

RETHINKING SOCIAL EXCHANGE IN CYBER PROSTITUTION: POWER ASYMMETRY AND LEGAL FRAGMENTATION IN INDONESIA

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Abstract

Cyber prostitution in Indonesia has expanded alongside the growth of digital platforms, transforming conventional prostitution into a decentralised and technologically mediated system involving pimps, sex workers, clients, and digital intermediaries. This study examines how Indonesian criminal law regulates cyber prostitution and analyses the power-dependence relations underlying exchanges among these actors through a critical application of Social Exchange Theory. It employs a critical and interdisciplinary doctrinal legal method combining statutory, conceptual, and theoretical approaches. Primary legal materials consist of Indonesian legislation and relevant international instruments, while secondary materials include scholarly literature, institutional reports, and prior empirical studies used as contextual evidence. The study finds that Indonesia lacks a coherent and integrated legal framework specifically addressing cyber prostitution. Relevant provisions remain dispersed across the Criminal Code, the Electronic Information and Transactions Law, the Pornography Law, the Anti-Trafficking Law, the Child Protection Law, and the Sexual Violence Crimes Law. This fragmentation generates conceptual overlap, normative ambiguity, evidentiary difficulties, and uneven criminal accountability. The analysis further shows that classical formulations of Social Exchange Theory, centred on rational choice, reciprocity, and voluntary exchange, are insufficient to explain relationships shaped by structural vulnerability and unequal control over resources. Poverty, gender inequality, limited education, precarious employment, stigma, and restricted alternatives constrain individual agency, while pimps may control clients, prices, digital access, accommodation, protection, information, and emotional resources. These conditions produce asymmetric exchanges in which sex workers bear disproportionate legal, social, health, and psychological costs. The study argues that cyber prostitution should be understood as a digitally mediated and structurally conditioned form of unequal exchange. It concludes that Indonesia requires a technologically responsive, victim-centred, and proportionate legal framework that distinguishes consent from exploitation, differentiates responsibility among actors, strengthens digital investigative capacity, and integrates criminal law reform with social protection, gender-responsive policy, education, and economic empowerment.

Keywords: *Cyber Prostitution; Cybercrime; Social Exchange Theory; Power Asymmetry; Indonesian Criminal Law.*

A. Introduction

Cybercrime has evolved into a complex and transnational form of crime that extends beyond conventional boundaries – thus requiring specialised legal and institutional responses.¹ In the context of rapid technological advancement, cyberspace has not only become a medium for communication and economic activity but also a site of exploitation, particularly in the form of online sexual exploitation and human trafficking.²

The proliferation of information and communication technologies has fundamentally reshaped numerous societal aspects, including the illicit commercial sex industry in Indonesia.³ This technological advancement has facilitated a significant shift from conventional, localised to decentralised prostitution, digitally mediated forms, or often referred to as cyber prostitution.⁴ This evolution introduces complex dynamics, transforming the modus operandi of commercial sexual exploitation and presenting novel challenges for social regulation and law enforcement.

This development reflects the dual nature of digital technology, which simultaneously fosters connectivity and facilitates new forms of exploitation. Cyber prostitution, as part of cybercrime related to decency, must be examined within a broader socio-technological framework; digital platforms actively contribute to the commodification and marginalisation of vulnerable groups, most notably women and children. At the same time, digital spaces often reproduce and amplify existing patriarchal power structures, positioning cyber prostitution not merely as an isolated criminal act but as part of a wider system of exploitation related to gender inequality, human trafficking, and weak regulatory frameworks, thereby underscoring the urgent need for stronger legal responses and enforcement mechanisms.⁵

¹ Matthew McGrath, 'Mapping State Cybercrime Law: A Typology of Statutory Coverage Across the U.S.', *Journal of Economic Criminology* 13 (September 2026): 100240, <https://doi.org/10.1016/j.jeconc.2026.100240>; Sigid Suseno et al., 'Cybercrime in the New Criminal Code in Indonesia', *Cogent Social Sciences* 11, no. 1 (2025): 2439543, <https://doi.org/10.1080/23311886.2024.2439543>; Roderic Broadhurst, 'Developments in the Global Law Enforcement of Cyber-Crime', *Policing: An International Journal* 29, no. 3 (2006): 408–33, <https://doi.org/10.1108/13639510610684674>; David S. Wall, *Cybercrime: The Transformation of Crime in the Information Age* (John Wiley & Sons, 2024).

² Aga Natalis and Naufal Hasanuddin Djohan, 'Cybersex Trafficking: Legal Challenges and Protection for Women and Children in Indonesia', *International Cybersecurity Law Review* 2025 6:3 6, no. 3 (2025): 421–56, <https://doi.org/10.1365/s43439-025-00149-1>.

³ Verania Hedi Permata, 'Online Prostitution Amidst the Rapid Technological Advances: Legal and Social Aspects', *Semarang State University Undergraduate Law and Society Review* 1, no. 1 (2021): 19–34, <https://doi.org/10.15294/LSR.V1I1.49837>.

⁴ Arif Awaludin, 'The Uncertainty of Regulating Online Prostitution in Indonesia', *International Conference on Globalization of Law and Local Wisdom (ICGLOW 2019)*, October 2019, 332–34, <https://doi.org/10.2991/icgflow-19.2019.81>.

⁵ Richard Heeks, 'From Digital Divide to Digital Justice in the Global South: Conceptualising Adverse Digital Incorporation', 22 August 2021, 766–76, <https://doi.org/10.48550/arXiv.2108.09783>; Carlos J. Mármol et al., 'Cyber-Sexual Crime and Social Inequality: Exploring Socioeconomic and Technological Determinants', *Behavioral Sciences* 15, no. 11 (2025): 1547, <https://doi.org/10.3390/bs15111547>.

Cyber prostitution, as a subset of cyber-enabled human trafficking, is a growing international concern due to its reliance on digital platforms and its transnational nature.⁶ Human trafficking, including trafficking for commercial sex acts, is increasingly facilitated through digital platforms such as social media, online advertisements, and messaging services. Such phenomenon, often referred to as “cyber-trafficking,” highlights the role of the internet in recruiting, harbouring, and exploiting victims. Cyber prostitution can be viewed as a specific manifestation of this broader issue.⁷

Framed as a global issue, cyber prostitution – much like other forms of cybercrime – transcends national borders, presenting significant challenges for domestic legal frameworks operating in isolation.⁸ International cooperation is essential to combat these crimes effectively. While existing frameworks, such as the Council of Europe Convention on Cybercrime, provide a starting point, they may prove insufficient to fully address the complexities of cyber-enabled human trafficking.⁹

The global nature of cybercrime creates several challenges in determining jurisdiction and enforcing laws across borders.¹⁰ The utilisation of encrypted communication and anonymised

⁶ David Andrew Omona, ‘Organized Crime and Contemporary World Order’, in *The Palgrave Handbook of Global Social Problems* (Springer Nature Switzerland, 2021), https://doi.org/10.1007/978-3-030-68127-2_778-1; Gargi Sarkar and Sandeep K. Shukla, ‘Bi-Directional Exploitation of Human Trafficking Victims: Both Targets and Perpetrators in Cybercrime’, *Journal of Human Trafficking*, 21 May 2024, 1–22, <https://doi.org/10.1080/23322705.2024.2353015>; Jonathan Mendel and Kiril Sharapov, ‘Human Trafficking and Online Networks: Policy, Analysis, and Ignorance’, *Antipode* 48, no. 3 (2016): 665–84, <https://doi.org/10.1111/anti.12213>.

⁷ Claudia Pretto, ‘Trafficking in Human Beings: New Challenges and Old Shadows Through a “Cybernetic Perspective”’, *International Journal of Markets and Business Systems* 6, no. 2 (2025): 175–93, <https://doi.org/10.1504/IJMABS.2025.150593>; Sigrid Raets and Jelle Janssens, ‘Trafficking and Technology: Exploring the Role of Digital Communication Technologies in the Belgian Human Trafficking Business’, *European Journal on Criminal Policy and Research* 27, no. 2 (2021): 215–38, <https://doi.org/10.1007/s10610-019-09429-z>.

⁸ Ely Aaronson and Gregory Shaffer, ‘Defining Crimes in a Global Age: Criminalization as a Transnational Legal Process’, *Law & Social Inquiry* 46, no. 2 (2021): 455–86, Cambridge Core, <https://doi.org/10.1017/lsi.2020.42>; Mohamed Chawki et al., *Cybercrime, Digital Forensics and Jurisdiction*, vol. 593 (Springer, 2015), <https://doi.org/10.1007/978-3-319-15150-2>.

⁹ Olga A. Klymenko et al., ‘Combating Cybercrime as a Prerequisite for the Development of the Digital Society’, *JANUS.NET, e-Journal of International Relations* 11, no. 1 (2020): 18–29, <https://doi.org/10.26619/1647-7251.11.1.2>; Jyothsi Mary et al., ‘Tricked by Social Media in the Harsh Search for a Better Life: The European Union’s Response to Counter Migrant Smuggling and Trafficking’, in *Transnational Unconventional Organized Crime: A National and Global Security Concern: Volume II: Regional and National Perspectives*, ed. Christian Kaunert et al. (Springer Nature Switzerland, 2025), https://doi.org/10.1007/978-3-031-96149-6_10; Laura Bartoli, ‘Cybersecurity and the Fight against Cybercrime: Partners or Competitors?’, *European Journal of Risk Regulation* 16, no. 2 (2025): 498–513, Cambridge Core, <https://doi.org/10.1017/err.2025.31>; Suzan van der Aa, ‘International (Cyber)Stalking: Impediments to Investigation and Prosecution’, in *The New Faces of Victimhood: Globalization, Transnational Crimes and Victim Rights*, ed. Rianne Letschert and Jan van Dijk (Springer Netherlands, 2011), https://doi.org/10.1007/978-90-481-9020-1_8.

¹⁰ Alexandra Perloff-Giles, ‘Transnational Cyber Offenses: Overcoming Jurisdictional Challenges’, *Yale Journal of International Law* 43, no. 1 (2018): 191–227, <https://openyls.law.yale.edu/entities/publication/8a0221ef-b03d-46fd-a7ab-45ca8e9e6e12>; Paul Arnell and Bukola Faturoti, ‘The Prosecution of Cybercrime – Why Transnational

platforms complicates the identification and prosecution of offenders. Current international laws often lack provisions specific to gender-sensitive crimes like cyber prostitution, leaving victims vulnerable. Digital platforms have a significant role in enabling cyber prostitution. Greater accountability and regulation of these platforms are necessary to curb such activities. Collaboration between governments, private companies, and international organisations becomes a critical aspect. This global interconnectedness amplifies the complexities inherent in regulating such activities, particularly given the disparate legal frameworks and socio-economic conditions across jurisdictions.

Prostitution is generally understood as the exchange of sexual services for remuneration.¹¹ However, within the context of cyber prostitution, the distinction between voluntary participation and coercion becomes increasingly complex due to subtle forms of manipulation and power asymmetries facilitated by digital platforms.¹² While the digital environment offers anonymity, it simultaneously amplifies vulnerabilities by obscuring the identities of exploiters and enabling sophisticated methods of coercion that often escape conventional legal detection. The flexibility of digital media further facilitates exploitative practices, including manipulative recruitment and sextortion, thereby complicating efforts to distinguish consensual engagement from coercion.¹³

This ambiguity underscores the need for a more comprehensive analytical framework – one that moves beyond simplistic notions of individual agency and instead considers the broader structural conditions shaping participation in online sex work. Factors such as economic precarity, limited educational access, and social vulnerability serve as a significant role in influencing involvement of cyber prostitution.¹⁴ Moreover, the increasing sophistication of cyber prostitution

and Extraterritorial Jurisdiction Should Be Resisted’, *International Review of Law, Computers & Technology* 37, no. 1 (2023): 29–51, <https://doi.org/10.1080/13600869.2022.2061888>; Sundaresh Menon and Teo Guan Siew, ‘Key Challenges in Tackling Economic and Cyber Crimes: Creating a Multilateral Platform for International Co-Operation’, *Journal of Money Laundering Control* 15, no. 3 (2012): 243–56, <https://doi.org/10.1108/13685201211238016>; Susan W. Brenner, ‘Cybercrime Jurisdiction’, *Crime, Law and Social Change* 46, no. 4 (2006): 189–206, <https://doi.org/10.1007/s10611-007-9063-7>.

¹¹ Overall Christine, ‘What’s Wrong with Prostitution? Evaluating Sex Work’, *Signs: Journal of Women in Culture and Society* 17, no. 4 (1992): 705–24, <https://doi.org/10.1086/494761>; Ronald Weitzer, *Legalizing Prostitution: From Illicit Vice to Lawful Business* (NYU Press, 2012); Ronald Weitzer, *Sex For Sale: Prostitution, Pornography, and Erotic Dancing* (Taylor & Francis, 2022), <https://doi.org/10.4324/9781003228639>.

¹² Norbert Meskó, ‘The Multiple Perspectives Approach to Understanding Sexual-Economic Exchange’, *Archives of Sexual Behavior* 54, no. 9 (2025): 3287–311, <https://doi.org/10.1007/s10508-025-03259-3>; Larissa Sandy, ‘Sex Work in Cambodia: Beyond the Voluntary/Forced Dichotomy’, *Asian and Pacific Migration Journal* 15, no. 4 (2006): 449–69, <https://doi.org/10.1177/011719680601500402>.

¹³ Elizabeth Agnew, *Cyberbullying and Sexting: Regulatory Challenges in the Digital Age* (Bloomsbury Publishing, 2024); Alana Ray and Nicola Henry, ‘Sextortion: A Scoping Review’, *Trauma, Violence, & Abuse* 26, no. 1 (2025): 138–55, <https://doi.org/10.1177/15248380241277271>; Clare McGlynn and Erika Rackley, ‘Image-Based Sexual Abuse’, *Oxford Journal of Legal Studies* 37, no. 3 (2017): 534–61, <https://doi.org/10.1093/ojls/gqw033>.

¹⁴ Noam Haviv and Dominique Roe-Sepowitz, ‘Understanding the Complex Nature of Commercial Sex: Factors Associated with Involvement in Multiple Types of Commercial Sex’, *Victims & Offenders*, 2 May 2025, 1–23,

networks, particularly through the use of social media and digital communication platforms, further blurs the boundary between voluntary engagement and exploitation, thereby complicating legal intervention.¹⁵

The conceptualisation of individuals involved in prostitution also reflects an ongoing academic debate, particularly regarding the use of victim-centred terminology such as “victims of prostitution” versus agency-oriented terms such as “sex workers”. In Indonesia, these terminological distinctions significantly influence both legal interpretation and public perception of cyber prostitution and human trafficking.¹⁶ Etymologically, the term “prostitution” originates from the Latin *prostituere*, referring to the public offering of sexual services for compensation.¹⁷ Technological developments have transformed this practice into cyber prostitution, characterised by digital transactions conducted through online platforms.¹⁸

Within this digital ecosystem, third-party intermediaries – most particularly pimps – occupy a central role in facilitating and sustaining cyber prostitution. Serving as brokers between sex workers and clients, the actors frequently leverage socio-economic vulnerabilities and power imbalances to maintain control.¹⁹ These actors may operate either as active controllers, who

<https://doi.org/10.1080/15564886.2025.2490947>; Fitriane Christiane Abidjulu et al., ‘Social Construction of Online Sex Work: A Social Welfare Analysis of MiChat-Mediated Sexual Labor in Jayapura, Orang’, *Frontiers in Sociology* 11 (2026): 1756800, <https://doi.org/10.3389/fsoc.2026.1756800>; Pablo Aguayo-Westwood, ‘Towards Multidimensional Justice for Sex Workers: Redistribution, Recognition, and Participation’, *Humanities and Social Sciences Communications* 13, orang. 1 (2026): 937, <https://doi.org/10.1057/s41599-026-07952-z>.

¹⁵ Jennifer Lynne Musto and danah boyd, ‘The Trafficking-Technology Nexus’, *Social Politics: International Studies in Gender, State & Society* 21, no. 3 (2014): 461–83, <https://doi.org/10.1093/sp/jxu018>; Christiany Juditha et al., ‘Promotion of Prostitution Services on Social Media’, *Jurnal Komunikasi: Malaysian Journal of Communication* 38, no. 2 (2022): 1–15, <https://doi.org/10.17576/JKMJC-2022-3802-01>; Michala Meiselles, ‘Are Traditional Laws Fit for Purpose? A Critique of International Law Governing the Criminal Liability of Digital Providers for Cyber-Sex-Trafficking’, in *Contemporary Economic Crime: Issues and Challenges*, 1st edn, ed. Michala Meiselles et al. (Routledge, 2025), <https://doi.org/10.4324/9781003324843-16>.

¹⁶ Aga Natalis, ‘Power, Law, and the Semiotics of Marginalisation: Rethinking Prostitution, Health Risk, and Legal Discourse in Indonesia’, *International Journal for the Semiotics of Law - Revue Internationale de Sémiotique Juridique*, ahead of print, 2 July 2025, <https://doi.org/10.1007/s11196-025-10310-y>.

¹⁷ Stuart P. Green, ‘What Counts as Prostitution?’, *Bergen Journal of Criminal Law & Criminal Justice* 4, no. 1 (2016): 65–101, <https://doi.org/10.15845/bjclcj.v4i1.1027>; Elizabeth Krumrei Mancuso and Bennett E. Postlethwaite, *Women Who Sell Sex: A Review of Psychological Research with Clinical Implications* (Springer Nature, 2020), <https://doi.org/10.1007/978-3-030-47027-2>; Terah J. Stewart, *Sex Work on Campus* (Routledge, 2022), <https://doi.org/10.4324/9781003194101>.

¹⁸ Keith Sharp and Sarah Earle, ‘Cyberpunters and Cyberwhores: Prostitution on the Internet’, in *Dot.Cons: Crime, Deviance and Identity on the Internet*, 1st edn, ed. Yvonne Jewkes (Willan, 2003), <https://doi.org/10.4324/9781843924449-3>; Angela Jones, ‘Sex Work in a Digital Era’, *Sociology Compass* 9, no. 7 (2015): 558–70, <https://doi.org/10.1111/soc4.12282>; Rosie Campbell et al., ‘Risking Safety and Rights: Online Sex Work, Crimes and “Blended Safety Repertoires”’, *The British Journal of Sociology* 70, no. 4 (2019): 1539–60, <https://doi.org/10.1111/1468-4446.12493>; Melissa Farley et al., ‘Online Prostitution and Trafficking’, *Albany Law Review* 77, no. 3 (2014): 101–57, <https://www.albanylawreview.org/article/70164-online-prostitution-and-trafficking>; Natalis and Djohan, ‘Cybersex Trafficking: Legal Challenges and Protection for Women and Children in Indonesia’, 2025.

¹⁹ Wen Akhuai et al., ‘Social Capital of Pancasila Education in Smart Education with Social Media in Cybercrime Prevention in the Industrial Revolution Era 4.0’, *Jurnal Panjar: Pengabdian Bidang Pembelajaran* 4, no. 2 (2022):

directly manage and supervise sex workers, or as passive facilitators, who connect several parties through digital platforms without overt oversight.²⁰ The use of digital technologies, therefore, enables these intermediaries to expand their operations while simultaneously complicating detection and legal accountability.²¹

The rapid expansion of digital platforms has also transformed the operational dynamics of prostitution. Social media, websites, and messaging applications are increasingly used to promote services, conduct transactions, and manage interactions, allowing for greater flexibility and broader market reach. This transition from conventional to digital prostitution is further driven by the closure of physical prostitution sites and the efficiency offered by online platforms. As a result, cyber prostitution has evolved into a more decentralised and technologically mediated system, characterised by increased anonymity and accessibility.

However, cyber prostitution cannot be understood through an economic perspective only. Participation is shaped by a range of structural and social factors, including poverty, gender inequality, limited access to education, and broader social vulnerability.²² The digital environment not only lowers barriers to entry but also increases exposure to exploitation – particularly in the contexts where regulatory oversight remains limited. This shift has led to a significant migration of prostitution activities from physical spaces to digital platforms, causing difficult for authorities and support systems to identify and assist vulnerable individuals.²³

In Indonesia, the absence of specific legal provisions addressing cyber prostitution creates significant challenges in law enforcement, particularly in prosecuting all actors involved, including service users. Existing regulations tend to focus on facilitators rather than addressing the broader network of exploitation, thereby reinforcing a limited, transaction-based understanding of the

283–442, <https://doi.org/10.15294/PANJAR.V4I2.55047>; Pravin Patkar, 'Survivor: An Analysis of the Term from India', *Dignity: A Journal on Sexual Exploitation and Violence* 5, no. 3 (2020): 1-6, <https://doi.org/10.23860/DIGNITY.2020.05.03.04>.

²⁰ Wasis and Nurzakiah Nurzakiah, 'The Need for Criminalizing Online Prostitution in Indonesia', *3rd International Conference on Law Reform (3rd INCLAR)*, 2022, 360–73, <https://doi.org/10.18502/kss.v7i15.12108>.

²¹ Suzarika Sahak et al., 'Liability of Internet Intermediaries and Legal Challenges: A Comprehensive Systematic Review', *Quality & Quantity* 60, no. 1 (2026): 2435–57, <https://doi.org/10.1007/s11135-025-02344-y>; Uta Kohl, 'The Rise and Rise of Online Intermediaries in the Governance of the Internet and Beyond – Connectivity Intermediaries', *International Review of Law, Computers & Technology* 26, nos 2–3 (2012): 185–210, <https://doi.org/10.1080/13600869.2012.698455>; Winda Hayu Rahmawati, 'Pertanggungjawaban Pidana Pengguna Jasa Prostitusi Online', *Media Iuris* 3, no. 3 (2020): 367–82, <https://doi.org/10.20473/mi.v3i3.23047>.

²² Mukhlis, 'Trafficking of Women in Entikong Sub-District Sanggau Regency, Indonesia', *Jurnal Perspektif Pembiayaan Dan Pembangunan Daerah* 9, no. 2 (2021): 187–98, <https://doi.org/10.22437/ppd.v9i2.13079>.

²³ Meredith Dank et al., 'Estimating the Size and Structure of the Underground Commercial Sex Economy in Eight Major US Cities', *PsycEXTRA Dataset*, ahead of print, 2014, <https://doi.org/10.1037/E508162014-001>; Teela Sanders et al., 'Policing Vulnerability in Sex Work: The Harm Reduction Compass Model', *Policing and Society* 31, no. 9 (2021): 1100–1116, <https://doi.org/10.1080/10439463.2020.1837825>.

phenomenon.²⁴ This regulatory gap contributes to unequal enforcement, where sex workers are disproportionately targeted while clients often evade accountability, further perpetuating stigma and structural inequality.²⁵

In 2018, the Cybercrime Directorate of the Special Criminal Investigation Unit of the East Java Regional Police apprehended Yunita *aka* Keyko, a 40-year-old woman characterised as a “cyber prostitution queen.” She facilitated sexual services through the WhatsApp messaging application by distributing photographs of sex workers to clients across seven provinces. Previously, in 2012, she had been indicted in a cyber prostitution case in Surabaya. A resident of Surabaya, the defendant oversaw a network of 1,600 online sex workers distributed throughout Indonesia, exemplifying an active pimp role through direct management and coercion mechanisms. These workers encompassed diverse professions, including models, lady escorts, and female students, catering to an elite clientele of upper-middle-class individuals, officials, and businessmen.²⁶

Subsequently, in 2021, the Jakarta Metropolitan Regional Police dismantled a cyber prostitution network involving minors in two hotels in West Jakarta, resulting in the arrest of 75 individuals – including active pimps, prostitutes, and hotel employees.²⁷ The *modus operandi* involved perpetrators initially contacting victims through social media, followed by meetings at hangouts or restaurants where they posed as romantic partners. They then lured the minors to stay at the hotels for several days, during which sexual exploitation occurred under the guise of relationships.²⁸ These cases illustrate the evolving and complex nature of cyber prostitution networks in Indonesia, emphasising the urgent need for legal frameworks to adapt to emerging technologies and new forms of exploitation. Accordingly, a more comprehensive and

²⁴ Ratih Mega Puspasari, ‘Reconstruction of Criminal Sanctions on Actors of Online Prostitution Based on Justice Value’, *Law Development Journal* 1, no. 1 (2019): 32-38, <https://doi.org/10.30659/LDJ.1.1.32-38>.

²⁵ Subaidah Ratna Juita et al., ‘Reformulasi Pertanggungjawaban Pidana Pada Pelaku Prostitusi Online: Suatu Kajian Normatif’, *Jurnal Dinamika Sosial Budaya* 18, no. 1 (2017): 146–58, <https://doi.org/10.26623/JDSB.V18I1.565>; Agita Chici Rosdiana, ‘Online Prostitution in Media Social: How Is the Victim Protection?’, *Indonesia Media Law Review* 1, no. 2 (2022): 145–64, <https://doi.org/10.15294/IMREV.V1I2.60584>.

²⁶ M. Faiz Zaki, ‘Muncikari Prostitusi Online Big Pertamina Rekrut Mahasiswi Dan Pekerja Kantoran Lewat Twitter - Metro Tempo.Co’, *Tempo*, 2023, <https://www.tempo.co/hukum/muncikari-prostitusi-online-big-pertamax-rekrut-mahasiswi-dan-pekerja-kantoran-lewat-twitter--226155>.

²⁷ Detik, ‘Polisi Ungkap Prostitusi Online Libatkan Anak di Bawah Umur’, *DW Indonesia*, 25 May 2021, <https://www.dw.com/id/polisi-ungkap-prostitusi-online-libatkan-anak-dibawah-umur/a-57649763>; Indonesian National Police, ‘Greater Jakarta Metropolitan Police Disclosed Online Prostitution Involved 18 Minors (Underaged Children)’, *INP | Indonesian National Police* (Jakarta), 24 May 2021, <https://inp.polri.go.id/artikel/greater-jakarta-metropolitan-police-disclosed-online-prostitution-involved-18-minors-underaged-children>.

²⁸ M. Julnis Firmansyah, ‘Prostitusi Online, 75 Orang Ditangkap dalam Penggerebekan Dua Hotel’, *Tempo.co* (Jakarta), 24 May 2021, <https://www.tempo.co/arsip/prostitusi-online-75-orang-ditangkap-dalam-penggerebekan-dua-hotel--510617>.

multidisciplinary approach is required – integrating legal reform, social protection, and economic empowerment to address the structural drivers of cyber prostitution and reduce the risks of exploitation within digital environments.²⁹

Understanding the underlying mechanisms that perpetuate these illicit exchanges necessitates a theoretical framework capable of analysing the comparative advantages and disadvantages perceived by actors within these networks. Specifically, social exchange theory provides a robust lens through which to examine the reciprocal benefits and costs individuals weigh when engaging in cyber prostitution, thereby elucidating the structural motivations behind their participation in these routinely exploitative transactions.³⁰ This theoretical perspective highlights how individuals engage in exchanges based on anticipated rewards and benefits, even within illicit contexts including cybersex trafficking – where the internet facilitates both social interaction and exploitation.³¹ Such framework allows for an analysis of the negotiated and reciprocal exchanges occurring in cyber prostitution, where participants assess the costs and benefits of their involvement, often under coercive circumstances.³²

This research therefore seeks to apply social exchange theory to dissect the intricate transactional relationships prevalent in Indonesian cyber prostitution – particularly focusing on the perceived incentives and disincentives for all parties involved, including perpetrators, intermediaries, and victims. It further investigates how the asymmetrical power dynamics inherent in these exchanges often render victims vulnerable, especially minors, whose limited bargaining power and socio-economic disadvantages are exploited within patriarchal societal structures. This examination also considers how the legal framework in Indonesia attempts to address these issues,

²⁹ Aga Natalis et al., ‘Determining Appropriate Policies for Prostitution Reform in Indonesia: Evaluating Harm Reduction Versus Harm Elimination Strategies’, *Journal of Southeast Asian Human Rights* 7, no. 2 (2023): 176–213, <https://doi.org/10.19184/jseahr.v7i2.37952>; Aga Natalis, ‘Human Rights and HIV Prevention: Re-Thinking Prostitution Policies in Indonesia’, *HIV & AIDS Review* 25, no. 2 (2026): 97–103, <https://doi.org/10.5114/hivar/217455>.

³⁰ Brittany Palatchie, Alice Beban, and Tracey Nicholls, ‘Structural Violence of Platform Capitalism: A Case Study of Online Sex Workers’ Experiences’, *Journal of Sociology* 61, no. 2 (2025): 339–57, <https://doi.org/10.1177/14407833241293161>; Alicia Mergenthaler and Taha Yasserli, ‘Selling Sex: What Determines Rates and Popularity? An Analysis of 11,500 Online Profiles’, *Culture, Health & Sexuality* 24, no. 7 (2022): 935–52, <https://doi.org/10.1080/13691058.2021.1901145>; Russell Cropanzano and Marie S. Mitchell, ‘Social Exchange Theory: An Interdisciplinary Review’, *Journal of Management* 31, no. 6 (2005): 874–900, <https://doi.org/10.1177/0149206305279602>.

³¹ Sarah Paquette et al., *Online Sexual Crimes, Offenders, and Victims: Theory, Research, and Practice* (Taylor & Francis, 2025), <https://doi.org/10.4324/9781003512653>; Siddhartha Sarkar, *Use of Social Networking Technology in Sex Trafficking* (Bloomsbury Publishing USA, 2024).

³² Rachel Jewkes et al., ‘Transactional Relationships and Sex with a Woman in Prostitution: Prevalence and Patterns in a Representative Sample of South African Men’, *BMC Public Health* 12, no. 1 (2012): 325, <https://doi.org/10.1186/1471-2458-12-325>; Nick Cowen and Rachela Colosi, ‘Sex Work and Online Platforms: What Should Regulation Do?’, *Journal of Entrepreneurship and Public Policy* 10, no. 2 (2020): 284–303, <https://doi.org/10.1108/JEPP-03-2019-0009>.

comparing international standards and evaluating the effectiveness of current policies in combating digital sexual exploitation.

This study critically evaluates the implementation of Social Exchange Theory to cyber prostitution in Indonesia, contending that its emphasis on transactional dynamics conceals the deeper socio-economic factors and exploitative power asymmetries defining this issue. The analysis assess whether the theory's reliance on reciprocal exchanges adequately addresses the structural vulnerabilities driving individuals to engage in online sex work, or if it inadvertently reinforces victim-blaming discourses. Moreover, this constrained framework frequently ignores the advanced tactics of traffickers, who exploit digital technologies to coerce women and children into sexual exploitation, converting virtual environments into venues of compulsion rather than voluntary economic exchanges.³³

This study employs a critical and interdisciplinary doctrinal legal method to examine the regulation of cyber prostitution under Indonesian criminal law. It combines statutory, conceptual, and theoretical approaches. The statutory approach examines the Indonesian Criminal Code, the Electronic Information and Transactions Law, the Pornography Law, the Anti-Trafficking Law, the Child Protection Law, the Sexual Violence Crimes Law, and other relevant regulations governing digitally mediated prostitution and sexual exploitation. The conceptual approach clarifies the distinctions among cyber prostitution, digitally mediated sex work, human trafficking, sexual exploitation, and the commercial sexual exploitation of children.

The study relies on primary legal materials consisting of Indonesian legislation and relevant international legal instruments. Secondary materials include scholarly articles, books, institutional reports, and previous empirical studies concerning cybercrime, prostitution, trafficking, sexual violence, child protection, digital platforms, structural vulnerability, and Social Exchange Theory. Documented law-enforcement cases reported by official institutions or credible media are used only as contextual illustrations and are not treated as judicial decisions or primary empirical data.

The legal materials are analysed through systematic and critical legal interpretation. Systematic interpretation is used to examine the relationship, overlap, and potential inconsistency among the relevant statutory provisions. Critical legal analysis is employed to assess the normative adequacy of the existing framework, particularly its capacity to distinguish consensual adult conduct from coercion, trafficking, child exploitation, and other forms of abuse. The analysis also

³³ Xavier L'Hoiry et al., 'Human Trafficking, Sexual Exploitation and Digital Technologies', *Trends Organ Crime* 27, no. 1 (2024): 1–9, <https://doi.org/10.1007/s12117-024-09526-4>.

considers how criminal responsibility is distributed among pimps, traffickers, clients, sex workers, and digital intermediaries.

Social Exchange Theory is used as an interdisciplinary analytical framework to examine power-dependence relations among pimps, sex workers, and clients. Rather than presuming that these relationships constitute voluntary and reciprocal exchanges between actors with equal bargaining power, the study examines how unequal control over clients, prices, digital access, accommodation, protection, information, and emotional resources shapes the terms of exchange. Social Exchange Theory is therefore applied together with the concepts of constrained agency, structural vulnerability, and asymmetric exchange.

Through this method, the study identifies normative fragmentation, conceptual ambiguity, and accountability gaps within the regulation of cyber prostitution. It subsequently formulates proposals for a coherent, technologically responsive, victim-centred, and proportionate legal framework that differentiates consent from exploitation and allocates responsibility according to each actor's intention, knowledge, control over resources, financial benefit, and contribution to harm.

Accordingly, this study addresses two principal questions: first, how cyber prostitution is regulated under Indonesian criminal law; and second, how power-dependence relations among pimps, sex workers, and clients affect the legal characterisation of consent, exploitation, and criminal responsibility in digitally mediated prostitution.

B. The Social and Cultural Effects of Cyber Prostitution

The proliferation of digital platforms has significantly reshaped social norms and behaviours, contributing to the emergence of cyber prostitution as a complex socio-cultural phenomenon.³⁴ The transition from conventional prostitution to digital environments alters modes of interaction and introduces new challenges for legal systems – requiring a multidimensional analysis that integrates socio-cultural, legal, and technological perspectives.³⁵

³⁴ Suleman Ibrahim, 'Social and Contextual Taxonomy of Cybercrime: Socioeconomic Theory of Nigerian Cybercriminals', *International Journal of Law, Crime and Justice* 47 (December 2016): 44–57, <https://doi.org/10.1016/j.ijlcj.2016.07.002>; Levent Önal, 'Behind the Webcam: Women, Work and Stigma', *Culture, Health & Sexuality*, 5 January 2026, 1–12, <https://doi.org/10.1080/13691058.2025.2605491>; Fernanda Veiverberg, 'Online Sex Work and Identity Expression: Unmasking Camming', *Sexuality & Culture* 29, no. 1 (2025): 1–21, <https://doi.org/10.1007/s12119-024-10273-5>.

³⁵ Fuadi Isnawan, 'Criminal Law Enforcement to Combat Social Media-Based Prostitution', *Krtha Bhayangkara* 18, no. 2 (2025): 354–80, <https://doi.org/10.31599/krtha.v18i2.1868>.

Advancements in information technology have fundamentally altered patterns of social interaction, enabling new forms of transactional sexual practices that extend beyond physical encounters. This shift has given rise to a distinct digital culture wherein sexual services can be commodified and distributed globally with minimal physical contact.³⁶ However, this expanded digital accessibility also increases exposure to new forms of exploitation, including cyberbullying, doxing, and sextortion, which may pressure individuals into participating in cyber prostitution.³⁷ The anonymity and scalability of online platforms further intensify vulnerability, particularly among individuals facing socio-economic constraints such as poverty and limited opportunities.³⁸

At the cultural level, cyber prostitution contributes to the normalisation of transactional intimacy and the commodification of the human body, while simultaneously reinforcing social stigma against those involved. Moreover, the absence of robust regulatory frameworks allows unregulated digital spaces to proliferate, often without ensuring protection, consent, or accountability.³⁹ These conditions foster a shadow digital economy in which cyber prostitution intersects with other forms of cybercrime – including cyberpornography and online sexual exploitation, thereby complicating enforcement and victim protection.⁴⁰

Furthermore, participation in cyber prostitution is influenced not only by economic considerations but also by broader structural and social factors, including educational disparities, family environment, and social conditions. These factors highlight the importance of understanding cyber prostitution within a framework of structural vulnerability rather than purely individual choice.⁴¹ The discreet and decentralised nature of digital platforms further complicates

³⁶ Kristian Bankov, 'Cultural Transformations of Love and Sex in the Digital Age', *Digital Age in Semiotics & Communication* 2 (November 2019): 7–17, <https://doi.org/10.33919/DASC.19.2.1>.

³⁷ Ruth L. Milanaik et al., 'Digital Sextortion: Internet Predators and Pediatric Interventions', *Current Opinion in Pediatrics* 32, no. 1 (2020): 192–97, <https://doi.org/10.1097/MOP.0000000000000854>; Latika Choudhary and Hardik Daga, 'Is Love a Crime-Decoding Cybercrimes in Online Dating and Risk Mitigation', in *The Techno-Legal Dynamics of Cyber Crimes in Industry 5.0* (2025), <https://doi.org/10.1002/9781394242177.ch8>; Juliana Friend, 'Digital Privacy Is a Sexual Health Necessity: A Community-Engaged Qualitative Study of Virtual Sex Work and Digital Autonomy in Senegal', *Sexual and Reproductive Health Matters* 31, no. 4 (2023): 2272741, <https://doi.org/10.1080/26410397.2023.2272741>.

³⁸ Rosdiana, 'Online Prostitution in Media Social: How Is the Victim Protection?'; Jones, 'Sex Work in a Digital Era'; Campbell et al., 'Risking Safety and Rights: Online Sex Work, Crimes and "Blended Safety Repertoires"'.
³⁹ Cristian Alejandro Vidal Rúa, 'La Cibernética Jurídica y Los Contratos Cibernéticos', *InterNaciones*, no. 25 (2023): 153–72, <https://doi.org/10.32870/in.vi25.7258>.

⁴⁰ Henny Saida Flora, 'Modus Operandi Tindak Pidana Prostitusi Melalui Media Sosial Online', *Journal Justiciabelen* 2, no. 2 (2022): 120–138, <https://doi.org/10.35194/jj.v2i2.2115>; Lina Rosyidah Firdausa, 'Law Enforcement Arrangements in Online Prostitution in Indonesian Security Context', *Indonesian Journal of Counter Terrorism and National Security* 1, no. 1 (2022): 21–44, <https://doi.org/10.15294/ijctns.v1i1.56722>.

⁴¹ Abidjulu et al., 'Social Construction of Online Sex Work: A Social Welfare Analysis of MiChat-Mediated Sexual Labor in Jayapura, Indonesia'; Enoch Boafu Amponsah et al., 'Risk and Protective Factors of Commercial Sexual Exploitation of Children and Adolescents in Sub-Saharan Africa: A Systematic Review', *Trauma, Violence, & Abuse* 25, no. 4 (2024): 3177–90, <https://doi.org/10.1177/15248380241241021>; Ieke de Vries et al., 'Social

regulation and enforcement, making it difficult to distinguish between consensual participation and exploitation. This challenge is further intensified by evolving methods used by intermediaries and traffickers, who utilise online platforms and communication technologies to recruit and control individuals without direct physical interaction.⁴²

C. Lack of Attention to the Socio-Economic Conditions Fuelling Cyber Prostitution

Current academic discourse and legal frameworks often pay insufficient attention to the socio-economic conditions that drive individuals into cyber prostitution, thereby overlooking the structural inequalities and systemic vulnerabilities that shape participation. As a result, the phenomenon is frequently reduced to a transactional exchange, neglecting the significant roles of poverty, limited access to education, and gender inequality in influencing individual circumstances.⁴³ This limited perspective constrains the development of effective policies, as it fails to address the root causes underlying engagement in online sex work.

A more comprehensive approach is required to comprehend the continuum of constrained autonomy experienced by individuals in cyber prostitution. While some participation may appear voluntary, it is often influenced by varying degrees of pressure, ranging from subtle socio-economic constraints to more explicit forms of coercion.⁴⁴ This continuum challenges rigid distinctions between “voluntary” and “forced” prostitution, emphasising the fluid interaction between consent and constraint within the sex industry.⁴⁵ The absence of clear legal definitions regarding concepts such as coercion and sexual exploitation further complicates this issue, leading

Network Exposure to Commercial Sexual Exploitation and Risk of Harm to Youths’, *JAMA Network Open* 8, no. 6 (2025): e2513520–e2513520, <https://doi.org/10.1001/jamanetworkopen.2025.13520>.

⁴² L’Hoiry et al., ‘Human Trafficking, Sexual Exploitation and Digital Technologies’.

⁴³ Lucy Platt et al., ‘Associations between Sex Work Laws and Sex Workers’ Health: A Systematic Review and Meta-Analysis of Quantitative and Qualitative Studies’, *PLoS Medicine* 15, no. 12 (2018): e1002680–e1002680, 30532209, pp. e1002680–e1002680, PubMed, <https://doi.org/10.1371/journal.pmed.1002680>; Kate Shannon et al., ‘Global Epidemiology of HIV Among Female Sex Workers: Influence of Structural Determinants’, *The Lancet* 385, no. 9962 (2015): 55–71, [https://doi.org/10.1016/S0140-6736\(14\)60931-4](https://doi.org/10.1016/S0140-6736(14)60931-4); Chris Bruckert and Stacey Hannem, ‘Rethinking the Prostitution Debates: Transcending Structural Stigma in Systemic Responses to Sex Work’, *Canadian Journal of Law and Society / Revue Canadienne Droit et Société* 28, no. 1 (2013): 43–63, Cambridge Core, <https://doi.org/10.1017/cls.2012.2>.

⁴⁴ Kristine Hickie and Dominique Roe-Sepowitz, “Curiosity and a Pimp”: Exploring Sex Trafficking Victimization in Experiences of Entering Sex Trade Industry Work Among Participants in a Prostitution Diversion Program’, *Women and Criminal Justice* 27, no. 2 (2017): 122–38, <https://doi.org/10.1080/08974454.2015.1128376>.

⁴⁵ Jody Freeman, ‘The Feminist Debate over Prostitution Reform: Prostitutes’ Rights Groups, Radical Feminists, and the (Im)Possibility of Consent’, *Berkeley Women’s Law Journal* 5, no. 1 (1990): 75–109, <https://doi.org/10.15779/Z380P3V>; Julia O’Connell Davidson, *Prostitution, Power, and Freedom* (University of Michigan Press, 1998); Aga Natalis, ‘From Feminist Debates to Feminist Policy: Toward a Polymorphous Discourse in Prostitution Regulation’, *Revista Direito e Sexualidade* 6, no. 2 (2025): 1–41, <https://doi.org/10.9771/rds.v6i2.66251>; Hendrik Wagenaar et al., *Designing Prostitution Policy: Intention and Reality in Regulating the Sex Trade* (Policy Press, 2017), <https://doi.org/10.1332/9781447335191>.

to inconsistent interpretation and enforcement.⁴⁶ In this context, it is important to distinguish between socio-economic and psychosocial dimensions of cybercrime, as gender relations and power structures remain influential in digital environments.⁴⁷

Online exploitation often involves financial incentives and psychological manipulation and control, reflecting the persistence of inequality in virtual spaces. Moreover, technological expansion within neoliberal economic systems may position cyber prostitution as a survival strategy for marginalised groups, highlighting the importance of examining broader socio-economic determinants rather than focusing on individual choice.⁴⁸

Such an expanded analytical perspective is essential for developing policy responses that transcend purely punitive approaches, turning attention instead towards the structural conditions of vulnerability.⁴⁹ Although digital platforms may provide certain opportunities, they also generate new risks and forms of exploitation that are often underestimated. Furthermore, the persistent conflation of sex work with sex trafficking obscures the diversity of experiences and degrees of agency within the industry, complicating both legal regulation and policy design.⁵⁰

This conflation may result in regulatory approaches that disproportionately target sex workers rather than addressing systemic exploitation. For instance, legislation such as SESTA-FOSTA intended to combat trafficking, has been criticised for restricting access to digital platforms that provide safety and support, thereby increasing vulnerability and pushing sex workers into more precarious conditions.⁵¹ These dynamics demonstrate that, without addressing

⁴⁶ Katie Cruz et al., 'Tourism and Sexual Violence and Exploitation in Jamaica: Contesting the "Trafficking and Modern Slavery" Frame', *Journal of the British Academy*, 2019, 191–216, <https://doi.org/10.5871/jba/007s1.191>.

⁴⁷ Suleman Lazarus, 'Just Married: The Synergy between Feminist Criminology and the Tripartite Cybercrime Framework', *International Social Science Journal* 69, no. 231 (2019): 15–33, <https://doi.org/10.1111/issj.12201>.

⁴⁸ Kaitlin Casassa et al., 'Trauma Bonding Perspectives From Service Providers and Survivors of Sex Trafficking: A Scoping Review', *Trauma, Violence, & Abuse* 23, no. 3 (2022): 969–84, <https://doi.org/10.1177/1524838020985542>; Palatchie, Beban, and T. Nicholls, 'Structural Violence of Platform Capitalism: A Case Study of Online Sex Workers' Experiences'; Vaughn Hamilton et al., 'Risk, Resilience and Reward: Impacts of Shifting to Digital Sex Work', *Proceedings of the ACM on Human-Computer Interaction* 6, no. CSCW2 (2022): 1–37, <https://doi.org/10.1145/3555650>.

⁴⁹ Athena Michalakea, 'Reframing "Online Safety": The Neo-Abolitionist Agenda and the Digital Surveillance of Sex Workers', *Justice, Power and Resistance*, 2025, 1–21, <https://doi.org/10.1332/26352338y2025d000000041>.

⁵⁰ Ine Vanwesenbeeck, 'The Making of "The Trafficking Problem"', *Archives of Sexual Behavior* 48, no. 7 (2019): 1961–67, <https://doi.org/10.1007/s10508-018-1367-4>.

⁵¹ Quinn Maya Kinzer, 'Policy and Platforms: Sex Workers' Labor Experiences Under Changing Online Regulation', *Gender, Work & Organization* 32, no. 6 (2025): 2369–84, <https://doi.org/10.1111/gwao.70014>; Carmela Morgillo and Salomé Lannier, 'Surveil to Protect and Surveil to Punish: Strategies to Tackle Sexual Exploitation Between National Law and Global Corporate Policies', *Platforms & Society* 2 (November 2025): 29768624251352026, <https://doi.org/10.1177/29768624251352026>; Kimberly Fuentes et al., 'SESTA/FOSTA as de Facto Hate Policy: Combatting Carceral Investments and Uplifting Community-Based Solutions', *Sexuality Research and Social Policy* 22, no. 4 (2025): 1705–16, <https://doi.org/10.1007/s13178-024-01075-3>; Carolyn Bronstein, 'Deplatforming Sexual Speech in the Age of FOSTA/SESTA', *Porn Studies* 8, no. 4 (2021): 367–80, <https://doi.org/10.1080/23268743.2021.1993972>; Caitlyn Burnitis, 'Facing the Future with FOSTA: Examining

underlying socio-economic factors, legal interventions risk reinforcing, rather than reducing, structural precarity.

D. Social Exchange in Cyber Prostitution Activities

Social Exchange Theory (SET) represents a central and enduring framework in the social sciences for explaining how relationships can be formed, maintained, and dissolved through processes of exchange.⁵² Although its formal development is commonly attributed to mid-20th century, some studies such as Homans⁵³, Thibaut and Kelley⁵⁴, Blau⁵⁵, and Emerson⁵⁶ as the intellectual roots of SET can be traced back to earlier anthropological works, particularly those of Malinowski⁵⁷ and Mauss⁵⁸, which conceptualise exchange as a fundamental social mechanism grounded in reciprocity and obligation.⁵⁹ Homans⁶⁰ first articulated the idea of “*social behaviour as exchange*,” emphasising a psychological and behaviourist orientation in which individuals engage in interactions based on rational calculations aimed at maximizing rewards and minimizing costs, an approach further elaborated in his later work. This perspective was complemented by Thibaut and Kelley⁶¹, who introduced a social psychological analysis of group dynamics and comparative evaluation, suggesting that individuals assess relationships based on expected outcomes and available alternatives. Blau⁶² subsequently expanded the theory into a broader sociological framework by introducing the concept of “*exchange and power*,” arguing that social

the Allow States and Victims to Fight Online Sex Trafficking Act of 2017’, *University of Miami Race & Social Justice Law Review* 10, no. 2 (2020): 139–66, <https://repository.law.miami.edu/umrsljr/vol10/iss2/7/>.

⁵² Richard M. Emerson, ‘Social Exchange Theory’, *Annual Review of Sociology* 2 (August 1976): 335–62, <https://doi.org/10.1146/annurev.so.02.080176.002003>; Angeleia Do et al., ‘Social Exchange Theory’, in *Encyclopedia of Sexual Psychology and Behavior*, ed. Todd K. Shackelford (Springer International Publishing, 2025), https://doi.org/10.1007/978-3-031-08956-5_2509-1.

⁵³ George C. Homans, ‘Social Behavior as Exchange’, *American Journal of Sociology* 63, no. 6 (1958): 597–606, <https://doi.org/10.1086/222355>.

⁵⁴ John W. Thibaut and Harold H. Kelley, *The Social Psychology of Groups*, *The Social Psychology of Groups*. (John Wiley, 1959).

⁵⁵ Peter M. Blau, *Exchange and Power in Social Life* (John Wiley & Sons, 1964).

⁵⁶ Richard M. Emerson, ‘Power-Dependence Relations’, *American Sociological Review* 27, no. 1 (1962): 31, <https://doi.org/10.2307/2089716>.

⁵⁷ Bronislaw Malinowski, *Argonauts of the Western Pacific: An Account of Native Enterprise and Adventure in the Archipelagoes of Melanesian New Guinea* (George Routledge & Sons, 1922).

⁵⁸ Marcel Mauss, ‘Essai Sur Le Don: Forme Et Raison De L’échange Dans Les Sociétés Archaïques’, *L’Année sociologique* (Paris) 1 (1925): 30–186, <https://www.scirp.org/reference/referencespapers?referenceid=4164276>.

⁵⁹ Cropanzano and Mitchell, ‘Social Exchange Theory: An Interdisciplinary Review’; Harumi Befu, ‘Social Exchange’, *Annual Review of Anthropology* 6 (1977): 255–81.

⁶⁰ Homans, ‘Social Behavior as Exchange’.

⁶¹ John W. Thibaut and Harold H. Kelley, *The Social Psychology of Groups*, *The Social Psychology of Groups*. (John Wiley, 1959).

⁶² Blau, *Exchange and Power in Social Life*.

exchanges consist of voluntary actions motivated by expected returns while simultaneously generating power differentials due to unequal access to valued resources.

Classical formulations of SET thus emphasise the rational calculation, where individuals evaluate relationships by comparing anticipated benefits with associated sacrifices and continue interactions when perceived outcomes remain favourable. However, contemporary developments have significantly expanded this perspective by considering that exchanges are not purely economic or utilitarian, but involve non-material dimensions such as power, trust, emotional dependency, and social obligations.⁶³ These developments highlight that social relationships are embedded within complex structures of reciprocity and interdependence, where norms, emotions, and relational dynamics have a crucial role alongside rational evaluation,⁶⁴ and further demonstrate that SET functions as an interdisciplinary framework applicable across sociology, psychology, and anthropology in explaining diverse forms of social interaction.⁶⁵

Importantly, modern interpretations of Social Exchange Theory (SET) reject the assumption that all exchanges are inherently balanced or mutually beneficial. Instead, exchange relationships are often shaped by power asymmetries arising from unequal control over resources, leading to structurally imbalanced interactions.⁶⁶ Within this framework, power is conceptualised as a function of dependence, whereby actors who command valued resources exercise influence over exchange outcomes disproportionately.⁶⁷ Moreover, contemporary interpretations emphasise that social exchanges are embedded within broader institutional and socio-economic contexts, in which norms of reciprocity, expectations, and structural inequalities shape relational dynamics and outcomes.⁶⁸ As highlighted in recent scholarship, these embedded inequalities significantly affect bargaining positions and reinforce asymmetrical relationships, particularly in informal and digitally mediated economies. This theoretical shift is critical for understanding complex and

⁶³ Jeongkoo Yoon et al., 'Exchange and Cohesion in Dyads and Triads: A Test of Simmel's Hypothesis', *Social Science Research* 42, no. 6 (2013): 1457–66, <https://doi.org/10.1016/j.ssresearch.2013.06.003>.

⁶⁴ Ronald M. Sabatelli and Constance L. Shehan, 'Exchange and Resource Theories', in *Sourcebook of Family Theories and Methods*, ed. P. Boss et al. (Springer, 2009), https://doi.org/10.1007/978-0-387-85764-0_16.

⁶⁵ Karen S. Cook et al., 'Social Exchange Theory', in *Handbook of Social Psychology*, ed. John DeLamater and Amanda Ward (Springer Netherlands, 2013), https://doi.org/10.1007/978-94-007-6772-0_3.

⁶⁶ Linda D. Molm, 'The Social Exchange Framework', in *Contemporary Social Psychological Theories*, ed. Peter J. Burke (Stanford University Press, 2006).

⁶⁷ Brent Simpson et al., 'Power and the Perception of Social Networks', *Social Networks* 33, no. 2 (2011): 166–71, <https://doi.org/10.1016/j.socnet.2010.10.007>.

⁶⁸ Cropanzano and Mitchell, 'Social Exchange Theory: An Interdisciplinary Review'; Nada Musleh and Christine Cross, 'Social Exchange Theory', in *Theories and Concepts in Work and Employment Relations: A Concise Guide*, 1st edn, ed. Andrew Smith et al., Elgar Guides to Key Theories (Edward Elgar Publishing, 2025), <https://doi.org/10.4337/9781035316205.00019>.

informal economic activities, including cyber prostitution, where power imbalances and resource dependency are often intensified.⁶⁹

Building upon this theoretical shift, the expansion of cyber prostitution can be understood as part of a broader reconfiguration of sexual labour within the dynamics of digital capitalism, wherein intimacy is increasingly commodified and mediated through technologically enabled platforms. Rather than operating as fragmented or informal practices, such activities are organised in ways analogous to contemporary digital marketplaces, characterised by structured processes of commodification, including advertisement, pricing, negotiation, and payment facilitated through social media and specialised online infrastructures. Empirical studies further indicate that cyber prostitution involves systematic informational architectures comprising service descriptions, pricing schemes, and transactional mechanisms.⁷⁰ Moreover, promotional strategies often reinforced through visual and symbolic representations designed to enhance desirability and market value. The types of services offered demonstrate significant variation, ranging from direct physical encounters to digitally mediated interactions, including video-based (e.g., video call services), image-based (e.g., exchange of explicit content), and audio-based services. This diversification of service modalities reflects the adaptability of the industry to digital environments and the deepening commodification of intimacy within platform-based economic systems.⁷¹ The shift from closed forums to mainstream digital platforms further illustrates the normalisation and scalability of this industry, underscoring its integration into broader circuits of digital economic activity.⁷²

However, interpreting cyber prostitution through the lens of market exchange obscures the structural inequalities and socio-economic conditions that underpin its existence. A significant limitation in conventional applications of Social Exchange Theory lies in its relative inability to adequately capture the broader socio-economic contexts that drive participation in online prostitution. Meanwhile, the theory emphasises rational choice and cost-benefit calculations. It

⁶⁹ Agnes Ugboego Chukwu et al., 'Power Dynamics, Informal Labor, and Workforce Management in Small-Scale Enterprises: Analyzing Employment Relations through Regulatory and Sociocultural Lenses', *Future Business Journal* 11, no. 1 (2025), <https://doi.org/10.1186/S43093-025-00625-4>; Fue Zeng et al., 'The Dyadic Structure of Exchange Partners' Governing-Agency Social Capital and Opportunism in Buyer-Supplier Relationships', *Journal of Business Research* 78 (September 2017): 294–302, <https://doi.org/10.1016/j.jbusres.2016.12.025>.

⁷⁰ Gargi Sarkar and Sandeep Kumar Shukla, *Cyber Slavery Infrastructures: A Socio-Technical Study of Forced Criminality in Transnational Cybercrime*, arXiv (2025), <https://doi.org/10.48550/arXiv.2510.12814>; Brooke Campbell, *Is Cyberprostitution Prostitution? New Paradigm, Old Crime*, Studio for Law and Culture (Columbia Law School, 2009), https://scholarship.law.columbia.edu/law_culture/31/.

⁷¹ Teela Sanders et al., *Internet Sex Work: Beyond the Gaze* (Palgrave Macmillan, 2017), <https://doi.org/10.1007/978-3-319-65630-4>.

⁷² Scott Cunningham and Todd D. Kendall, 'Prostitution 2.0: The Changing Face of Sex Work', *Journal of Urban Economics* 69, no. 3 (2011): 273–87, <https://doi.org/10.1016/J.JUE.2010.12.001>.

often overlooks how structural factors such as poverty, gender inequality, precarious labour conditions, and limited access to alternative employment, shape and constrain individual decision-making. As contemporary research suggests, participation in the commercial sex industry frequently reflects conditions of constrained choice rather than fully autonomous decision-making, thereby challenging the foundational assumption of voluntariness within classical exchange frameworks.⁷³ As a result, cyber prostitution must be understood as an economic transaction and as a phenomenon deeply embedded in structural inequalities and digital labour exploitation.

Furthermore, the implementation of Social Exchange Theory to the relationship between pimps and sex workers often risks oversimplification, particularly when it is reduced to a model of reciprocal exchange between two rational actors. Empirical evidence reveals that the commercial sex industry operates within structured and hierarchical systems in which intermediaries play a central role in organising exchanges, controlling access to clients, and extracting economic value.⁷⁴ In this context, the relationship between pimps and sex workers cannot be adequately explained as a balanced or mutually beneficial exchange. Rather, it constitutes an asymmetric and often coercive relationship in which autonomy is significantly constrained, and power is unequally distributed. The reduction of this relationship to a simple exchange of services for compensation fails to capture the complexity of control, dependency, and structural subordination that characterises such interactions.

Importantly, the power exercised by pimps extends beyond mere control over material resources, revealing dimensions that exceed the explanatory scope of traditional exchange models. While pimps control tangible assets – such as client networks, digital platforms, pricing structures, and working conditions – their influence is also exercised through non-material mechanisms, including psychological manipulation, emotional dependency, and the provision of protection and accommodation. These forms of “support” function as exchange resources and instruments of domination that reinforce dependency and restrict exit options.⁷⁵ From a Social Exchange Theory

⁷³ Ronald Weitzer, ‘New Directions in Research on Human Trafficking’, *The ANNALS of the American Academy of Political and Social Science* 653, no. 1 (2014): 6–24, <https://doi.org/10.1177/0002716214521562>; Anthony Marcus et al., ‘Conflict and Agency among Sex Workers and Pimps: A Closer Look at Domestic Minor Sex Trafficking’, *Annals of the American Academy of Political and Social Science* 653, no. 1 (2014): 225–46, <https://doi.org/10.1177/0002716214521993>.

⁷⁴ Dank et al., ‘Estimating the Size and Structure of the Underground Commercial Sex Economy in Eight Major US Cities’; Hickie and Roe-Sepowitz, “‘Curiosity and a Pimp’: Exploring Sex Trafficking Victimization in Experiences of Entering Sex Trade Industry Work Among Participants in a Prostitution Diversion Program’.

⁷⁵ Celia Williamson and Terry Cluse-Tolar, ‘Pimp-Controlled Prostitution’, *Violence Against Women* 8, no. 9 (2002): 1074–92, <https://doi.org/10.1177/107780102401101746>; Hickie and Roe-Sepowitz, “‘Curiosity and a Pimp’: Exploring Sex Trafficking Victimization in Experiences of Entering Sex Trade Industry Work Among Participants in a Prostitution Diversion Program’.

perspective, such dynamics can be interpreted through power-dependence relations, in which actors who control valued resources are able to shape exchange conditions to their advantage⁷⁶. However, the depth of these power relations suggests that the framework must be extended beyond transactional logic to account for embedded forms of social control and domination, particularly in contexts of structural inequalities and coercive dynamics shape participation.⁷⁷

Moreover, while classical exchange propositions – such as Homans’ framework – provide insight into the persistence of these relationships through mechanisms of reinforcement, reward, and sanction, they fail to adequately account for overarching structural and institutional constraints. In this setting, the foundational assumption embedded in Social Exchange Theory becomes particularly problematic in this context, as individuals’ choices are often conditioned by socio-economic pressures rather than purely rational calculations. Additionally, although social exchange frameworks recognise the presence of non-monetary costs like emotional labour, and long-term social consequences, which, in the context of cyber prostitution, are disproportionately borne by sex workers. These include exposure to stigma, health risks, legal vulnerabilities, and psychological strain, all of which are frequently marginalised in market-based interpretations of prostitution.⁷⁸

These considerations indicate that cyber prostitution cannot be adequately conceptualised as a neutral or balanced system of exchange. Instead, it represents a complex and structurally unequal form of social exchange shaped by digital mediation, asymmetrical power relations, and broader socio-economic inequalities. By critically extending Social Exchange Theory and integrating it with empirical research on digital sex economies, this analysis moves beyond reductionist interpretations. It offers a more comprehensive understanding of cyber prostitution as a system of exchange embedded within structures of power, dependency, and social constraint.

E. The Oversimplification of Social Exchange Theory in the Pimp–Sex Worker Relationship

The deeper psychological and sociological dimensions of cyber prostitution – such as the exploitation of vulnerability, coercive control mechanisms, and the complex social networks

⁷⁶ Cropanzano and Mitchell, ‘Social Exchange Theory: An Interdisciplinary Review’.

⁷⁷ Karen S. Cook and Richard M. Emerson, ‘Power, Equity and Commitment in Exchange Networks’, *American Sociological Review* 43, no. 5 (1978): 721-739, <https://doi.org/10.2307/2094546>.

⁷⁸ Cecilia Benoit et al., ‘Prostitution Stigma and Its Effect on the Working Conditions, Personal Lives, and Health of Sex Workers’, *Journal of Sex Research* 55, nos 4–5 (2018): 457–71, <https://doi.org/10.1080/00224499.2017.1393652>.

sustaining these relationships – remain insufficiently addressed within existing analytical frameworks. The narrow implementation of Social Exchange Theory (SET), particularly in its classical and transactional form, fails to account for the structural conditions that compel individuals into online prostitution. Economic precarity, often exacerbated by rapid population growth and limited employment opportunities, plays a significant role in shaping participation, particularly in urban contexts such as Jakarta.⁷⁹ Simultaneously, the rapid advancement of digital technologies has transformed the operational landscape of prostitution, enabled greater anonymity, scalability, and accessibility, while also created new avenues for exploitation. These developments require a theoretical approach integrating economic motivations with structural vulnerability and inequality, particularly for marginalised groups disproportionately affected by limited socio-economic opportunities.⁸⁰

An expanded analytical lens is essential to capture the continuum between voluntary participation and coercion, recognising that engagement in cyber prostitution is often shaped by constrained choices rather than fully autonomous decision-making. Empirical studies indicate that socio-economic factors including poverty, limited education, and restricted access to the labour market, significantly contribute to individuals' involvement in sex work.⁸¹ This finding directly refutes SET's premise of rational, voluntary interaction, pointing instead a structurally conditioned form of participation. Moreover, current legal and policy frameworks frequently reinforce this mischaracterisation by criminalising sex workers while failing to address the exploitative systems and actors that sustain the industry. The limited theoretical engagement with the role of pimps, particularly their use of coercion, manipulation, and digital mediation, further underscores the need for empirical and conceptual advancement.⁸²

Beyond material exchanges, power within cyber prostitution is exercised through non-material mechanisms, including psychological manipulation, emotional dependency, and the provision of protection and accommodation. These forms of “support” function as instruments of

⁷⁹ Ikhlasiyah Dalimoenthe, 'Pemetaan Jaringan Sosial dan Motif Korban Human Trafficking pada Perempuan Pekerja Seks Komersial', *JUPIIS: Jurnal Pendidikan Ilmu-Ilmu Sosial* 10, no. 1 (2018): 91–103, <https://doi.org/10.24114/jupiis.v10i1.8430>.

⁸⁰ Hannabeth Franchino-Olsen, 'Frameworks and Theories Relevant for Organizing Commercial Sexual Exploitation of Children/Domestic Minor Sex Trafficking Risk Factors: A Systematic Review of Proposed Frameworks to Conceptualize Vulnerabilities', *Trauma, Violence, & Abuse* 22, no. 2 (2021): 306–17, <https://doi.org/10.1177/1524838019849575>.

⁸¹ Bagong Suyanto, 'Female Teenagers as Sex-Workers: Their Reasons and Adaptive Mechanism', *Makara Human Behavior Studies in Asia* 18, no. 1 (2014): 66–76, <https://doi.org/10.7454/mssh.v18i1.3462>.

⁸² Loretta J. Stalans and Mary A. Finn, 'Defining and Predicting Pimps' Coerciveness Toward Sex Workers: Socialization Processes', *Journal of Interpersonal Violence* 34 (2016): 4498–521, <https://doi.org/10.1177/0886260516675919>.

control that reinforce dependency and restrict exit options, thereby extending beyond the explanatory scope of traditional exchange models.⁸³ A purely transactional perspective fails to capture the embedded nature of domination, where coercion and control operate through both economic and psychosocial dimensions. This limitation is further exacerbated by the inability of conventional frameworks to account for the gendered nature of exploitation, which disproportionately affects women and other marginalised groups within digital environments.

The digitalisation of prostitution also introduces new structural dynamics that intensify exploitation. Platform-based systems, algorithmic visibility, and precarious digital payment structures contribute to the consolidation of control by intermediaries while obscuring coercive practices.⁸⁴ Rather than merely streamlining transactions, pimps increasingly utilise digital tools to facilitate transactions and regulate client interactions, set pricing, and enforce working conditions, thereby centralising control and limiting the autonomy of sex workers.⁸⁵ This technological mediation creates a form of platform-enabled exploitation in which power asymmetries are both intensified and concealed.

These complexities highlight the inadequacy of existing theoretical and legal approaches as well as underscore the need for a more integrated framework. Such a framework must combine insights from Social Exchange Theory, feminist criminology, and socio-technical analysis to capture the correlation between economic incentives, structural inequalities, and digital infrastructures. It must also be supported by empirical research to identify patterns of exploitation within online environments, including the use of computational methods to detect trafficking indicators in digital content.⁸⁶ Without such an interdisciplinary and evidence-based approach, policy responses risk remaining reactive and insufficient.

Ultimately, cyber prostitution must be understood as a structurally embedded system of exploitation rather than a series of isolated transactions. Addressing this phenomenon thus requires not only theoretical refinement but also comprehensive legal and policy interventions that target

⁸³ Antoinette M. Landor and Ashley B. Barr, 'Politics of Respectability, Colorism, and the Terms of Social Exchange in Family Research', *Journal of Family Theory & Review* 10, no. 2 (2018): 330–47, <https://doi.org/10.1111/jftr.12264>.

⁸⁴ Matt Hopkins et al., 'Organised Crime and the Ecosystems of Sexual Exploitation in the United Kingdom: How Supply and Demand Generate Sexual Exploitation and Protection from Prosecution', *Trends in Organized Crime* 27, no. 1 (2023): 56–76, <https://doi.org/10.1007/s12117-023-09517-x>.

⁸⁵ Mergenthaler and Yasseri, 'Selling Sex: What Determines Rates and Popularity? An Analysis of 11,500 Online Profiles'.

⁸⁶ Luca Giommoni and Ruth Ikwu, 'Identifying Human Trafficking Indicators in the UK Online Sex Market', *Trends in Organized Crime* 27, no. 1 (2021): 10–33, <https://doi.org/10.1007/s12117-021-09431-0>.

underlying vulnerabilities, regulate digital infrastructures, and prioritise the protection of marginalised groups.

F. Pimp Authority: Transcending the Boundaries of Material Exchange in Indonesia

The authority exercised by pimps within the context of cyber prostitution in Indonesia extends beyond the control of material resources – encompassing complex forms of psychological and relational control that fundamentally reshape sex workers' perceptions of autonomy and agency. While such relationships are often framed as reciprocal economic exchanges, empirical evidence indicates that they operate within hierarchical structures marked by significant power asymmetries, in which pimps not only control access to clients, digital platforms, and pricing mechanisms, but also actively cultivate dependency through non-material means.⁸⁷ In practice, this control is frequently manifested through social isolation, economic subordination, and the cultivation of emotional bonds that blur the boundaries between protection and coercion, thereby creating difficult relationships for sex workers to leave.⁸⁸

Furthermore, these power dynamics are not confined to physical spaces but extend into the digital realm, where technology is deployed as a tool to reinforce control and facilitate exploitation. In the context of cyber prostitution, pimps and associated networks utilise digital platforms not only to market sexual services but also to regulate communication, transactions, and, in some instances, other illicit activities, thereby expanding exploitation into domains such as fraud or digitally mediated criminal practices. This dynamic generates ambiguity between victimhood and perpetration, as sex workers may be compelled to participate in illegal activities under structural and relational pressures.⁸⁹ Such patterns further underscore the multidimensional nature of exploitation in cyber prostitution, which is embedded within complex social networks that remain insufficiently explored in existing scholarship.⁹⁰

Within the framework of Social Exchange Theory, these relationships may be interpreted through the concept of *power-dependence*, whereby those who control valued resources are able

⁸⁷ Stalans and Finn, 'Defining and Predicting Pimps' Coerciveness Toward Sex Workers: Socialization Processes'.

⁸⁸ Jennifer E. O'Brien et al., 'COVID-19 and Child Sex Trafficking: Qualitative Insights on the Effect of the Pandemic on Victimization and Service Provision', *Public Health Reports*® 140, no. 1_suppl (2025): 67S-73S, <https://doi.org/10.1177/00333549241267721>.

⁸⁹ Suleman Lazarus et al., 'Assessing Human Trafficking and Cybercrime Intersections Through Survivor Narratives', *Deviant Behavior* 47, no. 7 (2026): 1252–69, <https://doi.org/10.1080/01639625.2025.2470402>.

⁹⁰ Daniel Kosmas et al., 'A Transdisciplinary Approach for Generating Synthetic but Realistic Domestic Sex Trafficking Networks', *IJSE Transactions* 56, no. 3 (2024): 340–54, <https://doi.org/10.1080/24725854.2023.2169418>.

to determine exchange conditions to their advantage.⁹¹ However, further analysis suggests that classical applications of SET tend to oversimplify these dynamics, as they fail to capture more subtle forms of control, including psychological manipulation, emotional pressure, and the normalisation of dependency. Accordingly, the relationship between pimps and sex workers requires a broader analytical approach that extends beyond economic dimensions to account for power operating through social and psychological mechanisms.⁹²

In addition, the analysis underscores that the vulnerability of sex workers cannot be detached from broader socio-economic conditions, including poverty, gender inequality, and limited access to education and employment opportunities. Under such conditions, participation in cyber prostitution reflects structural constraints that circumscribe available options rather than unconstrained, rational decision-making.⁹³ Consequently, the notion of “choice” in this context becomes problematic, as it is often conditioned by economic and social pressures that restrict genuine autonomy. This perspective aligns with socio-economic vulnerability frameworks, which posit that exploitation in the sex industry is inextricably linked to underlying structural inequalities.⁹⁴

From a broader perspective, the analysis highlights the importance of integrating critical social theory and feminist approaches to illustrate the complexity of power relations in cyber prostitution. Such approaches enable a deconstruction of simplistic assumptions regarding economic exchange, while providing a framework for understanding how power, gender, and social inequality intersect in shaping exploitative relationships.⁹⁵ In this regard, pimp authority is not solely constructed through economic control, but also through implicit non-monetary exchanges, such as promises of protection, social acceptance, or even affection, which further complicate interpretations of consent and agency within these relationships.

Moreover, the analysis carries significant implications within the Indonesian legal context. The existing legal framework continues to face challenges in adequately addressing the

⁹¹ Emerson, ‘Power-Dependence Relations’; Cook and Emerson, ‘Power, Equity and Commitment in Exchange Networks’.

⁹² Quentin Rossy and David Décary-Héty, ‘Internet Traces and the Analysis of Online Illicit Markets’, in *The Routledge International Handbook of Forensic Intelligence and Criminology*, ed. Quentin Rossy and David Décary-Héty (Routledge, 2017), <https://doi.org/10.4324/9781315541945-21>.

⁹³ Fakhrul Islam and M Adil Khan, ‘Exploring the Socio-Economic Vulnerability Model: A Multi-Stakeholder Analysis of Women’s Trafficking in Bangladesh’, *Cogent Social Sciences* 11, no. 1 (2025): 2549477, <https://doi.org/10.1080/23311886.2025.2549477>.

⁹⁴ Elliot J. Glatfelter and Glenn M. Miles, ‘(S)Expectations Abroad: Male Traveler Interactions with Southeast Asian Economies’, *Dignity: A Journal of Analysis of Exploitation and Violence* 3, no. 3 (2018): 1–18, <https://doi.org/10.23860/dignity.2018.03.03.04>.

⁹⁵ Marcus et al., ‘Conflict and Agency among Sex Workers and Pimps: A Closer Look at Domestic Minor Sex Trafficking’.

complexities of cyber prostitution, particularly in distinguishing between consent, coercion, and exploitation. Law enforcement practices often fail to capture the non-material dimensions of power, thereby risking disproportionate responses toward certain actors.⁹⁶ In many instances, sex workers are more vulnerable to criminalisation, while actors exercising greater structural control are able to evade legal accountability. This underscores the need for a more comprehensive legal approach that moves beyond observable conduct and incorporates the structural and relational contexts underpinning cyber prostitution.

This analysis affirms that cyber prostitution in Indonesia constitutes a complex and multidimensional phenomenon that cannot be reduced to a simple economic exchange or isolated criminal act. Pimp authority operates beyond the boundaries of material exchange, encompassing psychological, social, and structural dimensions that reinforce inequality and sustain cycles of exploitation. A comprehensive understanding therefore requires the integration of an expanded Social Exchange framework with critical analyses of power, as well as a nuanced appreciation of the socio-economic and legal contexts in which these dynamics unfold.

G. Fragmented Criminal Law Framework and Power Asymmetry in Indonesian Cyber Prostitution

The phenomenon of cyber prostitution in Indonesia has expanded rapidly alongside the development of digital technology. However, this growth has not been accompanied by a comprehensive and adaptive criminal law framework. Normatively, Indonesia does not have a specific regulation explicitly governing cyber prostitution – resulting in law enforcement relying on fragmented provisions within the Criminal Code, the Child Protection Law, the Anti-Trafficking Law, the Electronic Information and Transactions Law, and the Pornography Law.⁹⁷ This fragmented regulatory framework has been widely criticised for its inability to address the complexity of digitally mediated sexual exploitation and for creating inconsistencies in enforcement.⁹⁸

⁹⁶ Nurhalisa Hehalatu et al., 'Perlindungan Hukum Terhadap Anak Korban Prostitusi Online Melalui Aplikasi Michat', *PATTIMURA Legal Journal* 1, no. 1 (2022): 1–14, <https://doi.org/10.47268/pela.v1i1.5897>.

⁹⁷ Ni Nyoman and Juwita Arsawati, 'Legal Challenges of Digital Technology Abuse in Cybersex Trafficking in Indonesia', *The International Journal of Politics and Sociology Research* 13, no. 3 (2025): 80–89, <https://doi.org/10.35335/IJOPSOR.V13I3.313>.

⁹⁸ Fuadi Isnawan, 'Fenomena Swinger Dalam Konteks Hukum Pidana Indonesia', *DIVERSI: Jurnal Hukum* 10, no. 1 (2024): 1–34, <https://doi.org/10.32503/diversi.v10i1.5224>.

Indonesia's cyber laws are fragmented and sector-specific, leading to overlapping institutional authority, weak enforcement, and jurisdictional ambiguities.⁹⁹ This lack of coherence hinders the effective regulation of cybercrimes, including cyber prostitution. In response to this fragmentation, Law No. 1 of 2023 concerning the Indonesian Criminal Code reflects an effort toward criminal law reform, particularly in addressing intermediary actors such as pimps within the evolving landscape of digitally mediated prostitution. This reform is reflected in Article 419, which strengthens child protection by criminalising the facilitation or mediation of indecent acts or sexual intercourse with persons known or reasonably suspected to be minors.¹⁰⁰ The provision imposes penalties of up to seven years' imprisonment, or up to nine years in cases involving specific relational authority. Complementing this, Article 420 criminalises acts of facilitating indecent conduct, while Article 421 enhances penalties when such conduct is carried out habitually or for profit. Collectively, these provisions demonstrate an increasing normative recognition of the role of intermediaries and the systematic nature of exploitation, particularly in contexts involving vulnerable groups such as children.¹⁰¹

Nevertheless, despite these normative advancements, the regulatory framework remains insufficient to address the complexity of cyber prostitution. The absence of explicit and integrated regulation reinforces existing legal gaps, as current provisions remain indirect and incapable of fully capturing digitally mediated exploitation, including the involvement of platform-based actors, evolving technological mechanisms, and asymmetrical power relations. As a consequence, perpetrators, particularly pimps operating within online networks, are able to exploit normative ambiguities and evidentiary limitations to evade criminal liability. Such condition contributes to inconsistent law enforcement practices, in which sex workers are often disproportionately targeted, while actors exercising structural control within cyber prostitution networks remain relatively unaccountable.¹⁰² Consequently, the existing legal framework not only lacks effectiveness but also risks perpetuating structural inequalities within the enforcement of cyber prostitution laws.

⁹⁹ Tri Fenny Widayanti et al., 'Enhancing Cybersecurity and Legal Integration: Reforming Indonesia's Cyber Law to Foster Sustainable Growth in the Digital Economy', *Diponegoro Law Review* 10, no. 1 (2025): 105–19, <https://doi.org/10.14710/dilrev.10.1.2025.105-119>.

¹⁰⁰ Aga Natalis et al., 'Sexuality, Privacy, and Human Rights: Rethinking the Criminalisation of Consensual Relationships in Indonesia', *Cosmopolitan Civil Societies: An Interdisciplinary Journal* 18, no. 1 (2026): 77–93, <https://doi.org/10.5130/ccs.v18.i1.10154>.

¹⁰¹ Ananda Eka Aprilia and Luthfillah Arrizqi Zainsyah, 'The Cybersex Trafficking: Legal Protection Against Child Sexual Exploitation Through Digital Platforms', *Veteran Law Review* 8, no. 2 (2025): 232–51, <https://doi.org/10.35586/VELREV.V8I2.12682>.

¹⁰² Isnawan, 'Fenomena Swinger Dalam Konteks Hukum Pidana Indonesia'.

Statutory protections for minors are formally articulated through the Child Protection Law and the Anti-Trafficking Law. Specifically, Articles 78, 81, and 88 of Law No. 23 of 2002 on Child Protection, as amended by Law No. 35 of 2014, may be invoked to prosecute offenses related to cyber prostitution involving children, particularly where such practices constitute forms of commercial sexual exploitation.¹⁰³ Nevertheless, despite the normative adequacy of these provisions, their implementation in practice remains inconsistent and often ineffective.¹⁰⁴ In addition, Law No. 21 of 2007 on the Eradication of the Criminal Act of Human Trafficking offers a complementary legal framework, as several of its provisions can be applied to perpetrators engaged in trafficking for commercial sexual exploitation within cyber prostitution networks.¹⁰⁵ However, despite this normative adequacy, operational enforcement remains weak, particularly in identifying victims, proving elements of exploitation within digital environments, and addressing the limited technological capacity of law enforcement agencies. As a result, despite normative strengthening, cyber prostitution involving minors continues to persist and remains difficult to eradicate effectively.

The Indonesian Electronic Information and Transactions Law, particularly Article 27(1) of Law No. 11 of 2008 as amended by Law No. 19 of 2016 and most recently by Law No. 1 of 2024 (ITE Law), is frequently employed in prosecuting cyber prostitution by targeting the distribution or accessibility of electronic content deemed to violate decency norms. However, this provision remains fundamentally content-oriented and does not adequately address the underlying relational and structural dimensions of exploitation. As a result, enforcement tends to adopt a moralistic approach, focusing on the visibility of indecent content rather than the exploitative dynamics embedded within cyber prostitution networks. This limitation is further reflected in the law's inability to comprehensively target all actors within the cyber prostitution ecosystem. In practice, enforcement has predominantly focused on intermediaries, particularly pimps, who act as organisers, facilitators, or promoters of such content, while clients (*i.e.*, users of sexual services).

¹⁰³ Aziz Andriansyah et al., 'Guardians of Innocence: Enhancing Legal Safeguards for Child Victims of Sexual Violence in Indonesia', *Indonesia Law Review* 13, no. 3 (2023): 105–16, <https://scholarhub.ui.ac.id/ilrev/vol13/iss3/7/>; Angelica Vanessa Audrey Nasution et al., 'Addressing Deepfake Pornography and the Right to Be Forgotten in Indonesia: Legal Challenges in the Era of AI-Driven Sexual Abuse', *International Journal for the Semiotics of Law - Revue Internationale de Sémiotique Juridique* 38, no. 7 (2025): 2489–517, <https://doi.org/10.1007/s11196-025-10265-0>.

¹⁰⁴ Putri Salsabila Sutardja et al., 'Efektivitas Perlindungan Anak Terhadap Anak Sebagai Korban Prostitusi Online Dalam Kasus Di Madiun', *DiH: Jurnal Ilmu Hukum* 17, no. 2 (2021): 241–53, <https://doi.org/10.30996/DIH.V17I2.5261>.

¹⁰⁵ Cahya Wulandari and Sonny Saptajie Wicaksono, 'Tindak Pidana Perdagangan Orang (Human Trafficking) Khususnya Terhadap Perempuan Dan Anak : Suatu Permasalahan Dan Penanganannya Di Kota Semarang', *Yustisia* 3, no. 3 (2014): 15–26, <https://doi.org/10.20961/YUSTISIA.V3I3.29272>.

In some instances, sex workers remain inadequately addressed within the legal framework – contributing disparities in criminal accountability and reinforces structural inequalities within the system.

Moreover, Law No. 44 of 2008 on Pornography provides additional regulatory mechanisms that may be invoked against individuals involved in the production, distribution, or promotion of sexually explicit material, within which cyber prostitution is often subsumed. Reliance on pornography-based provisions tends to conflate distinct legal categories namely explicit content production and commercial sexual exploitation – thereby obscuring the specific economic, relational, and coercive dimensions inherent in cyber prostitution. Such doctrinal overlap ultimately limits the effectiveness of legal responses and underscores the need for a more coherent and structurally oriented regulatory approach.

Power asymmetry constitutes a central dimension in understanding sexual exploitation, particularly within the context of cyber prostitution. Indonesian Law No. 12 of 2022 on Sexual Violence Crimes formally acknowledges the role of psychological manipulation, abuse of authority, and trust in facilitating such exploitation. However, despite this normative recognition, significant challenges remain in operationalising these concepts within legal practice, especially in digitally mediated environments where power relations are often diffuse and difficult to evidence.¹⁰⁶ These limitations demonstrate that existing legal frameworks have not to fully captured the complexity of power dynamics that underpin cyber prostitution.

At the regional level, the Jinayat Qanun in Aceh – grounded in Islamic criminal law – implicitly encompasses acts related to online prostitution. However, the absence of explicit provisions addressing digitally mediated forms of sexual exploitation limits its effectiveness, indicating the need for normative reform to ensure responsiveness to evolving technological and social conditions.¹⁰⁷

At the same time, the criminalisation of prostitution in Indonesia continues to construct women involved in prostitution (WIPs) as deviant subjects, thereby constraining their agency and

¹⁰⁶ Christina Maya Indah Susilowati and Mardian Putra Frans, 'Legal Reform in Addressing Sexual Violence in Indonesia: An Analysis of the Implementation of Law No. 12 of 2022 on Sexual Violence Crimes', *ARTIGOS, Revista Direito e Sexualidade* 5, no. 2 (2024): 183–202, <https://doi.org/10.9771/rds.v6i2.63279>; Christina Maya Indah Susilowati and Mardian Putra Frans, 'Interpreting Power, Grooming, and Deception in Sexual Violence Cases: A Hermeneutic Study on Legal Challenges in Indonesia', *International Journal for the Semiotics of Law - Revue Internationale de Sémiotique Juridique* 38, no. 3 (2025): 1061–78, <https://doi.org/10.1007/s11196-024-10223-2>.

¹⁰⁷ Abdul Jalil Salam et al., 'The Urgency of Ammending Jināyāt Qānūn in Eradicating Cyber Sexual Crime in Aceh, Indonesia', *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 19, no. 2 (2024): 603–31, <https://doi.org/10.19105/al-lhkam.v19i2.15118>.

reinforcing entrenched structural stigma. This moralistic and punitive orientation exacerbates existing power asymmetries and restricts access to justice, healthcare, and social protection for individuals positioned as victims of exploitation.¹⁰⁸ As a result, the legal system risks perpetuating the very inequalities to address by failing to distinguish adequately between voluntary conduct and structurally constrained participation.

A further challenge lies in the absence of a comprehensive and coherent legal framework specifically addressing cyber prostitution. Existing regulations remain fragmented and sectoral, necessitating an integrated approach that aligns cybercrime laws with protections against sexual exploitation and trafficking. In addition, structural stigma embedded within both legal discourse and societal attitudes continues to marginalise victims. Reformulating these narratives, particularly through feminist legal approaches, offers a pathway toward decriminalisation and empowerment, thereby addressing systemic inequalities and improving access to justice.¹⁰⁹ Effective governance in this domain also requires meaningful collaboration among law enforcement agencies, community actors, and civil society organisations to overcome entrenched cultural and institutional barriers.

These structural challenges are compounded by weaknesses in enforcement and institutional coordination. Law enforcement agencies often operate within outdated legal frameworks, lack adequate digital forensic expertise, and face persistent issues of inter-agency fragmentation.¹¹⁰ Moreover, public administration systems frequently provide much effort to implement existing regulations effectively, resulting in inconsistent and inadequate responses to cyber-related threats. Such institutional limitations significantly undermine the capacity of the state to address increasingly sophisticated forms of digitally mediated exploitation.

The rapid expansion of digital technologies has also generated new forms of cyber threats that intersect with the dynamics of exploitation. Crimes such as phishing, Distributed Denial-of-Service (DDoS) attacks and social engineering are on the rise, driven by the proliferation of cashless transactions and heightened digital dependency.¹¹¹ Concurrently, gender-based cyber

¹⁰⁸ Natalis, 'Power, Law, and the Semiotics of Marginalisation: Rethinking Prostitution, Health Risk, and Legal Discourse in Indonesia'.

¹⁰⁹ Natalis, 'From Feminist Debates to Feminist Policy: Toward a Polymorphous Discourse in Prostitution Regulation'.

¹¹⁰ Ferry Irawan Febriansyah et al., 'Digital Legal Transformation: Legal Strategies for Strengthening National Cybersecurity', *International Journal of Law and Society* 5, no. 1 (2026): 26–44, <https://doi.org/10.59683/ijls.v5i1.357>.

¹¹¹ Kemal Farouq Mauladi et al., 'Exploring the Link Between Cashless Society and Cybercrime in Indonesia', *Journal of Telecommunications and the Digital Economy* 10, no. 3 (2022): 58–76, <https://doi.org/10.18080/jtde.v10n3.533>.

violence and cyberbullying have intensified, with victims often lacking sufficient legal protection and institutional support.¹¹² These developments illustrate the evolving nature of cyber risks, which extend beyond traditional criminal categories and require more adaptive regulatory responses.

Indonesia's limited engagement with international legal frameworks further constrains its ability to address transnational dimensions of cybercrime. The absence of ratification of key instruments such as the Budapest Convention restricts opportunities for cross-border cooperation and weakens efforts to combat globally networked forms of cyber exploitation. This gap highlights the importance of aligning domestic legal frameworks with international standards to enhance both enforcement capacity and legal coherence.

In response to these challenges, comprehensive legal reform is essential. Some efforts should focus on harmonising and modernising Indonesia's cyber regulatory framework by drawing on international benchmarks such as the General Data Protection Regulation (GDPR) and the Budapest Convention.¹¹³ In addition, the introduction of specific provisions addressing cyber prostitution, gender-based cyber violence, and emerging forms of digital exploitation is necessary to close existing regulatory gaps. Strengthening institutional capacity is further equally critical, particularly through specialised training in digital forensics and the development of robust digital evidence management systems.¹¹⁴

Beyond legal and institutional reform, enhancing public awareness and digital literacy is crucial in reducing vulnerability to cybercrime. Educational initiatives aimed at increasing understanding of online risks, including fraud and phishing, should be complemented by the promotion of ethical principles such as justice and accountability within digital spaces.¹¹⁵ At the same time, expanding international cooperation through the ratification of global cybercrime instruments and strategic partnerships with jurisdictions possessing advanced cybersecurity systems would significantly strengthen Indonesia's capacity to address transnational threats.

¹¹² Siti Mas'udah et al., 'Gender-Based Cyber Violence: Forms, Impacts, and Strategies to Protect Women Victims', *Journal of International Women's Studies* 26, no. 4 (2024): 1–14, <https://vc.bridgew.edu/jiws/vol26/iss4/5/>.

¹¹³ Ermanto Fahamsyah et al., 'Penerapan Prinsip Aut Dedere Aut Judicare Terhadap Pelaku Cybercrime Lintas Negara Melalui Ratifikasi Budapest Convention', *De Jure: Jurnal Hukum dan Syaria'h* 14, no. 1 (2022): 140–59, <https://doi.org/10.18860/j-fsh.v14i1.15731>.

¹¹⁴ Hari Sutra Disemadi et al., 'Reconstructing the Legal Framework of Trade Secret Protection Vis-à-Vis Cyber Theft: A Cross-Jurisdictional Comparative Study', *Jurisdictie: Jurnal Hukum Dan Syariah* 16, no. 1 (2025): 166–200, <https://doi.org/10.18860/j.v16i1.32563>.

¹¹⁵ Zico Junius Fernando et al., 'Cyber Victimology and Legal Gaps in Southeast Asia', *International Law Discourse in Southeast Asia* 4, no. 1 (2025): 1–39, <https://doi.org/10.15294/ildisea.v4i1.20147>.

Finally, a shift toward victim-centred approaches is imperative in addressing cyber prostitution and related forms of exploitation. This includes the establishment of integrated support systems, such as crisis centres for women and children, as well as the incorporation of cyber victimology into policy frameworks to ensure more inclusive and responsive governance. Such an approach not only enhances protection for vulnerable populations but also reorients legal and policy responses toward addressing the structural conditions that sustain exploitation.

From the perspective of Social Exchange Theory, Indonesian criminal law implicitly frames prostitution as a rational and voluntary exchange. However, the relationships among sex workers, pimps, and clients are practically characterised by significant power asymmetries. Pimps control access to digital markets and economic resources, enabling them to dominate the terms of exchange. Such condition reflects an imbalanced exchange, in which unequal resource distribution produces exploitative relationships.¹¹⁶ Furthermore, these relationships extend beyond material exchange to include psychological and emotional control – reinforcing dependency and limiting the autonomy of sex workers.¹¹⁷

In light of these conditions, while various legal instruments formally exist, the absence of a specific and integrative regulatory framework for cyber prostitution renders law enforcement ineffective and structurally biased against vulnerable groups. Comprehensive criminal law reform is required to strengthen normative provisions and address power relations, victim protection, as well as the technological dynamics inherent in cyber prostitution practices.¹¹⁸

Accordingly, systemic legal modernisation requires explicitly criminalising the entire ecosystem, including facilitators, clients, and digital intermediaries – while instituting victim-centred approach that prioritises protection over punishment for vulnerable individuals. Furthermore, regulatory frameworks must incorporate technological governance, strengthen digital surveillance and investigative capacities, and ensure accountability of online platforms that facilitate exploitative activities.

Beyond legal reform, a comprehensive policy response should integrate social protection measures and economic empowerment programs to address the structural drivers of cyber prostitution, including poverty, gender inequality, and limited access to education. Without

¹¹⁶ Johan Lindquist, 'Putting Ecstasy to Work: Pleasure, Prostitution, and Inequality in the Indonesian Borderlands', *Identities* 17, no. 2 (2010): 280–303, <https://doi.org/10.1080/10702891003733500>.

¹¹⁷ Suleman Lazarus et al., 'What Do We Know About Human Trafficking and Scam Compounds in Southeast Asia (2020–2025)? A Qualitative Meta-Synthesis of Coercive Deviant Enterprises', *Deviant Behavior* 47, no. 6 (2026): 1091–123, <https://doi.org/10.1080/01639625.2025.2604138>.

¹¹⁸ Natalis and Djohan, 'Cybersex Trafficking: Legal Challenges and Protection for Women and Children in Indonesia', 2025.

addressing these underlying conditions, legal interventions risk remaining reactive and ineffective. Therefore, a multidisciplinary and systemic approach is essential to ensure that criminal law reform not only responds to technological developments but also promotes substantive justice in addressing cyber prostitution.

H. Conclusion

Cyber prostitution in Indonesia cannot be adequately understood as a collection of isolated sexual transactions or as a purely technological variation of conventional prostitution. It constitutes a digitally mediated system involving sex workers, pimps, clients, and online intermediaries whose relationships are shaped by unequal access to economic, technological, social, and informational resources. Digital platforms have expanded the reach, speed, anonymity, and scalability of commercial sexual activities, but they have also created new mechanisms of concealment, dependency, surveillance, and exploitation. These conditions are particularly significant for women, children, and economically marginalised individuals whose bargaining positions and opportunities to exit exploitative relationships may already be restricted.

The study demonstrates that classical formulations of Social Exchange Theory provide only a limited explanation of these relationships. The concepts of rewards, costs, reciprocity, and rational calculation remain useful for identifying the incentives that influence participation. However, they are insufficient when exchange relationships are treated as inherently voluntary or mutually beneficial. In cyber prostitution, actors do not necessarily possess comparable bargaining power or meaningful alternatives. Pimps and other intermediaries may control access to clients, digital platforms, prices, payments, accommodation, protection, information, and social networks. They may also exercise influence through emotional dependency, psychological manipulation, threats, and the strategic provision of material or relational support. Consequently, what appears formally as an exchange may, in substance, operate through dependency and structural subordination.

Social Exchange Theory should therefore be applied through its power-dependence dimension and supplemented by the concepts of constrained agency and structural vulnerability. Poverty, gender inequality, limited educational access, precarious employment, stigma, family vulnerability, and inadequate social protection do not necessarily eliminate individual agency. Nevertheless, they may substantially restrict the alternatives available to individuals and weaken their ability to negotiate, refuse, or leave harmful arrangements. Participation in cyber prostitution should therefore be analysed along a continuum between autonomy and coercion rather than

through a rigid distinction between voluntary and forced involvement. This approach provides a more accurate basis for evaluating consent, exploitation, and responsibility.

From a doctrinal perspective, the Indonesian legal framework remains fragmented across several legislative regimes governing criminal conduct, electronic information, pornography, trafficking, child protection, and sexual violence. These laws regulate particular aspects of digitally mediated prostitution and sexual exploitation, but they do not yet form a coherent framework capable of addressing the entire structure of relationships involved. The resulting overlap and ambiguity complicate the legal characterisation of conduct, the identification of victims, the treatment of digital evidence, and the allocation of responsibility. A content-oriented or morality-based approach may also concentrate enforcement on visible and economically vulnerable actors while failing to address those who exercise greater control, obtain financial benefits, or knowingly facilitate exploitation.

Legal reform should not be based on the indiscriminate criminalisation of every actor associated with cyber prostitution. Instead, Indonesian criminal law requires a differentiated and proportionate model of responsibility. Liability should be determined according to each actor's intention, knowledge, control over resources, financial benefit, contribution to harm, and involvement in coercion or exploitation. Particular attention should be directed towards traffickers, coercive pimps, profit-oriented facilitators, clients who knowingly participate in exploitative arrangements, and digital intermediaries that intentionally facilitate or consciously disregard unlawful conduct. At the same time, children and individuals whose participation results from coercion, deception, abuse of vulnerability, or severe dependency should be treated primarily through protection and recovery mechanisms rather than punitive measures.

A coherent response must also extend beyond criminal law. Stronger digital investigative capacity, inter-agency coordination, platform accountability, victim identification, legal assistance, healthcare, and recovery services are necessary to support effective enforcement. These measures should be integrated with social protection, education, economic empowerment, employment access, and gender-responsive policies that address the structural conditions contributing to vulnerability. Without such measures, criminal law will remain reactive and may reproduce the inequalities it seeks to remedy.

Ultimately, cyber prostitution should be conceptualised as a technologically mediated and potentially asymmetric form of social exchange embedded within broader structures of power, dependency, and inequality. The principal contribution of this study lies in demonstrating that the legal evaluation of cyber prostitution cannot be separated from the conditions under which consent

is formed, resources are controlled, benefits are distributed, and risks are imposed. A technologically responsive, victim-centred, and power-sensitive legal framework is therefore essential not only for improving criminal accountability, but also for advancing substantive justice and protecting human dignity in Indonesia's increasingly digital social order.

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