

Legal Impact Of Catcalling Perpetrators And Physiological Impact On Victims In Indonesia

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Abstracts: This article aims to provide a comprehensive understanding of the legal framework related to catcalling and its impact on victims in Indonesia, as well as more effective law enforcement efforts to tackle this issue. It focuses on increasing awareness of legal protection for victims and supporting stronger law enforcement against perpetrators. Catcalling often occurs in public places, particularly targeting women who wear the hijab. Forms of catcalling include comments, teasing, gestures, and touching. The research method is qualitative, using a literature review approach, and data was obtained from personal experiences and journal research highlighting similar cases in Indonesia. Catcalling is a serious form of sexual harassment, causing feelings of insecurity and emotional stress for victims. Strong legal protection, public awareness, and specific regulations are needed to address this issue effectively. Creating a safer environment requires a synergy between strengthening the legal framework, outreach campaigns, and improving regulations governing public behavior. Support from authorities, such as the police, is crucial to ensure catcalling cases are handled seriously and fairly. A holistic approach that includes psychological and social support for victims is also necessary to help them recover from trauma. Addressing the catcalling phenomenon requires collaboration between the government, community, and various stakeholders. Comprehensive and coordinated efforts can create a safer environment that respects individual rights and prevents the recurrence of catcalling cases in the future.

Keywords: Catcalling, Legal Impact, Physiological Impact.

INTRODUCTION

The lack of strict enforcement of regulations in Indonesia has created a situation where criminal behavior continues to spread among citizens. Citizens' lack of understanding of regulatory norms that are not yet fully understood has encouraged them to break the rules more easily. One of the impacts of a lack of understanding of the regulations is the rise of catcalling. The catcalling phenomenon in Indonesia has become something common and is considered trivial by some people. The public's response to it seems relaxed, as if they are not aware of the negative impact it has on catcalling victims (Yudha, D.A. : 2022).

Catcalling in Indonesia emerged as a result of the prevailing patriarchal cultural dominance, persistent gender inequality, unstable socio-economic conditions, lack of law enforcement against verbal harassment, and the normalization of harassing behavior in society. These factors combine to create an environment where catcalling, as a form of verbal harassment, is prevalent regardless of its negative impact on women's safety and self-esteem in public spaces. In principle, any violent behavior is considered a bad act and is prohibited, because it can cause negative impacts such as trauma, injury, and even death. Protection of children and women is regulated in Law Number 23 of 2002 concerning Child Protection, Article 28B Paragraph 2 of the Republic of Indonesia Constitution, as well as Presidential Regulation Number 18 of 2014 concerning Protection and Empowerment of Women and Children in Social Conflict Situations, Article 1 Paragraph 5. Verbal violence, which is a form of violence without physical interaction but can cause discomfort for the victim, is also included in the scope of this protection. (Putri, A.H.: 2021)

In this article, there are two main problems that will be studied, namely the legal impact of the behavior of catcalling perpetrators on victims in Indonesia and the physiological impact experienced by

victims as a result of catcalling. Legal analysis will focus on the effectiveness of the existing legal framework in providing protection to victims and obstacles in law enforcement against perpetrators of catcalling. Next, we will also discuss the physiological impact of catcalling on the victim's mental and physical well-being, including psychological impacts such as stress, anxiety and other mental health disorders. With a deeper understanding of these two problems, researchers can provide more effective efforts to protect victims of catcalling and mitigate the negative impacts they experience. First, it is important to understand that catcalling is not only an ethical or moral issue, but also has serious legal implications. Legal protection for victims of catcalling covers various aspects, ranging from self-protection laws to criminal laws that regulate verbal harassment. However, law enforcement against catcalling perpetrators often faces obstacles, both in terms of evidence and legal awareness in the community. Apart from the legal impacts, it is also important to understand the physiological impacts experienced by victims of catcalling. The experience of catcalling can cause stress, anxiety and psychological trauma in the victim. These physiological impacts are not only temporary, but can also have long-term consequences on the victim's mental and physical health. By understanding these two aspects, it is hoped that researchers can find more effective solutions in dealing with catcalling problems, both from a legal perspective and the welfare of victims. It is hoped that further research into the legal and physiological impacts of catcalling in Indonesia can make a significant contribution to efforts to prevent and protect victims.

This article aims to provide a comprehensive understanding of the legal framework regarding catcalling perpetrators and their physiological impact on victims in Indonesia. The aim is to increase awareness of the legal protection that victims have and support more effective law enforcement efforts in tackling the catcalling phenomenon. Through a multi-disciplinary approach involving legal experts, psychologists and human rights activists, it is hoped that a more effective solution can be found for this catcalling case. Researchers can provide suggested solutions to the catcalling problem by proposing strengthening law enforcement, public awareness campaigns, psychological support for victims, and comprehensive sexual education. Through these steps, it is hoped that we can increase protection for victims, reduce cases of catcalling, and create a safer and more inclusive environment for all individuals in Indonesia

METHOD

The research employs a qualitative method with a phenomenological approach. This approach aims to describe the meaning of the life experiences of the individuals involved. The phenomenological approach refers to Husserl (1983); it requires explanation of the personal experiences of those who live in a specific 'lifeworld', or *Lebenswelt*. This lifeworld encompasses all the sensory, emotional and cognitive events an individual perceives in a particular time and space (Massarik, 1983). While a lifeworld may exist subjectively on an individual level, multiple lifeworlds can be interconnected, resulting in one that is intersubjective, based on a shared sense of belonging to the same community (Salama & Chikudate, 2021). The focus of the research will be on interpreting and explaining in depth the experiences of individual women who have been victims of catcalling.

RESULTS

According to the Oxford Dictionary definition, catcalling can be defined as a series of actions that include whistles, calls and comments with sexual content generally directed at someone in public spaces (Astuti Nur Fadillah: 2021). Even though catcalling does not involve physical touch, its impact on the victim is still significant, such as increasing feelings of insecurity, discomfort and emotional stress. Therefore, it is important to remember that catcalling is not a trivial or harmless behavior, but rather a form of sexual harassment that can have a negative psychological impact on the victim and reinforce gender inequality in society. By realizing the seriousness of this problem, more effective protection and law enforcement measures must be taken to protect individuals from its negative impacts and encourage more positive behavioral changes in the public environment (Puja, A.: 2022).

Catcalling is a form of crime that falls into the category of sexual harassment. A crime is a process that is prohibited because it violates legal regulations, with consequent sanctions for the perpetrator. Prohibitions are aimed at these actions, while sanctions are imposed on individuals who carry out these actions (Moeljatno: 2010). The absence of specific legal norms regarding catcalling has resulted in law enforcement officials using several articles contained in the Criminal Code and Law Number 44 of 2008 concerning Pornography to handle these cases. Several articles used as the legal basis for resolving catcalling cases are Article 281 paragraph (2) and Article 315 of the Criminal Code as well as Article 8, Article 9, Article 34 and Article 35 of Law No. 44 of 2008 concerning Pornography. Article 281 paragraph (2) of the Criminal Code explains that someone who deliberately commits an immoral act in front of another person without their consent can be subject to imprisonment or a fine. Article 315 of the Criminal Code explains that every intentional insult against a person, whether verbally or in writing in front of that person or through a letter, can be considered a light insult which can be subject to criminal sanctions in the form of imprisonment or a fine. The use of Article 315 of the Criminal Code in handling catcalling cases is considered inappropriate because catcalling is not actually a form of insult, but rather a compliment that causes discomfort because it is said by an unknown person. A common example of catcalling is words like "hi girl, hi beautiful, where are you darling?". Basically, this is not an insult because insults are more related to attempts to humiliate or criticize. Blasphemy can occur with the intention of praising or greeting (Putri, L.J: 2019).

Based on the researcher's journal research, Ramadhania (2019) conducted online pre-research using Google Form on 91 respondents who had experienced catcalling. Respondents consisted of female students from several universities in Indonesia. The survey results showed that 92.2% of respondents experienced catcalling, of which 86.5% wore the hijab in their daily activities. Forms of catcalling that are often experienced by respondents include comments (57%), teasing (40.7%), gestures (38.4%), and touching (7%). The majority of catcalling incidents occur in open public places. Researchers also found cases similar to this research, where catcalling was carried out when the researcher passed a street that only had men around him, and the man catcalled "kiw kiw", and also "where are you going, beautiful, besides that, the researcher also clearly saw the woman who was catcalled by a man, which happened when the woman was walking when a motorbike taxi driver noticed the curves of her body without blinking. Researchers' views on law enforcement against catcalling perpetrators highlight several problems that still exist in Indonesia. Researchers admit that law enforcement is still hampered by a lack of awareness, difficulties in collecting sufficient evidence, and a lack of specific regulations regarding catcalling cases. Therefore, researchers consider it important to continue to advocate so that legal protection for catcalling victims is strengthened and law enforcement against catcalling perpetrators can be carried out more effectively. It is hoped that this effort can prevent catcalling and provide justice for victims who have experienced such harassment.

Protection for victims of the crime of catcalling is currently regulated by Law Number 31 of 2014 concerning Protection of Witnesses and Victims. Apart from that, Law Number 39 of 1999 concerning Human Rights can also be used as a legal basis for protecting victims of catcalling. According to Article 1 number 2, victims are generally individuals who experience physical, mental or economic suffering as a result of a criminal act. Victims of the criminal act of catcalling according to Law Number 31 of 2014 have rights which include security protection, freedom to choose the type of protection, freedom from pressure to provide information, protection from ensnaring questions, continuous information about case developments, notifications regarding court decisions against perpetrators, information about the release of convicts, the possibility of obtaining a new identity and residence, guarantees for reimbursement of transportation costs, provision of legal advice, and assistance with costs to support temporary living (Putri, L.J: 2019).

Apart from receiving legal protection, victims of catcalling will feel the physiological impacts. Physiological impacts are direct effects on a person's body, such as increased heart rate, rapid breathing, and other stress reactions that can occur in victims of catcalling. According to doctors or experts, this impact

can have a negative impact on the victim's physical and mental health if it occurs for a long time. The impact on victims of catcalling can cause shame which makes them reluctant to report the incident. However, a person's appearance and behavior should not be a reason for becoming a victim of a crime. Therefore, the government needs to provide protection to victims, remove public stigmatization, restore victims' mental health, and educate the public so that they no longer underestimate or blame victims of catcalling. The impact of verbal abuse varies between individuals due to differences in the victim's condition and understanding. Psychologically, the impact is divided into two, namely short term, which includes anger, shame and annoyance, and long term, which includes trauma and negative views towards men. Symptoms such as difficulty sleeping and lack of appetite can also occur as short-term impacts (Jawab et al. 2024).

Based on research in research journals, Maula (2023) found victims of catcalling at the Darul Quran Wal Irsyad Islamic Boarding School, many of the students who made up the respondents, up to 70%, stated that this catcalling made them feel uncomfortable. According to Pratiwi (2020), there are three categories of symptoms of post-traumatic mental stress disorder that are commonly experienced, namely Hyper Arousal, Intrusion, and Numbing. Hyper Arousal is a condition in which the body experiences hormonal changes that affect the victim's psychological state, which may include difficulty sleeping and emotional fluctuations. Meanwhile, Intrusion refers to a situation where the victim experiences difficulty in controlling memories of a traumatic event, which often reappear as disturbing flashbacks. Then, Numbing describes the victim's inability to feel or show emotions, which can lead to social isolation and decreased self-confidence. For example, female students at the Darul Qur'an Wal Irsyad Islamic Boarding School experienced symptoms of Intrusion and Numbing, characterized by being constantly haunted by memories of traumatic events and an inability to feel emotions or care about their surroundings, which ultimately led to social isolation and a lack of trust. Self (M, Manik, and Agustian 2024) .

Victims of catcalling often experience significant physiological disturbances in response to the stress caused by the event. These physiological impacts can include a number of bodily reactions that manifest physically, such as a rapid increase in heart rate, breathing that becomes shallow and often rushed, excessive sweat production, trembling, or even a feeling of tension that hits the body's muscles. In addition, these physiological disorders can also include other body reactions, such as digestive disorders, which can manifest as nausea, vomiting, or even more serious digestive problems such as diarrhea or constipation. All of these physiological reactions are part of the body's natural response to situations that are perceived as threats or stressors. In the context of catcalling, victims feel threatened emotionally and psychologically, so their bodies automatically react by activating a "fight or flight" response aimed at protecting themselves from threats. However, if the stress continues or becomes too intense, the negative impacts will not only be felt physically, but can also affect the victim's mental and emotional health. Furthermore, the physiological disorders caused by catcalling can also have a lasting impact on the victim's long-term health if not treated properly. Chronic stress can increase the risk of various health problems, such as heart disease, digestive disorders, sleep disorders, and even mental disorders such as depression and anxiety. Therefore, it is important for victims of catcalling to receive adequate emotional and mental health support, including counseling or therapy, to help them overcome the physical and mental impact they may experience and restore balance to their body and mind. (Pratiwi : 20)

To overcome the negative impact of catcalling on victims' mental health, researchers can devise a series of comprehensive and sustainable solutions. First of all, researchers recommend steps to increase public awareness of the dangers and consequences arising from catcalling behavior. This can be done through public outreach and education campaigns aimed at increasing understanding of the importance of respecting individual rights and maintaining respectful behavior in the public environment. By strengthening existing laws and enforcing stricter sanctions for catcalling perpetrators, it is hoped that this will act as a deterrent for potential perpetrators and significantly reduce catcalling incidents overall. Researchers can suggest establishing a strong social support network for victims of catcalling. This can involve establishing support groups and communities both online and offline where victims can share experiences, get emotional support, and feel heard and understood. In addition, it is important to encourage

victims to report catcalling incidents to the authorities, such as the police or institutions competent in handling sexual harassment cases. By reporting the incident, the victim can receive further assistance and protection, and help prevent the behavior from happening again to other victims. Researchers also recommend that victims seek professional help, such as counselors or psychologists, to get emotional support and overcome the psychological impact of catcalling. Counseling or psychological therapy can help victims overcome trauma and restore their mental health after experiencing disturbing experiences.

CONCLUSION

Catcalling is a serious form of sexual harassment that has significant negative effects on victims, increasing feelings of insecurity and emotional stress, even without physical contact. The lack of specific legal regulations complicates law enforcement, often resulting in the use of unrelated legal articles to handle these cases. Commonly occurring in public spaces and targeting women, catcalling frequently includes comments, teasing, or gestures, leading to both psychological and physiological impacts, such as increased heart rate. Addressing these effects requires comprehensive solutions: raising public awareness, strengthening laws, and supporting victims with counseling and therapy. Law enforcement against catcalling perpetrators in Indonesia is hindered by low awareness, challenges in gathering evidence, and limited specific regulations. Public education and firm legal reforms are essential to provide better protection for victims and create safer public spaces.

REFERENCES

- Fadillah, A. N. (2021). Catcalling Sebagai Perilaku Pelecehan Seksual Secara Verbal Ditinjau Dari Perspektif Hukum Pidana. *Jurnal Belo*, 7(2), 146-155. Doi: [Http://Dx.Doi.Org/10.26623/Jdsb.V23i2.3438](http://Dx.Doi.Org/10.26623/Jdsb.V23i2.3438)
- Fisher, S., Lindner, D., & Ferguson, C. J. (2019). The effects of exposure to catcalling on women's state self-objectification and body image. *Current Psychology*, 38(6), 1495–1502. <https://doi.org/10.1007/s12144-017-9697-2>
- Flouli, A., Athanasiades, C., & Deliyanni-Kouimtzi, V. (2022). Words that pierce: Discursive constructions of catcalling. *Hellenic Journal of Psychology*, 19(1), 53–68. <https://doi.org/10.26262/hjp.v19i1.8362>
- Fredrickson, B. L., & Roberts, T.-A. (1997). Objectification theory: Toward understanding women's lived experiences and mental health risks. *Psychology of Women Quarterly*, 21(2), 173–206. <https://doi.org/10.1111/j.1471-6402.1997.tb00108.x>
- Gunawan, I. (2013). *Metode Penelitian Kualitatif*. Jakarta: Bumi Aksara, 143. https://www.academia.edu/download/62137147/3_Metpen-Kualitatif20200218-117182--1a60wxc.pdf
- Hardt, S., Stöckl, H., Wamoyi, J., & Ranganathan, M. (2023). Sexual harassment in low- and middle-income countries: A qualitative systematic review. *Trauma, Violence, & Abuse*, 24(5), 3346–3362. <https://doi.org/10.1177/15248380221127255>
- Holland, E., Koval, P., Stratemeyer, M., Thomson, F., & Haslam, N. (2017). Sexual objectification in women's daily lives: A smartphone ecological momentary assessment study. *British Journal of Social Psychology*, 56(2), 314–333. <https://doi.org/10.1111/bjso.12152230>
- Husserl, E. (1983). Ideas pertaining to a pure phenomenology and to a phenomenological philosophy: First book: General introduction to a pure phenomenology. Springer Science & Business Media.
- Jawab, Tanggung, Serta Kendala, Lembaga Pembiayaan, Dalam Hukum, Jaminan Fidusia, and Di Indonesia. 2024. "Ipsa Jure." 1(2):15–19.

- M, Mita Sri Rejeki, Jeanne Darc N. Manik, and Rio Armanda Agustian. 2024. "Implementation Of Special Protection For Children As Victims Of Sexual Violence In The D . I . Yogyakarta Region." 1(5):44–59.
- Kartika, Y., & Najemi, A. (2020). Kebijakan Hukum Perbuatan Pelecehan Seksual (Catcalling) Dalam Perspektif Hukum Pidana. *Pampas: Journal Of Criminal Law*, 1(2), 1-21. Doi: <https://doi.org/10.22437/Pampas.V1i2.9114>
- Komnas Perempuan. (2022). Catahu 2022: Bayang-bayang stagnansi: Daya pencegahan dan penanganan berbanding peningkatan jumlah, ragam dan kompleksitas kekerasan berbasis gender terhadap perempuan. Komisi Nasional Anti Kekerasan terhadap Perempuan. <https://komnasperempuan.go.id/catatan-tahunan-detail/catahu-2022-bayang-bayang-stagnansi-daya-pencegahan-dan-penanganan-berbanding-peningkatan-jumlah-ragam-dan-kompleksitas-kekerasan-berbasis-gender-terhadap-perempuan>
- Liong, M., & Cheng, G. H.-L. (2019). Objectifying or liberating? Investigation of the effects of sexting on body image. *The Journal of Sex Research*, 56(3), 337–344. <https://doi.org/10.1080/00224499.2018.1438576>
- Maula, L. C., Negari, O. C., & Astuti, H. T. (2023). Pengaruh Kebiasaan Catcalling Terhadap Kondisi Mental Santri Putri Usia Sekolah: Studi Kasus Di Pondok Pesantren Darul Qura'an Wal Irsyad Wonosari. *Musala: Jurnal Pesantren dan Kebudayaan Islam Nusantara*, 2(2), 93-108. Doi: <https://doi.org/10.37252/Jpkin.V2i2.543>
- Mayana, N. S., Solikatun, S., & Rosyadi, M. A. (2021). Makna Catcalling (Studi Fenomenologi Di Desa Masbagik Timur Kecamatan Masbagik Kabupaten Lombok Timur). *Resiprokal: Jurnal Riset Sosiologi Progresif Aktual*, 3(2), 210-229. Doi: 10.29303/Resiprokal.V3i2.80
- Mayana, N. S., Solikatun, S., & Rosyadi, M. A. (2022). Makna catcalling (Studi fenomenologi di Desa Masbagik Timur Kecamatan Masbagik Kabupaten Lombok Timur). *Resiprokal: Jurnal Riset Sosiologi Progresif Aktual*, 3(2), 210–229. <https://doi.org/10.29303/resiprokal.v3i2.80>
- McDonald, L. (2022). Cat-calls, compliments and coercion. *Pacific Philosophical Quarterly*, 103(1), 208–
- Meisenhelder, J. B. (1985). Self-esteem: A closer look at clinical interventions. *International Journal of*
- Miles-McLean, H., Liss, M., Erchull, M. J., Robertson, C. M., Hagerman, C., Gnoleba, M. A., & Papp, L. J. (2015). "Stop looking at me!" Interpersonal sexual objectification as a source of insidious trauma. *Psychology of Women Quarterly*, 39(3), 363–374. <https://doi.org/10.1177/0361684314561018>
- Moeljatno, 2010, *Asas-Asas Hukum Pidana*, Rineka Cipta, Jakarta, H. 59.
- Nowell, L. S., Norris, J. M., White, D. E., & Moules, N. J. (2017). Thematic analysis: Striving to meet the trustworthiness criteria. *International Journal of Qualitative Methods*, 16(1), 160940691773384. <https://doi.org/10.1177/1609406917733847>
- Nurahlin, S. (2022). Perlindungan Hukum Terhadap Korban Pelecehan Seksual Secara Verbal (Catcalling) Dalam Undang-Undang Tindak Pidana Kekerasan Seksual: Pelecehan Seksual Secara Verbal (Catcalling) Dalam Undang-Undang Tindak Pidana Kekerasan Seksual. *Jatiswara*, Doi: <https://doi.org/10.29303/Jtsw.V37i3.425>
- Nursing Studies, 22(2), 127–135. [https://doi.org/10.1016/0020-7489\(85\)90023-9](https://doi.org/10.1016/0020-7489(85)90023-9)
- Puja, A. A. A. W. P., Dewi, A. A. S. L., & Suryani, L. P. (2022). Penghapusan Kekerasan Seksual Malam Melindungi Korban Pelecehan Seksual Secara Verbal (Catcalling) Di Indonesia. *Jurnal Preferensi Hukum*, 3(1), 108-114. Doi: <https://doi.org/10.22225/Jph.3.1.4663.108-114>
- Putri, A. H., & Wijanarko, D. S. (2021). Perlindungan Hukum Terhadap Perempuan Korban Kekerasan Secara Verbal (Catcalling). *Krtha Bhayangkara*, 15(1), 143-150. Doi: <https://doi.org/10.31599/Krtha.V15i1.594>

- Putri, L. J., & Suardita, I. K. (2019). Tinjauan Yuridis Terhadap Perbuatan Catcalling (Pelecehan Verbal) Di Indonesia. . Kertha Wicara: Journal Ilmu Hukum,8(3),1-15.
- Ramadhania, S. I. (2021). Pengalaman Mahasiswi Berhijab Yang Mengalami Catcalling The Experience Of Hijab Students Who Experienced Catcalling. Jurnal Penelitian Pers Dan Komunikasi Pembangunan, 25(2), 167-181. Doi : <https://Scholar.Archive.Org/Work/Sackdjficrh5xjxkxquhhoyia/Access/Wayback/Http://Jurnal-P2kp.Id/Index.Php/Jp2kp/Article/Download/154/119/>
- Yudha, D.A. (2022) Dampak dan Peran Hukum Fenomena Catcalling di Indonesia. Jurnal Dinamika Sosial Budaya, 23(2), 324-332. Doi: [Http://Dx.Doi.Org/10.26623/Jdsb.V23i2.3438](http://Dx.Doi.Org/10.26623/Jdsb.V23i2.3438)