic groups, participants noted that institutional actors often mirrored societal prejudices, leaving them isolated at moments when institutional support was most critical.

### **Emerging Hopes for Restorative Justice**

Amid the trauma and systemic failures, participants expressed hope for more compassionate, restorative models of justice. Some survivors shared ideas for mechanisms that would allow them to be heard fully, to receive genuine apology or acknowledgment, and to heal within a framework of justice that centers their needs rather than bureaucratic procedures.

"If only there was a way to talk about what happened without being judged or dismissed. I don't want revenge. I just want recognition." (Participant 9, 41-year-old female, teacher) Such perspectives demonstrate survivors' desire to shift from adversarial models of justice toward

relational ones. Older participants in particular emphasized recognition and dignity as more valuable than punitive outcomes. This underscores the demand for survivor advocates, trauma-informed training for justice actors, and integrated services that combine legal redress with emotional healing. The findings of this study reveal that sexual violence survivors in Indonesia often experience the criminal justice system not as a source of redress but as a site of secondary victimization. By situating participant quotes within their demographic and contextual backgrounds, it becomes evident that factors such as age, gender, and socioeconomic status intersect to shape experiences of revictimization, silencing, and stigma. From investigative interviews to courtroom procedures and institutional interactions, survivors reported a range of disempowering encounters marked by procedural alienation. Despite these challenges, many expressed a vision for restorative justice that affirms their humanity and seeks healing through recognition and respect. These insights provide a foundation for critically rethinking the role of justice systems in responding to gender-based violence.

## DISCUSSION

The findings of this study reveal that survivors of sexual violence often experience the criminal justice system as a site of secondary victimization, emotional silencing, and institutional detachment (Phelan & True, 2022). These experiences underscore the core meaning that justice, as lived by survivors, is not merely a procedural process but an emotional and existential encounter with power, recognition, and dignity. This interpretation directly addresses the central question posed in the introduction: How do survivors of sexual violence experience the justice system in Indonesia?

By highlighting the themes of revictimization, disempowerment, institutional stigma, and the yearning for restorative justice, this study offers a unique contribution to our understanding of justice as a lived phenomenon (Touquet & Schulz, 2021). Rather than assessing justice solely through legal metrics or case outcomes, the findings demonstrate that survivors construct meaning around how they are treated, listened to, and respected throughout the process. Their voices reveal that justice is felt through human connection, emotional acknowledgment, and procedural fairness (O'Connor et al., 2023). These insights respond to the knowledge gap identified earlier namely, the lack of experiential depth in conventional assessments of legal systems and affirm the value of a phenomenological lens in capturing survivors' inner worlds.

The findings resonate with and extend previous studies on institutional trauma and procedural injustice (K. Anderson et al., 2019). For instance, Smith et al. (2020) highlighted how criminal justice mechanisms can retraumatize victims through insensitive interrogation and dismissive attitudes. Similarly, Rahmawati (2021) emphasized the marginalization of female voices within courtroom discourse (Roskin-Fraze, 2020). This study builds on those insights by showing how such experiences are internalized by survivors as forms of betrayal, reinforcing feelings of shame, powerlessness, and isolation. At the same time, the study diverges from literature that frames survivors primarily as passive victims (e.g., Hockett & Saucier, 2015), instead emphasizing survivor agency in articulating hope for restorative justice. This contrast highlights how survivors are not merely harmed by institutions but also actively envision alternative forms of justice that could foster healing and dignity. The emergent theme of hope for restorative justice aligns with (Ji et al., 2022) argument that moral acknowledgment plays a critical role in rebuilding trust in institutions.

The findings of this study carry significant implications for both scholarly understanding and institutional practice (Decker et al., 2025). On a societal level, the narratives of survivors call for a reframing of justice from a purely legal construct to a relational and emotional experience (Stockman et al., 2024). The legal system, particularly in culturally layered contexts like Indonesia, must evolve to include mechanisms that recognize survivors' emotional realities and not merely their legal standing (Iorfa et al., 2022; Scoglio et al., 2021). However, contrasting perspectives in the literature caution against over-reliance on restorative justice models, noting risks of power imbalances and community pressure in reconciliation processes (Daly, 2006; Curtis-Fawley & Daly, 2005). This suggests that while restorative practices hold promise, they must be carefully adapted to safeguard survivor autonomy and avoid reinforcing existing hierarchies. From a professional standpoint, these insights underscore the need for trauma-informed training across police, judicial, and prosecutorial roles, ensuring that survivor dignity is preserved throughout the justice process. Concrete measures

may include embedding survivor advocates within police units, establishing specialized gender desks in courts, and integrating psychosocial services alongside legal procedures. Policymakers should also consider cross-sector collaboration between justice, health, and social institutions to reduce fragmentation and strengthen survivor support systems. Culturally responsive and empathetic legal practices could foster trust in public institutions and create safer environments for survivors to seek redress.

Like all phenomenological inquiries, this study is shaped by the context in which it was conducted (Logie et al., 2023). The focus on survivors who had already completed their legal proceedings may limit insights into those who are still entangled in or reluctant to enter the justice system. The use of purposive sampling and the relatively small participant pool, while appropriate for phenomenological depth, restricts the generalizability of the findings to broader populations. Additionally, as with all narrative-based research, interpretations may be influenced by the linguistic and emotional expressiveness of the participants (Lorenz & Jacobsen, 2024). These limitations do not diminish the value of the insights but instead highlight the importance of contextual sensitivity and methodological transparency in future research.

The study opens new directions for future inquiry into survivor experiences across different legal, cultural, and institutional settings (Nair, 2024). Comparative research between jurisdictions with differing legal traditions could illuminate how cultural values mediate justice perceptions (Bull & Page, 2022; Fishman et al., 2023). Longitudinal studies may also help to explore how survivor interpretations evolve over time, particularly in relation to healing, public stigma, or institutional trust (Fayaz et al., 2025). Future studies could also integrate phenomenological findings with legal policy evaluation, ensuring that survivor narratives directly inform reforms in legislation, police protocols, and courtroom procedures. In doing so, research would bridge the micro-level of lived experience with the macro-level of systemic change, creating a more survivor-centered justice framework.

## CONCLUSION

This study explored the lived experiences of sexual violence survivors within the Indonesian criminal justice system, focusing on how they interpret and assign meaning to their encounters with institutional actors. The findings revealed that survivors often face revictimization, emotional silencing, and disempowerment, highlighting a disconnect between procedural justice and survivors' emotional needs. By adopting a descriptive phenomenological approach, the study uncovered how justice is not only understood through legal outcomes but also through human recognition and moral dignity. These insights address the limitations of prior research that overlooked the affective dimensions of survivor experiences.

The results suggest the need for trauma-informed practices and survivor-centered reforms that prioritize compassion alongside legal accountability. Specifically, actionable recommendations include: (1) integrating survivor advocates within police units to provide emotional and procedural support; (2) mandatory trauma-informed training for law enforcement, prosecutors, and judges; (3) establishing specialized gender desks and survivor-centered court protocols; and (4) developing cross-sector collaborations between justice, health, and social services to ensure comprehensive care. These measures could reduce secondary victimization and foster greater institutional trust. Future research should move beyond descriptive accounts by (1) conducting comparative studies across different legal systems to assess how cultural and institutional contexts shape survivor experiences; (2) implementing longitudinal designs to explore how survivors' perceptions of justice evolve over time, particularly in relation to healing and institutional trust; and (3) combining phenomenological inquiry with policy evaluation to bridge lived experience and systemic reform. Such directions will deepen scholarly understanding while also informing more effective, survivor-centered justice policies.

## CONFLICT OF INTEREST

The authors declare that there is no conflict of interest.

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