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## The Spread of Blasphemy Through Social Media in Muhammad Kace's Youtube Account

Betty Veronika<sup>1</sup>

Master of Law Program, Tarumanagara University, Indonesia

Email: [bettyveronika20@gmail.com](mailto:bettyveronika20@gmail.com)

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### Keywords

*Technological  
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### Abstract

The variety of cultures and religions in Indonesia has led to a variety of conflicts. The diversity of cultures and religions sometimes leads to conflicts among various communities. Since the advancement of globalization, one of which is in the field of technology, there have been many cases of deviance in society. Advances in globalization in the field of technology provide a way for people to access anything using the internet. One example is the emergence of deviant content such as religious content containing blasphemy (SARA). As technology advances, everyone can access and express their opinions easily. Recently, a case was shocked by a person named Muhammad Kace through his lecture regarding his views on his YouTube account on Islam assuming that the Prophet was close to the jinn. Muhammad Kace in his YouTube channel conveys content that certainly contains hate speech and contains information that can invite chaos among the public and contains blasphemy against Islam. From the description presented by the author, the author is interested in studying the case of blasphemy through social media Muhammad Kace. In writing the journal, the author uses the normative method. The purpose of writing a journal is that people are careful in using and conveying things in public because it can result in conflicts of different views from the people who receive the information conveyed. Especially conveying religious information is so sensitive because it results in offending many parties and results in violating the rule of law.

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### 1. Introduction

Freedom of religion in our country is not absolute, adherents may practice worship and beliefs that are freely chosen and respect adherents of other religions to live side by side for generations. This is for religious adherents in carrying out worship and beliefs the government regulates by regulating in the Legislation to maintain religious harmony.

The advancement of technology makes it easy for everyone to access and express opinions anywhere and anytime. Without any restrictions, it results in a wide scope with an easy internet connection. The author is interested in discussing examples of blasphemy cases in Muhammad Kace's youtube content.

Muhammad Kace's youtube content conveyed something from his words that caused hatred towards Islam. The video shows Muhammad Kace saying that Rasulullah is close to the jinn. Of course, this statement caused problems among the people of Islam.

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Because spreading information has the effect of causing hatred and hostility between groups of people belonging to various religions to cause disturbances between groups deliberately in public to cause hostility.

The author formulates the problem in the research conducted and the problem formulation is as follows:

- a. How were the blasphemous activities carried out by Muhammad Kace?
- b. What is the legal regulation of blasphemy committed by Muhammad Kace?

## 2. Research Method

The author of the journal chose the normative method. The author chose to use the normative research method because the research used a statutory approach. According to (Marzuki, 2017) in his book explains the normative method, a statutory approach method is carried out to understand all laws and regulations related to the legal issues handled. According to (Marzuki, 2017), the normative method can use primary legal materials and secondary legal materials .

The author collects research materials through literature studies starting with classifying legal materials, reading systematically the legal materials available as a guide to answering the formulation of the problem in analyzing the research the author uses the interpretation method, the method begins with the opinions that exist in these problems interpreted through the interpretation of language, laws or systematically about the problem to be discussed, by looking at legal concepts from a normative point of view (Sidharta, 2009).

## 3. Results and Discussions

### How Were The Blasphemous Activities Carried Out by Muhammad Kace?

The blasphemy activities carried out by Muhammad Kace include one of the acts carried out by broadcasting and distributing news to the wider community. In the activities carried out to broadcast and disseminate Electronic Information or Electronic Documents to the wider community through electronic media.

What Muhammad Kace did cause a sense of hatred or hostility of individuals and or certain community groups based on ethnicity, religion, race, and intergroup in this activity the perpetrator wanted an effect that might result from his actions. This has the potential to cause a sense of hatred or hostility in the spoken word causing it to be an indicator of conveying the intended meaning. The dissemination of this information expresses hostility, causes hatred, and even humiliation of certain groups in society. Of course, the task of the police in law enforcement is very important to handle this example of blasphemy.

Muhammad Kace made a video on his personal YouTube account containing his views on the teachings of one religion, namely Islam, by calling the Prophet close to the jinn and conveying translations of verses from the Koran, which was protested and condemned by the Islamic Ulema Council. In his broadcast, Muhammad Kace also made it clear that whomever Allah's people pray, the jinn swarm.

Some experts argue that blasphemy committed by Muhammad Kace through YouTube social media is included in cybercrime by the opinions of several experts quoted by the author.

According to (Wulandari, 2021), cybercrime is a threat to stability, making it difficult for the government to keep up with crime techniques that have been carried out with computer technology, especially internet and intranet networks.

In addition, (Tuanany, 2021) argues that it is a result of the rapid development of information technology so that every development essentially has an effect like two sides of a coin, each of which is related and inseparable from the positive and negative sides.

Another thing with (Pasedan, 2015) opinion is that the development of technology and media has caused all forms of insults that were once only possible manually, to now occur through electronic means. Forms of defamation can occur through electronic means by disseminating information through cyberspace networks social networks (Facebook, Twitter, email, and BBM), through sites and websites that can be accessed by anyone.

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Another case with (Satria, 2014) opinion defines cybercrime as a cybercrime that uses computer facilities or through electronic networks linked to the internet that is illegally prohibited by certain parties and violates a criminal provision.

### **What is The Legal Regulation of Blasphemy Committed by Muhammad Kace?**

The Indonesian Ulema Council reported Muhammad Kace with his YouTube account containing blasphemy of Islam. Muhammad Kace's actions are under Article 45A paragraph (2) Jo Article 28 paragraph (2) of Law Number 19 of 2016 which contains information and electronic transactions contains every person intentionally and without the right to disseminate information aimed at causing hatred or hostility of individuals and/or certain community groups based on ethnicity, religion, race, and intergroup (SARA). Muhammad Kace was sentenced to a maximum of 4 years and a maximum of 6 years in prison (Adare, 2013).

According to the author, from several sources read and then summarized by the author, the blasphemy committed by Muhammad Kace is an act included in the provisions of Article 28 paragraph (2). Quoted in Law Number 19 of 2016 concerning Amendments to Law Number 11 of 2008 concerning Information and Electronic Transactions contains:

1. Parties who are harmed by the actions of a person or group of people are associated with the element of SARA,
2. The act of displaying images of persons sanctified by a religion that is contrary to the original images
3. Making writings that demonize the contents of the holy book of a religion that is different from the teachings of that religion
4. Disseminating matters of a personal nature contrary to or violating the norms of decency and morality
5. The actions committed contain racial elements and are carried out on social media

Decree of the Minister of Communications and Informatics of the Republic of Indonesia, the Attorney General of the Republic of Indonesia, and the Chief of the National Police of the Republic of Indonesia Number 229 of 2021 Number 154 of 2021 Number Kb/2/V1/2021, Regarding Implementation Guidelines for Certain Articles in Law Number 11 of 2008 Concerning Electronic Information and Transactions Amended by Law Number 19 of 2016 Concerning Amendments to Law Number 11 of 2008 Concerning Electronic Information and Transactions that:

The main offense of Article 28 paragraph (2) of the ITE Law is the act of disseminating information that creates a sense of hatred or hostility towards individuals or community groups based on ethnicity, religion, race, and intergroup (SARA);

Defamation of Religion (SARA) can be in the form of information that is disseminated in the form of images, videos, sounds, or writings that are meaningful and contain elements of SARA.

If a person invites and broadcasts others to have a sense of hatred and hostility towards individuals or groups of people based on SARA issues

Whatever the form if it is in the form of uploading on a social media account setting can be accessed by the public, or broadcasting something on a group conversation application with an open nature where anyone can join the group conversation, the traffic of content or information is not controlled, anyone can upload and share with other words without another group (Wahid & Labib, 2005).

The actions prohibited in this article have the motive to arouse hatred based on SARA. Law Enforcement Officials must prove the motive for arousing which is characterized by the presence of content inviting, influencing, mobilizing the public, and inciting divisions to cause hatred, and or hostility.

In addition, between groups of people outside of ethnicity, religion, and race the definition of intergroup refers to the Constitutional Court Decision Number 76/PUU-XV/2017.

Meanwhile, on the other hand, the delivery of opinions, statements of disagreement or dislike for individuals or groups of people are not included in the prohibited actions, unless it can be proven that there is an

invitation, influence, and mobilize the community, inciting to complain to cause hatred or hostility based on the issue of SARA differences sentiment. On the other hand, according to the author, from several references read, quoted under the rules contained in several explanations above, the acts studied by the author have a relationship that can be regarded as one continuous act as stipulated in Article 64 paragraph (1) of the Criminal Code regulates concurs which is quoted and reads that a person commits several acts, each of which constitutes an offense crime, between which there is such a relationship that it must be considered as one continuous act. Meanwhile, on the other hand, the acts committed in the continuing act have not yet been decided by the judge.

According to the author, this article can be related to the consequences that must be accepted in the Muhammad Kace case. According to Article 64 of the Criminal Code, in principle, the absorption system applies, namely that only one criminal regulation is imposed, and if it is different, one criminal regulation is imposed, and if it is different, the provisions containing the heaviest basic criminal punishment are imposed. In this case, Article 45A paragraph (2) Jo Article 28 paragraph (2) of the ITE Law stipulates that the act is punishable by a maximum imprisonment of 6 (six) years and/or a maximum fine of Rp 1,000,000,000.00 (one billion rupiahs). Article 156a letter a of the Criminal Code carries a maximum penalty of 5 years and Article 156 of the Criminal Code carries a maximum penalty of 4 years, so in this case, the heaviest penalty is applied, namely a maximum imprisonment of 6 years.

#### 4. Conclusion

From the author's writing above, it can be concluded that Muhammad Kace is proven to have committed blasphemy (SARA), this can be proven from several statements delivered from his personal YouTube account. In his youtube account that the author researched, Muhammad Kace said that if there are people of Allah praying, they are in league with the jinn. This was reported by the Indonesian Ulema Council.

In this case, it can be related to one of the articles read by the author, namely article 45A paragraph (2) Jo article 28 paragraph (2) and if proven guilty under existing regulations Muhammad Kace must be willing to carry out all the consequences of the statement delivered.

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