



Indonesia Media Law Review, Volume 4 Issue 2 (December 2025), pp. 151-169

ISSN 2829-7628 (Print) 2829-7423 (Online)

<https://doi.org/10.15294/imrev.v4i2.29850>.

Indonesia Media Law Review is Journal for Media, Press Law and Ethics in Journalism

Published biannually by the Faculty of Law, Universitas Negeri Semarang, Indonesia and managed by Law Student Press Community and Press and Journalism Law Studies Center, Faculty of Law Universitas Negeri Semarang, INDONESIA

Digital Incest Fantasy: Islamic Law Responses to Media Virality and Family Impact

Nabilah Falah*

Faculty of Law, Universitas Sultan Ageng Tirtayasa, Indonesia

Mujjadiddah Aslamiyyah

Faculty of Law, Universitas Sultan Ageng Tirtayasa, Indonesia

**Corresponding author's email: nabilahfalalah09@gmail.com*

ABSTRACT: This study examines the virality of the “Incest Fantasy” group on social media as a form of sexual deviance that is explicitly prohibited in both Islamic teachings and Indonesia’s positive law. The objective of this research is to analyze the case through the lens of media law and Islamic family law, highlighting the role of digital technology in normalizing deviant behavior and exposing the weakness of child protection systems. This research employs a normative qualitative approach with descriptive analysis, using secondary data and an interdisciplinary framework. The findings reveal that such deviant behavior constitutes a serious violation of family honor (*hurmat al-usrah*), the principle of lineage protection (*hifz al-nasl*), and moral values upheld by Indonesian legislation, such as the Child Protection Act and the Electronic Information and Transactions Law (ITE Law). Moreover, this case demonstrates the lack of effective oversight by digital platforms regarding morally harmful content. Therefore, an integrated legal approach is urgently needed, complemented by educational, religious, and preventive strategies to protect children from the destructive influence of digital content and to restore the role of Islamic values in preserving family integrity.

KEYWORDS: Incest Fantasy, Islamic Law, Media Virality

I. INTRODUCTION

The development of digital technology in the era of globalization has brought significant changes to various aspects of human life, including the

domain of social and religious values. Social media, as a primary product of the digital age, offers an open space for expressing ideas and experiences that spread rapidly and widely.¹ Recently, the digital realm was shocked by the emergence of a deviant sexual phenomenon through a Facebook group called “Incest Fantasy.” This group, followed by tens of thousands of users, actively shares experiences and even visual materials related to incestuous acts, either through verbal narratives or photographic content, reflecting a moral degradation that threatens the very foundation of the family as a core institution in Islamic society. In Islamic values, the family is regarded as a sacred institution governed by sharia principles. Islam upholds family values beginning with the process of selecting a spouse, the regulations of marriage, and the conduct of household life, all guided by the goals of *sakinah* (tranquility), *mawaddah* (affection), and *rahmah* (mercy), which serve as the foundational pillars of familial relationships.

The emergence of the “Incest Fantasy” group illustrates how the digital era has become a new battleground for the deconstruction of values, where the line between morality and immorality is blurred under the pretext of freedom of expression. Incest-related and deviant content is often left unchecked, pointing to the weakness of social control, a lack of Islamic digital literacy, and the failure of some Muslim families to adapt to moral challenges posed by technology. Islamic legal and ethical values, once firmly upheld through religious texts (nash), are now being eroded and neglected as digital media becomes a space for normalizing deviant behaviors—including incest fantasies. This phenomenon not only violates Islamic teachings theologically but also sociologically endangers the structure and function of the family in Muslim society.

In light of this issue, it is necessary to conduct a comprehensive study on how Islamic family values are being deconstructed in the digital era through the case of the “Incest Fantasy” group. This study aims to examine the forms of value deconstruction, uncover the root causes, and explore relevant Islamic

¹ Chen, X., Chang-Richards, A.Y., Ling, F.Y.Y., Yiu, T.W., Pelosi, A. and Yang, N., "Digital Technology-Enabled AEC Project Management: Practical Use Cases, Deployment Patterns and Emerging Trends", *Engineering, Construction and Architectural Management*, Vol. 32 No. 6, 2025, 4125, <https://doi.org/10.1108/ECAM-09-2023-0962>

legal approaches to respond to these challenges, especially regarding the prohibition of incest in Islamic family law. The research is expected to contribute to strengthening Islamic family values in the face of an increasingly complex digital reality.

To ensure the novelty of this research, a comparison with previous studies is necessary. *First*, a study by Hasbi Umar, Husin Bafadhal, and Ika Rusmayanti entitled “The Legal Status of Children Born Out of Incestuous Relationships According to Islamic and Positive Law” (Adhki Journal, Vol. 4 No. 1, 2023) found that incest, whether in a marriage legally recognized by the state or not, is considered zina (adultery) under Islamic law. Children born from such relationships are regarded as illegitimate and only have a lineage (nasab) connection with their mother and her relatives.² In contrast to doctrinal-legal approaches, this study employs a socio-legal and digital media lens to examine how incestuous narratives are constructed and circulated online. Focusing on the “Incest Fantasy” group, it explores the sociocultural impact of digital virality on the perception and decline of Islamic family values, highlighting how shifting online behaviors challenge established legal and religious norms. *Second*, a study by Jusalim Sammak titled “The Psychology of Incest Victims in Islamic Law” (Maruki Journal, Vol. 2 No. 2, 2024) concluded that incestuous relationships, as prohibited in Qur'an Surah An-Nisa (4:23), often result in psychological trauma for children, including bullying, stigmatization, and social discrimination. This study diverges from prior research in both focus and method. While Sammak highlights the psychological effects of incest within Islamic legal norms, this research examines how deviant narratives are constructed and normalized via digital platforms. Using the viral 'Incest Fantasy' group as a case study, it adopts a socio-legal and digital media approach to analyze the erosion of Islamic family values through shifting online behaviors and moral discourses. *Third*, a study by Indah Pebruati Putri and Misbahuzzulam, “The Implementation of Sexual Nature Education in Muslim Families in Kediri: Efforts to Prevent Sexual Deviance” (Intizar Journal, Vol. 30 No. 1, 2024),

² Hasbi Umar, Husin Bafadhal, Ika Rusmayanti yang berjudul “Kedudukan Hukum Anak Lahir Diluar Nikah Dari Hubungan Sedarah (Incest) Menurut Hukum Islam Dan Hukum Positif” pada Adhki: Journal of Islamic Family Law, Volume 4 Nomor 1, 2021, 35–45. <https://doi.org/10.37876/adhki.v4i1.120>

emphasized that lack of parental attention and poor social environments contribute to sexual deviance. Their findings highlighted Islamic parenting strategies such as instilling tauhid, teaching prophetic stories, reinforcing gender identity, and cultivating modesty from an early age.³ While Putri and Misbahuzzulam focus on preventive strategies within the family sphere through Islamic parenting to curb sexual deviance, this study shifts the analytical lens to the public digital sphere. It examines how digital platforms, beyond the reach of traditional parental control, facilitate the circulation and normalization of deviant content. By analyzing the 'Incest Fantasy' group's online presence, the study offers a socio-legal perspective on how digital environments undermine familial moral foundations rooted in Islamic teachings.

The focus of this research is threefold. *First*, it explores the deconstruction of Islamic family values in the digital era by analyzing the case of the viral "Incest Fantasy" group, which exemplifies how deviant narratives are constructed and disseminated in online spaces. *Second*, it adopts an interdisciplinary approach—combining Islamic legal studies or sociology of law, and digital media analysis—to investigate how digital behavior and moral discourse contribute to the erosion of Islamic legal and ethical principles related to the family. *Third*, it examines the broader legal implications, particularly the challenges posed to media law in regulating harmful online content, and the consequences for family law in addressing the weakening of familial norms and protections in the face of digital moral shifts.

II. METHODS

This study employs a normative qualitative research method, as it focuses solely on written regulations and other legal materials.⁴ A juridical-

³ Indah Pebruati Putri dan Misbahuzzulam yang berjudul "Implementasi Pendidikan Fitrah Seksualitas Anak Keluarga Muslim Kediri: Upaya Menjaga Generasi dari Penyimpangan Seksual" Intizar: Jurnal UIN Raden Fatah Palembang Volume 30, Nomor 1, 2024, 41-49, <https://doi.org/10.19109/intizar.v30i1.22076>

⁴ Soerjono Soekanto dan Sri Mamudji, Penelitian Hukum Normatif, Cetakan ke-8 (Jakarta: PT. Raja Grafindo Persada, 2004), 14.

sociological approach is adopted to connect aspects of Islamic law with the social changes brought about by digital media usage. The data sources consist of primary data obtained through observation of viral cases on social media, and secondary data including statutory regulations, books, and scholarly articles relevant to the case. Data collection is conducted through a literature study to provide a strong theoretical foundation for the phenomenon under investigation. The collected data are then analyzed using a descriptive-qualitative method with a *maqāṣid al-shari‘ah* approach, aiming to examine the extent to which the phenomenon contradicts the fundamental objectives of Islamic law.

III. FAMILY VALUES IN ISLAMIC LAW

In the concept of Islamic law, familial relationships are known as *nasab*. *Nasab* is one of the fundamental pillars that supports the establishment of a family, as it binds members through blood ties. Linguistically, *nasab* comes from the verb *nasaba*, with the plural *ansāb*, meaning kinship or lineage. According to many *fuqahā’* (Islamic jurists), *nasab* is defined as “a legal relationship between a person and a child born from his wife’s womb in a valid marriage, a slave woman he engaged with, or a woman with whom he had sexual relations due to error or mistaken identity (*shubhah*).”⁵ The lineage within a family begins with the formation of a marital bond through sexual relations (*wath’i*) between a man and a woman.

Marriage in Islam is considered half of the faith, as it constitutes an act of worship to Allah, emulating the Sunnah of the Prophet Muhammad (peace be upon him), and is to be carried out with sincerity, responsibility, and adherence to Islamic legal provisions.⁶ In Indonesian law, the definition of marriage is outlined in Article 1 of Law Number 16 of 2019 (amending Law Number 1 of 1974), which defines marriage as a spiritual and physical bond between a man and a woman as husband and wife, to form a happy and eternal family based on the Almighty God. Furthermore, Presidential

5 Abdul Manan, *Pembaruan Hukum Islam di Indonesia* (Jakarta: Kencana, 2017), 258

6 Amir Syarifuddin, *Hukum Perkawinan Islam di Indonesia: Antara Fiqh Munakahat dan Undang-Undang Perkawinan.*, (Jakarta: Kencana, 2006), 41

Instruction No. 1 of 1991 on the Compilation of Islamic Law (KHI), Article 2, defines marriage as a solemn contract (*mīthāq ghaliẓ*) intended to obey Allah's commands and as a form of worship.

Birth is considered a divine law (*sunnatullāh*) resulting from the union of sperm and ovum within the bounds of a lawful marriage, and Islam emphasizes that every child is born in a state of purity (fitrah). According to Mukti Arto, blood relations as a natural law form the basis for legal ties such as lineage (nasab), guardianship (maḥram), rights and obligations, inheritance, and marital guardianship.⁷ This underlines that children in Islam are a full responsibility of their kin-based families.

Parents serve as primary figures in a family and hold the responsibility to fulfill their roles, particularly concerning the upbringing of children. The Government of Indonesia regulates family functions through Government Regulation No. 21 of 1994 on the Implementation of Prosperous Family Development, which outlines eight core family functions: religious, socio-cultural, affectionate, protective, reproductive, socialization and education, economic, and environmental development functions.

The obligation of parents to fulfill children's rights is compulsory. According to Article 26 paragraph (1) of Law No. 35 of 2014 (amending Law No. 23 of 2002) on Child Protection, parents are fully obligated and responsible for their children.⁸ Parents serve as the primary educators, and their influence is critical in instilling values and behavioral patterns in children. Similarly, Article 45(1) of the Marriage Law (Law No. 16 of 2019) affirms that "Both parents are obliged to care for and educate their children as best as possible." Article 77(3) of the Compilation of Islamic Law further emphasizes that "husband and wife share the obligation to nurture and care for their children physically, mentally, intellectually, and religiously."

⁷ A. Mukti Arto, *Diskusi Hukum Putusan Mahkamah Konstitusi RI No. 46/PUU-VIII/2010 Tanggal 17 Februari 2012 tentang Pengubahan Pasal 43 UU Perkawinan tentang Hubungan Perdata Anak dengan Ayah Biologisnya*, Makalah, th 2012.

⁸ Hilmawati Usman Tenri Beta, Muhammad Habibi Miftakhul Marwa, "Konsep Tanggung Jawab Hukum Orang Tua terhadap Perkawinan Anak", *Jurnal USM Law Review* Vol 6 No 3 Tahun 2023, 1092.

The essential role of parents in Islamic teachings is also affirmed in Qur'an Surah At-Tahrim (66:6):

"O you who have believed, protect yourselves and your families from a Fire whose fuel is people and stones, over which are angels, harsh and severe; they do not disobey Allah in what He commands them but do what they are commanded."

This verse has been interpreted as a warning and directive for family members to guide and protect one another. It addresses fathers and, by extension, both parents, emphasizing the responsibility to teach and set an example that prevents family members from Hellfire. The head of the family is urged to encourage obedience to Allah and abstention from His prohibitions.⁹

Ahmad Al-Marāghī, in his tafsir, explains that this verse instructs believers to inform one another about the means to safeguard themselves from Hellfire through obedience to Allah and adherence to His commands, especially by providing moral education to one's family.¹⁰ Wahbah al-Zuhaylī, in his *Tafsīr al-Munīr* as cited by Mohammad Abd Latif, interprets the verse as a call to protect oneself through knowledge and education and to command one's family to obey Allah and refrain from transgression.¹¹ This is in line with the hadith narrated by Tirmidhi and al-Hakim from Amr ibn Sa'id ibn al-'Āṣ, in which the Prophet Muhammad (peace be upon him) stated: "There is no better gift a parent can give to their child than good manners."

IV. SEXUAL EDUCATION IN THE DIGITAL ERA

The digital era is defined as a period in which the development of information and communication technologies has become central to human

⁹ Ibnu Imam Al Ayyubi, dkk "Peran Orang Tua Dalam Pendidikan Islam Berdasarkan Q.S. At-Tahrim Ayat 6", *Al-Muhafidz: Jurnal Ilmu Al-Qur'an dan Tafsir*, Vol. 4 No. 1, February 2024, 79.

¹⁰ Wira Lestari dan Sahrul Andri, "Substansi Tafsir Al-Maraghi tentang Menjaga Diri dan Keluarga dari Siksa Api Neraka: Analisis Q.S. At-Tahrim Ayat 6", *Indonesian Research Journal on Education* Volume 4 Nomor 4 Tahun 2024, 1004

¹¹ Mohammad Abd Latif1, Samad dan Abd. Rasyid, "Analisis Surah At-Tahrim Ayat 6 Perspektif Tafsir Al-Qur'an Al-Adzim Karya Ibnu Katsir", *Al-Mizan : Journal Of Islamic Studies*, Volume 1 Nomor 1, 2024, 80.

life, marked by the widespread use of the internet, smart devices, and data-driven systems. Digital transformation has reshaped how people work, learn, interact, and shop, enabling faster and more global access to information. In this era, the boundaries between physical and virtual spaces have become increasingly blurred, presenting both vast opportunities and significant challenges—such as the need for digital literacy, data security, and ethical media use. The ability to adapt to technology and engage in critical thinking has become an essential skill for navigating the evolving dynamics of the digital age.

The rapid advancement of digital technology—manifested through social media, instant messaging applications, and various other online platforms—has brought about an unprecedented level of convenience in accessing information and facilitating communication, marking a significant transformation in the history of human interaction. Nevertheless, this progress has not come without serious consequences; rather, it has introduced complex new challenges, particularly concerning the security and protection of individual privacy in cyberspace. One of the increasingly alarming negative impacts of this digital expansion is the rise of online sexual crimes, which encompass a broad range of harmful behaviors including the sending of unsolicited sexually explicit messages, online sexual exploitation, intimidation through cyberbullying, and the unauthorized distribution of sexual content.¹² Adolescents, due to their high level of digital engagement and frequent exposure to various platforms, have emerged as the most vulnerable demographic group facing these threats. This vulnerability is exacerbated by a general lack of awareness regarding the boundaries of digital privacy, the potential dangers present in online interactions, and the mechanisms available for reporting harmful incidents. The absence of adequate digital literacy—particularly in understanding how to safeguard personal information and recognize early signs of online sexual offenses—has led many adolescents to underestimate the profound psychological and emotional consequences that may arise from such experiences. Victims often

¹² Berru Amalianita, Utami Niki Kusaini, Sri RahmahRamadholi,Siti Amanah, Hera Wahyuni, “Psikoedukasi Cyber Sexual Harassment sebagai Pencegahan Tindak Kejahatan Seksual Pada Remaja Di Era Digital”Journal IICET Lentera Negeri, Vol. 5, No.1,2024, 52, <https://doi.org/10.29210/991240>

suffer from severe psychological distress, which may include prolonged anxiety, persistent depression, diminished self-esteem, and significant disruptions to academic performance and social relationships. This phenomenon underscores the urgent need for a systematic approach that integrates value-based education, robust digital regulations, and comprehensive protection and support mechanisms aimed at equipping adolescents to confront and navigate the growing threat of online sexual crimes in an increasingly boundless digital environment.

According to Dennis McQuail, as cited by Nur Ahmad Yasin, there are five degrees of media engagement in the digital age:¹³

1. Interactivity – Digital media allows for more flexible and dynamic interaction compared to previous eras.
2. Social Presence – Audiences can establish more personal connections with media through direct contact.
3. Autonomy – Users have the ability to control and curate their own media content, becoming independent sources.
4. Playfulness – Digital media provides entertainment and leisure for users.
5. Privacy – Individuals are free to present themselves in unique and personal ways, making media deeply individualized.

These five degrees illustrate how privacy has gradually shifted from a personal domain to public consumption. In today's digital landscape, private content is frequently shared on social media, with personal information such as location, habits, and shopping preferences easily recorded by various platforms.¹⁴ The rise of data breaches and unauthorized dissemination of private information highlights the vulnerability of personal life online. In this context, many users consciously or unconsciously participate in closed digital groups that may lead to activities such as fraud, illicit trade, exploitation, and deviant sexual behavior.

¹³ Nur Ahmad Yasin, "Tanggung Jawab Orang Tua Kepada Anak Di Era Digital Perspektif Hukum Keluarga Islam Di Indonesia", AL-HUKAMA: The Indonesian Journal of Islamic Family Law, Volume 08, Nomor 02, Desember 2018, 432.

¹⁴ Feryna Nur Rosyidah dan M. Fadhil Nurdin, "Perilaku Menyimpang: Media Sosial Sebagai Ruang Baru Dalam Tindak Pelecehan Seksual Remaja", SOSIOGLOBAL : Jurnal Pemikiran dan Penelitian Sosiologi, Vol. 2, No.2, Juni 2018, 39

Deviant behavior now emerges in digital social interactions, disrupting normative engagement. One prominent example is the Facebook group “Incest Fantasy,” which gained around thirty thousand members who shared sexual experiences with family members. The existence of this group reveals the lack of quality sexual education in digital spaces, particularly concerning misinformation about the body, relationships, consent, and the increased potential for sexual exploitation and online abuse.

Sexual education plays a vital role in the digital era, especially considering the rise in sexual crimes across Indonesia. Providing knowledge about sexuality is essential for children and future generations to prevent and minimize deviant acts.¹⁵ Sexual education helps individuals understand bodily boundaries, develop a sense of privacy and modesty (*hayā*), and recognize the rights of themselves and others from moral, cultural, and religious perspectives.¹⁶ This education extends beyond biological concepts, embedding ethical values, responsibility, and respect for healthy social relationships. Within the framework of Islamic family law, such understanding becomes foundational in preventing behavioral deviations like incest and other actions that contravene *sharī* norms.

V. CHALLENGES OF MEDIA LAW AND IMPLICATIONS FOR ISLAMIC FAMILY LAW

The virality of incest-themed fantasy content on social media signifies the failure of digital content monitoring mechanisms to safeguard public spaces that are morally and legally sound. Within the framework of media law, the main challenge lies in the blurred boundaries between freedom of expression and legal accountability for ethically deviant and socially damaging content. Law No. 1 of 2024, amending Law No. 11 of 2008 on Electronic Information and Transactions (ITE Law), prohibits the dissemination of

¹⁵ Rini Sugiarti dan Erwin Erlangga, “Sosialisasi Parenting Pendidikan Seksual Di Era Digital”, TEMATIK : Jurnal Pengabdian Kepada Masyarakat, Vol.5, No.2, Desember 2023, 76.

¹⁶ Raudhotul Janah, “Pentingnya Memberikan Edukasi Seksual Sejak Usia Dini Di Era Digital”, BUNAYYA: Jurnal Pendidikan Islam Anak Usia Dini, Vol. 2 Nomor 2, 2023, 13

immoral content. However, its enforcement is often hampered by appeals to freedom of speech and loopholes in digital platform policies.

Social media functions as an exceptionally powerful tool in the rapid and widespread reproduction of Orientalist representations—perspectives that portray the East, particularly the Islamic and Arab worlds, in stereotypical, inferior, and often dehumanizing terms. These representations were originally constructed within a Western colonial framework that viewed the East as the “Other”—exotic, backward, and irrational—in order to justify Western political, cultural, and economic dominance. Although formal colonialism has ended, the discursive legacy of Orientalism continues to persist and evolve through contemporary digital platforms. When social media is used to disseminate and normalize such narratives, it inadvertently revitalizes and reinforces these colonial logics within modern societies.

The speed, reach, and participatory nature of social media allow these biased representations to circulate with minimal resistance or critical engagement. As a result, ideas that ought to have been deconstructed and rejected instead become deeply embedded in current social and cultural structures. This phenomenon is clearly visible in the case of Syrian refugees in Türkiye, who have become targets of stigmatization, digital harassment, and symbolic violence due to the widespread consumption and reproduction of Orientalist content online. The normalization of such portrayals not only distorts public perception but also intensifies social inequality, reinforcing new forms of marginalization between majority and minority groups in an ostensibly postcolonial world. This underscores the need for a critical digital literacy that addresses both the historical roots and the contemporary consequences of Orientalist discourse in online spaces.¹⁷

Global platforms such as Facebook, YouTube, TikTok, and Instagram prioritize user engagement over adherence to local legal and cultural norms. This causes deviant content to easily go viral, fueled by public curiosity and controversy. Additionally, the lack of digital literacy and legal awareness

¹⁷ Sozen Basturk, “Exploring the impact of social media on Orientalist representations and its effects on Syrian refugees in Türkiye”. European Journal of Cultural Studies, Volume 28, Issue 2 <https://doi.org/10.1177/13675494241233714>

among users exacerbates the spread of content like incest fantasies, which clearly contradict legal and religious norms.

Incest, originating from the Latin *incestus* (impure), is referred to in Arabic as *ghishān al-mahārim*, *sifāh al-qurbā*, or *zinā al-mahārim*, meaning sexual relations between individuals forbidden to marry under Islamic law.¹⁸ Islam clearly prohibits incestuous relationships, as reflected in Qur'anic verse Surah An-Nisa (4:23), which outlines categories of women who are forbidden in marriage due to kinship, breastfeeding, or marital ties.

Ibn Kathir, in his *tafsir*, affirms that this prohibition covers both blood and marital relationships, including breastfeeding (*raqdā'ah*), and is further reinforced by Indonesia's Marriage Law, Article 8, which forbids marriage between individuals related by blood, affinity, or breastfeeding, and those prohibited by religion or legal regulations.

Incest is a form of sexual deviance that is explicitly prohibited in Islam and considered a serious violation of religious, moral, and social norms in Indonesia. Such behavioral shifts are not instantaneous but rather the result of a prolonged moral identity crisis, weakened religious education, and the failure of social systems to resist the tide of value liberalization. In the case of the "Incest Fantasy" group, deviant behavior is rationalized and openly shared in digital spaces, indicating a normalization of conduct explicitly forbidden by Islamic teachings and national law.

The prohibition aims not only to preserve the purity of lineage (nasab) but also to protect family structures from the psychological and social damage caused by deviant relationships. In the case of this group, members shared sexual experiences involving fathers, mothers, in-laws, and even underage children. This phenomenon highlights not only a moral decline in the digital age but also a significant lapse in online social control and oversight. Technology, in this context, has been misused to create deviant communities that justify each other's misconduct.

¹⁸ Abd. Aziz dkk, "Keharaman Pernikahan Sedarah (Incest) Ditinjau Dari Hukum Islam". IRTIFAQ: Jurnal Ilmu-ilmu Syariah, Vol. 6. No.2, September 2019., 153

From the perspective of Islamic family law, such deviance constitutes a violation of family honor (*hurmat al-usrah*) and the sanctity of relations among *maḥārim*. Family protection must be approached systematically—through strengthened religious education, content regulation, and firm legal action against those who produce and disseminate such harmful content. This is aligned with Article 1(2) of Law No. 23 of 2002 on Child Protection, which states:

“Child protection is all activities undertaken to guarantee and protect children and their rights so that they can live, grow, develop, and participate optimally in accordance with human dignity and to receive protection from violence and discrimination.”

The discourse surrounding *Maqāṣid al-Shari‘ah*—the higher objectives of Islamic law—inevitably brings forth the name of the distinguished jurist, Imam al-Shāṭibī, whose contributions have become foundational in the intellectual development of this field. His seminal work, *al-Muwāfaqāt fi Uṣūl al-Shari‘ah*, marks a pivotal shift in the understanding of Islamic legal theory by integrating the principles of *uṣūl al-fiqh* (Islamic legal methodology) with the broader ethical and teleological dimensions of Islamic law. Al-Shāṭibī's insights offered a more holistic and dynamic framework that views Islamic law not merely as a collection of rigid rules and legalistic norms, but rather as a living system oriented toward achieving human welfare, justice, and societal harmony through the protection of essential human interests. These interests, known as the *darūriyyāt al-khamsah* (the five necessities), include the preservation of religion (*hifẓ al-dīn*), life (*hifẓ al-nafs*), intellect (*hifẓ al-‘aql*), lineage (*hifẓ al-nasl*), and property (*hifẓ al-māl*).¹⁹

What distinguishes al-Shāṭibī's approach is his ability to harmonize classical jurisprudence with evolving human contexts, allowing the law to remain relevant and responsive across generations. In this regard, *Maqāṣid al-*

¹⁹ Aslati A., Agustar A., Silawati S., Arisman A., Arafah S., “Utilizing Science and Maqāṣid al-Shari‘ah in Resolving Contemporary Issues of Islamic Family Law,” *Al-Manāhij: Jurnal Kajian Hukum Islam*, Vol. 18, No. 1 (2024): 17, <https://doi.org/10.24090/mnh.v18i1.10571>.

Shari‘ah functions as a bridge between the immutable principles of divine law and the mutable realities of human society. His methodology demonstrates that legal rulings must serve the overarching objectives of the *Shari‘ah*, which inherently promote benefit (*maṣlahah*) and prevent harm (*mafsadah*). Therefore, a ruling that may have been deemed impermissible or irrelevant in earlier historical contexts might, under new conditions, serve a valuable social function and align with the *maqāṣid* framework. This dynamic aspect of Islamic law enables it to engage with contemporary issues such as technological change, social justice, and global ethics while remaining grounded in its core spiritual values.²⁰

Moreover, although not all modern Islamic legal scholars explicitly use the term *maqāṣid*, many contemporary discourses in Islamic legal philosophy—particularly those concerned with justice, rights, and social reform—implicitly rely on its logic and underlying principles. In this sense, the philosophical underpinnings of *maqāṣid* are deeply embedded in both normative and reformist traditions of Islamic jurisprudence. As such, the concept continues to serve as a crucial tool in the reevaluation and reconstruction of Islamic legal responses to modern challenges. The centrality of *Maqāṣid al-Shari‘ah* in contemporary Islamic legal studies affirms its status as not merely a historical theory, but a transformative methodology with profound implications for developing inclusive, ethical, and forward-looking interpretations of Islamic law. Therefore, as legal, social, and technological environments continue to evolve, the systematic development and contextual application of *maqāṣid*-based reasoning becomes not only desirable but necessary in ensuring the continued relevance and vitality of Islamic jurisprudence in the modern world.

In light of the *Maqāṣid al-Shari‘ah* framework, protecting children from incest-themed digital abuse aligns with key objectives: *ḥifz al-nafs* (protection of life), *ḥifz al-‘aql* (protection of intellect), and *ḥifz al-nasl* (protection of lineage). Victimized children not only lose their sense of

²⁰ M. I. Azis, E. Eril, A. M. Taqiyuddin BN, A. Salam, dan A. Arief, “*Maqāṣid al-Shari‘ah Theory by Imam al-Syāṭibī*,” ANAYASA: Journal of Legal Studies, Vol. 2, No. 1 (2024): 22, <https://doi.org/10.61397/ays.v2i1.191>.

security but also suffer deep psychological wounds, developmental trauma, and a damaged self-image and social function. From the viewpoint of Islamic family law, parents and guardians are entrusted with divine responsibility to protect their children; violating this duty constitutes a betrayal of their religious trust.

Similarly, from the media law perspective, the prevalence of deviant behavior on social media stems from the state's limited authority over foreign platforms and the slow legal response to harmful content creators and distributors. Meanwhile, the legal system has yet to fully ensure the protection of vulnerable populations—particularly children and adolescents—who are active social media users.

Thus, both the state and society must act as protectors, not only through penal measures but also through the spiritual, psychological, and social recovery of affected children, in accordance with the Islamic principles of justice and mercy. Strengthening family-based education, empowering religious scholars, and developing faith-based rehabilitation institutions are essential to actualizing the *maqāṣid al-shari‘ah* in providing holistic protection to victims of sexual violence, while integrating Islamic values into sexual education to ensure that children understand and respect bodily boundaries and the sacred limits prescribed in Islam.

VI. CONCLUSION

Based on the explanation above, it can be concluded that the viral phenomenon of the “Incest Fantasy” group is a stark reflection of a moral crisis exacerbated by weak social and legal controls in the digital era. The open rationalization and dissemination of sexual deviance via social media not only violate Islamic teachings and social norms but also reveal a systemic failure in protecting children and preserving the sanctity of the family institution. From the perspective of Islamic family law, such acts constitute a grave violation of family honor and the divine trust over life and lineage, both of which must be safeguarded in accordance with the core objectives of *maqāṣid al-shari‘ah*. In the context of media law, this phenomenon underscores the urgent need for stricter and more responsive legal

enforcement against deviant content, alongside enhanced protection measures for children in digital spaces.

ACKNOWLEDGMENTS

None.

COMPETING INTEREST

The Authors declared that they have no competing interests.

REFERENCES

Al Ayyubi, Ibnu Imam, dkk. "Peran Orang Tua dalam Pendidikan Islam Berdasarkan Q.S. At-Tahrim Ayat 6." *Al-Muhafidz: Jurnal Ilmu Al-Qur'an dan Tafsir* 4, No. 1 (2024): 79.

Amalianita, Berru, Utami Niki Kusaini, Sri Rahmah Ramadhoni, Siti Amanah, dan Hera Wahyuni. "Psikoedukasi Cyber Sexual Harassment sebagai Pencegahan Tindak Kejahatan Seksual pada Remaja di Era Digital." *Journal IICET Lentera Negeri* 5, No. 1 (2024): 52. <https://doi.org/10.29210/991240>

Arto, A. Mukti. *Diskusi Hukum Putusan Mahkamah Konstitusi RI No. 46/PUU-VIII/2010 Tanggal 17 Februari 2012 tentang Pengubahan Pasal 43 UU Perkawinan tentang Hubungan Perdata Anak dengan Ayah Biologisnya*, Makalah, 2012.

Aslati, A., Agustar, A., Silawati, S., Arisman, A., dan Arafah, S. "Utilizing Science and Maqāṣid al-Sharī'ah in Resolving Contemporary Issues of Islamic Family Law." *Al-Manāhij: Jurnal Kajian Hukum Islam* 18, No. 1 (2024): 17. <https://doi.org/10.24090/mnh.v18i1.10571>

Azis, M. I., Eril, E., Taqiyuddin BN, A. M., Salam, A., dan Arief, A. "Maqāṣid al-Sharī'ah Theory by Imam al-Syāṭibī." *ANAYASA: Journal of Legal Studies* 2, No. 1 (2024): 22. <https://doi.org/10.61397/ays.v2i1.191>

Aziz, Abd. dkk. "Keharaman Pernikahan Sedarah (Incest) Ditinjau dari Hukum Islam." *IRTIFAQ: Jurnal Ilmu-ilmu Syariah* 6, No. 2 (2019): 153.

Basturk, Sozen. "Exploring the Impact of Social Media on Orientalist Representations and Its Effects on Syrian Refugees in Turkiye." *European Journal of Cultural Studies* 28, No. 2 (2024). <https://doi.org/10.1177/13675494241233714>

Chen, X., Chang-Richards, A.Y., Ling, F.Y.Y., Yiu, T.W., Pelosi, A. and Yang, N. (2025), "Digital technology-enabled AEC project management: practical use cases, deployment patterns and emerging trends", *Engineering, Construction and Architectural Management*, Vol. 32 No. 6, pp. 4125-4154. <https://doi.org/10.1108/ECAM-09-2023-0962>

Djalaluddin, Marwadi, "Nilai-Nilai Keadilan dalam Harta Warisan Islam", *Journal Volume V*, Nomor 1, Januari-Juni 2017, pp. 109-123.

Fakih, Mansour. 2007. *Analisis Gender dan Transformasi Sosial*, Yogyakarta: Pustaka Pelajar.

Haar, Ter. 1990. *Asas-Asas dan Susunan Hukum Adat*, terjemahan R. Surbakti Presponoto, Let.N. Voricin Vahveve. Bandung.

Hadikusuma, Hilman. 1983, *Hukum Waris Adat*, Bandung: Alumni.

Janah, Raudhotul. "Pentingnya Memberikan Edukasi Seksual Sejak Usia Dini di Era Digital." *BUNAYYA: Jurnal Pendidikan Islam Anak Usia Dini* 2, No. 2 (2023): 13.

Lapian, L. M. Gandhi. 2012. *Disiplin Hukum Yang Mewujudkan Kesetaraan dan Keadilan Gender*, Jakarta : Yayasan Pustaka Obor Indonesia.

Latif, Mohammad Abd, Samad, dan Abd. Rasyid. "Analisis Surah At-Tahrim Ayat 6 Perspektif Tafsir Al-Qur'an Al-Adzim Karya Ibnu Katsir." *Al-Mizan: Journal of Islamic Studies* 1, No. 1 (2024): 80.

Lestari, Wira dan Sahrul Andri. "Substansi Tafsir Al-Maraghi tentang Menjaga Diri dan Keluarga dari Siksa Api Neraka: Analisis Q.S. At-Tahrim Ayat 6." *Indonesian Research Journal on Education* 4, No. 4 (2024): 1004.

Mahfudz, Sahal. 1999. *Islam dan Hak Reproduksi Perempuan: Perspektif Fiqh*, Cet.I, Bandung: Mizan, 1999.

Manan, Abdul. *Pembaruan Hukum Islam di Indonesia*. Jakarta: Kencana, 2017.

Prawiranegara, Syarifuddin. 1988, *Reinterpretasi Sebagai Dasar Reaktualisasi Ajaran-Ajaran Islam* dalam Iqbal Abdurrauf Saimima, (editor), *Polemik Reaktualisasi Ajaran Islam*, Jakarta: Panjimas.

Putri, Indah Pebruati dan Misbahuzzulam. "Implementasi Pendidikan Fitrah Seksualitas Anak Keluarga Muslim Kediri: Upaya Menjaga Generasi dari Penyimpangan Seksual." *Intizar: Jurnal UIN Raden Fatah Palembang* 30, No. 1 (2024): 41–49. <https://doi.org/10.19109/intizar.v30i1.22076>

Rochmad, *Pembagian Harta Waris Antara Anak Laki-Laki dan Anak Perempuan*, *Jurnal Hukum Khaira Ummah*, Vol. 12. No. 4 Desember 2017, pp. 785-799.

Rosyidah, Feryna Nur dan M. Fadhil Nurdin. "Perilaku Menyimpang: Media Sosial sebagai Ruang Baru dalam Tindak Pelecehan Seksual Remaja." *SOSIOGLOBAL: Jurnal Pemikiran dan Penelitian Sosiologi* 2, No. 2 (2018): 39.

Sammak, Jusalim. "Psikologi Anak Incest dalam Hukum Islam." *Maruki Journal* 2, No. 2 (2024): 34–42. <https://ejurnal.staiddimaros.ac.id/index.php/maruki/article/view/325>

Soekanto, Soerjono dan Sri Mamudji. *Penelitian Hukum Normatif*, Cet. 8. Jakarta: PT. Raja Grafindo Persada, 2004.

Soemitro, Ronny Hanitijo. 1994. *Metodologi Penelitian Hukum*, Jakarta: Ghalia Indonesia, 1994.

Sugiarti, Rini dan Erwin Erlangga. "Sosialisasi Parenting Pendidikan Seksual di Era Digital." *TEMATIK: Jurnal Pengabdian Kepada Masyarakat* 5, No. 2 (2023): 76.

Syarifuddin, Amir. *Hukum Perkawinan Islam di Indonesia: Antara Fiqh Munakahat dan Undang-Undang Perkawinan*. Jakarta: Kencana, 2006.

Tenri Beta, Hilmawati Usman dan Muhammad Habibi Miftakhul Marwa. "Konsep Tanggung Jawab Hukum Orang Tua terhadap Perkawinan Anak." *Jurnal USM Law Review* 6, No. 3 (2023): 1092.

Umar, Hasbi, Husin Bafadhal, dan Ika Rusmayanti. "Kedudukan Hukum Anak Lahir Diluar Nikah dari Hubungan Sedarah (Incest) Menurut Hukum Islam dan Hukum Positif." *Adhki: Journal of Islamic Family Law* 4, No. 1 (2021): 35–45. <https://doi.org/10.37876/adhki.v4i1.120>

Yasin, Nur Ahmad. "Tanggung Jawab Orang Tua kepada Anak di Era Digital Perspektif Hukum Keluarga Islam di Indonesia." *AL-HUKAMA: The Indonesian Journal of Islamic Family Law* 8, No. 2 (2018): 432.