

## LEGAL PROTECTION FOR VICTIMS OF SEXUAL HARASSMENT ON SOCIAL MEDIA FROM THE PERSPECTIVE OF ISLAMIC CRIMINAL LAW

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### *Abstract*

Sexual harassment on social media has become a significant issue in the context of law and digital security in this era. This phenomenon has the potential to harm individuals seriously and requires effective legal protection. This research uses a qualitative approach, a type of normative juridical research, to explore how current laws and policies handle cases of Sexual harassment on social media. The research results show that even though there is a positive legal framework in place, law implementation and enforcement still face challenges in handling complex cases of Sexual harassment in the digital realm. Protection for victims of Sexual harassment needs to be improved through broader education about digital ethics, increasing law enforcement capacity, and improving regulations that are more responsive to the dynamics of modern social media. From the perspective of Islamic criminal law, the protection of dignity and social justice is also highly upheld, with rehabilitation efforts to change the behavior of perpetrators.

**Keywords:** *Protection against victims, Sexual Pelecehan, Social Media, Law, Islamic Crime.*

### *Abstrak*

Pelecehan seksual di media sosial telah menjadi isu yang signifikan dalam konteks hukum dan keamanan digital di era ini. Fenomena ini berpotensi merugikan individu secara serius dan memerlukan perlindungan hukum yang efektif. Penelitian ini menggunakan pendekatan kualitatif jenis penelitian yuridis normatif untuk mendalami bagaimana hukum dan kebijakan saat ini menangani kasus pelecehan seksual di media sosial. Hasil penelitian menunjukkan bahwa meskipun terdapat kerangka hukum positif yang ada, implementasi dan penegakan hukum masih menghadapi tantangan dalam menangani kasus-kasus pelecehan seksual yang kompleks di ranah digital. Perlindungan terhadap korban pelecehan seksual perlu ditingkatkan melalui edukasi yang lebih luas tentang etika digital, peningkatan kapasitas penegak

hukum, serta penyempurnaan regulasi yang lebih responsif terhadap dinamika media sosial modern. Dalam perspektif hukum pidana Islam, perlindungan terhadap martabat dan keadilan sosial juga dijunjung tinggi, sehingga dengan upaya rehabilitasi untuk mengubah perilaku pelaku.

**Kata kunci:** Perlindungan Terhadap Korban, Pelecehan seksual , Media Sosial, Hukum, Pidana Islam

## **Introduction**

Sexual harassment is any sexually charged action carried out by one or more individuals without the consent of the targeted person, resulting in negative consequences such as shame, anger, offense, humiliation, loss of self-esteem, and loss of purity. Another view suggests that sexual harassment includes all types of sexually suggestive behavior, conducted unilaterally and against the victim's will, which leads to negative reactions such as shame, anger, and offense. Sexual harassment generally occurs when the perpetrator holds greater power than the victim. This power can manifest in the form of a higher position, economic control, gender dominance, numerical superiority, and so on<sup>1</sup>.

Information technology refers to the utilization of hardware, software, networks, and human resources to capture, store, process, produce, disseminate, and manage information. The development of information technology has enabled individuals to access information in a short period through the Internet. This has brought positive impacts, such as expanding access to information, increasing productivity, and accelerating business processes. However, the use of information technology also has negative consequences, such as the rise of cybercrimes like *phishing* and online sexual harassment. The easy access to various online content poses potential risks, especially to children and adolescents.<sup>2</sup>

Sexual harassment experienced by an individual can have various long-term effects on their psychological and social well-being. The victim may become more sensitive and easily frightened, frequently experiencing nightmares that replay the harassment incidents, causing them to wake up with intense fear. At school, their concentration can significantly decrease, leading to a withdrawn demeanor and reluctance to interact with classmates, which negatively impacts their academic performance. Psychologically, victims of sexual harassment may exhibit mild symptoms of depression, such as loss of appetite, difficulty sleeping, diminished self-confidence, and a negative self-image. Socially, victims often withdraw from social environments and rarely engage in activities outside the home. They become less trusting and are hesitant to interact with the opposite

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<sup>1</sup> Haryu, "Gangguan Stres Pasca Trauma Pada Korban Pelecehan Seksual Dan Perkosaan," *Al-Tatwir* 5, no. 1 (2018): 126.

<sup>2</sup> S. Kurnianingsih, "Pelecehan Seksual Terhadap Perempuan Di Tempat Kerja," *Bulletin Psikologi* 9, no. 2 (2018): 118.

gender. The long-term effects of such harassment profoundly impact both their psychological and social well-being.

In Islamic teachings, victims of harassment receive special attention, where Islam treats them with great care, gentleness, and compassion. Victims have the right to the enforcement of both positive and moral laws based on religious teachings. The community is also encouraged to support the victims in their complete recovery process. Islam has established Sharia boundaries to prevent sexual harassment, as stated in Surah Al-Isra' verse 32, which reads:

وَلَا تَقْرُبُوا الزَّوْجَ إِنَّهُ كَانَ فَاحِشَةً وَسَاءَ سَبِيلًا

Means: *Do not go near adultery. Verily, it is an immoral act and an evil path.*

Additionally, the protection of victims is also mentioned in Surah Al-Hujurat verse 11, which states:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا يَسْخَرْ قَوْمٌ مِّن قَوْمٍ عَسَىٰ أَنْ يَكُونُوا خَيْرًا مِّنْهُمْ وَلَا نِسَاءٌ مِّن نِّسَاءٍ عَسَىٰ أَنْ يَكُنَّ خَيْرًا مِّنْهُنَّ ۚ وَلَا تَلْمِزُوا أَنفُسَكُمْ وَلَا تَنَابَزُوا بِاللِّغَابِ بِغَدَابَةٍ ۚ وَسَبِّحُوا بِحَمْدِ اللَّهِ فِي الْبُكُورِ وَالْآخِرِ وَالْأُولَىٰ وَالْآخِرَةِ ۚ وَمَنْ يَتَّبِعْ ظُلْمًا فَلْيَأْكُلْهُمُ الظُّلْمُونَ

Means: O you who believe! Let not one group mock another, for it may be that the mocked are better than those who mock; nor let women mock other women, for it may be that the mocked are better than those who mock. Do not defame one another, nor call each other by offensive nicknames. Evil is the name of wickedness after faith. And whoever does not repent, then those are the wrongdoers.

Additionally, in the hadith, it is also explained regarding the protection of victims, which states:

حَدَّثَنَا تَلِيدُ بْنُ سُلَيْمَانَ قَالَ حَدَّثَنَا أَبُو الْحَجَّافِ عَنْ أَبِي حَازِمٍ عَنْ أَبِي هُرَيْرَةَ قَالَ نَظَرَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِلَى عَلِيِّ وَالْحُسَيْنِ وَفَاطِمَةَ فَقَالَ أَنَا حَرَبٌ لِمَنْ حَارَبَكُمْ وَسَلَمٌ لِمَنْ سَالَمَكُمْ

Means: “It means: Talid bin Sulaiman narrated to us, Abu Al Hajjaf narrated to us from Abu Hazim from Abu Hurairah who said, the Prophet ﷺ saw Ali, Hasan, Husayn, and Fatimah, and then said, 'I will fight anyone who fights you, and I will protect anyone who protects you.’”

From these verses, Islam not only prohibits approaching adultery but also commands us to lower our gaze toward everyone except for one's husband, children,

siblings, and parents<sup>3</sup>. According to the Imams of the schools of thought, acts of adultery, whether in the form of homosexuality or otherwise, are major sins and are strictly forbidden. Imams Shafi'i, Hanbali, and Maliki hold the view that those who commit adultery, homosexuality, and similar acts must be given the prescribed punishment (had)<sup>4</sup>. Additionally, victims of sexual harassment are entitled to protection in accordance with Islamic law, which aims to safeguard their well-being and lives.

Nowadays, we observe numerous technological advancements aimed at facilitating daily life, such as laptops, mobile phones, and others. However, along with these advancements, sexual harassment has also evolved and become more prevalent. It is important to understand that sexual harassment is not solely about sexual acts<sup>5</sup>.

However, at its core, sexual harassment is the misuse of authority or power by an individual, even if the behavior is merely driven by a desire for a romantic relationship or sexual attraction. There are several types of sexual harassment, including<sup>6</sup>:

1. Sexual coercion: Behavior or actions carried out with threats to force the victim into sexual activity.
2. Inappropriate behavior: Actions that are inappropriate and offensive to the victim, often leading to discomfort.
3. Gender harassment: Behavior that belittles or insults women, often based on gender stereotypes.
4. Sexual violation: Actions involving the feeling, touching, groping, or grabbing of the victim by force.
5. Sexual bribery: Behavior that involves offering rewards in exchange for sexual favors.

Based on the quantitative data obtained, 32% of respondents strongly agree that verbal sexual harassment should be categorized as sexual harassment, while 56% agree, 4% somewhat disagree, and 8% strongly disagree that verbal actions should be categorized as sexual harassment. It can be concluded that the majority of respondents believe that verbal harassment, even though it does not involve direct physical contact, is still considered sexual harassment<sup>7</sup>.

This clearly indicates that sexual harassment can occur on social media, as it is increasingly common in everyday life. Instances of sexual harassment on various social

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<sup>3</sup> Muhamad Hasan Sebyar, "Harmonization of Islamic Legal Institutions and Customary Law in Marriage Dispensation Cases at The Panyabungan Religious Court," *MILRev : Metro Islamic Law Review* 2, no. 2 (2023): 155, <https://doi.org/10.32332/milrev.v2i2.7809>.

<sup>4</sup> Jumadin Brutu, "Formulasi Pelecehan Seksual Dalam Perspektif Hukum Pidana Dan Hukum Pidana Islam," *Skripsi: Universitas Muhammadiyah Magelang, Program Studi Hukum Ilmu Hukum Fakultas Hukum*, 2018, 9.

<sup>5</sup> Pruntus Sudarmaji and Muhamad Hasan Sebyar, "Perlindungan Hukum Bagi Anak Korban Kekerasan Seksual," *Journal of Law and Nation (JOLN)* 2, no. 4 (2023): 398–407.

<sup>6</sup> Muhammad Fahd Rosyid Adizza, "Sexual Harassment During a Pandemic and The Legal Consequences It Causes," *Journal of Creativity Student* 5, no. 1 (2020): 89.

<sup>7</sup> Lola Utama Sitompul, "Definisi Sexual Harassment Berdasarkan Jenis Kelamin Di Kalangan Mahasiswa," *Sosiglobal : Jurnal Pemikiran dan Penelitian Sosiologi* 7, no. 2 (2023): 135.

media platforms, such as TikTok, Instagram, and Twitter, are becoming more frequent. Therefore, legal protection is needed for victims of sexual harassment on social media. Legal protection consists of two words: 'protection' and 'law.' According to the Kamus Besar Bahasa Indonesia (KBBI), protection is defined as a way, process, or act of safeguarding<sup>8</sup>. Meanwhile, law, according to the Kamus Besar Bahasa Indonesia, is a regulation or custom that is officially considered binding, sanctioned by authorities or the government, in the form of laws, regulations, and so on, to govern social interactions. Law also includes standards or rules regarding certain natural events, as well as decisions or judgments rendered by judges in court<sup>9</sup>. Meanwhile, according to Philipus M. Hadjon, as cited by Mirza Mar'Ali, legal protection is an action to protect or provide assistance to legal subjects by utilizing legal instruments<sup>10</sup>.

Therefore, this has drawn the author's attention to explore further the perspective of positive law in Indonesia and Islamic criminal law concerning legal protection for victims of sexual harassment on social media. This research is intended to serve as material for writing an academic journal. This study aims to address two main research questions: what are the legal provisions regarding the protection of victims of sexual harassment on social media, and how is legal protection for victims of sexual harassment on social media viewed from the perspective of positive law in Indonesia and Islamic criminal law. To achieve these objectives, this research will thoroughly examine the legal provisions governing the protection of victims of sexual harassment on social media and analyze how this protection is applied according to the perspectives of positive law in Indonesia and Islamic criminal law. The benefits of this research encompass several important aspects. First, it is expected that this study will enrich knowledge and understanding of sexual harassment on social media, both from the perspective of positive law in Indonesia and Islamic criminal law. Second, the research is intended to contribute academically by providing literature or references for future academic works related to this topic. Additionally, this study aims to offer solutions to the issue of sexual harassment on social media, which is expected to provide tangible contributions to addressing related issues in society

### Previous Research

In conducting this research, the author also reviewed scholarly works related to the issue of sexual harassment on social media. By reviewing previous studies, the author intends to highlight the differences between this research and earlier studies so that this study can build upon and refine existing research. Some relevant studies include:

1. Taufiqurrahman Harahap's Thesis from the Islamic Criminal Law Study Program at UIN Sumatera Utara, titled *Analysis of Criminal Acts Related to the Misuse of the Michat Application in Online Prostitution According to Law No. 19 of 2016*

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<sup>8</sup> (KBBI, 2023)

<sup>9</sup> (KBBI, 2023)

<sup>10</sup> Chaerul Amir, *Perlindungan Hukum Terhadap Benda Sitaan Dalam Sistem Peradilan Pidana* (Surabaya: Jakad Media Publishing, 2021).

*Concerning ITE and Islamic Criminal Law.* This study found that the misuse of the Michat application impacts not only users and service providers in prostitution but also other users who use the application for sharing moments and sending brief messages. Additionally, this misuse has led to an increase in the number of sex workers, including both adults and underage teenagers. According to the perspective of Law No. 19 of 2016 on ITE, this misuse can result in three major issues: indecent acts, defamation, and extortion, with penalties ranging from imprisonment to fines. From the perspective of Islamic law, such actions are considered reprehensible and classified as major sins, with sanctions for online prostitution offenders determined through ta'zir.

2. Journal by Ida Kurnia, Rizqy Dini Fernandha, and Novianti Lestari titled *Sexual Harassment and Its Legal Handling*. This study shows that legal enforcement related to sexual harassment cases in Indonesia is regulated under Law No. 12 of 2022 on Sexual Violence Crimes, which aims to prevent and address all forms of sexual violence and to protect and rehabilitate victims.
3. Journal by Renaldi P. Bahewa titled *Legal Protection for Children as Victims of Sexual Harassment According to Positive Law in Indonesia*. This study discusses morality crimes, which are crimes related to sexual issues, and the legal protection that can be provided to children who are victims of sexual harassment.

These previous studies differ from the research the author intends to conduct. This study will delve deeper into legal protection for victims of sexual harassment on social media, viewed through the lens of positive law in Indonesia and Islamic criminal law.

### **Theoretical Framework**

According to the legal protection theory proposed by Satjipto Rahardjo, legal protection involves efforts to safeguard an individual's interests by allocating power to them, enabling them to act in pursuit of those interests (Nyoman & Astuti, 2018). Legal protection is an effort provided to legal subjects through existing legal mechanisms, both preventively and repressively (Anindia, 2018). Legal protection can be categorized into two types:

1. Preventive Legal Protection is protection provided by the government with the aim of preventing violations before they occur. This is reflected in legislation designed to prevent violations and to provide guidelines or limitations in carrying out certain obligations.
2. Repressive Legal Protection is a reactive form of protection involving sanctions such as fines, imprisonment, or additional penalties imposed after a dispute or violation has occurred.

Article 69 of Law No. 12 of 2022 on Sexual Violence Crimes outlines the various forms of protection provided to victims of sexual violence, including:

- a) Providing access to information about the rights and protections available to victims;
- b) Providing access to security-related information;

- c) Protection against threats or violence from the perpetrator and others, as well as against the recurrence of violence, including the protection of identity confidentiality;
- d) Protecting victims from the attitudes and behavior of law enforcement officers that could humiliate them;
- e) Protection against job loss, job changes, education, or the right to participate in politics; and
- f) Protecting victims and reporters from criminal or civil charges related to reporting sexual assault.

## **Research Methods**

In this research, the author employs the *Case Approach* method. This approach involves analyzing cases related to the legal issues at hand, which are then examined using relevant literature. The focus of this study is to delve deeper into the legal protection for victims of sexual harassment on social media. To address these legal issues and provide recommendations on what should be done, adequate research sources are necessary <sup>11</sup>.

The research sources used in this study are divided into two categories: primary data sources and secondary data sources. Primary data sources refer to the main data utilized in this research, including practices of sexual harassment on social media, Indonesian legislation governing sexual harassment on social media, and Islamic criminal law provisions regarding sexual harassment on social media. Meanwhile, secondary data sources are supportive data derived from books, journals, and literature related to the issue of legal protection for victims of sexual harassment on social media.

Data analysis is the process or method of processing data into comprehensible information, allowing the characteristics of the data to be understood and used to solve problems, particularly those related to the research <sup>12</sup>. In the discussion of this research, the author employs an inductive analysis method, which begins with specific case data gathered from the field and then draws general conclusions from this data. The collected data will be analyzed qualitatively, allowing it to represent the cases in a general context.

## **Research Results and Discussion**

### **Legal Provisions on Sexual Harassment on Social Media According to Positive Law in Indonesia**

Sexual harassment is perceived as a form of intimidation because it forces someone into a situation involving sexual relations or makes them an object of unwanted sexual attention. According to Handayani, sexual harassment is any form of behavior directed toward sexual matters or the fulfillment of sexual needs by one party, while the victim does not expect such actions, leading to a negative reaction (Nuraini, 2022).

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<sup>11</sup> Peter Mahmud Marzuki, *Penelitian Hukum*, Revisi (Jakarta: Kencana Prenada Media Grup, 2022).

<sup>12</sup> Sukiati, *Metodologi Penelitian Sebuah Pengantar* (Medan: Manhaji, 2016).

Furthermore, according to another perspective, sexual harassment is any form of sexual behavior carried out unilaterally and unwanted by the victim, leading to negative feelings such as shame, anger, offense, and so on in the victim. In general, the forms of sexual harassment include <sup>13</sup>:

- a. Physical harassment
- b. Verbal harassment
- c. Non-verbal harassment
- d. Visual harassment
- e. Psychological or emotional harassment

Sexual harassment, according to the Indonesian Penal Code (KUHP), is categorized as a crime against decency because it contains elements of pornography and violates moral norms. The provisions regarding the criminal act of sexual harassment or crimes of decency are outlined in Article 282, Paragraph (1) and Paragraph (2) of Book II, Chapter XIV on Crimes Against Decency in the KUHP <sup>14</sup>.

### **Legal Protection for Victims of Sexual Harassment on Social Media According to a Review of Positive Law in Indonesia and Islamic Criminal Law**

Harassment on social media is an increasingly alarming phenomenon in today's digital life. Perpetrators often exploit the anonymity of these platforms to attack and demean others with harsh words, threats, or even the spread of false information. Such harassment can take forms such as sexual harassment, intimidation, or insults based on differing opinions or personal characteristics. Victims of harassment often suffer serious psychological effects, such as anxiety, depression, or even social isolation. Furthermore, social media harassment can broadly impact the victim's reputation and overall well-being. To demonstrate that sexual harassment on social media is on the rise, the author has identified several examples of such practices on social media as follows:

- a. The tiktok account posted on March 07, 2023. In the post I saw a woman in the mirror, there were several comments on the post including, skewered meatballs, the glass is very big, "tag us..", so be a physical education teacher". tiktok account with a username" which was posted on July 19, 2019, in the post there was a woman who asked her sister to kiss her, and in the post there were several comments including: "the pleasure of luarr biasssooo", "want to be really good to be adekkknyaaa".
1. In a Twitter post posted on July 21, 2020, he attached several screenshots of his Instagram post showing a photo of him competing in a championship, but several comments contained sexual harassment. For example, the comment is the boobs of Ketendang", : "If the digituin becomes hard nie si otong", : "it's nice if you become an opponent the spring can overlap", : "The man is resigned".

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<sup>13</sup> Rohan Collier, *Pelecehan Seksual: Hubungan Dominasi Mayoritas Dan Minoritas* (Yogyakarta: Tiara Wacana Yogya, 2018).

<sup>14</sup> Jonathan S. P. Mintje, "Kajian Yuridis Terhadap Tindak Pidana Pelecehan Seksual Yang Dilakukan Melalui Media Sosial," 2021.



- b. In a Twitter post posted on October 21, 2019, in the post he showed a screenshot containing a comment "big breasts wkkwk" with the caption: and there are always obscene comments like this, sexual harassment is real. I'm the only one who wears a hijab and still wears it. There are just people who are like this, I don't understand anymore hhh."
- c. Instagram post posted on September 1, 2022. In the post, several comments contain sexual harassment, for example comments posted by the account owner "I imagined the next scene..."; "I've brought it in, gas"; "the more brutal wkwk"; "the more ferocious the pose"; "wow... Exotic pose", and: "Continue in bed".

From the examples of posts above, there are comments containing sexual harassment, and some account owners have expressed frustration due to the sexually harassing comments made by other users on their posts. In society, there are differing opinions regarding comments containing sexual harassment. Some believe that account owners might invite such comments, while others disagree, asserting that sexual harassment, even if verbal, is still a form of crime.

The dangers of verbal harassment on social media are very real and have the potential to cause serious harm to the mental and emotional health of the targeted individuals. Perpetrators often use these platforms to send degrading messages, threats, or even spread misleading or defamatory information. These forms of harassment not only directly harm victims by degrading their dignity but can also trigger severe psychological stress, anxiety, and depression.

Victims of verbal harassment on social media are also vulnerable to social isolation as they may feel unsafe or intimidated to participate in online interactions. Moreover, the long-term effects can include behavioral changes, decreased self-esteem, and more serious mental health issues. It is essential to address these dangers by raising public awareness of digital ethics and encouraging effective policies and actions to protect individuals from harmful verbal attacks in cyberspace.

Some efforts that can be made to prevent or address sexual harassment on social media include:

- a. Sensitization: Preventing sexual harassment through efforts that bring about social change within the community, such as socialization, education, training, and the development of anti-sexual violence communities.
- b. Safe Guard: Monitoring social media as a means to minimize sexual harassment in social media forums in the digital era.
- c. Sanctions: Legal policies and regulations regarding the management of the internet or social media, such as laws aimed at increasing and enforcing compliance within society. This allows perpetrators to be prosecuted, which is expected to have a deterrent effect as a consequence of sexual harassment on social media.

Additionally, sexual harassment is something that no one desires. Being a victim is not a choice, but we can minimize or even prevent the occurrence of harassment. One way to minimize online sexual harassment, particularly on Instagram, is by protecting

your privacy. Instagram offers a feature to switch your account to private, which allows you to select who can view your posts. Moreover, it is essential to be mindful of what should and should not be shared, such as personal contacts, home addresses, jobs, and other important documents. Determine the purpose of using social media, whether for personal use or just to make new friends. It is advisable to use two or more social media accounts based on their intended purposes<sup>15</sup>.

There are several efforts that can be made to combat sexual harassment according to Ismuadli Rahman Zarkasih, including<sup>16</sup>:

- a. Private Profile: Use a private profile to limit access only to people you know and trust.
- b. Monitor Followers: Carefully monitor who follows your social media account to ensure that only known individuals have access.
- c. Consider Before Posting: Before posting photos or other content, consider them wisely. While everyone has the right to upload photos or videos, it is advisable to ensure that the content does not contain elements of pornography, ethnicity, religion, race, or other aspects that could provoke sexual harassment.
- d. Block Inappropriate Users: If another social media user sends inappropriate messages or uses pornographic elements, it is best to block that account to maintain a safe and comfortable online experience.

In Indonesia, protection for victims of harassment on social media is regulated by several articles in the Information and Electronic Transactions Law (UU ITE) Number 19 of 2016. The relevant articles are as follows:

- a. Article 27 prohibits the dissemination of information or electronic documents containing insults or defamation against a person.
- b. Article 27 also prohibits the creation, storage, transmission, or reception of electronic information and documents that contain unpleasant or degrading content.
- c. Article 27 prohibits the creation, transmission, or reception of electronic information and documents containing threats of violence or threats that cause fear.
- d. Article 27 prohibits the creation or transmission of electronic information and documents containing obscene or pornographic content.
- e. Article 28 prohibits defamation through electronic media.
- f. Article 45 prescribes a maximum prison sentence of 6 years and a fine of up to 1 billion rupiah for anyone who commits the acts described in Articles 27 and 28.

These articles highlight the seriousness with which Indonesian law addresses harmful digital crimes and promotes justice for victims of sexual harassment. The interconnectedness of these articles reflects concrete efforts to create a safer and more supportive online environment for all individuals, particularly in protecting victims of verbal sexual harassment in cyberspace.

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<sup>15</sup> Lisa Julianti and Raisah Maharani Siregar, "Fenomena Pelecehan Seksual Pada Perempuan Di Media Sosial Instagram," *Prosiding Seminar Nasional*, 2023, 174.

<sup>16</sup> Ismuadli Rahman Zarkasih, "Pelecehan Seksual Di Media Sosial (Studi Kasus Tentang Korban Pelecehan Seksual Di Instagram)," *E-Proceeding of Management*, 2019, 4987.

Protection for victims of verbal harassment on social media can also be guaranteed based on the principles of justice and moral values found in Islamic law. Although there are no specific verses in the Qur'an or Hadith that directly address social media, these principles are interpreted and applied by religious or legal authorities in countries that implement the Islamic legal system.

In Islamic criminal law, protection for victims of sexual harassment, including verbal harassment on social media, is based on the principles of justice and decency outlined in Sharia. While there is no specific punishment for verbal sexual harassment in the Qur'an or Hadith, the general principle of prohibiting harm or wrongdoing to others through harsh words, defamation, or insults remains applicable.

Islamic law emphasizes the importance of preserving individual dignity and human rights, as well as promoting harmonious relationships among people. In this context, verbal sexual harassment is considered a violation of an individual's right to be respected and protected from oppression or unjust treatment. Thus, Islamic criminal law provides broad explanations to respond to and prevent verbal sexual harassment, both in everyday life and in the digital world, such as on social media, with the primary goal of safeguarding social and moral well-being according to religious and ethical values.

Islamic law offers strong protection for victims of sexual harassment based on the principles of justice and decency inherent in Sharia. Although there are no specific sanctions for verbal sexual harassment in the Qur'an or Hadith, the prohibition against harming others through harsh words remains in force. Islamic law values the dignity and human rights of every individual and emphasizes the importance of maintaining harmonious relationships among people. Therefore, sexual harassment is seen as a violation of the victim's right to live safely and with dignity. This is in line with Sharia's goal of maintaining order and welfare within the community. Consequently, although not explicitly stated, Islamic law provides a broad approach to offering protection for victims of sexual harassment. These principles emphasize the importance of respecting individual rights and maintaining harmonious relationships within society. Sexual harassment is considered a violation of human dignity and causes harm to the victim. Additionally, Islamic law also adheres to the principle of protecting vulnerable groups such as children and women. In this context, victims of sexual harassment who belong to vulnerable groups deserve stricter legal protection.

## **Conclusion**

Positive legal arrangements and Islamic criminal law against the practice of sexual harassment on social media demonstrate a commitment to protecting individuals from the threat and negative impact of harassment in the digital space. Positive law, as stipulated in the Electronic Information and Transaction Law (UU ITE) in Indonesia, provides a strong legal basis to take firm action against perpetrators who commit sexual harassment verbally or in other ways on digital platforms. Meanwhile, Islamic criminal law affirms the principles of justice and protection of individual dignity, by offering ta'zir sanctions

and rehabilitation approaches to improve the behavior of perpetrators. Legal protections for victims of sexual harassment on social media include the right to report the perpetrator, get justice through a fair legal process, and receive the necessary support for mental and emotional recovery. This includes efforts to strengthen public awareness of the importance of digital ethics and the need to maintain a safe and respectful online environment for all users. Thus, the combination of positive legal regulation and Islamic legal principles provides a holistic framework to protect victims of sexual harassment in this digital era, as well as prioritizing human values and justice in interacting on social media.

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