Al-Athfal:
Jurnal Pendidikan Anak

ISSN (p): 2477-4189; ISSN (e): 2477-4715
Vol 11 No 2 December 2025
Pages 369-380

Governing the Commodification of Abuse: Platform Liability and Double-Sanction Reform for CSAM in Indonesia

Ahmad Jamaludin[✉1], **Ratu Arti Wulan Sari**[2], **Dandi Ditia Saputra**[2]
[1]Universitas Islam Nusantara, Bandung, Indonesia
[2]Sunan Gunung Djati State Islamic University, Bandung, Indonesia

Abstract

Purpose – This article examines how Indonesian digital law addresses Child Sexual Abuse Material (CSAM) when abuse is circulated and monetized through platform-based infrastructures. It argues that the present regime addresses end users more directly than platform-enabled circulation and therefore misaligns liability with the digital organization of harm.
Design/methods/approach – This article uses normative legal research with statute, case, conceptual, and comparative approaches. It analyzes Indonesian legislation, selected court decisions, enforcement records, and publicly available platform-policy materials, with functional comparison to the European Union's Digital Services Act and the United Kingdom's Online Safety Act. Mosco's political economy of communication guides the conceptual analysis.
Findings – The analysis identifies a bifurcated liability structure: individual offenders are addressed primarily through criminal sanctions, while platform accountability remains concentrated in administrative compliance and nominal fines. The DY case documents a direct linkage between paid access, platform infrastructure, and payment mechanisms in CSAM circulation. The analysis further finds that nominal sanctions are poorly aligned with platform scale and that digital access revocation remains legally unstable without explicit statutory grounding and proportionality safeguards.
Research implications/limitations – This article is confined to publicly accessible legal and regulatory materials and adopts a doctrinal approach without empirical validation. Consequently, it does not interrogate how enforcement capacity, platform governance mechanisms, or digital access restrictions operate in practice or shape behavioural outcomes.
Practical implications – The findings underscore the need to recalibrate child-protection regulation in digital environments through more differentiated sanctioning logics, enhanced audit and oversight capacity, and clearer doctrinal thresholds for platform liability. They further call for narrowly tailored, legally reviewable digital access restrictions that balance effective harm prevention with proportionality and due process guarantees.
Originality/value – This article advances the legal scholarship on digital sexual exploitation by embedding a political economy perspective that foregrounds the structural role of platform infrastructures in organising harm. It introduces a theoretically grounded double-sanction framework that aligns turnover-based corporate liability with reviewable digital access revocation for repeat offenders, thereby reconfiguring the nexus between economic accountability and behavioural deterrence.

Keywords: Child cyberpornography, Content moderation, Platform liability, Political economy, CSAM governance

Paper type Research paper

✉ Corresponding author:
Email Address: jamaludinumam@gmail.com
Received: 27 July 2025; Revised: 26 December 2025; Accepted: 30 December 2025

DOI: http://dx.doi.org./10.14421/al-athfal.2025.112-08

DOI: http://dx.doi.org./10.14421/al-athfal.2025.112-08

1. Introduction

Global debates on digital governance have increasingly moved away from the assumption that platforms are neutral intermediaries. Platforms are now understood as actors that organize visibility, circulation, monetization, and the conditions under which harmful content becomes governable or remains insufficiently regulated. Within this debate, Vincent Mosco's political economy of communication offers a productive analytical starting point because it foregrounds how digital infrastructures convert social relations and human vulnerability into exchange value (Mosco, 2009). Here, commodification is treated not as a rhetorical metaphor, but as an analytical category for explaining how abuse becomes tradable, how platforms structure its circulation, and how legal regimes distribute responsibility for its persistence.

Recent international scholarship on platform liability has developed in at least three related directions. First, legal-economic studies emphasize that liability design shapes platform incentives, particularly where harmful content produces traffic, engagement, and monetizable data (Lefouili & Madio, 2022). Second, regulatory scholarship has shifted from narrow notice-and-takedown logic toward broader duties of care, systemic risk management, and governance-by-design, especially in response to large platforms that exercise quasi-regulatory power over online speech and visibility (Cheng, 2024; Garon, 2025). Third, comparative scholarship shows that intermediary liability remains fragmented across jurisdictions, leaving unresolved tensions between private moderation, public accountability, and freedom-related concerns in the digital environment (Sahak et al., 2025). Together, these strands place platform responsibility at the center of contemporary debates on digital governance.

A parallel body of literature has examined online child sexual exploitation and the governance of Child Sexual Abuse Material (CSAM). Existing studies show that CSAM production and distribution operate through distributed crime-commission processes rather than isolated acts of deviance, exposing the limitations of purely offender-centered responses (Cale et al., 2021). Recent work also demonstrates that CSAM moderation highlights the limits of industry self-regulation and strengthens the case for more robust public oversight, while public expectations increasingly position online service providers as affirmative actors in reducing child sexual exploitation (Bleakley et al., 2024; Maxwell et al., 2024). Other research further suggests that platforms do not merely host exploitation but can structure and monetize technology-facilitated sexual abuse, while the emergence of realistic and AI-driven CSAM complicates existing regulatory models by shifting the problem from post hoc removal toward infrastructural design, automation, and the profitability of illicit circulation (Parti & Szabó, 2024; Salter & Sokolov, 2024). Recent estimates also suggest that child sexual exploitation now operates through identifiable economic value chains, reinforcing the need to treat CSAM governance as more than a moderation problem (Fry, 2025).

Despite these advances, three analytical gaps remain. First, platform-liability scholarship often concentrates on intermediary doctrine, moderation procedure, or freedom of expression, whereas CSAM scholarship tends to focus on detection, victimization, and criminal investigation. The connection between platform liability and the political economy of exploitation therefore remains underdeveloped. Second, much of the current debate is organized around takedown obligations, age verification, or failures of self-regulation, but gives less attention to sanction design as a mechanism for disrupting the economic organization of abuse (Thurman & Obster, 2021). Third, the literature remains heavily concentrated in Euro-American regulatory settings, leaving limited analysis of how these debates operate in Global South jurisdictions marked by platform dependency, asymmetric enforcement capacity, and legal hybridity. This article addresses that gap by positioning Indonesia not merely as a local case, but as a legally and politically significant site for examining how platform governance, intermediary liability, and the commodification of abuse intersect.

The Indonesian context sharpens these issues because it reveals how rapidly expanding digital participation can coexist with uneven regulatory capacity. Internet penetration reached more than 221 million users in 2024, while children constitute a large and highly exposed user group within an environment marked by uneven digital literacy and weak risk awareness (Ikram,

DOI: http://dx.doi.org./10.14421/al-athfal.2025.112-08

2024). National child-protection data also indicate that online sexual exploitation remains a pressing concern. In 2024, the Indonesian Child Protection Commission (KPAI) recorded 41 cases involving children as victims of pornography and cybercrime, while Simfoni PPA documented 7,842 cases of violence against children in the first half of the same year, with sexual violence recorded as the most common category (Biro Hukum Dan Humas Kementrian PPPA, 2024; Humas KPAI, 2024). These figures matter not only as indicators of victimization, but as evidence that child protection in digital environments cannot be reduced to individual misconduct alone.

Recent regulatory reform in Indonesia has begun to respond to this pressure through Law Number 1 of 2024 amending the Electronic Information and Transactions Law and through Permenkomdigi Number 5 of 2025, which introduced the Content Moderation Compliance System (SAMAN). Yet the problem now extends beyond criminalizing individual offenders. The DY case shows how CSAM can be packaged, priced, and circulated through encrypted platform infrastructures, while the controversy surrounding Platform X illustrates the limits of nominal administrative sanctions when platform policies remain permissive toward sexual-content circulation. The judicial reversal of internet-access revocation in the Alwi Husen Maulana case further reveals uncertainty over whether Indonesian law can impose sanctions that meaningfully target the digital means through which sexual exploitation is reproduced. These developments suggest that the central issue is no longer simply whether harmful content can be removed, but whether the law is capable of addressing the infrastructures and incentive structures through which exploitation is repeatedly organized.

Against that background, this article examines how Indonesian digital law addresses CSAM when abuse is circulated and monetized through platform-based infrastructures. Using statute, case, conceptual, and comparative approaches, it analyzes the relationship between platform liability, sanction design, and child protection through Mosco's political economy of communication. It makes a twofold contribution. Theoretically, it extends political economy analysis into the legal study of digital sexual exploitation by showing that commodification is not only a media critique but also a problem of legal-regulatory design. Practically, it formulates a double-sanction model that combines turnover-based corporate liability with digital access revocation for repeat individual offenders. In doing so, the article intervenes in the wider global debate on platform regulation and CSAM governance by arguing that liability in the digital age must be assessed not only in relation to unlawful content, but also in relation to the economic organization of harm.

2. Methods

2.1. Research Design

This article employs normative legal research to examine how Indonesian digital law addresses Child Sexual Abuse Material (CSAM) when abuse is circulated and monetized through platform-based infrastructures. The inquiry is doctrinal and prescriptive. It evaluates whether the existing legal framework is normatively coherent and institutionally adequate for assigning responsibility to both individual offenders and digital platforms, and it develops a reform-oriented argument at the level of ius constituendum. It therefore relies on legal materials rather than field-based evidence.

2.2. Legal Materials and Case Selection

The analysis draws on primary, secondary, and tertiary legal materials. Primary materials include statutes, regulations, court decisions, officially documented enforcement actions, and publicly available platform-policy documents. Secondary materials include journal articles, books, and legal commentaries on cybercrime, intermediary liability, platform governance, and political economy. Tertiary materials are used only to clarify technical or legal concepts where necessary.

The focal materials were selected purposively on three grounds: doctrinal relevance, analytical significance, and documentary availability. The DY case was selected because it provides a documented illustration of how abuse material was packaged, priced, and distributed through Telegram, thereby exposing the economic organization of exploitation and its connection

DOI: http://dx.doi.org./10.14421/al-athfal.2025.112-08

to payment infrastructures. The regulatory controversy involving Platform X was selected because it highlights the relationship between platform policy, Indonesian moderation obligations, and the limited deterrent effect of nominal administrative sanctions. The Alwi Husen Maulana case was included because it offers a judicial reference point for examining the legal feasibility and limits of digital access revocation as an additional sanction. These materials are not treated as empirical samples, but as legally significant sources that illuminate distinct dimensions of liability, sanction design, and platform governance.

2.3. Analytical Approaches

The article applies four complementary approaches. The statute approach is used to examine the relevant legal framework, including the 1945 Constitution, Law No. 1 of 2024 amending the Electronic Information and Transactions Law, Law No. 44 of 2008 on Pornography, and Permenkomdigi No. 5 of 2025. The case approach is used to analyze judicial and enforcement materials, particularly the DY case, the Alwi Husen Maulana decision, and the regulatory action involving Platform X, in order to assess how responsibility and sanction are framed in relation to digitally mediated sexual exploitation. The conceptual approach applies Vincent Mosco's political economy of communication, especially the concept of commodification, to interpret how abuse is transformed into exchange value within platformized digital systems. The comparative approach is used to read the Indonesian framework alongside the European Union's Digital Services Act and the United Kingdom's Online Safety Act, both of which were selected because they represent contemporary models of systemic platform accountability beyond narrow notice-and-takedown logic.

2.4. Comparative Frame

The comparative analysis is functional rather than system-wide. It does not compare entire legal orders, but specific regulatory dimensions directly relevant to the research problem. Four dimensions structure the comparison: (1) the threshold for platform responsibility, including actual knowledge, constructive knowledge, and duty-of-care logic; (2) the obligations imposed on platforms, including takedown, risk mitigation, and child-safety duties; (3) sanction design, particularly the distinction between nominal fines and turnover-based liability; and (4) enforcement architecture, including regulatory oversight, audit capacity, and compliance supervision. Comparative materials are used heuristically to identify regulatory lessons, not as models for direct legal transplantation.

2.5. Source Hierarchy and Interpretive Rigor

Priority is given to authoritative legal materials, especially statutes, court decisions, official regulatory documents, and peer-reviewed scholarship. The analysis proceeds through cross-source corroboration in order to avoid overreliance on any single document or report. Interpretive rigor is maintained by testing whether readings of individual sources remain coherent with related legal materials, including Indonesian statutory provisions, judicial reasoning, and comparative regulatory texts. In this study, methodological reliability rests on source hierarchy, legal relevance, and doctrinal coherence rather than on statistical validation.

2.6. Analytical Method

The legal materials are analyzed qualitatively through doctrinal interpretation and analytical comparison. Syllogistic reasoning is used to relate general legal norms to specific liability problems arising from CSAM circulation in platform-based environments. Teleological interpretation is employed to assess whether the protective purposes of Indonesian child-protection law are adequately served by the current sanction regime. Comparative interpretation is then used to identify alternative regulatory logics that may inform Indonesian reform. The prescriptive argument developed at the end of the article is derived from the gap between the economic organization of harm documented in the selected materials and the present legal allocation of responsibility.

DOI: http://dx.doi.org./10.14421/al-athfal.2025.112-08

2.7. Ethical Note and Methodological Limits

This study does not involve human participants, interviews, surveys, or access to private personal data. All materials analyzed are publicly accessible legal, regulatory, and policy documents. Formal ethical clearance was therefore not required. As a normative legal study, the article is limited to publicly available materials and does not examine proprietary moderation systems, algorithmic detection tools, or the empirical performance of Indonesian enforcement institutions in practice. Its comparative conclusions should accordingly be read as functional regulatory lessons rather than as predictive claims or direct transplantation proposals.

3. Result

This section presents the descriptive findings derived from publicly available legal, regulatory, and policy materials. To maintain analytical clarity, the section is limited to factual description of the documented context, selected cases, platform-policy features, and the sanction regime currently applicable in Indonesia.

3.1. Statistical and Regulatory Context

Available national data indicate that online violence and sexually exploitative content involving children remain a significant child-protection concern in Indonesia. In 2024, the Indonesian Child Protection Commission (KPAI) recorded 41 cases involving children as victims of pornography and cybercrime. In the first half of 2024, Simfoni PPA documented 7,842 cases of violence against children, with sexual violence recorded as the most common category. Taken together, these records indicate that online sexual exploitation should be understood not as an isolated category of digital harm, but as a recurring regulatory problem within Indonesia's broader child-protection landscape.

Table 1. Statistical and Regulatory Context

Indicator	Period	Recorded figure	Description
KPAI child pornography and cybercrime cases	2024	41 cases	Children recorded as victims of pornography and cybercrime
Simfoni PPA violence against children	First half of 2024	7,842 cases	Sexual violence identified as the most common category

3.2. Operational Pattern in the DY Case

The DY case documents a structured pattern of CSAM distribution through Telegram. According to the available enforcement materials, DY administered a Telegram group named "VVIP Bocil," which was used to distribute child sexual abuse content through restricted paid access. Membership was not open; access was sold through links distributed to paying users (PID - Polda Metro Jaya, 2024).

The materials indicate a tiered pricing structure ranging from IDR 100,000 to IDR 300,000 per user. Payments were made through digital wallet services, including DANA and OVO. The content was therefore not circulated as incidental peer-to-peer exchange, but through organized access control and traceable payment channels. The case materials also indicate that the Telegram environment was used as the primary infrastructure for storage, circulation, and user access (PID - Polda Metro Jaya, 2024; Sigit, 2024).

In legal terms, the suspect was charged under Article 45 paragraph (1) in conjunction with Article 27 paragraph (1) of the Electronic Information and Transactions Law and Article 29 in conjunction with Article 4 paragraph (1) of the Pornography Law. The case therefore documents an operational pattern in which sexual-content distribution, platform infrastructure, and payment mechanisms are directly linked (PID - Polda Metro Jaya, 2024).

DOI: http://dx.doi.org./10.14421/al-athfal.2025.112-08

Table 2. Operational Pattern in the DY Case

Case element	Documented finding
Platform used	Telegram
Group name	"VVIP Bocil"
Access model	Paid and restricted membership
Price range	IDR 100,000–300,000
Payment channels	DANA and OVO
Main legal basis	UU ITE and UU Pornografi

3.3. Platform Governance Features

The reviewed materials show variation among major platforms in relation to pornography policy, age threshold, message architecture, and enforcement design. Facebook and Instagram, both under Meta, apply formal restrictions on pornographic and sexually explicit content, default privacy settings for minors, and child-safety tools such as reporting systems and messaging restrictions. Telegram applies differentiated privacy architecture through Cloud Chats and Secret Chats, but the reviewed materials indicate weaker content restrictions and limited age-verification mechanisms. Platform X permits adult content under its policy framework, requires a minimum user age of 13, and relies primarily on account-level enforcement rather than ex ante child-safety screening (Maulida, 2024; Mustaquim, 2023). Taken together, the reviewed materials indicate that platform governance relevant to child protection is not uniform across platforms, but varies materially in age assurance, content restriction, and enforcement design.

Table 3. Platform Governance Features

Platform	Pornography/content policy	Age threshold	Safety or enforcement feature	Reported limitation
Facebook	Restricts pornographic content	13+ with protective settings for minors	Content removal, account restriction, child-safety settings	Age verification remains limited
Instagram	Restricts sexually explicit content and sensitive recommendations for minors	13+ with default private settings for minors	Reporting tools, message filtering, AI-supported detection	Sensitive content may still circulate within the platform environment
Telegram	No strict anti-pornography framework identified in the reviewed materials	16+	Secret Chats and user-controlled deletion functions	Weak age verification and limited cooperation concerns
X	Permits adult content within policy framework	13+	Account-level enforcement and content labeling	No dedicated anti-pornography protection framework identified in the reviewed materials

3.4. Current Sanction Regime in Indonesia

The materials reviewed show that Indonesia currently applies a divided sanction regime. Individual offenders may be prosecuted under the Electronic Information and Transactions Law and the Pornography Law, which provide imprisonment and fines. By contrast, enforcement against platforms remains centered on administrative measures, including warning letters, takedown obligations, blocking threats, and nominal monetary penalties.

The reviewed materials record that Platform X was sanctioned with an administrative fine of IDR 80,000,000 for content moderation failure related to pornography. Telegram appears in

DOI: http://dx.doi.org./10.14421/al-athfal.2025.112-08

the reviewed materials as subject to warnings and blocking threats rather than a documented turnover-based penalty. In relation to individuals, the Alwi Husen Maulana case is relevant because the district court imposed an additional sanction in the form of internet-access revocation for eight years, although this part of the decision was later overturned on appeal (Nazmudin, 2023).

Table 4. Current Sanction Regime in Indonesia

Entity	Violation Type	Sanction/Fine Applied	Legal Basis
DY (individual suspect)	Selling CSAM through Telegram	Pending criminal process; exposure to imprisonment and fine under applicable statutes	UU Pornografi and UU ITE
Platform X	Content Moderation Failure	IDR 80,000,000 administrative fine	Administrative Sanction
Telegram	Hosting Illegal Groups/content concerns	Warnings and blocking Threats	Ministerial/regulatory enforcement
Alwi Husen Maulana Case	Revenge Porn by individual offender	6 years' imprisonment; internet-access ban initially imposed, later overturned	UU ITE and judicial interpretation

4. Discussion

The findings indicate that CSAM circulation in Indonesia cannot be explained adequately through an offender-centered legal model alone. The DY case shows that abuse was not merely transmitted but organized through pricing, controlled access, and platform-based distribution. Read through Mosco's political economy of communication, this pattern reflects commodification in a concrete legal sense: bodily integrity is converted into exchange value through digital infrastructures that enable packaging, circulation, and payment (Mosco, 2009). This point matters because it shifts the legal problem from the mere existence of unlawful content to the institutional conditions under which exploitation becomes reproducible, marketable, and scalable. It is also important in child-rights terms, because the child remains a legal subject whose dignity cannot be reduced to the transactional logic of circulation (Freeman, 2016).

This interpretation becomes stronger when read together with platform governance and intermediary liability literature. Platforms are not neutral conduits, but actors that structure visibility, circulation, moderation, and monetization through policy design, technical architecture, and enforcement rules (Garon, 2025; van Dijck et al., 2018). Questions of pornography regulation and age assurance have long been central to this governance problem, especially where access controls remain formally present but materially weak in relation to minors (Thurman & Obster, 2021). The reviewed materials on X, Telegram, Facebook, and Instagram show that child-safety governance is materially uneven across platforms, particularly in age assurance, content restrictions, and enforcement design. In this context, the Indonesian regime still places most of its coercive weight on individual offenders, while platform responsibility remains largely confined to administrative compliance. The result is a mismatch between the economic organization of CSAM and the legal allocation of responsibility. Where exploitation is sustained by platform-dependent infrastructures, liability aimed only at end users addresses the terminal actors but leaves the enabling governance conditions relatively intact.

This mismatch helps explain why a nominal-fine regime has limited deterrent effect when applied to large digital corporations. Read through regulatory capitalism, the issue is not simply that sanctions are too low, but that the current model treats transnational platforms as though they were regulatory subjects comparable to ordinary local actors (Levi-Faur, 2011). A turnover-based approach is more plausible because it aligns sanction design with platform scale, yet its feasibility in Indonesia depends on institutional and legal conditions rather than on punitive aspiration alone. The discussion therefore suggests three preconditions: credible audit capacity to verify corporate exposure and turnover base; clear statutory thresholds and review mechanisms consistent with legality and due process; and a calibrated enforcement strategy that

distinguishes consumer-facing platforms from infrastructural services whose disruption could generate disproportionate systemic harm. Without these conditions, stronger platform liability may remain symbolically attractive but administratively unstable.

The proposal for digital access revocation raises a related but distinct issue. In online sexual exploitation, digital access is not incidental to the offense but part of the operational means through which harm is repeated (O'Hara et al., 2020; O'Malley & Holt, 2022). The Alwi Husen Maulana case is significant because it reveals judicial recognition of that logic, while also exposing the legal fragility of such sanctions in the absence of explicit statutory grounding. Here, Satjipto Rahardjo and Radbruch are useful not as rhetorical authorities but as competing reminders that legal reform must remain responsive to social harm without sacrificing certainty, proportionality, and reviewability (Al Arif, 2019; Tan, 2021). This means that digital access revocation is defensible only as a narrow, reviewable, and clearly delimited additional sanction for repeat or demonstrably high-risk offenders (Christianto, 2020; Maskun et al., 2025). The legal question is therefore not whether harsher punishment is desirable in the abstract, but whether sanction design can be tailored to the digital structure of the offense without producing overbreadth, rights-based disproportionality, or broader chilling effects in networked communication (Koprivica, 2023; Sulistyanta & Handayani, 2023).

Taken together, these points suggest that the central issue in Indonesian CSAM regulation is not simply the absence of stronger punishment, but the misalignment between commodified harm and fragmented liability. The significance of the proposed double-sanction model lies in its attempt to address both dimensions at once: turnover-based corporate liability responds to platform-enabled circulation, while carefully delimited digital access revocation responds to offender-based repetition. Its value, however, depends less on severity than on whether Indonesian law can recalibrate liability in a way that is institutionally credible, normatively coherent, and proportionate to the digital organization of harm.

4.1. Research Contribution

This article contributes in two related ways. Theoretically, it extends political economy analysis into the legal study of digital sexual exploitation by connecting commodification, platform governance, and intermediary liability within a single explanatory frame. Practically, it develops a double-sanction model that differentiates liability according to the dual structure of the problem: platform-enabled circulation and offender-based repetition. In this respect, the article shifts the discussion from a narrow focus on takedown failure toward a broader question of how legal responsibility should be distributed in digital environments where harm is simultaneously infrastructural, economic, and recurrent

4.2. Limitations

This discussion remains limited by the normative character of the analysis and by its dependence on publicly accessible legal materials, reported platform policies, and documented enforcement records. It does not examine proprietary moderation systems, internal monetization pathways, or the actual institutional performance of Indonesian regulators in verifying turnover-based sanctions. Nor does it empirically test how courts might operationalize proportionality review in relation to digital access restrictions. The claims advanced here should therefore be read as doctrinally grounded and functionally comparative rather than as predictive assessments of implementation outcomes.

4.3. Suggestions

Future research should test the feasibility of this framework empirically. Socio-legal work is needed to examine whether Indonesian institutions possess the audit, evidentiary, and technical capacity required for turnover-based enforcement. Interdisciplinary research is also needed to evaluate how digital access restrictions might operate without producing disproportionate exclusion, over-removal, or chilling effects in lawful communication, including through technological child-protection measures and platform-side safeguards (Odudu, 2024). From a policy perspective, reform would be more credible if pursued incrementally through clearer

statutory thresholds for high-harm child-safety duties, stronger audit and compliance mechanisms, and narrowly drafted legislative authorization for reviewable digital access revocation in repeat electronic sexual-offense cases.

5. Conclusion

This article shows that CSAM circulation in Indonesia is not adequately captured by an offender-centered legal model alone. The reviewed materials indicate that abuse can be organized through digital infrastructures that enable pricing, controlled access, and repeated circulation across platform-based environments. Read through Mosco's political economy of communication, the legal problem therefore lies not only in the presence of unlawful content, but in the institutional conditions through which exploitation acquires exchange value and becomes scalable. The analysis also reveals a structural mismatch in Indonesia's current sanction regime. Individual offenders are addressed primarily through criminal punishment, whereas platform-related responsibility remains concentrated in administrative compliance and nominal fines. At the same time, efforts to develop additional sanctions such as digital access revocation remain legally unstable without a clear statutory basis, proportionality safeguards, and judicial review. In this sense, the double-sanction model advanced here is best understood not as a call for punitive escalation, but as a framework for realigning liability with the dual structure of the problem: platform-enabled circulation and offender-based repetition.

That framework, however, would be workable only under demanding institutional and legal conditions. Turnover-based sanctions require stronger audit capacity, clearer statutory thresholds, and procedures consistent with legality and due process. Digital access revocation, meanwhile, risks overbreadth and disproportionate restriction if it is not narrowly tailored, time-limited, and reviewable. Reform is therefore less a question of severity than of regulatory calibration in response to the digital organization of harm.

Declarations

Author contribution statement

Ahmad Jamaludin: Conceptualization, Methodology, Supervision, Project Administration, Writing - Review & Editing.

Ratu Arti Wulan Sari: Investigation, Data Curation, Formal Analysis, Writing - Original Draft, Visualization.

Dandi Ditia Saputra: Validation, Resources, Data Curation, and Writing - Review & Editing.

Funding statement

This research received no specific grant from any funding agency in the public, commercial, or not-for-profit sectors.

Data availability statement

The data supporting the findings of this study, including interview transcripts, observation notes, and documentation, are available from the corresponding author upon reasonable request. Due to ethical considerations and the involvement of children and community members, raw data is not publicly archived.

Declaration of interests statement

All authors declare that they have no financial or personal interests that could influence the work presented in this manuscript.

Additional information

Correspondence and material requests should be addressed to jamaludinumam@gmail.com.

ORCID

Ahmad Jamaludin https://orcid.org/0009-0006-2972-2092

References

Al Arif, M. Y. (2019). Penegakan hukum dalam perspektif hukum progresif. *Undang: Jurnal Hukum, 2*(1), 169–192. https://doi.org/10.22437/ujh.2.1.169-192

Biro Hukum dan Humas Kementerian Pemberdayaan Perempuan dan Perlindungan Anak. (2024). *Kemen PPPA: Resiliensi digital cegah anak menjadi korban kekerasan seksual online*. Accessed March 26, 2026, from https://www.kemenpppa.go.id/index.php/siaran-pers/kemen-pppa-resiliensi-digital-cegah-anak-menjadi-korban-kekerasan-seksual-online

Bleakley, P., Martellozzo, E., Spence, R., & DeMarco, J. (2024). Moderating online child sexual abuse material (CSAM): Does self-regulation work, or is greater state regulation needed? *European Journal of Criminology, 21*(2), 231–250. https://doi.org/10.1177/14773708231181361

Cale, J., Holt, T., Leclerc, B., Singh, S., & Drew, J. (2021). *Crime commission processes in child sexual abuse material production and distribution: A systematic review* (Trends & Issues in Crime and Criminal Justice No. 617). Australian Institute of Criminology. https://doi.org/10.52922/ti04893

Cheng, J. (2025). Code as content: Open source software and platform liability. *Colorado Technology Law Journal, 23*(2), 225–260. Accessed March 26, 2026, from https://ctlj.colorado.edu/?p=1401

Christianto, H. (2020). Measuring cyber pornography based on Indonesian living law: A study of current law finding method. *International Journal of Law, Crime and Justice, 60*, Article 100348. https://doi.org/10.1016/j.ijlcj.2019.100348

Freeman, M. (2016). The value and values of children's rights. In A. Invernizzi & J. Williams (Eds.), *The human rights of children: From visions to implementation* (pp. 21–36). Routledge. https://doi.org/10.4324/9781315557007-2

Fry, D. (2025). *Child sexual exploitation and abuse is a multibillion-dollar industry – and our new report shows who benefits*. Childlight. Accessed April 10, 2025, from https://www.childlight.org/newsroom/child-sexual-exploitation-and-abuse-is-a-multibillion-dollar-industry-our-new-report-shows-who-benefits

Garon, J. M. (2025). Social media through the metaverse lenses: A legal review. In E. Bonadio & A. Rohatgi (Eds.), *Research handbook on social media and the law* (pp. 274–296). Edward Elgar Publishing. https://doi.org/10.4337/9781035309498.00021

Humas KPAI. (2024). *Laporan tahunan KPAI: Jalan terjal perlindungan anak: Ancaman serius generasi emas Indonesia*. KPAI. Accessed March 26, 2026, from https://www.kpai.go.id/publikasi/laporan-tahunan-kpai-jalan-terjal-perlindungan-anak-ancaman-serius-generasi-emas-indonesia

Ikram, N. (2024). *Survei APJII, pengguna internet Indonesia 2024 mencapai 221,5 juta jiwa*. *cyberthreat.id*. Accessed March 26, 2026, from https://m.cyberthreat.id/read/16426/Survei-APJII-Pengguna-Internet-Indonesia-2024-Mencapai-2215-Juta-Jiwa

Koprivica, A. (2023). Certain aspects of the position and rights of children as victims of criminal offenses. *Pravo - Teorija i Praksa, 40*(1), 69–86. https://doi.org/10.5937/ptp2301069K

Lefouili, Y., & Madio, L. (2022). The economics of platform liability. *European Journal of Law and Economics, 53*(3), 319–351. https://doi.org/10.1007/s10657-022-09728-7

Levi-Faur, D. (2011). The regulatory state and regulatory capitalism: An institutional perspective. In D. Levi-Faur (Ed.), *Handbook on the politics of regulation* (pp. 662–672). Edward Elgar Publishing. https://doi.org/10.4337/9780857936110.00067

Maskun, Azisa, N., Mukhlis, M. M., Munandar, M. A., & Arifin, A. P. (2025). Additional criminal revocation of access to online communication devices for perpetrators of electronic-based sexual violence. *Indonesian Journal of Criminal Law Studies, 10*(2), 451–486. https://doi.org/10.15294/ijcls.v10i2.23100

Maulida, L. (2024). Elon Musk bolehkan konten pornografi di X/Twitter, mau saingi OnlyFans? *Kompas.com*. Accessed June 4, 2024, from https://tekno.kompas.com/read/2024/06/04/11310007/elon-musk-bolehkan-konten-pornografi-di-x-twitter-mau-saingi-onlyfans

Maxwell, F., Salter, M., & Peleg, N. (2024). "To say report it, well, it seems a little useless": Evaluating Australians' expectations of online service providers and reducing online child sexual exploitation. *Policy & Internet, 16*(2), 384–410. https://doi.org/10.1002/poi3.378

Mosco, V. (2009). *The political economy of communication* (2nd ed.). SAGE. https://doi.org/10.4135/9781446279946

Mustaquim, A. M. A. M. (2023). *Uses, analysis and security of Telegram* [Doctoral dissertation, University of Mumbai].

Nazmudin, A. (2023). Terdakwa "revenge porn" dihukum tak boleh akses internet 8 tahun, teknisnya diserahkan ke jaksa. *Kompas.com*. Accessed July 13, 2023, from https://regional.kompas.com/read/2023/07/13/165239378/terdakwa-revenge-porn-dihukum-tak-boleh-akses-internet-8-tahun-teknisnya

Odudu, Q. (2024). *Technological solutions for protecting children from online predators: Current trends and future directions* [Preprint]. SSRN. Accessed March 26, 2026, from https://ssrn.com/abstract=4986870

O'Hara, A. C., Ko, R. K. L., Mazerolle, L., & Rimer, J. R. (2020). Crime script analysis for adult image-based sexual abuse: A study of crime intervention points for retribution-style offenders. *Crime Science, 9*, Article 26. https://doi.org/10.1186/s40163-020-00130-9

O'Malley, R. L., & Holt, K. M. (2022). Cyber sextortion: An exploratory analysis of different perpetrators engaging in a similar crime. *Journal of Interpersonal Violence, 37*(1–2), 258–283. https://doi.org/10.1177/0886260520909186

Parti, K., & Szabó, J. (2024). The legal challenges of realistic and AI-driven child sexual abuse material: Regulatory and enforcement perspectives in Europe. *Laws, 13*(6), 67. https://doi.org/10.3390/laws13060067

PID-Polda Metro Jaya. (2024). *Polisi tangkap penjual konten pornografi anak di bawah umur via grup Telegram*. Media Hub Humas Polri. Accessed March 26, 2026, from https://mediahub.polri.go.id/in/image/detail/64576-polisi-tangkap-penjual-konten-pornografi-anak-dibawah-umur-via-grup-telegram

Sahak, S., Rajamanickam, R., & Hassan, M. S. (2026). Liability of internet intermediaries and legal challenges: A comprehensive systematic review. *Quality & Quantity, 60*, 2435–2457. https://doi.org/10.1007/s11135-025-02344-y

Salter, M., & Sokolov, S. (2024). "Talk to strangers!" Omegle and the political economy of technology-facilitated child sexual exploitation. *Journal of Criminology, 57*(1), 121–137. https://doi.org/10.1177/26338076231194451

Sigit. (2024). *Penjual ribuan konten pornografi anak di grup Telegram ditangkap polisi siber Polda Metro*. *megapolitanpos.com*. Accessed March 26, 2026, from

https://megapolitanpos.com/penjual-ribuan-konten-pornografi-anak-di-grup-telegram-ditangkap-polisi-siber-polda-metro

Sulistyanta, S., Handayani, I. G. A. K. R., Karjoko, L., & Danendra, R. (2023). The principle of proportionality in anti-pornography law: Comparing several countries. *Journal of Indonesian Legal Studies, 8*(2), 1103–1150. https://doi.org/10.15294/jils.v8i2.70002

Tan, S. H. (2021). Radbruch's formula revisited: The lex injusta non est lex maxim in constitutional democracies. *Canadian Journal of Law and Jurisprudence, 34*(2), 461–491. https://doi.org/10.1017/cjlj.2021.12

Thurman, N., & Obster, F. (2021). The regulation of internet pornography: What a survey of under-18s tells us about the necessity for and potential efficacy of emerging legislative approaches. *Policy & Internet, 13*(3), 415–432. https://doi.org/10.1002/poi3.250

van Dijck, J., Poell, T., & de Waal, M. (2018). *The platform society: Public values in a connective world*. Oxford University Press. https://doi.org/10.1093/oso/9780190889760.001.0001