

## **Human Trafficking in the Perspective of Islam and Feminism and its Prevention Efforts in Indonesia**

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### **Abstract**

This article aims to explain human trafficking by examining Islamic texts and feminism and its prevention efforts in Indonesia using descriptive-analytical research methods. The collected data is then analyzed using Islamic and feminist approaches. The findings show that both approaches emphasize that human trafficking is a crime against humanity. It destroys and robs freedom and humanity. So, the act of trafficking is tyranny and unlawful because it is

contrary to the mission of Quranic and prophetic teachings. Besides, the feminist approach argues that prostitution, human trafficking, and sex trafficking must be stopped and assumes that the elimination of prostitution will end the need for sex trafficking and that the promotion of gender equality can more generally take place. Crucial to prevention is not only protecting and empowering people who are victims of trafficking but also considering the implications of how the trafficking victims are forced to become productive subjects. Considering that this trafficking crime has been organized across countries, the prevention efforts need to be carried out comprehensively by involving various government, private, and NGO sectors, international agencies, community organizations, and the mass media. Equally important is the role of religion in involving non-governmental organizations (NGOs) and community organizations.

**Keywords:** Feminism, Human trafficking, Islam, Prevention.

## A. Introduction

Human trafficking is an organized crime. Feminists and the United Nations expressly declare its prohibition. (Herdiana 2018:2) states that cases of human trafficking in Indonesia continue to increase. Even though data from various sources show an increasing number of victims, in general, the 2020 Annual Trafficking in Persons Report states that every province in Indonesia is both an origin area and a destination for trafficking in persons. Experts and observers often refer to human trafficking as a form of modern slavery that includes heinous crimes against humanity and violates human rights. Ironically, Indonesia is one of the countries suspected of being a supplier or country of origin for human trafficking as well as being the destination country for trafficking in persons. Therefore, the the trafficking problem must be overcome (DP3AP2 Yogyakarta 2021).

The feminists saw that the crime of human trafficking is latent because it is hidden and difficult to overcome. One of the contributing factors is that victims tend to cover up their cases. They do not want to report because they are embarrassed, confused, or even because the victim does not understand the assistance available. In addition, there is a sense of worry about the stigma and consequences that arise if the human trafficking cases they experience spread widely (Mappiwali 2022).

Human trafficking is implemented in several forms. The mode is also growing and sophisticated along with the times and the openness of information. According to Rosenberg (2003), types of trafficking in Indonesia include the exploitation of migrant workers, domestic workers, sex workers, slavery under the guise of marriage in the form of mail-order brides and child labor. Of all these forms, sex trafficking is the most well-known form of human trafficking.

Victims of human trafficking in Indonesia include men and women, even children. They are included as the victims of human trafficking with the aim of labor exploitation, sexual exploitation, and exploitation as beggars and criminals. Traffickers can also damage the lives of victims and their families. Data from the Ministry of Women's Protection and Child Protection of Indonesia (KEMENPPPA RI) shows that cases of the crime of human trafficking that occurred in women and children increased in 2020 by up to 62.5 percent. Meanwhile, the five-year report of the Task Force for the Prevention and Handling of the Crime of Trafficking in Persons (GTPP-TPPO) revealed that there were 2,648 victims of trafficking in persons that befell 2,319 women and 329 men during the 2015-2019 period. These reports emphasize that TIP cases cannot be underestimated given the increasing number of victims, especially women (Kementerian Pemberdayaan Perempuan dan Perlindungan Anak n.d.).

The International Organization for Migration (IOM) Indonesia also conveyed (2021) that the increase in human

trafficking occurred in 2020 with an increase of 154 cases. LPSK (The Witness and Victim Protection Agency/Lembaga Perlindungan Saksi dan Korban) noted an increase of 15.3% in the several requests for witness protection in human trafficking cases. However, many Indonesian people are still not aware of the dangers of human trafficking. Suppose they know, but their knowledge is limited to the fact that human trafficking only occurs in labor cases through recruiting and sending migrant workers. This awareness only emerged when the migrant workers experienced physical and sexual violence and slavery. Acts of human trafficking also take a naive form that is quite naive, namely mail-order brides, as has been taking place in the last few years in West Kalimantan and Java, with the mode of being married to Taiwanese men (Kendar Umi Kulsum 2021).

According to Surya Chandra Surapati, Deputy Chairman of Commission VII of the People's Representative Council of the Republic of Indonesia (DPR RI), as quoted by Faqihuddin, the trafficking issue is like the tip of the iceberg. The data is difficult to trace because it is cryptic. The data can only be read through reported cases. An average of 750 thousand to 1 million women and children are trafficked In Indonesia every year. The data is difficult to reveal, and what is certain is that the number is greater than the amount reported. Between 2005 and 2008, there were 3,042 human trafficking victims and 2,048 female victims. West Kalimantan is one of the largest contributing provinces (Faqihuddin et.al., 2006:19).

The data above shows that human trafficking must be prevented and stopped immediately. The prevention efforts cannot be carried out by the Indonesian government only, but by involving religious and community leaders. Therefore, Quranic and prophetic understanding of the prevention of human trafficking is urgently needed, referring to the sources of Islamic teachings, namely the Quran and hadith.

In connection with the issue of trafficking, there have been many studies, including Hamzah's research that highlight the phenomenon of prostitution and trafficking and analyze it using the perspective of the Qur'an, besides presenting several verses that talk about prostitution and trafficking (Hamzah 2018). Besides, Ike Herdiana's study indicates that the factors that trigger an increase in cases of human trafficking are poverty and family neglect; lack of knowledge about trafficking; loss and fading of family functions; minimal human resource capabilities; the impact of having experienced domestic violence; juvenile delinquency; and mental and physical unpreparedness due to marriage at a young age (Herdiana 2018). and Humairoh's research emphasizes the understanding of hadiths about slavery during the Jahiliyah period (Humairo 2018).

The description above shows that human trafficking is an organized crime, latent and hidden, and it is difficult to overcome in Indonesia. On the other hand, the majority of Indonesia is Muslim, and this religion has prohibited human trafficking. So herein lies the significance of the study of preventing human trafficking using the perspective of the Qur'an and hadith as sources of Islamic teachings and feminists who have not been widely studied before.

This research uses a qualitative research method with descriptive analysis. Data were collected using documentation and observation techniques and then analyzed using Islamic and feminist approaches. The documentation technique was used because a lot of information and data about organized crime and feminist thought can be traced in books, scientific journals, newspapers, magazines, and sources from websites that can be accessed via the internet, such as *Fiqh Anti Trafficking Jawaban Atas Berbagai Kasus Kejahatan Perdagangan Manusia Dalam Perspektif Hukum Islam* (Faqihuddin et.al. 2006), *Islam and Human Trafficking* (Fauz and Alma 2017:101), and *Feminism and Counter Trafficking* (Clemente 2023).

## B. Discussion

Trafficking means the act of recruiting, transporting, hiding, or accepting someone accompanied by pressure and threats, or even by deception, cheating, kidnapping, abuse of power or position, asking for payments and benefits to obtain approval from a person who has control over another person. for exploitation. There are various forms of exploitation, such as forced services, out-of-bounds work, slavery, servitude, or the harvesting of organs (Trafficking 2011:30). Shortly, human trafficking can be called a system of modern slavery (Faqihuddin et.al. 2006:20).

Along with the rapid development of technology, trafficking also manifested in online prostitution by exploiting underage children who are trafficked to become slaves to satisfy the lust of masher men. Thus, trafficking positions humans as commodity objects that can be traded and exploited. Therefore, The United Nations Global Initiative to Fight Human Trafficking (UN.GIFT) instructs delegitimization and stops human trafficking in any form (Yanto 2016:187).

From the definition above, trafficking is not just the practice of human slavery by humans, but it includes physical, mental, sexual, social, and economic violence. There are several characteristics of trafficking, namely: 1). There is a process of recruiting, sending, transferring, sheltering, and receiving victims both across regions and countries. 2). Some parties benefit by taking advantage of teenagers that exploited economically or sexually. 3). There are victims. In this case, the victims were women and children exploited economically and sexually.

The modes of trafficking crimes are very diverse. Some use subtle ways to rough methods such as coercion and deprivation. When viewed from the process, then trafficking is a very terrible form of crime against humanity (Faqihuddin et.al. 2006:22). The crime of trafficking is very complex, covering various forms of

law violations and crimes against humanity, ranging from the lure of high salaries to coercion, violence, and exploitation.

Trafficking is a form of crime that demeans humanity and involves many parties. So, it is one of the biggest issues because it does not only occur in Indonesia but throughout the world and also organized transnational (transnational) crime. Based on the UN report, it said that every year there are at least 150 million women and children trafficked for crime and prostitution (Faqihuddin et.al. 2006:19).

Based on ICMC data in 2003, around 2.4 to 3.7 million migrant workers in Indonesia in various countries, and 70% more were women. Meanwhile, based on KOPBUMI data in 2001, there were 2,239,566 cases of violations against migrant workers. Reports from the 2001 ILO IPEC Conference, approximately 1.4 million Domestic Workers (PRT), and 23 percent of them were children. Then a report from the World Hunting Organization (ILO) 1998 estimated that around 130,000-240,000 to 30 percent of children under 18 years old as sex workers in Indonesia (Faqihuddin et.al. 2006:72-73).

In human life, human trafficking is not a new thing. History records that the problem of slavery has occurred in various parts of the world. The problem of slavery is known as a form of one person's domination over another person and the right to benefit both materially (by selling it to others) and immaterially (serving her boss) from that ownership. During the pre-Islamic era, the condition of women at that time was sad. In the history of human civilization, the picture of the treatment of women is very opaque. When a baby girl was born, she was buried alive because it was considered a shameful disgrace. Women are positioned like goods that can be used as collateral for debt, dowry, and inheritance. Women can't own themselves. They become symbols of humiliation and disaster (Rofi'ah 2020:51).

The phenomenon of women's oppression that is reflected in historical fragmentation also affects Greek women. They are tools to fulfill men's sexual instincts. In Rome, women were under the authority of their fathers, then after marriage, the power moved to their husbands. Meanwhile, in the Hindu civilization in China, women's conditions worsened because their right to life had to end tragically. The wife must be willing to be burned alive with her husband's corpse.

Likewise in Indonesia, "dark stories" are also experienced by women. Kartini showed concern and protest because women in Javanese culture were positioned as the second sex, reflected in the expression "*swarga nunut neroko katut*" (following men into heaven, also dragged into hell) that implies that women's role only serves as a complementary role (konco wingking) (Nugroho 2008:41-43).

During the Nusantara empire, slavery also occurred. If a king has many concubines, it often shows the greatness of his power. The existence of the Concubine does not only come from ordinary people who are "sold". However, concubines also came from noble daughters as a sign of loyalty or offerings from other kingdoms (Q. Zaman 2018:134).

Human trafficking has occurred since the royal era in Java until the colonial period. Rulers forced their people to work known as forced labor. Besides, women function as the gratification of his lust. Islam is a religion that upholds human values and condemns the practice of human trafficking. The problem of human trafficking is not something new on earth since the human trafficking problem, especially among women, historically has grown quite old.

The term human trafficking was first used around the 20th century AD in the form of 'white slave traffic' which refers to the exploitation of white women in prostitution, as well as the term "trafficking of women and children" (the trafficking in



women and children) to show women and children forced into prostitution. Trafficking also manifests itself in being forced to work under pressure, their energy is drained, but the pay is not as promised (Humairo 2018:176).

During the pre-Islamic era, human trafficking manifests itself through slavery. By the Arab nobility, slaves were traded and used as goods that could be passed on to their children and grandchildren. Slaves could also be a gift in marriage. In addition, many masters marry their slaves, so when they have them, they are called *umm al-walad*. This condition continued until Islam emphasized the abolition of slave trading (Humairo 2018:189).

## **1. Factors Causing Human Trafficking in Indonesia**

In 2002 in the Human Trafficking in Person Report, Indonesia was stated as a source of victims of human trafficking, especially women who were still ABG. The destination countries for trafficking are Hong Kong, Singapore, Taiwan, Malaysia, Brunei, Australia, South Korea, and Japan. In general, human trafficking is exploited as sex workers and forced labor.

The rampant practice of trafficking in Indonesia, the main contributing factor is poverty. It is around 40 out of 210 million Indonesians below the poverty line, and they live in rural areas. Added to this are low levels of education, limited employment opportunities, underage marriages, high divorce rates, and an increasing number of unemployed (Faqihuddin et.al. 2006:25–26). According to Musdah, as quoted by Humairo, the factors that cause trafficking in Indonesia are poverty and unemployment. In addition, there is no law enforcement. Police in Indonesia can excel in dealing with terrorism and drug crimes, but in handling cases of human trafficking, they

are not eradicated sufficiently. Meanwhile, Andi Akbar from the Child Rights Advocacy Institute (LAHA) stated that if people do not have adequate provisions, they are prone to becoming victims of trafficking in women and children (Humairo 2018:179).

Trafficking victims hope to free themselves from poverty and worldly temptations. So they are helpless when they get an “offer of services” with the lure of big wages. In addition, there is also an imbalance in the relationship between men and women. This human trafficking has a strong relation with violence against women. The patriarchal culture places women as second-class creatures. They are helpless and hang their lives on men. In turn, women are exploited and trafficked inhumanely. It is this factor that causes trafficking in women to increase. Trafficking practices continue to emerge, and the targets are women and children. Due to the lack of knowledge related to human trafficking coupled with the lure of high salaries, they are tempted to work in the city. However, the facts are not as expected. They are exploited and traded to pimps to become commercial sex workers (Humairo 2018:192).

From the above facts, trafficking is not only an act that tarnishes the dignity of humanity but also threatens and undermines the values of religious teachings, namely justice values, equality, benefit, and mercy. Thus, trafficking violates human rights, applicable laws and regulations, norms, ethics, and religious teachings.

## **2. Forms of Human Trafficking in Indonesia**

According to (Trafficking 2011:302-10), the forms of trafficking are increasingly complex and have many models so that the mission can be successful, including

first, sexual exploitation as sex workers or massage parlors. Pimps set rules that are super strict and very exploitative for victims of human trafficking. They must obey the pimp's orders. Otherwise, if they argue or protest, they will be subject to multiple compensations for the cost of living that the victim has used (Syamsudin 2020:27).

Second, domestic workers. Workers work at low wages because they are below the regional minimum wage standard. They often receive ugly treatment like slaves. What's happening overseas is that employers and agents confiscate the female workers' passports so they can't run away even though they are exploited and exhausted.

Third, the debt that is wrapped around. This factor often occurs in Indonesian workers especially female workers working abroad who go to work destination countries with bailout funds from their distributors (Supplier of Indonesian labor services/PJTKI), so they must keep working until their contract expires. The reason for debt bondage is that it causes violence and exploitation of workers. Fourth, beggars and drug dealers. Drugs are a dangerous virus and have gone global all over the world. Not a few people are tempted to enter the mafia circle because the results are very tempting with the lure of easy wealth acquisition even though the risks must be borne. Not a few beggars are also exploited to smuggle drugs through buying and selling hidden drugs. Apart from that, not a few exploited women who beg while carrying their children and have a shabby appearance that makes people feel sorry for chasing rupiah pieces. It turned out that many of them were forced into predetermined positions. Fifth, order brides. This case occurs when a man is economically unable to fulfill it while he is old enough to get married.

So, one way to do this is to buy women from abroad (who become migrant workers) to marry. Ironically, they are not responsible. When the woman becomes pregnant, she is immediately sent back to her country without any childbirth or maintenance costs. Sixth, forced organ donors. There are various modes of selling organs. Some are due to economic pressure. For example, a mother is willing to sell her kidney organs to make ends meet or pay education costs for their children. Another mode is adoption. Where babies are kept for about seven years and then killed, and their organs are sold for hundreds of millions of Rupiah. Another mode is also by utilizing the organs of migrant workers who die abroad whose organs are harvested. When he was discharged, the family was not allowed to open the coffin. There are times when the casket may not be opened because the body is old enough, but also because the organs have been removed and sold. Seventh, dancers, entertainers, and cultural exchange. The victims are usually promised to be cultural ambassadors, singers, or entertainers. However, the reality is that many of them are forced to work in the sex industry. And for those who are made into dancers, the dance is more of an erotic dance that seduces men. In the end, they are plunged into the valley of prostitution or used as bars' singers to serve every guest who comes.

### **3. Human Trafficking in the Islamic and Feminist Approaches**

Indonesia is a country with a majority Muslim population. Therefore, Indonesia should respect human rights and protect its citizens from trafficking crimes. But ironically, Indonesia is included in the tier III category along with 18 other countries as the worst country in dealing with trafficking problems.

Islam is a religion that brings love to the universe (*Rahmatan lil 'alamin*). All forms of slavery and anti-humanity practices are contrary to the mission of Islamic teachings. Allah has given glorious respect to all His creatures (QS. Al-Isra '[17]: 70). So, humans whose position is equal, both as His wight may not enslave and exploit them. Humiliating humans means degrading His Creator.

According to Ibn Kathir, the verse above shows that God pays respect to humans. After all, humans are the only creatures created with perfection (Ibnu Katsir 1969:58). Meanwhile, according to Tabatha'i, God glorifies humans because there is something special within them, namely reason. With this mind, humans are different from other creatures (Thaba'thaba'i n.d.:152).

Likewise, the Prophet Muhammad has the mission to spread love to the universe (QS. Al-Anbiya '[21]: 107). Fellow human beings must do good to each other and help each other. So, it is forbidden to commit fraud and various acts of violence. Human trafficking is a violation and tyranny because it takes other people's rights, which involve property, life, self-esteem, and ugly treatment, such as abandonment and violence.

Islam exists to liberate people from oppression and unequal social conditions. All forms of tyranny, exploitation, and hegemony from various aspects of life which include economy, culture, and gender, are contrary to the mission of Islamic teachings. The Qur'an also calls on humans to liberate the Mustad'afin (oppressed people), help the poor and needy, provide for orphans, and defend slaves (QS. Al-Qashash [28]: 5).

The Qur'an emphasizes that those who do not support the Mustad'afin are called people who believe in

the religion (QS.al-Ma'un [107]: 1-7). Islam teaches that it is a must to take sides, defend, and fight for the weak and the oppressed (QS. Al-Nisa '[4]: 75).

Islam raises social criticism of various forms of exploitation and lacks a sense of social responsibility. All practices of accumulating wealth obtained in unsavory ways are an offense. It is contrary to Islamic teachings. For example, greed and socio-economic exploitation that is only monopolized by some people, resulting in inequality and injustice (Hendar 2005:42).

In the Qur'an, three terms contain elements of trafficking, namely: 1). Selling humans contained in (QS. Yusuf [12]: 20). 2). The slavery contained in (QS. Al-Nisa [4]: 92) and (QS. Al-Baqarah [2]: 177). 3). There is prostitution (al-Biga') (QS. Al-Nur [33]: 33).

During the Jahiliyah era, cases of trafficking in women and children occurred, as the Prophet said explicitly:

From Abu Hurairah from the Prophet said that Allah said, "There are three groups that I will be angry with on the Day of Resurrection, first, people who swear in my name but then ignore the oath, second, people who sell (enslave) free people and third: people who employ people another and when finished he does not give his wages (Al-Bukhari 1997:2109)

From the hadith above, God explicitly condemns the act of human trafficking. That hadith said that there are three groups that Allah hates the most, one of which is people who trade and exploit their rights (Fauz and Alma 2017:101) quoting Ibn al-Jauzi's opinion that humans are servants of God. Whoever commits a crime against him will face God. It shows how stern God's threat is to the crime of trafficking.

Then in other hadith texts, it is stated that by making women sexual gratification. If this understanding is expanded with the meaning of “fornicating someone else’s wife” the meaning can cover all groups of women. That means another woman who is not his (no legal ties). So, fornicating a neighbor’s wife to satisfy her lust can also be categorized as a form of exploitation of women as the words of the Prophet narrated by Imam Bukhari:

Abdullah said, “I once asked the Prophet Muhammad what is the biggest sin in the sight of Allah SWT? The Prophet replied, “You make a match for Allah, even though He was the one who created you. Then I said, “If so then it must be a big deal!” Then I asked again, then what? The Prophet replied: you killed your son for fear that he would eat with you. Then what? The Prophet replied: fornicating your neighbor’s wife.” (Al-Bukhari 1997:6966).

The hadith above also shows that children must also be given their rights. Children are an investment in the development of a nation. So, the child must get a decent education and life. (Al-Naisaburi 2001:27) narrated the hadith from Abu Hurairah. He said, I heard the Messenger of Allah say: Whoever frees a believing female slave, then from every member of the slave’s body that he frees Allah will free his limbs from hell, so that Allah frees his genitals from the genitals of the slaves he frees.

Feminism has played a significant historical role in anti-trafficking activism. Feminists have worked closely with faith-based groups and contributed to making human trafficking one of the first feminist issues addressed in a series of international treaties, which in 1949, was followed by the United Nations (UN) International Convention for the Suppression of the

Traffic in Persons and the Exploitation of the Prostitution of Others (Clemente 2023).

In line with the Islamic approach, the feminist approach specifically argues that prostitution, human trafficking, and sex trafficking must be stopped and assumes that the elimination of prostitution will end the need for sex trafficking and that the promotion of gender equality can more generally take place. Feminist approaches focus on several elements that are important in human trafficking. Trafficking victims are often deceived at the outset and tricked by recruitment strategies, human rights are violated by those trafficking victims are denied their rights by the state in which they are placed. It is crucial to prevent not only protecting and empowering people who are victims of trafficking but also to consider the implications of how they (trafficking victims) are forced to become productive subjects.

As pioneers of the human rights approach to human trafficking, feminist groups have protested the common misconception that they often treat trafficked individuals - especially women - as criminals rather than victims. Traffickers (sellers) receive very little punishment, while trafficked individuals are victimized twice: firstly, by the traffickers, and secondly by the governments they go to (Nizmi and Adianto 2020).

The feminist rights-based approach (FRBA) is one that views the phenomenon of human trafficking through a gender lens. FRBA calls for a dual, interrelated strategy to target and punish perpetrators while protecting victims. This requires full legal protection, alongside the services and resources necessary to empower them as subjects entitled to protection of their existence and rights. If the goals of protection and empowerment are to be realized, FRBA must be recognized, adopted, and



implemented by international and national bodies with the mandate and authority to stop human trafficking activities (Pourmokhtari 2015).

#### **4. Human Trafficking and Its Prevention Efforts in Indonesia**

The act of trafficking is tyranny, and unlawful, and it is contrary to the mission of Islamic teachings because it includes deception, physical violence, kidnapping, and threats.

Trafficking in the modern era is evidence of weak faith, so the orientation in life is to make money and momentary pleasure. This crime of trafficking is very sophisticated because it can be carried out, either individually, in groups, or clandestine or open networks. So that the community cannot distinguish which is included in the crime of trafficking and which is not. For this reason, it is necessary to make strict rules and law enforcement so that the perpetrators have a deterrent effect (Faqihuddin et.al. 2006:271-73).

Considering that this trafficking crime has been organized across countries, it is necessary to build cooperation both bilaterally and regionally and cooperate with NGOs to continue to foster and improve. Human trafficking is a very complex crime, so efforts to prevent it need to be carried out comprehensively. It is not enough to know, that there must be cooperation with fellow law enforcement officials and government and non-government agencies (NGOs). The police should open hotlines in all regions so that they can be accessed by the public. If a crime of trafficking occurs, the public can immediately report it, and the police will immediately follow up on it (Saptowalyono, Wulan, and Susilo 2021:251).

According to Widiastuti (2010) dealing with trafficking crimes can be done in several ways. First, mapping the crime of trafficking whose goals are both domestic and foreign. Second, increase the level of public education, especially for girls. Third, provide information and knowledge to the public about the crime of trafficking. Fourth, providing guarantees for accessibility, especially for women and children, to obtain education, training, and social services.

There are several steps that can be taken to prevent the crime of trafficking, including: alleviating poverty, creating jobs, and increasing consumerism. From these steps, all parties pay attention to the problem. In addition, there is a need for strict law enforcement. Without law enforcement, the criminal act of trafficking will not materialize.

In dealing with trafficking crimes, various government, private and NGO sectors, international agencies, community organizations, and the mass media must also be involved. In addition, there must also be a role for religion by involving non-governmental organizations (NGOs) and community organizations. The government, NGOs, and mass organizations must work together to prevent the crime of trafficking. NGOs in responding to the problem of trafficking with their actions are empowering and improving family groups whose socioeconomic class is weak. So that the family can play a role as its function. Unfortunately, the programs of NGOs and CSOs carrying out their actions have not reached all levels of society.

One example that was carried out by Nahdhatul Ulama' (NU) was by holding a National Ulama Conference which was held by the NU Executive Board in Surabaya on 28-31 July 2006. From the results of the

meeting, there were two fatwas, namely: (1). Exploitation, starting from the recruitment process to sending and receiving someone by using force, fraud, and abusing power, whether carried out within countries or between countries, is unlawful. (2). The government, religious leaders, and the community are obliged to prevent the crime of trafficking (Didiatuti 2010:115).

Meanwhile, according to (Faqihuddin et.al. 2006:273-79), preventing trafficking can take several steps: First, the Indonesian government and all parties must pay attention to workers by fulfilling their rights by opening jobs. The workers are state assets whose dignity and status must be maintained. The existence of workers can increase the country's foreign exchange, so they must be protected so they cannot be exploited. The state and workers have a close relationship with mutual needs and benefits. Migrant workers are foreign exchange heroes. Therefore, the government must fulfill its obligations by providing services and protection to avoid trafficking crimes.

Second, it is necessary to apply legislation that regulates the crime of trafficking on a juridical-positive legal basis so that it can be used as a guide for law enforcers, both laws concerning material law and formal law. The existence of the law can ensure guarantees as well as protection and rehabilitation for victims. The government together with the People's Representative Council (DPR) has responsibility for the legislative process and jurisdiction over laws and regulations in tackling trafficking crimes.

Third, the community needs to be given education about the crime of trafficking and the dangers it poses as well as efforts to prevent it both formally and non-formally. So that people know and understand the crime of trafficking. The family is the initial basis for raising

awareness of family members and anyone who has concern and concern for the crime of trafficking. The government and non-governmental organizations (non-governmental organizations), socio-religious organization groups, youth organizations, and individuals work hand in hand to carry out a process of raising public awareness to avoid the crime of trafficking.

Fourth, the government and law enforcement officials (police, prosecutors, and courts) must be serious in law enforcement. Utilization of existing laws and regulations is a must to prevent and deal with traffickers besides protecting and rehabilitating their victims. Regarding existing laws and regulations, namely Law Number 39 of 1999 concerning Human Rights, Law Number 23 of 2002 concerning Child Protection, Law Number 39 of 2004 concerning Placement and Protection of Indonesian Migrant Workers Abroad (PPTKLN), Law Number 7 of 1984 concerning ratification of the Convention on the Elimination of All Forms of Discrimination against Women, Law Number 23 of 2004 concerning the Elimination of Domestic Violence, Law Number 9 of 1992 concerning immigration, Law Number 13 2003 concerning Employment.

Fifth, weak social groups are very vulnerable to experiencing trafficking crimes. They must be defended and provided with assistance. Therefore, religious leaders and religious organizations must cooperate in handling these cases. The involvement of religious leaders and religious organizations is very significant by issuing a fatwa in favor of groups that are vulnerable to experiencing trafficking crimes. Religion must be able to play its function to liberate groups of people who are weak, oppressed, and marginalized.

Sixth, resource owners, such as governments and companies, need to take action to protect and assist trafficking victims. So that their rights, both economic and political, can be returned. Then rehabilitate and restore their condition both physically and psychologically until they can be accepted by society. Religious leaders and policymakers must work together and act by punishing the perpetrators of trafficking crimes and accompanying their victims.

According to (Rofi'ah 2020), the problem of trafficking is a profitable business category and includes the third business after weapons and drugs. Therefore, dealing with these cases requires substantial funds. Seeing that trafficking involves large-scale investors, to obtain sufficient funds, each agency that manages Zakat must manage it by allocating for the liberation of slaves, the oppressed, and the debtor, and to finance the anti-trafficking movement. With stronger financial support, it will be easier for the community to realize and prevent perpetrators of trafficking crimes (Rahima 2023).

Islam is an egalitarian and anti-slavery religion. The tradition of slavery has been going on for centuries, so Islam does not drastically abolish slavery. Three steps were taken by the Prophet in taking a stand regarding slavery. 1). Narrow down the movement by closing the door to recruit new slaves. 2). Opening the door to free slaves 3). Interacting with the existing slaves very humanely.

There are several steps to abolish slavery because Islam is a teaching that respects humanity and the rights of every person. 1). By freeing slaves so that the culprit gets a reward from God. 2). Establish sanctions for those who break the law. 3). Employers should give opportunities to slaves to be free so that they are not dependent on their masters. d). With vows to free slaves.

People who are forced into prostitution and whose rights have been taken away, this group can be categorized as *Mustadh'afin* (weak people). They are oppressed by the unequal systems and structures that exist in society. For this reason, trafficking victims have the right to receive zakat (Basri 2012:87-98).

### **C. Conclusion**

Human trafficking that affects women and children who are still underage is a multi-dimensional crime against humanity. This action is so cruel that contrary to the mission of feminism and Islamic teachings rooted in the Qur'an and Hadith. For this reason, every person must prevent and stop this trafficking crime immediately, especially the government and various parties must make every effort to overcome these problems. The state must be the driving force and deterrent in tackling all acts of violence, discrimination, exploitation, and tyranny that befall every citizen.

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