

## Online Prostitution in Hindu Law Perspective

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### ABSTRACT

Today's prostitution can be easily found, because only by using social media applications, prostitutes can carry out sex transactions. Prostitution is a classic problem that is very difficult to eradicate from time to time, because some are covert and many parties use it for various reasons. Among other things, family problems, economy, lifestyle and so on. The impact is certainly disturbing the community. Whereas in national law and Hindu law the sanctions are very clear, but this practice still occurs. Legal theory is used to discuss it. The results of data analysis in this research paper are presented in descriptive analytical or informal form. With data collection methods using primary data and secondary data sources, by tracing existing documents, the technique of determining informants is the Snowballing Sampling model technique. The existence of prostitution has been existed long before social media developed, prostitution occurred in ancient times (Greece). The legal consequences of prostitution according to Hindu law can be fined up to the death penalty according to *Manawa Dharmasastra*, in customary law sanctions are *Sangaskara danda (priyascitta)* in national law, perpetrators can be snared by the Criminal Code and UUITE. The role of law enforcement in handling prostitution must be maximized by collaborating with religious leaders, traditional leaders and the community to provide vocations and counseling to the community against the dangers and threats of punishment for prostitutes on social media.

Key words : *Prostitusi, On Line Prostitution, Hindu Law Perspective*

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### I. Introduction

Prostitution is a classic problem that is very difficult to eradicate, its development follows the times and Along with current technological advances, there has been a shift in the phenomenon of prostitution that is common in society. Prostitution that started from a localization place has now turned into online prostitution which is considered easy to reach by various groups of people through internet access in the form of social media. Online prostitution is starting to be popular with some sex workers because it is considered wider access to find customers and also the customers are also more benefited, because their access will be easier and more efficient. Through social media (WA, Michat, Telegram, Instagram, etc.), customers no longer need to come to the localization or to the

places where these prostitutes usually operate. On the other hand, it is these sex workers who will go directly to their customers directly, because their photos can now be viewed easily through their consumers' androids which are now owned by almost all levels of society in the world who have internet access.

The rise of prostitution has now penetrated among students and other women as perpetrators of sex workers or prostitutes. Students are one of the favorite choices by most customers because they are considered young and beautiful with various dating rates. The shift in women's behavior from the beginning to study now has another side task, namely being perpetrators of sex workers or prostitutes. (Gendis. 3:2016)

To trace the existence of prostitution with this model is indeed quite difficult. In addition to the very large number, their existence is also scattered from various places. In cyberspace, anyone can be someone else, using a fake name and address. In general, localization or embroidery houses can be raided or closed by the authorities and the community, however, for online social media accounts owned by prostitutes and pimps it will be very difficult to stop. Because if one account is closed or blocked, they can easily create another account with a new name and appearance without spending any money at all.

The phenomenon of online prostitution also occurs in Bali, as a tourism destination, of course Bali also has many problems in the form of jobs, increased criminalization and cases of prostitution. The proliferation of places of prostitution that can be detected there are several localization places, including the preparation terminal, Bung Tomo Ubung area, Sanur, Padang Galak and many other places that allow sex transactions to occur. What makes it sad is that apart from women from outside Bali who become prostitutes, lately many Hindu women in Bali have peddled themselves on online social media with various reasons for carrying out this prostitution. Whereas Hinduism forbids women to become prostitutes because it is a big sin.

Hindu women have a very noble position in *Yajurveda* XIV.21 Stating "O woman you are a brilliant pioneer, steady, supporter who feeds and enforces the rules. We have you in the family for long life, brilliance, prosperity, agricultural fertility and prosperity." *Rigveda* VIII.33.19 states "A woman, wife or mother should

also be gentle in appearance and take good care of every part of her body. "O women, when you walk, look down, don't look up, and when you sit, cover your feet tightly." From the quote from the verse, the position of Hindu women is very noble, if a Hindu woman has prostituted herself for whatever reason, the punishment is very clear and is a big sin. If there is a Hindu woman who becomes a prostitute, it is like a woman who is like a bitch, who can destroy the surrounding community. *Sarasamuccaya* 435 states "The habit of bitches and Masher men always causes misery for others, it is also what keeps people away from work obligations and routines; those who are wise are aware of it and will not be tempted by the pleasures of lust for a moment."

This research paper will discuss about online prostitution in the perspective of Hindu law, how Hindu law views and examines related to prostitution and how the punishment is applied to the perpetrators. The research paper uses Legal Theory to dissect it. The results of the data analysis in this research paper are presented in an analytical or informal descriptive form. With data collection methods using primary data and secondary data sources, by tracing existing documents, the technique of determining informants is the Snowballing Sampling model technique.

## **II. Discussion**

Prostitution or it can also be called prostitution comes from the Latin word *pro-situare* which means allowing oneself to commit adultery, commit acts of prostitution, sexual immorality, and prostitution. In English prostitution is called prostitution which means not much different from the Latin language, namely prostitution, prostitution or immorality. People who commit acts of prostitution are called prostitutes, also known as *WTS* or Prostitutes (Kartini Kartono.1997:177).

G.May in his book *Encyclopedia of Social Science* quoted by Kartini Kartono, G.May emphasizes the issue of barter or trade in exchange, namely exchanging sexual services for money, gifts or other valuables. The prostitute prioritizes commercial motives or reasons for material gain. While the men prioritize the satisfaction of sexual desires. A less moralistic definition of prostitution proposed by Gagnon J.H (1968) in his book *Prostitution in the International Encyclopedia of*

Social Science, as quoted by Thanh-Dam Truong in his book *Sex, Money and Power*, views prostitution as granting sexual access on a non-discriminatory basis. To obtain rewards in the form of goods or money, depending on the complexity of the economic system. Payments are recognized for specific sexual behavior. So prostitutes are defined as professionals based on monetary exchange and the scarcity of services provided. This service is assumed not to be available within the scope of non-commercial sexual intercourse.

According to the wider community, prostitution is intercourse between a man and a woman without being bound by a legal marriage charter. This act is despised from a moral and moral point of view, a sin according to religion, despicable and disgusting according to the assessment of the people in Indonesia. However, prostitution is a profession and a business area for economic purposes. Back to the discussion about online prostitution whose meaning is still not clear, therefore there needs to be a word mapping. Online prostitution is divided into two words, namely prostitution whose meaning has been discussed above and the word online in Indonesian means connected. In fact, these two words are difficult to translate into one meaning. This discussion about online prostitution discusses the practice of prostitution or prostitution using internet or online media as a means of transaction for those sex workers and those who want to use their services. Although if we want to deepen the meaning, the notion of online prostitution is a prostitution transaction that uses the internet as a means of connecting between prostitutes and those who want to use their services. So the internet is only as a means of support or liaison only. Unlike in general, *PSK* (whore) transactions are waiting for their customers on the side of the road. All the definitions mentioned have their own problems because they are defined from different societies which basically have different social and moral standards regarding prostitution or prostitution.

Based on the description above, it can be concluded that there are at least four main characteristics in the definition of prostitution that can be enforced, namely: payment, infidelity, emotional indifference, livelihood. In many of the above definitions and discussions of the literature money as a source of income is considered the most common factor in the world of prostitution. The act of adultery

is one of the dominant causes that cause the destruction and destruction of civilization, transmitting very dangerous diseases, encouraging people to continue to live celibate and the practice of living together without marriage. Thus adultery is the main cause of poverty, waste, fornication and prostitution.

Because of the above reasons, Hinduism prescribes harsh and severe punishments for adultery. The punishment is indeed heavy but still light compared to the crimes inflicted by the act of adultery itself against society. For this reason, Hindu law chooses which one is lighter between giving severe punishments to adulterers and taking into account the interests of the general public (*Manawadharmasastra*. 2002).

Talking about prostitution is endless, they are prostitution workers who are increasingly sophisticated and modern in doing their jobs. In this digital era, prostitution workers do not want to be left behind in utilizing existing technology. They hope that by taking advantage of the availability of technology, it can make their work easier. One technology that is very easy to use is internet services, namely through social media.

The impact of the practice of prostitution is very much, among others; 1). Annoying local residents because their children could fall into the trap; 2). High crime rate; 3). Spread of Infectious Diseases The existence of commercial sex workers is accused of being one of the causes of the spread of the Human Immunodeficiency Virus HIV, Acquired Immune Deficiency Syndrome (AIDS) through sex with multiple partners.

KUHP (Code of Civil Law) Article 296 . states that: "Whoever intentionally causes or facilitates obscene acts by others with other people, and makes it a search or habit, is threatened with a maximum imprisonment of one year and four months or a maximum fine of fifteen thousand rupiahs." in this law it is too weak and too light because the law does not include a minimum, besides that the impact of prostitution such as only drugs makes it addictive and repeats itself.

Anggreni, who is an observer of women, deeply regrets that every year many women fall into prostitution, either covertly through social media or in real terms with various modes, in an interview she said:

Whatever the reason, women should be able to maintain their chastity, not because life and lifestyle guidelines legalize all ways to earn money, for example by prostitution. Whereas in Hinduism it is strictly prohibited, but in fact prostitution is increasing in the city of Denpasar in particular.



Picture

Five Commercial Sex Workers (CSWs) were arrested by the Bali POLDA Bali Police Concentrated Operations Task Force when transacting online  
Document : SiteBali.com, accessed 16 June 2022

Hinduism views prostitution as a sin, because in Hinduism, a woman's body is like the milk of life for the next generation, those who trade the milk of life in Hinduism's view are a lifelong curse. In Manavadharmasastra Sarasamuscaya, and Parasaradharmastra, sex is always considered a sacred thing which is only allowed after going through the process of pawiwahan which according to Manawadharmasastra there are eight ways. The unpardonable sin is cheating. People who fall into infidelity and prostitution and until the end of their lives there is no moral improvement, in later reincarnation they will be transformed into lowly beings. It's hard to reincarnate into a human again. The punishment for prostitution is very severe, in addition to the cleansing ceremony or prayasciita.

To trace the background of someone visiting prostitution is very difficult anywhere, because the problems that surround it are clear and closely related from one cause to another. However, the existing factors can be broadly distinguished, including:

1. Moral Factor

- a. The existence of demoralization or low moral factors, piety of individuals and society and lack of devotion to religious teachings.

b. Educational standards in their families are generally low

c. The development of pornography freely and wildly.

2. Economic Factor

The existence of poverty and the desire to achieve the luxury of life, especially with shortcuts and easy. Without having to have special skills, despite the fact that they are illiterate, have low education, short-minded so that they justify prostitution.

3. Sociological Factors

An invitation from his local friends who had already entered the world of prostitution. Because their experience and education is minimal, they are easily persuaded and tricked by men. Especially by promising a respectable job with a high salary which is finally thrown into prostitution. Psychological Factors. Disorganized family relationships, overly stressful and sexual experiences in the family as well as traumatic experiences (soul wounds) and a sense of revenge caused by things such as failure in marriage, being married, being tainted by a lover who is then abandoned.

4. Laziness factor

The factor of laziness is usually caused by low psychic and mental, not having religious and ethical norms in facing life's competition. Only with physical capital, beauty so easily collect money.

5. Biological Factors

The existence of an abnormal sexual desire, not integrated in the personality that is not satisfied having sex with one wife/husband.

6. Juridical Factor

There is no law that prohibits prostitution and there is no prohibition against people who have sex before marriage or outside of marriage, but it is prohibited by law to be pimps and pimps.

7. Supporting Factors

The existence of media or supporting tools in carrying out prostitution activities greatly affects those who work in this field. With the existence of supporting technology such as the internet and cellphones, it is easy for someone to transact prostitution.

The factors mentioned above are generally used as an excuse by a prostitution worker so that he wants to do work which in society is considered oblique and interferes with married life. However, in online prostitution which is very concerning now, it is the supporting factors that are the problem. The seven factors that cause prostitution will become easier to implement with these supporting factors. The internet is something that is often used in prostitution transactions. Sex workers are no longer waiting for customers on the side of the road, but with this support they can be very exclusive because their customers can contact prostitution workers using only this medium.

In the view of Hinduism, women have an important role. Namely as a "means" of the realization of *Punarbhava* or reincarnation. From here also developed the term *Sukla Svanittha* which means "seeds" or fetuses conceived by humans. Since experiencing the first menstruation, a woman is considered an adult, and is also a sign that she has the ability to get pregnant. Therefore, the civilization of the Indus river valley in India since thousands of years ago has always respected and treated women carefully, especially when she was menstruating. The role of women when they become wives can be said to be *Dharma* practitioners, because the things they do are: conceiving, giving birth, caring for babies, and so on, teaching and educating children, preparing Hindu ceremonies in the household, loving husbands, caring for children, mother in-laws, etc.

The role of the husband can be said to be a practitioner of *Shakti*, because with his mental and physical abilities he works to earn a living for his household life. This combination of *Dharma* and *Shakti* fosters the dynamics of life. Therefore, the wife is also referred to as "*Pradana*" which means the keeper, and the husband is referred to as "*Purusha*" which means the successor of the offspring. A woman who has become a wife must be taken care of properly. as mentioned in the *Manava Dharmasastra*, namely as follows:

*Socanti Jamayo Yatra, Vinasyatyacu Tatkulam,  
Na Socanti Tu Yatraita, Vardhate Taddhi Sarvada  
(Manava Dharmasastra III.57)*

Translation:

Where women live in sorrow, the family will quickly fall apart, but where women do not suffer, the family will always be happy.

Considering how important and sacred the role of women in the household is, parents pay special attention to the education and teaching of girls from a young age. The hereditary traditions in the Hindu family environment, for example, a daughter must be more diligent than a son. Various women-based non-governmental organizations such as Bali Sruti, which was formed in 2004, require that women's abilities are more equal in terms of culture to politics. However, if we return to the concept of gender inequality from Fakih (1999), the issue of inequality and the lack of women's roles in national development is more due to indirect factors, with open regulations, but in its implementation only one party benefits.



Republic Indonesia's Law NO. 11 of 2008 concerning Information and Electronic Transactions (UU ITE), Article 27 of the ITE Law, specifically in paragraph (1) mentions the word immorality which means related to pornographic matters. This article does not mention what things are meant by immorality. Actually there are several parties who are the subject of this online prostitution crime, namely: Service Users, Service Providers, Owners of online prostitution websites, Server owners.

So it is clear that what is meant by online prostitution as regulated in the ITE Law are sites that display or provide content that violates decency whose purpose is nothing but to make money by displaying pictures of commercial sex workers, without any other purpose such as to educational needs, medical therapy, and so on. The provisions regarding sanctions in the ITE Law are contained in Article 45 paragraph (1) concerning Criminal Provisions: Anyone who fulfills the elements as referred to in Article 27 paragraph (1), paragraph (2), paragraph (3), or paragraph (4 ) shall be sentenced to a maximum imprisonment of 6 (six) years and/or a maximum fine of Rp. 1,000,000,000.00 (one billion rupiah). This article threatens to impose criminal penalties for anyone who commits several crimes, one of which is Article 27 paragraph (1) regarding online prostitution with a maximum imprisonment of 6 years and/or a maximum fine of 1 billion rupiah.

In Hindu law, sanctions are imposed on cases of prostitution/prostitution.

"If someone touches a woman in a part that does not have to be touched or allows someone to touch that part, all those actions are done with mutual consent, it is declared as adultery" (*Manawa Dharmasastra* VIII.358).

Excerpts from the *Manawa Dharmasastra* VIII verse. 356 and 358 imply that we should not talk, even touch a woman in a part that does not have to be touched or let someone touch that part, all of these actions are done with mutual consent, declared as adultery, we are reminded to always be careful about the status of women that must be respected.

"If a man and a woman, with the expectation of having sex, use footwork or secretly have an offensive conversation (a pornographic conversation), the fine for the woman is twenty-four pana, double that for the man (48 pana)" (*Kautilya Arthasastra*, III.3.59.25).

“For those who touch the hair, tie down clothes, teeth, nails. The lowest fines for violence (to be imposed), double for men. And in the case of a conversation in a suspicious place, the caning penalty can be replaced with a fine in pana. (Kautilya Arthasastra, III.3.59. 26-27)

“If (the wife) leaves her husband's house, goes to another village, the fine is twelve pana as well as forfeiting gifts and jewelry” (Kautilya Arthasastra, IV.3.59.16). “Or if he goes in the company of a man with whom sexual intercourse is possible, the fine will be twenty-four pana and forfeit all rights, except for the provision of maintenance and accompaniment during that period” (Kautilya Arthasastra, IV.3.59.17).

The three verses of the Kautilya Arthasastra state that if a man and a woman, with the hope of having sex, use footwork or secretly engage in immodest conversations, touch hair, tie down clothes, teeth, nails. The fine is lowest for violence, Or if she goes in the company of a man with whom sex is possible. So the act is seen as adultery, the punishment is very heavy accompanied by a large fine, it should not be done because it will cause conflict in society. Strengthened by Sarasamuccaya Sloka 153 states:

*Kaparadaran fish, sarwadyani tan ulahakena ika*  
*Hawya angulahaken foreign amuhara alpayus*

Translation:

Regarding seducing/raping women,  
don't do all that.  
Also don't do anything that shortens your life.

*Sarasamuccaya sloka* 153 has very clearly stated that the act of seducing women who are not right/prostitutes, in this case raping, should not be done because it can shorten life. The point is that if a person's thoughts and actions are always purely sexual orientation there will be destruction, his brain will be damaged quickly. Because the outlet must be in negative things, one of which is raping. If caught by the family or husband, especially in an emotional state, the perpetrator could be killed immediately, this could be one factor in shortening life. If the perpetrators of the saints or knights can cause physical and physical exhaustion because their orientation is always purely sexual, causing death to come closer. So don't even think about raping women.

The Punishment for Violence According to Manawa Dharmasastra is contained in Book VIII of Sloka 367, 368, 372, 373 where the punishment is very severe for husbands who commit violence against their families, while the verse explains:

*That's Abhisahya kanyam  
Kuryaddarpaṇa manawah  
Tasyaṣu Kartye anggulyan  
Dandam carhati sat atam (MDS. VIII.367)*

Translation:

If a man with the intention of insulting and defiling the woman with violence, two fingers of his hand will be cut off immediately and fined for six hundred pana

*Sakamam dusayam stulyo  
Naggulicchadamapnuyat  
Dwiṣatam is damam dāpyah  
Prasangawini wrttaye (MDS. VIII:368)*

Translation:

Men who insult women who both love them are not punished by cutting off their fingers but are fined as much as two hundred pana so that they don't do it again.

*Pumamsam dadayet papam  
ayane tapta ayase  
Abhyadadhyuṣṣa kashani  
Tatra dahyeta papakrt (MDS. VIII: 372)*

Translation:

Men who do wrong to be burned in a bed of hot iron: piles of wood will be placed under him until the sinner is burned to death.

*Samwatsarabhi astaya  
Dustasya dwiguno damah  
Wratyaya saha samwesa  
Candalya tawadewa iti. (MDS. VIII:373)*

Translation:

A man who once made a mistake and then within a year was found guilty, was punished with twice the punishment that must be given. Including intercourse with a Wratya and Candali

The excerpt of the *Manawa Dharmasastra* verse contained in Book VIII of Sloka 367, 368, 372, 373 is very clear that if the perpetrator of prostitution insults and defiles the woman with violence, two of her fingers will be cut off, if they both like it they are not punished with cutting their fingers. his fingers but was fined as

much as two hundred hot so that he would not repeat his actions. And an even more sadistic application of Hindu law is that if the perpetrator of a prostitute who has committed a crime is to be burned in a hot iron bed: a pile of wood will be placed under it until the sinner is burned to death. This is the punishment for prostitutes so that others do not repeat it. So atmanastuti as a source of Hindu law provides inner satisfaction for husbands or wives who have been betrayed, or victims of prostitution are satisfied with the punishments that have been received by the perpetrators, this is in line with the application of Law No. 17 of 2016 concerning changes to the child protection law, which is a minimum sentence of 10 years and a maximum of 20 years in prison, if the victim is a child, the punishment is castration. This is also confirmed in the Book of *Dharma Sastra* verse 432, verse 433, verse 439.

*Antakah pavano mrtyuh patalam vadavamukham  
Ksuradhara visam sarppo vahnirityekatah srtiyah*

Translation:

The catastrophe caused by the flames of lust that make men pursue women for the pleasure of sex alone – is more than the catastrophe caused by hurricanes; Dead; the despicable life of underground creatures (such as worms and so on); burning sea; very sharp knife edge; can; a venomous snake bite or bite; and uncontrolled fire or fire. Again, the meaning here is that lust and seeing a woman as a sex object is what causes disaster.

Dharma Literature 433

*Anayamiva matsyanam panjaram sacneriva,  
Samastapasam mudhasya bandhanam vamalocana*

Translation:

As a fisherman's net catches fish; a hunter's cage holds, imprisons birds – even so carried away by lust, a glance or glance in the eyes of a beautiful woman is enough to seduce a foolish man. The meaning is that, under the influence of lust, a man, or vice versa, a woman can interpret ordinary glances as inviting glances and allow herself to be trapped.

*Dharmasastra 439*

*Angarasadrsi nari ghrtakumbhasamah puman,  
ye prasakta vilinaste ye sthitaste pade sthitah*

Translation:

A woman is like a burning coal. A man is like a cup full of ghee, an oil/butter made from whole milk. If a man approaches a woman, then surely she will melt. If it is far apart, it remains frozen, it remains firm.

This verse is advice for ascetics, ascetics, as well as young people who are still studying - both young and old - to always take care of themselves.

Dharmasastra 443

*ko hi the name is manusyesu janannapi vicaksanah.  
harinipadamatrena carmana na khalikrtah*

Translation:

no matter how wise a person is, he is still vulnerable to sexual temptations - to genitals the size of deer footprints. The meaning is that sexual temptations must be overcome; and all actions that violate the noble values of wisdom or dharma, must be avoided.

Dharmasastra 444

*prasvedamaladigdhenahata mutrasonitam,  
vranena vivrtenaiva sarvvamandhikrtam universe*

Translation:

Lust and genitals, have really confused the whole universe; So many people see the genitals as a means for sexual gratification only. Not paying attention to other functions that are more important. For example, as a drainage channel for urine and as a means of reproduction to produce offspring who can contribute to society.

Dharmasastra 445

*Kulani nasya patyante na kathamapi khayante,  
Khanakaiva ksayam yati balana ca dhanena ca*

Translation:

Due to uncontrolled lust, a person can be the cause of the disappearance of his dignity and self-worth, as well as the good name of the family. by continuously serving lust, one loses all power, even one's wealth. The understanding is that because of pursuing lust day and night, he makes himself weak and cannot work properly, because all his attention and consciousness is focused on lust alone.

The quotation of *Dharmasastra sloka* clearly states that it is the body or lust that causes attraction, longing, and desire to possess; and dvesa or disinterest that develops into hatred. Lust is very strong, even the sages can be conquered by it. So it is recommended to humans to always be satisfied with what they have achieved, this achievement must be based on the path of dharma.

*Kutara Manawa* also stated that the crime of prostitution can be subject to sanctions in the form of fines and corporal punishment, as contained in articles 36, 37, 110, 119. 159

Article 36

If a male bachelor jokes with a woman in a quiet place, on the road, in the fields, in the fields and wherever he is, the bachelor must be fined 5 peku, "kaluta-luta" is the name of the mistake.

Article 37

If women are persuaded by men, then they are invited to the fields, to the fields. That is, as a person who likes to be happy, the man must be fined 5 peku, "Aprenesa" is the name of the mistake.

Article 110

There are men who have sex with men who are also "Badawasa" whose name is wrong, they must be sentenced to death, if it is granted to pay money, they must be fined 40 peku falls on the man who is raped, because it is equated with prostitution.

Article 159

This is what is called a "disaster Guru", even though he is a teacher, if he commits a crime *Atatayi*, it is permissible for his student to destroy his teacher.

*Kutara Manava* names each error in Prostitution with different names, among others, *kaluta-luta*, *Aprenesa*, *Badawasa*, *Badawasa*. In addition to paying a fine, the perpetrator can be sentenced to death for homosexual issues (*badawasa*), and a teacher commits a mistake in part of *atatayi* called *amungpang*, namely molesting or raping women.

Prostitution is also contained in article 44 and article 52 of the *Manawa Swarga* text as follows.

*Amrakara kriya lalih, sasobhasem awa sasem, syaka dyem sakascawah, sarwwa sangghrahani smretih.*

*Wang kalebu ring sanggraha. Yan ing stri swawarah. Sa-lwira ning awarah. Amamahugi, asisiwo, anggamel itangan, angganggo bhusana, angas I palungguhan. Nguni tan ana dandha.*

Translation:

For people who are involved in illicit relations with women (*zinah*), if it is the woman who claims to be; regarding matters such as: giving betel, joking, holding hands, putting on his clothes, replacing his seat. It does not carry a fine.

Paratriya yoja madet. Kirtya panna wade piwa, madwi bhasmya pi sano ddhah, ite sangghama wa pnuyati.

lkang stri sanggraha. Saying the opponent stri fishg len. Ring sunya, ring tirtha kubon. Gaga ring, paddy field ring, pedestal ring, coral ring. S-prakara ning asep. Yeka mangguhaken sanggraha, dandha 20,000. its roughness.

Translation:

For a man who is accepted by a woman who is already married, conversing in a quiet place such as: in the shower, river, spring, in the garden, in the rice fields, in the forest, in the yard of the house, or in any place. the quiet one; such a thing can already be called a relationship that serves the man, a fine of 20,000. this is called casemaran.

The description of the sloka implies that, for those who converse in a quiet place, namely between a woman and a man without a husband and wife relationship, they can be said to have had an illicit relationship or adultery is called prostitution. All crimes of prostitution start from the family, because it is in the family that a person's growth and development will step into life, so the family is the initial phase of a crime, if it is manifested incorrectly.

Interview with the Chairman of PHDI Bali, Mr. I Nyoman Kenak, SH stated:

Seeing from the imposition of sanctions for perpetrators of prostitution is really terrible from the point of view of the application of Hindu law, from the sanction of cleansing, being expelled until being burned alive, very far from the imposition of national law which carries a maximum sentence of 12 years in prison, therefore stay away from prostitution behavior, and be satisfied with our partners, because betraying the wife, and women is a very big sin in Hinduism.

Hindu law enforcement must be applied to perpetrators of prostitution, the aim is to provide a sense of justice in society, especially the victims, the maximum penalty in national law is 20 years in prison and castration, but in Hindu law it is the death penalty, namely burning, if necessary, Hindu legal sanctions for The perpetrators of this prostitution have become input for the government and are applied to the crime of prostitution whose victims are children, because Indonesia is in an emergency for child predators, because almost every day, there are acts of sexual violence against children, even killings accompanied by sexual violence. So the heaviest punishment in Hindu law needs to be included in national law. If it has been implemented and socialized to the community, then the crime of prostitution tends to decrease.

### III. Closing

Prostitution is an act that is against Hindu law and national law. Contrary to Hindu law, because this act violates the rules of life contained in Hindu legal sources, such as *Manawa Dharma Sastra*, *Bhagawadgita*, *Sārasamuccaya*, *Nitisastra* and other sources of Hindu law. Prostitution is against national law because it is against the Criminal Code (KUHP).

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