



## **Sexual Harassment in Cyberspace in the Perspective of Islamic Criminal Law and National Law**

Abdul Syatar

Universitas Islam Negeri Alauddin, Makassar

Kurniati Kurniati

Universitas Islam Negeri Alauddin, Makassar

Rindi Rindi

Universitas Islam Negeri Alauddin, Makassar

Arif Rahman Ramli

Universitas Islam Negeri Alauddin, Makassar

abdul.syatar@uin-alauddin.ac.id

**Abstract:** Sexual harassment in verbal and non-verbal forms has become increasingly prevalent globally. This is a qualitative research with data collected using library research methods and strengthened by interviewing several criminal law experts. The approach used is a comparative assessment between Islamic criminal and national laws. This study revealed cases of sexual harassment in cyberspace in accordance with National Law regulations in Indonesia on immortality, such as the Criminal Code and Law Number 4 of 2008 concerning Pornography and Law Number 13 Of 2006 on Legal Protection of Witnesses and Victims. Meanwhile, in the Islamic legal order, sexual harassment in cyberspace is seen in the discussion of the Jinayah Fiqh, classified as jarimah ta'zir and contains elements of abomination or insulting acts. The legal protection for victims of sexual harassment in Islamic law is in the form of imposing sanctions on perpetrators, which the government determines following the magnitude of their crime. The hope of strengthening immoral punishment has become necessary for Indonesia by considering the spirit and value embodied in Islamic criminal law.

**Keywords:** Sexual Harassment, Cyberspace, Islamic Law, Islamic Criminal Law, National Law.

**Abstrak:** Pelecehan seksual dalam bentuk verbal dan non-verbal telah menjadi semakin umum secara global. Penelitian ini merupakan penelitian kualitatif dengan pengumpulan data menggunakan metode penelitian kepustakaan dan diperkuat dengan wawancara dengan beberapa ahli hukum pidana. Pendekatan yang digunakan adalah penilaian komparatif antara hukum pidana Islam dan hukum nasional. Penelitian ini mengungkap kasus-kasus pelecehan seksual di dunia maya sesuai dengan peraturan Undang-Undang Nasional di Indonesia tentang keabadian, seperti KUHP dan Undang-Undang Nomor 4 Tahun 2008 tentang Pornografi dan Undang-Undang Nomor 13 Tahun 2006 tentang Perlindungan Hukum Saksi dan Korban. Sedangkan dalam tatanan hukum Islam, pelecehan seksual di dunia maya terlihat dalam pembahasan Fiqh Jinayah, tergolong jarimah takzir dan mengandung unsur perbuatan keji atau menghina. Perlindungan hukum terhadap korban pelecehan seksual dalam syariat Islam berupa pemberian sanksi kepada pelaku yang ditentukan oleh pemerintah sesuai dengan besaran kejahatannya. Harapan penguatan hukuman maksiat menjadi perlu bagi Indonesia dengan mempertimbangkan semangat dan nilai yang terkandung dalam hukum pidana Islam

**Kata Kunci:** Pelecehan Seksual, Dunia Maya, Hukum Islam, Hukum Pidana Islam, Hukum Nasional.

## A. Introduction

Technology existence is not a new thing in the history of human civilization, with the most popular being information and communication technology.<sup>1</sup> Indonesia is currently in cyberspace, an important part of the global communication and information system.<sup>2</sup> However, the inappropriate use of social networks and websites can lead to sexual publications through e-mail, chats, etc.<sup>3</sup> Sexual harassment, an act perpetuated by men and women, is opposed by religion and written law.<sup>4</sup> One of the factors responsible for the rise in supporters of sexual harassment in cyberspace is the increase in commercialized and non-commercialized pornographic sites.<sup>5</sup>

Data from the National Commission on Violence against Indonesian Women shows that the rate of sexual violence against women is still high, with 4,475 cases, 6,499 cases, and 5,785 cases recorded in 2014, 2015, and 2016, respectively.<sup>6</sup> Cases of sexual harassment involving victims and perpetrators need to be raised on social media to create more public awareness.

Based on a study by Rifka Annisa at Women's Crisis Center,<sup>7</sup> a place for women's empowerment, a total of 177 cases of sexual harassment were recorded from 2000 to 2006. Of this number, 43.2% were children under 21 years and 17 below 12 years old, 4 were under 5 years old, and their cases occurred in 2000, 2001, 2004, and 2005 respectively. The 18 to 20 years age group is usually prone to sexual violence. There were 12 and 9 cases of sexual harassment recorded during this period in the age group of 26-30 and 31-35 years, respectively. A significant number was recorded between 36 to 40 years, indicating that the perpetrators did not look at age.

One of the factors responsible for the increase in sexual harassment is the rise in pornographic sites due to the commercialization and non-commercialization of the internet.<sup>8</sup> This factor becomes a supporting factor in sexual harassment in cyberspace, an

---

<sup>1</sup> Sixuan Zhang et. al., "Workplace Cyberbullying: A Criminological and Routine Activity Perspective," *Journal of Information Technology* 37, no. 1 (2022): 51-79.

<sup>2</sup> Muhamad Rizal and Yanyan Yani, "Cybersecurity Policy and Its Implementation in Indonesia," *JAS (Journal of ASEAN Studies)* 4, no. 1 (2016): 61.

<sup>3</sup> Thomas Paterson, "Indonesian Cyberspace Expansion: A Double-Edged Sword," *Journal of Cyber Policy* 4, no. 2 (2019): 216-34.

<sup>4</sup> Mally Shechory-bitton and Liza Zvi, "Is It Harassment? Perceptions of Sexual Harassment Among Lawyers and Undergraduate Students," *Frontiers in Psychology* 11, no. August (2020).

<sup>5</sup> Ahmed Alnagrat and Shakirat Haroon-Sulyman, "An Overview of Contemporary Cyberspace Activities and the Challenging Cyberspace Crimes / Threats An Overview of Contemporary Cyberspace Activities and the Challenging Cyberspace Crimes / Threats By Samson Olanokunmi Oluga \* Dr Azizah Bt Haji Ahmad Ahmad," *International Journal of Computer Science and Information Security* 12, no. 3 (2014): 64-100.

<sup>6</sup> Brian Arga Wana, "Indonesia Darurat Kekerasan Seksual" (Jakarta, 2017).

<sup>7</sup> Agung Trisnawibawa, "Peranan Rifka Annisa Women's Crisis Center Dalam Menangani Kasus Kekerasan Seksual di Yogyakarta," 2017, <http://repository.upy.ac.id/1626/1/ARTIKELK.pdf>.

<sup>8</sup> Lira Erwinda, Herman Nirwana, and Afdal Afdal, "Analysis of Sexual Harassment Instruments by Rasch Modeling to Identify Sexual Harassers," *COUNS-EDU: The International Journal of Counseling and Education* 5, no. 1 (2020): 1-5.

act of violence, and attacks or invasions against a person's physical and psychological mental integrity.<sup>9</sup>

Some crimes categorized as gender violence are rape against women, physical attacks, torture that lead to genital mutilation, prostitution, pornography, forced sterilization in family planning, molestation, and sexual harassment.<sup>10</sup> Many people believe that sexual harassment is very relative because it is often misinterpreted as friendly behavior.<sup>11</sup> However, it is not a means to make friends because it is unpleasant to women.

Sexual harassment's violence in cyberspace can be in the form of pornography, where the objects are women.<sup>12</sup> In this process, photographers take pictures of naked women, uploading them on Facebook, Instagram, Whats App, and other social media applications, and tagging their friends.<sup>13</sup> Furthermore, sexual harassment in the form of indecent acts harms people, and if victims are not protected due to their ignorance of the law and threats from the perpetrator, stopping it will be difficult. This act in cyberspace has been in contact with violations and crimes under Islamic law.

In Indonesia's national law, it is contained in Law Number 4 of 2008 on Pornography, Law Number 11 of 2008 concerning Transactions and Electronic Information, Law Number 13 of 2006 on Protection of Witnesses and Victims, and the Criminal Code.<sup>14</sup> Sexual harassment is not explicitly stated in the Pornography Law, Electronic and Transaction Information, and the Criminal Code rather it is referred to as a crime and a decency violation.<sup>15</sup>

These regulations aim at guaranteeing and creating security and legal certainty senses for women who are victims, hence they are the basis for overcoming sexual violence against women and children. Additionally, a good community environment will help reduce the possibility of sexual violence against women. The problem is the inability of the victims to report some cases to the police for further action due to feeling of shame, fear of being killed by the perpetrator, etc. Therefore, this study also aims to identify sexual harassment in cyberspace from the perspective of Islamic and national laws and

---

<sup>9</sup> Fredrik Bondestam and Maja Lundqvist, "Sexual Harassment in Higher Education – a Systematic Review," *European Journal of Higher Education* 10, no. 4 (2020): 397–419.

<sup>10</sup> Yogi Febriandi, Muhammad Ansor, and Nursiti, "Seeking Justice through Qanun Jinayat: The Narratives of Female Victims of Sexual Violence in Aceh, Indonesia," *Qudus International Journal of Islamic Studies* 9, no. 1 (2021): 103–40.

<sup>11</sup> Muhammad Arinal Huda, "Sexual Harassment in Indonesia: Problems and Challenges in Legal Protection," *Law Research Review Quarterly* 7, no. 3 (2021): 303–14.

<sup>12</sup> Erwinda, Nirwana, and Afdal, "Analysis of Sexual Harassment Instruments by Rasch Modeling to Identify Sexual Harassers."

<sup>13</sup> Wahyuddin Naro et al., "Shariah Assessment Toward the Prosecution of Cybercrime in Indonesia," *International Journal of Criminology and Sociology* 9 (2020): 572–86.

<sup>14</sup> G Violin and Y K Nafi, "Protection of Online Gender-Based Violence Victims: A Feminist Legal Analysis," *The Indonesian Journal of Socio-Legal* 1, no. 2 (2022), <https://scholarhub.ui.ac.id/ijsls/vol1/viewcontent.cgi?articl>.

<sup>15</sup> Hwian Christianto, "Measuring Cyber Pornography Based on Indonesian Living Law: A Study of Current Law Finding Method," *International Journal of Law, Crime and Justice* 60, no. October 2019 (2020).

explore the causes and efforts to overcome these acts in the younger generation. The presence of this study is expected to be theoretical material for the public and readers.

According to the Indonesian Dictionary, sexual harassment was formed from the verb to harass, which means to humiliate, look down on, or ignore.<sup>16</sup> Meanwhile, "sexual" is related to sexual intercourse between men and women. Sexual harassment means an insult to someone due to things related to sex, gender, or sexual activity.<sup>17</sup>

Sexual harassment as an act usually carried out by men towards women, which makes them feel humiliated.<sup>18</sup> However, in most cases, the victims do not object to these acts to avoid the worst consequences. Sexual harassment is the tendency to act non-physical or physical actions, such as words, language, pictures, holding, touching, and kissing by a man or group of men towards women.<sup>19</sup>

Furthermore, according to Rifka Annisa Crisis Center, an institution for women's empowerment in Yogyakarta,<sup>20</sup> sexual harassment, which relates to degrading people's dignity, is associated with sexual elements, excluding rape that occurs in marriage or courtship. The National Commission on Violence against Indonesian Women categorized it as punishment of a sexual nature, torture, forced marriage, mandated pregnancy, trafficking for sexual purposes, forced contraception/sterilization, enforced abortion, slavery, exploitation, traditional practices of sexual nuance, sexual control, forced prostitution, attempted rape, etc.

Many factors underlie why victims find it difficult to identify and accept the sexual harassment they experience, such as confusion about how to describe what happened to them.<sup>21</sup> Others include being ashamed, scared of societal blame, and blaming the victim for dress attribution and lifestyle. Therefore, it is imperative to investigate the causes of the harassment instead of self-blame and humiliation to help stop further abuse.

Sexual harassment is not only about sex but rather the power or authority associated with abuse despite the perpetrator's confession of doing it for sex or romance.<sup>22</sup> In other words, the perpetrators only feel "meaningful" when they succeed in degrading another person sexually without caring about the victim's feelings. Criminals generally do not want to risk their actions, therefore, the victim's actions to report or

---

<sup>16</sup> Kemendikbud, "KBBI - Kamus Besar Bahasa Indonesia," *Kamus Besar Bahasa Indonesia*, 2019.

<sup>17</sup> Shawn Meghan Burn, "The Psychology of Sexual Harassment," *Teaching of Psychology* 46, no. 1 (2019): 96–103.

<sup>18</sup> Tri Astuti Handayani, "Legal Protection of Women Victims of Sexual Harassment in Indonesia," *Unifikasi: Jurnal Ilmu Hukum* 06, no. 2 (2019): 209–18.; Intan Permata Sari, "Hukuman Bagi Pelaku Pelecehan Seksual Terhadap Sesama Jenis," *LEGITIMASI: Jurnal Hukum Pidana Dan Politik Hukum* 6, no. 1 (2017).

<sup>19</sup> Paula McDonald and Sara Charlesworth, "Workplace Sexual Harassment at the Margins," *Work, Employment & Society* 30, no. 1 (2016): 118–34.

<sup>20</sup> Trisnawibawa, "Peranan Rifka Annisa Women's Crisis Center Dalam Menangani Kasus Kekerasan Seksual Di Yogyakarta."

<sup>21</sup> Rhiana Wegner et al., "Sexual Assault Perpetrators' Justifications for Their Actions: Relationships to Rape Supportive Attitudes, Incident Characteristics, and Future Perpetration," *Violence Against Women* 21, no. 8 (2015): 1018–37.

<sup>22</sup> Heather McLaughlin, Christopher Uggen, and Amy Blackstone, "Sexual Harassment, Workplace Authority and the Paradox of Power," *Am Social Rev* 77, no. 4 (2012): 625–47.

complain about crime to the police is considered a threat. However, most times, these victims are reluctant to report the crimes they have experienced to the police out of fear.

This act is carried out in physical or non-physical form by taking pictures, peeking, showing sexual organs either directly or using technology, performing sexual transmissions, physical touch, and asking people to do things they detest. Therefore, it causes a person to feel ashamed, depressed, offended, humiliated, etc. Men against women and vice versa can generally perpetrate sexual harassment.

Sexual harassment against women in cyberspace is a problem that requires special attention by the government because it concerns the generation, religion, and nation's morality.<sup>23</sup> In Islam, the Qur'an and the Hadith (Sunnah) are the main sources of Islamic law because they are guidance to Allah SWT. In addition to these two law sources, there are other *istinbat* methods such as *ijma'*, *qiyas*, *istihsan*, *urf*, *sadd*, and *az-zari'ah*. *Istinbat* is used as a tool in understanding the Qur'an and Sunnah.<sup>24</sup>

This is a qualitative research with data collected using library research methods and strengthened by interviewing several criminal law experts. The approach used is a comparative assessment between Islamic criminal and national laws. Primary data sources were obtained from the Al-Quran-hadith, and various laws and regulations, especially Law Number 11 of 2008 on Information and Electronic Transactions. Others include Law Number 4 of 2008 concerning Pornography, Law Number 13 of 2006 on Witnesses and Victims, and the Criminal Code (Book of the Criminal Law for Legal Protection). Meanwhile, secondary data were obtained from journals, with deductive conclusions drawn.

## B. Types of Sexual Harassment on Social Media

There are verbal and non-verbal sexual harassment carried out anywhere, anytime, and by anyone.<sup>25</sup> It includes the following actions:

- a. Physical harassment is in the form of unwanted actions leading to sexual acts such as kissing, patting, pinching, glancing, or staring lustfully.
- b. Verbal harassment in the form of verbal remarks regarding a person's personal life, body parts, appearance, jokes, and sexually suggestive comments.
- c. Gesture abuse in the form of body language and movements with a sexual tone, repeated glances, gestures with fingers, and pinching the lips.

---

<sup>23</sup> 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.

<sup>24</sup> Supardin Supardin and Abdul Syatar, "Adultery Criminalization Spirit in Islamic Criminal Law: Alternatives in Indonesia's Positive Legal System Reform," *Samarah: Jurnal Hukum Keluarga dan Hukum Islam* 5, no. 2 (2021): 913–27; Israr Hirdayadi and Hera Susanti, "Diversi Dalam Sistem Peradilan Pidana Anak di Indonesia dan Tinjauannya Menurut Hukum," *LEGITIMASI: Jurnal Hukum Pidana Dan Politik Hukum* 6, no. 2 (2017).

<sup>25</sup> Işıl Işık and Özen Kulakaç, "Verbal Sexual Harrassment: A Hidden Problem for Turkish Adolescent Girls," *Asian Journal of Women's Studies* 21, no. 4 (2015): 431–49.

- d. Written or graphic harassment includes displaying pornographic material, and sexual images as screensavers and posters via e-mail and other electronic communication modes.
- e. Psychological/emotional harassment consists of persistent and unwanted requests, solicitations, unsolicited dates, as well as insults of a sexual nature.<sup>26</sup>

Other forms of sexual violence, such as verbal and non-verbal or physical and non-physical as explained as follows:<sup>27</sup>

- a. Verbal sexual harassment comprises of sex related-comments. Others include behaviors such as teasing, sarcasm, throwing jokes, and even asking questions of a sexual nature that make the victim uncomfortable.
- b. Non-verbal sexual harassment is manifested by gestures that make the victim uncomfortable. Examples include all forms of sexual acts committed on oneself in front of others without their authorization, looking at someone lustfully, and all forms of sexual gestures.

Physical sexual harassment is the most extreme as perpetrators make body contact with their victims, despite their disapproval.<sup>28</sup> Examples include rape, groping people's bodies without their permission, gifting someone in return for sexual pleasure, and carrying out a virginity test on someone. Others include hugging, kissing, patting, and caressing without consent.

### **C. Form of Legal Protection for Sexual Harassment Victims in Cyberspace According to Islamic Law and National Law**

Legal protection is an equal right given to citizens by the government after meeting certain requirements.<sup>29</sup> According to Satjito Rahardjo, legal protection is an effort to protect one's interests by allocating power to protect the community.<sup>30</sup>

In regulating and administering the entire community welfare, the government issues various state regulations, also known as statutory.<sup>31</sup> There are legislations formed

---

<sup>26</sup> Fikka Wiannanda Putri et al., "Tinjauan Yuridis Terhadap Tindak Pidana Kejahatan Pelecehan Sexual Melalui Media S' Osial (Cyber Porn)," *Justitia: Jurnal Ilmu Hukum Dan Humaniora* 8, no. 4 (2021): 785-94.

<sup>27</sup> Almaz Mamaru, Kinde Getachew, and Yasmin Mohammed, "Prevalence of Physical, Verbal and Nonverbal Sexual Harassments and Their Association with Psychological Distress among Jimma University Female Students: A Cross-Sectional Study," *Ethiopian Journal of Health Sciences* 25, no. 1 (2015): 29-38.

<sup>28</sup> Kathleen C. Basile, Ashley S. D'Inverno, and Jing Wang, "National Prevalence of Sexual Violence by a Workplace-Related Perpetrator," *American Journal Preventive Medicine* 58, no. 2 (2020): 2016-2223.

<sup>29</sup> Leli Tibaka and Rosdian Rosdian, "The Protection of Human Rights in Indonesian Constitutional Law after the Amendment of the 1945 Constitution of the Republic of Indonesia," *FIAT JUSTISIA: Jurnal Ilmu Hukum* 11, no. 3 (2018): 266.

<sup>30</sup> Lily Karuna Dewi and Dewa Gde Rudy, "Supervision Arrangements in Order to Strengthen the Protection of Traditional Cultural Expressions as Intellectual Property," *Jurnal Magister Hukum Udayana (Udayana Master Law Journal)* 10, no. 2 (2021): 238.

<sup>31</sup> Mohammad Wahyu Adji Setio Budi, "Indonesian State System Based on Pancasila and the 1845 Constitution : A Contemporary Developments," *Indonesian Journal of Pancasila and Global Constitutionalism* 1, no. 1 (2022): 1-16.

in Indonesia according to the Provisional People's Consultative Assembly Number XX/MPRS/1966 obtained from Number V/MPR/1973). These are as follows:

- a. The 1945 Constitution of the Republic of Indonesia (UUD 1945)
- b. Decree of the People's Consultative Assembly (MPR Decree)
- c. Laws (UU) and government regulations in lieu of law (Perpu))
- d. Government Regulation (PP)
- e. Presidential Decree (Keppres)
- f. Other implementing regulations

That words and actions are an understanding indicating two concrete conditions. The first is the existence of a certain guarantee, while the second refers to those responsible for the incident. In Article 10 of the Criminal Code, there are two kinds of punishments, namely, Principal and Additional Criminal Sanctions:

#### Principal Criminal Sanction

1. Death Penalty
2. Imprisonment
3. Confinement
4. Criminal fines
5. Criminal closure

#### Additional Criminal Sanction

1. Revocation of certain rights
2. Deprivation of certain items
3. Announcement of judge's decision

Several laws have been implemented to overcome the sexual harassment problem in cyberspace, including crimes and immoral violations.<sup>32</sup> These include Law No. 11 of 2008 on Transaction Information and Technology, Law Number 13 of 2008 on Pornography, the Criminal Code, and Law No. 13 Years of Legal Protection for Witnesses and Victims to protect victims. In addition, there are prohibitions against sexual harassment in cyberspace, which are related to technology as a medium, for criminal acts perpetrators as stated in Law No. 11 of 2008 concerning Transaction and Electronic Information. The state is not only limited to sexual harassment in cyberspace but also provides legal protection to victims and witnesses, as indicated in Law No. 13 of 2006, which gives justice and comfort to these people.<sup>33</sup>

There were no regulations specifically for witnesses and victims' protection before the enactment of Law Number 13 implemented in July 2006, which was later amended by

---

<sup>32</sup> Deepa Sethi and Sanchita Ghatak, "Mitigating Cyber Sexual Harassment: An Insight from India," *Asian Themes in Social Sciences Research* 1, no. 2 (2018): 34-43.

<sup>33</sup> Darmawan Nuryudha Pramana and Subekti, "Bentuk Perlindungan Hukum Korban Online Gender-Based Violence dalam Peraturan Perundang-Undangan Di Indonesia," *Recidive: Jurnal Hukum Pidana dan Penanggulangan Kejahatan* 9, no. 13 (2020): 161-73.

Law Number 31 of 2014. This law is essential because witnesses and victims often experience physical and psychological terror or threats during a criminal justice process. Witness testimony is very important in revealing material truth, and was first implemented in Article 184 Paragraph (1) of the Criminal Code, in addition to expert testimony, letters, instructions, and the Defendant's statements.

Legal protection forms for crime victims can generally be pursued through various actions, such as determining the losses suffered by the victims. However, in situations whereby the losses include psychological and mental suffering, the effort to compensate by using money is certainly not enough, hence there is a need for psychological and mental recovery efforts.<sup>34</sup>

The main purpose of the establishment of Law Number 13 of 2006 is to make witnesses and victims feel protected hence they can reveal what happened to them and testify calmly without fear. Furthermore, this law should be able to become legal umbrella protection for witnesses and victims of crimes. Sentencing in Islam also aims to form a good society ruled by mutual respect and love among its members by knowing the limits of rights and obligations.

In terms of actions, criminal acts (*jarimah*) are divided into the following sections:<sup>35</sup>

a. Jarimah hudud

*Hudud Law* is a punishment that is threatened with a *had* and is more determined by *syara*. It belongs to Allah and has been determined by *syara'* without minimum and maximum limits. This punishment is inseparable from the individual or the community represented by the state.<sup>36</sup>

b. Jarimah qishas and diyat

*Qishash* can be interpreted as retribution because it is a more guaranteed punishment based on the level of the actions. Meanwhile, *jarimah diyat* is a property that needs to be given as compensation for losses due to the ruler in the country.

c. Jarimah ta'zir

*Ta'zir Law* is a crime outside of *had* and *qishash* or *diyat*, and the authorities carry out the punishment in the state.

---

<sup>34</sup> Johan Runtu, "Perlindungan Hukum Terhadap Korban Tindak Pidana Perkosaan dalam Peradilan Pidana," *LexCrimen* 1, no. 2 (2012): 19–38, <https://ejournal.unsrat.ac.id/index.php/article/view/413>; Yuhasnibar Syah and Lastrina Lastrina, "Tindak Pidana Homoseksual Dalam Putusan MK Nomor 46/Puu-Xiv/2016: Perspektif Hukum Pidana Islam," *LEGITIMASI: Jurnal Hukum Pidana Dan Politik Hukum* 11, no. 1 (2022).

<sup>35</sup> 'Abdul Qadir 'Audah, *Al-Tasyrī' Al-Jinā'i Al-Islāmī; Muqāranan Bi Al-Qanūn Al-Wadh'ī*, II (Cairo: Maktabah al-Taufiqiyah, 2013).

<sup>36</sup> Dedy Sumardi, "Hudūd dan Ham: Artikulasi Penggolongan Hudūd Abdullahi Ahmed An-Na'im," *Miqot: Jurnal Ilmu-Ilmu Keislaman* 35, no. 2 (2011): 372–90; Dedy Sumardi et al., "Transition of Civil Law to Public Law: Integration of Modern Punishment Theory in Criminal Apostasy," *AHKAM: Jurnal Ilmu Syariah* 22, no. 1 (June 30, 2022), <https://doi.org/10.15408/ajis.v22i1.26359>.



There are no rules and provisions in the Qur'an or the hadith regarding sexual harassment in the cyberspace hence it becomes the *ijtihad*.<sup>37</sup> *Ulama*, known as the guardians, transmitters, and interpreters of religious knowledge in Islam, will produce legal provisions for the problems faced by referring to the Qur'an and hadith. Legal products of *ta'zir* are types of punishment not specified by texts in the Qur'an and hadith and are applied to the perpetrators.<sup>38</sup> It can be directed to the act of not fasting during Ramadan without excuses, leaving prayer, consuming usury, removing *najis* (unclean) in the middle of public streets, or insulting and commenting on people's photos unpleasantly in cyberspace.

Efforts by victims of sexual harassment to make complaints to the police in accordance with the law are quite rare.<sup>39</sup> This is because they tend to experience fear and shame and prefer to remain silent to avoid facing disgrace. Legal protection for victims is currently insufficient to understand the serious problems related to sexual violence.

Perpetrators need to be identified and handed over to a judge or authority with the right to persecute them. Criminal sanctions for sexual harassment perpetrators are associated with the application of *ta'zir* punishment, determined by the authorities in terms of form, type, or sanctions. *Jarimah ta'zir* is closely related to community development and benefit. Therefore, the *jarimah ta'zir* existence provides an opportunity for judges who have the right to decide a case for *ijtihad* to determine what punishment is imposed on the lawmaker. It is the local authority's responsibility to determine the ideal punishment from the varying types, such as imprisoned, detained, humiliated, and even sentence to death in cases of sodomy for the Maliki school and killing people with blunt tools that occurred in Hanafi.<sup>40</sup>

The following are punishments that can be applied to sexual harassment preparators in the form of *ta'zir*;

1. Imprisonment.
2. Penalty of exile
3. Exclusion
4. Threats of reprimand and warnings
5. Fines
6. Defamation

Punishments related to individual rights can be erased with forgiveness, however, those associated with Allah are determined by the government.

---

<sup>37</sup> Supardin and Syatar, "Adultery Criminalization Spirit in Islamic Criminal Law: Alternatives in Indonesia's Positive Legal System Reform."

<sup>38</sup> Radatilla and Siti Aisyah, "Islamic Law and Positive Law in Indonesia's Transgender Behavior," *Mazahibuna: Jurnal Perbandingan Mazhab* 3, no. 2 (2021).

<sup>39</sup> Murti Wijayanti, "Prison in Islamic Criminal Law Perspective," *International Journal of Education, Information Technology and Others (IJEIT)* 5, no. 2 (2022): 389–99.

<sup>40</sup> 'Abdul Qadir 'Audah, *Al-Tasyri' Al-Jina'i Al-Islami; Muqaranan Bi Al-Qanun Al-Wadh'i, Jil. II, II* (Kairo: Maktabah al-Taufiqiyah, 2013).

#### D. Comparison of Islamic Criminal Sanctions and National Laws on Sexual Harassment in Cyberspace

##### 1. Islamic Criminal Perspectives on Sexual Harassment in Cyberspace

The Quran forbids physical and non-physical sexual harassment, which are both known as "*al-rafast*" and "*fāhisyah*".<sup>41</sup> According to *mufassirin al-rafast is al-ifhasy li al-ma'ah fi al-kalam* or vile expressions against women that lead to sexuality. Meanwhile, *fakhisyah* is similar to *ar-rafast* for example dirty acts or expressions that attack and demean women's dignity.

In the Islamic perspective, sexual harassment in cyberspace is seen as a despicable act because it is carried out by humans who violate the regulated provisions such as marriage.<sup>42</sup> Islamic criminal law has regulated sexual harassment victims and perpetrators in the form of *ta'zir*, due to the limits and punishment levels specified in sharia, categorized as *jarimah ta'zir*.<sup>43</sup>

In today's era, where advances in technology and information are growing rapidly, some human activities, such as sexual advances can be carried out remotely with the internet. Although the internet was created for good, such as to facilitate various human activities, it has become a tool that facilitates crime in multiple forms, such as enabling people to access pornography to fulfill their sexual desire.

Punishment in Islam is given in accordance with the purpose of the law, such as to realize the people's benefits and, at the same time, uphold justice.<sup>44</sup> In *Jarimah ta'zir*, the judge's ability to assign punishment is limited to the appropriateness, and its nature is an effort to educate and not hurt or injure.

Sexual harassment of women in cyberspace is a problem that requires special attention by the government because it concerns the generations, religions, and the nation's morality. The Islamic law sources are the Qur'an and the hadith, which are the main instructions of Allah. Other sources are *istinbat* methods such as *ijma'*, *qiyas*, *istihsan*, *urf*, and *sadd, az-zari'ah*. The *istinbat* method is used to understand the Qur'an and Sunnah. Following the Quran surah An-Nur (24): 33.

*"And unmarried people should exercise restraint and keep themselves chaste until Allah grants them whom to marry out of His grace and bounty. The other commandment is for those of your bondsmen or women as written in the contract of freedom for them on ransom payment. The deed of manumission for them is provided for good capabilities and provides them with Allah's wealth. Another commandment is a mind to gain by this unrighteous means. It benefits the present life without*

---

<sup>41</sup> Muhammad Sa'id Ramadhan Al-Buti, *Al-'Uqubat Al-Islamiah; Wa 'Uqdah Al-Tanaqud Bainaha Wa Baina Ma Yusamma Bi Thabi'ih Al-'Ashr* (Damaskus: Dar al-Fikr, 1999).

<sup>42</sup> Muhammad Haris Fauzi, Yuyun Affandi, and Arikhah Arikhah, "Survivor of Sexual Violence in Quranic Perspective: Mubādalah Analysis toward Chapter Joseph in Tafsir Al-Azhar," *Sawwa: Jurnal Studi Gender* 15, no. 2 (2020): 173–92, <https://doi.org/10.21580/sa.v15i2.6154>.

<sup>43</sup> Faradilla Fadlia and Ismar Ramadani, "The Qanun Jinayat Discriminates Against Women (Victims of Rape) in Aceh, Indonesia," *Journal of Southeast Asian Human Rights* 2, no. 2 (2018): 448, <https://doi.org/10.19184/jseahr.v2i2.8358>.

<sup>44</sup> Dedy Sumardi, et.al., "Legal Pluralism within the Space of Sharia: Interlegality of Criminal Law Traditions in Aceh, Indonesia," *Samarah* 5, no. 1 (2021): 426–49, <https://doi.org/10.22373/sjkh.v5i1.9303>.

*constraining slave girls to unchaste life by keeping them unmarried when they desire to marry to preserve their virtue. But if anybody forces them to abstain from marrying, and to become unchaste, they will find that God is Most Forgiving, Ever Merciful.*"<sup>45</sup>

Sexual violence cases in shari'a included sexual harassment, which is against Islamic teachings as stated in Quran surah Al-Isra/17:32 "Do not go near adultery. It is truly a shameful deed and an evil way." In this verse, Allah forbids a person from approaching adultery because it is described as an act: 1) *fâhisyah* (taboo) and 2) the worst. An example of the *fâhisyah* (taboo) is a gaze that has stripping nuances on the opposite or same sex, either alone or in public, which leads to efforts to eliminate one's honor. Therefore, the Sharia commands to hold the gaze of the Muslims to cover the *aurat* (nakedness).

## 2. National Law Perspective on Sexual Harassment in Cyberspace

Sexual violence consists of two elements, violence and sexual.<sup>46</sup> Therefore, before determining its definition, it is necessary to know about the associated violence, including persecution, torture, and mistreatment. Additionally, violence is using physical force and power, threats, or acts against oneself, an individual, or a group of people or society. In most cases, it leads to bruising/trauma, death, psychological harm, developmental disability, or rights deprivation.

Meanwhile, sexual is defined in relation to rights relating to intercourse cases between men and women.<sup>47</sup> Sexual violence is usually accompanied by psychological or physical stress, such as rape, which is sexual penetration without permission or coercion of the victim.

The Criminal Code generally regulates crimes and decency violations. At the same time, the Pornography Law and the Electronic and Transaction Information Law are associated with electronic-related crimes in the image and written that contain indecent content. These three laws are equivalent in regulations and meet the principle of "*lex specialis derogat legi generalis.*"

Therefore, the punishment for verbal sexual harassment perpetrators, which is not listed in the Criminal Code, should be adjusted to the case. This study is related to the adjustment of the Electronic Transactions as well as Information and the Pornography Laws on victims of verbal sexual harassment.

Although sexual violence occurs repeatedly and continuously, many people are sensitive about this issue as it is often considered a crime against morality alone. The state

---

<sup>45</sup> Kementerian Agama RI, *Al-Qur'an Dan Terjemahannya* (Jakarta: Lajnah Pentashihan Mushaf Al-Qur'an Badan Litbang dan Diklat Kementerian Agama RI, 2019).

<sup>46</sup> Seno Adhi Wibowo, "Child Sexual Violence and the Violation of Human Rights: The Darkest Side of Law Enforcement in Indonesia," *The Indonesian Journal of International Clinical Legal Education* 2, no. 4 (2020): 422-34.

<sup>47</sup> Alice M. Miller et al., "Sexual Rights as Human Rights: A Guide to Authoritative Sources and Principles for Applying Human Rights to Sexuality and Sexual Health," *Reproductive Health Matters* 23, no. 46 (2015): 16-30.

also supports this view through the Criminal Code (KUHP), where sexual violence, such as rape, is considered a decency violation. This is categorized as reducing the degree of rape committed and creating the view that sexual violence is a moral matter.

Therefore, in national law, sexual harassment perpetrators in cyberspace have violated Law No. 4 of 2008 concerning pornography related to the forms of crimes committed, which are regulated in Article 1 paragraph (1), Article 4 paragraph (1), and Article 10 as well as in the Criminal Code Article 281 paragraphs 1 and (2), 282 paragraph (1) and (2). The perpetrators have misused technological facilities as a medium to commit sexual harassment in cyberspace as regulated in Law No. 11 of 2008 concerning Transaction and Electronic Information.

The following is a comparative table on sexual harassment in cyberspace from the perspective of Islamic and national laws:

Table 1:  
Comparison of Islamic Criminal Sanctions and National Laws  
on Sexual Harassment in Cyberspace

No	Islamic Criminal Law	National Law
1.	Sexual harassment in cyberspace is an act that attacks women's honor and contains cruel elements.	Sexual harassment in cyberspace is an act that violates applicable laws and moral norms.
2.	Legal protection for sexually harassed victims in cyberspace is by being sentenced based on the category of <i>Fiqh Jinayah</i> . This can be classified as <i>jarimah ta'zir</i> whose punishment was handed over by <i>the government</i> . <i>Ta'zir</i> is a punishment imposed at the judge's discretion and not contained in the Qur'an and Hadith. The <i>ta'zir</i> punishment can be in the form of imprisonment, exile, exclusion, threats of reprimand and warnings, fines, and punishments.	Legal protection for sexual harassment victims in cyberspace is regulated in Law Number 13 of 2006 concerning the Protection of Sanctions and Victims. Furthermore, the punishment, which is in the form of Article 10 of the Criminal Code, states that there are two kinds of punishment: The main criminal case are the death penalty, imprisonment, confinement, fine, and closing. Others are rights revocation, goods confiscation, and announcement of the judge's decision.
3.	This legal view does not contain clear and detailed punishment provisions regarding sexual harassment acts in cyberspace.	National law does not contain clear and detailed punishment provisions regarding sexual harassment acts in cyberspace.

Data Source: the Authors

## E. Conclusion

Sexual harassment in cyberspace is an act that generally attacks women's honor. It contains cruel elements and violates the morality norm regulated by religion and the state, adversely impacting the victim's psychology. In Islamic law, the sexual harassment

perpetrator in cyberspace is an act that contains contempt elements, therefore, the perpetrator can be sentenced according to the category of *Fiqh Jinayah* and can be classified in *Jarimah ta'zir* whose punishment is handed over by the government. Furthermore, complaints from sexually harassed victims in cyberspace to the police are quite rare due to fear and shame. In national law, perpetrators of sexual harassment in cyberspace have violated Law No. 4 of 2008 concerning Pornography and Forms of Sexual Harassment verbally and non-verbally. The legal protection for victims in Islamic law is the imposition of *ta'zir* sanctions on perpetrators in accordance with the criminal action's level. Furthermore, the victim is entitled to compensation, which the government determines. Legal protection for sexual harassment victims in cyberspace related to national law is regulated in Law Number 13 of 2006 concerning the Protection of Sanctions and Victims.

### Daftar Kepustakaan

- 'Audah, 'Abdul Qadir. *Al-Tasyri' Al-Jina'i Al-Islami; Muqaranan Bi Al-Qanun Al-Wadh'i*, Jil. II. II. Kairo: Maktabah al-Taufiqiyah, 2013.
- . *Al-Tasyri' Al-Jinā'i Al-Islāmī; Muqāranan Bi Al-Qanūn Al-Wadh'ī*. II. Cairo: Maktabah al-Taufiqiyah, 2013.
- Al-Buti, Muhammad Sa'id Ramadhan. *Al-'Uqubat Al-Islamiyah; Wa 'Uqdah Al-Tanaqud Bainaha Wa Baina Ma Yusamma Bi Thabi'ihī Al-'Ashr*. Damaskus: Dar al-Fikr, 1999.
- Alnagrat, Ahmed, and Shakirat Haroon- Sulyman. "An Overview of Contemporary Cyberspace Activities and the Challenging Cyberspace Crimes / Threats An Overview of Contemporary Cyberspace Activities and the Challenging Cyberspace Crimes / Threats By Samson Olasunkanmi Oluga \* Dr Azizah Bt Haji Ahmad Ahmad." *International Journal of Computer Science and Information Security* 12, no. 3 (2014): 64–100. <https://doi.org/10.5281/zenodo.6273061>.
- Basile, Kathleen C., Ashley S. D'Inverno, and Jing Wang. "National Prevalence of Sexual Violence by a Workplace-Related Perpetrator." *American Journal Preventive Medicine* 58, no. 2 (2020): 2016–2223. <https://doi.org/10.1016/j.amepre.2019.09.011>.
- Bondestam, Fredrik, and Maja Lundqvist. "Sexual Harassment in Higher Education – a Systematic Review." *European Journal of Higher Education* 10, no. 4 (2020): 397–419. <https://doi.org/10.1080/21568235.2020.1729833>.
- Budi, Mohammad Wahyu Adji Setio. "Indonesian State System Based on Pancasila and the 1845 Constitution : A Contemporary Developments." *Indonesian Journal of Pancasila and Global Constitutionalism* 1, no. 1 (2022): 1–16. <https://doi.org/10.15294/ijpgc.v1i1.56875>.
- Burn, Shawn Meghan. "The Psychology of Sexual Harassment." *Teaching of Psychology* 46, no. 1 (2019): 96–103. <https://doi.org/10.1177/0098628318816183>.
- Christianto, Hwian. "Measuring Cyber Pornography Based on Indonesian Living Law: A Study of Current Law Finding Method." *International Journal of Law, Crime and Justice*

- 60, no. October 2019 (2020): 100348. <https://doi.org/10.1016/j.ijlcy.2019.100348>.
- Erwinda, Lira, Herman Nirwana, and Afdal Afdal. "Analysis of Sexual Harassment Instruments by Rasch Modeling to Identify Sexual Harassers." *COUNS-EDU: The International Journal of Counseling and Education* 5, no. 1 (2020): 1–5. <https://doi.org/10.23916/0020190417540>.
- Fadlia, Faradilla, and Ismar Ramadani. "The Qanun Jinayat Discriminates Against Women (Victims of Rape) in Aceh, Indonesia." *Journal of Southeast Asian Human Rights* 2, no. 2 (2018): 448. <https://doi.org/10.19184/jseahr.v2i2.8358>.
- Fauzi, Muhammad Haris, Yuyun Affandi, and Arikhah Arikhah. "Survivor of Sexual Violence in Quranic Perspective: Mubādalah Analysis toward Chapter Joseph in Tafsir Al-Azhar." *Sawwa: Jurnal Studi Gender* 15, no. 2 (2020): 173–92. <https://doi.org/10.21580/sa.v15i2.6154>.
- Febriandi, Yogi, Muhammad Ansor, and Nursiti. "Seeking Justice through Qanun Jinayat: The Narratives of Female Victims of Sexual Violence in Aceh, Indonesia." *Qudus International Journal of Islamic Studies* 9, no. 1 (2021): 103–40. <https://doi.org/10.21043/QIJS.V9I1.8029>.
- Handayani, Tri Astuti. "Legal Protection of Women Victims of Sexual Harassment in Indonesia." *Unifikasi: Jurnal Ilmu Hukum* 06, no. 2 (2019): 209–18. <https://doi.org/10.25134/unifikasi.v6i2.1939>.
- Hirdayadi, Israr, and Hera Susanti. "Diversi Dalam Sistem Peradilan Pidana Anak Di Indonesia Dan Tinjauannya Menurut Hukum." *LEGITIMASI: Jurnal Hukum Pidana Dan Politik Hukum* 6, no. 2 (2017).
- Huda, Muhammad Arinal. "Sexual Harassment in Indonesia: Problems and Challenges in Legal Protection." *Law Research Review Quarterly* 7, no. 3 (2021): 303–14. <https://doi.org/10.15294/lrrq.v7i3.48162>.
- Işık, Işıl, and Özen Kulakaç. "Verbal Sexual Harassment : A Hidden Problem for Turkish Adolescent Girls." *Asian Journal of Women's Studies* 21, no. 4 (2015): 431–49. <https://doi.org/10.1080/12259276.2015.1106855>.
- Karuna Dewi, Lily, and Dewa Gde Rudy. "Supervision Arrangements in Order to Strengthen the Protection of Traditional Cultural Expressions as Intellectual Property." *Jurnal Magister Hukum Udayana (Udayana Master Law Journal)* 10, no. 2 (2021): 238. <https://doi.org/10.24843/jmhu.2021.v10.i02.p04>.
- Kemendikbud. "KBBI - Kamus Besar Bahasa Indonesia." *Kamus Besar Bahasa Indonesia*, 2019.
- Kementerian Agama RI. *Al-Qur'an Dan Terjemahannya*. Jakarta: Lajnah Pentashihan Mushaf Al-Qur'an Badan Litbang dan Diklat Kementerian Agama RI, 2019.
- Mamaru, Almaz, Kinde Getachew, and Yasmin Mohammed. "Prevalence of Physical, Verbal and Nonverbal Sexual Harassments and Their Association with Psychological Distress among Jimma University Female Students: A Cross-Sectional Study." *Ethiopian Journal of Health Sciences* 25, no. 1 (2015): 29–38. <https://doi.org/10.4314/ejhs.v25i1.5>.
- Mcdonald, Paula, and Sara Charlesworth. "Workplace Sexual Harassment at the Margins."

- Work, Employment & Society* 30, no. 1 (2016): 118–34.  
<https://doi.org/10.1177/0950017014564615>.
- Mclaughlin, Heather, Christopher Uggen, and Amy Blackstone. “Sexual Harassment, Workplace Authority and the Paradox of Power.” *Am Social Rev* 77, no. 4 (2012): 625–47. <https://doi.org/10.1177/0003122412451728>.
- Miller, Alice M., Eszter Kismödi, Jane Cottingham, and Sofia Gruskin. “Sexual Rights as Human Rights: A Guide to Authoritative Sources and Principles for Applying Human Rights to Sexuality and Sexual Health.” *Reproductive Health Matters* 23, no. 46 (2015): 16–30. <https://doi.org/10.1016/j.rhm.2015.11.007>.
- Murti Wijayanti. “Prison in Islamic Criminal Law Perspective.” *International Journal of Education, Information Technology and Others (IJEIT)* 5, no. 2 (2022): 389–99. <https://doi.org/10.5281/zenodo.4730248>.
- Naro, Wahyuddin, Abdul Syatar, Muhammad Majdy Amiruddin, Islamul Haq, Achmad Abubakar, and Chaerul Risal. “Shariah Assessment Toward the Prosecution of Cybercrime in Indonesia.” *International Journal of Criminology and Sociology* 9 (2020): 572–86. <https://doi.org/https://doi.org/10.6000/1929-4409.2020.09.5>.
- Paterson, Thomas. “Indonesian Cyberspace Expansion: A Double-Edged Sword.” *Journal of Cyber Policy* 4, no. 2 (2019): 216–34. <https://doi.org/10.1080/23738871.2019.1627476>.
- Permata, Verania Hedi. “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>.
- Pramana, Darmawan Nuryudha, and Subekti. “Bentuk Perlindungan Hukum Korban Online Gender-Based Violence Dalam Peraturan Perundang-Undangan Di Indonesia.” *Recidive: Jurnal Hukum Pidana Dan Penanggulangan Kejahatan* 9, no. 13 (2020): 161–73. <https://doi.org/10.20961/recidive.v9i12.47405>.
- Putri, Fikka Wiannanda, Naintya Amelinda Rizti, Puti Priyana, Fakultas Hukum, and Universitas Singaperbangsa. “Tinjauan Yuridis Terhadap Tindak Pidana Kejahatan Pelecehan Sexual Melalui Media S’ Osial ( Cyber Porn ).” *Justitia: Jurnal Ilmu Hukum Dan Humaniora* 8, no. 4 (2021): 785–94. <https://doi.org/10.31604/justitia.v8i4.785-794>.
- Radatilla, and Siti Aisyah. “Islamic Law and Positive Law in Indonesia ’ s Transgender Behavior .” *Mazahibuna: Jurnal Perbandingan Mazhab* 3, no. 2 (2021). <https://doi.org/10.24252/mh.v>.
- Rizal, Muhamad, and Yanyan Yani. “Cybersecurity Policy and Its Implementation in Indonesia.” *JAS (Journal of ASEAN Studies)* 4, no. 1 (2016): 61. <https://doi.org/10.21512/jas.v4i1.967>.
- Runtu, Johan. “Perlindungan Hukum Terhadap Korban Tindak Pidana Perkosaan Dalam Peradilan Pidana.” *Lex Crimen* 1, no. 2 (2012): 19–38.
- Sari, Intan Permata. “Hukuman Bagi Pelaku Pelecehan Seksual Terhadap Sesama Jenis.” *LEGITIMASI: Jurnal Hukum Pidana Dan Politik Hukum* 6, no. 1 (2017).
- Sethi, Deepa, and Sanchita Ghatak. “Mitigating Cyber Sexual Harassment: An Insight from

- India." *Asian Themes in Social Sciences Research* 1, no. 2 (2018): 34–43. <https://doi.org/10.33094/journal.139.2018.12.34.43>.
- Shechory-bitton, Mally, and Liza Zvi. "Is It Harassment ? Perceptions of Sexual Harassment Among Lawyers and Undergraduate Students." *Frontiers in Psychology* 11, no. August (2020). <https://doi.org/10.3389/fpsyg.2020.01793>.
- Sumardi, D., R. Lukito, and M.N. Ichwan. "Legal Pluralism within the Space of Sharia: Interlegality of Criminal Law Traditions in Aceh, Indonesia." *Samarah* 5, no. 1 (2021): 426–49. <https://doi.org/10.22373/sjhk.v5i1.9303>.
- ."Hudûd dan Ham: Artikulasi Penggolongan Hudûd Abdullahi Ahmed An-Na'im." *Miqot: Jurnal Ilmu-Ilmu Keislaman* 35, no. 2 (2011): 372–90. <https://doi.org/http://dx.doi.org/10.30821/miqot.v35i2.149>.
- ."Transition of Civil Law to Public Law: Integration of Modern Punishment Theory in Criminal Apostasy." *AHKAM : Jurnal Ilmu Syariah* 22, no. 1 (June 30, 2022). <https://doi.org/10.15408/ajis.v22i1.26359>.
- Supardin, Supardin, and Abdul Syatar. "Adultery Criminalization Spirit in Islamic Criminal Law: Alternatives in Indonesia's Positive Legal System Reform." *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 5, no. 2 (2021): 913–27. <https://doi.org/10.22373/sjhk.v5i2.9353>.
- Syah, Yuhasnibar, and Lastrina Lastrina. "Tindak Pidana Homoseksual Dalam Putusan MK Nomor 46/Puu-Xiv/2016: Perspektif Hukum Pidana Islam." *LEGITIMASI: Jurnal Hukum Pidana Dan Politik Hukum* 11, no. 1 (2022).
- Tibaka, Leli, and Rosdian Rosdian. "The Protection of Human Rights in Indonesian Constitutional Law after the Amendment of the 1945 Constitution of the Republic of Indonesia." *FIAT JUSTISIA: Jurnal Ilmu Hukum* 11, no. 3 (2018): 266. <https://doi.org/10.25041/fiatjustisia.v11no3.1141>.
- Trisnawibawa, Agung. "Peranan Rifka Annisa Women's Crisis Center Dalam Menangani Kasus Kekerasan Seksual Di Yogyakarta," 2017.
- Violin, G, and Y K Nafi. "Protection of Online Gender-Based Violence Victims: A Feminist Legal Analysis." *The Indonesian Journal of Socio-Legal ...* 1, no. 2 (2022).
- Wana, Brian Arga. "Indonesia Darurat Kekerasan Seksual." Jakarta, 2017.
- Wegner, Rhiana, Antonia Abbey, Jennifer Pierce, Sheri E. Pegram, and Jacqueline Woerner. "Sexual Assault Perpetrators' Justifications for Their Actions: Relationships to Rape Supportive Attitudes, Incident Characteristics, and Future Perpetration." *Violence Against Women* 21, no. 8 (2015): 1018–37. <https://doi.org/10.1177/1077801215589380>.
- Wibowo, Seno Adhi. "Child Sexual Violence and the Violation of Human Rights: The Darkest Side of Law Enforcement in Indonesia." *The Indonesian Journal of International Clinical Legal Education* 2, no. 4 (2020): 422–34. <https://doi.org/10.15294/ijicle.v2i4.43152>.
- Zhang, Sixuan, Dorothy Leidner, Xin Cao, and Ning Liu. "Workplace Cyberbullying: A Criminological and Routine Activity Perspective." *Journal of Information Technology* 37, no. 1 (2022): 51–79. <https://doi.org/10.1177/02683962211027888>.