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Criminal Sanctions Against Perpetrators of the Commercial Sexual Exploitation of Children: A Comparative Study of Indonesian Positive Law and Islamic Criminal Law

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ABSTRACT

The Commercial Sexual Exploitation of Children (CSEC) constitutes a serious violation of human rights and human dignity. In Medan City, CSEC practices occur in an organized and recurring manner, underscoring the need to evaluate the effectiveness of existing criminal sanctions. This study aims to compare criminal sanctions for CSEC offenders under Indonesian positive law and Islamic criminal law and to formulate normative contributions for strengthening child protection. Using a normative juridical and comparative legal approach, this research examines sanction provisions in the Indonesian Criminal Code (KUHP), Law No. 35 of 2014 on Child Protection, and Law No. 21 of 2007 on Human Trafficking, as well as the concepts of hudud and taʿzīr in Islamic criminal jurisprudence (fiqh jinayah). The findings reveal fundamental differences between the two systems: Indonesian positive law emphasizes legal certainty and rehabilitation through imprisonment and fines, while Islamic criminal law prioritizes moral deterrence through hudud and the flexibility of taʿzīr. This article contributes by proposing harmonization between the two systems through offense reformulation, strengthened sanctions, and the implementation of preventive policies grounded in religious values to enhance child protection against systemic sexual crimes.

1. Introduction

The commercial sexual exploitation of children (CSEC), including practices referred to in Indonesian legal discourse as “child prostitution,” constitutes a grave violation of

human rights. Various international studies have emphasized that CSEC - encompassing practices such as child prostitution, child pornography, and sex tourism - causes severe psychosocial harm to victims and threatens the stability of democratic social and moral orders. This phenomenon is not only a crime against humanity but also a challenge to the international legal order, given its transnational and highly organized nature. The International Labour Organization (ILO) estimates that approximately 1.8 million children are involved in the global commercial sex industry,[1] underscoring the severity of this threat to the survival and development of future generations and calling for more effective legal responses. [2]

Terminologically, the continued use of the term "child prostitution" in public discourse, media narratives, and even certain legal instruments raises conceptual problems. This terminology implies agency or voluntariness, which obscures the fact that children are in positions of extreme vulnerability and lack the legal or psychological capacity to provide valid consent for sexual relations.[3] This critique has prompted a paradigm shift toward a more accurate framing:[4] CSEC is understood as an inherently coercive and degrading form of exploitation in which children are unequivocally victims, not offenders. This shift aligns with international frameworks such as the Trafficking Victims Protection Act (TVPA) and UNICEF-ECPAT guidelines, which define any person under 18 engaged in commercial sexual activity as a victim of trafficking, irrespective of evidence of force or coercion.[5]

In Indonesia, the prevalence of CSEC has reached alarming levels. As of December 2023, the Indonesian Child Protection Commission (KPAI) and the Ministry of Women's Empowerment and Child Protection (KemenPPPA) documented 12,391 cases of sexual violence, 351 cases of sexual exploitation, and 401 cases of child trafficking, involving a total of 19,017 child victims.[6] Complementing these official figures, the Indonesian Financial Transaction Reports and Analysis Center (PPATK) estimated that approximately 24,000 children aged 10–18 were involved in suspected child prostitution, with an estimated 130,000 transactions and a financial turnover of IDR 127.37 billion.[7] While these figures reflect domestic conditions, international studies on institutional sexual violence reveal similar patterns elsewhere, where perpetrators in positions of authority within child-serving

[1] Joost Kooijmans, "Prostitution, Pornography and Pornographic Performances as Worst Forms of Child Labour: A Comment on Article 3(b) of ILO Convention 182," *Child Labour in a Globalized World: a Legal Analysis of ILO Action* 3, no. August (2016): 129–50, https://doi.org/10.4324/9781315571447-14.

[2] Kritika Gupta dan Meenu Gupta, "Child Trafficking for Sexual exploitation," *International Journal of Geographical Information Science* 14, no. 6 (2020): 1017–27, https://doi.org/10.26643/GIS.V14I6.16852.

[3] Supriyadi Widodo Eddyono, Rio Hendra, dan Adhigama Andre Budiman, *Melawan Praktik Prostitusi Anak di Indonesia dan Tantangannya*, *Institute for Criminal Justice Reform*, 2017.

[4] Eddyono, Hendra, dan Budiman, 7.

[5] ECPAT International, *Terminology Guidelines For The Protection of Children from Sexual Exploitation and Sexual Abuse*, *ECPAT International*, 2nd ed (Bangkok, 205M).

[6] ecpatindonesia.org, "Catatan Akhir Tahun ECPAT Indonesia 2023 'Keberlanjutan Perlindungan Anak dari Eksploitasi Seksual,'" *Ecpatindonesia.Org*, 2023, https://ecpatindonesia.org/press-release-detail/catatan-akhir-tahun-ecpat-indonesia-2023-keberlanjutan-perlindungan-anak-dari-eksploitasi-seksual.

[7] Kumparan.com, "PPATK Ungkap Data Kelam Prostitusi Anak : Transaksi Rp 127 M , Korban 24 Ribu," *https://kumparan.com/*, 2024.

institutions - such as schools, religious organizations, or sports communities - exploit their proximity and power to abuse children under their care.[8] Although such dynamics remain underexplored systematically in Indonesia, they underscore the need for comprehensive, multi-level institutional prevention strategies. Collectively, these data and findings illustrate the complex and often hidden nature of CSEC, suggesting that the actual scale of exploitation likely far exceeds officially recorded figures.

This phenomenon is not only reflected in statistical data but is also manifested in concrete cases that reveal how exploitation networks operate at the local level. For instance, the dismantling of an online child prostitution network in Pontianak, West Kalimantan, in 2020 involved the recruitment of underage victims through social media.[9] In February 2025, a raid in North Jakarta uncovered a child exploitation network involving 30 victims, five of whom were minors, with perpetrators prosecuted under the Anti-Trafficking Law and the Child Protection Law.[10] In Medan, child prostitution has been a matter of serious concern for years. As early as 2008, the Center for Child Study and Protection (PKPA) estimated that approximately 2,000 children were involved in prostitution, 45% of whom were junior and senior high school students.[11] Although this is historical data, when combined with more recent findings from KPAI and PPATK, it underscores that child sexual exploitation in urban areas remains a persistent and increasingly complex problem. These cases highlight the organized nature of CSEC networks and expose weaknesses in monitoring and law enforcement across various regions of Indonesia.

Normatively, Law No. 17 of 2016 (amending Law No. 23 of 2002) prescribes up to 10 years' imprisonment and fines of IDR 200 million for CSEC offenders. Law No. 35 of 2014 on Child Protection, Law No. 21 of 2007 on the Eradication of Human Trafficking, and provisions of the Indonesian Criminal Code (KUHP), particularly Articles 296 and 506, collectively strengthen the national legal framework. However, these provisions are often criticized for failing to create a sufficient deterrent effect and for lacking comprehensive protection for victims. Constitutionally, these offenses also violate Article 28B of the 1945 Constitution, which guarantees children's rights to protection from violence and exploitation.

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[8] Sandy K. Wurtele, "Preventing the sexual exploitation of minors in youth-serving organizations," *Children and Youth Services Review* 34, no. 12 (2012): 2442–53, https://doi.org/10.1016/j.childyouth.2012.09.009.

[9] Hendra Cipta dan Dony Aprian, "Polisi Bongkar Prostitusi Online di Pontianak , 5 Pelaku Masih di Bawah Umur," *Kompas.com*, 2020.

[10] CNN\ Indonesia, "Polisi Bongkar Prostitusi Modus Terapis di Jakut , 30 Orang Jadi Korban," *CNN Indonesia*, 2025.

[11] Misran Lubis, "Pemetaan situasi eksploitasi seksual anak anak di sumatera utara," 2025. Accessed on July 25, 2025. Source: https://pkpaindonesia.org/pemetaan-situasi-eksploitasi-seksual-anak-anak-di-sumatera-utara

In Islamic criminal jurisprudence (*fiqh jināyah*), CSEC (particularly child prostitution) is classified under jarīmah zinā and muqaddimah zinā.[12] Where the evidentiary standards for *hudūd* (e.g., the testimony of four male witnesses or voluntary confession) are unmet, offenders may be subject to taʿzīr, a discretionary punishment determined by judges based on the severity of the offense and its societal impact. For aggravated cases, hudūd punishments may be applied to ensure deterrence and moral purification. This framework underscores the flexibility of Islamic criminal law, which seeks to balance punitive measures with victim protection and social rehabilitation. This approach is exemplified in Aceh through Qanun Jinayat No. 6 of 2014, which prescribes a combination of corporal punishment, fines, and imprisonment for perpetrators of child sexual exploitation.

Existing studies on CSEC reveal significant gaps. Sitanggang and Suherman (2024) critique the weak enforcement of Law No. 35 of 2014, particularly in evidentiary and victim-protection aspects.[13] Wahyuningsih et al. (2023) criticize the punitive system for failing to adequately prioritize victims' rights but offer no normative alternatives grounded in Islamic justice principles.[14] Nasution, Rafly, and Ramadi (2023**)** propose synergy between positive and Islamic criminal law but fail to elaborate on the technical application of *hudūd* and *taʿzīr* sanctions.[15] At the international level, ECPAT Global highlights best practices in preventing CSEC and providing victim restitution, while reputable *fiqh jināyah* scholarship explores the integration of Sharīʿah-based sanctions with international human rights norms.

To date, no comprehensive study has compared Indonesian positive criminal law and Islamic criminal law in addressing CSEC through a combined normative, constitutional, and philosophical lens. This study's novelty lies in proposing a harmonized sanction model that integrates the retributive and preventive dimensions of Indonesian positive law with the restorative and moral dimensions of Islamic criminal law. This approach addresses gaps in existing research by linking child protection, public morality, and substantive justice.

This study makes a theoretical contribution by advancing comparative criminal law scholarship and developing a framework for harmonizing sanctions between positive law and Islamic law. Practically, it offers constructive recommendations for policymakers to

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[12] In Islamic criminal jurisprudence (*fiqh jināyah*), Commercial Sexual Exploitation of Children (CSEC)—particularly child prostitution—is generally classified under *jarīmah zinā* (the offense of illicit sexual intercourse) and *muqaddimāt al-zinā* (acts leading to zina). This classification is based on the understanding that children are legally incapable of giving valid consent to sexual activity, thus any such act constitutes either coercive zina or a punishable precursor to it. In cases where penetration occurs, it may fall under *zinā bi al-ikrāh* (forcible or non-consensual zina), while grooming, physical contact, or exposure to sexual acts may be subject to *taʿzīr* sanctions as forms of *muqaddimah zinā*

[13] Remonic Elisabeth Sitanggang dan Asep Suherman, "Analisis Yuridis Terhadap Perlindungan Anak Dari Eksploitasi Seksual Komersial," *Jurnal Hukum dan Kewarganegaraan* 6, no. 6 (2024), https://doi.org/https://doi.org/10.3783/causa.v6i6.6294.

[14] et al., "Comparison Legal Perspective of Criminal Sanctions for Sexual Crime Against Children in Indonesia," *International Journal of Social Science and Human Research* 06, no. 02 (2023): 891–98, https://doi.org/10.47191/ijsshr/v6-i2-17.

[15] Mhd Ary Fadhillah Nasution, Mhd Rafly, dan Bagus Ramadi, "Jurnal Hukum dan Kewarganegaraan," *Jurnal Hukum dan Kewarganegaraan* 2, no. 3 (2023): 7.

strengthen punitive frameworks, enhance child protection mechanisms, and implement rehabilitative strategies grounded in substantive justice. In doing so, it supports Indonesia's broader efforts to eradicate CSEC and promote social justice in line with the principles of Pancasila and the 1945 Constitution.

2. Legal Material and Methods

This study employs a normative juridical method combining a statutory approach and a comparative legal approach.[16] The research is conducted through library-based doctrinal analysis of relevant legal materials. Primary legal sources include the Indonesian Penal Code (KUHP), Law No. 35 of 2014 on Child Protection, Law No. 21 of 2007 on the Eradication of Human Trafficking, and classical *fiqh jinayah* literature. Secondary sources consist of scholarly journals, fatwas, and academic literature, while tertiary sources include legal dictionaries and classical legal texts.[17]

The collected data are analyzed using a descriptive-analytical and comparative method to identify the similarities, differences, and relevance of sanctions imposed on perpetrators of Commercial Sexual Exploitation of Children (CSEC) within national criminal law and Islamic criminal law. This study adopts the legal certainty theory as its analytical framework, given that the issue of CSEC is closely related to the clarity of norms, the certainty of sanctions, and the effectiveness of legal protection for child victims within the Indonesian legal system.

3. Result and Discussion

3.1. Conceptualizing Commercial Sexual Exploitation of Children (CSEC)

Commercial Sexual Exploitation of Children (CSEC) constitutes a serious violation of human rights that threatens the physical, psychological, and moral integrity of children. Within Indonesia's legal framework, such practices are classified as serious criminal offenses that disrupt public order and endanger the future of child victims. Nevertheless, in everyday discourse - including media narratives and even certain legal instruments - terms such as *"child prostitution"* or *"child sex worker"* are still commonly used to describe these acts. These labels, however, embed problematic assumptions about voluntary participation and informed consent, which are fundamentally incompatible with children's developmental and legal status.

Kamus Besar Bahasa Indonesia (KBBI), for instance, defines *prostitution* as "the act of a woman offering her body to a man for sexual intercourse in exchange for money."[18] This

[16] Kevin Walby, "Research Methods in Law . By D. Watkins and M. Burton (editors). London: Routledge, 2013. 160 pp. $55 paperback.," *Law & Society Review* 48, no. 2 (1 Juni 2014): 486–87, https://doi.org/10.1111/lasr.12082.

[17] Ibnu Radwan Siddik Turnip, Sukiati Sukiati, dan Irwan Irwan, "the Patterns of Applying Legal Theory in Thesis Writing of Students of Islamic Family Law in the Faculty of Syari'Ah and Law At Uin Sumatera Utara," *Istinbath* 21, no. 2 (2023): 391–415, https://doi.org/10.20414/ijhi.v21i2.574.

[18] Tim Redaksi, *Kamus Besar Bahasa Indonesia* (Jakarta: Pusat Bahasa, 2019).

definition reflects a gender-biased, adult-centric perspective that implies agency and voluntariness, and therefore fails to account for the structural coercion and powerlessness involved in child sexual exploitation. As a result, the continued use of terms like *"child prostitution"* has drawn increasing criticism for reinforcing stigma and misrepresenting the child's position as a victim entitled to legal protection.[19] This critique is consistent with international frameworks that understand child prostitution not as a form of consensual sex work, but rather as a manifestation of commercial sexual exploitation that is inherently coercive, abusive, and a violation of children's rights[20].

From an international perspective, the Trafficking Victims Protection Act (TVPA) defines any person under the age of 18 involved in commercial sexual acts as a victim of sex trafficking, regardless of evidence of force or coercion.[21] Thus, the term "child prostitute" must be abandoned as it implies agency and choice, which is misleading given the coercive circumstances in which these children are typically involved. Instead, these children should be recognized as victims of exploitation. UNICEF and ECPAT International further affirm that child prostitution constitutes a form of CSEC, encompassing prostitution, child pornography, and the trafficking of children for sexual purposes.[22]

Within Indonesia's national legal framework, Law No. 35 of 2014 on Child Protection explicitly prohibits all forms of sexual exploitation against children, categorizing them as serious criminal offenses, and defines a child as any individual under the age of 18.[23] This provision aligns with the United Nations Convention on the Rights of the Child, which also sets the age of 18 as the threshold for special legal protection.[24] From a criminal law perspective, children under this age are deemed to lack the legal and psychological capacity to provide valid consent for sexual activities. Thus, any form of commercial sexual engagement with minors—regardless of claims of "consent"—is categorized as exploitation or sexual violence.[25]

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[19] Calli M Cain, "Commercial Sexual Exploitation Victims Treated as Offenders: Examining the Gendered Risk Factors of Incarcerated Youth Charged with Prostitution," *Victims & Offenders* 18, no. 3 (3 April 2023): 543–71, https://doi.org/10.1080/15564886.2022.2151538; Jessica J Laird et al., "Toward a Global Definition and Understanding of Child Sexual Exploitation: The Development of a Conceptual Model," *Trauma, Violence, & Abuse* 24, no. 4 (22 Mei 2022): 2243–64, https://doi.org/10.1177/15248380221090980.

[20] Gail Hornor et al., "Commercial Sexual Exploitation of Children: An Update for the Forensic Nurse," *Journal of Forensic Nursing* 15, no. 2 (2019): 93–102, https://doi.org/10.1097/JFN.0000000000000243.

[21] Jennifer McMahon-Howard, "Youth Involved in Prostitution (YIP): Exploring Possible Changes in Interactions With Police and Social Service Agencies and Narratives of Victimization," *Criminal Justice Review* 42, no. 2 (17 Mei 2017): 119–45, https://doi.org/10.1177/0734016817702194.

[22] International, *Terminology Guidelines For The Protection of Children from Sexual Exploitation and Sexual Abuse*.

[23] Abdul Rahman, Zainal Amin Ayub, dan Ratnawati, "Legal Framework for Protecting Children from Commercial Sexual Exploitation," *Volksgeist: Jurnal Ilmu Hukum dan Konstitusi* 8, no. 1 (2025): 87–110, https://doi.org/10.24090/volksgeist.v8i1.13156.

[24] Emily J. Nicklett dan Brian E. Perron, "Laws and policies to support the wellbeing of children: An international comparative analysis," *International Journal of Social Welfare* 19, no. 1 (2010): 3–7, https://doi.org/10.1111/j.1468-2397.2009.00699.x.

[25] Hornor et al., "Commercial Sexual Exploitation of Children: An Update for the Forensic Nurse."

Children's vulnerability to prostitution often stems from a combination of factors, including poverty, lack of education, family dysfunction, and prior victimization.[26] Studies in Southeast Asia, such as those conducted in Thailand, demonstrate that child prostitution is deeply rooted in socio-economic conditions and cultural factors, making it a complex issue to address.[27] Such vulnerabilities are often exploited by perpetrators through grooming, a process of emotional manipulation designed to create psychological dependency before sexually exploiting the child.[28]

Thus, child prostitution should not be understood merely as a moral or criminal offense but as a complex form of commercial sexual exploitation involving systemic networks of perpetrators. The paradigm shift from using the term "child prostitute" to recognizing these individuals as "victims of sexual exploitation" reflects a trauma-informed approach that prioritizes recovery, protection, and rehabilitation.[29] This perspective aligns not only with national and international legal frameworks but also establishes a more humanistic normative foundation for addressing the issue of child prostitution.

3.2. Sanctions for Perpetrators of CSEC under Indonesian Criminal Law

Commercial Sexual Exploitation of Children (CSEC) is classified as a serious criminal offense under Indonesian law, as it fundamentally violates human rights, degrades human dignity, and threatens the safety and future of children. The national legal framework addressing this offense has evolved significantly from its initial fragmented provisions under the old Criminal Code (KUHP) to a more comprehensive regulation under the new Criminal Code and specific legislation, explicitly recognizing children as victims entitled to special protection.

Under the old Criminal Code, offenses that are now categorized as CSEC were regulated within the scope of morality crimes. Article 287 imposed a maximum imprisonment of 9 years for engaging in sexual intercourse with a girl under 15 years of age. Article 290 prescribed a maximum imprisonment of 7 years for committing indecent acts against a child, including when the victim was incapacitated. Article 296 carried a maximum imprisonment of 1 year and 4 months or a fine of IDR 15,000 for those who intentionally facilitated indecent acts, while Article 506 imposed up to 1 year of imprisonment on those

[26] Karen Elizabeth Walker, "Exploitation of Children and Young People through Prostitution," *Journal of Child Health Care* 6, no. 3 (1 September 2002): 182–88, https://doi.org/10.1177/136749350200600304; Cain, "Commercial Sexual Exploitation Victims Treated as Offenders: Examining the Gendered Risk Factors of Incarcerated Youth Charged with Prostitution."

[27] Carmen Lau, "Child prostitution in Thailand," *Journal of Child Health Care* 12, no. 2 (1 Juni 2008): 144–55, https://doi.org/10.1177/1367493508090172; Heather Montgomery, "Are child prostitutes child workers? A case study," ed. oleh Madeline Leonard, *International Journal of Sociology and Social Policy* 29, no. 3–4 (24 April 2009): 130–40, https://doi.org/10.1108/01443330910947507.

[28] Tasya Suci Januri, "Cyber Sexual Harrasment Di Media Sosial Sebagai Bentuk Penyimpangan Sosial Di Era Digital," *Sosial Horizon: Jurnal Pendidikan Sosial* 10, no. 1 (2023): 63–72, https://doi.org/10.31571/sosial.v10i1.4970.

[29] Laird et al., "Toward a Global Definition and Understanding of Child Sexual Exploitation: The Development of a Conceptual Model."

profiting from prostitution.[30] However, these provisions were partial and failed to explicitly categorize CSEC as a distinct criminal offense, thereby providing inadequate normative protection for child victims.

A major reform was introduced through the new Criminal Code (Law No. 1 of 2023), which strengthened the regulation of sexual crimes against children by classifying many of these acts as sexual violence crimes.[31] Article 473(1) - (2) categorizes sexual intercourse with a child as rape, carrying a maximum imprisonment of 12 years, thereby extending the legal definition of rape to include sexual acts with minors regardless of consent. Article 415 prescribes a maximum imprisonment of 9 years for committing indecent acts against children. Article 417 imposes up to 9 years of imprisonment on those who persuade, mislead, or promise benefits to induce a child to engage in or permit indecent acts. Article 419 provides a maximum imprisonment of 7 years for facilitating sexual intercourse or indecent acts with a child, increased to 9 years if committed against one's biological, step, foster, or dependent child. Furthermore, Article 422 carries a maximum imprisonment of 9 years for recruiting, transporting, or handing over a child for prostitution, with an increased penalty of 10 years if committed under false promises of employment or other benefits. Article 423 explicitly designates offenses under Articles 414 - 422 as sexual violence crimes, thereby expanding the protective scope for child victims of exploitation.

Beyond the Criminal Code, special legislation provides enhanced punitive measures. The Child Protection Law (Law No. 35 of 2014), through Articles 81–82, imposes 5–15 years of imprisonment and fines of up to IDR 5 billion for perpetrators of sexual intercourse or indecent acts against children. Articles 76I and 88 further prescribe up to 10 years of imprisonment and fines of up to IDR 200 million for those who economically or sexually exploit children.[32] The Law on the Eradication of Human Trafficking (Law No. 21 of 2007), particularly Article 2(1), carries a penalty of 15 years of imprisonment and fines of up to IDR 600 million, with increased penalties of up to 20 years if the offense results in severe injury, psychological trauma, or death of the victim.

This legislative framework also explicitly protects children as victims of exploitation, including those subjected to prostitution, underscoring that the orientation of punishment is not merely retributive but also victim-centered. The practical implementation of these provisions is evident in several cases. For instance, in February 2025, a raid on a massage parlor in North Jakarta uncovered a child prostitution network involving 30 victims, five of whom were minors. Two pimps were prosecuted under Article 2(1) of the Human

[30] Novicca Dewi Kusumastuti dan Heri Qomarudin, "Sanksi Pidana Prostitusi Siber Bagi Pelaku Dan Mucikari Di Indonesia," *Jurnal Ilmiah Publika* 11, no. 1 (2023): 52, https://doi.org/10.33603/publika.v11i1.8201.

[31] Republik Indonesia, "Undang-Undang Nomor 1 Tahun 2023 Tentang Kitab Undang-Undang Hukum Pidana" (2023).

[32] Januri, "Cyber Sexual Harrasment Di Media Sosial Sebagai Bentuk Penyimpangan Sosial Di Era Digital."

Trafficking Law, Articles 76F in conjunction with 83 and/or 88 of the Child Protection Law, as well as Articles 296 and 506 of the Criminal Code, facing potential imprisonment of up to 15 years.[33] Another notable case occurred in Pontianak, West Kalimantan on August 12, 2020, when police dismantled an online prostitution network involving minors, with five identified perpetrators still being underage.[34]

Normatively, the combination of the new Criminal Code, the Child Protection Law, and the Human Trafficking Law represents a comprehensive criminal policy, integrating principal sanctions (imprisonment and fines) with enhanced penalties for aggravated circumstances. With imprisonment terms reaching up to 20 years for the most severe offenses, this legal framework conveys the state's strong commitment to eradicating commercial sexual exploitation of children and sends a clear message that such crimes will be prosecuted with utmost severity.

3.3.Sanctions for Perpetrators of CSEC under Islamic Criminal Law

In Islamic criminal jurisprudence (fiqh jināyah), the commercial sexual exploitation of children (CSEC) is classified as a grave offense (jarīmah) that violates several essential objectives of Islamic law (maqāṣid al-sharīʿah), particularly the preservation of lineage (ḥifẓ al-nasl), the protection of dignity (ḥifẓ al-ʿirḍ), and the safeguarding of life (ḥifẓ al-nafs). Acts constituting CSEC may fall under multiple categories of crime, such as zinā (unlawful sexual intercourse), ghasb (coercive usurpation), or ḥirābah (acts of hostility that cause public harm), each carrying distinct legal implications and corresponding sanctions.[35] This legal framework emphasizes that CSEC is not merely a legal violation but also a moral and social transgression that threatens the integrity of societal order.[36]

Islamic criminal law provides a structured framework of sanctions for CSEC perpetrators, broadly classified into three principal categories:

1. Ḥudūd (fixed punishments): Ḥudūd sanctions are prescribed by the Qur'an and Sunnah for specific offenses, including zinā, which may encompass acts of rape and sexual exploitation if the stringent evidentiary requirements are met. Such punishments include stoning (rajm) for married offenders (muḥṣan) and 100 lashes for unmarried offenders (ghayr muḥṣan), as stipulated in Qur'an, Sūrah al-Nūr: 2. The offender's marital status significantly affects the severity of the punishment. However, in practice, the application of ḥudūd in CSEC cases is rare

[33] Indonesia, "Polisi Bongkar Prostitusi Modus Terapis di Jakut , 30 Orang Jadi Korban."

[34] Cipta dan Aprian, "Polisi Bongkar Prostitusi Online di Pontianak , 5 Pelaku Masih di Bawah Umur."

[35] Julie Lowe, "Breaking the Silence: An Islamic Legal Approach to Facilitating Reporting and Testimony by Muslim Victims and Witnesses of Sexual Crimes," *Religions* 13, no. 11 (2022), https://doi.org/10.3390/rel13111017.

[36] Zul Anwar Ajim Harahap, "Eksistensi Maqàshid Al-Syarì'Ah Dalam Pembaruan Hukum Pidana Di Indonesia," *Istinbath* 16, no. 1 (2017): 22–64, https://doi.org/10.20414/ijhi.v16i1.17.

due to the strict evidentiary standards, requiring either the testimony of four upright male witnesses or the perpetrator's repeated voluntary confession.[37]

2. In the practice of Islamic criminal law, most cases of Commercial Sexual Exploitation of Children (CSEC) fall under taʿzīr**,** a discretionary category of punishment determined by the judge **(**qāḍī**)** based on the severity of the offense and its impact on the victim. Classical jurisprudence defines taʿzīr as a form of punishment for offenses not covered by fixed ḥudūd or qiṣāṣ/diyah penalties, with its application left to judicial authorities in accordance with principles of justice and public interes.[38]

   In the context of CSEC, taʿzīr allows for the imposition of various preventive and rehabilitative measures. These may include imprisonment, fines, corporal punishment (lashes), exile, and rehabilitative or educational programs.[39]

   Modern applications of taʿzīr have also expanded to incorporate measures such as chemical castration, recognized in contemporary Islamic criminal law discourse as a preventive and corrective response to child sexual offenses.[40] While not explicitly mentioned in classical Islamic texts, such measures are considered legitimate under the framework of maqāṣid al-sharīʿah as a means to protect public welfare and prevent recidivism.[41]

   Theoretical and jurisprudential perspectives reinforce that taʿzīr serves as a corrective instrument that is neither absolute nor arbitrary but remains bound by Sharīʿah norms and moral-social principles (Hanafi, Shāfiʿī, and Hanbali schools).[42] sFor example, certain extreme punitive practices, such as burning offenders, are impermissible as they lack textual and conceptual legitimacy in Sharīʿah.

3. Spiritual punishments: Beyond physical sanctions, Islamic criminal law also recognizes spiritual punishments aimed at rehabilitating the offender and restoring social harmony. These may include public shaming, social ostracism,

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[37] Kharisatul Janah, "Sanksi Tindak Pidana Pemerkosaan Oleh Anak Dalam Perspektif Hukum Pidana Islam," *Ta'zir: Jurnal Hukum Pidana* 4, no. 2 (2021): 75–94, https://doi.org/10.19109/tazir.v4i2.8547.

[38] Wilda Lestari, "Tindak Pidana Ta'zir dalam Hukum Pidana Islam: Definisi Dasar Hukum Jenis dan Hukuman," *Al-Qanun: Jurnal Kajian Sosial dan Hukum Islam* 5, no. 1 (2024): 22–32, https://jurnal.uinsu.ac.id/index.php/alqanun.

[39] Wilda Lestari.

[40] Christian Lange, ed., "Discretionary punishment (taʿzīr) and the public sphere," in *Justice, Punishment and the Medieval Muslim Imagination*, Cambridge Studies in Islamic Civilization (Cambridge: Cambridge University Press, 2008), 215–43, https://doi.org/DOI: 10.1017/CBO9780511497254.007.

[41] Nur Atika et al., "Castal Punishment in the Perspective of Islamic Law" 3, no. April (2025): 157–68.

[42] Recep Cigdem, "The Concept of Ta'Zir (Discretionary Punishment) In Theory and in Practice," *Selçuk Üniversitesi Hukuk Fakültesi Dergisi*, 2004, http://dx.doi.org/10.1016/j.bpj.2015.06.056%0Ahttps://academic.oup.com/bioinformatics/article-abstract/34/13/2201/4852827%0Ainternal-pdf://semisupervised-3254828305/semisupervised.ppt%0Ahttp://dx.doi.org/10.1016/j.str.2013.02.005%0Ahttp://dx.doi.org/10.10.

or moral admonition, often implemented in conjunction with other punishments to ensure repentance and the offender's reintegration into society.[43]

Khumaidi Ali underscores that perpetrators of child prostitution must face severe sanctions not only for their legal transgressions but also for violating the maqāṣid al-sharīʿah by corrupting lineage (ḥifẓ al-nasl) and endangering the lives and well-being of children (ḥifẓ al-nafs).[44] Thus, Islamic criminal sanctions for CSEC aim to achieve both deterrence and the moral rehabilitation of offenders, aligning the punitive process with broader societal interests.

In the Indonesian context, the application of Islamic criminal sanctions can be observed in Aceh Province through Qanun Jinayat No. 6 of 2014, particularly Articles 50–52, which stipulate penalties for perpetrators of sexual exploitation and abuse of minors. These include up to 200 lashes, fines equivalent to 2,000 grams of pure gold, and/or imprisonment for up to 200 months. This combination of corporal, financial, and custodial sanctions reflects the multifaceted objectives of Islamic penal policy in deterring exploitation, compensating victims, and restoring public morality.[45]

Normatively, Islamic criminal law offers a flexible yet morally anchored framework for addressing CSEC. While ḥudūd sanctions emphasize the sanctity of sexual morality, the discretionary nature of taʿzīr allows for context-specific punishments that can be adapted to modern legal developments and international human rights standards. Integrating these principles with contemporary child protection frameworks can enhance the effectiveness of sanctions while supporting the holistic recovery of child victims.[46] Thus, incorporating Islamic penal measures into Indonesia's pluralistic legal system requires careful alignment with constitutional principles and global child rights standards, ensuring that sanctions serve not only a retributive purpose but also prioritize victim rehabilitation and long-term prevention.

3.4. Comparative and Critical Analysis of Sanctions in Indonesian Positive Law and Islamic Criminal Law

The comparison between sanctions under Indonesian positive law and Islamic criminal law regarding the Commercial Sexual Exploitation of Children (CSEC) reveals fundamental differences in penal philosophy, enforcement approaches, and contextual application. Islamic criminal law, as implemented in Aceh through the *Qanun Jinayat*, is deeply rooted in religious principles and combines strict punitive measures with moral and

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[43] Abdülkadir Tekin, "İslâm Ceza Hukukunda Tâbî, Tekmîlî ve Ta'zîr Nitelikli Manevî Ceza Türleri," *Amasya İlahiyat Dergisi*, no. 14 (30 Juni 2020): 99–139, https://doi.org/10.18498/amailad.711192.

[44] Nanda Himmatul Ulya, "Perlindungan Hukum Terhadap Anak Korban Kekerasan Seksual Perspektif Negara Dan Maqashid Syariah," *Journal of Islamic Law and Family Studies* 4, no. 1 (2021): 15.

[45] Muhammad Mufti Mubarok, "Sanksi bagi Mucikari dalam Pasal 296 dan 506 Kitab Undang-Undang Hukum Pidana Perspektif Hukum Pidana Islam," *Skripsi Sarjana, UIN Sunan Gunung Djati Bandung*, 2024, 25.

[46] Dian Ety Mayasari, "Imposition of Criminal Sanction Against Sexual Offenders from the Perspective of Child Protection Laws," *Yuridika* 37, no. 1 (2022): 1–12, https://doi.org/10.20473/ydk.v37i1.33513.

social rehabilitation efforts. In contrast, Indonesian positive law—shaped by Western legal traditions and local customs—tends to emphasize restorative justice and legal pluralism. This duality reflects the complex legal landscape of Indonesia, where Islamic law, customary law (*adat*), and national law coexist, complementing each other while also creating potential tension.[47]

Within the framework of Islamic criminal law, CSEC can fall under multiple categories of *jarimah*. Most cases are addressed within the realm of taʿzīr, which grants judges discretionary authority to determine penalties based on the severity of the offense and its social context.[48] This discretion allows for a range of punishments, from corporal penalties, fines, and imprisonment to rehabilitative measures such as religious education and community service.[49] The underlying philosophy prioritizes individual moral reformation and social harmony, aligning with the *maqāṣid al-sharīʿah*, which emphasize the protection of lineage (ḥifẓ al-nasl) and honor (ḥifẓ al-ʿirḍ).

Indonesian positive law takes a different approach by providing legal certainty through codified regulations in the Criminal Code (KUHP), Law No. 35/2014 on Child Protection, and Law No. 21/2007 on the Eradication of Human Trafficking, which prescribe imprisonment of up to 20 years and substantial fines. Beyond retributive penalties, there is a growing emphasis on restorative justice, particularly through the Juvenile Justice System Law of 2012, which prioritizes diversion and reconciliation as alternatives to formal prosecution. This approach seeks to repair harm and restore social relationships rather than focusing solely on punishing offenders.[50] Thus, Indonesian law expands its focus beyond punishment to enable reintegration, especially for minors who may be both offenders and victims.

Table 1. Comparative Overview of Sanctions for CSEC in Islamic Criminal Law and Indonesian Positive Law

Aspect	Islamic Criminal Law	Indonesian Positive Law
Legal Basis	Qur'an, Sunnah, *Qanun Jinayat*	KUHP, Law No. 35/2014, Law No. 21/2007, Law No. 11/2012
Crime Classification	*Hudud* (rarely), primarily *Taʿzīr*	Explicit criminalization under Child Protection and Trafficking Laws

[47] Muslim Zainuddin et al., "Protection of Women and Children in the Perspective of Legal Pluralism: A Study in Aceh and West Nusa Tenggara," *Samarah* 8, no. 3 (2024): 1948–73, https://doi.org/10.22373/sjhk.v8i3.22203.

[48] Dennis J. Wiechman, Mohammad K. Azarian, dan Jerry D. Kendall, "Islamic Courts and Corrections," *International Journal of Comparative and Applied Criminal Justice* 19, no. 1 (1995): 33–46, https://doi.org/10.1080/01924036.1995.9678535; Farrukh B. Hakeem, "Alternative perspectives on penality under Sharia: A review essay," *International Journal of Comparative and Applied Criminal Justice* 27, no. 1 (2003): 85–105, https://doi.org/10.1080/01924036.2003.9678702.

[49] Rizanizarli Rizanizarli et al., "The Application of Restorative Justice for Children as Criminal Offenders in the Perspective of National Law and Qanun Jināyat," *Samarah* 7, no. 1 (2023): 21–39, https://doi.org/10.22373/sjhk.v7i1.15633.

[50] Rizanizarli et al.

Sanctions	Corporal punishment (e.g., caning), imprisonment, fines, exile, moral rehabilitation programs	Imprisonment (up to 20 years), fines, additional penalties (e.g., chemical castration), restorative justice measures
Philosophical Orientation	Moral reformation, social harmony, deterrence	Procedural justice, restorative justice, child protection
Evidentiary Standard	Strict (e.g., four male witnesses for *hudud*), discretionary for *taʿzīr*	Conventional criminal procedure (documentary, electronic, testimonial evidence)
Strengths	Deep moral grounding, strong deterrence	Procedural transparency, victim protection, rehabilitative focus
Weaknesses	Variability in *taʿzīr* application, tension with human rights norms	Limited deterrence, insufficient direct victim restitution

The points of convergence and divergence between the two systems revolve around child protection as a shared objective. Both systems recognize CSEC as a grave crime that warrants strict penalties against pimps, facilitators, and other perpetrators. However, their methods diverge significantly: Islamic criminal law emphasizes deterrence through severe punishments and moral rehabilitation, while Indonesian positive law prioritizes procedural justice and social reintegration. Islamic criminal law faces challenges due to stringent evidentiary requirements for ḥudūd and inconsistencies in the application of taʿzīr, whereas positive law is criticized for lacking strong deterrent effects and providing limited direct restitution for victims.

The strengths and weaknesses of both systems are complementary. Indonesian positive law excels in procedural transparency and formal child rights protection, but falls short in cultivating offenders' moral accountability. Islamic criminal law, conversely, offers a profound ethical-religious dimension and deeper preventive measures, yet requires adaptation to align with Indonesia's constitutional principles and international human rights obligations.[51]

In the context of harmonization, integrating taʿzīr-based sanctions into the national legal framework could strengthen its preventive and moral dimensions while adhering to Pancasila and international standards. Innovative measures such as chemical castration, already introduced as an additional penalty in Indonesian law, could be combined with psychosocial rehabilitation programs for victims and offenders, creating a more comprehensive penal model.

In conclusion, the rising prevalence of CSEC underscores the urgent need for a hybrid normative model that blends the procedural rigor of Indonesian positive law, the moral dimension of Islamic criminal law, and restorative justice principles. Such an approach would not only enhance legal protection for children but also promote social transformation and collective moral awareness. Thus, harmonizing these systems emerges

[51] Rizanizarli et al.

not merely as a practical necessity but as a strategic pathway toward achieving substantive justice in addressing CSEC in Indonesia.

4. Conclusion

The Commercial Sexual Exploitation of Children (CSEC) constitutes a systemic crime that underscores the weakness of legal and social protection for children in Indonesia. This study finds that although positive criminal law—through the Criminal Code (KUHP), Law No. 35 of 2014, and Law No. 21 of 2007—has stipulated criminal sanctions against CSEC perpetrators, its implementation continues to face serious challenges, including weak evidentiary mechanisms, revictimization of victims, and inconsistencies in law enforcement. In contrast, Islamic criminal law offers a moral and spiritual approach with the flexibility of *taʿzīr* sanctions, enabling judges to adjust punishments according to the social context and severity of the offense.

The primary contribution of this study lies in its proposal for normative harmonization between positive criminal law and Islamic criminal law by integrating the principles of *maqāṣid al-sharīʿah* and substantive justice. This harmonization is proposed through the reformulation of specific offenses targeting pimps, clients, and facilitators of CSEC, as well as the application of additional sanctions such as chemical castration, digital access blocking, and religiously-based educational programs as preventive and corrective forms of *taʿzīr*. This approach aims to enhance deterrence, provide more comprehensive recovery for victims, and encourage behavioral transformation among offenders.

This study recommends criminal policy reforms that combine the rigor of positive law with the moral dimensions of Islamic law to create a more responsive, holistic, and contextual penal system. Considering the limitations of the normative juridical approach used, further empirical and multidisciplinary research is necessary to evaluate the effectiveness of the proposed harmonization model. Thus, this study is expected to make a significant contribution to the development of a criminal justice system rooted in religious values, substantive justice, and a strong commitment to protecting children from sexual crimes.

5. References

Atika, Nur, Ahmad Nuh, Abdul Salam, Ismail Kappaja, dan Maqashid Sharia. "Castal Punishment in the Perspective of Islamic Law" 3, no. April (2025): 157–68.

Cain, Calli M. "Commercial Sexual Exploitation Victims Treated as Offenders: Examining the Gendered Risk Factors of Incarcerated Youth Charged with Prostitution." *Victims & Offenders* 18, no. 3 (3 April 2023): 543–71. https://doi.org/10.1080/15564886.2022.2151538.

Cigdem, Recep. "The Concept of Ta'Zir (Discretionary Punishment) In Theory and in Practice." *Selçuk Üniversitesi Hukuk Fakültesi Dergisi*, 2004. http://dx.doi.org/10.1016/j.bpj.2015.06.056%0Ahttps://academic.oup.com/bioinformatics/article-abstract/34/13/2201/4852827%0Ainternal-pdf://semisupervised-3254828305/semisupervised.ppt%0Ahttp://dx.doi.org/10.1016/j.str.2013.02.005%0Ahttp://dx.doi.org/10.10.

Cipta, Hendra, dan Dony Aprian. "Polisi Bongkar Prostitusi Online di Pontianak , 5 Pelaku

Masih di Bawah Umur." *Kompas.com*, 2020.

ecpatindonesia.org. "Catatan Akhir Tahun ECPAT Indonesia 2023 'Keberlanjutan Perlindungan Anak dari Eksploitasi Seksual.'" *Ecpatindonesia.Org*, 2023. https://ecpatindonesia.org/press-release-detail/catatan-akhir-tahun-ecpat-indonesia-2023-keberlanjutan-perlindungan-anak-dari-eksploitasi-seksual.

Eddyono, Supriyadi Widodo, Rio Hendra, dan Adhigama Andre Budiman. *Melawan Praktik Prostitusi Anak di Indonesia dan Tantangannya*. *Institute for Criminal Justice Reform*, 2017.

Gupta, Kritika, dan Meenu Gupta. "Child Trafficking for Sexual exploitation." *International Journal of Geographical Information Science* 14, no. 6 (2020): 1017–27. https://doi.org/10.26643/GIS.V14I6.16852.

Hakeem, Farrukh B. "Alternative perspectives on penality under Sharia: A review essay." *International Journal of Comparative and Applied Criminal Justice* 27, no. 1 (2003): 85–105. https://doi.org/10.1080/01924036.2003.9678702.

Harahap, Zul Anwar Ajim. "Eksistensi Maqàshid Al-Syarì'Ah Dalam Pembaruan Hukum Pidana Di Indonesia." *Istinbath* 16, no. 1 (2017): 22–64. https://doi.org/10.20414/ijhi.v16i1.17.

Hornor, Gail, Saribel Garcia Quinones, Deborah Bretl, Audrey B. Courtney, Pamela Ann Herendeen, Linda Lewin, Julie A. Loyke, Kristen Morris, Naomi A. Schapiro, dan Sheona Williams. "Commercial Sexual Exploitation of Children: An Update for the Forensic Nurse." *Journal of Forensic Nursing* 15, no. 2 (2019): 93–102. https://doi.org/10.1097/JFN.0000000000000243.

Indonesia, CNN\. "Polisi Bongkar Prostitusi Modus Terapis di Jakut , 30 Orang Jadi Korban." *CNN Indonesia*, 2025.

Indonesia, Republik. Undang-Undang Nomor 1 Tahun 2023 Tentang Kitab Undang-Undang Hukum Pidana (2023).

International, ECPAT. *Terminology Guidelines For The Protection of Children from Sexual Exploitation and Sexual Abuse*. *ECPAT International*. 2nd ed. Bangkok, 205M.

Janah, Kharisatul. "Sanksi Tindak Pidana Pemerkosaan Oleh Anak Dalam Perspektif Hukum Pidana Islam." *Ta'zir: Jurnal Hukum Pidana* 4, no. 2 (2021): 75–94. https://doi.org/10.19109/tazir.v4i2.8547.

Januri, Tasya Suci. "Cyber Sexual Harrasment Di Media Sosial Sebagai Bentuk Penyimpangan Sosial Di Era Digital." *Sosial Horizon: Jurnal Pendidikan Sosial* 10, no. 1 (2023): 63–72. https://doi.org/10.31571/sosial.v10i1.4970.

Kooijmans, Joost. "Prostitution, Pornography and Pornographic Performances as Worst Forms of Child Labour: A Comment on Article 3(b) of ILO Convention 182." *Child Labour in a Globalized World: a Legal Analysis of ILO Action* 3, no. August (2016): 129–50. https://doi.org/10.4324/9781315571447-14.

Kumparan.com. "PPATK Ungkap Data Kelam Prostitusi Anak : Transaksi Rp 127 M , Korban 24 Ribu." *https://kumparan.com/*, 2024.

Kusumastuti, Novicca Dewi, dan Heri Qomarudin. "Sanksi Pidana Prostitusi Siber Bagi Pelaku Dan Mucikari Di Indonesia." *Jurnal Ilmiah Publika* 11, no. 1 (2023): 52. https://doi.org/10.33603/publika.v11i1.8201.

Laird, Jessica J, Bianca Klettke, Kate Hall, dan David Hallford. "Toward a Global Definition and Understanding of Child Sexual Exploitation: The Development of a Conceptual Model." *Trauma, Violence, & Abuse* 24, no. 4 (22 Mei 2022): 2243–64. https://doi.org/10.1177/15248380221090980.

Lange, Christian, ed. "Discretionary punishment (taʿzīr) and the public sphere." In *Justice,*

Punishment and the Medieval Muslim Imagination, 215–43. Cambridge Studies in Islamic Civilization. Cambridge: Cambridge University Press, 2008. https://doi.org/DOI: 10.1017/CBO9780511497254.007.

Lau, Carmen. "Child prostitution in Thailand." *Journal of Child Health Care* 12, no. 2 (1 Juni 2008): 144–55. https://doi.org/10.1177/1367493508090172.

Lowe, Julie. "Breaking the Silence: An Islamic Legal Approach to Facilitating Reporting and Testimony by Muslim Victims and Witnesses of Sexual Crimes." *Religions* 13, no. 11 (2022). https://doi.org/10.3390/rel13111017.

Lubis, Misran. "Pemetaan situasi eksploitasi seksual anak anak di sumatera utara," 2025.

Mayasari, Dian Ety. "Imposition of Criminal Sanction Against Sexual Offenders from the Perspective of Child Protection Laws." *Yuridika* 37, no. 1 (2022): 1–12. https://doi.org/10.20473/ydk.v37i1.33513.

McMahon-Howard, Jennifer. "Youth Involved in Prostitution (YIP): Exploring Possible Changes in Interactions With Police and Social Service Agencies and Narratives of Victimization." *Criminal Justice Review* 42, no. 2 (17 Mei 2017): 119–45. https://doi.org/10.1177/0734016817702194.

Montgomery, Heather. "Are child prostitutes child workers? A case study." Diedit oleh Madeline Leonard. *International Journal of Sociology and Social Policy* 29, no. 3–4 (24 April 2009): 130–40. https://doi.org/10.1108/01443330910947507.

Mubarok, Muhammad Mufti. "Sanksi bagi Mucikari dalam Pasal 296 dan 506 Kitab Undang-Undang Hukum Pidana Perspektif Hukum Pidana Islam." *Skripsi Sarjana, UIN Sunan Gunung Djati Bandung*, 2024, 25.

Nasution, Mhd Ary Fadhillah, Mhd Rafly, dan Bagus Ramadi. "Jurnal Hukum dan Kewarganegaraan." *Jurnal Hukum dan Kewarganegaraan* 2, no. 3 (2023): 7.

Nicklett, Emily J., dan Brian E. Perron. "Laws and policies to support the wellbeing of children: An international comparative analysis." *International Journal of Social Welfare* 19, no. 1 (2010): 3–7. https://doi.org/10.1111/j.1468-2397.2009.00699.x.

Rahman, Abdul, Zainal Amin Ayub, dan Ratnawati. "Legal Framework for Protecting Children from Commercial Sexual Exploitation." *Volksgeist: Jurnal Ilmu Hukum dan Konstitusi* 8, no. 1 (2025): 87–110. https://doi.org/10.24090/volksgeist.v8i1.13156.

Redaksi, Tim. *Kamus Besar Bahasa Indonesia*. Jakarta: Pusat Bahasa, 2019.

Rizanizarli, Rizanizarli, Mahfud Mahfud, Riza Chatias Pratama, dan Fikri Fikri. "The Application of Restorative Justice for Children as Criminal Offenders in the Perspective of National Law and Qanun Jināyat." *Samarah* 7, no. 1 (2023): 21–39. https://doi.org/10.22373/sjhk.v7i1.15633.

Sitanggang, Remonic Elisabeth, dan Asep Suherman. "Analisis Yuridis Terhadap Perlindungan Anak Dari Eksploitasi Seksual Komersial." *Jurnal Hukum dan Kewarganegaraan* 6, no. 6 (2024). https://doi.org/https://doi.org/10.3783/causa.v6i6.6294.

Tekin, Abdülkadir. "İslâm Ceza Hukukunda Tâbî, Tekmîlî ve Ta'zîr Nitelikli Manevî Ceza Türleri." *Amasya İlahiyat Dergisi*, no. 14 (30 Juni 2020): 99–139. https://doi.org/10.18498/amailad.711192.

Turnip, Ibnu Radwan Siddik, Sukiati Sukiati, dan Irwan Irwan. "the Patterns of Applying Legal Theory in Thesis Writing of Students of Islamic Family Law in the Faculty of Syari'Ah and Law At Uin Sumatera Utara." *Istinbath* 21, no. 2 (2023): 391–415. https://doi.org/10.20414/ijhi.v21i2.574.

Ulya, Nanda Himmatul. "Perlindungan Hukum Terhadap Anak Korban Kekerasan Seksual Perspektif Negara Dan Maqashid Syariah." *Journal of Islamic Law and Family*

Studies 4, no. 1 (2021): 15.

Sri Endah Wahyuningsih, Galih Bawono, Umar Ma'ruf, dan Muchamad Iksan. "Comparison Legal Perspective of Criminal Sanctions for Sexual Crime Against Children in Indonesia." *International Journal of Social Science and Human Research* 06, no. 02 (2023): 891–98. https://doi.org/10.47191/ijsshr/v6-i2-17.

Walby, Kevin. "Research Methods in Law . By D. Watkins and M. Burton (editors). London: Routledge, 2013. 160 pp. $55 paperback." *Law & Society Review* 48, no. 2 (1 Juni 2014): 486–87. https://doi.org/10.1111/lasr.12082.

Walker, Karen Elizabeth. "Exploitation of Children and Young People through Prostitution." *Journal of Child Health Care* 6, no. 3 (1 September 2002): 182–88. https://doi.org/10.1177/136749350200600304.

Wiechman, Dennis J., Mohammad K. Azarian, dan Jerry D. Kendall. "Islamic Courts and Corrections." *International Journal of Comparative and Applied Criminal Justice* 19, no. 1 (1995): 33–46. https://doi.org/10.1080/01924036.1995.9678535.

Wilda Lestari. "Tindak Pidana Ta'zir dalam Hukum Pidana Islam: Definisi Dasar Hukum Jenis dan Hukuman." *Al-Qanun: Jurnal Kajian Sosial dan Hukum Islam* 5, no. 1 (2024): 22–32. https://jurnal.uinsu.ac.id/index.php/alqanun.

Wurtele, Sandy K. "Preventing the sexual exploitation of minors in youth-serving organizations." *Children and Youth Services Review* 34, no. 12 (2012): 2442–53. https://doi.org/10.1016/j.childyouth.2012.09.009.

Zainuddin, Muslim, Mukhsin Nyak Umar, Dedy Sumardi, Mansari, dan Zakki Fuad Khalil. "Protection of Women and Children in the Perspective of Legal Pluralism: A Study in Aceh and West Nusa Tenggara." *Samarah* 8, no. 3 (2024): 1948–73. https://doi.org/10.22373/sjhk.v8i3.22203.