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Social Media and Violence Against Women in Terms of Human Rights Perspective (HAM)

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Abstract

Social media can be a means of emergence of violence against women. The purpose of this study is to examine and analyze social media and violence against women from a human rights perspective. The research method used in this study is normative juridical, the approach used is a statutory approach and a conceptual approach. The sources of legal materials used are primary legal materials, secondary legal materials and tertiary legal materials. The technique of collecting legal materials is through library research, and is analyzed qualitatively. The results of the study show that social media is a means that can lead to violence against women. Because women are a community that uses social media a lot. Even though the impact caused by violence in cyberspace (social media) is very contrary to human rights. Likewise, a woman's freedom and sense of security to access the internet through the use of social media is no longer safe. There needs to be a firm and clear legal umbrella related to regulating the use of social media so that women feel protected. Likewise, there must be a clear understanding from law enforcement officials regarding online gender-based violence so that the law enforcement process can run well too.

Keywords: Social Media, Violence, Human Rights

1. Introduction

Violence against women is an interesting social phenomenon to study. Violence against women occurs both in public and private spheres. One of the public spaces that gets a lot of attention by women is social media. Based on data from the Ministry of Communication and Informatics (Kemenkominfo), internet users in Indonesia currently reach 63 million people. Of these figures, 95 percent use the internet to access social networks. The most accessed social networking sites are Facebook and Twitter. Indonesia is ranked the 4th largest Facebook user after the USA, Brazil and India. Ranked 5th largest Twitter user in the world. Apart from Twitter, another well-known social network in Indonesia is Path with 700,000 users in Indonesia. Line has 10 million users, Google has 3.4 million users and LinkedIn has 1 million users (MCI, 2013).

Most social media users are women with various ages and education. The development of social media has also affected the social life of everyday people (Asiati, 2018). Based on research conducted by Juwita et al., regarding the influence of social media (Facebook) on lifestyle changes for high school students in Bandung, it shows that

social media has a significant impact on the lifestyles of high school students, especially for female students (Juwita & Nurbayani, 2014).

Social media not only has a positive impact on the advancement of science and technology. However, the existence of social media also contributes to the emergence of violence against women. In his research, Bambang Arianto explained that social media is a new space for gender-based violence in Indonesia, especially with the Covid-19 pandemic, which has greatly increased the use of social media (Bambang, 2021).

Social media has a negative impact on the emergence of violence against women, both in the form of virtual harassment, threats to spread personal documentation, defamation and so on. Whereas women have the right to obtain/access information. Whereas in the 1945 Constitution of the Republic of Indonesia Article 28 letter F it is stated that everyone has the right to communicate and obtain information to develop his personality and social environment, and has the right to seek, obtain, possess and store information using all types of available channels. The same thing is regulated in Article 14 paragraphs (1) and (2) of Law No. 39 of 1999 concerning Human Rights, which emphasizes that every person has the right to communicate and obtain information needed to develop his personality and social environment. Everyone has the right to seek, obtain, possess, store, process and convey information using all available means.

The Universal Declaration of Human Rights has guaranteed that everyone has freedom of expression, but their right to privacy is also recognized and protected. Using social media is everyone's right. Everyone has the right to communicate (through social media) and obtain information. Everyone is free to express himself (through social media), but his privacy is still protected because it is his right as a human being. Thus, the author is interested in studying and analyzing more deeply the relationship between social media and violence against women from a human rights perspective.

2. Method

Legal research is a series of activities with a scientific method in seeking the truth in a systematic, complete and consistent way [5]. This type of research is normative juridical. Aziz states that normative legal research is research that examines the reciprocal relationship between legal facts which are independent variables and social facts which are the dependent variable. So that the law functions as a tool of social order (Noor, 2012). The approach used in this study is a statutory approach and a conceptual approach. The statutory approach basically examines legislation that is related to the problems being faced (Peter, 2013) [7], while the conceptual approach is an approach that refers to legal principles that can be found in the views of scholars or legal doctrines (Budiono, 2016). The data collection technique used in this study was a literature study. Data analysis technique is descriptive analytical. It is descriptive analytical in nature because this research is intended to provide a detailed, systematic and comprehensive description of the influence of social media on the emergence of violence against women from the perspective of human rights.

3. Discussion

3.1. Social Media and Violence Against Women

Technological developments have had an impact on the lifestyle of women. Social media such as Facebook, Twitter, WhatsApp, Tik Tok, Line as a result of advances in information and communication technology have become the main choice for women. Indonesian women are internet users by 76% when compared to men who are only 72%. Women use the internet more in urban areas which are dominated by working/professional women and followed by housewives (Evawani, 2014).

Social media is online media that supports virtual social interactions of its users and can easily participate in interactive dialogues. Types of social media can be a) video sharing applications consisting of YouTube, Vimeo and DailyMotion; b) microblogging applications such as Twitter and Tumblr; c) social network sharing applications such as facebook, google plus and path; d) professional network sharing applications such as

LinkedIn, Scribd and Slideshare; e) photo sharing apps like pinterest, picasa, flickr and Instagram (Liefdray, et al. 2022).

Indonesian women, before getting to know social media as a means of sharing information and communication, they were already familiar with mass media such as television, radio, magazines and newspapers. Through the mass media, women have been exploited by displaying their faces and bodies on magazine covers, television advertisements and various acts of violence against women that are deliberately perpetrated in various films or television soap operas. Along with the development of technology that creates social media as a means of communication and information, it also has an impact on women as the main users when compared to men.

Women as part of society, also enjoy technological developments through the use of social media which has an impact on themselves as a woman and also on the surrounding environment. One of the negative impacts caused by the development of social media is the existence of violence against women through social media which is increasingly prevalent. Based on the results of research in Indonesia, social media such as Facebook, WhatsApp, and Instagram are the platforms that most often become media for online gender-based violence (Mauliya & Noor, 2021).

Violence against women through social media can take the form of sexual harassment, threats, grooming, defamation, and so on. giving obscene comments or questions, both sexual and explicit, to someone, solicitation of pornographic acts, and using indecent images to demean a woman. In the virtual world or social media, perpetrators of violence against women are more free to carry out their actions, plus they are getting bolder because they use anonymous accounts which of course will be difficult to trace the perpetrator's real identity. This shows that with the trend of violence on social media, victims, especially women, feel that they no longer have a safe and comfortable space. In fact, everyone has the right to feel safe and comfortable in social life and on social media.

3.2. Relations between Social Media and Violence Against Women from a Human Rights Perspective

The development of technology is like a double-edged sword which not only has a positive impact on improving information and communication but also has a negative impact on women as the most users of social media. Women are victims of violence in the public sphere, especially in terms of using social media. Even though the impact is very contrary to human rights. There are no clear rules, social media is not in favor of women's rights in using social media and law enforcement officials are still not concerned about a gender perspective, thus weakening the law enforcement process.

A survey conducted by Plan International in 22 countries targeting 14,701 female adolescents and young adults stated that more than half of respondents (58 percent) had experienced violence when interacting on social media. Most accept more than one type of violence in virtual space. There are various forms of violence experienced. However, the acts of violence that were often received were in the form of insulting and harassing words (59 percent), intentional humiliation (41 percent), threats of sexual violence (39 percent), body shaming (39 percent), and sexual harassment (39 percent). 37 percent). Based on the respondents' information, the media that became the means of this action were Whatsapp (60 percent), Instagram (59 percent), and Facebook (53 percent). Respondents also admitted that the perpetrators were not only strangers and anonymous, but also relatives, friends, and even spouses (Debora, 2022).

In its research on Online Gender-Based Violence (KGBO), the Association for Progressive Communications (APC) explains that violence in the digital realm, such as the collection and distribution of personal data, photos or videos, violates the right to privacy. including violations of human rights. The types of human rights violations resulting from acts of violence in cyberspace are the same as those caused by physical violence. In addition, victims also lose the right to determine their fate (self-determination) and body integrity (bodily integrity). This right is the culmination of human rights where a person has the right to regulate and control his own body and destiny. This occurs when the perpetrator of sexual violence forces and threatens the target so that the perpetrator's wishes are carried out.

This was followed by the loss of the right to freedom of expression. Sexual violence, intimidation, sexist comments, surveillance, to threats and physical actions originating from online media make women limit their participation in online activities. It could be that they have completely withdrawn from the digital world. With an insecure online environment, women cannot freely express their opinions or show their existence in certain campaigns or activities. This often happens to journalists, activists, artists, figures, or women's rights defenders.

Violence against women in cyberspace is included in the discussion of the protection of human rights. World institutions, such as the United Nations and the United Nations Human Rights Council (UNHRC), have included this issue in world-level discussions since 2006. The 2017 United Nations High Commissioner for Human Rights Report has discussed digital gender issues from a human rights perspective. The report states that online violence against women needs to be resolved within the broader context of offline gender-based discrimination and violence. Countries need to take legal action to investigate and provide compensation or assistance to victims.

4. Closing

Based on the description that has been explained above, it can be concluded that women are a group of people who are very vulnerable to the development of social media. Because women are quite high users of social media when compared to men. Violence against women can occur on social media such as sexual violence experienced by women through social media. Various content that seems to demean women's dignity, calls for pornographic acts, and various actions that demean a woman. Even though women also have the right to obtain information and be able to communicate while still feeling safe and comfortable. With violence against women through social media, it is necessary to have legal rules or legal umbrellas for the use of social media that can provide protection or a sense of security for women as the most users of social media.

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