

Conference Paper

The Need for Criminalizing Online Prostitution in Indonesia

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ORCIDNurzakiah: <https://orcid.org/0000-0003-1429-7493>Wasis: <https://orcid.org/0000-0002-1677-8453>**Abstract.**

Development always produces positive and negative impacts. The positive impact is advancing civilization and the negative impact is detrimental to life. The negative effect of the action is the development of crime from conventional to modern, one of which was born due to the use of the internet. One of the traditional problems that are now increasingly modern is online prostitution, known as cybercrime. With this research problem, the aim is to determine the legal rules of online prostitution in Indonesia and the urgency of its criminalization. Using the normative method, it was found that online prostitution poses a problem that only pimps will get criminal penalties. This provision is certainly unfair because the giver, perpetrator, and user must also be subject to criminal sanctions. In its laws and regulations, Indonesian law still does not regulate online prostitution activities, even conventional prostitution. However, in the Criminal Code, several article formulations indirectly regulate prostitution activities, namely articles 296 and 506 but only handle pimps. Seeing this legal vacuum and acts of prostitution that do not follow the values in society and advances in information and science, there are three reasons for the urgency of criminalization, namely philosophical, juridical, and sociological. Philosophically, online prostitution is against Pancasila, the first and second precepts, and the 1945 Constitution of the Republic of Indonesia. Due to juridical reasons, there is a legal vacuum and legal uncertainty. The sociological sense that online prostitution does not follow the norms in society causes unrest and can cause various dangerous diseases.

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1. INTRODUCTION

In the era of globalization, marked by the rapid development of science and information technology, the need for technology has increased significantly. The result of information and communication technology has caused world relations to become borderless and caused significant social, economic, and cultural changes to take place so quickly [1].

Communicating and obtaining information is a constitutional right as regulated in Article 28F of the 1945 Constitution of the Republic of Indonesia (UUD NRI 1945), which stipulates that every citizen has the right to communicate and obtain information to

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develop his personal and social environment, and has the right to seek, receive, possess, store, process, and convey information by using all types of available channels.

This increasing need for information has created a new world in the digital world called cyberspace, a world of computer-based communication that offers the public a new virtual reality (indirect and unreal). Where in this world, we are free to do something without anyone getting in the way, and it is considered faster and more efficient.

Development always gives birth to two impacts, namely positive impacts and negative impacts. Positive effects must be grateful for because they can provide many benefits and convenience, while negative impacts are always detrimental to life. We often encounter negative implications in the world of the Internet. Even crime can be born due to the use of the Internet, which makes crimes that were initially conventional such as prostitution, threats, theft, and fraud, can now be carried out using computer media online with minimal risk of being caught by individuals or groups. The result of more significant losses for the community and the state, in addition to causing new crimes, which are currently widely known as cybercrime. Information technology has become a double-edged sword because, in addition to contributing to improving human welfare, progress, and civilization, it is also an effective means of committing crimes [1].

One form of conventional crime that is now taking advantage of technological advances is online prostitution (cyber prostitution). Online prostitution (cyber prostitution) is part of cybercrime, the dark side of activities in cyberspace. Crime or cybercrime is a wrong side that is very influential on the modern life of the information society due to advances in information technology without limits. Barda Nawawi Arief even explicitly classifies it as cybercrime in the field of decency or termed cyber-sex. Prostitution is an activity that does not only involve prostitutes, but the concept of prostitution is broader, which is prostitution activities also involve many other parties such as pimps, brokers, and consumers, most of whom are male perpetrators who often escape the attention of the authorities [2].

Online prostitution has recently been growing, even involving big-name artists from the capital. An online prostitution case involving an artist with the initials VA in early 2019 at a rate of Rp.80,000,000 [3]. Other names include the artist with initial CA in 2021 and TA at the end of 2021 at a rate of Rp.75,000,000, ST also in 2020, HH in July 2020, VS in July 2020, and PA in 2019[4]. Apart from involving artists, online prostitution also now involves children. As stated by the Indonesian Child Protection Commission, throughout 2020, there were six victims of online prostitution [5]. Even in April 2021, the North Jakarta Metro Police dismantled the practice of online prostitution involving a 12-year-old child with the initials AC who was going to serve three customers and

arrested a pimp with the initials DF [6]. In the Kediri Resort, Police in early April also exposed the practice of online prostitution by arresting a salon owner with the initials BY who used students to serve the lusts of stripped men [7].

Most cases of online prostitution are often those who have to serve a criminal period or get punished. Only pimps or pimps regulate the existence of commercial sex worker intermediaries (PSK). The crime of pimping or pimping is held in the provisions of Article 296 of the Criminal Code and Article 506 of the Criminal Code. Pimps can be interpreted as people who act as intermediary caretakers and owners of prostitutes or offer them to philanderers. However, the researcher argues that, in online prostitution, it is not only pimps who must be punished, but those who provide services, namely prostitutes and service users or consumers, should also get them, so it is vital for the act to be said as a criminal act or criminalization.

Criminalization is a process of behavior that was not previously categorized as a criminal act, but then the act can be classified as a criminal act by the community. Moeljatno argues that there are three characteristics of criminalization in forming criminal law. First, the determination of an act as a criminal must follow the legal feelings that live in society. Secondly, whether the threat of punishment and the imposition of a criminal is the primary way to prevent the violation of the act, and third, whether the government, By passing through the state's instruments, the state concerned can carry out criminal threats if it is found that there is a violation [8].

Previous research shows that there are similarities and differences with this scientific paper. Yolanda Islamy and Herman Katimin in 2021 entitled "Efforts to Criminalize Prostitution Service Users in a Positive Indonesian Legal Perspective," which has the same thing as the object, namely prostitution, while the difference is that the research is limited to efforts to criminalize its service users in conventional prostitution, while in journals This is for all those who are involved in online prostitution, be it providers or pimps, sex workers, and users of their services, which are viewed from philosophical, juridical and sociological reasons. Other research that has similarities with this research is the research conducted by Winda Hayu Rahmawati in 2020 with the title "Criminal Liability for Online Prostitution Services" the similarities are the broad theme and criminal liability in online prostitution services, which is also described in this article, while the difference is that this research will explain the reasons for the need to criminalize online prostitution in terms of philosophical, juridical and sociological reasons. Research related to online prostitution was also carried out by Alvionita Rhiza K and Pramesthi Dyah S in 2013 with the title "Juridical Study of Online Prostitution (Cyber Prostitution) in Indonesia" the similarity is that they both studied Online Prostitution (Cyber Prostitution)

in Indonesia based on juridical studies, while the difference lies in the description of the arrangement of the actions in terms of criminal law and the reasons for criminalization to be carried out. This research is fundamental to do considering there is a legal vacuum related to norms in online prostitution actors to lead to legal certainty and tranquility in society. This paper aims to identify and know the regulation of online prostitution in criminal law in Indonesia at this time and the urgency of criminalizing online prostitution in the context of reforming Indonesian law.

2. METHODOLOGY/MATERIALS

This research is normative legal research based on a norm vacuum with a statute and conceptual approach. The technique of collecting legal materials used in this research is library research and qualitative descriptive analysis.

3. RESULTS AND DISCUSSIONS

3.1. Online Prostitution in Indonesian Criminal Law Now

The regulation of online prostitution in Indonesian criminal law is currently unclear, even in conventional prostitution. The applicable national law means that having sexual relations with someone on a consensual basis cannot be punished. Conventional prostitution is the same as having sexual relations with someone based on the parties' will and without any coercion, but what distinguishes and makes prostitution activities punishable is that there is a payment in the form of money as a reward for what has been done. The action is used by other parties to seek profit and serve as a search [2].

Conventionally, prostitution is an activity of selling oneself on the side of the road to attract customers, carried out by both the perpetrators and their pimps. Along with developments in the field of technology, prostitution activities are now starting to take advantage of this development. Negotiations between pimps, perpetrators, and buyers can be carried out anytime and anywhere using only small tools such as cellphones through various social media platforms, which are widely known as online prostitution. Until now, there is still no solid understanding of the word online prostitution because the laws and regulations in Indonesia, especially in the ITE Law, do not mention the word online prostitution in the article's formulations. The word online, in this case, refers to the activities of pimps in helping prostitution, where currently, offers and negotiations

between pimps and service users often use the internet as an intermediary. So it can be concluded that online prostitution is a transaction process or sale of sexual services via the internet or social media[9] to earn money [2].

Legislation in Indonesia itself still does not regulate in detail the activities of online prostitution. Even prostitution carried out in the old way is not held [10]. However, in the Criminal Code, there are several formulations of articles that indirectly regulate prostitution activities, including Article 296 of the Criminal Code, which reads that anyone who intentionally connects or facilitates obscene acts by others with other people, and makes it a livelihood or habit, is threatened with a criminal offence. Most prisons. One year and four months or a maximum fine of one thousand rupiahs. Article 506 of the Criminal Code states that anyone who takes advantage of the obscene acts[11] of a woman and conducts a search is threatened with a maximum imprisonment of one year.

The provisions of Article 296 of the Criminal Code do not regulate prostitution at all and only restrict the prohibitions of the prostitution business, which stipulates that punishment can only be imposed on people who intentionally cause prostitution as a pursuit or habit. This article cannot be used to trap prostitution or prostitution itself [12]. The prostitute and the user cannot be charged with using Article 296 of the Criminal Code. Based on Article 296 and Article 506 that it can be seen that the current criminal law in the Criminal Code categorizes prostitution as a crime against the intermediary only, namely the owner of the brothel, pimps and brokers or brokers of the act of prostitution only, not for users of prostitution services [13].

Until now, the police can only take legal action against the pimp when the act has a pimp, but if the act of prostitution is individual and there is no pimp, it cannot punish the prostitution parties. According to the author, in prostitution, both conventionally and online, pimps, service providers, in this case, PSK, and connoisseurs of PSK services or services should receive criminal penalties.

Currently, prostitution activities in Indonesia are only contained in some regulations that can indirectly be used as a legal umbrella for criminal acts in the field of prostitution even though they are not stated explicitly in the formulation of the articles, including:

1. Article 27 paragraph (1) Jo. Article 45 paragraph (1) of the Law of the Republic of Indonesia Number 19 of 2016 concerning Amendments to the Law of the Republic of Indonesia Number 11 of 2008 concerning Information and Electronic Transactions, where the article regulates the prohibition of distributing data that contains immoral content. This article can ensnare pimps or service providers

when they promote through social media by including photos containing harmful content.

2. Article 4 paragraph (2) of the Law of the Republic of Indonesia Number 44 of 2008 concerning Pornography regulates the prohibition of providing prostitution services, where providing prostitution services is the duty of a pimp and prostitution service provider.
3. Article 12 of the Law of the Republic of Indonesia No. 21 of 2007 concerning the Eradication of the Crime of Trafficking in Persons regulates the prohibition of exploiting victims of trafficking in persons using sexual intercourse/prostitution. What distinguishes this provision is the status of service providers who are no longer perpetrators but victims.
4. Article 76I Jo. Article 88 of the Law of the Republic of Indonesia Number 35 of 2014 concerning Child Protection stipulates a prohibition on sexual exploitation of children, which can be interpreted as all use of sexual organs from children for profit. One way to get these benefits is by having intercourse/prostitution. Here, the child's status is as a victim, not a prostitution service provider.

In addition to several laws and regulations, several regions in Indonesia have also issued several rules that regulate the prohibition of the practice of prostitution.[14] Judging from the number of areas that regulate prostitution in regional regulations, it is considered one step ahead of national laws. Including the following:

1. Bandar Lampung City Regulation Number 15 of 2002 concerning the Prohibition of Prostitution and Immoral Acts in the Bandar Lampung City Area, which is regulated in the provisions of Article 2, states that the prohibition is aimed at anyone who behaves which can be suspected as an act that can lead to acts of prostitution and immorality. Within the city area;
2. Regional Regulation of the Special Capital City Region of Jakarta Number 8 of 2007 concerning Public Order in Article 42 paragraph (2) reads Everyone is prohibited from a. Become a commercial sex worker; b. Ordering, facilitating, persuading, forcing others to become retail sex workers; c. Using the services of retail sex workers;
3. Denpasar City Regional Regulation No.1 of 2015 concerning Public Order Article 39 paragraph (1) is prohibited for everyone: a. commit acts of prostitution; b. offer and/or provide oneself for prostitution; c. order, facilitate, persuade, coerce, show other people to commit acts of prostitution; and D. use prostitution services;

4. Batang Regency Regional Regulation Number 6 of 2011 concerning Eradication of Prostitution in the Batang Regency Region, which is regulated in Article 4, namely the prohibition against committing acts of prostitution either individually or together;
5. Malang City Regional Regulation Number 8 of 2005 concerning Prohibition of Places of Prostitution and Obscene Acts. Article 2 states that in Malang, places of prostitution and obscene acts are prohibited, whether carried out individually or coordinated by several people or groups.

This development that occurred in society attracted the attention of the government, where in national law, the government tried to regulate the act of prostitution in one of the articles in the 2019 Draft Law (RUU) of the Criminal Code related to the rules regarding prostitution, not many changes occurred when compared to the current Criminal Code. The rules governing prostitution are formulated in Part Five concerning Obscene Acts and in Paragraph 2 concerning Facilitating Fornication and Sexual Intercourse, which are contained in Articles 425 to 429. The 2019 Criminal Code Bill also still regulates pimps' acts that facilitate obscene acts of others with others, and for the actions of other parties involved in prostitution, such as service providers/sex workers and service users, it is still not regulated and does not trap them.

According to the author, prostitution, both conventionally and online, should be categorized as criminal. "Components involved in prostitution crime consist of pimps, commercial sex workers (CSWs), and users of CSW services "[15]. So, in this case, not only one person acts, but all of them are unity. Even today, sex workers can find "man mashers" without going through pimps by utilizing technology, one of which is through the social media application Twitter. If we search for the keyword "Open BO" in the Twitter application, hundreds of thousands of search results will appear instantly. The keyword "Open BO" is often used by connoisseurs and people who run sex services online where the word BO stands for Booking Out or Booking Online [16].

However, regarding the prohibition and threat of an act, namely the ban and danger of an action or criminal act regarding criminal acts in Indonesia, there is a fundamental basis, namely the principle of legality (Principle of Legality). The principle of legality (Principle of Legality) is the principle that determines that there is no prohibited act and is threatened with a criminal if it is not defined in advance in legislation or is usually known in Latin as *Nullum delictum nulla poena sine praevia lege* (no offence, no criminal without prior regulation) [17]. So from the legality principle contained in Article 1 of the Criminal Code, Service Providers / PSK and users of PSK services cannot be convicted

because there is a legal vacuum in eradicating the problem of prostitution. This has also resulted in law enforcement against the practice of prostitution experiencing a dead-end [18], amid increasingly varied modus operandi, even with or without a pimp.

3.2. The Urgency of the Criminalization of Online Prostitution in Indonesia

Online prostitution activities now starting to spread have long been troubling the Indonesian people. This act does not follow religious norms and the norms of life in other communities. This act may cause harm to society, such as causing the spread of dangerous diseases such as sexually transmitted diseases (STDs) and even more severe human immunodeficiency virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS) for which there is no cure. There are three reasons for discussing the urgency of criminalizing same-sex sexual relations (homosexuals) among adults in Indonesian criminal law: philosophical, juridical, and sociological.

3.2.1. Philosophical Reason

The formation of legal norms in Indonesia must be philosophically based on Pancasila as the source of all sources of law in Indonesia. Besides Pancasila, it must also be suggested in the Preamble to the 1945 Constitution of the Republic of Indonesia as the state constitution. Pancasila is the source of all sources of law regulated in the provisions of Article 2 of Law Number 12 of 2011 concerning the Establishment of Legislative Regulations (UUP3). Thus, it can be seen that a legal norm in a statutory regulation must be based on and must not conflict with Pancasila and the 1945 Constitution of the Republic of Indonesia.

The criminalization of online prostitution is associated with Pancasila, which consists of 5 (five) precepts; First: Ketuhanan Yang Maha Esa (Belief in One God); Second: Kemanusiaan yang Adil dan Beradab (Just and Civilized Humanity), Third: Persatuan Indonesia (Indonesian Unity), Fourth: Kerakyatan yang Dipimpin oleh Hikmat, Kebijaksanaan dan Permusyawaratan (Democracy Led by Wisdom of Wisdom in Deliberation/Representation), and Fifth: Keadilan Sosial Bagi Seluruh Rakyat Indonesia (Social Justice for All Indonesian People). This action is not following the first and second precepts.

The first principle of Ketuhanan yang Maha Esa (Belief in One God), the value of divinity, means that the Indonesian people are a society with discounts based on

matters rooted in religious teachings. This precept is, of course, related to religious beliefs that apply and are recognized in Indonesia. The belief system in the form of a religious system has long roots in the traditions of Indonesian culture. It is used as a guide in formulating every policy and every action. In addition, the implementation and implementation of even the morals of the nation, the morals of state administration, state politics, state government, state laws and regulations, and the freedom and human rights of citizens must be imbued with the values of the One Supreme God [19]. This act of prostitution, if it is associated with the value of the One Godhead, is not justified and contradicts the teachings of any religion [20].

Islam regulates that prostitution is an act of adultery. The view of Islamic law on adultery is much different from the concept of customary law or positive law because, in Islamic law, every sexual relationship without marriage bonds (which is forbidden), such as prostitution, is included in the category of adultery which must be given legal sanctions to him, whether for commercial purposes or not. Whether committed by those who are married or not, and prostitutes whose routines are identical to adultery is another form of sexual deviation in which sexual relations between men and women are not based on marital ties[21]. Islam forbids all states of cheating, including prostitution which is mentioned in the Qur'an Surah Al-Isyara verse 32: "And do not ever commit adultery is an act that is vile, disrespectful and a bad way".

In Christian religious scriptures, it is explained that Allah forbids the involvement of prostitution because he knows that it harms both men and women. Prostitution destroys not only the perpetrator's marriage, family, and life but also the spirit and soul, resulting in physical and spiritual death. God desires that we maintain our holiness and use our bodies as instruments of His glory (Romans 6:13). In addition, in Romans 1:26-27, it is explained that prostitution is a sin of fornication that is unclean in the eyes of God and the Old Testament emphasizes that prostitutes who engage in commercial sex deserve punishment and Leviticus 29:1, "If the daughter of a priest allowed his honor to be violated by prostitution, then he violated the holiness of his father, and he must be burned with fire." prostitution is the same as commercial sex [22]. Whereas in the new covenant, repentance is more important.

Hinduism explains and views prostitution as a forbidden act because, in Hinduism, a woman's body is likened to the milk of life for the next generation, so trading the milk of life through prostitution will give a lifelong curse [10]. In Buddhism, Cunda J. Supandi in the *Pali grammar* book and the senior monk from Thailand in the *Dhamma Dictionary* book translates the 3rd sile of *Kamesumicchacaravermami* to avoid sexual misconduct, which is wrong, which is not correct which is this includes sexual relations

with someone else's husband/wife, not being a legal partner and based on coercion so that prostitution that contains these elements is considered lousy karma. If it does not involve this element, it is also not supported by the Dharma because it is called a factor of one's decline, includes wrongdoing, and is even considered a big mistake [23].

Besides the first principle of Pancasila, online prostitution is also not by the second principle of Pancasila, namely just and civilized humanity. These humanitarian principles are the basis of state, national and social life [20]. In the precepts of society, there are values that the state must uphold human dignity as civilized beings. Therefore in state life, especially in state legislation, it must realize the goal of achieving the goal of high human dignity, especially human rights as rights. Fundamental rights (human rights) must be guaranteed in state laws and regulations [20]. Just and civilized humanity contains the value of awareness of moral attitudes and human behaviour based on the potential of the human conscience about norms and culture in general, suitable for oneself towards fellow humans and even the environment.

Online prostitution does not reflect a cultured, moral, and civilized act because it violates moral and religious norms. In addition, online prostitution does not reflect an awareness of human behaviour that lives based on standards and culture for oneself, fellow humans, and their environment.

So, the criminalization of online prostitution in this study is one of the efforts to establish legal norms to promote human dignity. The philosophical basis for criminalizing online prostitution is an act that is contrary to the precepts of Pancasila as the source of all legal authorities, especially in the first and second precepts.

Pancasila is the core philosophy of opening the 1945 Constitution of the Republic of Indonesia [20]. In the fourth paragraph of the opening of the 1945 Constitution of the Republic of Indonesia, it is stated that to achieve the stated goals of the state, the 1945 Constitution of the Republic of Indonesia was formed based on the One Godhead, Just, and Civilized Humanity, Indonesian Unity and Democracy led by Wisdom of Wisdom in Deliberation/Representation, as well as by realizing Social Justice for All Indonesian People, which are the five precepts of Pancasila so that online prostitution is contrary to the promulgation of the 1945 Constitution of the Republic of Indonesia.

3.2.2. Juridical Reason

The juridical reason in this writing is the occurrence of a legal vacuum which becomes a legal problem. The legal issue is that there are no criminal law regulations on online

prostitution, service providers/ prostitutes, and service users, and it is only limited to pimps. This legal vacuum results in legal uncertainty.

This legal uncertainty can be seen even more with the issuance of regional regulations regulating prostitution, sex workers, and pimps, even though no general and nationally applicable legal norms regulate them. In Indonesian law, the problem of prostitution is not explicitly held as a criminal act. However, there are several provisions in the Articles of the Criminal Code relating to prostitution, but only discuss the condition of criminal provisions against people who link obscene acts, not for prostitutes and their service users, namely in Articles 296 and 506 of the Criminal Code.

The void of norms related to online prostitution as a service provider / PSK and connoisseurs of PSK services resulted in the achievement of legal certainty so that to overcome this problem of legal uncertainty, legal reform in the form of criminalization was needed. This criminalization becomes a tool in criminal policy that does an act that was not originally illegal or is not regulated in legal provisions into actions held in legal requirements.

3.2.3. Sociological Reason

This discussion of sociological reasons will later explain the public's perspective on online prostitution. Sociologically, prostitution is also considered a disease of society. Even in some areas, prostitution behavior is supposed to "contaminate" the sanctity of the community concerned so that the perpetrators must be severely punished. This sociological perspective certainly reinforces how adultery, including prostitution, is an act that is prohibited according to the values that live and develop in society [12].

Since the existence of human life that regulates the norms of marriage since then, prostitution has been considered a deviation from the means of marriage. In the past, prostitution was considered taboo and unusual and is now considered a common thing in big cities in Indonesia.

Social norms forbid the existence of prostitution. In religious norms, no religion justifies prostitution both conventionally and online. In the norm of decency, it gives rules to humans so that they become perfect human beings, which is dignified in the view of other humans [19]. In contrast, prostitution is an immoral act contrary to decency norms. Norms of decency are things that become the rules of life that arise from the association of a group of people in social relations, where prostitution is contrary to morality in society and violates the laws of community life. Legal norms are regulations that arise from legal norms or rules made by state authorities [19], where there is a legal

vacuum regulating online prostitution. A principle is needed that ensnares all involved because this act is contrary to Pancasila as the source of all sources. The law, namely the first and second precepts.

The world of health also shows and warns of the dangers of terrible venereal diseases such as sexually transmitted diseases (STDs) and even more severe conditions such as human immunodeficiency virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS), which until now, there is no cure for them. Despite the threat to health, prostitution is still professionally and neatly organized. Places of prostitution are provided, protected by law, and even get certain facilities with consumers from the poor to the rich, from the officials to the level of ordinary people pedicel drivers.

In addition, the public's reaction to prostitution can also be seen in the closure of localization, such as the Dolly localization in Surabaya. The presence of Dolly, the most extensive localization in Southeast Asia, is considered bad for the face of Surabaya and dangerous for the moral development of children around the area [24].

The closure of some of these localization does not rule out the possibility that the prostitution component is thinking of new ways to keep the practice running. By being encouraged by advances in online prostitution technology, it can be it. Sex workers can act to get their service users only through social media. This online prostitution can scare the public, especially a marriage, which can increase the divorce rate and spread dangerous diseases due to free sex.

Seeing the reaction stated above, that most Indonesian people reject the act of prostitution both conventionally and online in Indonesia and the insistence of the Indonesian people on social needs to create a sense of security through a policy of criminalizing online prostitution, the legislators (Government and Council People's Representatives of the Republic of Indonesia) need to pay close attention and consider deeply to realize the wishes of the Indonesian people.

4. CONCLUSION AND RECOMMENDATION

In Indonesia, the laws and regulations still do not adequately regulate online prostitution. Even prostitution carried out in the old way is still not held in detail. However, in the Criminal Code, several formulations of articles indirectly regulate prostitution activities, namely articles 296 and 506 of the Criminal Code but only regulate pimps. Seeing this legal vacuum and the act of prostitution is not by the values in society as well as the progress of information and science, there are three reasons for the urgency of

criminalization: philosophical, juridical, and sociological. Philosophically, online prostitution is against Pancasila, the first and second precepts, and the 1945 Constitution of the Republic of Indonesia. For juridical reasons, there is a legal vacuum and legal uncertainty. Sociological reasons that the act of online prostitution is not by the norms in society creates unrest and can cause various dangerous diseases. Hence, people reject all forms of prostitution, both conventionally and online.

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