

The Criminalization of YouTube Prank Content: A Legal Review through Indonesian ITE Law and Islamic Criminal Law in the Digital Era

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Abstract

This study aims to analyze the legal status of prank content produced by YouTubers, particularly through the lens of Indonesia's Electronic Information and Transactions Law (ITE Law) and Islamic Criminal Law. The research is motivated by the rise of prank videos that potentially cause harm and violate ethical and legal norms. Using a qualitative library research method grounded in a normative juridical approach, this study employs three legal perspectives: the statute approach, case approach, and syar'i (Islamic legal) approach. Data were sourced from primary, secondary, and tertiary legal materials and analyzed using descriptive-analytical techniques. The findings reveal that although the ITE Law does not explicitly regulate prank content, certain prank videos—such as those created by YouTuber Ferdian Paleka—fulfill the criteria for violations under Article 27 paragraphs (1) and (3), in conjunction with Article 45 paragraphs (1) and (3) of the ITE Law, concerning indecency, defamation, and public humiliation. From the perspective of Islamic Criminal Law, such pranks are categorized as jarimah ta'zir, crimes that are harmful but whose punishments are not explicitly defined in primary texts, leaving sentencing to the discretion of the judge. This study contributes to the discourse by integrating modern digital behavior with classical Islamic legal theory. It also underscores the growing application of restorative justice as an alternative legal mechanism in resolving content-related offenses online, highlighting the need for preventive and rehabilitative legal strategies.

Kata Kunci: Prank; Islamic Law; ITE Law; Jarimah Ta'zir; Restorative Justice.

Abstrak

Penelitian ini bertujuan untuk menganalisis status hukum konten prank yang diproduksi oleh YouTuber, khususnya melalui kacamata Undang-Undang Informasi dan Transaksi Elektronik (UU ITE) dan Hukum Pidana Islam. Penelitian ini dilatarbelakangi oleh maraknya video prank yang berpotensi menimbulkan kerugian dan melanggar norma-norma etika dan hukum. Dengan menggunakan metode penelitian kepustakaan yang bersifat kualitatif dengan pendekatan yuridis normatif, penelitian ini menggunakan tiga perspektif hukum, yaitu pendekatan perundang-undangan, pendekatan kasus, dan pendekatan syar'i (hukum Islam). Data bersumber dari bahan hukum primer, sekunder, dan tersier dan dianalisis dengan menggunakan teknik deskriptif analitis. Hasil penelitian menunjukkan bahwa meskipun UU ITE tidak secara eksplisit mengatur tentang konten prank, namun beberapa video prank tertentu—seperti yang dilakukan oleh YouTuber Ferdian Paleka—memenuhi kriteria pelanggaran dalam Pasal 27 ayat (1) dan (3)

juncto Pasal 45 ayat (1) dan (3) UU ITE, yaitu tentang kesusilaan, pencemaran nama baik, dan penghinaan di muka umum. Dalam perspektif Hukum Pidana Islam, perbuatan iseng tersebut dikategorikan sebagai jarimah ta'zir, yaitu tindak pidana yang membahayakan namun hukumannya tidak ditentukan secara eksplisit dalam nash, dan diserahkan kepada kebijaksanaan hakim. Penelitian ini berkontribusi pada wacana dengan mengintegrasikan perilaku digital modern dengan teori hukum Islam klasik. Studi ini juga menggarisbawahi penerapan keadilan restoratif yang semakin berkembang sebagai mekanisme hukum alternatif dalam menyelesaikan pelanggaran terkait konten online, dengan menyoroti perlunya strategi hukum yang bersifat preventif dan rehabilitatif.

Keywords: Prank; Hukum Islam; UU ITE; Jarimah Ta'zir; Keadilan Restoratif.

1. Introduction

The current development of technology is advancing at an extraordinary pace, not only in one particular field but across nearly all sectors. One of the most significant advancements is the rise of social media (Saeful Arianto, 2022). The internet has given birth to a new reality in human life, in which distance and time are no longer limitations, resulting in profound changes in the social, cultural, and economic spheres (Imam Hidayat, 2020). On one hand, this development greatly facilitates public access to and retrieval of information with ease. On the other hand, social media can also harm society by becoming a medium for the dissemination of misinformation (Muhammad Resky, 2020).

YouTube is one of the most comprehensive and diverse social media platforms, offering content in the form of images, audio, and especially video. Furthermore, YouTube ranks as the second-largest search engine in the world after Google, experiencing a growth rate of 4.9 percent in 2021. According to SEMrush statistics, YouTube has continued to enhance its platform, introducing features such as Shorts, Live Streaming, Chapters, Premieres, and the Community Tab in 2021 to encourage content production that attracts a wider user base (Angelia, 2022). At the beginning of 2022, Indonesia ranked third globally in terms of the number of YouTube users, with approximately 139 million users. This indicates that YouTube's advertising reach in Indonesia covers nearly 50 percent of the total population (Hermawan, 2022). YouTube's influence extends beyond mere entertainment; it has increasingly become a platform for individuals to work as content creators. These individuals use YouTube not only as a source of financial gain but also as a means to gain popularity, making it competitive with other social media platforms (Suriyadi, 2020)

The term "prank" is no longer unfamiliar to the public, largely due to the proliferation of prank content uploaded on social media, particularly YouTube. Generally, a prank refers to a form of deceit or manipulation presented as a joke intended to amuse, with the "victim" experiencing surprise or embarrassment, which in turn brings a sense of satisfaction to the

prankster. Although pranks are initially intended as harmless fun, they can cause victims to suffer losses, fear, or even trauma—especially when the acts are recorded, uploaded, and distributed publicly on platforms like YouTube. This raises serious concerns about the appropriateness of such content in the public sphere. While prank videos may be classified as entertainment, over time they have become a viral trend embraced by some content creators who increasingly disregard ethical and social norms in their interactions. The word "prank" originates from the English language and is synonymous with jest, mockery, banter, joking, deception, or trickery (Shadily, 2008)

According to the Electronic Information and Transactions Law (ITE Law), there are specific regulations governing online conduct. One of Indonesia's legal instruments in the field of telematics is Law No. 11 of 2008 concerning Electronic Information and Transactions, which was later amended by Law No. 19 of 2016. This law serves as a preventive and corrective measure against cybercrime while also ensuring legal certainty for all actions and transactions conducted in cyberspace (Faisal Jamal, 2020)

In Islamic law, defamation is categorized under *ta'zīr*, a type of discretionary punishment not explicitly determined by the *sharī'ah* but left to the discretion of the ruling authority (*ulī al-amr*), both in terms of its determination and implementation. In this context, authorities generally establish punishment in broad terms. The comprehensiveness of Islamic teachings is not only conceptual and theoretical in regulating acts of worship to God but also manifests as a complete legal system in practice (Putri Aulia Zalsabila, 2023) Prank content that causes harm or humiliation to others, particularly to victims, clearly undermines their dignity and violates their personal integrity.

2. Research Methods

The type of research employed in this study is library research, which involves examining sources from literature such as books, journals, and other written works relevant to the subject matter as the primary data sources (Hasir & Sohrah, 2021). In conducting this research, the author adopts a normative juridical approach. The approaches used include the statute approach, which analyzes relevant legislation, and the case approach, which involves examining court decisions that are legally binding and pertain to the issues under investigation. Additionally, a Shar'i (Islamic legal) approach is employed by analyzing Islamic legal sources such as the Qur'an, Hadith, legal maxims (*qawā'id fiqhiyyah*), and the views of scholars that are relevant to the focus of this study.

3. Discussion

3.1. Legal Analysis of the ITE Law on the Criminal Offense of Prank Content by YouTubers

Prank content uploaded by YouTubers (YouTube content creators) on the YouTube platform constitutes a form of electronic document that can be displayed, disseminated, and stored through electronic systems. This is in accordance with the provisions of the Electronic Information and Transactions Law (UU ITE), which defines electronic documents as any digital information that is created, forwarded, received, or stored in digital form or similar, which can be viewed or heard through computers or other electronic devices. These documents include text, images, sound, numbers, letters, access codes, or perforations that carry meaning understandable to a knowledgeable person. Therefore, prank content that potentially causes harm is considered an unlawful act, especially when distributed through social media platforms accessible to the public, as it ultimately constitutes a form of cybercrime.

The ITE Law was enacted to regulate legal provisions concerning cybercrime. Although the ITE Law does not specifically regulate prank video content, such content may be subject to criminal liability if it violates prevailing laws. Many prank videos that have gone viral in Indonesia depict antisocial behavior. When disseminated online, such content can cause harm, distress, or damage to the dignity of victims, thus meeting the criteria for a punishable offense.

An illustrative case involves a YouTuber named Ferdian Paleka, who conducted a prank targeting transgender individuals in Bandung. In the video, he pretended to distribute food aid packages (*sembako*), which in fact contained garbage. The footage was uploaded online and drew widespread criticism. Field investigations revealed that four transgender individuals were victimized, though only two filed official reports with law enforcement. As a result, Ferdian and his accomplice were arrested and detained. The victims expressed profound emotional distress and humiliation, especially because they initially believed they were receiving genuine aid during the pandemic, only to be mocked and degraded.

Ferdian's actions, including recording and publishing the video without the victims' consent and causing public humiliation, fulfill the elements of defamation and insult as regulated under Article 27(1) and (3) of the ITE Law:

Article 27(1):

“Any person who intentionally and without right distributes and/or transmits and/or makes accessible Electronic Information and/or Electronic Documents containing content that violates decency”.

Ancaman pidana bagi orang yang melanggar pasal 27 ayat (1) UU ITE ini diatur dalam The criminal sanction for violating Article 27(1) is stipulated in Article 45(1) of Law No.

19/2016:

“Any person who intentionally and without right distributes and/or transmits and/or makes accessible Electronic Information and/or Electronic Documents containing content that violates decency as referred to in Article 27(1), shall be subject to a maximum imprisonment of six (6) years and/or a fine of up to IDR 1,000,000,000 (one billion rupiah).”

Article 27(3):

“Any person who intentionally and without right distributes and/or transmits and/or makes accessible Electronic Information and/or Electronic Documents containing content that is defamatory and/or insulting.”

The criminal sanction for violating Article 27(3) is stipulated in Article 45(3) of Law No.

19/2016:

“Any person who intentionally and without right distributes and/or transmits and/or makes accessible Electronic Information and/or Electronic Documents containing defamatory and/or insulting content as referred to in Article 27(3), shall be subject to a maximum imprisonment of four (4) years and/or a fine of up to IDR 750,000,000 (seven hundred fifty million rupiah).”

In Islamic criminal law, one of the fundamental areas of focus is the offense of false accusation, particularly in cases of slander or defamation (*al-Qadhf*) (Nur Khaera et al., 2022). In defamation cases, three key elements must be present: intent, an attack on one's honor or reputation, and public exposure. In the context of pranks uploaded by YouTubers, these actions are indeed public in nature—though disseminated through social media, the content is accessible to the general public and potentially viewed by millions. Hence, its regulation specifically falls under the scope of the ITE Law.

In relation to prank content that violates the provisions of Article 27(1) and (3) of the ITE Law, the elements of the offense can be elaborated as follows:

- a. The element of distribution, transmission, and accessibility: According to the explanatory notes of Article 27(1), “distribution” refers to sending or sharing electronic information or documents with multiple individuals or parties via electronic systems. “Transmission” refers to sending such information to a specific party. “Making accessible” includes any action other than distributing or transmitting that enables others to access electronic content. Ferdian Paleka's act of uploading the prank video to YouTube falls under all three categories, particularly as the content was intended to be publicly viewed.

- b. The element of electronic information and/or electronic documents: The prank content, recorded and uploaded in video form on YouTube, qualifies as an electronic document per the definition, as it involves a chain of electronic devices and procedures within a digital system.
- c. The element of content violating decency: The critical component of Article 27(1) is “content violating decency.” However, this phrase is not explicitly defined in the ITE Law, creating interpretative challenges. Referring to the Indonesian Penal Code (KUHP), this provision encompasses a broad range of indecent acts and violations of social norms, not limited to sexual misconduct. Legal scholars often equate the Dutch term “zeden” with both decency and propriety. The public nature (openbaar) of such actions is what renders them criminally offensive when they harm public moral standards. This applies directly to prank content like Ferdian Paleka’s, where fake aid packages contained garbage.
- d. The element of defamation and/or insult: According to the Constitutional Court Decision No. 50/PUU-VI/2008, the interpretation of Article 27(3) must align with the defamation provisions in Chapter XVI of the KUHP, particularly Articles 310 and 311. Therefore, Article 27(3) must be read in conjunction with these Penal Code provisions. The aim is to protect the dignity and reputation of individuals, even those accused or convicted of crimes, from public humiliation. As Surya (2023) notes (Surya, 2023), in cases of defamation or insult, the law seeks to uphold every individual’s right to dignity and public reputation.

3.2. Islamic Criminal Law Analysis of Criminal Acts in YouTube Content

The Qur’an and the Sunnah of the Prophet provide us with clear commands and various regulations to follow Islamic teachings in every aspect of life (Wijaya, 2015). Islamic criminal law is a system of regulations believed by the Muslim community, sourced from Allah and His Messenger (the Qur’an and Hadith). The objectives of Islamic criminal law are inseparable from the broader objectives of Islamic law (sharī’ah), since criminal law is an integral part of it. The general objective of Islamic law in determining rulings related to criminal matters is to ensure the welfare (maṣlaḥah) of society and to prevent harm. Islamic criminal law not only protects individual rights but also the collective interests of society and the state. Furthermore, it aims to safeguard values related to religious belief, including life, intellect, lineage, and wealth. Hence, the scope of protection under Islamic criminal law is

vast, encompassing all aspects of human life, both in relation to fellow human beings and to the Creator (Mardani, 2019).

In the context of human relationships, numerous social deviations have emerged in modern times. One prominent example is the proliferation of prank videos created by YouTubers, which have become a widespread phenomenon particularly among younger generations. These types of content can potentially influence social interactions within the community.

Prank videos, especially those considered inappropriate and broadcast on platforms such as YouTube, have drawn significant public attention. This makes it essential to examine such content from an Islamic perspective, using the Qur'an, Hadith, and the opinions of Islamic scholars, as outlined below:

a. Analysis of Prank Video Content Based on the Qur'an

Pranking, understood as the act of deceiving or tricking others for entertainment—often making them the subject of ridicule, as seen in the case of Ferdian Paleka's prank content—is a form of mockery. Instead of upholding values of mutual support and courtesy, this prank targeted transwomen and children under the pretense of giving charity, which turned out to be filled with trash. This kind of prank is clearly unacceptable. Trash, which should be discarded, cannot be considered as a form of charity—it constitutes humiliation and mockery by offering a disgraceful "gift." This behavior is condemned in the Qur'an, as stated in Surah al-Hujurāt (49:11):

"O you who have believed, let not a people ridicule [another] people; perhaps they may be better than them. Nor let women ridicule [other] women; perhaps they may be better than them. And do not insult one another or call each other by offensive nicknames. Wretched is the name of disobedience after one's faith. And whoever does not repent—then it is those who are the wrongdoers." (Agama, 2019)

In Islam, engaging in entertainment, play, or joking falls into two categories: permissible and impermissible. Jokes that aim to uplift or bring joy to others are allowed, such as pranks intended to express kindness toward those in need. However, jokes that aim to demean, mock, or humiliate others are prohibited. Islam, as a religion of mercy for all creation (*rahmatan li al-'ālamīn*), upholds proper and respectful interactions between humans and also between humans and God. Thus, acts such as backbiting, slander, spying, cursing, name-calling, and other behaviors that tarnish human dignity are clearly forbidden (Ahmad Aidil Fahri, Siti Aisyah, 2022). This is reaffirmed in Surah al-A'rāf (7:51):

"(They are) those who took their religion as amusement and diversion, and whom the worldly life deluded. So today We will forget them just as they forgot the meeting of this Day of theirs and for having rejected Our verses."

According to Quraish Shihab in his *Tafsīr al-Miṣbāh*, the word *la'ib* (play) refers to actions without meaningful purpose, while neglecting what is important or beneficial. Such activity serves no clear goal other than wasting time. In this sense, prank videos on YouTube that offer no benefit and may harm others fall into this category. Likewise, *lahw* (jesting) refers to amusement that leads to heedlessness, resulting in the neglect of more important matters.

b. Analysis of Prank Video Content Based on Hadith

Although the term "prank" is not explicitly mentioned in the Hadith, there are relevant traditions addressing similar behaviors. When defined as humorous acts or jokes, several Hadith become pertinent. Many YouTube prank videos go beyond harmless fun and instead include elements of intimidation, fearmongering, or bullying—behaviors that are clearly unacceptable. The Prophet Muhammad (peace be upon him) said:

Abu Dawud narrated: Muhammad ibn Sulayman al-Anbari told us, Ibn Numayr narrated from A'mash, from Ibn Yasar, from 'Abd al-Rahman ibn Abi Layla who said: The Prophet (peace be upon him) told us: while they were on a journey with the Prophet, one of them fell asleep. Then another man took a rope and scared him, causing him to wake up frightened. The Prophet (peace be upon him) said: "It is not lawful for a Muslim to frighten another Muslim." (HR Abu Dawud, Ṣaḥīḥ)

In light of this Hadith, pranks that involve lies or deception and serve no beneficial purpose are prohibited. Examples include Baim Paula's false domestic abuse report prank, dressing up as a ghost (pocong) to frighten people, or distributing trash disguised as charity. Such actions constitute sinful behavior. The Prophet also warned:

Artinya:

"Woe to him who speaks and lies to make people laugh. Woe to him, woe to him." (HR Abu Dawud)

YouTubers producing prank content with the intention of entertaining others must prioritize truthfulness, even when joking.

c. Analysis of Prank Video Content Based on Scholars' Views.

1. Wahbah al-Zuhaili interprets *lahw* (jesting) in the Qur'an as acts of frivolity, entertainment, or heedlessness. In *Tafsīr al-Munīr*, he states that *lahw* arises from following one's desires and neglecting Allah's commandments. It reflects behavior that prioritizes trivial matters with no tangible benefit (Al-Zuhaili, 2009). According to the author's analysis, such jesting is best avoided as it leads toward non-beneficial actions, as exemplified by prank videos that cause harm. Although they may appear entertaining, such acts conflict with ethical and moral principles and carry more harm than benefit.

2. M. Quraish Shihab views *la'ib* (play) as unproductive activity lacking a clear purpose, resulting only in temporary pleasure. Similarly, *lahw* (jest) refers to actions that entertain but lack deeper meaning, potentially leading to heedlessness and distraction from important matters (Al-Zuhaili, 2009)
3. Misbahul Munir Kholil states that what is now popularly known as "pranking"—frequently performed by YouTubers and the millennial generation—often includes deception or scaring others using props or fake scenarios. Although it may seem humorous to viewers, the victims may suffer distress. Pranks are not merely about humor but often serve commercial interests by generating income through viewership. Gaining financial benefit by deceiving or inducing fear in others, even for entertainment, is ethically problematic. Kiai Misbah asserts that prank activities involving deliberate deceit are impermissible. Even if the content creator apologizes afterward, it is akin to intentionally hurting someone and later asking for forgiveness. In the case of pranks, the harm is premeditated and executed for the sake of content monetization.

Normatively, Islamic teachings prohibit causing emotional harm to others and encourage every Muslim to make others feel happy. In this regard, an Arabic proverb states that “bringing happiness to others is a form of worship” (Irfan, 2016). However, in practice, the phenomenon of prank videos—which are often associated with jokes and humorous behavior—frequently results in negative impacts on the victims. These include elements of mockery, insult, fear, and anxiety. Consequently, such content can be classified as a violation of moral ethics.

This phenomenon has emerged alongside the growing popularity of content creation as a profession, particularly among YouTubers, which reflects the evolving dynamics of modern society. Therefore, there is a need for renewed understanding of Islamic law that is both flexible and adaptable to societal changes, especially in the field of Islamic criminal law concerning moral offenses. In this context, the term *jarimah* in Islamic law refers to criminal acts that are essentially equivalent to crimes, offenses, or delicts in national criminal law. The term signifies the specific nature or characteristics of a legal violation (Hasan, 2019).

Based on the guidance of the Qur'an, Hadith, and scholarly interpretations, humor and joking are generally permissible in Islam, provided that such behavior does not cause harm, fear, anxiety, or similar consequences for others. Accordingly, certain forms of pranks can be considered violations of Islamic criminal law and fall under the category of *jarimah takzir*.

These include: (1) pranks that violate humanitarian principles by degrading the dignity of the victim and causing emotional distress or offense; (2) pranks that shock or frighten the victim, potentially endangering their physical or mental well-being; (3) pranks that result in public unrest or material loss; and (4) pranks that involve the dissemination of false information, such as the widely criticized prank involving YouTubers Baim and Paula, who filed a false domestic violence report with the police.

Conversely, pranks that are conducted within reasonable limits and based on the principle of benefit—such as bringing joy and entertainment without causing harm—can be considered acceptable, insofar as they do not violate normative ethical principles. Islamic law does not explicitly specify penalties for prank-related acts that result in harm, insult, or emotional injury. Therefore, harmful prank behaviors may be classified under *jarimah takzir*, which refers to offenses whose specific types and punishments are not prescribed by explicit scriptural texts. According to Rusjdi Ali Muhammad, *takzir* refers to punishable acts determined by the state based on consensus (*ijma'*), addressing behaviors that cause physical, social, financial, or moral damage to individuals or society at large, in the interest of maintaining public welfare.

3.3. Law Enforcement of Criminal Acts Related to YouTube Prank Content Based on the ITE Law Through a Restorative Justice Mechanism

According to Soerjono Soekanto, law enforcement is a process of harmonizing normative principles with actual patterns of behavior, aiming to achieve a state of societal peace (Rahardjo, 1993). In the case of Ferdian Paleka's prank, which violated Article 27 paragraphs (1) and (3) of the Electronic Information and Transactions Law (ITE Law), it has been affirmed that these provisions pertain to criminal acts requiring a complaint from the aggrieved party. This is reinforced by Constitutional Court Decision No. 50/PUU-VI/2008. Accordingly, such offenses may only be prosecuted upon a formal complaint by the individual whose reputation is believed to have been defamed. The victim holds the subjective right to assess whether the information or electronic document in question has damaged their dignity and reputation. Thus, a formal complaint is necessary to initiate legal proceedings, and all parties involved must be held accountable.

The Republic of Indonesia, in its efforts to address criminal acts, has established legal sanctions as outlined in Law No. 1 of 1946 concerning the Criminal Code (KUHP). The Criminal Code not only stipulates penalties but also includes provisions for conditions that eliminate criminal liability (Islamul Haq, 2020).

Outside the litigation process as regulated by the Indonesian Code of Criminal Procedure (KUHAP), defamation cases also allow for alternative resolution through *restorative justice*, as outlined in Circular Letter No. SE/2/II/2021 issued by the Indonesian National Police (Polri). This policy aims to promote ethical conduct and foster a clean, healthy, and productive digital environment. The circular states that the judicial process should be the last resort in law enforcement, giving precedence to restorative justice in cases involving suspected violations of the ITE Law. Moreover, if a victim insists on pursuing the case in court but the perpetrator has already apologized, the suspect will not be detained. Before the case file is submitted to the public prosecutor, both the victim and the perpetrator are given the opportunity to reach a mutual agreement (Muslih, 2021).

Several prank content cases violating Indonesian law have been resolved through mediation or reconciliation. These include: (1) Ferdian Paleka's YouTube prank involving food packages filled with garbage and rocks given to transgender individuals; (2) Baim and Paula's prank involving a false report of domestic violence to the police; and (3) pranks involving individuals disguised as ghosts (*pocong*) to frighten pedestrians—such as the incident in Demak, Central Java, on April 4, 2023, where a teenager was almost assaulted by local residents due to fear caused by his actions. Since he was underage, the police apprehended him to provide a deterrent effect. A similar incident occurred in Bengkalis, Riau, on May 27, 2023, involving five young men who claimed they were merely joking and creating content. They were eventually released after submitting written apologies and were returned to their parents for further guidance.

Restorative justice, also known as *penal mediation*, is a dispute resolution process conducted outside the formal judicial system (non-litigation), involving dialogue between the offender, the victim, their respective families, and mediated by a neutral third party. This process, commonly referred to as *Alternative Dispute Resolution (ADR)*, allows the community to participate and supervise the agreement. The mediator, who has no decision-making authority, facilitates discussions aimed at reaching a mutually acceptable resolution without any party feeling defeated (I Ketut artadi, 2009).

In cases where prank content violates the provisions of the ITE Law—particularly Article 27 paragraphs (1) and (3) in conjunction with Article 45 paragraph (3) of Law No. 19 of 2016 regarding defamation or insults disseminated through digital platforms such as YouTube—the following legal procedures may be pursued:

1. Any individual who believes their rights have been violated may file a report either personally or through legal counsel to investigators handling cybercrime cases within the Indonesian National Police (POLRI), or to civil servant investigators (PPNS) at the Directorate of Investigation and Enforcement, Ministry of Communication and Information Technology. Upon receiving the report, investigators will commence a preliminary investigation, which may proceed to a formal investigation in accordance with the Criminal Procedure Code and the ITE Law.
2. Once the investigation is complete, the case file is submitted to the public prosecutor for trial proceedings. If the investigation was conducted by civil servant investigators (PPNS), the file must be forwarded to the prosecutor through the police investigation division.

Given that defamation under the ITE Law constitutes an *offense upon complaint*, the presence of a complainant—namely, the individual who feels insulted—is essential. Their involvement is crucial for establishing the content and context of the defamatory act. Complainants must present identification and, if available, concrete evidence of the defamation. Typically, in addition to filing a formal complaint, the victim is required to provide a written statement to be included in the official case report (Ningsih, Dwi Wachidiyah, 2020).

3.4. Efforts to Address the Criminal Act of YouTuber Pranks

In the process of law enforcement, two aspects often come into conflict: the public interest and individual interest. On one hand, the public interest demands the creation of social order; on the other hand, individual interest upholds personal freedom. Therefore, a harmonization between these two opposing interests is necessary in order to achieve both order and justice in society. While it is undeniable that individual freedom is a fundamental right of every citizen, it must also be recognized that social order is a *conditio sine qua non* for communal life (Tahir, 2010).

Legal awareness among Indonesian society remains relatively low, reflecting a lack of obedience to the law. In a country where citizens possess a high level of legal awareness, societal and state life tend to be more orderly. To improve this condition, continuous efforts must be made to encourage greater compliance with the law and other regulations. Legal socialization is essential to foster a positive legal consciousness, both among the general public and within law enforcement institutions. This socialization process serves as a crucial aspect of social control, aiming to influence individuals' behavior to align with existing legal norms. Nevertheless, in practice, legal noncompliance still frequently occurs (Ariyanti, 2019).

Law enforcement concerning criminal acts of pranks—particularly those violating provisions on defamation via social media platforms such as YouTube—under Law No. 19 of 2016 on Electronic Information and Transactions (ITE Law) faces several challenges. These include legal ambiguities, deficiencies in law enforcement, inadequate facilities, and prevailing public opinion. Efforts to counter defamation via social media can be implemented through two main approaches: preventive and repressive. Preventive efforts involve encouraging community collaboration to prevent criminal acts of defamation. Citizens are urged to report any incidents of defamation to the authorities promptly. Additionally, public education and outreach are conducted through legal socialization campaigns to raise awareness about the importance of understanding the ITE Law and practicing ethical behavior on social media.

Repressive measures are enforced through legal sanctions imposed on perpetrators by law enforcement agencies, in accordance with Article 45 paragraph (3) of the ITE Law. Furthermore, the government holds the authority to optimize the implementation of the ITE Law in addressing legal violations by imposing additional criminal or disciplinary sanctions (Fini Nuralifa, 2023).

Social media expert Ismail Fahmi notes that prank content on YouTube is difficult to eliminate and, in fact, often attracts considerable attention. He argues that creators of controversial prank content tend to imitate others who have found success in similar videos. These creators are primarily motivated by financial gain and often overlook the consequences of their actions.

Prank videos that cause material or non-material harm to others should not be allowed to recur. Firm action from legal authorities, such as the police, is essential, especially since these acts occur not only in the digital realm but also in real-world settings. Without a deterrent effect through strict enforcement, there is a high likelihood of such behavior being imitated and repeated. In contrast, Enda Nasution contends that controversial prank creators should be subject to social sanctions—such as public boycotts, refusal to view their content, or reporting their accounts to YouTube (Luthfia Ayu Azanella, 2020).

Based on the cases described above, the author argues that prank behavior by some YouTubers—when it causes distress to prank targets, violates moral norms, or more critically, endangers lives—must be addressed seriously. The author agrees with Enda Nasution that such prank content requires special attention from law enforcement. In addition to administrative sanctions for legal violations, there must be robust education, guidance, and

outreach efforts—both direct and through digital platforms—to ensure that similar behaviors do not recur. This is particularly important because such actions may be imitated by various groups, including minors, who may engage in prank behavior without fully understanding its potential harm, assuming it to be harmless entertainment.

4. Conclusion

Based on the detailed explanation regarding the criminal offense of prank content created by YouTubers, when analyzed under the Law on Electronic Information and Transactions (ITE Law) and Islamic criminal law, such prank videos that have proliferated in Indonesia can be categorized as antisocial behavior. These actions often result in both material and non-material harm to victims. For example, the prank content produced by YouTuber Ferdian Paleka constitutes a legal violation, as it fulfills the elements of criminal acts related to indecency, defamation, and insult, as stipulated in Article 27 paragraphs (1) and (3) in conjunction with Article 45 paragraphs (1) and (3) of the ITE Law.

In the context of Islamic criminal law—based on the Qur'an, Hadith, and the opinions of scholars—pranks that involve defamation, insult, and deception fall into the category of *jarimah ta'zir*. These are offenses that infringe upon individual rights and for which the punishments have not been specifically determined by Allah (SWT). Consequently, the penalties are left to the discretion of the judge (qadi), with the aim of deterring the offender and preventing the recurrence of such behavior. Law enforcement against prank-related offenses on YouTube that violate the ITE Law has, following the issuance of Indonesian National Police Circular Number: SE/2/11/2021, been addressed through the mechanism of *restorative justice*. This approach not only aligns with the principles of a legal system that is simple, expeditious, and cost-effective but also ensures legal certainty and justice for the public. It is complemented by both preventive and repressive efforts by law enforcement authorities to address and mitigate the criminal act of pranks.

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