



Characteristics of Kiblat Films and The Application of Article 156a KUHP To Blasphemy

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Abstract - This research examines the characteristics of the 'Kiblat' film that caused controversy and the implementation of article 156a KUHP to blasphemy cases. This research aims to clarify whether the film 'Kiblat' is blasphemy or freedom of expression, as well as ensure consistent legal protection for religious people, enforce the law against blasphemy, and prevent potential social conflicts. This study uses a type of normative legal research. The results of this study show that the 'Kiblat' film is considered to insult Islam by displaying religious symbols inappropriately. This raises concerns about the negative impact on religious harmony and violates Article 156a KUHP regarding blasphemy. Laws such as the ITE Law also function to regulate the dissemination of content that can cause hatred, especially related to religion. The government has an important role to play maintaining a balance between freedom of expression and respect for religious values.

Keywords: Article 156a KUHP, Blasphemy, Qibla Movie.

I.INTRODUCTION

Blasphemy on social media is increasingly rampant along with the rapid development of technology, caused by a lack of understanding and tolerance between religious people. Cultural and social factors also play a role in the weak law enforcement, which allows the rapid and widespread spread of content that is considered insulting to religion (Nasrullah Rulli, 2017). Blasphemy cases are often a sensitive issue in Indonesia, considering the diversity of religions and beliefs that exist in the country. Every religion has sacred symbols, such as God, Prophets, holy books, and places of worship, which should not be despised. If these symbols are insulted or blasphemed, it will trigger a strong reaction from the followers of the religion. Blasphemy often occurs through speech or writing that is contrary to existing religious beliefs.

Blasphemy refers to an act that is considered degrading or insulting to a particular religion or belief. In this case, some parties argued that the film exceeded the limits of freedom of expression and degraded religious beliefs, which then triggered a lawsuit under Article 156a of the Criminal Code. This film is an example of how artwork can trigger diverse reactions from society, especially related to sensitive issues such as religion. Therefore, it is important to understand the context and background of each blasphemy case so that it can be assessed objectively and fairly. In Indonesia, Article 156a of the Criminal Code (KUHP) stipulates that anyone who deliberately expresses feelings or commits an act that leads to hostility, insult, or blasphemy against a religion recognized in Indonesia, can be sentenced to imprisonment.

The purpose of the application of Article 156a of the Criminal Code is to maintain harmony between religious communities and prevent potential conflicts due to acts that are considered blasphemous. However, the application of this article often raises debates regarding the limitations of freedom of expression and human rights. Therefore, it is very

important to maintain a balance between religious protection and freedom of expression, so that there is no abuse of the law to silence criticism or dissenting views. The production house Leo Pictures released a trailer, synopsis, title, and poster for the horror film 'Kiblat' on March 21, 2024, which caused a negative reaction from netizens, especially twitter users or now better known as X and TikTok. This film reaped controversy because it was considered to contain content that blasphemed Islam which led to legal reporting by several community groups who felt offended.

Blasphemy is deviant behavior that has the potential to trigger hostility, harassment, and insults to religion so that it can cause intolerance among religious people (Fahrudin et al., 2024). Although the government has established relevant regulations, there are still many cases where some people are unaware or even deliberately spread words, images, or videos that contain blasphemy elements (Al Ghany et al., 2022). The application of the provisions of Article 156a of the Criminal Code (KUHP) and Law Number 1/PNPS/1965 concerning the Prevention of Abuse and/or Blasphemy of Religion in the context of media and art, especially in the film industry, is still a significant subject of debate among academics and legal practitioners. The interpretation of these laws and regulations in the realm of artistic creativity gives rise to a complex debate about the balance between the protection of religious opinions or views and freedom of expression.

Therefore, the research focused on the Characteristics of Kiblat Films and the Application of Article 156a KUHP to Blasphemy with the formulation of the problem, namely what are the characteristics of the content in the Kiblat horror film which is considered to contain elements of blasphemy? and how are the provisions of article 156a KUHP concerning blasphemy applied in the context of the Kiblat horror film? This study aims to analyze the influence of the horror film 'Kiblat' on blasphemy in a positive legal perspective as well as whether the horror 'Kiblat' film is included in blasphemy or just freedom of expression in the film industry and examines article 156a KUHP related to the horror Kiblat' film ', this study seeks to provide legal clarity on the influence of horror films in the spread of blasphemy.

The importance of this research is to protect religious people from deviations and law enforcement in every blasphemy case more firmly and consistently. Legal protection against blasphemy cases in Indonesia still shows inconsistency, causing legal uncertainty and potential human rights violations. Lack of clarity in legal protection against blasphemy has the potential to trigger social conflicts and threaten harmony between religious believers in Indonesia. Therefore, it is necessary to reform the legal framework to ensure that protection against blasphemy can be carried out fairly without neglecting freedom of expression. In the context of legal awareness, understanding to increase public awareness of the limits of freedom of expression in the film industry, especially related to religious content. In the context of religious pluralism in Indonesia, it can be interpreted as an effort to prevent social conflicts triggered by insults to religious symbols in film works.

This research offers a unique contribution by highlighting the implications of positive law. Previous research such as choosing Haryanto who examined several cases of alleged blasphemy in the national film industry. The main factors in determining whether a work is considered blasphemous or not are ambiguous interpretations of the law and increasing social pressure. The result obtained is that there is still a gap in the literature regarding the filmmaking process with the religious sensitivity of the community. Hoover and Lundby then examined the representation of the role of digital media in expanding the distribution and impact of controversial films, showing that online platforms have changed the dynamics of the debate about blasphemy. Therefore, this research brings novelty by exploring Indonesian positive law, especially article 156a of the Criminal Code how it applies to blasphemy cases. Thus, it is hoped that this research can contribute to the understanding of the legal framework and its implementation in handling blasphemy cases.

II. METHOD

In preparing this writing, the author employs normative legal research, Normative law research in general examines law as a rule or principle that applies in society and serves as a behavioral guide for each individual (Rifa'l et al., 2023). Normative legal research is defined

as legal research that is carried out by relying on literature studies or secondary data only. It is studied using description, explanation and analysis by applying data collection techniques through literature studies which aims to complement the research with literature sources. The approach taken in this scientific paper uses a legislative approach (statute approach), which is an approach that is carried out by analyzing all laws and regulations related to the legal issues that are being handled (Marzuki, 2019), Then this approach uses a legal approach and analyzes article 156a of the Criminal Code concerning blasphemy against cases that occurred in the 'Kiblat' film. a conceptual approach, which is an approach that studies doctrinal views in legal science that allows researchers to find ideas that produce an understanding of the law, legal concepts and legal principles that are relevant to the issues at hand (Marzuki, 2019). The case approach aims to examine the application of legal norms or rules in legal practice.

Especially related to cases that have been decided as reflected in jurisprudence regarding the cases that are the focus of the research (Ibrahim, 2006) and the historical approach is a research method that focuses on understanding past events in a systematic way that includes the collection, assessment, and analysis of historical data to construct past events (Danim, 2002). The legal materials used are national and international periodical scientific journals, books, and documents relevant to research based on the literature study method. In addition, this research is also supported by a number of reference books that specifically support the analysis of the issues researched. The combination of these reliable sources is expected to contribute to the understanding and analysis of the phenomenon being researched (Ardiansyah et al., 2023). The approach used in this study is a qualitative approach, which aims to understand and explain social phenomena in depth by interpreting the experiences and views of individuals involved in the phenomenon.

III. RESULT AND DISCUSSION

1. Kiblat Movie Posters, Titles, and Trailers Containing Elements of Blasphemy

Film as a visual and communication medium often plays an important role in conveying ideas, including sensitive issues related to spiritual and religious values. In Indonesia, a country with a Muslim majority that respects religious beliefs, insults to religion are often a topic of discussion, especially when presented through films. The horror genre often sparks debate because it uses mystical elements related to religious symbols, which can cause negative perceptions and controversy in society. It is not uncommon for directors to try to strike a balance between artistic creativity and existing legal restrictions, but problems arise when sacred religious symbols are positioned in situations that are considered inappropriate or insulting. The horror film 'Kiblat' is in the public spotlight because it uses the term 'Kiblat' in its title which is considered very sensitive and offensive to followers of Islamic religious beliefs in Indonesia. This film is one of the real examples where the issue of blasphemy is raised to the public domain.

The use of terms that have a sacred meaning in the context of horror is considered an act of exploitation. Blasphemy itself means anyone who deliberately commits an act of insult to religious teachings or religious symbols in public. This action not only reflects non-compliance with the religious values adhered to but also has the potential to cause social conflicts and damage harmony between religious communities in society (Asnawati, 2016). The poster of the movie 'Kiblat' shows a character in a prostrate position that is considered inappropriate and gives a mocking impression because even when carrying out worship, mystical forces can still haunt humans and even hurt humans. The position of the rukuk which is one of the prayer movements that should bend forward but is made upside down resembles the wrong movement of kayang facing the Qibla, as well as the existence of a headless figure and covered in blood, is considered inappropriate and considered to tarnish the sanctity of religious symbols in Islam. In the trailer, the villagers are also shown screaming in pain until they bleed from their noses and ears when they heard the call to prayer.

The mosque where Muslims carry out prayers is also a horror-themed setting in the trailer of this film. It is described that when a person performs prayers in the mosque, he is possessed by mystical power so that he hangs on the ceiling of the mosque. It is feared that if children see the trailer of the creepy 'Kiblat' movie, they will feel afraid to do recitation

activities. Another mistake is found in the scene where the main actor's father has the power to cure various types of diseases and fold and fold money on the condition of giving a return. The narrative in the trial explains the existence of supernatural powers that have powers that exceed Allah SWT. also has the potential to be considered blasphemy. Content with such characteristics has attracted controversy because it is considered to harass religion and has the potential to damage tolerance between religious people. This film tells the journey of the main character named Ainun who is trapped in the heretical teachings of the leader of the padepokan who is actually his own biological father. Until he himself was influenced by these false teachings and kept them away from the true teachings of Islam. Ironically, this film triggered a negative reaction from the public. A number of viewers reported that this film caused fear to carry out prayer because they were shadowed by the scenes in the film (Mahfudin, 2024).

This is in stark contrast to the purpose of this film, which is to strengthen faith. The public, including the Indonesian Ulema Council (MUI), criticized the depiction of horror themes in the context of worship that can potentially give rise to misunderstandings of Islamic teachings and potentially strengthen negative stigma against religion, especially for those who do not understand Islamic teachings in depth (Cahyadi, 2024). This assessment is in line with the academic perspective that states that exploitation with religious themes in films can contribute to the increase in the phenomenon of Islamophobia and produce psychological effects that are detrimental to audiences, especially children and adolescents.

2. The provisions of Article 156a KUHP concerning blasphemy are applied in the context of the horror film 'Kiblat'

Prior to Law Number 1 of 1965, the Criminal Code did not have a special provision on blasphemy. After this law was enacted, the concept of blasphemy was adopted into Indonesian criminal law. However, the expansion of the scope of this crime obscures the purpose of protecting the individual's right to religion and instead protects dynamic and subjective religious teachings, so that its application tends to target minority religious groups (Sanjaya & Wijaya, 2019). Article 156a KUHP, based on Presidential Decree Number 1/PNPS of 1965, was created to overcome the threat of sectarianism that is contrary to religious teachings in Indonesia. This article aims to maintain religious peace and ensure freedom of worship according to their respective beliefs.

The general explanation of number 2 in this law highlights the emergence of spiritual schools that are contrary to religious law, threaten national unity, and desecrate religion. Number 3 explains that differences in religious understanding can threaten the unity of the nation, so this Presidential Decree was made to maintain order in the country and religion, so that all people can worship calmly according to their respective beliefs within the framework of guided democracy (Lengkong & Situmeang, 2023a). This stipulation states that various schools of belief that are contrary to religious teachings and laws have emerged in Indonesia, causing violations of the law, breaking unity, and desecrating religion. The development of these schools is considered dangerous for existing religions. To prevent threats to national unity, the government issued a presidential decree as a measure of national vigilance and the implementation of the decree of July 5, 1959, in order to reorganize the constitution and religion, so that the people can worship safely according to their respective religions (Lengkong & Situmeang, 2023b).

Article 156a KUHP provides for a maximum penalty of five years for anyone who openly commits acts of hostility, abuse, or blasphemy against a religion recognized in Indonesia, including encouraging others to be non-religious. This rule aims to maintain religious harmony, and violations are considered to occur if an adult and mentally healthy person consciously insults their religion or symbol in public (Prasetyo & Arifin, 2019). Blasphemy in works of art, such as movies, often sparks debate. Some people see art as an important social critique, while others argue that freedom of expression should be limited by religious norms and teachings. In the case of the 'Kiblat' film, many Muslims felt insulted and the MUI demanded that the promotion of the film be stopped or censored. The issue of

freedom of expression and respect for religion has become very sensitive in Indonesia (Utomo, 2012).

The promotion of the 'Kiblat' film features prayer scenes that are not in accordance with Islamic teachings, such as the unusual position of the bow and the deviant direction of the Qibla. This has caused controversy and misunderstanding, with the public feeling that the film is not educational and can cause fear of worship practices. Some groups consider the film to have ulterior motives, namely a black campaign and ask that it not be shown in public. The 'Kiblat' film is considered blasphemous to the religion practiced in Indonesia. This case shows the importance of caution and sensitivity in film production, especially in a country with religious diversity. In the trailer of the film, the main character performs worship that does not meet the rules, while the poster uses scary religious elements and a title that refers to Muslim holy places. This causes offend for followers of certain religions and has the potential to violate Article 156a KUHP concerning blasphemy (Erlandi, 2019). This rule is strict against religious violations, considering that Indonesia upholds the principle of religious harmony.

The application of Article 156a KUHP requires high caution, considering the objects and subjects in the act that is considered to be infringing. The director of the 'Kiblat' film stated that he did not intend to blaspheme religion and planned to change the poster and title of the film in response to the public reaction. Controversies in religious representation can arise if not taken seriously, becoming a lesson for artists and filmmakers to understand the social and cultural impact of their work, especially in a country where religion plays an important role in everyday life. Law Number 19 of 2016 concerning Amendments to Law Number 11 of 2008 concerning Electronic Information and Transactions (ITE Law) regulates blasphemy in the digital context. Article 28 paragraph 2 of the ITE Law prohibits the dissemination of information that contains hate speech based on SARA. The content of the 'Kiblat' film, which contains symbols or narratives that may insult religion, has the potential to violate this provision. Film evaluation needs to consider the context, social impact, and balance between freedom of opinion and the protection of religious values. This is important to determine whether the content of the film violates applicable laws.

The law prohibits the dissemination of electronic content that insults religion, including in artworks such as online films. The filmmaker of 'Kiblat' can be accused of violating Article 27 paragraph 3 of the ITE Law because posters featuring women bowing in improper positions, trailers that scream in pain during prayers, and titles that refer to the direction of prayer, are considered insulting to Islam. Article 27 paragraph 3 regulates the deliberate spread of hatred against SARA (Ethnic, Religious, Racial, and Intergroupal). The 'Kiblat' film is considered to violate Article 50 paragraph 1 letter b of Law Number 33 of 2009 concerning cinema, which requires respect for religious and ethical values. The Film Censorship Institute (LSF), through its vice chairman Ervan Ismail, stated that this film has not received the label of "passed censorship" because there are points that must be improved, and they are still waiting for the decision of the film owner about the improvement (Indonesia, 2024). Article 6 letter d of this law prohibits films that contain blasphemy or desecration of religious values, with a maximum penalty of two years in prison. This is very contrary to the film law where films can be shown if they already have the requirements to pass censorship. The next article in this Law also explains that the 'Kiblat' film violates the provisions with the description that the function of the film is created as a means of communication media that educates and educates the life of the nation.

Concerns arise when artists and filmmakers are afraid to express their imagination in horror works, which can reduce creativity. People tend to think that all horror films contain elements that are deviant or blasphemous. However, this case also encourages film producers to be more careful in choosing themes and displaying religious elements. Although film is a medium for expressing creativity, it is important for filmmakers to pay attention to ethics and produce quality work without violating religious sensitivities. It is important to emphasize the balance between freedom of expression and the right not to be insulted on the basis of religion. Blasphemy laws in various countries, including Indonesia, aim to protect the feelings of religious people and maintain harmony between people. However, the implementation of this law often causes controversy because it can limit freedom of opinion and expression. Freedom

of expression is a human right guaranteed by the constitution to express views individually or in groups, and is a way to realize potential and maintain democratic values. Everyone has the right to think critically and express their opinions, but must be responsible and comply with applicable regulations. Article 28E paragraphs 2 and 3 of the 1945 Constitution affirms the right to expression through various media, including films. However, this freedom is not absolute and must be balanced with the rights of others and respect for the moral and religious values of the community (Nasution, 2020).

Art, culture, and freedom of expression are important for conveying social criticism. However, in religious Indonesia, artistic expressions that touch on religious aspects are often closely monitored because they have the potential to cause conflicts. The 'Kiblat' film can be seen as a criticism of social conditions, especially the relationship between religion and modern life. However, people's sensitivity to religious symbols or teachings often determines whether the work violates legal norms. The blasphemy controversy in artworks, such as the 'Kiblat' film, reflects the conflict between freedom of expression and sensitivity to religious values in Indonesia. This case often triggers tension and division in society regarding religious issues. In creating artwork, it is important to respect diversity and not provoke. Social media accelerates the spread of controversy and widespread public reactions. The digital era makes it easier to spread sensitive information, which can trigger conflicts if not managed properly. The interpretation and application of blasphemy laws is still a subject of debate, making artists need to be careful when exploring sensitive themes.

The application of the law in blasphemy cases faces a dilemma between upholding justice for those who feel blasphemed and maintaining freedom of expression. Courts in Indonesia should consider these two principles carefully, as society often demands strict legal action, which can lead to the withdrawal or censorship of artworks. The 'Kiblat' film raises the question of whether legal protection of religion limits the creativity of artists, while freedom of expression can be used as an excuse for blasphemy that disturbs social harmony. The government plays an important role in protecting freedom of expression while maintaining the harmony of religious communities in Indonesia's diverse community. This responsibility includes balancing freedom of expression with religious sensitivities through regulation and supervision of film content.

Preventive measures must be taken without limiting creativity excessively, so as not to trigger conflicts between community groups (Budiman, 2021). When one group feels threatened by religious representations in art, this can trigger negative reactions and deepen divisions. The controversy surrounding the 'Kiblat' film reflects the increasingly sharp polarization regarding religious issues and freedom of expression. The role of the government includes responsibility not only for regulation, but also for educating the public about tolerance and mutual respect among religious believers. In addition, the government must increase media literacy so that the public can face information critically, avoid potential conflicts, and misunderstandings due to media abuse.

IV. CONCLUSION

The 'Kiblat' film has attracted controversy because it is considered blasphemous by using the term "Qibla" and religious symbols in the context of horror, which offends Muslims in Indonesia. The scenes in this film reinforce the impression of humiliation and trigger fear and negative stigma against religion. Article 156a KUHP highlights the threat of sectarian beliefs that are contrary to religious law and national unity. This controversy sparked debate about freedom of expression and respect for religion. Although the filmmakers did not intend to blaspheme, this controversy is a lesson for artists to understand the social and cultural impact of their work in a religiously diverse country like Indonesia. It is important to find a balance between freedom of expression and the protection of religious values in order to maintain harmony between religious communities and prevent social conflicts.

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