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Legal Protection for Victims of Revenge Porn: An Analysis from Thomas Aquinas' Perspective on Criminal Law and Public Ethics

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ABSTRACT

The crime of revenge porn or the dissemination of intimate content without the victim's consent is a form of technology-based sexual violence that has a serious impact on human rights to privacy, honor, and dignity. This study uses a normative juridical method with a legislative and conceptual approach, relying on statutory analysis, doctrinal interpretation, and review of court decisions and scholarly literature to examine the consistency and effectiveness of legal protection frameworks. Through analytical interpretation of Law No. 12 of 2022 concerning Criminal Acts of Sexual Violence (TPKS), Law No. 19 of 2016 concerning Electronic Information and Transactions (ITE), and Law No. 44 of 2008 concerning Pornography, the study critically evaluates how these regulations function substantively in protecting victims. The results of the study show that the normative provisions in the three laws are still overlapping and do not provide comprehensive protection for victims, particularly in distinguishing consensual and non-consensual content distribution, addressing secondary victimization, and ensuring victim recovery. From Thomas Aquinas' perspective, just law must contain a public moral dimension and be oriented towards bonum commune or the common good. Therefore, the reconstruction of legal protection for victims of revenge porn must be based on the integration of positive legal values and natural morality by strengthening punitive, preventive, and rehabilitative aspects. With such a legal model, the Indonesian legal system can realize substantive justice for victims, oriented towards restoring human dignity, and in line with the ideals of Pancasila law.

Keywords: Revenge Porn, Legal Protection, Public Morality.

INTRODUCTION

The phenomenon of spreading intimate content without consent, often referred to as revenge porn, represents a form of technology-based sexual violence that has serious legal and ethical consequences. This act not only violates the right to privacy, but also damages the honor and dignity of the victim as a legal subject guaranteed by the constitution. This crime is becoming increasingly prevalent with the advancement of digital technology, which allows for the massive distribution of content without space and time limitations, thereby exacerbating the suffering of victims through secondary



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victimization in the virtual public sphere.¹ However, national legal instruments are often unable to provide comprehensive protection for victims, especially in terms of psychological recovery and personal data protection. Law No. 12 of 2022 on Sexual Violence Crimes recognizes electronic-based sexual violence as a criminal offense, but its implementation faces obstacles in proving and identifying perpetrators in the digital space. In the context of positive criminal law, this shows a gap between ideal norms and the effectiveness of law enforcement. This situation raises fundamental questions about the extent to which the legal system is able to uphold substantive justice for victims whose rights have been violated in cyberspace.

Thomas Aquinas' perspective on criminal law provides a profound moral dimension to this issue, as it places the law as an instrument to achieve bonum commune or the common good. Law, according to Thomas, has a moral function to guide humans to act in accordance with their dignity as rational beings, and therefore any form of exploitation of the human body carried out without the free will of the victim is a violation of the public moral order. In the context of revenge porn crimes, the perpetrator's actions not only violate positive law but also tarnish the public moral values that form the basis of the legitimacy of the criminal law system.² Law No. 44 of 2008 on Pornography prohibits the distribution of pornographic material, but does not fully distinguish between consensual and non-consensual pornographic expression, resulting in ambiguous norms that potentially hinder effective protection for victims. The principle of public morality as emphasized in Thomas's view requires the state to enforce the law not merely because of formal prohibitions, but because of the ethical imperative to preserve human dignity as part of distributive justice. Therefore, a renewal of criminal law oriented towards public morality needs to be considered in order to clarify the limits of legal responsibility for the distribution of non-consensual intimate content.

Meanwhile, the reality of law enforcement shows a gap between idealized ethical norms and the implementation of positive law through law enforcement agencies. Many victims of revenge porn are reluctant to report it because of shame, fear of social stigma, or distrust of a legal system that often treats them as complicit.³ The investigation process based on the ITE Law is often hampered by limited digital evidence and the lack of capacity of officials to understand the complexity of cybercrime. When perpetrators use social media across jurisdictions, the scope of national law becomes limited, and cross-border coordination is not always effective. This shows that law enforcement that is not supported by an understanding of public morality, as emphasized by Thomas, will lose its substantive dimension of justice. Thus, legal reform must not only touch on normative aspects, but also the ethical paradigm of law enforcement officials so that they are able to internalize values of justice that favor

¹ Ayuningtyas, N. C. (2020). Urgensi Perlindungan Hukum Bagi Korban Pornografi Balas Dendam (Revenge Porn). *Recidive: Jurnal Hukum Pidana Dan Penanggulangan Kejahatan*, 10(3), 164-173.

² Madani, I. S., & Firmansyah, H. (2025). Revenge Porn In Indonesian Law: An Analysis Of Criminal Liability And Victim Protection Based On The Electronic Information And Transactions Law And The Sexual Violence Crime Law. *Awang Long Law Review*, 7(2), 472-480.

³ Karlina, L. (2024). Perlindungan Hukum bagi Korban Penyebarluasan Konten Pornografi dengan Motif Balas Dendam (Revenge Porn). *Jurnal Ilmu Hukum, Humaniora dan Politik (JIHHP)*, 4(6).

victims. The absence of a moral dimension in law enforcement will turn criminal law into a formalistic instrument that loses its orientation towards human welfare.⁴

The provisions in Law No. 19 of 2016, as an amendment to Law No. 11 of 2008 on Electronic Information and Transactions, demonstrate the state's efforts to combat the misuse of information technology for purposes that harm others. The articles regulating the distribution and transmission of obscene electronic information are an important legal basis for prosecuting perpetrators of revenge porn.⁵ However, the application of these provisions often raises issues of interpretation because they do not distinguish between motives for distribution for personal consumption and publication for the purposes of revenge or coercion. This situation shows that positive law is still oriented towards regulating behavior in general, rather than specifically protecting victims. Within Thomas's framework, laws that are not directed at restoring public morality will fail to fulfill their true purpose, which is to create a just social order. Therefore, the implementation of the ITE Law should be interpreted not merely as an effort to suppress deviant behavior, but as a means of protecting human dignity and correcting the ethical imbalances that arise from the misuse of technology.⁶

The absence of substantive laws related to the protection of victims of revenge porn also raises legal problems in judicial practice. Often, courts require an explicit legal basis to qualify such acts as electronic sexual violence crimes, even though the elements of the offense are not fully accommodated in existing laws and regulations. On the other hand, the TPKS Law provides a new normative basis by expanding the scope of sexual violence to include that which occurs through digital media. However, the effectiveness of this law still depends on the clarity of the implementation mechanisms, evidence, and synergy between law enforcement agencies. When positive legal norms do not fully reflect substantive justice, moral interpretations based on public ethics become important to ensure that the law is in line with human dignity values. This is in line with Thomas's teaching that positive law must be in harmony with moral law in order to be considered fair and ethically valid. Failure to balance the two will result in the law losing its moral authority in the eyes of the public.

On the social side, revenge porn has an impact that goes far beyond individual harm, as it creates an atmosphere of fear and distrust in the digital public sphere. This phenomenon erodes social trust and undermines the sense of security as part of the human rights guaranteed by the state. From a public ethics perspective, such actions undermine the social order that is based on respect for the human body and dignity. When the state fails to provide adequate protection, the moral legitimacy of criminal law as the guardian of public order is called into question. Therefore, the function of criminal law needs to be reoriented to be more victim-centered, not merely punitive. Justice should not stop at sanctions, but must include the restoration of the victim's dignity and social reintegration. This principle is in line with the doctrine of *restitutio in integrum*, which demands that victims be restored to their original state as far as possible, both legally and morally.

⁴ Yusdiansyah, E., & Darusman, Y. (2025). Implementation of Legal Protection for Victims of Revenge Porn Crimes Based on Law Number 31 of 2014 Concerning Protection of Witnesses and Victims from a Victimology Perspective. *Sinergi International Journal of Law*, 3(3), 161-171.

⁵ Fernando, Z. J., Teeraphan, P., Barkhuizen, J., & Agusalim, A. (2023). Revenge porn: Digital crimes and implications for victims. *Kosmik Hukum*, 23(2), 157-171.

⁶ Kirchengast, T., & Crofts, T. (2019). The legal and policy contexts of 'revenge porn' criminalisation: The need for multiple approaches. *Oxford University Commonwealth Law Journal*, 19(1), 1-29.

Reformulating legal protection for victims of revenge porn requires an approach that integrates positive law, public morals, and human rights values. Within this framework, criminal law is no longer seen as a means of state revenge, but as an ethical mechanism that ensures social harmony. Thomas teaches that good law is law that promotes virtue and prevents moral vice. Thus, the revision of criminal policies related to digital crimes should be oriented towards prevention, moral education, and the enforcement of justice that takes into account the interests of victims. The integration of the TPKS Law, the ITE Law, and the Pornography Law needs to be directed towards the formation of an integrated protection system that is capable of tackling technology-based crimes without neglecting the principles of human rights and public ethics.⁷ This affirmation is not merely a legal-formal issue, but rather an affirmation of the state's moral responsibility towards the dignity of its citizens.

Although several scholars have examined legal aspects of revenge porn in Indonesia, existing studies still contain conceptual and normative limitations. Ayuningtyas (2020) in *Urgensi Perlindungan Hukum Bagi Korban Pornografi Balas Dendam* focuses on identification of legal provisions but does not elaborate mechanisms of victim recovery and psychological reparations. Fernando et al. (2023) in *Revenge Porn: Digital Crimes and Implications for Victims* discusses digital victimization but does not analyze normative coherence between the TPKS Law, ITE Law, and Pornography Law. Meanwhile, Fikri (2025) in *Revisiting Law Enforcement Against Revenge Porn Offenders in Cyberspace* highlights enforcement challenges but has not incorporated a philosophical evaluation grounded in public morality or natural law principles. This gap demonstrates the absence of a comprehensive legal-philosophical framework that integrates positive law with moral foundations for victim-centered protection, especially through the lens of Thomas Aquinas' public ethics. Thus, this study contributes by offering a normative-philosophical analysis emphasizing moral legitimacy, public ethics, and substantive victim justice.

Ultimately, legal protection for victims of revenge porn cannot stop at the formulation of norms, but must be realized through an effective legal system oriented towards substantive justice. Law enforcement based on public morality as understood in Thomas's perspective will strengthen the legitimacy of the criminal justice system as the guardian of human values. The three legal instruments, the TPKS Law, the ITE Law, and the Pornography Law, must be harmonized into a single framework of protection that is consistent with the principles of human dignity, privacy rights, and social justice. Such protection not only enforces the law formally, but also restores public security and trust in the national legal system. Revitalizing the moral dimension in criminal law does not mean returning the law to religious dogma, but rather reviving the universal ethical values that form the basis of justice. With this approach, criminal law can function as a means of restoring public morality while protecting victims who are the targets of increasingly complex digital violence in the modern era.

METHODOLOGY

The research method used in this study is the normative juridical method, which is oriented towards the analysis of positive legal norms, legal principles, and legal doctrines relevant to examining the effectiveness and consistency of legal protection for victims of revenge porn. This approach places law as a system of norms that regulates

⁷ Fikri, A. M. M. (2025). Revisiting Law Enforcement against Revenge Porn Offenders in Cyberspace. *Pena Justisia: Media Komunikasi dan Kajian Hukum*, 24(2), 3042-3062.

human behavior to achieve order and justice, as stated by classical and modern legal experts. Normative legal research focuses on library research, which includes analysis of legislation, court decisions, scientific literature, and the opinions of legal scholars regarding the concept of electronic-based sexual violence and its public moral implications from a criminal law perspective. Thus, this method aims to interpret and construct legal norms systematically in order to answer contemporary legal issues arising from the practice of disseminating intimate content without consent.

Normative research aims to examine and understand how the law should apply (das sollen), not how the law is practiced in empirical reality (das sein), so that the entire analysis process relies on primary and secondary legal materials that are textual and conceptual.⁸

As explained by Peter Mahmud Marzuki, normative legal research is a method that focuses on the study of legal materials as the main object of research, by interpreting and constructing applicable laws to answer specific legal issues.⁹ According to Marzuki, this approach is prescriptive in nature because it not only aims to describe the law, but also to provide normative arguments regarding the validity of a legal action or act within the adopted legal system.¹⁰ Meanwhile, Soerjono Soekanto and Sri Mamudji stated that normative legal research includes research on legal principles, legal systematics, legal synchronization, legal history, and comparative law.¹¹

The main objects of study in this method include three national legal instruments, namely Law No. 12 of 2022 concerning Sexual Violence Crimes (TPKS), Law No. 19 of 2016 concerning Amendments to Law No. 11 of 2008 concerning Electronic Information and Transactions (ITE), and Law No. 44 of 2008 concerning Pornography. These three laws form the normative basis for examining the position of revenge porn as a criminal act that involves sexual violence, privacy violations, and the dissemination of obscene material. The TPKS Law explicitly expands the definition of sexual violence to the electronic realm, making it relevant as a basis for formulating victim protection oriented towards recovery and restitution. Meanwhile, the ITE Law emphasizes the legal aspects of the distribution and transmission of electronic data containing indecent material, which can be used to prosecute perpetrators of non-consensual intimate content distribution. On the other hand, the Pornography Law provides legal restrictions on the production and distribution of pornographic material, although there are still problems of interpretation between content that is created voluntarily and that which is distributed without permission.

This normative juridical approach also analyzes the vertical and horizontal synchronization between laws and regulations to assess the extent to which national legal norms are in harmony in providing comprehensive protection for victims of revenge porn. Vertical analysis is conducted to test the conformity of the three laws with constitutional principles and human rights instruments, particularly Articles 28G and 28I of the 1945 Constitution, which guarantee the rights of citizens to protection, honor, and privacy. Meanwhile, horizontal analysis is used to assess the relationship

⁸ Novea Elysa Wardhani, Sepriano, and Reni Sinta Yani, *Metodologi Penelitian Bidang Hukum* (Jambi: PT. Sonpedia Publishing Indonesia., 2025).

⁹ Peter Mahmud Marzuki, *Penelitian Hukum* (Jakarta: Kencana Prenada Media Group, 2011).

¹⁰ Mahlil Adriaman et al., *Pengantar Metode Penelitian Ilmu Hukum* (Padang: Yayasan Tri Edukasi Ilmiah, 2024).

¹¹ Ranga Suganda, "Metode Pendekatan Yuridis Dalam Memahami Sistem Penyelesaian Sengketa Ekonomi Syariah," *Jurnal Ilmiah Ekonomi Islam* 8, no. 3 (2022): 2859, <https://doi.org/10.29040/jiei.v8i3.6485>.

between norms of equal standing, for example whether the provisions in the ITE Law and the Pornography Law complement each other or cause overlap in law enforcement against perpetrators of revenge porn. In this way, normative legal research not only examines the content of positive law textually, but also tests its coherence systematically and functionally within the framework of fair law enforcement.

Conceptually, this normative legal method also uses a conceptual approach and a statute approach to examine the relationship between positive legal norms and public moral values as taught by Thomas Aquinas. The conceptual approach is used to interpret the meanings of "honor," "privacy," and "human dignity" as moral values that form the basis of modern criminal law, while the statute approach is used to identify specific legal provisions governing prohibitions, sanctions, and victim protection. By combining these two approaches, the study seeks to find a normative basis that is not only formally valid but also morally valid, so that criminal law can function as an instrument that upholds bonum commune, namely the common good that forms the basis of public ethics.

The results of this normative juridical method are expected to provide a prescriptive analysis, namely normative recommendations for the need for legal reform in the regulation of revenge porn in Indonesia. This study seeks to emphasize the importance of harmonizing the TPKS Law, the ITE Law, and the Pornography Law so that they not only ensnare perpetrators but also guarantee adequate protection for victims, including the right to recovery, rehabilitation, and non-discrimination. Moreover, this approach requires the renewal of criminal law based on the principles of substantive justice and public moral values, as emphasized by Thomas, that the law loses its legitimacy when it is no longer directed at maintaining human dignity. Thus, the normative juridical method in this study does not stop at analyzing legal texts, but also interprets the law as a reflection of the ethical values that exist in society and form the foundation of justice for victims of technology-based sexual crimes.

RESULTS AND DISCUSSION

Legal Analysis of Revenge Porn Crimes from the Perspective of Positive Criminal Law in Indonesia

The act of disseminating intimate content without consent, known as revenge porn, is a violation of the rights to privacy, honor, and bodily integrity guaranteed by the constitution. This act can be classified as electronic-based sexual violence, which is explicitly regulated in Article 4 paragraph (2) letter e of Law No. 12 of 2022 concerning Sexual Violence Crimes (TPKS). This norm affirms that anyone who intentionally disseminates, transmits, or makes sexually explicit material accessible without the victim's consent is a perpetrator of sexual violence.¹² These provisions contain elements of intent and non-consensuality, which are the essence of the crime of revenge porn. Thus, this crime not only causes immaterial losses to the victim, but also violates the basic principle of respect for human dignity as guaranteed in Article 28G of the 1945 Constitution.

However, in practice, the application of the norms in the TPKS Law often intersects with Law No. 19 of 2016 concerning Amendments to Law No. 11 of 2008 concerning Electronic Information and Transactions (ITE). This law regulates the prohibition of disseminating obscene electronic information as stated in Article 27

¹² Hidayat, K., & Lubis, S. (2023). Pertanggungjawaban Pidana Terhadap Pelaku Tindak Pidana Revenge Porn dalam Perspektif Hukum Pidana Islam. *UNES Law Review*, 6(2), 4575-4582.

paragraph (1), which states that everyone is prohibited from distributing or making accessible electronic information that has obscene content. This provision is an important legal basis for prosecuting perpetrators of revenge porn, even though the nature of the offense is more general and does not specifically regulate the dimensions of sexual violence or non-consensuality. As a result, there is potential for overlapping between the enforcement of the ITE Law and the TPKS Law, especially when law enforcement officials must determine whether the perpetrator is charged with indecency or electronic-based sexual violence. This issue raises the need to clarify the distinction between violations of public morality and violations of personal honor so that the application of the law can be consistent and fair.

Furthermore, Law No. 44 of 2008 concerning Pornography is also a legal instrument that is often associated with acts of revenge porn. Article 4 paragraph (1) letter a of the law prohibits anyone from producing, creating, reproducing, duplicating, disseminating, broadcasting, importing, exporting, offering, trading, renting, or providing pornography. However, problems arise when this norm is applied to cases of revenge porn, because the Pornography Law does not explicitly distinguish between content created with consent and content distributed without permission.¹³ This ambiguity creates legal uncertainty, whereby victims who create content for personal use may also be subject to criminal charges if the material is leaked or disseminated by other parties. This situation contradicts the spirit of victim protection guaranteed by the TPKS Law and underscores the importance of synchronization between regulations to ensure that criminal law functions as a protector, not as an instrument of secondary victimization.

From the perspective of criminal law principles, revenge porn can be categorized as a formal crime, where the focus of law enforcement is not solely on the consequences, but on the act of dissemination itself. However, the aspect of public morality remains an important dimension in the construction of this offense, because the dissemination of non-consensual sexual material contains elements of contempt for human dignity that are morally unjustifiable. Therefore, the application of criminal law in this case must be in line with the values contained in the principles of legality, proportionality, and victim protection. Violations of these principles will lead to legal uncertainty and obscure the function of law as a means of substantive justice.

A legal analysis of these three laws shows that the Indonesian legal system is still fragmented in its approach to revenge porn. The TPKS Law provides normative recognition of the dimension of sexual violence, the ITE Law emphasizes the aspect of electronic information distribution, while the Pornography Law focuses more on the aspect of public morality. These three instruments have not been fully integrated into a comprehensive legal protection framework. For criminal law to function effectively, it is necessary to harmonize norms by clarifying the hierarchy of regulations and emphasizing the orientation of victim protection. This confirms the importance of reformulating criminal law policies that are able to combine legal certainty with moral justice, as emphasized by Thomas Aquinas.

¹³ Ullayya, H. Y., & Kelik Wardiono, S. H. (2024). *Pertimbangan Hukum-Hukum: Analisis Yuridis Putusan Nomor 125/Pid. B/2023 Tentang Tindak Pidana Pemerasan Dengan Ancaman Penyebaran Video Asusila (Revenge Porn) Melalui Aplikasi Whatsapp Di Pengadilan Negeri Sukoharjo* (Doctoral dissertation, Universitas Muhammadiyah Surakarta).

The Relevance of Thomas Aquinas' Thought to the Principles of Legal Protection and Public Morality in Revenge Porn Crimes

Thomas Aquinas viewed law as a moral instrument with the ultimate goal of achieving bonum commune, or the common good that regulates social life in a just and dignified manner. Law, in Aquinas' framework, is not only coercive but also educational, as it serves to guide society towards virtue. In the context of revenge porn, the distribution of intimate content without consent is not only a violation of positive law, but also a destruction of the public moral order that upholds human dignity. Based on this thinking, perpetrators of revenge porn not only commit actus reus (physical acts), but also mens rea (evil moral intent), because these acts consciously instrumentalize the bodies and sexuality of others as a means of humiliation. Therefore, in a legal system based on public morality, this crime must be viewed as a violation of distributive justice and not merely a violation of moral norms.¹⁴

The principle of public morality in Aquinas' view places individual honor and privacy as part of the essence of humanity that cannot be compromised. Therefore, the state has a moral and legal obligation to protect citizens from all forms of exploitation that demean human dignity. In the Indonesian context, this is reflected in the TPKS Law, which affirms the rights of victims to protection, recovery, and non-discrimination as a manifestation of the principle of respect for human dignity. Aquinas emphasizes that just positive law is law that is in harmony with natural law (lex naturalis). This means that if the law does not protect human dignity, then it loses its moral legitimacy. This view reinforces the argument that criminal law should serve not only to punish, but also to restore the public moral balance that has been disrupted by criminal acts.

Furthermore, Aquinas rejects legal positivism, which separates law from morality. According to him, good law must have a ratio legis (moral rationality) rooted in the common good, not merely the will of the legislator.¹⁵ Therefore, the application of the ITE Law and the Pornography Law in cases of revenge porn must be interpreted morally, not merely formalistically. If law enforcement officials interpret these articles only textually without considering the elements of non-consensuality and the victim's honor, the result will be substantive injustice. Using Aquinas' framework, positive law must be interpreted teleologically, that is, directed toward the goal of justice, not merely the enforcement of sanctions.

Furthermore, public morality in Aquinas' thinking contains a social dimension that emphasizes collective responsibility. Crimes such as revenge porn cannot be understood merely as violations between perpetrators and victims, but also as threats to the moral stability of society. The Pornography Law, although often viewed as repressive, essentially contains the spirit of maintaining public moral order. However, without adjustments to the principles of substantive justice and victim protection, the law has the potential to create a moral bias that blames the victim.¹⁶ In this context, Aquinas' thinking helps restore the morality of law to a proportional direction: protecting the common good without sacrificing individual rights.

¹⁴ Dewantara, Y. P., & Fransisca, I. (2024). Restorative Justice dalam Penyelesaian Sengketa Pelecehan Seksual Cyber. *Jurnal Hukum Mimbar Justitia*, 10(2), 223-251.

¹⁵ Fatimah, M. S., Velliyanti, J., Nuraeni, Z., & Yusniar, R. (2025). Keadilan Dalam Perspektif Filsafat Hukum Thomas Aquinas. *Das Sollen: Jurnal Kajian Kontemporer Hukum Dan Masyarakat*, 3(02).

¹⁶ Musofiana, I. (2024). *Rekonstruksi Regulasi Perlindungan Bagi Anak Korban Tindak Pidana Kekerasan Seksual dalam Mewujudkan Perlindungan yang Adil dan Beradab* (Doctoral dissertation, UNS (Sebelas Maret University)).

Thus, the relevance of Thomas Aquinas' thinking to the crime of revenge porn lies in the integration of positive law and moral law.¹⁷ The law should not be an instrument of mere retribution, but rather a means of social and moral restoration. Aquinas' perspective strengthens the philosophical foundation for modern criminal law to remain on the side of human dignity and ensure a balance between public order and individual justice. The integration of public moral values into positive law is a prerequisite for the Indonesian legal system to deliver complete justice, namely justice that is not only legally valid, but also ethically and humanely correct.

Reconstruction of an Integrated Legal Protection Model for Victims of Revenge Porn Based on Public Ethics and Human Rights

Reformulating legal protection for victims of revenge porn requires an approach that is not only normative but also structural and philosophical. The current legal framework is still fragmented and tends to be reactive to criminal events, without creating a preventive and rehabilitative system. Therefore, integration between the TPKS Law, the ITE Law, and the Pornography Law is needed to form a comprehensive legal protection system, in which the three do not work partially but complement each other. The TPKS Law serves as the basis for the protection of victims, the ITE Law as an instrument of law enforcement in the digital realm, and the Pornography Law as a regulator of public moral boundaries.¹⁸ These three regulations must be harmonized with the principles of substantive justice and respect for human rights so that law enforcement not only punishes perpetrators, but also ensures the recovery of victims.

The proposed legal protection model needs to adopt a restorative justice paradigm, in which law enforcement is directed not only at punishment, but also at restoring the dignity of victims. This paradigm is in line with Thomas Aquinas' view that places justice as a harmony between individual rights and the public interest. In the context of revenge porn, this approach can be realized by granting victims the right to confidentiality of identity, access to psychological and legal assistance, and restitution for the losses suffered.¹⁹ The TPKS Law has provided a basis for victim recovery mechanisms, but its implementation requires strong institutional support and inter-agency coordination, including law enforcement agencies, women's and children's protection agencies, and digital platform providers.

Furthermore, the reconstruction of the legal system must also strengthen the preventive function of criminal law through digital ethics education and improving public moral literacy. These preventive measures are a manifestation of Aquinas' principle of public morality, which emphasizes the importance of social virtue as a bulwark against crime. Law enforcement that is solely oriented toward punishment without shaping public moral awareness will fail to prevent similar crimes in the future. Therefore, the legal system must encourage collaboration between the state, educational institutions, and the private sector in creating a safe and moral digital ecosystem.

In addition to preventive and repressive aspects, reconstruction also needs to emphasize rehabilitative aspects for victims. Victims of revenge porn experience

¹⁷ Adkiras, F. (2023). Right To Be Forgotten Sebagai Upaya Pemulihan Korban Kekerasan Seksual Berbasis Elektronik (KSBE).

¹⁸ Mania, K. (2024). Legal protection of revenge and deepfake porn victims in the European Union: Findings from a comparative legal study. *Trauma, Violence, & Abuse*, 25(1), 117-129.

¹⁹ Javiery, M. I. M., & Lyanthi, M. E. (2025). PERLINDUNGAN HUKUM BAGI KORBAN PENYEBARAN VIDIO BERKONTEN KEKERASAN SEKSUAL. *COURT REVIEW: Jurnal Penelitian Hukum* (e-ISSN: 2776-1916), 5(03), 1-12.

complex psychological and social suffering, which cannot be resolved solely by punishing the perpetrators.²⁰ The TPKS Law has opened up space for integrated recovery services, but its implementation is often hampered by limited resources and social stigma. Therefore, legal reconstruction must ensure the availability of responsive and victim-friendly legal and psychological assistance mechanisms. The principle of human dignity taught by Aquinas must be the foundation for the formulation of this policy, because restoring the dignity of victims is at the heart of substantive justice.

By strengthening the integration between positive law and public morality, the Indonesian legal system can realize legal protection that is not only normatively effective but also ethically just. The reconstruction of legal protection for victims of revenge porn based on public ethics and human rights is a step towards a criminal justice system that is socially just, oriented towards human dignity, and in line with the ideals of Pancasila. In this framework, the law is not merely a tool for controlling behavior, but also a means of upholding moral truth and humanity as idealized by Thomas Aquinas through the concept of *lex naturalis*, which lives on in the nation's legal consciousness.

CONCLUSION

The phenomenon of revenge porn reflects a form of modern sexual violence that transcends the boundaries of public morality and challenges the effectiveness of the Indonesian criminal justice system in protecting human dignity. The fragmentation of norms between the TPKS Law, the ITE Law, and the Pornography Law shows that the integration of victim-centered protection has not yet been optimally realized, leading to legal uncertainty, interpretive inconsistencies, and potential secondary victimization. In this respect, harmonization of these legal frameworks is imperative to ensure that law enforcement is not only repressive toward perpetrators but also restorative toward victims.

From a public morality perspective, the dissemination of intimate content without consent constitutes intrinsic malum, as it degrades the dignity inherent in every human being and disrupts the moral foundation of social order. Referring to Thomas Aquinas' reasoning, positive law must align with natural law (*lex naturalis*) and prioritize *bonum commune* or the common good. Accordingly, the enforcement of criminal law must be grounded not merely on punitive logic, but on moral rationality that protects human dignity, restores justice, and strengthens ethical order in the digital sphere.

Thus, reformulating criminal law to address revenge porn requires integrating punitive, preventive, and rehabilitative dimensions within a unified system of public ethics. Comprehensive victim protection must include not only legal remedies but also social and psychological recovery mechanisms. Such a model strengthens the role of the state as protector of human dignity in digital society and reinforces the moral legitimacy of law enforcement institutions. Ultimately, only by upholding legal values grounded in ethics and human dignity can Indonesia realize its constitutional and philosophical ideals of justice, humanity, and a dignified legal order in accordance with Pancasila.

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