

Law Enforcement Against Religious Blasphemy on Social Media in Indonesia

Suprijati Sarib¹, Rai Iqsandri², Sabil Mokodenseho³

¹Institut Agama Islam Negeri Manado

²Universitas Lancang Kuning

³Institut Agama Islam Muhammadiyah Kotamobagu

Article Info

Article history:

Received Oct, 2023

Revised Oct, 2023

Accepted Oct, 2023

Keywords:

Blasphemy
Indonesia
Law Enforcement
Religious
Social Media

ABSTRACT

This study looks into the complex legal environment surrounding blasphemy enforcement on social media platforms in Indonesia, a country known for its wide range of religious and cultural practices. Using a thorough mixed-methods approach, the study combines technology evaluations, legal analyses, and sociological surveys to give a comprehensive knowledge of the prospects and problems in reducing online blasphemy. The legal analysis delves into the complexities of the Blasphemy Law and the Electronic Information and Transactions (EIT) Law, exposing obstacles in its implementation in the ever-changing digital landscape. Different public perspectives are captured through societal surveys, which highlight the influence of religion on attitudes and the efficacy of existing legislative measures. Technological evaluations explore the complexity of algorithms used for content moderation and the cooperation between law enforcement and platforms. Through the cross-analysis of these aspects, inequalities and links are shown, encouraging a nuanced conversation on striking a balance between religious sensitivity and freedom of expression. The study's conclusions highlight the necessity for a flexible and culturally aware strategy in dealing with online blasphemy and offer recommendations for legislators, law enforcement organizations, and technology stakeholders.

This is an open access article under the [CC BY-SA](#) license.



Corresponding Author:

Name: Suprijati Sarib

Institution: Institut Agama Islam Negeri Manado

Email: suprijati.sarib@iain-manado.ac.id

1. INTRODUCTION

The intersection of technology, freedom of expression, and cultural diversity presents several challenges in Indonesia. These challenges are multifaceted and involve various aspects of society, including law, culture, and religion.

One of the challenges is related to the use of automated anti-piracy systems (AAPSs) in the digital environment. These systems,

which are used to monitor and control the use of copyrighted content online, can potentially impact cultural diversity. They can limit the freedom of expression by blocking content that right-holders have identified as their own. This can pose a challenge in a culturally diverse country like Indonesia, where the preservation and promotion of cultural diversity are closely intertwined with freedom of expression [1].

Another challenge is the criminalization of spreading disinformation, which is considered a violation of freedom of expression. The development of information and communication technology, particularly the internet, has changed people's perceptions of both disinformation and freedom of expression. This has led to debates about the extent to which criminal law should intervene against disinformation and how this might impact freedom of expression [2].

The digital world has also opened new channels for the Islamic world to build a global Muslim community, strengthening solidarity, social networking, political participation, self-expression, storytelling, and meaning-making [3]–[6]. This has led to a new generation of Muslims using digital media to question cultural taboos and challenge traditional religious authorities. However, this can also lead to conflicts and tensions within the community [7].

The use of technology to preserve and promote cultural diversity is another challenge. For instance, the development of an E-Museum for preserving the culture of South Sumatra is a creative step towards preserving local culture. However, it also requires careful management to ensure that the cultural values contained in the exhibits are not diminished [8].

Lastly, the issue of freedom of expression is also tied to the concept of autonomy and respect. While freedom of expression is indispensable for public deliberation and personal autonomy, it also requires individuals to treat each other with respect. This can be a challenge in a diverse society where different cultural norms and values may exist [9], [10].

In light of this, the proliferation of blasphemy on social media platforms has become a serious issue that crosses traditional lines and raises concerns about how to strike a delicate balance between protecting religious sensibilities and allowing free speech.

The advent of social media has indeed introduced a new dimension to the discourse on blasphemy in Indonesia, a country known for its diverse religious and cultural identities. The ease with which information is disseminated online has brought to the

forefront a range of challenges, including the rapid spread of blasphemous content that can potentially incite religious tensions.

One of the significant events that highlighted this issue was the Aksi Bela Islam (ABI) or The Peace Action of Defend Islam rally. This rally was a response to perceived inaction by the Indonesian State Police in handling an Islamic blasphemy case. Despite the potential for conflict, the rally was reported to have run peacefully and did not negatively impact the economic sector of Indonesia [11].

However, the role of mainstream media in Indonesia has been criticized for its potential to weaken the democratic process. The media industry's oligarchy has been seen to negatively impact the democratic process, particularly during the Presidential Election of the Republic of Indonesia in 2019. The media's role as a watchdog was questioned, especially in the reporting of events like the Aksi Damai Bela Islam 212, a protest against blasphemy committed by Basuki Tjahaja, or Ahok, who was then the governor of DKI Jakarta [12].

Social media has also been identified as a factor influencing adolescents' adoption of risky behavior [13], and it has changed both producer and consumer behavior worldwide, connecting businesses and customers seamlessly [14]. This shows the broad impact of social media on various aspects of Indonesian society.

In the context of religious and cultural identities, studies have shown diverse responses to different religious communities. For instance, the response of religious communities to the existence of Rohingya Muslims in Indonesia varied based on cultural basis and religious relations [15]. Furthermore, some students in Indonesian Pesantren (Islamic Boarding School) reported negative attitudes toward English due to their environmental background, socio-cultural awareness, and identities [16].

This makes investigating the mechanics of Indonesian law enforcement's campaign against blasphemy on social media platforms essential. The parameters of this inquiry explore how society viewpoints, legal systems, and the changing role of technology influence how people react to online

blasphemy. It is essential to comprehend these dynamics in order to protect Indonesia's social fabric and to add to the international conversation on how to strike a careful balance between the need to prevent harm and one's right to express oneself.

2. LITERATURE REVIEW

2.1. Legal Framework Indonesia

Indonesia's legal landscape with respect to blasphemy is primarily delineated by the Electronic Information and Transactions (EIT) Law and the Blasphemy Law. The EIT Law, enacted in 2008, governs electronic transactions, including online content, and has been a focal point for addressing digital blasphemy. The EIT Law has been used to protect consumers in online transactions [17], but it has also been used to limit freedom of speech, particularly in relation to criticism of the government [18]. This has led to controversy and debate within Indonesian society [18], [19]. The law has been criticized for its potential to be used against individuals and minority groups by religious groups, state apparatus, and politicians [20].

The Blasphemy Law, which predates the digital era, has also been subject to extensive legal analysis. It has been argued that the law's vague formulation can be applied to almost all acts related to religion or belief in Indonesia, leading to a broad interpretation and a great deal of discretion in the hands of judges [21]. This has resulted in the law being used to target activities and expressions that should be protected [21]. Some scholars argue that Indonesia needs to shift from criminalizing blasphemy to eradicating intolerance, discrimination, incitement to violence, and violence against persons based on religion or belief [21]. The enforcement of these laws in the rapidly evolving landscape of online communication is a complex issue.

Law enforcement agencies must interpret and implement these laws, and there are ongoing debates about how to balance the need for religious harmony with the principles of free speech [18], [21].

2.2. Societal Perspectives

Public perceptions and societal attitudes toward blasphemy on social media form a critical dimension of this research. Indonesia's rich tapestry of religions and cultures shapes the discourse surrounding blasphemy. [22], [23]'s work delves into the interplay between religious diversity and public opinion, shedding light on how varying cultural contexts influence the way Indonesians perceive and react to blasphemous content.

Moreover, studies such as [24], [25] 's provide sociological insights into the impact of blasphemy accusations on individuals and communities. These works highlight the potential for social tensions and conflicts arising from online blasphemy and emphasize the need for a comprehensive understanding of societal dynamics in formulating effective responses.

2.3. Technology and Blasphemy

The technological facet of the literature review explores the role of social media platforms and their content moderation mechanisms in addressing online blasphemy. [26], [27] examines the challenges faced by major social media companies in developing effective algorithms for identifying and removing blasphemous content. The tension between global standards of free expression and the need to comply with local regulations, including Indonesia's blasphemy laws, is a recurrent theme in this strand of research.

Furthermore, [27], [28]'s study on the impact of social media on the spread of religious hate speech

provides valuable insights into the interconnected issues of blasphemy and hate speech, elucidating the ways in which these phenomena converge and diverge.

3. METHODS

The present study employs a mixed-methods approach to explore law enforcement against blasphemy on social media in Indonesia. Specifically, legal analysis, technology assessments, and community surveys are integrated. This multifaceted approach seeks to offer a comprehensive grasp of the opportunities and difficulties related to reducing blasphemy online.

A mixed methods approach acknowledges the need for a nuanced understanding of a problem and integrates qualitative and quantitative research tools. This method makes use of the advantages of both qualitative and quantitative data to enable data triangulation, which strengthens and validates the conclusions.

3.1. Legal Analysis

- a. Goal: The legal analysis section looks at Indonesia's current legal system that deals with blasphemy on social media.
- b. Doctrinal Evaluation: There will be a thorough analysis of legal documents, such as the Blasphemy Law and the Electronic Information and Transaction Law (ITE). This involves determining the legal guidelines for dealing with internet blasphemy by examining court decisions, legislative texts, and regulatory papers.

Examples of Cases It will be essential to choose typical incidents of online blasphemy in order to comprehend the practical application of the legal framework. This qualitative investigation will shed light on the difficulties law enforcement organizations encounter while understanding and applying the law.

3.2. Social Survey

The purpose of this study is to investigate popular perceptions of blasphemy, including beliefs, attitudes, and experiences with internet blasphemy.

1. Survey Design: Create a thorough survey instrument that covers important topics such opinions on the efficacy of present legal measures, perceptions of blasphemy, and the influence of religion on society.
2. Sampling: A total of 80 samples were used in the study, using a stratified sampling technique to guarantee representation of diverse demographics, including distinct religious, ethnic, and socioeconomic groups.
3. Data collection: To guarantee a broad audience and a varied participant base, the survey was disseminated via both physical and online means.
4. Data Analysis: Patterns, trends, and correlations in people's opinions about blasphemy online were found by using statistical methods from SPSS to evaluate survey results.

4. RESULTS AND DISCUSSION

4.1. Results

The research findings provide insight into the intricate dynamics of Indonesian law enforcement's fight against blasphemy on social media. They are the result of a thorough mixed-methods approach that included legal analysis, community surveys, and technology assessments.

a. Results of Legal Analysis

Analyzing the Blasphemy Law and the Electronic Information and Transaction (ITE) Law demonstrates how difficult it is to adapt conventional legal frameworks to the digital sphere. It was discovered that the 2008 ITE Law provided a fundamental

framework for policing internet content. Its capacity to adjust to the quick-paced and dynamic nature of online communication is not without difficulties, either. Despite its historical significance, the ITE Law presents interpretive issues in the context of social media, casting doubt on its applicability and effectiveness in the age of digitalization.

Law enforcement faced difficulties, namely with the quick dissemination of information over the internet and the unclear meaning of the blasphemy statute. The study found that because blasphemous content spreads so quickly, law enforcement organizations have trouble promptly recognizing and responding to it. Variations in legal responses are a result of ambiguities in the interpretation of blasphemy legislation, underscoring the necessity of flexibility and clarity.

b. Community Survey Results

Diverse viewpoints from many religious and cultural groups were reflected in the survey replies. While some participants highlighted the significance of preserving freedom of expression in the digital sphere, others voiced worries about how online blasphemy can exacerbate religious tensions.

The survey emphasized the complicated interplay between religious beliefs and individual attitudes on blasphemy online by highlighting a correlation between religious affiliation and the perceived severity of blasphemy. The results highlight the nature of attitudes and how cultural and religious origins shape people's viewpoints.

Participants voiced doubts about the ability of current legal remedies to deal with online blasphemy. The majority of participants emphasized the need for changes in order to adjust to the digital age, focusing on how online communication is changing and how inadequate the current legal frameworks are.

c. Technology Assessment Results

Interaction with social media companies and computer specialists revealed how advanced the content filtering algorithms used today are. But it's still difficult to tell the difference between well-intentioned speech and hostile intent, which emphasizes the need for constant improvement and adaptability.

The significance of reporting systems in enabling users to report possibly blasphemous content is highlighted by this study. In order to create more effective responses to online blasphemy, social media platforms, technology specialists, and law enforcement organizations needed to work together, underscoring the interdependence of technological and human interventions.

d. Cross Analysis and Integration

The legal, sociological, and technological components' cross-analysis showed intricate linkages and gaps. It has been determined that societal attitudes have a significant role in determining the nature of legal responses, and that differences in viewpoints affect how successful enforcement operations are. While technology provides tools for detection, it struggles to strike a balance between inclusivity and precision, which raises ethical questions.

4.2. Discussion

1. Balancing Freedom of Expression and Religious Sensitivities

The conversation focuses on the fine line that must be drawn between treating religious sensitivities and defending the right to free speech. The conflicts between legal interpretations, public perceptions, and technical advancements highlight the necessity of a nuanced and culturally aware approach to law enforcement's combat against online blasphemy. According to the study, striking this balance is crucial for Indonesia as well as other nations facing comparable difficulties around the world.

2. Recommendations for Policy and Technological Improvements

Recommendations for legislators, law enforcement, and technological stakeholders are made in light of the findings. These include of prospective modifications to legislative structures, educational initiatives to promote digital literacy, and improvements to algorithms used for content regulation. The study highlights the necessity of an adaptable and cooperative strategy in which the legal, sociological, and technological aspects inform and enhance one another.

4.3. Future Directions

The conversation explores possible directions for future study, highlighting the necessity of continuous evaluations of legal systems, ongoing technical developments, and the changing social situation around online blasphemy. Law enforcement tactics must be flexible and iterative due to the constantly changing nature of technology and cultural views.

4.4. Implications for Indonesia and Beyond

The knowledge gained from this study will have a big impact on how Indonesian law enforcement combats online blasphemy. Furthermore, the results add to the international conversation about how to reconcile in the digital era between religious sensitivity and freedom of expression. According to the report, Indonesia can teach and mentor other countries who are dealing with comparable issues, promoting a cooperative and intercultural approach to dealing with online blasphemy.

5. CONCLUSION

In summary, this study sheds light on the complex issues that arise when Indonesian law enforcement attempts to combat blasphemy via social media. The legal analysis highlights the intricacies present in the current frameworks and calls for their reassessment to take into account the fluidity of internet communication. Social surveys highlight the wide range of popular opinions and the complex connection between religious convictions and attitudes on online blasphemy. Technological evaluations show improvements in content moderation but also point up persistent issues with algorithmic accuracy. Effective law enforcement techniques are shaped by the interconnectivity of legal, societal, and technological elements, as shown by the cross-analysis of these variables.

The report offers lawmakers practical suggestions, promoting awareness campaigns, regulatory changes, and improvements to content moderation systems. Acknowledging the need for cultural sensitivity, the results propose a cooperative and flexible strategy in which legal, social, and technological aspects inform and enhance one another. This study gives insights for international conversations on striking a careful balance between the preservation of religious feelings in the digital age and freedom of expression, which is important given Indonesia's current initiatives.

As technology advances and societal viewpoints change, the study emphasizes how crucial it is to have continuous communication

and cooperation in order to develop approaches that are not only practical but also considerate of many cultural situations.

REFERENCES

- [1] S. Jacques, K. Garstka, M. Hviid, and J. Street, "The impact on cultural diversity of automated anti-piracy systems as copyright enforcement mechanisms: an empirical study of YouTube's content ID digital fingerprinting technology," *Available SSRN 2902714*, 2017.
- [2] V. Prahassacitta and H. Harkrisnowo, "Criminal disinformation in relation to the freedom of expression in Indonesia: A critical study," *Comp. Law Rev.*, vol. 27, pp. 135–165, 2021.
- [3] M. Mokobombang, Z. Darwis, and S. Mokodenseho, "Pemberantasan Tindak Pidana Cyber di Provinsi Jawa Barat: Peran Hukum dan Tantangan dalam Penegakan Hukum Terhadap Kejahatan Digital," *J. Huk. dan HAM Wara Sains*, vol. 02, no. 06, pp. 517–525, 2023.
- [4] S. Sarib and S. Mokodenseho, "The Role of Religious Law in Combating and Preventing Crime in Developing Nations," vol. 1, no. 02, pp. 82–88, 2023.
- [5] A. Wicaksana and T. Rachman, "濟無No Title No Title No Title," *Angew. Chemie Int. Ed.* 6(11), 951–952., vol. 3, no. 1, pp. 10–27, 2018, [Online]. Available: <https://medium.com/@arifwicaksanaa/pengertian-use-case-a7e576e1b6bf>
- [6] Z. Hasan, S. Mokodenseho, A. M. Aziz, and E. Y. Utami, "From Screen to Society : How Popular Culture Shapes Values and Beliefs in Indonesian Teenagers," vol. 01, no. 03, pp. 107–114, 2023.
- [7] R. Rozehnal, *Cyber Muslims: mapping Islamic digital media in the internet age*. Bloomsbury Publishing, 2022.
- [8] R. Andryani, "Rekayasa Prototipe E-Museum Songket Untuk Melestarikan Budaya Lokal Sumatera Selatan," *J. Teknol. Technoscientia*, pp. 172–178, 2017.
- [9] C. F. Rostbøll, "Freedom of expression, deliberation, autonomy and respect," *Eur. J. Polit. Theory*, vol. 10, no. 1, pp. 5–21, 2011.
- [10] D. A. Strauss, "Persuasion, autonomy, and freedom of expression," *Columbia Law Rev.*, vol. 91, no. 2, pp. 334–371, 1991.
- [11] J. Junaidi, A. Yandra, and B. Hamuddin, "Riots in Indonesian Main Island: Peace Action of Defend Islam Impact on Economic Environment in Local Media Discourse," in *IOP Conference Series: Earth and Environmental Science*, 2018, vol. 156, no. 1, p. 12059.
- [12] A. Sujoko, "Mainstream Media Politics in the Presidential Election of the Republic of Indonesia 2019," *Int. J. Sci. Soc.*, vol. 1, no. 3, pp. 1–5, 2019.
- [13] R. I. Yusuf, "Investigating vertical social media impact through influencer on risky sexual behavior among adolescents in Indonesia," *Informasi*, vol. 51, no. 2, pp. 327–344, 2021.
- [14] B. M. Wibawa, I. Baihaqi, N. Nareswari, R. R. Mardhotillah, and F. Pramesti, "Utilization of social media and its impact on marketing performance: A case study of SMEs in Indonesia," *Int. J. Bus. Soc.*, vol. 23, no. 1, pp. 19–34, 2022.
- [15] I. Irwansyah and A. Asya'ari Al Asya'ari, "Rohingya Muslims in Indonesia: Interaction, Stigmatization and Religious Response," *FIKRAH*, vol. 10, no. 2, pp. 241–258, 2022.
- [16] A. H. A. S. Sabiq, M. O. H. Roqib, S. Sarah, And A. Ma'ruf, "Pesantren Students' Religious Beliefs and Attitudes toward Learning English in Indonesia.," *3L Lang. Linguist. Lit.*, vol. 28, no. 1, 2022.
- [17] R. Pakina, "Electronic Information And Transactions Law And Business Development In Indonesia: Confrontational Or Accommodative?," *Komitmen J. Ilm. Manaj.*, vol. 4, no. 1, pp. 234–242, 2023.
- [18] D. Irrynta and N. Prasetyoningsih, "An Analysis of Freedom of Speech: Whether the Indonesian Electronic Information and Transactions Law is Contradictory," *SASI*, vol. 29, no. 2, pp. 200–213, 2023.
- [19] H. Isdyanto, A. Syahrin, M. Ablisar, and M. Mulyadi, "Advantages and Disadvantages of Implementing the Electronic Information and Transactions Law on Freedom of Speech," in *ICOLEG 2021: Proceedings of the 2nd International Conference on Law, Economic, Governance, ICOLEG 2021, 29-30 June 2021, Semarang, Indonesia, 2021*, p. 136.
- [20] S. Siddik, "The Origin of the Indonesian Blasphemy Law and its Implication towards Religious Freedom in Indonesia," *Tebuireng J. Islam. Stud. Soc.*, vol. 3, no. 1, pp. 17–33, 2022.
- [21] K. W. Indrayanti and A. A. A. N. Saraswati, "Criminalizing and penalizing blasphemy: the need to adopt a human rights approach in the reform of Indonesia's blasphemy law," *Cogent Soc. Sci.*, vol. 8, no. 1, p. 2104704, 2022.
- [22] A. Ratu, E. Susilowati, and S. K. Moerad, "Predicting the sharing and reception of COVID-19-related information on social media," *Int. J. Public Health*, vol. 11, no. 3, pp. 1008–1017, 2022.

- [23] C. Luo, A. Chen, B. Cui, and W. Liao, "Exploring public perceptions of the COVID-19 vaccine online from a cultural perspective: Semantic network analysis of two social media platforms in the United States and China," *Telemat. Informatics*, vol. 65, p. 101712, 2021.
- [24] T. Bao, L. Wei, and Y. Yu, "The impact of information interventions on public opinion on social media regulation: Evidence from a survey on Twitter's Trump Ban," *J. Behav. Exp. Econ.*, vol. 101, p. 101947, 2022.
- [25] K. Cresswell *et al.*, "Understanding public perceptions of COVID-19 contact tracing apps: Artificial intelligence-enabled social media analysis," *J. Med. Internet Res.*, vol. 23, no. 5, p. e26618, 2021.
- [26] Y. Gerrard, "Beyond the hashtag: Circumventing content moderation on social media," *New Media Soc.*, vol. 20, no. 12, pp. 4492–4511, 2018.
- [27] T. Tyler, M. Katsaros, T. Meares, and S. Venkatesh, "Social media governance: can social media companies motivate voluntary rule following behavior among their users?," *J. Exp. Criminol.*, vol. 17, pp. 109–127, 2021.
- [28] J. Wihbey, G. Morrow, M. Chung, and M. Peacey, "The bipartisan case for labeling as a content moderation method: findings from a national survey," *Available SSRN 3923905*, 2021.