

Salasika

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Regulatory Reconstruction of Femicide Phenomena and Gender-Based Violence against Women Viewed from a Victimology Perspective

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ABSTRACT

Indonesia currently does not have legislation that specifically recognizes femicide, the murder of women based on gender, as a separate crime. Femicide cases are still considered ordinary murder (Article 338 of the Criminal Code), which results in gender-based motives being often overlooked and legal protection being provided less than optimally. The murder of women is often equated with general crimes, without considering aspects of misogyny or injustice in power relations related to gender. This study uses a normative juridical method, namely legal research that establishes law as a system of norms studied through principles, norms, rules from laws and regulations, agreements, and doctrines. The discussion results suggest that the current regulations do not differentiate between femicide and murder in general. This is due to a legal vacuum in which there are no specific regulations regarding femicide. Thus, cases of femicide, which have become the tip of the iceberg, ultimately reach the legal realm only as cases of general murder. In fact, femicide is the extreme murder of women because of gender identity, rooted in patriarchal domination.

Keywords: *regulatory reconstruction, femicide, gender violence, victimology, misogyny*

INTRODUCTION

Violence against women is a humanitarian issue that has attracted global attention for decades. Femicide, defined as the killing of women related to gender-based factors, is one of the most extreme forms of violence. It reflects patterns of violence rooted in entrenched gender inequality in society, which not only threatens women's lives but also violates their human rights (Sitanggang et al., 2024). This practice is not limited to Indonesia but occurs worldwide, underscoring its universal and systemic nature. In Indonesia, despite the existence of various legal instruments designed to protect women's rights, femicide remains a significant problem (Oktadiana et al., 2025).

Indonesia as one of the countries that is thick with its patriarchal culture, which is dominated by the power of men, is certainly not separated from the discussion about women. For centuries, women have been considered to have a lower degree than men, giving birth to discrimination and violence, which is then produced, reproduced, and socialized from generation to generation and takes place systematically so that it is considered to be something ordinary or true (Sabrina, 2024).

Although positive law in Indonesia adheres to the principle of equality before the law, which means that everyone is considered equal before the law these days, it seems to be just an old story that is rarely heard and retold to the next generations. This creates social inequality both in terms of norms and laws that have double standards when faced with gender inequality problems, guided by the granting of more rights to men than to women. As a result of Indonesia's long history of adopting and internalizing patriarchal culture to the extreme, a new problem of violence against women, femicide, occurs. Femicide as a form of gender-based violence is a problem that until now has not been completely discussed and handled by the government.

Komnas Perempuan (National Commission on Violence Against Women) noted that Indonesian law for prosecuting femicide perpetrators utilizes the law on loss of life, which is regulated and disseminated in the Criminal Code (KUHP- Kitab Undang-Undang Hukum Pidana Indonesia) (Komnas Perempuan, 2025a), including femicide motivated by sexual violence. Therefore, the Criminal Code is used to regulate cases of sexual violence that result in forced marriage, disguised prostitution, including violence in dating and domestic violence. However, the Criminal Code does not directly mention the murder of women or femicide that begins with sexual violence. In 2022, there were 184 cases of femicide in Indonesia. Of these cases, 194 victims and 289 perpetrators were identified, the majority of whom were men. The perpetrators and victims were generally between 26 and 40 years old and had intimate or personal relationships, family relationships, or non-intimate relationships (coworkers, neighbors, and commercial sex workers). The data obtained relies solely on online news and does not rule out the possibility that many cases have not been identified or reported. The absence of law and the lack of reporting and data collection on femicide cases make the issue of femicide very important to get the attention of the government and the public (Martini et al., 2026).

Almost every day on social media, print, and electronics, there are news reports about persecution and harassment that lead to murder with women as victims. Women who should get comfort and security when they are at home instead get violence that leads to death. It begins with a man who hates a woman and ends with an act of murder by a man against the woman. Femicide triggers are dominance, satisfaction, belonging, jealousy, depression, superiority, and mental disorders. Femicide perpetrators can be a husband, child, girlfriend, or friend (Akbar, 2025). Indonesia today is not only a sexual violence emergency, but also a femicide emergency. Based on data released by Komnas Perempuan (National Commission on Violence Against Women), there were 95 cases of femicide in 2020, 237 cases in 2021, 307 cases in 2022, and 159 cases in 2023 (YAPHI, 2024). Komnas Perempuan noted that in 2024, in mass media

reporting, the most femicide cases occurred in the private sphere (185 cases) and 105 cases in the public domain. Until now, femicide is minimally recognized due to the absence of state-disaggregated data in case documentation of violence against women that leads to death (Komnas Perempuan, 2025a).

Femicide cases are still categorized as common murder (Article 338 of the Criminal Code), so gender-based motives are often ignored and legal protection is not optimal. The murder of women is often equated with ordinary murder or general crimes, without considering the factors of misogyny or gender-based power relations inequality. There is a need for legal reforms (such as revisions to the Criminal Code or special laws) that regulate femicide as a gender-based crime, not just the loss of life. Until now, the regulation of femicide in various article formulations has not been explicitly described in each of the laws and regulations or gender-specific crimes. Therefore, the researchers are interested in conducting this study, investigating how the regulatory reconstruction of femicide and gender-based violence against women is reviewed from a victimology perspective.

Law enforcement against femicide in Indonesia faces several challenges. Constitutionally, Indonesia guarantees its citizens the right to live free from violence. However, in practice, law implementation is often ineffective, particularly in addressing femicide cases. This is due to various factors, including low legal awareness among the public and law enforcement officials and the inability of the legal system to provide adequate protection for women (Chandra, 2023). Furthermore, the persistent patriarchal culture in Indonesian society exacerbates this problem, as misperceptions about women's roles in the family and society contribute to the normalization of violence against women, which is often viewed as a personal or domestic issue rather than a human rights violation.

Ideally, the Indonesian legal system should provide equal and fair protection to all individuals, especially women, in accordance with constitutional rights and the international legal framework. As a participant in several international conventions, including CEDAW (the Convention on the Elimination of All Forms of Discrimination Against Women), Indonesia is committed to eradicating gender-based violence and femicide. However, in reality, law enforcement against femicide cases is often hampered by internal factors within the legal system and external factors related to cultural and social norms (Nainggolan et al., 2022).

The limited competence of law enforcers in handling femicide cases also poses a significant problem. Many police officers, prosecutors, and judges are not properly trained to handle cases of gender-based violence. This not only slows the legal process but also risks femicide cases being dismissed in court. Legal processes are often hampered by a lack of evidence, slow investigations, and a lack of firm sanctions against perpetrators, further exacerbating gender inequality in society (Asnawi & Ismail, 2020).

Many cases of femicide receive little attention from law enforcers, and perpetrators of violence against women often escape appropriate punishment. Therefore, improving training and education for law enforcers is crucial to handle femicide cases more sensitively and understandingly. Femicide cases

require serious attention because they represent the culmination of an increase in gender-based violence motivated by hatred, unequal power relations, and discrimination against women. This phenomenon is not simply a murder. Its specific characteristics require different legal and social treatment than general crimes. Special regulations are needed. Special regulations provide a legal basis for judges to integrate indicators of femicide (such as sadism or a history of chronic domestic violence) as a basis for increasing penalties for perpetrators. Special regulations guarantee the rights of children, parents, or surviving family members to restitution, compensation, and psychosocial rehabilitation. Without specific violations, femicide cases will continue to be mixed up in ordinary murder statistics. Special regulations encourage national data standardization, which is crucial for formulating prevention policies.

METHODS

Research methods serve as a means of developing scientific knowledge because they aim to systematically, methodologically, and consistently seek facts or truths (Suratman & Dillah, 2015). Implementing research methods is a necessity, grounded in the underlying scientific knowledge (Soekanto & Mamudji, 2010). Therefore, this research employs a legal methodology study (Soekanto, 2014).

Type of Research

This study employs normative legal research, the study of a legal rule or regulation as a system related to legal events. Normative legal research emphasizes library research to obtain secondary data in the form of documents. Normative legal research examines law conceptualized as norms or rules applicable in society and serving as a guideline for individual behavior (Muhaimin, 2020). This research seeks to explain the concept of gender-based violence against women, outlining the data and impacts resulting from such acts of violence. This research uses a conceptual approach and a case study approach. The conceptual approach begins with legal perspectives on the issue under study, while the case study approach examines cases related to the issue at hand (Marzuki, 2017).

Research Approach

The research approach used in this study consists of two approaches, as follows.

a. Statute Approach

This approach is used to understand the laws and regulations related to the legal issues being examined in this study (Fajar & Ahmad Y., 2010).

b. Conceptual Approach

This approach departs from the perspectives and doctrines that have developed specifically in legal science, allowing researchers to discover

ideas that give rise to understandings, concepts, principles, and the law itself that are relevant to the problem faced in this study. The perspectives and doctrines in this study serve as references for solving the research problems (Syamsudin, 2021).

Research Object

The objects of this study are the normative object, the reconstruction of regulations, and the victimology perspective. Meanwhile, the empirical object is the phenomenon of femicide in news portals regarding femicide cases and in district court decisions regarding the murder of women correlated with femicide.

Legal Research Materials

Two legal sources are used in this study.

- a. *Primary Legal Materials*. The data sources used as primary legal materials in this research come from data collected by the National Commission on Violence Against Women in its annual reports and other reading materials related to this research. Thus, the primary legal materials in this study include the Criminal Code (KUHP) and Law Number 1 of 2023 concerning the New Criminal Code. Furthermore, they consist of laws and regulations, official records such as academic papers and minutes of meetings on the formation of laws and regulations, and decisions of judges at both the District Court and the Supreme Court levels related to this research. Marzuki (2017) argues that primary legal materials have authority.
- b. *Secondary Legal Materials*. Secondary legal materials consist of data that provide information on primary legal materials and secondary legal materials sourced from magazines, mass media, and the internet.

Data Collection Techniques

The legal material collection methods used are literature study and document study. Document study for legal research includes the study of legal materials, consisting of primary, secondary, and tertiary legal materials. These legal materials serve as benchmarks or norms in assessing legal facts to be resolved as legal problems (Marzuki, 2017).

This study reviewed the results of legal research in the form of dissertations, theses, books, legal journals, articles, and issues. Legal materials in the form of existing reference literature were then read and reviewed in depth to obtain an analysis.

Legal Material Analysis

The analysis used is descriptive qualitative, describing the presentation of the analysis results and drawing conclusions. Qualitative analysis techniques involve

processing and analyzing collected data into a systematic, orderly, structured, and meaningful form (Abubakar, 2021). According to Solikin (2021), the stages of legal material analysis consist of:

- a. selecting articles containing legal principles that regulate specific issues according to the research subject;
- b. systematizing these articles to enable classification;
- c. analyzing the articles using existing legal principles; and
- d. compiling a construction based on provisions.

RESULTS AND DISCUSSION

Law enforcement officials lack of good partisanship even though femicide is the peak of violence against women. This is because Indonesia has not regulated femicide specifically. Indonesia actually has several rules on the protection of women and girls that are scattered, including the Human Rights Law, the Child Protection Law, the PKDRT Law, and the TPKS Law, but none have explicitly regulated femicide.

Currently, cases of female murder tend to be processed with a general approach without paying attention to the context of gender-based violence that underlies it, resulting in its settlement as murder in general. This indifference to context results in narrow verdicts, without accommodating the social and psychological complexities of female victims. Meanwhile, substantive justice requires recognition of the structural background of gender inequality and the unequal power relations between perpetrators and female victims. Without explicit rules, judges rely on subjective individual sensitivity, so there is a risk of inconsistencies in the verdict (Razaqa et al., 2025).

Table 1. Verdict on Femicide, 2024-2025

No	Decision Number	Judge's Considerations Regarding Femicide	Weighted Reasons in the Decision
1	Decision Number 2182 K/Pid/2025	In considering the verdict, the Panel of Cassation Judges highlighted the defendant's actions of carrying sharp weapons, attacking his wife and in-laws until the wife died and the in-laws suffered permanent disabilities, including a skull fracture that impaired their ability to speak normally.	The defendant's mistake was classified as a femicidal crime because between the defendant and the victim there was a power relationship. The victim was the defendant's wife and in-laws, and the crime was carried out in such a heinous way at the defendant's in-laws' house. The defendant had carefully considered the act. Considering aspects of justice, legal certainty, and benefits for the community to have a deterrent effect on others not to do so, the judge imposed the death penalty.
2	Decision Number 1466 K/Pid/2024	Intimate femicide, murder of the victim by the defendant, who was the defendant's lover. The panel of Supreme Court	The defendant tried to avoid responsibility, even though the victim was the defendant's girlfriend who was supposed to

		Justices in the a quo case believed that no valid evidence was found to establish credibility. Therefore, in this case, there was no belief that a criminal act existed and that the defendant was the perpetrator. The defendant did not have the mens rea to commit a criminal act.	be protected by the defendant. The defendant did not admit his actions and complicated the trial.
3	Decision Number 107/Pid.B/2024/PN.Bgr	The judge considered the existence of a "context of gender relations" between the defendant and the victim, which resulted in a hierarchical, unequal, and dependent relationship between the perpetrator and the victim. Therefore, the judge concluded that the relationship was a factor in the element of the defendant's premeditated murder.	No explicit grounds for balking regarding gender status were found in the verdict, but it was considered that the defendant committed murder blindly against the victim.
4	Decision Number 871/Pid.B/2024/PN SRG	Intimate femicide, the murder of the victim by the defendant, who was his wife, due to being offended because after finishing having sex, while still on the victim's body, the victim told the defendant "Yes, sir, this is the last one, let's just flock". Hearing this, the defendant was emotional and strangled the victim's face and neck until the victim died.	The defendant, as the victim's, husband was supposed to protect the victim as his wife. However, the defendant's actions actually hurt and resulted in the death of the victim, Desti Maria Rahmawati. The defendant's actions disturbed the community.

Source: Direktori Putusan Mahkamah Agung (Supreme Court Decision Directory)

The four cases above show a consistent pattern that women are victims in intimate relationships. Psychologically, this can be explained by several factors. First, women are more often victims of femicide because of the imbalance of power relations dynamics in personal relationships. In many cases, male perpetrators use violence as a means to control their partner, especially when they feel their self-esteem or authority is threatened. This is known as coercive control, which is a pattern of manipulative behavior that isolates, dominates, and curbs the victim's freedom. Second, it shows that jealousy, a sense of belonging, and the fear of losing one's partner often trigger acts of violence and even murder.

Third, many women survive in dangerous relationships due to emotional dependence, social pressure, or fear. The cycle of violence pattern explains that violence usually occurs repeatedly: starting from the "tense" phase, then the "explosion of violence", then the "honeymoon" when the perpetrator regrets and promises to change. This cycle makes it difficult for victims to get out of the relationship even though it is high risk. Thus, it can be understood that femicide is not just an individual crime, but a structural and psychological phenomenon rooted in patriarchy, unequal power relations, and emotional control in intimate

relationships. Without specific legal recognition, this psychological vulnerability further worsens the position of women as a vulnerable group of victims.

These four decisions show that the absence of femicide regulations makes judges rely only on the Criminal Code (Articles 338, 340, or 351 paragraph (3)). As a result, the judge's consideration focuses more on the formal aspects (evidence, details, and the defendant's attitude) rather than the dimensions of gender-based discrimination. In reality, the characteristics of femicides are very real: female victims, perpetrators who are intimate partners, and the existence of unequal power relations. The four decisions mentioned above are very different: the death penalty in Decision Number 2182 K/Pid/2025 is different from the case of Ronald Tannur in Decision Number 1466 K/Pid/2024. In the Ronald Tannur case, the victim Dini Sera Afrianti died after being abused by the defendant who was her lover. At the first level, the Surabaya District Court actually acquitted the defendant. However, the Supreme Court annulled the decision and sentenced him to 5 years in prison based on Article 351 paragraph (3) of the Criminal Code. The judge considered the defendant guilty of committing persecution resulting in death, but still did not mention the element of femicide. The consideration is more directed to the facts of the incident, without acknowledging that the victim died in an unequal gender relationship.

The urgency of formulating feminist legal norms is also strengthened by the progressive legal paradigm developed by Rahardjo (2009), which states that the law must play a role as a social tool to correct existing conditions and realize true justice, not just as a collection of inflexible rules. Without the regulation of femicide, Indonesian law fails to perform this function. Therefore, the regulation of femicide as a separate offense is urgently needed to be immediately presented in Indonesian law. This rule will ensure the consistency of decisions, provide substantive protection for women, while shifting the law towards a progressive and responsive direction that is more in line with the social and psychological realities of women victims of violence (Natalia & Permatasari, 2026).

Indonesia is in an emergency for femicide cases. Therefore, there is a need for a regulatory reconstruction of the femicide phenomenon and gender-based violence against women based on a victimization perspective. Femicide from a victimological perspective places women as victims due to gender inequality and vulnerable patriarchal structures. The victimology study analyzes the victim's position, victim involvement, and legal protection for women who are subjected to gender-based violence resulting in murder. Femicide is often rooted in unequal power relations, placing women as targets of crime due to positions that are considered weaker or inferior in society.

Victimology is a field of study that focuses on learning about crime victims. Terminologically, victimology is a study of the victim, the causes of victimization, and the consequences of victimization as a social reality (Yulia, 2010). Femicide is often triggered by a patriarchal culture that considers women as property or inferior, resulting in victim-precipitation or vulnerable victims in general.

Victim Precipitation is the attitude and state of a person who will be a potential victim or attitudes and circumstances that can trigger a person to

commit a crime. The role of crime victims is related to what the victim does, when something is done, and where it is done. The discussion of crime victims, paradigms, and existing constructions of thinking is certainly inseparable from the science of victimology (Mahaliya & Munandar, 2023).

According to the researchers, apart from victim precipitation where the victim triggers the perpetrator to commit a criminal act in the form of femicide, there is a need for regulatory reconstruction of femicide phenomena that occur as a result of the inequality of power relations and patriarchal culture still rooted in Indonesia, making the case of femicide in Indonesia an iceberg phenomenon. Femicide in Indonesia is an iceberg phenomenon because the cases reported to the authorities are much fewer than the actual number. Many cases are hidden due to negative stigma, victim or family fear, the view of violence as a private problem, and a patriarchal culture that normalizes gender violence.

Below are several cases of femicide in Indonesia classified using a qualitative research method based on data collection techniques used in the research. This documentation study was carried out based on data from online news portals. In the end, femicide cases are classified based on the chronology of cases and the factors that cause femicide, as shown in the table below.

Table 2. Femicide Cases in Indonesia, 2025-2026

No	Case Chronology	News Source	Causal Factors
1	Satria Juhanda, alias Wanda (25 years old), was found guilty of murdering and mutilating a woman, Septia Adinda (25 years old). Furthermore, the perpetrator also killed two other women, Siska Oktavia Rusdi alias Cika (23 years old) and Adek Gustiana (24 years old). This case came to light after the discovery of a headless, handless, and footless body in the Batang Anai River, Padang Pariaman, West Sumatra, on Tuesday (June 17). (Pariaman, 2025)	Kumparan.com	Situational Factors. The causative factor for the murder of Septia was based on debts and receivables. The perpetrator was hurt because the victim did not pay the debt, and the two were involved in a fight until finally Septia died at the hands of Wanda. Meanwhile, the murders of Cika and Adek occurred due to personal factors. This was because there was an indication of romantic motives. Wanda was hurt because Cika was taught to cheat with Adek while undergoing <i>Kuliah Kerja Nyata</i> (KKN) [Community Service Program].
2	The murder and mutilation incident took place at a hotel in Kediri on Sunday (19/1). At that time, the suspect, Rohmad Tri Hartanto alias Antok (32), asked the victim, UK (30), a resident of Bence, Garum, Blitar, to meet. (Kediri, 2025)	CNN Indonesia	Situational Factors. The perpetrator and the victim initially made an appointment at Adisurya Hotel, Kediri. However, at that time, the two were involved in a fight, until finally the perpetrator was upset and committed violence. When he found out that the victim was dead, the perpetrator

			mutilated the victim and dumped her body in several other cities: Trenggalek, Ngawi, and Ponorogo.
3	The police succeeded in uncovering the motive for the murder of a young woman with the initials RS whose body was found in a box and wrapped in a burlap sack on the banks of the Denai River, Jalan Menteng Tujuh, Medan Denai, Medan, North Sumatra. (Medan, 2026)	Beritasatu.com	Situational Factors. The murder was strongly suspected to have been triggered by the suspect's annoyance and heartache after the victim refused an invitation to have unnatural sexual intercourse. This desire was triggered by the suspect's habit of watching pornographic films through social media applications.
4	A woman with the initials BL was found dead in a boarding house in Block 6, Lubuk Baja, Batam, Riau Islands. The police arrested the victim's boyfriend. Bareleng <i>Kombes Pol</i> (Police Chief Commissioner) Zaenal Arifin said the victim was found on Thursday (18/12/2025). The police secured the suspected perpetrator of the murder. The perpetrator was known to be the victim's boyfriend. (Batam, 2025)	detik.com	Situational Factors. The motive for the murder was allegedly triggered by the victim's words that offended the perpetrator. The perpetrator then strangled the victim by wrapping a cloth around the victim's neck until she died.
5	The Mojokerto Police succeeded in uncovering a murder case accompanied by mutilation that shocked the residents of Surabaya and Mojokerto. A young man named Alvi Maulana (24) had the heart to kill his girlfriend, TAS (25), then mutilated the victim's body into hundreds of pieces. Some of the victim's body pieces were disposed of in Mojokerto, while the rest were stored at the victim's boarding house in Surabaya. (Surabaya, 2025)	humas.polri.go.id	Situational Factors. The perpetrator returned home late at night, but the boarding house door was locked from the inside by the victim. An argument ensued until the perpetrator stabbed the victim's neck with a kitchen knife. One stab left the victim bleeding. After confirming that the victim was dead, the perpetrator mutilated his girlfriend's body in the bathroom.
6	A husband with the initials ND (67) recklessly killed and mutilated his wife, HH (60), in Bintan Permata Indah Housing, East Tanjungpinang, Riau	detik.com	Situational Factors. There was a verbal altercation between the suspect and the victim in the dining room. The suspect then got emotional and went out of

	Islands. After killing the victim, the perpetrator mutilated his wife's body and threw some of the body pieces into an empty house. (Tanjungpinang, 2026)		the house to take a piece of wood from the flower pot in front of the house.
7	Police have named Ahmad Ronny Hasiholan (44) as a suspect in the murder case of a woman whose body was found in the bedroom of a house on Jalan Damai Raya Number 51 RT 05/RW 11 Meruyung, Limo, Depok, on Saturday (7/3/2026). Ronny was known to be the husband of the victim with the initials DH (55). (Depok, 2026)	WartaKotalive.com	Situational Factors. In mid-October 2025, the two were involved in an argument at the house. In the argument, the suspect covered the victim's mouth with his right hand. The victim resisted by scratching the suspect. After that, the suspect immediately strangled the victim using the perpetrator's left hand until the victim was weak or helpless. The perpetrator then tied the victim's neck using raffia rope to ensure that the victim died.
8	A woman in Baubau was found dead in a charred and naked condition in a river stream in Baubau on Sunday (21/12/2025) at around 12.30 Central Indonesian Time. (Baubau, 2025)	Liputan6.com	Situational Factors. The victim was pregnant and asked for accountability from the perpetrator.
9	The murder case of a beautiful lecturer named Erni alias EY (37) in Bungo, Jambi, reveals a dark story that began with an illicit romantic relationship. The police confirmed that the perpetrator of the murder was not a stranger to the victim, but her own lover — a member of the Tebo Police with the initials W (22). (Jambi, 2025)	GoRiau.com	Situational Factors. The perpetrator was angry because the victim wanted to end the relationship. At the scene of the incident, they fought, and the perpetrator's emotions escalated to killing the victim.
10	Lukas Budi (54), the man who killed his lover with the initials RI (38) in a rented house on Jalan Mejing Wetan, Ambarketawang, Kapanewon Gamping, Sleman. (Sleman, 2025)	Kumparan.com	The perpetrator was angry because the victim wanted to end the romantic relationship with the perpetrator. The two quarreled. The victim hit the perpetrator, which resulted in his dentures coming off. The perpetrator was angry and slammed the victim to the floor. The victim was lying helpless. Then, the

			perpetrator slit her neck with a kitchen knife in the rented kitchen.
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From the table above, it can be seen that of the 10 cases described, 5 occurred in Sumatra, 4 on the island of Java, and 1 on the island of Sulawesi. Most of them occurred on the island of Sumatra. Based on complaint data submitted to *Komnas Perempuan* (National Commission on Violence Against Women) in 2025, there are at least 10 cases of femicide, consisting of 7 intimate femicides and 3 non-intimate femicides (Komnas Perempuan, 2025b). One of them is in the form of indirect intimate femicide, when years of neglect and psychological violence cause the victim to die.

Meanwhile, based on media monitoring, from November 1, 2024 to October 31, 2025, there were 453 reports of female murders, and 239 cases were identified as femicide. Komnas Perempuan (2025b) highlights 15 cases of femicide experienced by prostituted women, 11 cases of femicide in the context of online gender-based violence, 5 cases of femicide in the context of armed conflict, 2 cases related to gender and sexual identity diversity (KIGS), and 1 case of femicide against persons with disabilities. In addition, femicide against girls reached 24 cases (Komnas Perempuan, 2025b).

The reconstruction of femicide regulation from a victimization perspective urges a shift from the focus on the perpetrator to the protection of the victim, adopting a gender-based approach to address multiple victimization. Special arrangements are needed to recognize femicide as a gender-based hate crime, not just an ordinary murder, to provide comprehensive justice, restitution, and rehabilitation for victims and their families. Regulations must distinguish femicide from general murder (Articles 338-340 of the Criminal Code) by highlighting the motive of hatred against women (gender-based motive).

According to the researchers, the reconstruction of regulations on the crime of femicide is indispensable to avoid secondary or multiple victimization, where the victim or the victim's family is blamed, stigmatized, or re-traumatized during the legal process. Preventing re-trauma (revitalization) in the legal process can be done by being accompanied by legal counsel or psychological companions, submitting a request for a special examination (victim- or child-friendly room), asking the judge to reprimand intimidating questions, and using the TPKS Law to ensure the protection of victims' rights during trials.

A reconstruction of victimology regulations in femicide cases is needed to address the absence of specific legal norms that recognize gender-based killings. This approach is crucial to prevent re-victimization, protect victims' rights, and ensure that criminal justice not only punishes perpetrators, but also provides justice and comprehensive recovery for victims' families. In other words, victimology helps enrich the perspective of criminal law by emphasizing the importance of restorative justice, in which the restoration of social relationships damaged by crime and the recovery of victim trauma are primary concerns (Rohmat, 2024).

The current regulations do not distinguish between femicide and murder in general. This is due to a legal vacuum where there is no specific regulation

regarding femicide. Thus, femicide cases that reach the legal realm and have become an iceberg phenomenon in the end are only considered murder cases in general. In fact, femicide is an extreme murder of women due to gender identity, which is rooted in patriarchal domination. Often in legal proceedings, the victim or the family is blamed, which adds to the trauma. Regulatory reconstruction ensures a more sensitive and protective legal process. Through special regulations, the state is required to investigate the relationship between the perpetrator and the victim, as well as the context of the violence behind the crime.

CONCLUSION

Reconstructing the law on femicide and gender-based violence (GBV) from a victimological perspective is urgent because the current criminal justice system treats these crimes as standard murders or isolated incidents, effectively ignoring the systemic vulnerabilities, persistent trauma, and structural inequalities experienced by victims. Standard criminal law focuses overwhelmingly on the perpetrator's intent to kill, obscuring the misogyny, power dominance, and gender-biased control that drive these crimes. A victimological perspective forces the law to evaluate the entire chronology of victimization, including chronic domestic violence, stalking, and threats that precede the final fatal act.

Adequate training should empower police and prosecutors to avoid simplifying the motives for femicide as “jealousy” or “hurt,” but rather to uncover the roots of patriarchal culture and control over victims. Femicide cases are often preceded by repeated threats or violence. Well-trained law enforcement officers can recognize indicators of increased danger from the first report of violence and thereby save victims' lives. Through capacity building, officers can effectively implement the *Sistem Peradilan Pidana Terpadu Penanganan Kasus Kekerasan Terhadap Perempuan* (SPPT-PKKTP) [Integrated Criminal Justice System for the Handling of Cases of Violence Against Women] perspective in the field.

Legal reconstruction holds state institutions to strict due diligence standards. If a woman reports domestic violence and the state fails to provide protection, resulting in her death, the rule of law must recognize this as institutional negligence. Regulatory reconstruction of the phenomenon of femicide is needed to make the law victim-centered, codifying direct rights to restitution, mental health support for bereaved families, and state legal protections in the form of guardianship for children and dependents. Without a victim-oriented regulatory definition, femicide is buried under statistics of “ordinary homicide” or simply “assault resulting in death.”

Although Indonesia has an *Undang-Undang Penghapusan Kekerasan Dalam Rumah Tangga* (Domestic Violence Law) and *undang-undang tentang korban dan penyintas Kekerasan Dalam Rumah Tangga* (Law on Victims and Survivors of Domestic Violence), neither explicitly criminalizes or considers gender-motivated killings. When cases of domestic violence or sexual assault escalate to death, prosecutors revert to the general homicide law. Victimological

reconstruction bridges this gap, treating murder as the predictable final climax of a continuing cycle of violence. From a victimological perspective, Indonesian women often occupy a structurally vulnerable position due to economic dependency, age, and strict gender roles. Patriarchal culture often labels domestic violence as a private family matter (a shame) rather than a human rights violation. Reconstructing the law through victimology forces the legal system to acknowledge how societal pressures force victims to live in deadly and high-risk environments.

In Indonesia, women who report domestic violence often face apathy, neglect, or even outright victim-blaming by law enforcement. Legal reconstruction from a victimological perspective formally establishes the state's direct responsibility to the victim. Therefore, rather than simply treating cases as murder or assault resulting in death, there should be specific regulations criminalizing femicide.

Femicide is distinct from murder and therefore should be regulated separately and explicitly. The motive for a murder is not based on the victim's gender identity (e.g., robbery or a spontaneous argument). Femicide, on the other hand, is fueled by hatred of women (misogyny), attempts to control or dominate in a masculine manner, and is often preceded by domestic violence or sexual assault.

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