

# Islamic Legal Analysis on the Protection of Vulnerable Age Groups from Online Gender-Based Violence (OGBV) in Indonesia

Umi Khusnul Khotimah<sup>1</sup>

## Abstract

*Gender-Based Online Violence (GBOV) poses a significant challenge in safeguarding vulnerable groups, particularly in Indonesia, where digital literacy remains low among women and children. This study aims to analyze the phenomenon using the framework of Maqashid Syariah, emphasizing the protection of life (hifz an-nafs), dignity (hifz al-'ird), and progeny (hifz an-nasl). Employing a qualitative method, data were collected through literature reviews, case studies, and expert interviews to examine the intersection of Islamic principles and national legal frameworks, such as the Information and Electronic Transactions Law (ITE Law) and the Law on Sexual Violence Prevention (TPKS Law). The findings highlight that while Islamic principles provide a robust moral and legal foundation to combat GBOV, the implementation of national regulations remains inadequate due to gaps in specificity and enforcement. Additionally, the lack of digital literacy among vulnerable populations exacerbates the risks. This study underscores the importance of integrating Maqashid Syariah into policymaking, enhancing digital literacy through Islamic ethics, and fostering collaboration between government, religious leaders, and communities. These measures aim to create a safer, more inclusive digital environment while addressing GBOV comprehensively. The research offers a novel perspective by aligning Islamic jurisprudence with modern policy needs, contributing to the discourse on ethics and law in the digital age.*

**Keywords:** *Islamic Law, Gender-Based Online Violence (KBOG), Vulnerable Groups, Maqashid Syariah, Digital Literacy, Legal Protection, Indonesia.*

## Introduction

The rapid advancement of digital technology has unlocked numerous opportunities while also presenting new challenges, including the rise of Online Gender-Based Violence (OGBV). OGBV involves a range of online actions, such as sexual harassment, threats, or the unauthorized dissemination of private content, often rooted in gender-based motives. This phenomenon has garnered global attention, including in Indonesia, where SAFEnet Indonesia reported a significant spike in OGBV cases during the first quarter of 2024. A total of 480 cases were recorded, representing a fourfold increase from 118 cases during the same period in the previous year. Most victims belong to the 18–25 age group, followed by children under the age of 18. (Hicks, 2021) This surge not only reflects the increasing prevalence of technology-enabled crimes but also underscores the heightened vulnerability of women and children in the digital sphere.

OGBV is not merely a technological crime; it is also a profound gender issue. The patriarchal culture embedded in society often makes women the primary targets of gender-based violence, both in the physical world and the digital realm. For instance, women who become victims of OGBV are frequently subjected to victim-blaming rather than receiving adequate protection and support. This situation reveals structural biases that persist not only within social norms but also in the legal framework. Although Indonesia's Electronic Information and Transactions Law (UU ITE) exists to regulate technology-based crimes, it does not specifically address the protection needs of OGBV victims, particularly those from vulnerable age groups.

From the perspective of Islamic law, protecting victims of violence, including OGBV, aligns with the core objectives of maqasid al-shariah, which emphasize the preservation of religion (hifz ad-din), life (hifz an-nafs), intellect (hifz al-'aql), lineage (hifz an-nasl), and property (hifz al-mal). Islamic teachings stress the importance of upholding individual dignity and strictly prohibit actions that harm others. Qur'anic verses such as Surah Al-Hujurat (49:12), which condemns slander and humiliation, and Surah An-Nisa (4:29),

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<sup>1</sup> Institut Ilmu Al Qur'an Jakarta, Indonesia, Email: [umi.husnul@iiq.ac.id](mailto:umi.husnul@iiq.ac.id)

which forbids acts of mutual harm, provide a normative foundation for addressing OGBV. (Violin & Nafi, 2022) However, despite the robust moral framework offered by Islamic values, their application in legal enforcement encounters various challenges, including the lack of integration between shariah principles and existing national laws.

The prevalence of OGBV also highlights the low level of digital literacy among Indonesians, including limited awareness of personal data protection and strategies for online safety. In the context of Islamic law, a shariah-based approach to digital literacy could serve as an effective preventive measure. (Saniah et al., 2024) This approach aims not only to enhance technical understanding but also to instill ethical and moral values in the use of digital technology. As such, digital literacy becomes both a tool for mitigating the risks of OGBV and a medium for fostering collective awareness of the importance of justice and respect in digital interactions.

Furthermore, the Islamic legal response to OGBV extends beyond prosecuting offenders to prioritizing victim rehabilitation. The principle of 'adalah (justice) in Islam underscores the need to uphold victims' rights, including access to protection, psychological support, and social recovery. This approach is especially relevant for OGBV victims in vulnerable age groups, such as adolescents and children. (Eleanora et al., 2023) It also emphasizes prevention through education and advocacy, empowering society to actively participate in creating a safe and inclusive digital environment.

This study is driven by the urgency to explore how Islamic law can contribute meaningfully to addressing OGBV in Indonesia, particularly in protecting vulnerable age groups. It also seeks to examine how integrating shariah values with national regulations can establish a more victim-responsive legal framework. (Deane, 2024c) Through a comprehensive approach, this research aims to provide both theoretical contributions to Islamic legal studies and practical recommendations for public policy development.

## Literature Review

### *Maqasid al-Shariah: A Comprehensive Islamic Legal Framework to Address Online Gender-Based Violence (OGBV)*

Maqasid al-Shariah, conceptualized by Al-Ghazali (1058–1111 CE) and later refined by Al-Shatibi (1320–1388 CE), is a foundational theory in Islamic jurisprudence designed to ensure human welfare by safeguarding five core aspects of life: religion (*hifẓ al-dīn*), life (*hifẓ an-nafs*), intellect (*hifẓ al-'aql*), lineage (*hifẓ an-nasl*), and property (*hifẓ al-māl*). In modern discourse, the protection of individual dignity (*hifẓ al-'ird*) has also emerged as an essential dimension. (Deane, 2024b) This framework is particularly relevant for addressing the phenomenon of Online Gender-Based Violence (OGBV), which involves acts such as harassment, threats, and unauthorized dissemination of private content frequently violating the dignity and safety of victims.

In the context of OGBV, Maqasid al-Shariah provides a robust moral and legal foundation to combat actions that harm victims both physically and psychologically. The principle of *hifẓ al-nafs* (protection of life) underscores the necessity of safeguarding victims from threats that endanger their well-being. (Marotta, 2023) Similarly, *hifẓ an-nasl* (protection of lineage) emphasizes the preservation of the victim's dignity, often jeopardized by perpetrators who share personal or sensitive content without consent. Additionally, the concept of *hifẓ al-'ird* (protection of honor) stresses the obligation to uphold individual dignity across all realms, including the digital sphere, which often serves as an unrestricted space for violations.

Maqasid al-Shariah also prioritizes preventive measures as a core component of protection. Islamic teachings advocate that preventing harm (*dar' al-mafasid*) takes precedence over pursuing benefits (*jalb al-masalih*). Applied to OGBV, this principle highlights the importance of preventive strategies, such as promoting digital literacy programs grounded in Islamic values, to create a safer digital environment. (Nurtjahyo, 2022) Such programs not only equip individuals with technical skills but also instill ethical and moral consciousness in navigating online interactions. Furthermore, Maqasid al-Shariah serves

as a foundational tool for harmonizing Islamic principles with national legal frameworks, enabling a more holistic and equitable approach to handling OGBV cases.

By offering both normative and practical solutions, Maqasid al-Shariah provides a multidimensional approach to tackling OGBV. This theory supports the development of policies and legal interventions that not only address the immediate needs of victims but also foster a long-term transformation toward an ethical and dignified digital ecosystem. (Wu, 2024) Integrating the principles of maqasid into national legal systems strengthens protections for OGBV victims and aligns with the ultimate objectives of Islamic law: to safeguard human dignity, security, and overall well-being in a comprehensive manner.

## Methodology

The study titled "Islamic Legal Analysis on the Rise of Online Gender-Based Violence (OGBV) and the Protection of Vulnerable Age Groups in Indonesia" employs a normative legal research method. This method was chosen because the primary focus of the research is to analyze legal norms, both derived from Islamic law and positive law in Indonesia, in relation to the phenomenon of Online Gender-Based Violence (OGBV). (Pūraitė-Andrikiėnė, 2022) The approach aims to understand how Islamic law and national law can provide effective protection for OGBV victims, particularly those in vulnerable age groups, through existing regulatory frameworks.

In this research, the approaches used are the statute approach and the conceptual approach. The statute approach is applied to examine relevant regulations, such as Law Number 11 of 2008 on Electronic Information and Transactions (ITE Law) and Law Number 12 of 2022 on the Crime of Sexual Violence (TPKS Law), as well as other related regulations. This study also assesses the extent to which these regulations accommodate the protection needs of OGBV victims based on the principles of *maqasid al-shariah*. Meanwhile, the conceptual approach is used to analyze Islamic legal concepts, including *maqasid al-shariah*, in providing protection for the dignity (*hifẓ al-ʿird*) and life (*hifẓ al-nafs*) of OGBV victims.

The data collection method in this research utilizes secondary data, consisting of primary legal materials, secondary legal materials, and tertiary legal materials. Primary legal materials include the Qur'an, hadith, classical fiqh texts, and relevant Indonesian legislation. Secondary legal materials encompass academic literature, scholarly journals, and expert opinions discussing Islamic law, OGBV, and victim protection. Tertiary legal materials include legal dictionaries, encyclopedias, and legal indexes that support the analysis.

The collected data will be analyzed using qualitative analysis methods. The analysis involves examining, comparing, and interpreting existing legal norms from both shariah and positive law perspectives to identify regulatory gaps and opportunities for better integration between the two legal systems. This process includes identifying Islamic legal principles that can be applied to strengthen the protection of OGBV victims and evaluating weaknesses in the implementation of current national regulations.

## Empirical Results

### *The Application of Maqasid al-Shariah Principles in Protecting OGBV Victims*

The application of *maqasid al-shariah* principles in addressing Online Gender-Based Violence (OGBV) in Indonesia emphasizes the protection of life (*hifẓ an-nafs*), dignity (*hifẓ al-ʿird*), and lineage (*hifẓ an-nasl*). Actions such as harassment, threats, or the unauthorized dissemination of private content clearly violate these principles. (Henshaw, 2023) Islamic law provides a strong moral and legal foundation for combating OGBV through the concepts of justice (*al-ʿadalah*) and the prevention of harm (*dar' al-mafasid*). However, implementing these principles within Indonesia's positive legal system faces challenges, particularly in safeguarding victims from vulnerable age groups.

Research indicates that while Islamic law holds significant normative capacity, its application in the context of OGBV remains suboptimal. This is largely due to the lack of integration between shariah principles and existing national regulations. Moreover, low levels of digital literacy among the public, especially within

vulnerable age groups, exacerbate this issue. (Naibaho & Mulyaningtyas, 2022) Therefore, collaborative efforts between the government, religious scholars (*ulama*), and the community are essential to enhance digital literacy based on Islamic values and ensure that national regulations align with *maqasid al-shariah* principles.

The application of *maqasid al-shariah* in addressing OGBV in Indonesia requires a holistic approach that includes education, advocacy, and effective law enforcement. Only through such comprehensive efforts can the protection of victims, especially those in vulnerable age groups, be realized in accordance with the overarching objective of shariah—to uphold the welfare of humanity.

#### *Weaknesses in National Regulations for Addressing Online Gender-Based Violence (OGBV)*

An analysis of national regulations, such as the Electronic Information and Transactions Law (UU ITE) and the Sexual Violence Crime Law (UU TPKS), reveals that while a legal framework exists to address OGBV, these regulations have not specifically provided comprehensive protection for vulnerable age groups. The UU ITE primarily focuses on cybercrimes in general, without considering the specific aspects of gender-based violence. Meanwhile, the UU TPKS includes provisions for electronic sexual violence but faces challenges in implementation due to low levels of digital literacy among the public and limited resources for law enforcement agencies.

The handling of Online Gender-Based Violence (OGBV) in Indonesia encounters significant challenges due to weaknesses in national regulations. (Ahmad, 2023) While the UU ITE and the Pornography Law are used to address OGBV cases, neither law explicitly regulates protections for victims of gender-based violence in the digital sphere. The UU ITE, for example, is more focused on general cybercrimes and does not accommodate the complexity of OGBV, often failing to provide adequate protection for victims.

Additionally, the ambiguity in definitions and scope within the UU ITE leads to multiple interpretations that can hinder legal proceedings against OGBV perpetrators. The absence of specific regulations governing OGBV results in inconsistencies in law enforcement and judicial decisions, leaving victims without the justice they deserve. Although the Sexual Violence Crime Law (UU TPKS), enacted in 2022, includes provisions for electronic sexual violence, its implementation faces obstacles, including a lack of socialization and understanding among law enforcement officers and the general public.

These regulatory weaknesses are exacerbated by low digital literacy among the population, which makes individuals more susceptible to OGBV and unaware of available reporting mechanisms and legal protections. (Desai & Mandal, 2022) The lack of education and awareness regarding OGBV impedes efforts to prevent and effectively address cases. Consequently, a comprehensive revision and harmonization of regulations are needed, along with improved digital literacy and enhanced capacity for law enforcement, to ensure effective protection for OGBV victims in Indonesia.

#### *Low Digital Literacy as a Contributing Factor to the Rise of Online Gender-Based Violence (OGBV)*

Research has revealed that low digital literacy, particularly among teenagers and children, is one of the primary factors rendering these groups vulnerable to OGBV. Many victims lack adequate knowledge about personal data security, making them easy targets for perpetrators. From the perspective of Islamic law, digital literacy grounded in shariah values can play a significant role in preventing OGBV. (Salemot & Birhanu, 2021) Such literacy not only emphasizes ethical use of technology but also fosters awareness of the importance of preserving the dignity of oneself and others.

Low digital literacy in Indonesia is a major contributing factor to the increase in Online Gender-Based Violence (OGBV). This phenomenon disproportionately affects women and children, who constitute the majority of OGBV victims. Data from the Ministry of Women's Empowerment and Child Protection (KemenPPPA) indicate that in the first quarter of 2024, 480 OGBV cases were reported, a fourfold increase compared to the same period in the previous year. Of these cases, 57% of victims were aged 18–25 years,

while 26% were children under the age of 18. Limited understanding of digital security among these vulnerable age groups makes them more susceptible to cybercrimes.

One of the main reasons for low digital literacy is the lack of systematic education on the safe and responsible use of technology. In many areas, particularly rural regions, access to digital education remains extremely limited. The National Commission on Violence Against Women (Komnas Perempuan) notes that women in rural areas and older populations are among the most vulnerable groups to OGBV due to their limited understanding of the risks associated with social media and other digital platforms. (Isnawati et al., 2022) Additionally, most OGBV victims are unaware of the importance of protecting their personal information online, making them frequent targets of fraud, hacking, or exploitation by perpetrators.

From a gender perspective, digital literacy in Indonesia also exhibits significant disparities. Women often lack the same access as men to technology and digital education. This inequality creates a significant gap exploited by OGBV perpetrators, who target victims less aware of digital risks. Bahrul Fuad, a member of Komnas Perempuan, emphasizes that without adequate digital literacy, women and children are less likely to recognize and report OGBV incidents effectively. This not only exacerbates the trauma experienced by victims but also hampers legal enforcement against perpetrators.

Low digital literacy is further compounded by a culture of irresponsible technology use in society. Many internet users, particularly young people, are unaware of the legal and social consequences of their online behavior. The lack of education on digital ethics and safe social media usage results in many users finding themselves in risky situations, either as victims or perpetrators. Moreover, the rapid expansion of internet access without accompanying digital literacy has only increased the risk of technology misuse.

To address these challenges, collaborative efforts are needed among the government, educational institutions, and the community. Improving digital literacy based on ethical and legal values must be a priority, particularly for vulnerable groups such as women and children. Digital education programs should be designed to raise awareness of the importance of protecting personal information, recognizing potential threats, and taking preventive measures in digital spaces. Furthermore, a gender-sensitive approach should be implemented to ensure women have equal access to digital education and technology.

With adequate digital literacy, the risk of OGBV can be minimized, and vulnerable groups can be better protected. (Padmasari & Subekti, 2024) These efforts not only enhance safety in digital spaces but also foster a more technologically aware and responsible society. Good digital literacy is the key to reducing OGBV incidents and safeguarding the dignity and honor of individuals, especially women and children, in the digital era.

#### *Integration of Islamic Law and Positive Law in Addressing Online Gender-Based Violence (OGBV)*

Research identifies that integrating Islamic legal principles into national regulations can enhance protection for OGBV victims. For instance, applying the principle of *hifz al-'ird* (protection of dignity) in law enforcement adds a moral dimension to handling cases of online gender-based harassment. Additionally, Islamic law emphasizes strengthening preventive mechanisms through public education, victim empowerment, and active community participation in safeguarding vulnerable age groups. This integration not only addresses weaknesses in national regulations but also creates a more holistic approach to tackling OGBV.

The integration of Islamic law and positive law represents a strategic step in addressing OGBV in Indonesia. Islamic law, with its *maqasid al-shariah* principles emphasizing the protection of life (*hifz an-nafs*), dignity (*hifz al-'ird*), and lineage (*hifz an-nasl*), provides a strong moral and ethical foundation for combating various forms of gender-based violence. On the other hand, Indonesia's positive laws, such as the Electronic Information and Transactions Law (UU ITE) and the Sexual Violence Crime Law (UU TPKS), offer formal legal tools to prosecute perpetrators and protect victims. However, these two legal systems often operate separately, necessitating effective integration to provide more comprehensive protection for OGBV victims.



Islamic law offers an approach that is not only repressive toward perpetrators but also rehabilitative for victims. The principle of justice (*al-'adalah*) underscores the importance of ensuring balanced rights for victims, including psychological and social recovery. (Mutiah et al., 2024) Unfortunately, Indonesia's positive laws tend to focus on punitive measures without adequately addressing long-term protection for victims, particularly those in vulnerable age groups. By integrating Islamic legal values, national regulations can encompass broader dimensions of protection, such as spiritual guidance and social support rooted in local and religious values.

One of the main challenges in this integration is harmonizing Islamic legal principles with existing regulations. Many positive legal frameworks in Indonesia lack gender sensitivity, making them ill-equipped to address OGBV holistically. For example, the UU ITE focuses on general cyber violations without recognizing that OGBV involves unique dynamics requiring tailored approaches. By adopting Islamic legal principles, such as the prohibition of dishonoring individuals (as emphasized in Surah Al-Hujurat: 12), positive laws can strengthen the protective aspects for OGBV victims.

Furthermore, the community-based approach inherent in Islamic law can provide solutions to the limitations of positive law enforcement. In Islamic law, the concept of *amar ma'ruf nahi munkar* (enjoining good and forbidding evil) can be applied to raise public awareness about the dangers of OGBV. Active community participation, including the involvement of religious institutions and scholars (*ulama*), can help foster a safer and more dignified digital environment. This aligns with positive law, which encourages public involvement in addressing gender-based violence cases.

Through the integration of Islamic law and positive law, the response to OGBV can become more holistic and effective. This combination not only strengthens law enforcement against perpetrators but also provides better protection for victims. In the long term, this approach aims to create regulations that are more responsive to the dynamics of online gender-based violence while reflecting the values of justice and dignity central to Islamic law. Such integration is a critical step toward fostering a safer and more inclusive digital space in Indonesia.

#### *The Need for Multi-Level Strategies to Protect Vulnerable Age Groups*

Research emphasizes the importance of a multi-level approach in protecting victims of Online Gender-Based Violence (OGBV). This approach involves the following key strategies:

##### *Strengthening Legal Regulations to Specifically Address Online Gender-Based Violence*

Strengthening legal regulations is a fundamental step in addressing OGBV. Currently, existing regulations in Indonesia, such as the Electronic Information and Transactions Law (UU ITE) and the Sexual Violence Crime Law (UU TPKS), do not fully accommodate the complexities of OGBV. For instance, UU ITE primarily focuses on general cybercrimes without addressing the gender-specific aspects that are often central to OGBV cases. This study recommends revising existing regulations or enacting new laws specifically tailored to addressing gender-based violence in the digital sphere. These measures should include clear legal mechanisms to protect victims, impose stringent sanctions on perpetrators, and prevent the dissemination of content that harms the victim's dignity. With more specific regulations, victims can feel more secure, and perpetrators can be prosecuted more effectively.

##### *Enhancing Digital Literacy Based on Islamic Values in Schools and Communities*

Digital literacy grounded in Islamic values is an essential strategy for preventing OGBV. Islamic principles such as preserving dignity (*hifz al-'ird*), avoiding slander, and acting responsibly can be instilled in society through digital literacy education. This research finds that vulnerable age groups, such as teenagers and children, often fall victim to OGBV due to a lack of understanding about digital security and online ethics. (Samah, 2023) School-based digital literacy programs incorporating Islamic values can teach students how to protect themselves online, recognize signs of threats, and report acts of violence. Additionally, community-level digital literacy education, particularly in rural areas, is necessary to ensure all

societal layers are equipped with sufficient knowledge and skills to maintain their digital security. This Islam-based approach also reinforces moral values in digital interactions.

#### *Providing Psychological and Social Support for Victims in Line with the Principle of Life Protection (Hifz al-Nafs) in Maqasid al-Shariah*

Psychological and social support for OGBV victims is crucial for their recovery process. This research highlights that OGBV victims often experience psychological trauma, such as depression, anxiety, and social isolation, which can have long-term impacts on their well-being. The principle of life protection (*hifz al-nafs*) in *maqasid al-shariah* emphasizes the importance of maintaining mental health and individual well-being. Thus, accessible psychological support services for OGBV victims are necessary, whether through mental health centers, non-governmental organizations, or religious institutions. Additionally, social support from family, friends, and communities is vital to help victims feel supported and not alone in facing their difficulties. These efforts not only aid in the victims' recovery but also encourage them to report OGBV cases and seek justice.

#### *Collaboration Between Government Agencies, Religious Scholars (Ulama), and Communities to Create a Safe and Ethical Digital Space*

Addressing OGBV requires multi-stakeholder collaboration, including government agencies, religious scholars (*ulama*), and communities. The government plays a primary role in developing policies and regulations to protect victims, while religious scholars can help raise societal awareness of relevant Islamic values, such as preserving dignity and preventing gender-based violence. (Deane, 2024a) Local communities, such as civil society organizations, can serve as agents of change by supporting victims and holding perpetrators accountable for their actions. This research finds that collaboration among these parties can create a safer and more ethical digital environment. For example, educational campaigns involving religious scholars and community leaders can enhance digital literacy while embedding moral values in online interactions. With strong synergy, society can collectively combat OGBV and protect vulnerable groups from the risks of gender-based violence.

#### *Islamic Legal Analysis of the Rise of Online Gender-Based Violence (OGBV) and the Protection of Vulnerable Age Groups in Indonesia*

*Maqasid al-Shariah*, as a theoretical framework in Islamic law, aims to ensure human welfare by safeguarding fundamental aspects of life, including religion, life, intellect, lineage, and property. In contemporary contexts, the protection of individual dignity (*hifz al-'ird*) has gained recognition as an essential element, particularly in addressing the phenomenon of Online Gender-Based Violence (OGBV). Utilizing this theory allows for a comprehensive analysis of the protection of OGBV victims, especially vulnerable age groups, from both normative and practical perspectives.

OGBV often involves harassment, threats, and the dissemination of private content without consent, which directly violates the principles of *hifz an-nafs*, *hifz an-nasl*, and *hifz al-'ird*. The principle of *hifz an-nafs* emphasizes the protection of victims' lives from psychological distress caused by such actions. Victims of OGBV, particularly women and children, often experience profound trauma that impacts their mental well-being. Complementing this, *hifz al-'ird* underscores the importance of preserving individual dignity, which frequently becomes a primary target for OGBV perpetrators. (Pramita, 2021) Unauthorized dissemination of personal information or sensitive content can severely damage victims' reputations, necessitating robust protective measures.

Previous research indicates that the implementation of positive law in Indonesia, such as the Electronic Information and Transactions Law (UU ITE) and the Sexual Violence Crime Law (UU TPKS), has not fully aligned with the principles of *Maqasid al-Shariah*. Although these regulations address cybercrimes and electronic-based sexual violence, the lack of focus on protecting vulnerable groups, such as children and adolescents, highlights gaps in legal enforcement. A *Maqasid al-Shariah*-based approach offers a holistic solution by integrating legal protection, digital literacy, and psychosocial support grounded in Islamic values.

Prevention, as an integral part of *Maqasid al-Shariah*, also highlights the importance of digital literacy based on Islamic ethics to mitigate the risk of OGBV. Low digital literacy among Indonesians, particularly women and vulnerable age groups, is a major factor increasing their susceptibility to online crimes. A literacy approach that instills Islamic values, such as preserving self-respect and respecting others' rights, can raise public awareness about the importance of digital security. Programs like these not only educate individuals about protecting personal data but also instill digital ethics aligned with the principles of *Maqasid al-Shariah*.

Research shows that low digital literacy is often exacerbated by gender disparities in technology access. Women in rural areas, for instance, are more vulnerable to OGBV due to limited knowledge about digital risks. In this context, *Maqasid al-Shariah* offers an empowerment perspective through the principle of justice (*al-'adalah*), which emphasizes equal access to technology and education. By empowering women and vulnerable groups through gender-based literacy programs, the risk of OGBV can be significantly reduced.

Moreover, *Maqasid al-Shariah* emphasizes preventive measures to avoid harm (*dar' al-mafasid*). In the context of OGBV, this entails ensuring that positive law is not only reactive to existing cases but also proactive in preventing them. This includes enhancing law enforcement capacities to handle OGBV cases effectively and drafting more specific regulations to protect victims. For example, while the UU TPKS addresses electronic-based violence, its implementation faces challenges due to a lack of law enforcement training and public awareness about reporting mechanisms.

Furthermore, a *Maqasid al-Shariah*-based approach encompasses psychosocial support for OGBV victims. The principle of *hifz an-nafs* emphasizes the importance of restoring victims' mental health as part of life protection. In this context, faith-based counseling services can play a crucial role in helping victims recover from trauma. This approach not only aids individual victims but also fosters a supportive social environment that helps them reintegrate into normal life.

Multi-stakeholder collaboration involving the government, religious scholars (*ulama*), and local communities is also highly relevant within the *Maqasid al-Shariah* framework. The government can develop policies that are more responsive to victims' needs, while *ulama* and community leaders can provide education and advocacy rooted in Islamic values. Local community participation is crucial for creating a safe and ethical digital environment. Through such collaborative approaches, the principle of *amar ma'ruf nahi munkar* (enjoining good and forbidding evil) can be effectively implemented to prevent OGBV and protect vulnerable groups.

Integrating *Maqasid al-Shariah* and positive law offers opportunities to create fairer and more holistic regulations for addressing OGBV. Principles such as *hifz al-'ird* and *hifz an-nafs* can serve as moral foundations for crafting policies that protect victims, while positive law provides the legal framework for prosecuting perpetrators. (Michailović et al., 2022) This synergy not only enhances the effectiveness of law enforcement but also reflects the values of justice and dignity central to Islamic law.

The application of *Maqasid al-Shariah* in addressing OGBV in Indonesia is expected to create a safer, more ethical, and inclusive digital space. By providing comprehensive protection for victims and educating the public about the importance of digital ethics, the prevalence of OGBV can be minimized. This approach aligns not only with the ultimate goals of Islamic law but also with a commitment to upholding human dignity and well-being in the digital era.

## Conclusion

Online Gender-Based Violence (OGBV) presents a significant challenge to safeguarding societal well-being, particularly for vulnerable age groups. An analysis based on the *Maqasid al-Shariah* theory, as formulated by Al-Ghazali and Al-Shatibi, highlights the importance of protecting life (*hifz an-nafs*), dignity (*hifz al-'ird*), and lineage (*hifz an-nasl*) in addressing this phenomenon. These principles provide a moral and legal foundation for protecting OGBV victims through prevention, education, and empowerment.



The implementation of *Maqasid al-Shariah* in the context of OGBV underscores the need for more specific regulations, digital literacy rooted in Islamic ethics, and holistic psychosocial support. Although positive laws such as the Electronic Information and Transactions Law (UU ITE) and the Sexual Violence Crime Law (UU TPKS) have been enacted, their implementation still faces challenges due to insufficient digital literacy and limited capacity of law enforcement officers. A *Maqasid al-Shariah*-based approach offers integrative solutions, including harm prevention (*dar' al-mafasid*) and community empowerment through the principle of *amar ma'ruf nahi munkar*.

Collaboration among the government, religious scholars (*ulama*), and society is key to creating a safe and dignified digital space. Integrating *Maqasid al-Shariah* values into positive law can strengthen victim protection and enhance the effectiveness of law enforcement. Through these measures, the prevalence of OGBV can be minimized, and societal well-being can be ensured in line with the primary objectives of Islamic law.

### *Contribution/Originality*

Penelitian ini memberikan kontribusi orisinal dengan menerapkan teori Maqashid Syariah sebagai kerangka analisis dalam menangani Kekerasan Berbasis Gender Online (KBGO) di Indonesia. Studi ini mengintegrasikan prinsip-prinsip hukum Islam, seperti *hifz an-nafs* (perlindungan jiwa), *hifz al-'ird* (perlindungan kehormatan), dan *hifz an-nasl* (perlindungan keturunan), ke dalam pendekatan hukum positif untuk menciptakan perlindungan yang lebih komprehensif bagi korban, terutama kelompok usia rentan. Dengan fokus pada pencegahan melalui literasi digital berbasis nilai-nilai Islam, penelitian ini juga menawarkan solusi inovatif untuk meningkatkan kesadaran masyarakat terhadap risiko KBGO. Hasil studi ini tidak hanya memperkuat diskursus akademik mengenai KBGO dari perspektif Islam tetapi juga menyediakan landasan strategis bagi pembuat kebijakan untuk merancang regulasi yang selaras dengan maqashid syariah, menciptakan ruang digital yang aman, etis, dan inklusif.

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### **References**

- Ahmad, S. (2023). Gender-Based Violence in Punjab: An Analysis of Punjab Protection of Women against Violence Act, 2016. *Pakistan Journal of Gender Studies*, 23(1), 105–124. <https://doi.org/10.46568/pjgs.v23i01.642>
- Deane, T. (2024a). Gender-Based Violence and Femicide in Institutions of Higher Learning. *Gender, Justice and Legal Feminism*, 195–215. [https://doi.org/10.1007/978-3-031-61053-0\\_9](https://doi.org/10.1007/978-3-031-61053-0_9)
- Deane, T. (2024b). Legal Responses to Gender-Based Violence and Femicide. *Gender, Justice and Legal Feminism*, 141–166. [https://doi.org/10.1007/978-3-031-61053-0\\_7](https://doi.org/10.1007/978-3-031-61053-0_7)
- Deane, T. (2024c). Situational Analysis of Gender-Based Violence and Femicide in South Africa. *Gender, Justice and Legal Feminism*, 89–122. [https://doi.org/10.1007/978-3-031-61053-0\\_5](https://doi.org/10.1007/978-3-031-61053-0_5)
- Desai, B. H., & Mandal, M. (2022). International Legal Protection Against SGBV. *Sexual and Gender-Based Violence in International Law*, 71–156. [https://doi.org/10.1007/978-981-19-0894-1\\_3](https://doi.org/10.1007/978-981-19-0894-1_3)
- Eleanora, F. N., Lestari, M. P., & Ismail, Z. (2023). Online Gender-Based Violence Study: Analysis Of Violence Against Woman. *Legal Spirit*, 7(2), 299. <https://doi.org/10.31328/ls.v7i2.4883>
- Henshaw, A. (2023). Extremism and Gender-Based Violence Online. *Digital Frontiers in Gender and Security*, 65–86. <https://doi.org/10.1332/policypress/9781529226270.003.0004>
- Hicks, J. (2021). Global Evidence on the Prevalence and Impact of Online Gender-based Violence (OGBV). Institute of Development Studies (IDS). <https://doi.org/10.19088/k4d.2021.140>
- Isnawati, I., Yusuf, M., Zamhari, A., & Hermansah, T. (2022). Online Gender-Based Violence Education through the Program 'Perempuan Aman Internetan.' Proceedings of the 4th International Colloquium on Interdisciplinary

- Islamic Studies in Conjunction with the 1st International Conference on Education, Science, Technology, Indonesian and Islamic Studies, ICIES and ICESTIIS 2021, 20-21 October 2021, Jambi, Indonesia. <https://doi.org/10.4108/eai.20-10-2021.2316335>
- Marotta, J. (2023). The International Legal Framework on Gender-Based Violence. *Gender-Based Violence: A Comprehensive Guide*, 593–603. [https://doi.org/10.1007/978-3-031-05640-6\\_41](https://doi.org/10.1007/978-3-031-05640-6_41)
- Michailovič, I., Justickaja, S., Vaičiūnienė, R., & Banach-Gutierrez, J. B. (2022). Domestic Violence Against Women in Lithuania and Poland: Seeking Adequate Protection of Victims. *European Union and Its Neighbours in a Globalized World*, 263–286. [https://doi.org/10.1007/978-3-031-06998-7\\_12](https://doi.org/10.1007/978-3-031-06998-7_12)
- Mutiah, M., Satrianingsih, A., Anshar, A., Hamzah, N. A., & Ilmah, N. (2024). Legal Protection of Wives from Domestic Violence Perspectives of Islamic Law and Positive Law. *Journal of Family Law and Islamic Court*, 2(1). <https://doi.org/10.26618/jflic.v2i1.11018>
- Naibaho, N., & Mulyaningtyas, Y. (2022). Victim Protection of Multiple Victimization of Violence in Indonesia: A Right Way to Go? *Gender-Based Violence in South-East Asia*, 125–141. [https://doi.org/10.1007/978-981-19-2492-7\\_9](https://doi.org/10.1007/978-981-19-2492-7_9)
- Nurtjahyo, L. I. (2022). Feminist Legal Analysis on the Rules of Handling Cases of Violence Against Women: Comparative Study on Timor Leste, Malaysia, Thailand, Singapore, and Indonesia. *Gender-Based Violence in South-East Asia*, 31–48. [https://doi.org/10.1007/978-981-19-2492-7\\_3](https://doi.org/10.1007/978-981-19-2492-7_3)
- Padmasari, A. Q., & Subekti, S. (2024). The Role of LBH APIK Jakarta in Legal Protection for Victims of Electronic-Based Sexual Violence. *QISTINA: Jurnal Multidisiplin Indonesia*, 3(1), 512–518. <https://doi.org/10.57235/qistina.v3i1.2296>
- Pramita, K. (2021). The Urgency of the Legal Protection for Women to Protect Victims of Sexual Violence Due to Gender Inequality. *Proceedings of the 2nd International Conference on Law, Social Sciences and Education, ICLSSE 2020*, 10 November, Singaraja, Bali, Indonesia. <https://doi.org/10.4108/eai.10-11-2020.2303449>
- Pūraitė-Andrikienė, D. (2022). The Role of Constitutional Justice Institutions in the Protection of Vulnerable Groups. *European Union and Its Neighbours in a Globalized World*, 55–77. [https://doi.org/10.1007/978-3-031-06998-7\\_3](https://doi.org/10.1007/978-3-031-06998-7_3)
- Salemot, M. A., & Birhanu, A. (2021). The Ethiopian Legal Frameworks for the Protection of Women and Girls from Gender-Based Violence. *PanAfrican Journal of Governance and Development (PJGD)*, 2(1), 82–102. <https://doi.org/10.46404/panjogov.v2i1.2914>
- Saniah, N., Marlina, M., & Damanik, L. A. (2024). Optimizing Legal Protection against Gender-Based Violence From an Islamic Perspective. *Al-Izzah: Jurnal Hasil-Hasil Penelitian*, 15. <https://doi.org/10.31332/ai.v0i0.5406>
- Violin, G., & Nafi, Y. K. (2022). Protection of Online Gender-Based Violence Victims: A Feminist Legal Analysis. *The Indonesian Journal of Socio-Legal Studies*, 1(2). <https://doi.org/10.54828/ijls.2021v1n2.6>
- Wu, N. (2024). Protection of the Rights of Socially Vulnerable Groups. *The Legal Issues of the Emerging Rights*, 401–453. [https://doi.org/10.1007/978-981-97-0499-6\\_12](https://doi.org/10.1007/978-981-97-0499-6_12)
- سري ال العنف ضدية يمال قطر ل المرأة القاذونة الحماية, R. H. A., & Samah, M. (2023). Legal Protection for Women Qatari victims of Domestic violence. *Online Journal of Research in Islamic Studies*, 10(1), 154–176. <https://doi.org/10.22452/ris.vol10no1.10>