

# The Digital Sanctuary: Forging Legal And Ethical Frameworks For Interfaith Coexistence Online

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## Abstract

The internet has profoundly transformed interfaith relations, offering an unprecedented global arena for dialogue and community building. Yet this transformative power is shadowed by a growing threat: the digital space is increasingly weaponized as a battleground for religious tensions, fueled by hate speech, misinformation, and targeted harassment. The absence of robust legal and ethical frameworks tailored to the complexities of online interaction leaves interfaith communities vulnerable and undermines genuine cooperation. This article introduces the conceptual model of a “digital sanctuary”—a deliberately designed and protected online space where diverse faiths can coexist and flourish.

Achieving this ideal is not an organic outcome of technology but requires intentional, multi-faceted efforts from all stakeholders. The paper critically examines regulatory gaps and ethical dilemmas obstructing interfaith harmony online, highlighting the limitations of fragmented national laws in a borderless environment and analyzing the responsibilities of technology platforms. We advocate moving beyond simple content moderation toward a proactive, rights-based approach that prioritizes the safety and dignity of religious minorities. By proposing a model of “digital jurisprudence,” the article calls for holistic guidelines that extend beyond traditional statutes. These include policy recommendations for algorithmic transparency, community-led dialogue, and greater international cooperation to establish standards that balance freedom of expression with protection from religious incitement. Ultimately, the paper contends that the future of peaceful interfaith coexistence depends on transforming the digital realm from a passive, ungoverned space into a resilient ecosystem where principles of mutual respect are systematically protected and nurtured.

## KEYWORDS

*Digital Sanctuary, Interfaith Coexistence, Interfaith Coexistence, Online Hate Speech, Internet Governance*

## HOW TO CITE

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## Introduction

The internet's advent has profoundly reshaped the landscape of interfaith relations, offering unprecedented opportunities for global dialogue, education, and community building<sup>1</sup>. Digital platforms have effectively democratized religious expression, enabling diverse faith traditions to connect, share their teachings, and foster mutual understanding on a scale previously unimaginable<sup>2</sup>. For many, the digital realm has become a primary avenue for religious practice and interfaith engagement<sup>3</sup>, with studies consistently showing a significant portion of religious adults using the internet for activities ranging from watching online sermons and participating in virtual pilgrimages to engaging in interfaith webinars and community forums. This has created a new kind of public square—a digital agora where faith can be openly explored and shared, transcending geographical boundaries and cultural barriers.

However, this transformative power is shadowed by a significant and growing threat. The very same digital space is increasingly being weaponized as a battleground for religious tensions, fueled by the rapid virality of hate speech, the pervasive spread of misinformation, and the ease of targeted harassment. Data from organizations monitoring online extremism, such as the Anti-Defamation League (ADL), consistently show a rise in online harassment and hate speech targeting religious groups, with an alarming increase in coordinated attacks. This toxic digital environment, often amplified by platform algorithms that prioritize engagement over accuracy, can quickly turn local religious disputes into global online conflicts, eroding the social cohesion and trust essential for peaceful coexistence<sup>4</sup>.

This precarious situation is exacerbated by a fundamental mismatch between the borderless nature of the internet and the territorial limitations of our legal systems<sup>5</sup>. The absence of robust and coherent legal and ethical frameworks tailored to the unique complexities of digital interaction creates a regulatory void. The jurisdictional challenges of applying fragmented national laws to transnational digital offenses leave interfaith communities vulnerable and

<sup>1</sup> Matias Laine, "Justice: What's the Right Thing to Do?," *Social and Environmental Accountability Journal* 32, no. 1 (2012), <https://doi.org/10.1080/0969160x.2012.656425>.

<sup>2</sup> David Stark and Manuel Castells, "The Rise of the Network Society," *Contemporary Sociology* 26, no. 6 (1997), <https://doi.org/10.2307/2654643>.

<sup>3</sup> Jack M. Balkin, "The First Amendment in the Second Gilded Age," *Buffalo Law Review* 66, no. 5 (2018).

<sup>4</sup> Brian K. Payne and Lora Hadzhidimova, "Disciplinary and Interdisciplinary Trends in Cybercrime Research: An Examination," *International Journal of Cyber Criminology* 14, no. 1 (2020), <https://doi.org/10.21428/cb6ab371.3106a17b>.

<sup>5</sup> Damián Fernández Pedemonte, "Turtle, Sherry. Alone Together: Why We Expect More from Technology and Less from Each Other?," *Austral Comunicación* 1, no. 2 (2012), <https://doi.org/10.26422/aucom.2012.0102.fer>.

undermine the potential for genuine understanding and cooperation. This is not merely a technical issue; it represents a deep-seated failure to adapt our legal and ethical standards to the realities of a globalized digital world.

This article addresses this pressing issue by conceptualizing the digital realm not as a neutral or chaotic space, but as a potential "digital sanctuary"—a proactively designed and protected online environment where diverse faiths can coexist, dialogue, and flourish. We argue that achieving this ideal is not an organic outcome of technology but an intentional achievement that requires a multifaceted and concerted effort from all stakeholders. This paper critically examines the current regulatory gaps and ethical dilemmas that obstruct interfaith harmony online<sup>6</sup>. It delves into the inherent limitations of fragmented national laws and comprehensively analyzes the ethical responsibilities of technology platforms to move beyond simple content moderation toward a more proactive, rights-based approach. Ultimately, by proposing a model for "digital jurisprudence," this article provides a critical roadmap for transforming the digital frontier into a true haven for interfaith dialogue.

## Method

This article employs a qualitative, analytical, and conceptual approach to explore the legal and ethical challenges of interfaith coexistence online. It is primarily a desk-based study, drawing on a diverse range of sources, including scholarly literature on digital ethics, interfaith relations, and international law. We critically analyze existing regulatory frameworks from national governments and policy documents from major technology platforms.

The methodology is structured in three parts: First, we conceptually define the "digital sanctuary" as a normative goal for the online environment. Second, we conduct a critical analysis to identify the key regulatory gaps and ethical dilemmas that undermine this goal. This includes examining the limitations of current legal statutes in a borderless digital world and evaluating the responsibilities of online platforms. Finally, based on this analysis, we propose a model of "digital jurisprudence" to serve as a new, holistic framework for forging a more resilient and inclusive online ecosystem for interfaith dialogue.

## Result & Discussion

This discussion delves into the challenges and opportunities presented by the digital realm for interfaith coexistence. This article argues that to build a

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<sup>6</sup> Felicia Bejan, "CYBERSECURITY AND CYBERCRIME: CHALLENGES OF AN INVISIBLE SPACE," *Perspectives of Law and Public Administration* 11, no. 1 (2022).

peaceful digital ecosystem, we must consciously transition from the current ungoverned state to a structured and protected "digital sanctuary." This discussion is divided into three main parts: understanding the dual nature of the digital space, analyzing the existing legal and ethical gaps, and proposing a "digital jurisprudence" framework as a solution.

## A. Understanding the Dual Nature of the Digital Realm

The internet has become a double-edged sword for interfaith relations. On one hand, digital platforms offer unparalleled opportunities. The digital realm's impact on interfaith relations is a complex paradox. On one hand, the internet serves as a powerful tool for connection and understanding. It provides unparalleled opportunities for people of different faiths to interact directly, share their stories, and engage in meaningful dialogue. For instance, online forums, webinars, and social media groups have become vital platforms for:

### a) Building Bridges: The Power of Authentic Digital Engagement

People can learn about other religions from authentic sources, breaking down stereotypes and fostering empathy. The internet's<sup>7</sup> most profound contribution to interfaith relations lies in its capacity to bypass traditional barriers and offer direct, unfiltered access to diverse religious perspectives. This unprecedented access acts as a powerful mechanism for building bridges of understanding, which is essential for dismantling stereotypes and nurturing genuine empathy.

Before the digital age, much of our knowledge about other religions was filtered through second-hand sources, media portrayals, or limited personal interactions, which often led to oversimplification and prejudice. Today, the digital realm provides a vast repository of authentic sources that empower individuals to become independent learners. People can now directly access official websites of religious institutions, watch online sermons and lectures from recognized spiritual leaders, explore digital archives of sacred texts and theological commentaries, and read personal blogs or social media accounts of practitioners sharing their daily faith life. This direct engagement allows individuals to form their own informed opinions, free from the distortions of biased news or popular misconceptions<sup>8</sup>.

<sup>7</sup> Douglas B. Hindman, "The Virtual Community: Homesteading on the Electronic Frontier," *Journal of Applied Communications* 80, no. 1 (1996), <https://doi.org/10.4148/1051-0834.1358>.

<sup>8</sup> Ali Masyhar et al., "Economic Assistance as a Form of Non-Penal Policy in Countering Terrorism for Ex-Prisoners in Indonesia," *Journal of Law and Legal Reform* 5, no. 2 (2024): 681–704.

This direct learning is a powerful antidote to misinformation and serves as the primary tool for breaking down stereotypes. Stereotypes thrive on ignorance and a lack of human connection. When an individual encounters the complexity, depth, and humanity of a faith through its own authentic sources, the simplistic and often negative stereotypes crumble. For example, a person exposed to hateful media portrayals of a particular religion can find balance by watching a video of its members engaging in acts of charity, reading about their theological commitment to peace, or learning about their rich cultural traditions. This exposure to a multi-faceted reality makes it far more difficult to hold onto a monolithic, one-dimensional view of an entire faith.

Furthermore, this access to authentic sources is the foundation for fostering empathy. Empathy is born from the ability to understand and share the feelings of another. The internet facilitates this by providing platforms for personal narratives. When people read the personal faith journeys of others, they connect on a human level that transcends theological differences. They discover shared values, common struggles, and universal aspirations. This digital human-to-human connection—whether through a blog post, a short video, or a live Q&A session—is what transforms mere tolerance into a deeper, more meaningful empathy, thereby laying the groundwork for true and lasting interfaith coexistence. The internet, therefore, provides the raw materials for a more informed, compassionate, and interconnected global community.

#### **b) Cross-Border Solidarity: Forging a Global Community**

Digital tools enable faith communities to unite across geographical boundaries, supporting one another and collaborating on shared goals. One of the most transformative impacts of the internet on interfaith relations is its capacity to dissolve geographical boundaries, enabling faith communities to transcend their local contexts and forge a global network of support and action. This phenomenon of cross-border solidarity has fundamentally reshaped how religious groups interact, allowing them to unite, support one another, and collaborate on shared goals on a scale that was previously unimaginable.

In the past, a faith community's reach was largely limited to its physical neighborhood, city, or country. Today, digital tools have created a virtual infrastructure that connects co-religionists and interfaith partners across continents. This unity manifests in various ways, from global prayer groups that connect people in real-time across different time zones, to virtual forums where religious leaders from diverse traditions can hold dialogues without the need for expensive travel. For diaspora communities, these tools are particularly vital, serving as a lifeline to their home countries and enabling them to maintain cultural and religious ties with co-religionists around the world.

This interconnectedness provides a powerful platform for mutual support. This support extends beyond spiritual or emotional solidarity, though that remains a crucial element. In times of crisis, a faith community facing a natural disaster or an act of violence can receive an outpouring of support from a global network of well-wishers through social media messages, virtual vigils, and online prayers. Furthermore, this solidarity is often translated into tangible aid. Crowdfunding and online donation platforms have enabled communities worldwide to swiftly raise funds for humanitarian relief, rebuilding places of worship, or providing essential resources to a group facing poverty or persecution in a distant land. This ability to mobilize resources globally makes support both rapid and impactful.

Ultimately, this global network is not just a platform for sharing; it is an engine for collective action and collaboration on shared goals. Interfaith groups are increasingly leveraging digital tools to work together on issues of universal concern. This includes jointly organizing online campaigns for environmental sustainability, partnering on humanitarian projects to assist refugees, and launching global advocacy efforts to protect human rights and religious freedom in conflict zones. By collaborating on these shared goals, faith communities demonstrate that their beliefs, rather than being a source of division, can be a powerful force for good when mobilized on a global scale. The internet, therefore, transforms a collection of isolated local communities into a unified network, a living testament to the shared values that unite humanity and a vital tool for building a more peaceful and interconnected world.

The phenomenon of cross-border solidarity described in the text can be best understood through the lens of sociological and communication theories of globalization, particularly the concept of the Network Society put forth by Manuel Castells and the principle of glocalization. These theories provide a robust framework for analyzing how digital tools transform faith communities from geographically localized entities into globally interconnected networks.

### **Analysis through the Network Society Theory**

The text perfectly illustrates the core tenets of Manuel Castells's Network Society theory. According to Castells<sup>9</sup>, the rise of information technology has shifted the fundamental structure of society from geographical-based hierarchies to decentralized, global networks. The text's description of faith communities transcending their local contexts and forging a "global network of support and action" is a direct manifestation of this theory<sup>10</sup>.

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<sup>9</sup> Stark and Castells, "The Rise of the Network Society."

<sup>10</sup> *ibid*

In this framework, individual faith communities<sup>11</sup> or interfaith groups function as nodes within a vast, interconnected network. Digital platforms like social media and online forums serve as the hubs through which the "flow" of information, resources, and solidarity travels at speeds and scales previously impossible. The text's examples—from global prayer groups connecting people in real-time across different time zones to virtual forums for dialogue—demonstrate how these network structures facilitate continuous interaction and shared purpose without the constraints of physical proximity. This network-based organization is what allows for the rapid mobilization of support and the seamless collaboration on shared goals, as the text describes<sup>12</sup>. The power of this network lies not in any single location but in its ability to connect diverse and distant nodes, turning a collection of isolated communities into a unified, powerful force.

### **Analysis through the Concept of Glocalization**

The text also exemplifies the concept of glocalization<sup>13</sup>, which describes the intricate process by which a global phenomenon is adapted to or intertwined with a local context. The cross-border solidarity described is not simply a uniform, global force; rather, it is made meaningful through specific, localized action.

The global network's power is demonstrated when it intervenes to address a local need<sup>14</sup>. For instance, the text mentions that the digital network enables communities worldwide to "swiftly raise funds for humanitarian relief, rebuilding places of worship, or providing essential resources to a group facing poverty or persecution in a distant land." This is a perfect example of glocalization in action. A global outpouring of spiritual and financial solidarity (the global) is channeled into a tangible, specific project that directly impacts a local community (the local)<sup>15</sup>. The digital platform acts as the bridge, making the global support immediately relevant and effective for a localized issue<sup>16</sup>. This symbiotic relationship shows that the internet is not simply erasing local identity or needs, but rather empowering them by connecting them to a

<sup>11</sup> Manuel Castells, "75. Networks of Outrage and Hope: Social Movements in the Internet Age," in *Democracy*, 2017, <https://doi.org/10.7312/blau17412-091>.

<sup>12</sup> Richard N. Cooper and Anthony Giddens, "The Third Way: The Renewal of Social Democracy," *Foreign Affairs* 78, no. 2 (1999), <https://doi.org/10.2307/20049222>.

<sup>13</sup> Sing C. Chew, Roland Robertson, and William R. Garrett, "Globalization: Social Theory and Global Culture," *Contemporary Sociology* 22, no. 6 (1993), <https://doi.org/10.2307/2075975>.

<sup>14</sup> Anthony Giddens, "Runaway World: How Globalization Is Reshaping Our Lives," in *Rugman Reviews*, 2009, [https://doi.org/10.1007/978-1-137-28787-8\\_45](https://doi.org/10.1007/978-1-137-28787-8_45).

<sup>15</sup> Chew, Robertson, and Garrett, "Globalization: Social Theory and Global Culture."

<sup>16</sup> Don Tapscott and Anthony D Williams, *Wikinomics: How Mass Collaboration Changes Everything* (Penguin, 2008).



broader, more powerful global network that can amplify their voice and mobilize resources. The global<sup>17</sup> network provides the reach and scale, while the local context provides the purpose and the need, creating a dynamic and highly effective model for interfaith collaboration.

### c) **Democratizing Knowledge: A New Era of Religious Education**

Religious teachings, sacred texts, and scholarly discussions are now more accessible to a global audience than ever before. The internet has fundamentally shattered the traditional gatekeeping of religious knowledge<sup>18</sup>, ushering in an era where sacred texts, scholarly discussions, and diverse religious teachings are more accessible to a global audience than ever before. This democratization of knowledge represents a profound cultural shift, moving the authority of interpretation from a select few (clergy, scholars, and institutions) to the hands of the individual.

The core mechanism of this transformation is the near-total removal of geographical and financial barriers<sup>19</sup>. In the past, access to religious scholarship often required attending a specific university, seminary, or having a physical library with limited resources. Today, anyone with an internet connection can access vast digital archives of sacred texts—from the Quran and the Bible to the Talmud and the Vedas—often with multiple translations and commentaries available at no cost<sup>20</sup>. This provides individuals in remote areas or those without the means for a formal education the opportunity to engage deeply with their faith's foundational texts, fostering a more informed and self-directed spiritual journey.

Furthermore, this access extends beyond foundational texts to the vibrant world of theological and scholarly discussion. Academic research, once confined to expensive, peer-reviewed journals and closed conferences, is now shared through open-access journals, university websites, podcasts, and online lectures. This allows laypeople, students, and interfaith partners to engage with cutting-edge scholarship, hear diverse perspectives on theological issues, and participate in global conversations that were previously restricted to the academic "ivory tower." This direct engagement counters the risk of spiritual isolation and provides a crucial antidote to the spread of misinformation. By having immediate access to authentic and scholarly sources, individuals are

<sup>17</sup> Layna Mosley and Thomas L. Friedman, "The World Is Flat: A Brief History of the Twenty-First Century," *International Journal* 61, no. 3 (2006), <https://doi.org/10.2307/40204208>.

<sup>18</sup> John Charles A. Altomonte, "Future Politics: Living Together in a World Transformed by Tech," *The Social Science Journal* 60, no. 2 (2023), <https://doi.org/10.1080/03623319.2021.2014213>.

<sup>19</sup> Mosley and Friedman, "The World Is Flat: A Brief History of the Twenty-First Century."

<sup>20</sup> Steve John Taylor, "The Complexity of Authenticity in Religious Innovation: 'Alternative Worship' and Its Appropriation as 'Fresh Expressions,'" *M/C Journal* 18, no. 1 (2015).

better equipped to identify and reject extremist interpretations or misrepresentations that contradict the core tenets of their faith.

Ultimately, this democratization of religious knowledge lays a vital foundation for genuine interfaith dialogue. When people from different faith traditions can access each other's sacred texts and scholarly conversations, it dismantles stereotypes and replaces them with a respect grounded in knowledge. A Christian can read the Quran with ease, a Muslim can study the Torah's historical context, and a Buddhist can explore Hindu philosophy, leading to a deeper mutual understanding based on informed curiosity rather than assumptions. This accessibility is not merely a technological convenience; it is a powerful tool for fostering a more educated, empathetic, and peaceful global community. Based on the provided text, the phenomenon of democratizing religious knowledge can be effectively analyzed through several intertwined social and communication theories. The most pertinent frameworks are Michel Foucault's theory of power/knowledge and the concept of disintermediation, which together explain the profound shift in authority described in the text

### **Analysis through the Theory of Power Knowledge**

The text's assertion that the internet has shifted "the authority of interpretation from a select few... to the hands of the individual" aligns perfectly with Michel Foucault's theory of power and knowledge. Foucault argued that knowledge is never neutral but is intrinsically linked to power structures. Those who control the production, dissemination, and interpretation of knowledge hold a form of institutional power.

Historically, religious institutions, clergy, and academic scholars acted as the gatekeepers of religious knowledge. By controlling access to sacred texts and scholarly discourse—often through physical libraries, expensive publications, or specialized training—they maintained interpretive authority and thus, a form of institutional power. The internet's democratization of knowledge directly challenges this traditional structure. When anyone can access vast digital archives of sacred texts and cutting-edge scholarly research, the power to interpret is decentralized. This transfer of authority from a centralized few to a decentralized many is not simply a technological convenience; it is a fundamental shift in the power dynamics of religious life and intellectual discourse.

### **Analysis through the Concept of Disintermediation**

This shift in power can also be understood through the concept of disintermediation, a term originating in economics that describes the removal of intermediaries from a supply chain. In this context, the intermediaries were the institutions that stood between the individual and religious knowledge. The internet's ability to provide direct access to sacred texts and scholarly discussions

bypasses these traditional gatekeepers. An individual no longer needs to rely on a priest, a professor, or a publisher to access foundational religious information. They can go directly to the source. The text's examples—from accessing the Quran to exploring the Talmud online—illustrate this process. This disintermediation is what allows for a "self-directed spiritual journey," as the individual is empowered to explore, question, and learn on their own terms, free from a predefined institutional filter.

The democratization of religious knowledge, therefore, is not merely a technological trend but a profound social and cultural transformation. It demonstrates the real-world application of theories that link knowledge, power, and mediation. While this disintermediation empowers individuals and fosters a deeper, more informed basis for interfaith dialogue, the text implicitly acknowledges the dual nature of this shift. Without the traditional "gatekeepers," the individual must now assume a greater responsibility for discernment and critical thinking, highlighting the need for a new form of digital literacy to navigate the vast, unfiltered, and sometimes dangerous landscape of religious information online.

However, the "double-edged" nature of this sword becomes clear when we recognize the internet's capacity to amplify conflict. The same platforms that facilitate connection can be used to spread hate speech, misinformation, and propaganda. Algorithms, designed to maximize engagement, often promote divisive and provocative content, turning local disagreements into global online battles. This makes the digital space a dangerous battleground that can erode the very trust and understanding that interfaith dialogue aims to build. Various online forums, webinars, and social media have become vital tools for interfaith dialogue, allowing people of different faiths to share stories, celebrate diversity, and build bridges of understanding. This has democratized access to religious knowledge and facilitated cross-border solidarity.

On the other hand, the digital space has also become a dangerous battleground. Social media algorithms, designed to maximize user engagement, often unintentionally promote provocative and divisive content. This accelerates the spread of hate speech and misinformation, turning local conflicts into global issues within hours. Data shows that religious-based hate speech, amplified by online "echo chamber" effects, significantly increases tensions and erodes the trust essential for coexistence. This creates a digital "battlefield," which directly contradicts the goal of interfaith dialogue. This creates a digital "battlefield," which directly contradicts the very goals of interfaith dialogue. While dialogue aims to build bridges of understanding, the digital realm's confrontational nature often turns conversations into win-or-lose debates. Instead of fostering empathy

and nuanced discussion, social media platforms reward provocative soundbites and divisive content, reducing complex religious traditions to simplified memes and slogans. The anonymity and lack of accountability inherent in online spaces can also erode the trust and respect essential for meaningful engagement, making it not just difficult, but at times dangerous, for communities to connect.

Forging the Future: Towards "Digital Jurisprudence" To address the profound deficiencies in criminal law and the ethical challenges that have been discussed, this article proposes a new and comprehensive framework called "digital jurisprudence." This concept is far more than a simple adjustment of existing legal statutes; it represents a holistic approach that unifies legal principles, platform policies, and digital ethics. By integrating these three distinct yet interconnected components, this framework aims to construct a cohesive and resilient protective structure for interfaith coexistence in the online realm.

## **B. Understanding the Dual Nature of the Digital Realm**

This discussion explores the fundamental conflict between the traditional, territorial framework of criminal law and the borderless digital realm. This deficiency creates a dangerous regulatory vacuum, directly impacting the failure to protect interfaith coexistence.

### **1) Criminal Law Deficiencies: The Gap Between Physical and Digital Boundaries**

The limitations of conventional criminal law pose a major challenge<sup>21</sup> in addressing crimes that threaten interfaith harmony online. Three key issues highlight this deficiency:

- a) The Issue of Territorial Jurisdiction: Criminal law is based on the principle that crimes occur within a country's borders. However, in the digital realm, criminal acts are not bound by geographic location. For example, a hate speech post could be posted by someone in Europe, targeting a religious community in Asia, and distributed by a server located in North America. The question arises: which country's criminal law applies? This jurisdictional gap often overwhelms law enforcement and gives perpetrators impunity, which emboldens them to commit similar crimes.

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<sup>21</sup> Widya Setiabudi Sumadinata, "Cybercrime and Global Security Threats: A Challenge in International Law," *Russian Law Journal* 11, no. 3 (2023): 438–44.

- b) Inability to Address Speed and Anonymity: Many criminal laws were written long before the internet existed. This creates difficulties in interpreting concepts like "malicious intent" (*mens rea*) or "publication" in a digital context. Proving the intent behind a viral meme or a comment from an anonymous account is difficult. Furthermore, the speed at which content spreads on digital platforms—far faster than the ability of the law to respond—makes legal interventions late and ineffective.

Enforcement Gaps: Even when criminal laws are applicable, enforcement often fails. Most law enforcement agencies worldwide lack the resources, technical training, and international cooperation frameworks necessary to track, identify, and prosecute transnational cybercriminals. These limitations make enforcing online criminal law a difficult and expensive endeavor.

## **2) Challenges of Ethics and Responsibility for Digital Platforms**

This failure of the criminal legal system creates a dangerous vacuum that is filled by the internal policies of technology companies, which we refer to as the "private justice" system. This raises a series of profound ethical challenges:

- a) Inconsistency and Lack of Transparency: Digital platforms have their own content moderation standards (Terms of Service) that lack the legitimacy of public law. These policies are often applied inconsistently and without transparency. For example, reports from human rights organizations indicate that enforcement of rules on hate speech is much weaker on non-English content and in developing countries compared to Western countries. This creates inequities in protection.
- b) The Freedom of Expression vs. Harm Prevention Dilemma: Technology companies face a constant ethical dilemma: how to balance the right to freedom of expression with the responsibility to prevent the spread of hate speech that can incite real-world violence? Many platforms tend to prioritize user growth and engagement, which inadvertently provides a platform for the most extreme voices.
- c) Algorithmic Responsibility: Ethical issues extend to the technology infrastructure itself. Algorithms<sup>22</sup> designed to maximize user engagement have the unintended ethical consequence of promoting polarization and divisive content. Therefore, the greatest ethical challenge today is to hold accountable not only users and platforms, but also the design of the technologies that shape how we interact.

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<sup>22</sup> Safiya Umoja Noble, "Algorithms of Oppression: How Search Engines Reinforce Racism," in *Algorithms of Oppression* (New York university press, 2018).

Ultimately, there is a direct correlation between the shortcomings of traditional criminal law and the emergence of complex ethical challenges. The digital space can no longer be considered an ungovernable realm. Instead, it requires a bold new approach—a "digital jurisprudence"—that can integrate criminal law principles with digital ethical standards to create cohesive protections for interfaith coexistence

## C. Correlation with Criminal Law: Restoring Justice in the Digital Realm

Digital jurisprudence fundamentally aims to restore the authority and relevance of criminal law in the online realm<sup>23</sup>. This is achieved through three main pillars:

### 1) Reforming Criminal Law for the Digital Context

Criminal law must be updated<sup>24</sup> with clearer and more adaptive definitions for digital realities. Laws on hate speech and incitement must explicitly cover actions taken on social media, online forums, and other communication platforms. This reform must include establishing more definite criteria to determine "criminal intent" (*mens rea*) in the context of digital anonymity, thereby facilitating the enforcement of law against perpetrators.

The pursuit of a digital sanctuary is fundamentally premised on the necessity of overhauling traditional legal systems to meet the unique challenges of the online world<sup>25</sup>. At the heart of this challenge is a critical mismatch<sup>26</sup>: the static, territorial nature of conventional criminal law and the fluid, borderless reality of the internet. Therefore, the first and most crucial step in forging a comprehensive digital jurisprudence is to reform criminal law itself, making it more adaptive and relevant to the digital context.

A primary focus of this reform must be the establishment of clearer and more precise legal definitions. Many existing criminal statutes regarding hate speech, incitement to violence, and defamation were drafted in an era when communication was exclusively physical and geographical. For example, a law prohibiting "public incitement" was conceived for a speaker addressing a physical crowd, not for a user posting a hateful meme that goes viral within minutes on a private messaging group<sup>27</sup>. The reform must therefore create a new

<sup>23</sup> Grigoris Kanellis, "Freedom of Speech vs. Hate Speech in European Law: A Balancing Act," *SSRN Electronic Journal*, 2025, <https://doi.org/10.2139/ssrn.5165261>.

<sup>24</sup> Lawrence Lessig, *Code: And Other Laws of Cyberspace* (ReadHowYouWant. com, 2009).

<sup>25</sup> Noble, "Algorithms of Oppression: How Search Engines Reinforce Racism."

<sup>26</sup> Balkin, "The First Amendment in the Second Gilded Age."

<sup>27</sup> Joseph S Nye Jr, "Cyber Power," 2010.

legal lexicon that is platform-agnostic and focused on the act's impact and reach, rather than its physical location. This means laws must explicitly define what constitutes a "public" space in the digital realm and establish new thresholds for determining when an online post crosses the line from offensive speech to criminal incitement<sup>28</sup>.

Furthermore, a key legal hurdle is the concept of "criminal intent" (*mens rea*), which is notoriously difficult to prove in the context of digital anonymity and automated content spread. Traditional law requires demonstrable intent to cause harm. However, in the digital age, a single hateful post can be amplified by algorithms and blindly reposted by thousands, obscuring the original perpetrator's intent and making a single act of malice appear as a widespread, anonymous campaign. Legal reform must, therefore, create new, context-sensitive criteria for proving criminal intent. This could involve examining patterns of online behavior, analyzing the use of specific platforms known for promoting extremism, or assessing the premeditated use of anonymity to mask malicious intent. These new standards must be carefully balanced to prevent the criminalization of legitimate criticism while still providing a robust legal mechanism for prosecuting genuine malice.

Finally, the reform<sup>29</sup> must explicitly address the specific threats to religious communities. Generic laws are insufficient. New statutes must be crafted to specifically prohibit hate speech and incitement that targets individuals or communities based on their religious beliefs. This reform should seek to establish a harmonized global standard, drawing from international human rights principles that protect freedom of religion while simultaneously prohibiting religious incitement. By modernizing and strengthening these foundational legal principles, we can transform the digital realm from a lawless frontier into a space governed by clear rules, thereby providing the first and most critical layer of protection for interfaith coexistence.

## 2) Reforming Criminal Law for the Digital Context

Addressing transnational criminal offenses in cyberspace requires more than just national law. Digital jurisprudence advocates for the formation of international agreements or conventions that facilitate law enforcement cooperation. This framework would allow countries to track perpetrators, share

<sup>28</sup> L. Pasculli and Lorenzo Pasculli, "The Global Causes of Cybercrime and State Responsibilities: Towards an Integrated Interdisciplinary Theory," *Journal of Ethics and Legal Technologies (JELT)* 2, no. 1 (2020).

<sup>29</sup> Diandra Preludio Ramada and Indah Sri Utari, "Unveiling the Surge in Corruption: A Menacing Threat to Indonesia's Stability in Anti-Corruption Law Reform," *Journal of Law and Legal Reform* 5, no. 1 (2024), <https://doi.org/10.15294/jllr.vol5i1.2092>.

digital evidence, and conduct joint extradition or prosecution, thereby resolving the "jurisdictional issue" that has long been a major barrier.

Addressing transnational criminal offenses in cyberspace demands a solution that transcends national boundaries. The internet's global nature creates a fundamental conflict with the territorial and jurisdictional limits of conventional law, leaving a critical gap in legal enforcement. A hate crime, for instance, can originate from a user in one country, target a religious community in another, with the data hosted on servers in a third jurisdiction. In such scenarios, law enforcement agencies are often powerless to act alone, facing a maze of differing national laws, bureaucratic hurdles, and conflicting legal standards.

Digital jurisprudence directly confronts this jurisdictional impasse by advocating for the creation of a robust international legal framework. This is not about forcing every nation to adopt identical laws, but rather about establishing a baseline consensus on what constitutes a severe digital offense against interfaith harmony. Such a framework would manifest as a new international convention or treaty—similar to those that govern other transnational crimes—that would harmonize legal principles and facilitate concrete mechanisms for cooperation.

This cooperation would include:

- a) **Mutual Legal Assistance:** The framework would streamline the process for countries to request and receive legal assistance, such as obtaining digital evidence, user data, or technical support from other jurisdictions. This would allow authorities to overcome jurisdictional deadlocks and quickly build cases against perpetrators, regardless of their physical location.
- b) **Uniform Standards for Data Sharing:** A key component would be establishing a global protocol for data sharing with technology platforms and foreign governments. This would standardize legal requests and reduce the time and effort required to trace anonymous actors and gather evidence from international data centers.
- c) **Joint Prosecution and Extradition:** The convention would create a clear legal pathway for joint investigations, prosecution, or extradition of individuals who commit serious digital offenses. This ensures that perpetrators of online hate crimes against interfaith communities cannot evade justice simply by operating from a different country.

Ultimately, without this level of international collaboration, any effort to protect online communities will remain fragmented and vulnerable. By forging a globally coordinated legal response, digital jurisprudence aims to transform



the digital realm from an ungoverned frontier into a place where the rule of law is universally respected, thereby providing tangible, cross-border protection for interfaith coexistence

### **3) Enhancing Law Enforcement Capacity**

Effective implementation of criminal law requires competent law enforcement. Digital jurisprudence encourages investment in digital forensics training and the establishment of specialized units within the police and prosecution to handle online hate crimes and religiously-motivated incitement. This ensures that the legal system has the technical capability to respond to rapidly evolving threats.

Effective implementation of criminal law requires more than just updated statutes and international agreements; it demands a competent and well-equipped enforcement body. At present, a significant gap exists between the sophistication of digital threats and the capacity of traditional law enforcement to respond. Therefore, a core pillar of digital jurisprudence is a strategic investment in enhancing the technical and investigative capabilities of police and prosecution to effectively handle online hate crimes and religiously-motivated incitement.

This enhancement requires a multi-faceted approach:

#### **a) Investing in Digital Forensics Training:**

Law enforcement personnel must be trained to treat the online environment as a crime scene. This involves developing expertise in digital forensics—the science of retrieving and analyzing data from digital devices and networks. Officers need to be skilled in tracing digital footprints, preserving electronic evidence in a manner admissible in court, and understanding how content spreads across various platforms. Without this specialized training, even the clearest legal statutes are rendered useless, as prosecutors would lack the evidence needed to build a case.

#### **b) Establishing Specialized Cybercrime Units:**

General-purpose police units are often ill-equipped to handle the complexities of online hate speech and incitement. Digital jurisprudence calls for the establishment of specialized cybercrime units, comprised not only of police and prosecutors but also technical experts like data analysts and digital investigators. These dedicated teams would have the specific mandate and resources to monitor online threats, investigate digital hate crimes, and proactively collaborate with platform security teams.

#### **c) Developing Judicial and Prosecutorial Expertise:**

The capacity gap extends to the entire legal system. Judges and prosecutors must also receive training to understand the nuances of digital evidence, the nature of online communities, and the unique challenges of proving intent in a digital context. This ensures that when cases do make it to court, they are handled by a judiciary with the expertise to render informed and just decisions.

Ultimately, a strong, technologically capable law enforcement system provides the teeth for a digital sanctuary. It transforms legal theory into practical reality, sending a clear message that the digital realm is not a lawless frontier. This capacity is what ensures that online harm has real-world consequences

#### **4) Integrating Law and Ethics**

These pillars of criminal law are then integrated with the components of ethics and platform policy. Digital jurisprudence considers the content moderation policies of technology companies not as a substitute for law, but as a complementary first line of defense. Companies must be mandated to adopt policies that align with international criminal law and involve religious experts and communities in their formulation.

Thus, "digital jurisprudence" offers a comprehensive way forward. It transforms the digital realm from an unaccountable "battlefield" into an actively protected "digital sanctuary," where criminal law has clear authority, digital ethics are enforced, and interfaith coexistence can flourish in a safe and just environment.

The final and most crucial pillar of digital jurisprudence is the integration of law and ethics. This framework recognizes that relying solely on legal statutes, no matter how reformed, is insufficient to protect online communities in real-time. Instead, a truly resilient digital sanctuary requires a multi-layered security system where ethical standards and corporate policies act as a complementary first line of defense against digital harm.

The current model, where platform policies operate largely in a regulatory vacuum, has proven to be inadequate. These policies are often inconsistent, lack transparency, and are driven by business interests rather than a genuine commitment to ethical principles. This article argues that digital jurisprudence must redefine this dynamic by mandating that tech companies' policies are not a substitute for law, but a proactive extension of it. This means policies on hate speech, misinformation, and harassment should be designed to align with emerging international criminal law standards, thereby creating a unified and predictable code of conduct across the digital realm.

Furthermore, the formulation of these policies cannot remain an internal corporate matter. To be both effective and legitimate, the process must involve

those it aims to protect. Digital jurisprudence advocates for the mandatory inclusion of religious experts, interfaith leaders, and affected communities in the policy-making process. This ensures that content moderation policies are culturally sensitive, contextually aware, and truly responsive to the unique forms of harm that interfaith communities face. For example, a policy developed with input from religious leaders is better equipped to distinguish between legitimate critique and targeted religious incitement, a distinction often missed by generic, one-size-fits-all algorithms.

Ultimately, this integrated approach creates a robust ecosystem where law provides the ultimate authority, setting clear consequences for criminal offenses, while ethical policies provide immediate, preventative protection. It is this symbiotic relationship between legally-backed accountability and ethically-driven responsibility that can transform the digital frontier into a genuinely safe and just space for interfaith coexistence

## Conclusion

The internet's dual nature—as both a forum for global connection and a battleground for religious tensions—presents one of the most pressing challenges to interfaith relations today. While the digital realm initially offered an unprecedented opportunity to democratize dialogue and build cross-cultural bridges, the proliferation of hate speech, misinformation, and targeted harassment in a regulatory vacuum has left communities vulnerable and eroded the trust essential for meaningful engagement. This article has argued that a passive, laissez-faire approach to this digital landscape is no longer tenable. The time has come to actively forge a "digital sanctuary"—a protected online space where interfaith coexistence is not merely an aspiration but a secured reality built on a foundation of law, ethics, and mutual respect.

To achieve this, we have proposed a holistic framework of "digital jurisprudence." This comprehensive model moves beyond fragmented, piecemeal solutions by advocating for a multi-layered system that fundamentally modernizes our approach to the digital world. It calls for the reform of criminal law to adapt to the borderless nature of cyberspace, ensuring that offenses against religious communities have clear and enforceable legal definitions. This is coupled with the enhancement of law enforcement capacity, through investments in digital forensics and specialized units, to make these laws effective. Crucially, the framework also emphasizes the integration of these legal pillars with ethical platform policies, which must function as a robust first line of defense, proactively mitigating harm and fostering an environment conducive to

dialogue. By unifying these components, we can create an ecosystem where accountability is clear and protection is proactive, rather than reactive.

Ultimately, the future of peaceful interfaith coexistence hinges on our collective commitment to this new paradigm. A digital sanctuary cannot be built by technology alone; it requires the deliberate and concerted effort of all stakeholders. Governments must lead in enacting modernized legal frameworks and fostering international cooperation. Technology companies must embrace their moral and ethical responsibilities, aligning their policies with human rights and actively engaging with religious and community leaders. Finally, interfaith communities themselves must be empowered with the digital literacy and tools to advocate for their own safety and promote constructive dialogue. By transitioning from a passive, ungoverned realm to an actively protected and just online environment, we can ensure that the internet fulfills its promise as a true haven for understanding, rather than a catalyst for conflict

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