

# A Legal and Psychosocial Communication Analysis to End Silence around Sexual Harassment Inside Islamic Boarding Schools

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## Abstract

Sexual harassment in educational institutions has increasingly become a topic of concern worldwide, with Islamic boarding schools in Indonesia not exempt from these issues. In West Java - Indonesia, the stigma surrounding sexual harassment in pesantrens (Islamic boarding schools) presents unique challenges, deeply rooted in cultural, religious, and institutional norms. This paper investigates the factors that contribute to the stigma associated with reporting sexual harassment in pesantren, examining how it affects santri's (students') willingness to disclose incidents, seek support, and obtain justice. It also reveals the efforts made by the government in terms of the adoption of law and policy to address such matters. It applies a mixed-methods approach, including field observation, quantitative survey amongst santri, in-depth qualitative interviews with santri victims, and a focus group discussion with parent, psychologist, and pesantren administrator from some pesantrens in West Java. It also involves a legal approach by analysing relevant laws and regulations. The study explores the psychosocial, socio-cultural, religious, and educational dimensions perpetuating silence around harassment issues. Findings indicate that fear of damaging the school's reputation, social retaliation, victim-blaming, and interpretations of religious principles are significant barriers to open disclosure and reporting. By addressing the stigma, this study contributes to safer, more transparent educational environments in pesantrens, ultimately empowering santri and enhancing community awareness of the need to confront and prevent sexual harassment. The paper advocates for targeted interventions, including sensitive programs, reforms in school policies, and collaborations with religious authorities to foster a supportive environment.

## 1. INTRODUCTION

### 1.1 Background

In recent years, reports of sexual harassment within *pesantrens* (Islamic boarding schools) in Indonesia have drawn growing national concern, yet much of the abuse remains shrouded in silence.<sup>1</sup> Cases of violence and harassment in *pesantren* have been reported, with 16 incidents noted between 2017-2021.<sup>2</sup> Despite the *pesantren's* status as respected religious and educational institutions, the deeply ingrained cultural, religious, and hierarchical norms often inhibit open discourse about misconduct, especially sexual harassment. Victims frequently face psychological repression, fear of stigma, or institutional pressure to remain silent, leading to systemic impunity for perpetrators.<sup>3</sup> While legal frameworks exist to address abuse, they often fail to penetrate the insular nature of these communities. This study seeks to bridge the gap between legal responsibility and the psychosocial dynamics that sustain silence around harassment in *pesantrens*. By examining both the legal structures and the psychosocial mechanisms of silenced communication, this research highlights the urgent need for integrated reform that not only punishes offenders but also empowers survivors to speak without fear.

It is important to note that while some *pesantrens* may resist research about sexual harassment, not all will. Some other *pesantrens* are proactive in addressing such issues,<sup>4</sup> especially as awareness of sexual harassment grows in various Muslim-majority countries such as Indonesia.<sup>5</sup> For example, efforts to prevent sexual violence carried out by *Pesantren Mama'ul Huda Al Djuaidi*,<sup>6</sup> and prevention of bullying and sexual violence at the Darul Falah Islamic Boarding School in Banyuwangi, East Java Province, by maximizing the role of teachers and caregivers, even though the school often faces obstacles due to inadequate facilities and infrastructure.<sup>7</sup>

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<sup>1</sup> Abdul Basir Bin Mohamad et al, "Religious Manipulation in Child Sexual Harassment: Islamic Boarding Schools in Indonesia," *Nurani: Jurnal Kajian Syari'ah dan Masyarakat* 24, no. 2 (2024): 255.

<sup>2</sup> Muhammad Khozin et.al, "Islamic Boarding Schools (Pesantren) Innovation in Preventing Violence and Sexual harassment: Case Study in the Special Region of Yogyakarta, Indonesia," *Journal of Governance and Development* 19, no. 1 (2024): 94.

<sup>3</sup> Istiadah, Rohmani Nur Indah and Aprilia Mega Rosdiana, "Cultural Religious Challenges in Handling Sexual Violence Cases in Indonesian Islamic Institutions," *KnE Social Sciences* 4, no. 10 (2020): 139.

<sup>4</sup> *Pesantren* Administrators statement during FGD session, "not all pesantrens are bad in handling sexual harassment issues. For example: we have the system for reporting cases confidentially to protect victim santri from shame" (November 2024).

<sup>5</sup> Khozin et.al, *op.cit.*, 99.

<sup>6</sup> Muhammad Feisal Akbar et.al, "Upaya Penanggulangan Pelecehan Seksual di Pondok Pesantren Mamba'ul Huda Al Djunaidi," *Borobudur Law and Society Journal* 1, no. 5 (2022): 21.

<sup>7</sup> Muhammad Iqbal Al-Fatih, Vaesol Wahyu Eka Irawan and Fajar Indarsih, "Upaya Pengasuh dalam Mencegah Bullying atau Kekerasan Antar Santri di Pondok Pesantren

The level of openness to research will vary depending on the leadership, the community, and the school's specific cultural and political context. While some *pesantrens* in Indonesia have begun to proactively address sexual harassment by implementing awareness programs, revising internal policies, and fostering safer environments, these progressive efforts exist within a broader societal and legal context that remains ambivalent.<sup>8</sup> Public attitudes toward the legal prosecution of sexual harassment – often shaped by religious conservatism, victim-blaming narratives, and skepticism toward legal institutions – can either reinforce or undermine the effectiveness of *pesantren*-based reforms.<sup>9</sup> This disconnect highlights a critical tension: the willingness of certain educational institutions to reform internally may be hindered if broader public and legal systems fail to support, legitimize, or enforce such efforts. Understanding this intersection between local initiative and national legal consciousness is essential to building a more cohesive and supportive framework for combating harassment. A study shows that 56.746% of people expressed a positive attitude and 43.254% expressed negative sentiment in the government's test of public acceptance of the persecution law. This demonstrates that not all Indonesian people can accept the existence of the persecution law.<sup>10</sup>

In West Java Province, Indonesia, *pesantren* frequently reject sexual harassment stereotypes because of a confluence of social forces, religious beliefs, community expectations, and institutional constraints. *Pesantren* are seen as centers of moral and religious teaching, where *santri* are taught to live according to Islamic values. *Santri* is the calling for the students of *pesantren*. Admitting to issues like sexual harassment can be viewed as incompatible with the sacred image of these institutions, potentially diminishing their perceived moral authority. Acknowledging harassment can

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Darul Falah Purwoharjo, "Munaqasyah: Jurnal Ilmu Pendidikan dan Pembelajaran 6, no. 1 (2024): 3.

<sup>8</sup> Evi Muafiah, Neng Eri Sofiana, and Uswatul Khasanah, "Pesantren Education in Indonesia: Efforts to Create Child-Friendly Pesantren," *ULUMUNA: Journal of Islamic Studies* 26, no. 2 (2022): 450.

<sup>9</sup> Muhammad Jarnawansyah, "Kebijakan Perlindungan terhadap Pelecehan Seksual di Indonesia: Sebuah Tinjauan Kritis," *Doktrin: Jurnal Dunia Ilmu Hukum dan Politik* 2, no. 4 (2024): 101.

<sup>10</sup> Endhika, "Analisa Sentimen Undang-Undang Penganiyaan Menerapkan Algoritma Text Mining dan TF-IDF," *KOMIK (Konferensi Nasional Teknologi Informasi dan Komputer)* 7, no. 1 (2024): 160.

lead to a significant loss of trust among parents<sup>11</sup> and communities who see *pesantren* as safe spaces for moral upbringing.<sup>12</sup>

*Pesantren* often have rigid hierarchies, with *kyai* (religious leaders) and *ustadz* (teachers) holding high levels of authority. The *kyai* is a central figure in the *pesantren*, playing a major role in shaping its direction, preserving tradition, and leading religious and social transformation amid the currents of modernization.<sup>13</sup> Recognizing harassment could imply that leaders are failing in their responsibilities, or worse, are themselves implicated, which would be detrimental to their authority.<sup>14</sup> The structured hierarchy within *pesantren* discourages *santri* from speaking out, as they are taught to respect and submit to authority. This power imbalance<sup>15</sup> can lead to a culture of silence, as challenging leaders or teachers might be seen as disrespectful or dishonorable.

The Indonesian government has acknowledged that sexual harassment is a serious issue that requires a comprehensive response. This includes establishing various laws and regulations aimed at preventing and addressing such violence, among others, Law No.12 of 2022 concerning Crime of Sexual Violence, Government Regulation No. 27 of 2024 concerning Coordination and Monitoring of the Implementation of Prevention and Handling of Victims of Sexual Violence Crimes, and two presidential regulations. Additionally, the Ministry of Religion has implemented specific regulations and policies to tackle this problem within religious institutions. This includes Regulation of the Minister of Religion No. 73 of 2022 concerning the Prevention and Handling of Sexual Violence in Educational Units at the Ministry of Religion, Decree of the Minister of Religion No. 83 of 2023 concerning Guidelines for Handling Sexual Violence in Educational Units at the Ministry of Religion, and Decree of the Minister of Religion No. 91 of 2025 concerning the Roadmap for the Child-Friendly Islamic.

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<sup>11</sup> Parent 1 statement during FGD session, “on weekends when my child comes home from her *pesantren*, I deliberately spend time listening to her stories about everything that she wants to tell before bedtime. This is my way to know her routines and feelings about her environment.” (November 2024).

<sup>12</sup> Abdul Razak et.al, “Patriarchy and Paternalistic Culture of Religious Leader Deification Causing Sexual Harassment in Islamic Educational Institutions,” *El Harakah: Jurnal Budaya Islam* 26, no. 1 (2024): 150.

<sup>13</sup> Mohamad H. Basri, “Green Islam and Green Pesantren: An Ethnographic Study of Pesantren Annuqyqh, Madura Island, Indonesia” (Doctor of Philosophy Dissertation, the School of Social Sciences, Western Sydney University, 2022), 2.

<sup>14</sup> Ahmad Ali Riyadi, Khoiriyah, and Indi Aqilah Zahra, “Case Study of the Phenomenon of Educational Violence and Its Impact on the Psychology of Santri in Several Islamic Boarding Schools in Sukoharjo Central Java,” *Qalamuna Jurnal Pendidikan, Sosial, Dan Agama* 16, no. 1 (2024): 598.

<sup>15</sup> Emilda, “Bullying di Pesantren: Jenis, Bentuk, Faktor, dan Upaya Pencegahannya,” *Sustainable Jurnal Kajian Mutu Pendidikan* 5, no. 2 (2022): 201.

## 2. Purpose

This paper aims to investigate the factors that contribute to the stigma associated with reporting sexual harassment in *pesantren*, examining how it affects *santri*'s willingness to disclose incidents, seek support, and obtain justice, also expecting efforts from the government in terms of law and policy issues.

## 3. Method

This paper presents research that employs a mixed-methods approach, which includes field observations, a quantitative survey, in-depth qualitative interviews, and a focus group discussion (FGD). These methods explore the dynamics of associations that lead to sexual harassment among fellow *santri* within the *pesantren* and between old friends outside the *pesantren*. The research specifically focuses on both male and female *santri*, examining them as targets and perpetrators of sexual harassment.

To gather quantitative data, each respondent filled out a questionnaire after watching a 20-minute film about sexual harassment. Additionally, there was a control group that completed the questionnaire twice: once before and once after viewing the film. This method aimed to assess any changes in the respondents' perceptions before and after watching the film. The quantitative data were analyzed using the SEM SmartPLS 3 application, which offers several distinct advantages, particularly in complex social science research. It can manage intricate models, is suitable for small to medium sample sizes, provides strong exploratory capabilities, and features a user-friendly interface.<sup>16</sup>

Qualitative data were collected from a selection of *santris* who completed questionnaire number 36, indicating that they were victims of sexual harassment. These individuals were intentionally separated for structured and in-depth interviews. A qualitative method was employed to explore various aspects of human behavior.<sup>17</sup> NVivo 12 software was utilized to analyze the qualitative data by coding the text into themes, which helped identify patterns and track recurring themes across multiple data sources.<sup>18</sup>

Additionally, a Focus Group Discussion (FGD) was conducted in November 2024, which included two parents, a psychologist, and four *pesantren* administrators from various *pesantrens* in West Java. This

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<sup>16</sup> Joseph Franklin Hair et al, *Primer on Partial Least Squares Structural Equation Modeling (PLS-SEM)* (SAGE Publications, 2021): 24.

<sup>17</sup> Haradhan Kumar Mohajan, "Qualitative Research Methodology in Social Sciences and Related Subjects," *Journal of Economic Development, Environment and People* 7, no. 1 (2018): 23.

<sup>18</sup> Syarifuddin Dollah, "Benefits and Drawbacks of NVIVO QSR Application," *Advances in Social Science, Education and Humanities Research (ASSEHR)* 149. *2<sup>nd</sup> International Conference on Education, Science, and Technology (ICEST)* Atlantis Press. (2017): 62.

discussion served as the final methodological step to gain insights from other stakeholders.

This study was conducted in West Java Province, which had the highest number of Muslims in Indonesia in 2024, totaling 48.581.396 people.<sup>19</sup> West Java was selected because, according to the latest data from 2021 provided by the Ministry of Women and Children Empowerment, it is one of the three provinces with the most cases of violence in Indonesia, recording 1,766 cases—ranking behind Central Java with 2,162 cases and East Java with 2,144 cases.<sup>20</sup> Based on data from the Ministry of Religion in 2025, there are 12,121 *pesantren* in West Java.<sup>21</sup> In Tasikmalaya Regency, there were 1344 *pesantren* in 2021,<sup>22</sup> while Tasikmalaya City had 274 *pesantren* in 2023,<sup>23</sup> and Cimahi City reported 30 *pesantren* in 2021.<sup>24</sup> Nineteen Islamic boarding schools declined to participate in this research. In general, research that addresses the sexual harassment issue in schools with religious affiliation has this kind of challenge. Therefore, the data were collected from two *pesantren* willing to take part: Riyadlul Ulum Wadda'wah in Tasikmalaya Regency, which includes 163 respondents representing modern *pesantren*, and Al-Mas'udiyah in Cimahi City, which has 120 respondents representing traditional *pesantren*. In total, 283 *santri* (students) participated in the survey, allowing us to claim that the data accurately represents the overall *santri* population in West Java, which is approximately 154,798, based on regional demographics.<sup>25</sup> They are both male and female *santri* in grades 10, 11, and 12, and range in age from 15 to 18.

This study examines four variables: sexual harassment, psychological well-being, damages, and cessation efforts implemented by the management of *pesantren*. Figure 1 illustrates the relationships among these variables, serving as the general research framework. The cessation

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<sup>19</sup> Satu Data Pemerintahan Dalam Negeri (SDPDN), "Agregat Penduduk Berdasarkan Agama," <https://pelita.kemendagri.go.id/dataset/1203/tabel-data?page=13>.

<sup>20</sup> Halimatu Sa'diah, Ultach Enri and Tesa Nur Padilah, "Penerapan Algoritme K-Means dalam Segmentasi Daerah Rawan Kekerasan Anak di Jawa Barat," *Jurnal Mahasiswa Teknik Informatika* 7, no. 2 (2023): 1355.

<sup>21</sup> Satu Data Ministry of Religion of the Republic Indonesia, "Jumlah Pondok Pesantren Menurut Tipe," <https://satudata.kemenag.go.id/dataset/detail/jumlah-pondok-pesantren-menurut-tipe>.

<sup>22</sup> Open Data Jabar, "Jumlah Pondok Pesantren Berdasarkan Kabupaten/Kota di Jawa Barat," <https://opendata.jabarprov.go.id/id/dataset/jumlah-pondok-pesantren-berdasarkan-kabupatenkota-di-jawa-barat>.

<sup>23</sup> Open Data Kota Tasikmalaya, "Jumlah Pondok Pesantren di Kota Tasikmalaya," <https://opendata.tasikmalayakota.go.id/dataset/jumlah-pondok-pesantren-di-kota-tasikmalaya>.

<sup>24</sup> Open Data Jabar, *loc.cit.*

<sup>25</sup> Confirmed by the Ministry of Higher Education, Research, and Technology of the Republic of Indonesia 2024 grant reviewer during the monitoring & evaluation review on 27 October 2024, delivered orally via online presentation.

efforts depicted in Figure 1 can either strengthen or weaken the impact of sexual harassment on psychological well-being. Additionally, these cessation efforts can improve or exacerbate emotional, psychological, professional, and social damages.

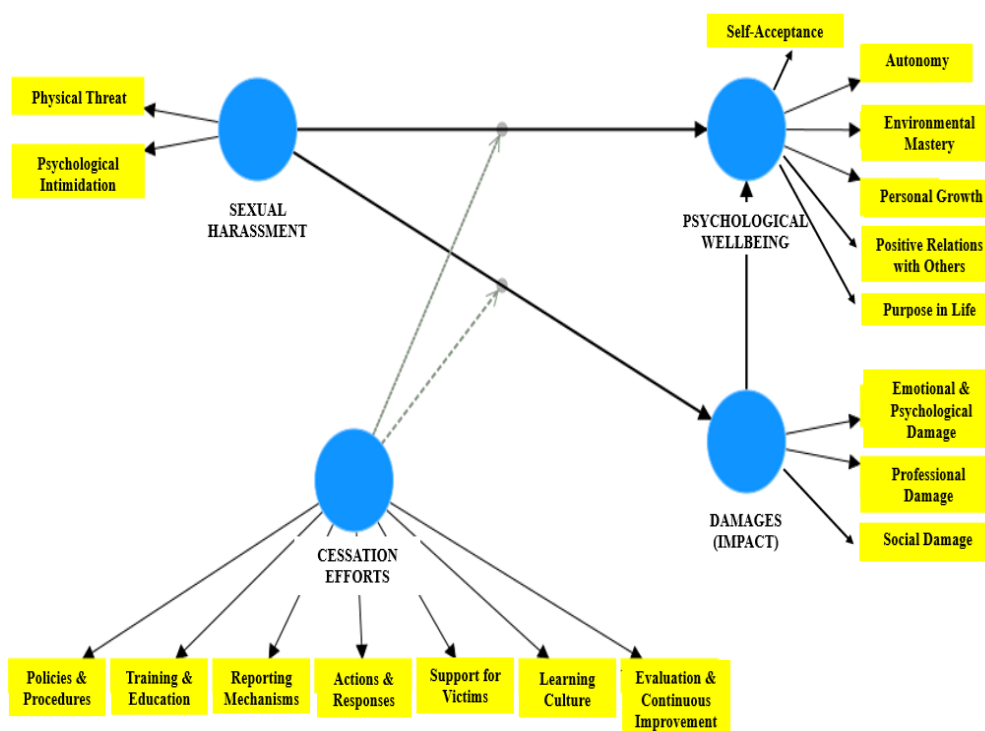


Figure 1. Research Framework

To comprehend the analysis, this study also employs a legal approach. This approach involves examining relevant laws, government regulations, presidential decrees, and official documents issued by Indonesia's Minister of Religion.

This paper was developed from research funded by the Indonesian Ministry of Higher Education, Research, and Technology in 2024. It expands the analysis and broadens the perspective presented in a prior publication by the authors, which was similarly based on the same research.<sup>26</sup>

#### 4. Literature Review

Several previous academics have discussed parts of the present research. Monika and Nisa (2024) revealed that most *pesantrens* are primarily male-dominated, highlighting unequal gender and power dynamics present.<sup>27</sup> This finding aligns with the research conducted by Fuadi et al.

<sup>26</sup> Dwi Rini Sovia Firdaus et al, "Unraveling the Effects of Law Enforcement of Sexual Harassment Policy at Islamic Boarding Schools in West Java, Indonesia," *Journal of Humanities and Social Studies* 9, no. 1 (2025): 19-23.

<sup>27</sup> Monika Arnez and Eva Nisa, "Advocating for Change: Cultural and Institutional Factors of Sexual Violence in Indonesia" in *Gender, Islam and Sexuality in Contemporary Indonesia*, ed. Monika Arnez and Melani Budianta (Singapore: Springer, 2024), 29.

(2024), which concludes that power imbalances significantly contribute to sexual violence and harassment in *pesantrens*.<sup>28</sup> Dawiya (2024), using qualitative methods with former students, *pesantren* representatives, and activists, found that cultural norms and hierarchical structures within Indonesian *pesantren* contribute to the persistence of child sexual abuse.<sup>29</sup>

This paper, however, takes a different approach in investigating the issue of sexual violence in *pesantren* compared to previous studies. Specifically, it focuses on West Java Province, which is recognized as the province with the highest number of *pesantren* in Indonesia.<sup>30</sup> In terms of methodology, the present research focuses on male and female *santri* as targets and perpetrators of sexual harassment. With a mixed method approach, this paper obtains data from the *santri* on the overall views regarding sexual harassment, as well as obtaining testimonies from victim *santri*.

## **2. RESULT AND ANALYSIS**

### **2.1. Conceptual Framework**

#### **2.1.1. Stereotypes versus Reality**

*Pesantrens* in Indonesia are key educational and religious institutions, but they face both positive and negative stereotypes shaped by cultural, historical, and political factors.<sup>31</sup> Recent concerns over sexual harassment, fueled by high-profile cases and media portrayals, have reinforced negative views, though these do not reflect the majority of *pesantren*. Common stereotypes related to this issue include:

a. Lack of transparency and accountability

- 1) Stereotype: there is a perception that *pesantren*, as insular religious institutions, tend to hide cases of sexual harassment and abuse.<sup>32</sup> When incidents occur, they are often dealt with internally or kept quiet to protect the institution's reputation.

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<sup>28</sup> Moh Ashif Fuadi et al, "Prevention Effort of Sexual Violence from Power Inequality relations in Islamic Boarding Schools in Indonesia," *Harmoni* 23, no. 1 (2024): 14.

<sup>29</sup> Naufal Libna Dawiya, "Investigating Causes of the Persistent Incidents of Child sexual Abuse in Indonesia Islamic Boarding Schools (*Pesantren*)" (Master Thesis, Master of Arts in Development Studies, International Institute of Social Studies of Erasmus University Rotterdam, The Hague 2024), 6-16.

<sup>30</sup> DetikEdu, "10 Provinsi dengan Pesantren terbanyak di Indonesia, Meriah Santri!," <https://www.detik.com/edu/detikpedia/d-6132764/10-provinsi-dengan-pesantren-terbanyak-di-indonesia-meriah-santri>.

<sup>31</sup> Eka Yuliana Rahman and Amri Dhimas Maulana, "Addressing Sexual Violence in Islamic Boarding Schools: A Study on Santri Perceptions and Institutional Responses," *Journal of Social Knowledge Education (JSKE)* 5, no. 3 (2024): 122.

<sup>32</sup> Lenny Herlina et al, "Penyuluhan Pencegahan Kekerasan Seksual pada Anak di Pondok Pesantren Raudlatussibyan NW Belencong Lombok Barat," *Jurnal Warta Desa (JWD)* 5, no. 3 (2023): 167.



- 2) Reality: while some institutions have been criticized for lack of transparency, this stereotype is false for all *pesantren*. However, there are documented cases where sexual harassment has been covered up or where perpetrators were not adequately punished.<sup>33</sup> Recent efforts by both the government and civil society aim to address this by improving oversight and encouraging victims to come forward.
- b. Culture of Silence and Victim Blaming
- 1) Stereotype: A stereotype exists that victims of sexual harassment in *pesantren* are often silenced or blamed for the abuse, due to the patriarchal structures within religious institutions.<sup>34</sup> There's a perception that *santri*, especially girls, are discouraged from speaking up for fear of damaging their family's or school's reputation.<sup>35</sup>
  - 2) Reality: In some cases, victims may indeed face pressure not to report incidents, especially in conservative environments where discussions about sexuality are taboo. Victim-blaming attitudes may also arise from the strict moral codes within *pesantren*.<sup>36</sup> However, awareness is growing, and there are increasing efforts to empower *santri* to report abuses and seek justice.
- c. Abuse of power by religious figures
- 1) Stereotype: There is a belief that some religious teachers (known as *kyai* or *ustadz*) might abuse their positions of authority to exploit *santri*, using their religious status to intimidate or manipulate victims into silence.<sup>37</sup>
  - 2) Reality: While there have been tragic cases where figures of authority in *pesantren* were implicated in sexual abuse, this behavior is far from the norm. The vast majority of religious teachers in *pesantren* are dedicated educators. The stereotype arises from isolated cases sensationalized in the media, but it highlights the need for greater safeguards and accountability. Yet, in some *pesantren*, violence occurs as a form of communication between caregivers and *santri* or fellow *santri* to perform discipline.<sup>38</sup>
- d. Gender segregation creates vulnerability
- 1) Stereotype: The strict gender segregation in many *pesantren*, especially in more conservative institutions, can create an environment where

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<sup>33</sup> *Ibid.*

<sup>34</sup> Arnez and Nisa, *op.cit.*, 23.

<sup>35</sup> Rahman and Maulana, *loc.cit.*

<sup>36</sup> Rawendra Ahmad Fauz, "Kekerasan Seksual di Pesantren Perspektif Gender," *Jurnal Laboratorium Syariah Dan Hukum* 4, no. 5 (2023): 466.

<sup>37</sup> Fitri Pebriaisyah et al, "Kekerasan Seksual di Lembaga Pendidikan Keagamaan: Relasi Kuasa Kyai Terhadap Santri Perempuan di Pesantren," *Jurnal Harkat: Media Komunikasi Gender* 18, no. 1 (2022): 36.

<sup>38</sup> Riyadi, Khoiriyah, and Zahra, *op.cit.*, 600.

girls are more vulnerable to harassment from male authority figures or older male *santri*.<sup>39</sup>

- 2) Reality: While *pesantren* generally enforce gender segregation to maintain modesty, the stereotype implies that this setup can sometimes make it difficult for girls to report abuses or seek help. However, gender segregation alone isn't inherently dangerous; it's the absence of proper mechanisms to report and address abuse that contributes to vulnerability.
- e. Inadequate protection for *santri*
- 1) Stereotype: Some *pesantren* are seen as failing to protect *santri* from sexual harassment or exploitation due to weak oversight, with inadequate safeguards or reporting systems in place.<sup>40</sup>
  - 2) Reality: This stereotype stems from cases where *pesantren* lacked clear mechanisms for *santri* to report abuse or where staff were not properly trained to handle such incidents. However, many *pesantren* are working to improve protections, and the government has made efforts to implement stricter guidelines for safeguarding *santri* in these institutions.<sup>41</sup>
- f. Homosexual harassment in male boarding schools
- 1) Stereotype: Another stereotype suggests that male *pesantren* may be prone to homosexual harassment or abuse due to the close, all-male environment and hierarchical structure.
  - 2) Reality: While there have been isolated reports of such incidents, it is important to recognize that sexual harassment or abuse in educational institutions is a broader societal issue, not specific to *pesantren*. Additionally, most *pesantren* maintain strict moral codes and promote ethical behavior, but as with any institution, there is always the risk of abuse in environments where power imbalances exist.<sup>42</sup>

### **2.1.2. Conceptualizing Sexual Harassment at *Pesantren* in West Java**

Indonesian culture, particularly in more conservative areas like West Java, emphasizes modesty and may stigmatize discussions on sexuality, making it difficult to report harassment. Victims may fear social repercussions, being seen as “damaged” or “impure”, which can lead to

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<sup>39</sup> *Ibid.*

<sup>40</sup> Pebriaisyah et al, *op.cit.*, 37.

<sup>41</sup> Khansadhia Afifah Wardana, Rahayu, and Sukirno, “The Long and Winding Road: Confronting Sexual Violence on Women in *Pesantren*,” *Jurnal Masalah-Masalah Hukum* 52, no. 3 (2023): 217.

<sup>42</sup> Emilda, *loc.cit.*

silence and underreporting.<sup>43</sup> The secluded and insular environment of many *pesantren* can unintentionally foster environments where abuse goes unchecked. This is especially concerning in rural *pesantren* where local authorities and community monitoring might be minimal.<sup>44</sup> *Santri* often lack access to outside help or safe reporting mechanisms, meaning they may have little recourse to address abuse if it happens.<sup>45</sup>

*Pesantren* often emphasizes religious teachings on modesty, chastity, and segregation between genders, which can make it difficult to address sexual harassment openly without challenging established norms. Some may interpret reports of harassment as a failure of the victim to uphold Islamic values, leading to victim-blaming.<sup>46</sup> This cultural setting makes it necessary to frame sexual harassment in a way that emphasizes personal accountability and human rights without being perceived as an attack on religious values. From the victim's perspective, there are several impacts of the sexual harassment they experienced, such as psychological impact, educational development, school climate, and the level of students' participation in education programs.<sup>47</sup> A study shows that the high degree of stigma in society could lessen the effectiveness of the perpetrator's attempts at normalization. Normalization is an effort to prevent negative stigma by society.<sup>48</sup> Sexual assault committed by malevolent religious leaders is a form of moral degradation.<sup>49</sup>

The Indonesian government and religious bodies like the *Majelis Ulama Indonesia* and *Nahdlatul Ulama* play a critical role in creating frameworks and policies to address sexual harassment.<sup>50</sup> There are some recommended prevention strategies such as strengthening supervision at the closest layer

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<sup>43</sup> Brianna C. Delker et al, "Giving Voice to Silence: Empowerment and Disempowerment in the Developmental Shift from Trauma 'Victim' to 'Survivor-Advocate,'" *Journal of Trauma and Dissociation* 21, no. 2 (2020): 245.

<sup>44</sup> Florian Pohl, "Islamic education and civil society: Reflections on the pesantren tradition in contemporary Indonesia," *Comparative Education Review* 50, no. 3 (2006): 395.

<sup>45</sup> Muhammad Alif Fauzi, Ani Purwanti and Muhammad Mahfud, "Power relations and sexual violence in Islamic boarding school: Assessing child protection systems in religious education institutions in Indonesia," *Revista Direito e Sexualidade* 6, no. 1 (2025): 269.

<sup>46</sup> Fauz, *loc. cit.*

<sup>47</sup> I Dewa Ayu Eka Purba Dharma Tari et al, "Dampak Praktik Perundungan terhadap Partisipasi dan Kesejahteraan Siswa: Kajian Holistik di Sekolah," *Buletin Edukasi Indonesia* 3, no. 1 (2024): 39.

<sup>48</sup> Richard Tewksbury, "Stigmatization of Sex Offenders," *Deviant Behavior* 33, no. 8 (2012): 610.

<sup>49</sup> Nuril Endi Rahman et al, "Korelasi Antara Tingkat Stigma Dan Upaya Normalisasi Stigma Oleh Oknum Pemuka Agama Yang Menjadi Pelaku Kekerasan Seksual," *Jurnal Analisa Sosiologi* 13, no. 2 (2024): 276.

<sup>50</sup> Julie Fraser. *Social Institutions and International Human Rights Law: Every Organ of Society* (Cambridge: Cambridge University Press, 2020), 279.

to the potential victims, conducting counseling on anti-violence in *pesantren*, socializing and internalizing commendable moral values.<sup>51</sup>

### **2.1.3. Skepticism Around *Pesantren* in Indonesia**

*Pesantren* have a long history and are generally respected as center of Islamic education and character building. However, certain areas of skepticism and criticism surround them, largely rooted in concerns about curriculum, ideology, and social issues. Many Indonesians worry about the potential spread of radical ideologies in certain *pesantren*, especially those that might receive funding from groups with strict or conservative interpretations of Islam.<sup>52</sup> While the majority of *pesantren* promote moderate Islam aligned with Indonesia's mainstream religious organizations (like *Nahdlatul Ulama*), a small fraction has been linked to more extreme ideologies.<sup>53</sup> However, many *pesantrens* are working to modernize their curriculum to address this gap.<sup>54</sup> Traditional *pesantrens* emphasize Islamic teachings over subjects like science and critical thinking, leading some to view them as limited in career preparation.<sup>55</sup> Unlike public schools, *pesantrens* have curriculum autonomy, causing variations in quality.<sup>56</sup>

Recent high-profile cases involving abuse in some *pesantren* have raised concerns about the safety and welfare of the *santri*, such as the Herry Wirawan case 2021 in Bandung, the Sukabumi case 2021, the Jombang case 2022.<sup>57</sup> These cases have intensified skepticism as *pesantren* tend to be closed communities where incidents of abuse might go unreported. As a result, there is a growing call for greater oversight, transparency, and child protection mechanisms within these institutions. Some parents and advocates criticize *pesantren* for what they perceive as overly strict or harsh disciplinary practices.<sup>58</sup>

### **2.1.4. Cessation Efforts that Escaped Publication**

Some of the efforts by the *pesantren* management to counter sexual harassment that have not been widely publicized include a combination of

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<sup>51</sup> Arinal Rahmati and Fadhil Mubarak, "Prevention Strategy of Violence in *Pesantren*," *Santri: Journal of *Pesantren* and Fiqh Sosial* 4, no. 1 (2023): 27.

<sup>52</sup> Rahman and Maulana, *op.cit.*, 121.

<sup>53</sup> *Ibid.*

<sup>54</sup> Ahmad Musaddad, "Transformation of Islamic Boarding Schools as Islamic Education Institutions in Indonesia," *Journal of Islamic Education Research* 4, no. 1 (2023): 74.

<sup>55</sup> Rahman and Maulana, *op.cit.*, 122.

<sup>56</sup> Musaddad, *loc.cit.*

<sup>57</sup> Ayomi Amindoni, "Herry Wirawan, Pemerksa 13 Santriwati Tetap Dihukum Mati usai Kasasi Ditolak MA," (BBC News Indonesia) <https://www.bbc.com/indonesia/indonesia-59581586>.

<sup>58</sup> Riyadi, Khoiriyah and Zahra, *op.cit.*, 599.

internal policy adaptations, educational initiatives, and private support structures aimed at both preventing and responding to sexual harassment.<sup>59</sup> These actions are often managed internally to maintain a controlled environment and to avoid public or legal scrutiny, but reports indicate various informal mechanisms exist to manage such cases.

*Pesantrens* have internal codes specifying appropriate conduct for *santri* and teachers,<sup>60</sup> particularly for boarding situations with close encounters. These rules often remain unpublished outside the institution. Staff violating these rules may face private reprimands or dismissals to avoid publicity. However, these internal policies can be less effective because of limited transparency.

In certain *pesantren*, management has started offering counseling support services to *santri* who may be experiencing or have experienced harassment.<sup>61</sup> These services are often discreet and designed to provide emotional support without drawing attention to individual cases. Because of cultural stigmas around discussing sexual harassment publicly, such counseling is usually informal or through trusted mentors rather than professional counselors. In some cases, however, local NGOs collaborate with *pesantren* to provide these services under non-disclosure terms.

Although they rarely promoted them, some *pesantren* have started offering closed-group courses or sessions on personal rights, gender equality, and boundaries.<sup>62</sup> These courses are not specifically referred to as sexual harassment prevention because they are occasionally presented within general Islamic ethics or character-building initiatives. By taking an oblique approach, *pesantren* can discuss delicate subjects without raising concerns among conservative community members, while imparting essential knowledge to prevent harassment.

Certain *pesantren* have instituted internal monitoring to avoid external reporting by assigning trusted senior *santri* or staff members to watch for potential abuse or misconduct signs.<sup>63</sup> These monitors might discreetly report incidents to *pesantren* leaders, who then decide on appropriate actions. This type of intervention is sensitive and rarely acknowledged publicly, but it has been identified as a method some *pesantren* use to keep control over issues and prevent formal complaints. These initiatives to stop

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<sup>59</sup> Asep Munawar, "Internal policy adaptations, educational initiatives, and private support structures have been carried out responding to sexual harassment issue in the *pesantren*," Interview by Dwi Rini Sovia Firdaus. Pondok Pesantren Riyadlul Ulum Wadda'wah, Tasikmalaya, August 13, 2024.

<sup>60</sup> *Ibid.* "We have created an internal code of conduct for our *santri* and teachers to anticipate sexual harassment in our *pesantren*."

<sup>61</sup> *Ibid.* "Our management has started offering counseling support services to our *santri*."

<sup>62</sup> *Ibid.* "We know that some *pesantrens* have even started offering closed-group sessions."

<sup>63</sup> Monika Arnez and Eva Nisa, *op.cit.*, 24.



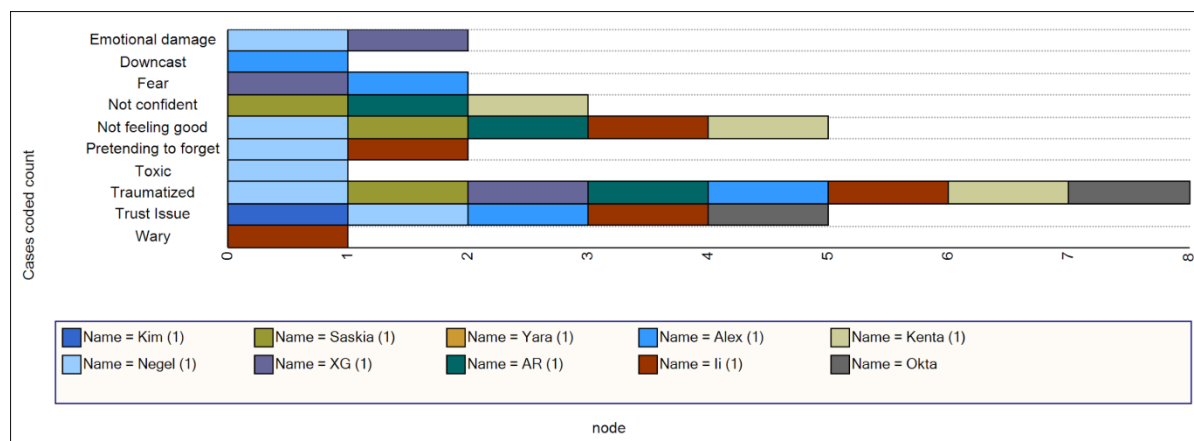


Figure 3. Crosstab Query about *santri*'s Perceptions  
 (Informants use pseudonyms)

From the field interviews with victim *santri* illustrated in figure 3, most of the informants felt “traumatized”, they have huge “trust issues”, and most “do not feel good” about themselves. These situations affect their “self-confidence”, because they still have “fear” and unsolved “emotional damage”. Not only do they feel “wary” and “downcast”, the victim *satri* consider avoiding contact with people who are considered “toxicly” aggressive in communicating and interacting. This condition has a bad impact on the quality of their association in the social environment of the larger community outside the *pesantren*. The victims may experience cognitive distortion, become self-loathing. Furthermore, in a more severe level, the victim begins to think irrationally, stating that the incident was their fault.<sup>65</sup>

<sup>65</sup> Fauziah Zaiden et al, “Global Research Pattern of Cognitive Distortion: A Bibliometric Analysis,” *SAGE Open* 13, no. 4 (2023): 3.

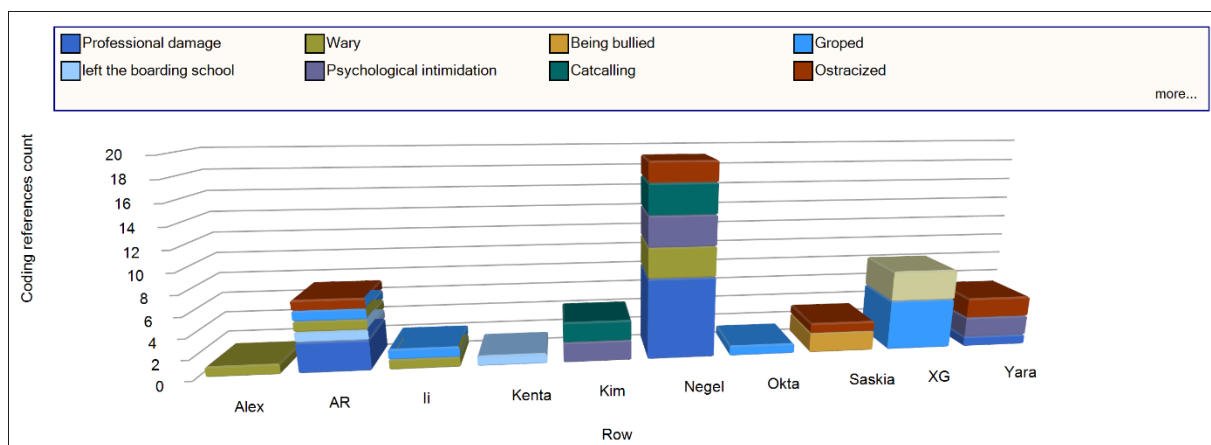


Figure 4. The impact of the damage suffered by the victim (Informants use pseudonyms)

The interview of the ten victim *santri* illustrated in figure 4 show that “Negel” (male) has the most negative impact from sexual harassment. He has checked off all eight categories: being bullied, catcalled, groped, and ostracized. He also experienced psychological intimidation and professional damage, leaving him unable to perform professionally as a good *santri* because he had to be alert at all times. He also once experienced leaving the boarding school, but had to come back because of his parents.<sup>66</sup> This statement was confirmed by one of the parents during FGD session.<sup>67</sup>

Handling victims of sexual harassment should begin with understanding the following: first, it must be realized that the burden of sexual harassment is a long-term trauma.<sup>68</sup> Its characteristics are similar to stress disorders that affect interaction habits and disrupt routines.<sup>69</sup> Second, there needs to be awareness that victims of sexual harassment must be handled comprehensively. Third, victims must be assured and given an understanding that the incident is not their fault, and they are not the cause of the incident.<sup>70</sup>

<sup>66</sup> Negel (pseudonym), “experienced leaving boarding school, but had to come back because of my parents,” Interview by Ahsani Taqwim Aminuddin, Tasikmalaya, August 12, 2024.

<sup>67</sup> Parent 2 statement during FGD session, “I still think there is a positive value that the *pesantren* gives for my child in terms of Islamic education” (November 2024).

<sup>68</sup> Bagas Miqdad Abdillah et al, “Upaya Pencegahan Pelecehan Seksual Dalam Lingkungan Pesantren di Indonesia. Moderasi,” *Jurnal Kajian Islam Kontemporer* 1, no. 1 (2023): 7.

<sup>69</sup> Luky Kurniawan et al, “Symptoms of Post-Traumatic Stress among Victims of School Bullying,” *International Journal of Public Health Science* 11, no. 1 (2022): 264.

<sup>70</sup> Sally Henin and Lauren Page Black, “Understanding the Long-term Trauma of Sexual Assault Patients,” *Journal of the American College of Emergency Physicians (JACEP) Open* 2, no. 4 (2021): 1.









### 2.2.1. The Level of Sexual Harassment at *Pesantren* in West Java

Incidents of sexual harassment did not only occur in the *pesantren* environment, but also outside the *pesantren*, for example in the old school environment and outside the home. In Table 1 below, the characteristics of modern *pesantren* that are open and implement the government curriculum other than the curriculum of the parent Islamic boarding school in Gontor, are not necessarily independent of the unpleasant incidents experienced by their *santri* inside and outside the *pesantren*. In both types of *pesantren* (modern and traditional), sexual harassment (such as physical threat and psychological intimidation) and the three forms of damage caused by it (i.e., emotional & psychological damage, professional damage, social damage) are more experienced by male *santri* outside the *pesantren*. Meanwhile, inside the *pesantren*, male *santri* experience more physical threats that result in emotional and psychological damage to them. For female *santri*, sexual harassment in the form of psychological intimidation results in more professional damage and social damage to them in the wider community outside the *pesantren*.<sup>71</sup>

In Table 1, male *santri* have more autonomy, environmental mastery, positive relations with others, and self-acceptance compared to female *santri*. On the contrary, female *santri* are better able to maintain personal growth and have a purpose in life.

Table 1. Perceived psychological well-being by gender

PSYCHOLOGICAL WELLBEING	Gender	Mean Score
Autonomy		3.26
Environmental Mastery		3.27
Personal Growth		3.28
Positive Relations with Others		2.75
Purpose in Life		3.47
Self Acceptance		3.33

In Figure 5, "covert solicitation" was experienced by informants Kim and Saskia. Then emotional damage resulted in "traumatized" experienced by informants Saskia, Negel, XG, Ar, Okta, Li, Kenta and Alex.

<sup>71</sup> Firdaus et al, *op.cit.*, 21.

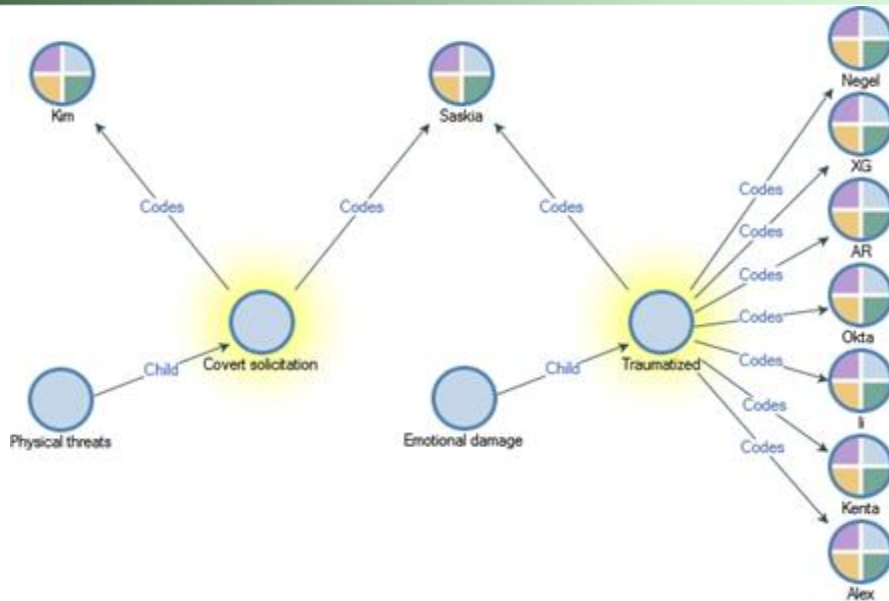


Figure 5. Comparison Diagram 1

In addition to being traumatized, the victims also experienced wary (Figure 6).

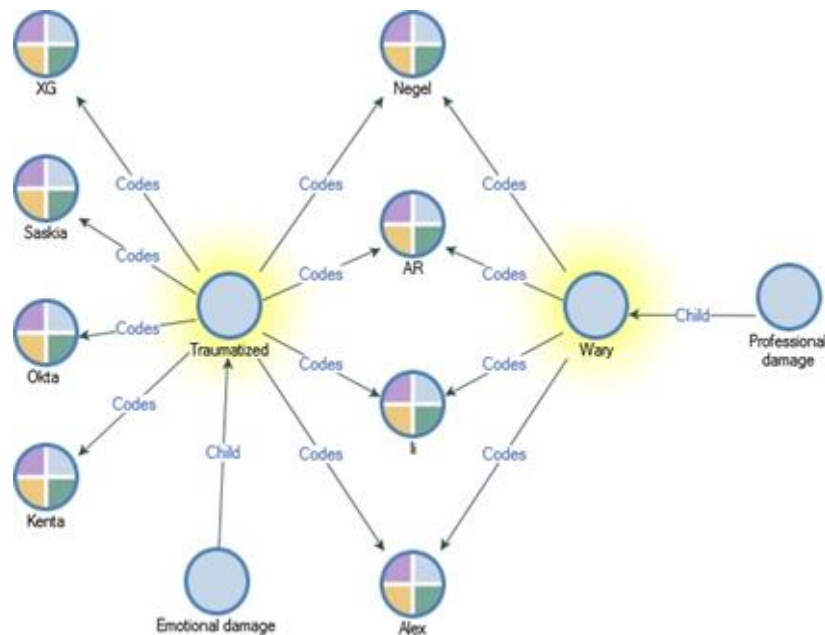


Figure 6. Comparison Diagram 2

### 2.2.2. Cessation Efforts by the Management

*Santri* who pay more attention to efforts by the *pesantren* management to stop sexual harassment are female *santri*. They see more improvements to policies and procedures.<sup>72</sup> Female *santri* feel that there is already a policy,

<sup>72</sup> Firdaus et al, *loc.cit.*

but it is not socialized.<sup>73</sup> Training and education have been carried out once during orientation only. Training about gender and sexual violence can strengthen the mindset of *santri* in protecting themselves from potential sexual harassment behavior.<sup>74</sup>

The reporting mechanism already exists, but it is not kept secret, causing female *santri* hesitate to report back if there is another incident of sexual harassment in their environment.<sup>75</sup> The actions of the *pesantren* are often felt to be indecisive and the response to sexual harassment incidents is not immediate.<sup>76</sup> Support from the *pesantren* is always available but not enough for the needs of the victims. The *pesantren* has implemented a learning culture to anticipate sexual harassment. In terms of continuous evaluation and improvement, female *santri* feel that there is no improvement.<sup>77</sup>

Sexual harassment causes damage at modern *pesantren* (coefficient value = 0.416), whereas it does not cause damage at traditional *pesantren* (coefficient value = -0.081). But West Java in general feels the damage caused by sexual harassment (coefficient value = 0.245). Both modern and traditional *pesantren*, as well as the average *pesantren* in West Java, agreed that sexual harassment destroy *santris*' psychological well-being.<sup>78</sup>

In instances of harm, *santri* prioritizes psychological well-being. The *pesantren* plays a crucial role in alleviating emotional and psychological distress and enhancing *santri*'s well-being. *Santri* must acknowledge the *pesantren*'s positive influence and show maturity to reconcile with their experiences. While immediate intervention can mitigate harm, it cannot fully restore psychological well-being.<sup>79</sup>

The data in Table 2 below, shows that sexual harassment has a bad impact on male and female *santri* from inside and outside the *pesantren*. Sexual harassment even reduces (if not eliminates) the ability of female *santri* to rebuild their psychological well-being. Data shows that male and female *santri* find it more difficult to get up and build their psychological well-being after sexual harassment results in emotional, psychological, professional, and social damage. This is because they are far away from their

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<sup>73</sup> XG (pseudonym), "The existing policy has not been socialized, at least I have not heard about it," Interview by Ahsani Taqwim Aminuddin, Tasikmalaya, August 12, 2024.

<sup>74</sup> Aprilian Ria Adisti, "Reinforcing Children's Self-Resilience in Pesantren through Digital Literacy Developmental about Sexual Violence," *Prosiding Konferensi Nasional Gender Dan Gerakan Sosial 1*, (2022): 396.

<sup>75</sup> Saskia and Kim (pseudonym), "It is not kept secret, so we hesitate to report if there is another incident occurs," Interview by Valianty Sariswara, Tasikmalaya, August 12, 2024.

<sup>76</sup> Rahman and Maulana, *op.cit.*, 120.

<sup>77</sup> Yara (pseudonym), "Handling is not getting better," Interview by Valianty Sariswara, Tasikmalaya, August 12, 2024.

<sup>78</sup> Firdaus et al, *loc.cit.*

<sup>79</sup> *Ibid.*

parents, so it is difficult to get direct moral support from the most trusted people.<sup>80</sup> The people who recovered the fastest after the incident were stopped by the *pesantren* were the male *santri*. Female *santri* are more certain that the termination effort can give them confidence to be able to rebuild their psychological well-being.<sup>81</sup>

Table 2. Path Coefficients of Direct Effects Based on Gender and Origin

Direct Effects	Path Coefficients			
	Male	Female	<i>Pesantren</i>	Outside <i>Pesantren</i>
Sexual Harassment → Damages (Impact)	0.296	0.703	0.618	0.355
Sexual Harassment → Psychological Well-being	-0.007	-0.443	-0.138	-0.089
Damages (Impact) → Psychological Well-being	0.087	0.073	0.071	0.024
Cessation Efforts → Damages (Impact)	-0.069	-0.039	-0.024	-0.178
Cessation Efforts → Psychological Well-being	0.225	0.516	0.401	0.216
Cessation Efforts x Sexual Harassment → Damages (Impact)	-0.138	-0.053	0.090	-0.187
Cessation Efforts x Sexual Harassment → Psychological Well-being	0.099	-0.049	0.174	-0.068

<sup>80</sup> Kenta and Alex (pseudonym), “Being far away from my parents, we are struggling to find someone to trust to support us in this situation,” Interview by Ahsani Taqvim Aminuddin, Tasikmalaya, August 12, 2024.

<sup>81</sup> Okta (pseudonym), “I guess the termination effort can rebuild my psychological well-being,” Interview by Valianty Sariswara, Tasikmalaya, August 12, 2024.

### 2.2.3. Indirect Effects

The indirect effect is considered significant if the number is greater than 0.05. In Table 3 below, sexual harassment does not have an indirect effect, although this event has made psychological well-being persistent. This is not only due to the personal factors of the *santri* who are steadfast, mature, and able to make peace with the situation. The efforts to stop sexual harassment have not been able to reduce the number of cases, but it has been quite successful in providing debriefing for *santri* who have become victims and who have the potential to become victims.

Table 3. Path Coefficients of Specific Indirect Effects in Modern & Traditional *Pesantren*, also in General West Java

Specific Indirect Effects	Modern	Traditional	West Java
Sexual Harassment → Damages (Impact) → Psychological Well-being	0.018	0.004	0.000
Cessation Efforts → Damages (Impact) → Psychological Well-being	-0.003	0.024	0.000
Cessation Efforts x Sexual Harassment → Damages (Impact) → Psychological Well-being	-0.004	-0.007	0.000

Female *santri* experience a more significant indirect effect on psychological well-being when sexual harassment occurs (Table 4). Sexual harassment causes more damage to the psychological well-being of *santri* inside the *pesantren* than outside. While cessation efforts can improve the psychological well-being of male *santri* better than female, the improvement is more efficient outside the *pesantren* compared to inside.

Table 4. Path Coefficients of Specific Indirect Effects on Gender & Origin

Specific Indirect Effects	Path Coefficients			
	Male	Female	<i>Pesantren</i>	Outside <i>Pesantren</i>
Sexual Harassment → Damages (Impact) → Psychological Well-being	0.026	0.051	0.044	0.008
Cessation Efforts → Damages (Impact) → Psychological Well-being	-0.006	-0.003	-0.002	-0.004
Cessation Efforts x Sexual Harassment → Damages (Impact) → Psychological Well-being	-0.012	-0.004	0.006	-0.004

### 2.2.4. Total Effects

The total effect is considered significant if the number is greater than 0.05. In Table 5 and Table 6, sexual harassment directly has a significant impact on the emotional, psychological, professional, and social damage of female *santri*, although it has an indirect adverse impact on the development of their psychological well-being.

Table 5. Path Coefficients of Total Effects

Total Effects	Modern	Traditional	West Java
Sexual Harassment → Damages (Impact)	0.416	-0.081	0.245
Sexual Harassment → Psychological Well-being	-0,134	-0.182	-0.272
Damages (Impact) → Psychological Well-being	0.042	-0.055	0.000
Cessation Efforts → Damages (Impact)	-0.065	-0.441	-0.023
Cessation Efforts → Psychological Well-being	0.245	0.721	0.605
Cessation Efforts x Sexual Harassment → Damages (Impact)	-0.102	0.120	-0.145
Cessation Efforts x Sexual Harassment → Psychological Well-being	-0.026	-0.014	-0.163

Unlike male *santri*, sexual harassment does not have a significant impact on emotional, psychological, professional, and social damage, and does not damage their psychological well-being.<sup>82</sup> Termination efforts cannot completely treat the damage to female *santri*, while in male *santri*, termination efforts can treat more hidden wounds.

<sup>82</sup> AR and Li (pseudonym), “We can cope with my psychological well-being even though we experienced harassment,” Interview by Valianty Sariswara, Tasikmalaya, August 12, 2024.

Table 6. Path Coefficients of Total Effects Based on Gender and Origin

Total Effects	Path Coefficients			
	Male	Female	<i>Pesantren</i>	Outside <i>Pesantren</i>
Sexual Harassment → Damages (Impact)	0.296	0.703	0.618	0.355
Sexual Harassment → Psychological Well-being	0.018	-0.392	-0.094	-0.080
Damages (Impact) → Psychological Well-being	0.087	0.073	0.071	0.024
Cessation Efforts → Damages (Impact)	-0.069	-0.039	-0.024	-0.178
Cessation Efforts → Psychological Well-being	0.219	0.513	0.399	0.211
Cessation Efforts x Sexual Harassment → Damages (Impact)	-0.138	-0.053	0.090	-0.187
Cessation Efforts x Sexual Harassment → Psychological Well-being	0.087	-0.052	0.181	-0.072

Through good methods, recovery from sexual harassment trauma can be done at least three months after the victim experiences the incident. The first and second months are critical times when the victim experiences very severe trauma.<sup>83</sup> Some *pesantrens* with more severe cases of abuse apply psychoeducation to deal with their *santri's* mental health.<sup>84</sup> A psychological recovery can be done through a redemptive story of trauma by the victim.<sup>85</sup> This was later confirmed by a psychologist during an FGD session.<sup>86</sup> The most widely idea in the subject of narrative identity is the idea of redemption, which occurs when a difficult, unpleasant, or traumatic event is told in a way that conveys progress, meaning-making, or resolution. A study suggests that *pesantren* should take action by enhancing senior *santri's* pedagogical skills in caring for junior *santri* to prevent harassment and violence.<sup>87</sup>

<sup>83</sup> Emily R. Dworkin et al. "Understanding PTSD and Sexual Assault," In *Handbook of Sexual Assault and Sexual Assault Prevention*, ed. William T. O'Donohue & Paul A. Schewe (Cham: Springer, 2019), 299.

<sup>84</sup> Nasrawati Hamid et al, "Psikoedukasi Bullying pada Anak Binaan Rumah Zakat Gaddeta," *Jurnal Pengabdian Masyarakat Bangsa 2*, no. 5 (2024):1433.

<sup>85</sup> Delker et al, *op.cit.*, 3.

<sup>86</sup> Psychologist's statement during FGD session, "a storytelling from the victims mostly works to heal the trauma" (November 2024).

<sup>87</sup> Ainul Yaqin et al, "Improving the Pedagogical Competence of Senior Santri in Caring for Junior Santri to Prevent Violence and Bullying in Pesantren at Mojokerto," *Jurnal Pengabdian Kepada Masyarakat 8*, no. 1 (2024): 88.

### 2.3. Expected Efforts from All Stakeholders

Efforts to address sexual harassment in Indonesian *pesantren* have been complex, due to both systemic challenges and cultural stigmas that often prevent open discussion and reporting of their cases. The cessation efforts, some of which have not been widely publicized among relevant stakeholders, aimed at protecting, preventing, and supporting survivors. The patriarchal culture hinders the execution of some laws and regulations, including the bill on sexual violence, and contributes to the inefficiency of law enforcement in addressing cases of sexual assault in Indonesia.<sup>88</sup>

#### 2.3.1. Government: Law and Policy Issues

Before 2002, law enforcement officers relied on provisions in the Criminal Code to prosecute perpetrators, particularly using articles on physical sexual abuse and rape.<sup>89</sup> For example, a son of a Kyai was sentenced to seven years in prison after being legally and convincingly proven guilty of committing an act that violated moral honor (sexual harassment) against female *santri*, which violates Article 289 of the Indonesian Criminal Code.<sup>90</sup> The use of social media campaigns had a significant impact, successfully leading to the perpetrator's prison sentence by the Surabaya District Court.<sup>91</sup>

In 2022, the Indonesian House of Representatives and the Government jointly passed Law No.12 of 2022 concerning Crime of Sexual Violence (Law 12/2022),<sup>92</sup> which established a more comprehensive

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<sup>88</sup> Rizka Amalia Putri, "The Sexual Violence Bill Controversy in Indonesia: A Feminist Critical Discourse Analysis" (Master Thesis in Social Sciences in the Joint Master's Program Comparative Social Policy and Welfare Johannes Kepler University Linz, 2021), 10.

<sup>89</sup> Ratri Novita Erdianti et al, "Construction Law for the Crime of Sexual Harassment in Indonesia: Beyond the Basics of Criminal Law," *Justitia Jurnal Hukum* 8, no. 1 (2024): 18.

<sup>90</sup> See Decision of the District Court of Surabaya No.1361/Pid.B/2022/PN Sby. <https://putusan3.mahkamahagung.go.id/direktori/putusan/zaed671f16a771d882f2313535373534.html>; Safik Faozi et al, "Penanggulangan Kekerasan Seksual Dengan Perlindungan Korban Melalui Putusan Pengadilan, Pemanfaatan Media Sosial, Kebijakan Tanpa Pembedaan," *Jurnal Dinamika Hukum* 25, no.1 (2024): 90; Respati Bayu Kristanto and Hervina Puspitosari, "Kekuatan Pembuktian Saksi Testimonium De Auditu dalam Tindak Pidana Kejahatan terhadap Kesusilaan (Tinjauan Putusan Perkara Pengadilan Negeri Surabaya Nomor 1361/Pid.B/2022/PN. Sby)," *UNES Law Review* 6, no. 2 (2024): 6655, 6659.

<sup>91</sup> Ajeng Ratna Komala, Ikhlilah Muzayyanah Dini Fajriyah, "Sexual Violence Survivor Resistance: Reclaiming Safe Spaces for Santriwati in Pesantren," *Egalita: Jurnal Kesetaraan dan Keadilan Gender* 20, no. 1 (2025): 64.

<sup>92</sup> International Commission of Jurists (ICJ), "Indonesia: Law No. 12 of 2022 on Sexual Violence Crimes and Online Gender-Based Violence Against Women: Legal Briefing," [https://www.icj.org/wp-content/uploads/2023/09/Briefing-Paper-on-OGBV\\_ENG.pdf](https://www.icj.org/wp-content/uploads/2023/09/Briefing-Paper-on-OGBV_ENG.pdf), 1.



framework for regulating the rights of victims.<sup>93</sup> The law aims to prevent all forms of sexual violence; handle, protect, and restore victims; enforce the law and rehabilitate perpetrators; create an environment free from sexual violence; and ensure the non-reoccurrence of sexual violence. Law 12/2022 requires both central and regional governments to carry out the prevention of sexual violence crimes quickly, in an integrated manner through several fields, including education, culture, and religion.<sup>94</sup> It also determines that the Minister of Religion and relevant religious organizations are involved in the implementation of integrated services, including handling, protection, and recovery, at both the central and regional levels.<sup>95</sup>

Law 12/2022 determines that every person who commits non-physical sexual acts, such as the onset of sexual desire, targeting the reproductive organs to degrade the dignity and moral dignity, is sentenced to a maximum of nine months and/or pays a maximum fine of ten rupiah.<sup>96</sup> Physical sexual harassment is sanctioned with a maximum of four years and/or paying a maximum fine of fifty million rupiah. Meanwhile, if physical sexual harassment places the victim under his power, the perpetrator is punished with imprisonment for a maximum of twelve years and/or pays a maximum fine of three hundred million rupiah.<sup>97</sup>

Government Regulation No. 27 of 2024 concerning Coordination and Monitoring of the Implementation of Prevention and Handling of Victims of Sexual Violence Crimes determines that the monitoring of prevention efforts and the handling of victims is overseen by the Minister responsible for women's empowerment and child protection.<sup>98</sup> This includes collaboration across various sectors with commissions dedicated to addressing violence against women, human rights, child protection, and disability issues. Additionally, community involvement plays a crucial role in these efforts.<sup>99</sup>

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<sup>93</sup> Putri Zaltina and Lidwina Inge Nurtjahyo, "Right to be Forgotten as a Legal Protection for the Victims of Electronic Sexual Violence Cases," *The Indonesian Journal of Socio-Legal Studies* 3, no. 2 (2024): 4.

<sup>94</sup> Law No.12 of 2022 concerning Crime of Sexual Violence, Art. 79.

<sup>95</sup> *Ibid.*, Art. 66.

<sup>96</sup> *Ibid.*, Art. 5.

<sup>97</sup> *Ibid.*, Art. 6.

<sup>98</sup> Government Regulation No. 27 of 2024 concerning Coordination and Monitoring of the Implementation of Prevention and Handling of Victims of Sexual Violence Crimes, Art. 17, Art. 10(1).

<sup>99</sup> *Ibid.*, Art. 10.

This monitoring is to ensure that the voice of the victim or survivor is heard, through observation, identification, and recording. The observation process is carried out on the victim to fulfill his/her rights to:<sup>100</sup>

1. Information about the entire process and results of handling, protection, and recovery;
2. Obtaining documents from the results of handling;
3. Legal services;
4. Psychological reinforcement;
5. Health services include medical examinations, procedures, and treatments;
6. Services and facilities according to the specific needs of the victim;
7. Removal of sexually charged content for cases of sexual violence with electronic media.

Two presidential regulations were created to implement Law 12/2022. First, the Presidential Regulation No. 9 of 2024 concerning the implementation of Education and Training for the Prevention and Handling of Criminal Acts of Sexual Violence. This obliges central and regional governments to organize education and training for law enforcement officials, government service personnel, and service personnel at community-based service providers, aiming at increasing the understanding of the prevention and handling of sexual violence.<sup>101</sup>

Second, Presidential Regulation No. 98 of 2024 concerning the Implementation of Integrated Services in Handling, Protecting, and Recovery of Sexual Violence Crimes by the Central Government Determines central government to provide services in a quick, unified, and integrated manner.<sup>102</sup> The integrated Service involves the Ministry of Religion and religious organizations as needed.<sup>103</sup>

Regulation of the Minister of Religion No. 73 of 2022 concerning the Prevention and Handling of Sexual Violence in Educational Units at the Ministry of Religion was established to address the high incidence of sexual harassment in religious-based educational settings and to provide legal protection for victims of sexual violence.<sup>104</sup> According to the regulations,

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<sup>100</sup> *Ibid.*, Art. 12(3).

<sup>101</sup> Presidential Regulation No. 9 of 2024 concerning the Implementation of Education and Training for the Prevention and Handling of Criminal Acts of Sexual Violence Art. 2, Art. 3(1), and Art. 4.

<sup>102</sup> Presidential Regulation No. 98 of 2024 concerning the Implementation of Integrated Services in Handling, Protecting, and Recovery of Sexual Violence Crimes by the Central Government, Art. 2.

<sup>103</sup> *Ibid.*, Art. 3(2)(g) and Art. 3(d).

<sup>104</sup> Henny Saida Flora, Sahata Manalu, Nar Yan Thapa, "The Restorative Justice Orientation Regarding Sexual Violence Occuring in Religious-Based Educational Environments in Indonesia," *Jurnal Dinamika Hukum* 23, no. 3 (2023): 541.

preventing and addressing sexual violence involves the following objectives: preventing and addressing all forms of sexual violence; enforcing the law and rehabilitating offenders; creating an environment in educational institutions that is free from sexual violence; and ensuring that incidents of sexual violence do not happen again.<sup>105</sup>

This ministerial regulation establishes a legal framework for imposing both criminal and administrative sanctions on perpetrators of sexual violence.<sup>106</sup> In addition to the perpetrators, educational institutions that fail to take appropriate measures to prevent and address incidents of sexual violence may face administrative penalties. These sanctions can range from verbal reprimands to the revocation of registration certificates, depending on the severity of the violation.<sup>107</sup>

Ministry of Religion Decree No. 83 of 2023 regulates the Guidelines for Handling Sexual Violence in Education Units under the Ministry of Religion. Handling involves reporting, protection, mentoring, enforcement, and victim recovery.<sup>108</sup> The recent Decree of the Minister of Religion No. 91 of 2025 concerning the Roadmap for the Child-Friendly Islamic Boarding School Development Program determines several programs, among others, making sure there is no violence in learning.<sup>109</sup> The decree also determines that teachers in Islamic boarding schools need to have personal, social, teaching, and professional skills to meet the program's goals, among others, good Islamic behaviour, commitment to education and religion, ensuring safety.<sup>110</sup>

The Ministry of Religion has emphasized the importance of creating stricter policies for *pesantren* operational permits, requiring enhanced verification processes to evaluate and mitigate the risks of abuse. This initiative seeks to ensure that all institutions follow strict protocols to prevent harassment and address cases when they arise. Additionally, the Ministry encourages victims to report incidents directly, aiming to reduce the stigma around speaking up, which is often a barrier to justice.

### **2.3.2. Pesantren**

*Pesantren* are encouraged to adopt stricter supervision protocols and incorporate more education on gender sensitivity and rights. Survey reveals, as appeared in Table 2 (Section 2.2.2), that awareness about

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<sup>105</sup> Regulation of the Minister of Religion No. 73 of 2022 concerning the Prevention and Handling of Sexual Violence in Educational Units at the Ministry of Religion, Art. 2.

<sup>106</sup> *Ibid.*, Art. 18.

<sup>107</sup> *Ibid.*, Art. 19.

<sup>108</sup> Decree of the Minister of Religion No. 83 of 2023 concerning Guidelines for Handling Sexual Violence in Educational Units at the Ministry of Religion, Dictum 1.

<sup>109</sup> Decree of the Minister of Religion No. 91 of 2025 concerning the Roadmap for the Child-Friendly Islamic Boarding School Development Program, Annex, page 14.

<sup>110</sup> *Ibid.*, Annex, page 11.

sexual harassment among *santri* remains limited, which is why some *pesantren* leaders have introduced programs to educate *santri* and teachers on recognizing and addressing sexual harassment. This education approach is crucial to countering power imbalances, which have been identified as common in harassment cases within *pesantren* settings.

Building on these concerns, policy-makers and religious education leaders are formalizing anti-harassment training to standard *pesantren* protocols. In early 2024, the Ministry of Women's Empowerment and Child Protection and the Ministry of Religion announced the preparing of technical guidelines for *Pesantren Ramah Anak* (Child-Friendly *Pesantren*).<sup>111</sup> These guidelines – now piloted in 18 *pesantrens* under facilitators trained in children's rights – require strict supervision and clear reporting channels. In practice, implementing such guidelines means embedding gender sensitivity and human-rights content into the curriculum, training teachers and senior *santri* to recognize abuse, and formally setting up grievance procedures. By codifying these standards, the aim is to translate awareness into concrete policy. For example, *pesantrens* are being encouraged to adopt written codes of conduct and to hold workshops for caregivers on children's rights.<sup>112</sup>

Despite these advances, significant challenges remain. Recent research highlights that many *pesantrens* still suffer from closed hierarchies and culture, which can discourage victims from speaking out. A national survey by UIN Jakarta's PPIM found that most *pesantrens* have only "moderate" resilience to sexual violence – meaning basic protections exist but are not robust – because "power relations and closed culture" are major barriers to prevention and recovery.<sup>113</sup> Other problems include limited counseling resources, uneven teacher training, and a stigma that sometimes frames sexual abuse as a family or moral shame.

To address these issues, experts propose several solutions. They suggest diversifying leadership structures (reducing dependence on a single *kya*), strengthening external oversight, and involving parents and community leaders in monitoring *pesantrens*.<sup>114</sup> Training is crucial: all

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<sup>111</sup> Ministry of Women's Empowerment and Child Protection, "Kemen PPPA dan Kemenag Siapkan Regulasi Pengasuhan Berbasis Hak Anak di Pesantren," Siaran Pers Nomor: B-36/SETMEN/HM.06/02/2024, <https://kemenpppa.go.id/berita-pemerintahan/kemen-pppa-dan-kemenag-siapkan-regulasi-pengasuhan-berbasis-hak-anak-di-pesantren>.

<sup>112</sup> Nisrin Mu'azzaz and M. Rikza Chamami, "Strategies for Improving the Quality of Santri through Sufi Healing," *Journal of Pesantren and Fiqh Sosial* 6, no. 1 (2025): 5.

<sup>113</sup> Gita Raudhah et al, "Mekanisme Perlindungan Korban Kekerasan Seksual Pondok Pesantren Yayasan Manarul Huda Bandung," *Khatulistiwa: Jurnal Pendidikan dan Sosial Humaniora* 5, no. 1 (2025): 448.

<sup>114</sup> Dion Ginanto et al, "Defining Parental Involvement in Islamic Boarding School," *Konstekstualita: Jurnal Sosial Keagamaan* 36, no. 1 (2021): 48.

*pesantren* staff need education on children's rights and the new national anti-sexual violence laws. Monitoring and evaluation must also improve; for example, regular surveys about *santri*'s well-being and transparent reporting of statistics could inform policy adjustments. In short, *pesantren* programs will only achieve long-term impact if they are backed by enforcement – turning guidelines into enforced school policies – and by broader cultural change. Continued collaboration between government agencies, religious authorities, NGOs and *pesantren* communities is therefore essential. Only through such comprehensive, multi-level efforts can *pesantren* become truly safe and empowering environments for all *santri*.

### 2.3.3. Grassroots Initiatives and NGOs

In West Java, grassroots NGOs and community groups have become increasingly active in exposing and addressing sexual harassment in *pesantren*. For example, Cirebon Regency-based *Umah Ramah* has partnered with local communities to survey *pesantren* environments and document patterns of abuse. Its 2021 report “The Latent Danger of Sexual Violence” highlighted cases that had previously been hidden from view.<sup>115</sup> The NGO follows up with training sessions for *santri* and families on reproductive health and consent.

Nonetheless, entrenched cultural and institutional barriers make change difficult. Traditional *pesantren* hierarchies and norms often discourage reporting of abuse. *Komnas Perempuan* notes that multi-layered authority (between *kyai*/teachers and *santri*) and the exalted status of religious leaders can make victims or families fear reprisals or loss of educational opportunities.<sup>116</sup> In practice, many community members still misunderstand what constitutes harassment. *Umah Ramah*'s founder Asih Widyowati reports that some parents believe only rape counts as sexual violence, overlooking coercive acts like groping or catcalling.<sup>117</sup> Empirical studies confirm that *santri* perceptions of sexual violence are heavily shaped by local culture, religion, and social norms. In response, the legal framework has been strengthened. In April 2022, Indonesia enacted Law No.12 of 2022 on Sexual Violence Crimes, a landmark bill that broadened the definition of sexual offenses and mandated victim restitution and support. The Ministry of Religious Affairs has also issued its regulations

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<sup>115</sup> Umah Ramah, “Bahaya Laten Kekerasan Seksual,” <https://umahramah.org/book/bahaya-laten-kekerasan-seksual/>.

<sup>116</sup> National Commission for Women, “Siaran Pers tentang Kasus Kekerasan Seksual terhadap 13 Santriwati dan Pidana Mati bagi Pelaku,” <https://komnasperempuan.go.id/siaran-pers-detail/tentang-kasus-kekerasan-seksual-terhadap-13-santriwati-dan-pidana-mati-bagi-pelaku>.

<sup>117</sup> Abdullah Fikri Ashri (Umah Ramah), “Asih Widyowati, Kasih untuk Perempuan dan Anak,” <https://umahramah.org/asih-widyowati-kasih-untuk-perempuan-dan-anak/>.

(notably the Regulation of the Minister of Religion No. 73 of 2022) requiring every educational unit, including *pesantren*, to implement policies for preventing and handling sexual violence.<sup>118</sup> Still, experts emphasize that laws alone are not enough, *pesantren* must put genuine safeguards in place such as independent complaint channels and balanced authority structures. Moreover, they must incorporate comprehensive sexual-reproductive education into their curriculum to become truly safe, “child-friendly” learning environments.<sup>119</sup>

### 3. CONCLUSION

This study provides a thorough legal and psychosocial analysis of the persistent silence surrounding sexual harassment in Indonesian *pesantren*, with a focus on West Java, the province with the highest number of *pesantren*. Employing a mixed-method approach, the study reveals that stigma against reporting such incidents is deeply rooted in patriarchal hierarchies, religious interpretations, institutional autonomy, and concerns for community reputation. These factors exacerbate psychological trauma and hinder both disclosure and recovery, particularly for female *santri*, who experience compounded emotional and social damage. Quantitative findings indicate a significant correlation between sexual harassment and psychological harm, especially for female *santri*. However, efforts by *pesantren* authorities to address these issues remain informal, inconsistent, and lack transparency. The data highlight a gender disparity: male *santri* tend to demonstrate more resilience, while female *santri* suffer long-term psychological impacts due to insufficient institutional support. Qualitative narratives reveal themes of shame, isolation, and self-blame among victims—topics that have seldom been explored in *pesantren* research. This study connects legal frameworks on sexual harassment with empirical psychosocial data. It bridges the legal and sociocultural domains, demonstrating how entrenched religious and cultural norms can weaken legal mechanisms. The study presents three key lessons for *pesantren*: the necessity for institutional accountability, the importance of gender-sensitive reforms, and the need for integrated policy enforcement. Ultimately, the silence surrounding sexual harassment is not only a policy failure but also a

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<sup>118</sup> Ministry of Religion of the Republic of Indonesia, “Kemenag: Pesantren Wajib Berkomitmen Lawan Kekerasan Seksual,” <https://kemenag.go.id/daerah/kemenag-pesantren-wajib-berkomitmen-lawan-kekerasan-seksual-DFYms>.

<sup>119</sup> Fathan Fahmi, “Implementasi Program Madrasah Ramah Anak Berbasis Religius dalam Pembentukan Karakter Profil Pelajar Pancasila di MTS. Almaarif 01 Singosari Malang,” (Master’s Thesis, Universitas Islam Negeri Maulana Malik Ibrahim, Malang, November 2024), 10.

symptom of deeper cultural, psychological, and institutional dysfunctions. Interventions, therefore, must tackle these complexities to transform *pesantren* into safe, equitable, and dignified spaces for all learners.

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### Interview

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Negel (pseudonym). "Experienced leaving boarding school, but had to come back because of my parents." Interview by Ahsani Taqwim Aminuddin, Tasikmalaya, August 12, 2024.

Okta (pseudonym). "I guess the termination effort can rebuild my psychological well-being." Interview by Valianty Sariswara, Tasikmalaya, August 12, 2024.

Parent 1 statement during FGD session. "On weekends when my child comes home from her *pesantren*, I deliberately spend time listening to her stories about everything that she wants to tell before bedtime. This is my way to know her routines and feelings about her environment." (November 2024).

Parent 2 statement during FGD session. "I still think there is a positive value that the *pesantren* gives for my child in terms of Islamic education." (November 2024).

*Pesantren* Administrators statement during FGD session. "Not all *pesantrens* are bad in handling sexual harassment issues. For example: we have the system for reporting cases confidentially to protect victim *santri* from shame." (November 2024).

Psychologist's statement during FGD session. "A storytelling from the victims mostly works to heal the trauma." (November 2024).

Saskia and Kim (pseudonym), "It is not kept secret, so we hesitate to report if there is another incident occurs." Interview by Valianty Sariswara, Tasikmalaya, August 12, 2024.

XG (pseudonym). “The existing policy has not been socialized, at least I have not heard about it.” Interview by Ahsani Taqwim Aminuddin, Tasikmalaya, August 12, 2024.

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