

# COPYRIGHT UPLOADER YOUTUBE PERSPECTIVE OF POSITIVE LAW AND ISLAMIC LAW

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## Abstract

In this era of advanced technology, humans can do everything online including the increasing number of applications that help humans create, innovate and work such as using the YouTube application. YouTube is included in the protected cinematographic copyright. A protected copyright work must have a distinctive and special form. In this era of technology and creative industries, there are many people who commit criminal acts of video piracy on the YouTube platform and even broadcast without permission and profit. But for the creator, it is very detrimental. The subject matter studied in this research is about how copyright protection for YouTube uploaders in Article 40 of Law Number 28 of 2014 concerning Copyright and the perspective of Islamic law on copyright protection for YouTube uploaders. This research is a normative legal research using legislative and normative Islamic approaches. The results showed that copyright protection of YouTube uploaders is regulated in Law Number 28 of 2014 concerning Copyright which is technically regulated in Article 40 paragraph (1) letter m, although not specifically mentioned in the article but there are similarities in audiovisual form. When viewed in Islamic law, the YouTube re-uploader's actions are included in the *jarimah ta'zir* whose punishment is given to Ulil Amri (the government). The protection of property rights is one of the objectives of Islamic law, including the dharuri needs of every human being. Therefore, when Islam recognizes copyright as one of the property rights of property, then the property rights will be protected as well as the protection of property.

**Keywords:** Youtube, Copyright works, Islamic Law.



## Introduction

One of the gifts given by Allah SWT is the blessing of reason, as referred to in surah at-Tin verse 4:

لَقَدْ خَلَقْنَا الْإِنْسَانَ فِي أَحْسَنِ تَقْوِيمٍ

*Meaning: Indeed, we have created man in the best possible form.*

It is this wisdom that makes humans perfect. With this mind, humans can choose between good and bad and be able to innovate by creating something new to make life easier. Innovations created by humans are an invaluable wealth, which then ideas and ideas are poured into a media (Suryana, 2017). in Law Number 19 of 2002 concerning Copyright Protection, within the scope of Intellectual Property Rights the media is called a copyrighted work or creation. Inventions and works of art have had a huge impact on human life. When the result of human creativity is used for commercial purposes, there is an idea that there needs to be special respect for one's intellectual work and the rights that arise (Dewi, 2017).

Basically, the concept of Intellectual Property Rights is a form of appreciation of the work of human creativity, Intellectual Property Rights (HAKI) is a property right, the right to an object that comes from the work of the brain, and the work of the ratio. In Indonesia, the system of intellectual property rights has existed since the Dutch East Indies colonial era, namely with the issuance of IPR regulations which include *Auteurswet 1912 Stb. 1912 No.600 for copyright protection, Reglement Industriële Eigendom Kolonien Stb. 1912 No. 545 jo. Stb. 1913 No. 214 for the protection of trademark rights, and Octrooiwet 1910 S. No. 33 yis S.11-33, S. 22-54 for the protection of patent rights* (Dewi, 2017).

One form of intellectual work is copyright. Objects protected by copyright include science, art, and literature. One of the copyrights in the field of art is making videos and then uploading them to social media. Along with the development of science and technology, products related to the results of art have also played a role in improving the economy of society. One of the social media destinations for uploading videos that are the result of their work is Youtube.

As you know, this app is a video-sharing website created by three former PayPal employees in February 2005 which was later bought by Google in 2006. The website allows users to upload, watch, and share videos. The company is headquartered in San Bruno, California, and uses Adobe Flash Video technology and HTML to display a wide variety of user/creator-generated video content, including movie clips, TV clips, and music videos. In addition, amateur content such as video blogs, short original videos, and educational videos are also on the site.

In recent years, a creative idea has emerged in making cinematographic works, namely video blogs which are then uploaded on Youtube. However, in its development, videos uploaded to Youtube are utilized specifically to have high economic value among the wider



community. So that many Youtuber phenomena have sprung up in the country. Not infrequently this also opens up opportunities for copyright infringement of video works that are uploaded back to Youtube without the knowledge and permission of the owner of the work, this is called a youtube re-uploader. The issue of video piracy/re-uploading on YouTube is increasingly becoming a cause for concern.

In 2014 the Indonesian government passed a regulation on copyright, namely Law Number 28 of 2014 concerning Copyright (hereinafter referred to as UUHC) as a legal umbrella in protecting various copyrighted works or creations made by the creator. The creations protected by this rule are human creative works that come from intellectual sources both in the fields of science, art and literature as stipulated in article 1 number 3 of the UUHC (Wijaya & Landra, 2019). In addition, as a country where the majority of the population is Muslim. In July 2015 the Indonesian Ulema Council (MUI) issued a fatwa on the protection of Intellectual Property Rights (IPR) contained in copyright. All Muslim scholars have prohibited eating other people's property with unlawful.

However, this problem causes unrest considering that the trend of YouTube re-uploads has only occurred in the last few years after the UUHC was passed, besides the lack of public understanding of whether YouTube video re-upload activities are a criminal offense or not. Based on the things that have been described, the author is interested in conducting research with the title Copyright Uploader Youtube Perspective Of Positive Law And Islamic Law.

## **Analytical Framework**

Copyright (copyright) is one of the human rights listed in the "Universal Declaration of Human Rights" and the United Nations International Convention ("United Nations International Treaty"), and it is also a very important legal right to protect cultural works. Cultural works are anything produced by human beings that can enrich human thoughts and feelings (Hozumi, 2004). In Indonesia copyright exists in law number 28 on copyright, copyright as specified in article 1 number 1 "Copyright is the exclusive right of the creator that arises from automatically based on the declarative principle after a creation is realized in a tangible form without reducing the restrictions in accordance with the provisions of laws and regulations".

Copyright in contemporary Islam is called (haq al-ibtikâr). This word consists of two words, namely "haq" and "al-ibtikâr". One of the definitions of "haq" is the profession owned by a person or group of people over something. The word (ibtikâr) is etymologically derived from the Arabic isim mashdar. The past tense verb (fi'il madhi) of this word is ibtakâr, which means to create. If you say (ibtakâra al-syai'a), it means "he created something" (Suryana, 2017).

The majority of scholars from the Maliki, Shafi'i and Hanbali argued that copyright on the original creation and has benefits included in the valuable property and may be utilized as long as the right way. Wahbah al-Zuhaili also asserted that copyright is a right that is protected by shara' (Islamic law), on the basis of the rule of istishlah (maṣlahah mursalah), the

act of taking the work of others without valid permission is seen as an infringement of copyright, in the sense that the act is an immorality that causes sin in the view of shara' and is theft that requires compensation to the creator's right to the creation taken and cause moral harm to him. Therefore, copyright is part of the property rights that must be maintained and protected by law. And all forms of copyright infringement should be avoided and eliminated because it can harm the parties concerned (Rizal, 2020).

According to the general definition, a right is a provision by which Shara' establishes a power or a legal burden. The definition of right is the same as the meaning of law in the terms of the scholars of 'Uşul, which is a set of rules and texts that regulate on a must-obey basis to regulate human relations with humans, both regarding people and property. A right is also defined as a power over something that is obligatory from one person to another. Meanwhile, etymologically, the word "ownership" comes from Arabic "al-milk" which means to control something. Ownership is also a relationship between a person and property recognized by shara', which gives him special power over the property, so that if there are no obstacles, he can take legal action against the property (Anwar, 2011).

## Research Method

In this study, the authors limit the scope of this research to the articles contained in Law Number 28 of 2014 concerning Copyright, namely only article 40 concerning protected copyrighted works. In addition, it is also seen from the view of Islamic law regarding the protection of youtube uploader copyright, from the focus of this research, the authors produce 2 (two) research questions, namely: 1) How YouTube uploader copyright protection in article 40 of Act No. 28 Year 2014 on Copyright, and 2) How does Islamic law view the copyright protection of Youtube uploaders?

The type of research used in this research is qualitative normative legal research. Normative legal research method is a method of legal research in the scope of its research is norms, rules, principles, theories, rules of law and philosophy which will later seek answers to these problems either in the form of legal vacuum, norm vagueness or norm conflicts (Nurhayati et al., 2021). While the approach used in this research is legislation (statute approach) and Normative Approach (normative approach). Statutory approach (statute approach), which is a method of approach taken by examining legislation and matters relating to Law Number 28 of 2014 concerning Copyright. While the normative approach is a method of approach in research that views a problem based on formal legal, namely a recommendation contained in the text related to halal, haram, permissible or not and the like. In this case, it is done by looking at the basic values of Islamic law regarding copyright protection (Nasution, 2007).

## Analysis

### Copyright Uploader Youtube Positive Law Perspective



Audiovisual is a series of interrelated images capable of being displayed by several devices and accompanied by sound on the visual part of the work. Movies are one type of audiovisual work, because movies consist of images that when displayed give the impression of motion. In addition to movies, audiovisual works have a relatively broader category, including slide shows, CCTV recordings, music videos and others.

Legal arrangements related to audiovisuals can be found in various regulations and conventions, both national and international in nature. One of them is the Treaty of the international Registration of Audio Visual Works made in 1989. This convention aims to increase legal certainty in transactions relating to audiovisual works and to increase the creation of audiovisual works and the international flow of such works and contribute to combating piracy of audio visual works and the contributions contained therein. So that every country that is a member of the convention or ratifies this convention must implement this regulation regarding audiovisual works.

In Indonesia, legal arrangements regarding audiovisual and audiovisual copyright have not been specifically regulated in legislation. However, Article 40 paragraph (1) of Copyright Law No. 28 of 2014 concerning Copyright describes the objects that are protected by copyright, namely:

- a. books, pamphlets, illustrations of published works, and all written works;
- b. lectures, lectures, speeches, and other similar creations;
- c. teaching aids made for the purpose of education and science;
- d. songs and/or music with or without text;
- e. drama, musical drama, dance, choreography, puppetry, and pantonymy;
- f. works of fine art in all forms such as paintings, drawings, engravings, sculpture, pottery, sculpture or collage;
- g. works of applied art;
- h. works of architectural art;
- i. map;
- j. works of batik art or other motif art;
- k. photographic works;
- l. portrait
- m. cinematigraphic works;
- n. translation, interpretation, adaptation, anthology, database, adaptation, arrangement, modification and other works resulting from transformation;
- o. translation, adaptation, arrangement, transformation, or modification of traditional cultural expressions;
- p. compilation of creations or data, either in a format that can be read by a computer program or other media;
- q. compilation of traditional cultural expressions as long as the compilation is an original work;
- r. video games; and
- s. Computer programs.

At point m, namely Cinematographic Works, has a definition contained in the explanation section of Copyright Law No. 28 of 2014 explained that:

*"What is meant by "cinematographic work" is a creation in the form of moving images, including documentary films, advertising films, reportage or story films made with scenarios, and cartoon films. Cinematographic works can be made on celluloid tapes, video tapes, video discs, optical disks and/or other media that allow them to be shown in theaters, big screens, television, or other media. Cinematography is one example of an audiovisual form."*

While the definition of audiovisual works in Youtube is a work that includes TV shows, movies, and online videos where music, vlogs (video blogs) are works included in the protected works in Youtube.

From the explanation, it is clear that audiovisual works include cinematography, but more broadly. Audio visuals also include slide shows, CCTV footage, video music, amateur videos, camera footage and any audiovisual work that is broadcast can be protected by copyright law because copyright law is a broad concept that aims to protect the creative aspects of the creator or copyright holder. Limited copyright does not protect the ideas of the creator, only if those ideas have been created in the form of works. Although not specifically mentioned in the copyright law in force in Indonesia, audiovisual copyrighted works remain protected in Indonesia.

In Youtube itself anyone has the ability to upload their work in audiovisual form, but not all uploaders upload their own work. Many found the uploader / uploader Youtube it performs copyright infringement in the form of re-uploader other people's work into his Youtube account to benefit from the hasi video uploaded / uploaded without the permission of the copyright holder.

In language, re-upload comes from an English term, consisting of two words, namely, re which can be interpreted as "repeat" or "return" and the word upload which is interpreted as "upload". In simple terms, uploading is the process of transmitting a file to another device through a network. This upload can be done with the internet network. Files will be transferred into the database of a server and then files that can be uploaded, ranging from images, movie songs, videos and various other files. One of the upload processes in question is uploading videos to the Youtube media site. While the youtube re-uploaders take the action of taking videos from other people's channels, which they then upload to their channel by simply changing the title of the video to be more interesting. The purpose of this YouTube video re-uploader is to simply make money on the internet in an easy way without thinking, without expertise, and cost-effectively without the need to create their own work (Rahman, 2019).

The loss experienced by the owner of the original video, due to the act of covering or re-uploading the video by YouTube uploaders, seen from the financial side, it could be that the re-uploaded video gets more views than the copyright owner, the original video, with more views automatically greater income obtained from advertisements displayed on Youtube. While the original video owner and uploader do not know each other, in other words, the



uploader uploads the video to Youtube without the knowledge or permission of the original video owner (Rahman, 2019).

In article 40 paragraph (1) letter m of Law Number 28 of 2014 concerning Copyright that youtube videos are included in the category of cinematographic works protected by the Copyright Act. Which copyright protection for creations in the form of cinematographic works is valid for 50 years from the time of announcement in accordance with isipasal 59 paragraph 1 UUHC. Announcement according to article 11 number 1 of the UUHC is the reading, broadcasting, exhibition, a creation by using any device either electronic or non-electronic or do in any way so that a creation can be read, heard, or seen. So the film or video as a form of cinematographic work has basically been protected by copyright since the first announcement because the protection of the work is born automatically based on the declarative principle after a creation is realized in real form, it is based on article 1 number 1 UUHC.

For the act of rebroadcasting a film or video via the internet without the authorization of the creator or copyright holder, a person may be subject to Article 113 paragraph (3) of Law Number 28 of 2014 concerning Copyright which reads:

*Any person who without the right and/or without the permission of the creator or copyright holder infringes the economic rights of the creator as referred to in Article 9 paragraph (1) letter a, letter b, letter e, and/or letter g for commercial use shall be punished with imprisonment of 4 (four) years, and/or a maximum fine of Rp. 1,000,000,000.00 (one billion rupiah).*

Article 9 paragraph (1) explains that:

*The creator or copyright holder as referred to in article 8 has the economic right to do:*

- a. *Publishing of creation;*
- b. *Reproduction of Creation in all its forms;*
- c. *Translation of the Creation;*
- d. *Adaptation, arrangement, or transformation of the Creation;*
- e. *Distribution of the Creation or copies thereof.*
- f. *Performance of the Creation;*
- g. *Announcement of the Creation;*
- h. *Communication of Creation; and*
- i. *Leasing of Creation.*

Affirming the wording of article 8 which is mentioned in article 9 paragraph (1) that:

*Economic rights are the exclusive rights of the Creator or Copyright Holder to obtain economic benefits from the creation.*

From this article it is very clear that the act of re-uploading or broadcasting / re-uploading videos or films clearly violates the law and can be subject to criminal sanctions both imprisonment and fines. So that YouTube channel owners must be careful in uploading a



video so as not to have problems in the future and not only focus on the number of viewers and income alone.

However, the phenomenon of re-uploader actions that occur today seems like an act that does not violate the law, there are still many channels that do re-uploader of other people's videos to date, plus those who are victims of this re-uploader action do not report the copyright infringement to the authorities then the violation of copyright works more and more and can not be controlled. So, it is necessary to intensify the socialization of copyright infringement so that people can understand that the act of Youtube re-uploader is actually prohibited and unlawful.

### **Youtube Uploader Copyright Perspective Of Islamic Law**

Islamic law is a system of rules based on the revelation of Allah SWT and the Sunnah of the Prophet regarding the behavior of mukalaf (people who can already be burdened with obligations) which is recognized and believed, which is binding for all adherents. And this refers to what the Prophet has done to implement it in total. Sharia in its terms means the laws commanded by Allah SWT for His people brought by a Prophet, both those relating to belief and those relating to practice (Iryani, 2017).

The sources of Islamic law are the Quran and hadith. As laws and regulations revealed by Allah SWT, Islamic law has set lofty goals that will maintain human honor, namely as follows (Rusdi, 2017):

1. Maintaining religion, one of the fitrah or human instincts that cannot be denied and which humans really need is the need to embrace religion. In fulfilling this nature and instinct, Allah SWT prescribes that religion must be considered and maintained by everyone in all respects, both in terms of faith, worship, and muamalah;
2. Preserving the soul, the right to life is also the most basic right for humans. In order to maintain the benefit and safety of the soul and human life, Allah SWT prescribed various laws related to this;
3. Maintaining the mind, that the mind is the main determining factor for a person in living life, so that Allah SWT makes maintaining the mind as one of the dharuri things;
4. Maintaining position, having offspring is a basic problem for humans in maintaining their continuity in the world;
5. Maintaining property, property is also a very determining factor in human life, because humans cannot live without property.

according to Asmuni Mth in the Protection of Property (Perspective of al-Maqashid al-Syariah), one of the objectives protected by Islamic law is the protection of property, the fiqh experts argue that something that can be called property must fulfill several elements, namely consisting of elements of economic value and benefits or services obtained from an item. Based on these two criteria, property can be in the form of concrete objects, or abstract objects. Economic value and benefits that become the criteria for property are determined based on *al-'urf* that applies in the community. In *al-Qawâid*, property is something that can be utilized





both in the form of goods and services. The role of *al-'urf* is very important to determine whether an item has the status of treasure or not. Property that has economic value can be traded, and is subject to compensation for anyone who damages or eliminates it. And nowadays treasures have developed types and forms, one of which is about abstract treasures that have now developed, including bitcoin, shares, and copyrights.

Regarding copyright, contemporary Muslim scholars argue that copyright or *haq al-ibtikâr* is an ownership right to a copyrighted work owned by the author or other parties who get the right. Therefore, copyright is very important because it is directly related to human creations that must be protected and appreciated because not everyone can create a work of thought.

As a new right within the scope of property rights, copyright is not written textually in either the Qur'an or hadith. It's just that both provide the basics for this issue. Discussion of copyright, can not be separated from the theory of property rights in Islam. In this theory, regulated how a property right is obtained, utilized and accounted for. The theory of ownership in Islam is different from the theory of ownership in capitalist ideology and also socialist. In Islam, every individual has the right to own an object or benefit needed for his survival, this ownership is called private ownership. Whereas in objects that are a necessity of life together then it is a joint ownership right, where it is not permissible for individuals to own it (Suryana, 2017).

Copyright as one of the forms of private ownership is based on the arguments that show that it is part of the ownership of an object. Because every creator of copyrighted works has special rights over his creation. The right to the results of a work is the property of the person who worked. If associated with the causes of a permanent right, then copyright exists due to the work and earnestness of a creator in making a copyrighted work (Assyaukanie, 1998).

Copyright is a right that has material value, so it is equated with other property rights. Place of storage of property is something that is used as a place for the storage of movable property. As for the form is in accordance with the customs of each region, such as safes, cabinets, wallets, houses and others. if a thief takes from the place means he has committed theft. Copyright is an abstract form of property so that the place of storage is different from the concrete form of property (Suryana, 2017). In the Qur'an Surah An-Nisa verse 32 is mentioned:

لِّلرِّجَالِ نَصِيبٌ مِّمَّا اكْتَسَبُوا وَلِلنِّسَاءِ نَصِيبٌ مِّمَّا اكْتَسَبْنَ ۖ وَاسْأَلُوا اللَّهَ مِنْ فَضْلِهِ ۗ إِنَّ اللَّهَ  
كَانَ بِكُلِّ شَيْءٍ عَلِيمًا

*Meaning: And do not envy what Allah has granted some of you more than others. (For the men have a share of what they have earned, and the women have a share of what they have earned, and ask Allah for a portion of His bounty. Verily, Allah knows all things.*

This verse clearly shows that everyone is entitled to the fruits of their labor. This means that men are entitled to the fruits of their labor, and women are also entitled to the fruits of

their labor. There is no doubt that the right to enjoy the fruits of one's labor is a privilege that belongs to him. He is entitled to benefit from the fruits of his labor. This privilege is the essence of copyright, a copyright will be recognized when it meets the following elements: First, the cause of copyright ownership of a creator with sincerity, diligence and scientific capital has made a copyrighted work that will benefit mankind. Second, the utilization of copyright, copyright as an exclusive right of the owner of the copyrighted work in Islam also has social rights, that for each individual to have ownership rights in Islam, although to the individual becomes a problem, as long as he keeps in the process of looking for his property in something halal. Third, the responsibility of copyright, in fact the scope of copyright in Islam includes two dimensions, namely the world and the hereafter, as well as the responsibility, a copyright owner will be accountable for every detail of his copyright work, both in the world and in the hereafter (Suryana, 2017).

Treasure is not only something material but also benefits. Because the benefits are the value of a treasure. as where the benefits of a house is to be occupied. Likewise copyright, it is a property right to property that becomes a medium for pouring ideas. Media pouring copyright is a property recognized by Islam because it meets the requirements as a treasure in shara'. Ikhwan mentioned that the properties of a property right, namely: First, the right always follow the object to where and wherever the object is located. Second, property rights give the owner more security than other debtors if the debt is accompanied by a pledge. Third, property rights fall or disappear with the destruction of the object of the right. Fourth, property rights are classified as absolute rights, so they are protected from other people (1999).

If we look at the conditions that have been mentioned, then copyright can not be separated with his copyrighted work. In addition, copyright can also be used as property if it has been poured on a medium. When a copyrighted work is not poured in a medium, then it is not a treasure and no protection to him. Since copyright is an individual property then others who utilize it must seek permission from the owner. The owner has the right to decide whether or not he takes compensation from the use of his copyrighted work.

In the case of YouTube re-uploaders, what often happens is that there are other parties who take as much profit as possible by reproducing other people's copyrighted works without the permission of the owner. From here it is clear that Youtube re-uploaders are taking the property rights of others without permission. The property rights are in the form of exclusive rights owned by the creator. Even a re-uploader earns so much profit from re-uplader activities, while the creator does not get anything.

Therefore, the actions of re-uploaders by taking other people's work which is then uploaded on their channel and getting money from these actions without the permission of the owner of the work is clearly contrary and violates *h}aq al-ibtik}ar* and ownership rights in Islam. As well as included in the criminal offense for taking other people's copyrights, where videos uploaded on Youtube by the creator are included in economically valuable property, in this case the video includes abstract property but has economic value where each video uploaded on Youtube and watched by many people will generate income from Youtube. Therefore, Youtube re-uploaders who commit these acts can be subject to punishment because



they have taken people's rights without permission and have clearly harmed the creator of the video. In Islam, the act of taking and eating other people is included in reprehensible acts and needs to be punished.

Regarding the act of Youtube re-uploader is included in the new criminal offense. Because in ancient times the development of technology was not as rapid as it is today, including the Youtube platform whose existence appeared in 2005, so that this re-uploader crime is a new (contemporary) case that is not found in the *Jarimah Hudud* and *Jarimah Qishash*, so it is necessary to use another approach, in this case using the *Jarimah Ta'zir*.

*Jarimah Ta'zir* is a criminal offense punishable by ta'zir punishment, which is a punishment that is not clearly determined in the text either in the Qur'an or in the hadith relating to crimes that violate the rights of God and the rights of servants, serving as a lesson for the perpetrator and preventing him from repeating the same crime. It can be understood that ta'zir punishment is a punishment determined by the ruler (judge) against various forms of sin, whether it violates the rights of Allah or the rights of servants which are detrimental or disruptive to the public good (Syarbaini, 2019).

Regarding Law No. 28 of 2014 concerning Copyright which contains protected copyrighted works contained in article 40 paragraph 1 letter m in which the video uploaded to Youtube is included in the protected cinematographic works. If there is a re-broadcasting or re-uploader of other people's videos without permission, it will be subject to sanctions in Article 113 paragraph (3) of the Copyright Act with a maximum penalty of 4 years and / or a maximum fine of Rp. 1,000,000,000 (one billion) clearly although this law is not based on Islamic law, but the protection provided in principle is in accordance with Islamic law, where the protection of property ownership rights is one of the objectives of Islamic law, it includes the dharuri needs of every human being. Therefore when Islam recognizes copyright as one of the property rights, then the ownership will be protected as the protection of property.

## Conclusions

Copyright protection against Youtube uploaders is regulated in Law No. 28 of 2014 on Copyright technically contained in article 40 paragraph (1) letter m although Youtube is not specifically mentioned in the article when viewed in the form of both youtube and cinematography there is a similarity of audiovisual form then for Youtube re-uploaders who perform acts of rebroadcasting or duplication of youtube videos then may be subject to criminal sanctions as contained in article 113 paragraph (3) of Law No. 28 of 2014 on Copyright with a maximum imprisonment of 4 (four) years, and / or a maximum fine of Rp. 1,000,000,000.00 (one billion rupiah). 28 of 2014 concerning Copyright with a maximum imprisonment of 4 (four) years, and / or a maximum fine of Rp. 1,000,000,000.00 (one billion rupiah).

Then based on in-depth research that the youtube re-uploader's actions are included in the *jarimah ta'zir*. Which punishment is left to ulil amri or the government, the protection of

property ownership rights is one of the objectives of Islamic law, it includes the dharuri needs of every human being. Therefore when Islam recognizes copyright as one of the property ownership rights, then the ownership will be protected as the protection of property.

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