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Sadbor Dance and Digital Saweran: A Legal Review of Begging Practices in the Digital Era

Sadbor Dance e Digital Saweran: una revisione giuridica delle pratiche di mendicità nell'era digitale

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Abstract

The viral Joget Sadbor phenomenon on the TikTok social media platform has raised various legal and ethical implications that need to be studied in depth. This study aims to analyze the legal aspects of the digital saweran practice in the context of Joget Sadbor, as well as explore the regulatory challenges faced in regulating this new phenomenon in the digital era. Using normative legal research methods, this study examines relevant laws and regulations, including the KUHP, the Undang-Undang ITE, and the Undang-Undang Perlindungan Anak, and applies progressive and responsive legal theories. The study results indicate a legal vacuum in regulating the practice of digital saweran, as well as challenges in interpreting existing laws to accommodate this new phenomenon. This study also reveals ethical dilemmas related to the exploitation of self and vulnerable groups, as well as the potential for misuse of digital platforms for illegal activities. This study concludes the need to develop a more comprehensive and responsive legal framework to regulate the practice of digital saweran and similar phenomena in the digital era, while still paying attention to aspects of legal protection, social justice, and ethics. The implications of this study include recommendations for regulatory updates that are adaptive to technological developments and social trends. In addition, this study highlights the importance of collaboration between policymakers, social media platforms, and the public in creating a safe and responsible digital environment. Further research is needed to explore the psychological and social impacts of the Joget Sadbor phenomenon, as well as develop effective prevention and intervention strategies to protect digital platform users, especially vulnerable groups such as children and adolescents.

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Abstract
Il fenomeno virale Joget Sadbor sulla piattaforma social TikTok ha sollevato diverse implicazioni legali ed etiche che devono essere studiate in modo approfondito. Questo studio mira ad analizzare gli aspetti legali della pratica digitale del saweran nel contesto di Joget Sadbor, nonché ad esplorare le sfide normative affrontate nella regolamentazione di questo nuovo fenomeno nell'era digitale. Utilizzando metodi di ricerca giuridica normativa, questo studio esamina le leggi e i regolamenti pertinenti, tra cui il KUHP, l'Undang-Undang ITE e l'Undang-Undang Perlindungan Anak, e applica teorie giuridiche progressiste e reattive. I risultati dello studio indicano un vuoto giuridico nella regolamentazione della pratica del saweran digitale, nonché difficoltà nell'interpretazione delle leggi esistenti per adattarle a questo nuovo fenomeno. Lo studio rivela anche dilemmi etici legati allo sfruttamento di sé stessi e dei gruppi vulnerabili, nonché il potenziale abuso delle piattaforme digitali per attività illegali. Lo studio conclude che è necessario sviluppare un quadro giuridico più completo e reattivo per regolamentare la pratica del saweran digitale e fenomeni simili nell'era digitale, prestando comunque attenzione agli aspetti della protezione giuridica, della giustizia sociale e dell'etica. Le implicazioni di questo studio includono raccomandazioni per aggiornamenti normativi che siano adeguati agli sviluppi tecnologici e alle tendenze sociali. Inoltre, questo studio sottolinea l'importanza della collaborazione tra i responsabili politici, le piattaforme di social media e il pubblico nella creazione di un ambiente digitale sicuro e responsabile. Sono necessarie ulteriori ricerche per esplorare gli impatti psicologici e sociali del fenomeno Joget Sadbor, nonché per sviluppare strategie di prevenzione e intervento efficaci per proteggere gli utenti delle piattaforme digitali, in particolare i gruppi vulnerabili come i bambini e gli adolescenti.

Keywords: Sadbor Dance; Digital Saweran; Cyber Law; Social Media; Digital Exploitation; Internet Regulation; Progressive Law; Digital Ethics

Summary: 1. Introduction. – 2. Research method. – 3. Legal Analysis of Digital Saweran Practices in the Dancing Sadbor Phenomenon. – 4. Ethical and Social Implications of Sadbor Dance as a Form of Digital Begging. – 5. Conclusion.

1. Introduction.

The development of digital technology has significantly changed various aspects of people's lives, including the way they interact and seek entertainment.[1] Sadmir Karović and Marina M Simović, in their research, assert that "the development of information and communication technology has brought radical changes in all aspects of human life, including in the field of criminal law".[2] The viral "Joget Sadbor" phenomenon on the TikTok social media platform is one manifestation of this

[1] M A F. Syahril, 'Hukum Informasi dan Transaksi Elektronik' 2023. Purbalingga: Eureka Media Aksara, https://repository.penerbiteureka.com/publications/560970/hukum-informasi-dan-transaksi-elektronik.
[2] S Karović and M Simović, 'Krivičnopravni I Viktimološki Aspekt Maloljetničke Delinkvencijeò-Izazovi, Dileme' (2022) 7(1) *Društvene Devijacije*, 193-202 https://doisrpska.nub.rs/index.php/drustvenedevijacije/article/view/9049.

change, which has attracted public attention and raised various questions regarding the legality and ethics of the accompanying digital *saweran* practices.

Joget Sadbor, originating from Margasari Village in Sukabumi, West Java, has gone viral thanks to its simple yet energetic movements. Popularized by Gunawan, the owner of the TikTok account @sadbor86tiktok, this phenomenon not only provides entertainment but also creates economic opportunities for residents. However, behind this success, concerns have arisen about the potential for exploitation and legal implications of the digital *saweran* practice that occurs during live broadcasts. The development of technology has also created new opportunities for criminal acts, which require an appropriate legal response.

The practice of digital *saweran* in the context of Joget Sadbor has raised questions about the boundaries between creativity and self-exploitation. Many consider this activity to be a form of online begging, which raises an ethical dilemma about how social media platforms can be used to generate income.[3] This is made even more complex given the lack of specific regulations governing this type of practice in Indonesia.[4] The law must adapt, quickly to technological changes to prevent and combat new forms of crime.[5]

Meanwhile, the current law does not specifically regulate the practice of online begging or digital *saweran*. Article 504 of the Kitab Undang-Undang Hukum Pidana (hereinafter referred to as KUHP) only regulates the prohibition of begging in public, with a maximum prison sentence of six weeks. However, this provision does not explicitly cover similar activities carried out on digital platforms such as TikTok. Rapid technological developments have opened up new opportunities for individuals to carry out various activities in cyberspace, including asking for donations or financial assistance. The inconsistency between existing laws and the reality of this technology can create legal loopholes that have the potential to be exploited by irresponsible parties.

The absence of clear regulations regarding the practice of online begging or digital *saweran* can cause various legal and social problems. On the one hand, digital platforms can be a means for those who need help to reach more people. However, on the other hand, the absence of proper supervision and regulation can open up opportunities for abuse and fraud. This shows the need for legal reforms that can accommodate technological developments and new social phenomena, such as online begging. With clear and comprehensive regulations, it is hoped that a balance can be created between freedom of expression on digital platforms and protection of the community from potential exploitation or fraud.

The Electronic Information and Transactions Law (Undang-Undang ITE) also does not contain specific provisions related to the practice of digital *saweran* or online begging. The Undang-Undang ITE focuses more on the prohibition of content that violates morality, gambling, insults, blackmail, and the dissemination of detrimental information. This shows a legal vacuum in regulating new phenomena such as Joget Sadbor and the accompanying digital *saweran* practices. Continuous legal updates to keep up with technological developments and new forms of crime.

Another concern that has emerged is the potential involvement of illegal elements in this digital *saweran* practice. Several reports indicate that the largest *saweran* during live broadcasts allegedly came from accounts affiliated with online

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[3] A Muhammad A Affan and A Rahmah, 'Evolusi Hukum Pidana Dalam Konteks Globalisasi: Tinjauan Literatur' (2024) 5(2) Jurnal Hukum Ius Publicum 121–35, https://journal.umelmandiri.ac.id/ojs/index.php/jiu/article/view/163.

[4] Pensihathukum.com, 'Fenomena Digital: Hukum Mengemis Online' [2024], https://www.penasihathukum.com/fenomena-digital-hukum-mengemis-online.

[5] N Angraeni et al., *Hukum Pidana: Teori Komprehensif*, ed. Sepriano (PT. Sonpedia Publishing Indonesia, 2024).

gambling. This raises serious questions about the origin of the funds used in *saweran* and the potential use of social media platforms for illegal activities. Technology can be used as a means to commit traditional crimes in new forms, which requires innovative legal approaches.

The Joget Sadbor phenomenon has also raised debate about the exploitation of vulnerable groups. Many Joget Sadbor actors come from lower-middle economic classes and see this activity as an opportunity to earn additional income. However, this has also raised concerns about the potential for exploitation and the long-term impact on their well-being. Protection of vulnerable groups must be a priority in the development of law in the digital era.

The Surat Edaran Menteri Sosial has provided an appeal on preventing begging activities both offline and online that exploit vulnerable groups[6] However, the implementation and effectiveness of this appeal in regulating phenomena such as Joget Sadbor still need to be evaluated further. The effectiveness of the law in regulating digital phenomena depends not only on the substance of the law but also on its implementation and enforcement.

From a psychological perspective, the Joget Sadbor phenomenon shows how creativity can emerge in various forms and conditions. However, there are concerns about the long-term psychological impact on the perpetrators, especially when the popularity of this phenomenon begins to decline. This raises questions about the sustainability and social impact of this kind of viral trend. Considering psychological and social aspects in the development of criminal law for digital phenomena.

Given the complexity of this issue, an in-depth study of the legal and ethical aspects of the practice of digital *saweran* in the context of Joget Sadbor is needed. This research will focus on the legality and ethics of the practice, as well as how Indonesian law can regulate activities similar to begging on social media platforms such as TikTok. This is important to ensure protection for all parties involved and to create a regulatory framework that follows current technological developments and social phenomena. The development of criminal law in the digital era must be holistic, considering technological, social, and ethical aspects.

Here are some previous studies:

No	Name	Title	Research result
1.	Raisha Shahana, Maria Indriani K, Detya Wiryany	Analysis of Online Begging Phenomenon in Tiktok[7]	This study reveals that the phenomenon of online begging on TikTok, prominently featuring individuals like Gunawan 'Sadbor', manipulates emotions for financial gain, thus raising significant social concerns related to exploitation and the transformation of public engagement on social media.
2.	Ageng Wicaksono, Mochammad	The Digital Legal Landscape: Unveiling	The study uncovers institutional contributions, active years in article production, key study areas, and

[6] Circular Letter from the Minister of Social Affairs of the Republic of Indonesia, Surat Edaran Menteri Sosial Nomor 2 Tahun 2023.

[7] R Shahana, M Indriani, and D Wiryany, 'Analysis Of Online Begging Phenomena in Tiktok (Case Study of Changes in the Structure of Social Problems About Online Beggars)' (2023) 6(1) West Science Interdisciplinary Studies 346–52, https://wsj.westscience-press.com/index.php/wsis/article/view/199.

	Tanzil Multazam, Rizqi Hasan	Institutional Contributions[8]	prolific authors in the field of cyberlaw, highlighting its significance in addressing digital challenges
3.	Mochammad Tanzil Multazam, Aan Eko Widiarto	Digitalization of Legal Systems: Opportunities and Challenges for Indonesia[9]	The study highlights that digitalization in Indonesia's legal system provides efficiencies and transparency but poses significant cybersecurity risks. It emphasizes the urgent need for enhanced digital literacy and reforms in legal education to equip professionals with the skills needed in a digital landscape.
4	Levan Gorelashvili	The Importance of Digitalization of Legal Documents Preparing Process and Its Impact on Peoples' Legal Guarantees[10]	This paper explores the possibility of replacing human lawyers' necessity with digital (tech) products during the legal document preparation process and its positive impact on peoples' legal guarantees. There will be discussed the strong and weak sides of changing the current (traditional) method of preparing legal documents and the potential of developing digitalization legal document preparing process in all legal professions (for lawyers, judges, notaries etc.). Implementing and developing the system discussed below will be an attempt to update the way legal documents are prepared and the beginning of making legal documents tech-based.

The viral Joget Sadbor phenomenon on TikTok has caught the public's attention because of the fantastic income potential that can be obtained just by dancing on the platform. Popularized by Gunawan through the account @sadbor86, this phenomenon has spread throughout his village in Sukabumi, changing the lives of residents. However, the large amount of money received from this live broadcast has raised suspicions among netizens.

Further investigation by social media users revealed that the top tippers in the Joget Sadbor livestream were allegedly affiliated with online gambling. This has raised speculation about possible money laundering practices or exploitation of digital platforms for illegal activities. This phenomenon raises serious questions about the regulation and oversight of monetization activities on social media

[8] A Wicaksono, MT Multazam, and R Hasan, 'The Digital Legal Landscape: Unveiling Institutional Contributions, Research Focus, and Influential Authors' (2023) 1 Proceedings of The ICECRS 12 https://icecrs.umsida.ac.id/index.php/icecrs/article/view/1640.

[9] MT Multazam and AE Widiarto, 'Digitalization of the Legal System: Opportunities and Challenges for Indonesia' (2023) 11 (2) *Rechtsidee*, DOI 1021070.

[10] L Gorelashvili, 'The Importance of Digitalization of Legal Documents Preparing Process and Its Impact on Peoples' Legal Guarantees' in *Digital Management in Covid-19 Pandemic and Post-Pandemic Times: Proceedings of the International Scientific-Practical Conference (ISPC 2021)* (Springer, 2023), 19–26.

platforms, as well as the potential misuse of digital tipping features for illegitimate purposes.

By considering these various aspects, this study is expected to provide significant contributions to understanding and regulating new phenomena in the digital era, especially related to the practice of digital *saweran* and similar activities on social media platforms. The results of this study can be the basis for developing more comprehensive policies and regulations in facing legal and ethical challenges in the digital era.

2. Research method.

This study uses a normative legal research method, which focuses on the analysis of applicable laws and regulations and legal norms related to the Joget Sadbor phenomenon and digital *saweran* practices.[11] [12] The approaches used include the statute approach, conceptual approach, case approach, and comparative approach.[13] The main data sources come from primary legal materials such as the 1945 Constitution, the Criminal Code, the ITE Law, and other related regulations, as well as relevant secondary and tertiary legal materials.

Through this method, it is hoped that a comprehensive understanding of the legal and ethical aspects of digital *saweran* practices in the context of Joget Sadbor can be obtained, as well as recommendations for the development of appropriate regulations.

3. Legal Analysis of Digital *Saweran* Practices in the Dancing Sadbor Phenomenon.

The viral Sadbor Dance phenomenon on the TikTok social media platform has attracted public attention because of the fantastic income potential that can be obtained just by dancing on the platform. However, the large amount of money received from this live broadcast has raised suspicions among netizens. This phenomenon shows another side of social media, where viral content often blurs the line between creativity and self-exploitation, and raises big questions about the ethics and social impact of the trend.[14] [15]

Further investigation by social media users revealed that the top tippers in the Joget Sadbor livestream were allegedly affiliated with online gambling. This has raised speculation about possible money laundering practices or exploitation of digital platforms for illegal activities. This phenomenon raises serious questions about the regulation and oversight of monetization activities on social media platforms, as well as the potential for misuse of digital tipping features for illegitimate purposes. The public needs to be aware of high-risk ways to make money

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[11] I Irwansyah, 'Penelitian Hukum: Pilihan Metode & Praktik Penulisan Artikel' [2020] *Yogyakarta: Mirra Buana Media.*

[12] M Syarif et al., *Metode Penelitian Hukum* (Get Press, 2024).

[13] BJ et al., *Metode Penelitian Hukum* (CV. Gita Lentera, 2023).

[14] M Abdillah, 'Konten Joget TikTok: Antara Kebebasan Berekspresi Dan Degradasi Moral Muslim' [2024], https://kumparan.com/mushab-abdillah/konten-joget-tiktok-antara-kebebasan-berekspresi-dan-degradasi-moral-muslim-23y43opp3QU.

[15] A Unisa, 'Tinjauan Psikologi Joget Sadbor Dan Potensi Judi Online' [2024], https://www.unisayogya.ac.id/tinjauan-psikologi-joget-sadbor/.

quickly, because many people are more interested in instant ways to become famous and rich, such as TikTok live broadcasts, Instagram, and similar platforms.[16].

In the context of criminal law, the KUHP does not explicitly regulate the practice of digital begging or online *saweran*. Article 504 of the KUHP only regulates the prohibition of begging in public places, with the threat of imprisonment for a maximum of six weeks.[17] However, interpreting this article in the digital context is a challenge, considering that "public places" in the Criminal Code do not automatically include digital spaces such as social media platforms. This indicates the need to reinterpret or revise the Criminal Code to accommodate technological developments and new forms of social activity in the digital era.

The Undang-Undang ITE and its amendments also do not specifically regulate the practice of digital *saweran*. The Undang-Undang ITE focuses more on regulating electronic transactions, protecting personal data, and prohibiting the distribution of illegal content such as pornography, gambling, and defamation.[18] However, the practice of digital *saweran* in Joget Sadbor can be reviewed from the perspective of the ITE Law related to aspects of electronic transactions that occur during the *saweran* giving process. Article 1 number 2 of the Undang-Undang ITE defines electronic transactions as legal acts carried out using computers, computer networks, and/or other electronic media. Thus, digital *saweran* can be considered a form of electronic transaction that needs to be further regulated.

The progressive legal theory put forward by Satjipto Rahardjo can be the basis for analyzing this phenomenon.[19] This theory emphasizes that the law must be able to follow the development of society and not be fixated on written rules alone. In the context of Joget Sadbor, a progressive legal approach can help in interpreting and applying existing laws to regulate this new phenomenon. Progressive law encourages law enforcers and policymakers to look beyond the text and consider social, economic, and technological aspects in formulating and implementing laws.

From the perspective of child and vulnerable group protection, Undang-Undang Nomor 35 Tahun 2014 tentang Perubahan Atas Undang-Undang Nomor 23 Tahun 2002 tentang Perlindungan Anak is very relevant in the context of the Joget Sadbor phenomenon. This law emphasizes the importance of protecting children from various forms of exploitation, including economic exploitation that can harm their growth and development. In the case of Joget Sadbor, an in-depth analysis is needed to determine whether this practice can be categorized as a form of economic exploitation of children who may be involved in it. The involvement of children in activities aimed at earning money through digital platforms, such as TikTok, can potentially violate the principles of child protection stipulated in the law.

Article 66 of the Undang-Undang Perlindungan Anak specifically prohibits the economic exploitation of children, and the practice of digital *saweran* involving children could potentially violate this provision and is written in Article 32 of the Konvensi Hak Anak which states: "States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be detrimental to the child's health or physical, mental, spiritual, moral or social development." The Joget Sadbor phenomenon involving children in dancing or dancing activities to get digital

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[16] A Unisa, 'Tinjauan Psikologi Joget Sadbor Dan Potensi Judi Online' [2024], https://www.unisayogya.ac.id/tinjauan-psikologi-joget-sadbor/.

[17] K S M et al., *Akuntansi Perpajakan: Teori, Landasan Hukum & Studi Kasus* (Jambi: PT. Sonpedia Publishing Indonesia, 2023).

[18] MAF. Syahril, 'Hukum Informasi dan Transaksi Elektronik' 2023. Purbalingga: Eureka Media Aksara, https://repository.penerbiteureka.com/publications/560970/hukum-informasi-dan-transaksi-elektronik.

[19] A Faisal, 'Pemikiran Hukum Progresif Prof. Dr. Satjipto Rahardjo' (2023) 2 Journal of Cross Knowledge, 314–28, https://edujavare.com/index.php/IJCK/article/view/172.

saweran needs to be carefully evaluated. It is necessary to consider whether the activity can interfere with the child's education, health, or moral and social development. In addition, it is also necessary to consider whether children involved in this activity receive adequate protection from potential harm or exploitation by irresponsible parties. Therefore, law enforcement and relevant stakeholders need to take proactive steps to ensure that the Joget Sadbor practice does not violate children's rights and does not become a means of economic exploitation of children.

Surat Edaran Menteri Sosial Nomor 2 Tahun 2023 tentang pencegahan kegiatan mengemis ough this circular does not have a binding legal force like a law, it can be a guideline in assessing the practice of digital *saweran* in Joget Sadbor from a social policy perspective. This circular shows the government's attention to the phenomenon of online begging and can be the basis for developing more comprehensive regulations in the future.

The responsive legal theory developed by Philippe Nonet and Philip Selznick is also relevant in analyzing this phenomenon. This theory emphasizes the importance of law to respond to social needs and public aspirations.[20] In the context of Joget Sadbor, a responsive legal approach can play a crucial role in formulating regulations that are following rapidly developing social and technological realities. Responsive law is a concept that emphasizes the importance of law to adapt and respond to social change dynamically. In this case, the Joget Sadbor phenomenon involving digital *saweran* practices on platforms such as TikTok is a real example of social change driven by technological developments. A responsive legal approach can help policymakers understand the complexity of this phenomenon more comprehensively, by considering various aspects such as child protection, digital ethics, and the potential economic impact of the practice.

Furthermore, responsive law encourages active public participation in the process of forming laws and policies. This is very important in regulating new phenomena such as digital *saweran*, given the complexity and dynamics involved in it. By involving various stakeholders, including digital platform users, technology experts, child psychologists, and law enforcers, the resulting regulations can be more comprehensive and effective. Public participation can also help identify the potential positive and negative impacts of the Joget Sadbor practice, as well as formulate a balanced solution between legal protection and freedom of expression in the digital era. Thus, a responsive legal approach not only allows for the creation of more relevant and adaptive regulations but also increases the legitimacy and public acceptance of these regulations.

Comparative analysis with regulations in other countries is also important to do. For example, in several developed countries, the practice of crowdfunding and online donations has been specifically regulated in the law. The United States, for example, has the JOBS Act which regulates crowdfunding, while the European Union has the Payment Services Directive 2 (PSD2) which regulates various aspects of digital payments. This comparison can provide insight into how to regulate digital *saweran* practices in Indonesia while still considering the local context.

From a civil law perspective, the practice of digital *saweran* in Joget Sadbor can be viewed from the aspect of electronic agreements and transactions. The Civil Code (KUHPerdata) regulates the requirements for the validity of an agreement, which can be applied in the context of digital transactions. Article 1320 of the Kitab Undnag-Undnag Hukum Perdata stipulates four main requirements for the validity of an agreement, namely the agreement of both parties, the capacity to agree, the

[20] MAY Pahlevi, CW Haruni, and SN Prasetyo, 'Application of Capital Punishment for Narcotics Offenders in the Perspective of Responsive Law' (2023) 11(2) *Rechtsidee*, DOI 1021070, https://rechtsidee.umsida.ac.id/index.php/rechtsidee/article/view/1013.

existence of certain things, and a lawful cause. In the context of digital *saweran*, it is necessary to analyze whether the transaction meets these four requirements. For example, is there a clear agreement between the giver and recipient of the *saweran*, are both parties legally competent (especially considering the possibility of children being involved), is the object of the transaction clear, and is the purpose of the *saweran* not contrary to law, morality, or public order.

Furthermore, considering that digital *saweran* is conducted through an electronic platform, it is also necessary to consider the legal aspects related to electronic transactions. The Undang-Undang ITE provides a legal basis for electronic transactions in Indonesia. Articles 5 and 6 of the Undang-Undang ITE state that "information, documents, and electronic signatures can be considered as valid evidence in e-commerce transactions, as long as the information can be verified, downloaded, displayed, guaranteed authenticity, and can be accounted for." In the context of Joget Sadbor, it is important to ensure that the platform used for digital *saweran* meets the security and validity standards for electronic transactions as stipulated in the Undang-Undang ITE. This is not only to ensure the validity of the transaction but also to provide legal protection for all parties involved in the practice of digital *saweran*.

John Rawls' theory of social justice can also be used to analyze this phenomenon from a philosophical perspectiv.[21] This theory emphasizes the importance of equal opportunity and protection for the most vulnerable groups in society. In the context of Joget Sadbor, it is necessary to consider whether this practice creates inequality or provides economic opportunities for certain groups. Rawls' difference principle can be applied to evaluate whether the practice of digital *saweran* provides the greatest benefits to the most disadvantaged groups in society.

Undang-Undang Nomor 19 Tahun 2016 tentang Perubahan Atas Undang-Undang Nomor 11 Tahun 2008 tentang Informasi dan Transaksi Elektronik also needs to be analyzed further, especially regarding the aspect of consumer protection in electronic transactions. The practice of digital *saweran* in Joget Sadbor can be seen as a form of electronic transaction involving the giver and recipient of *saweran*, so it needs to be regulated to protect the interests of both parties. Article 9 of the Undang-Undang ITE requires business actors who offer products through electronic systems to provide complete and correct information, which can be applied in the context of digital *saweran* practices to ensure transparency and consumer protection.

Finally, an analysis of Undang-Undang Nomor 28 Tahun 2014 tentang Hak Cipta is also relevant, considering that Joget Sadbor involves the creation of digital content. It is necessary to consider the copyright aspects of the movements and music used in Joget Sadbor, as well as how this relates to the accompanying digital *saweran* practice. Article 40 of the Copyright Law covers protection for works of dance and music, which may include the movements and songs used in Joget Sadbor. This is important to ensure the protection of intellectual property rights for content creators in the practice of digital *saweran*.

4. Ethical and Social Implications of Sadbor Dance as a Form of Digital Begging.

The viral Sadbor Dance phenomenon on TikTok has sparked significant ethical and social debates, extending far beyond mere entertainment into a complex form of

[21] H Imtihani and M Nasser, 'Keadilan Dalam Reformasi BPJS: Teori Rawls Dan Kajian Kritis Terhadap Kebijakan Kelas Rawat Inap Standar' (2024) 9(6) *Syntax Idea*, 3832–42, https://jurnal.syntax-idea.co.id/index.php/syntax-idea/article/view/4447.

digital begging with wide-ranging societal impacts. This trend, popularized by Gunawan alias Sadbor from Sukabumi, West Java, has rapidly evolved from a simple dance routine into a controversial social media phenomenon involving hundreds of participants.[22]

The Sadbor Dance initially gained traction during the COVID-19 pandemic as a creative outlet for rural communities facing economic hardships. However, it quickly transformed into a lucrative livestreaming business model, with Sadbor reportedly recruiting around 300 "employees" to participate in his TikTok broadcasts4. This rapid expansion has raised concerns about the exploitation of economically vulnerable individuals and the potential promotion of online gambling.[23]

From a sociological perspective, the Sadbor Dance can be analyzed through the lens of James Scott's theory of everyday resistance and Elisabeth Noelle-Neumann's Spiral of Silence theory.[24] The phenomenon represents a form of subtle protest by marginalized rural communities against economic inequalities, using social media as a platform to voice their discontent. However, this form of expression also risks perpetuating harmful stereotypes and normalizing digital begging as a viable income source.[25] [26]

Legal and ethical considerations surrounding the Sadbor Dance are complex. While the act of livestreaming itself is not illegal, allegations of links to online gambling promotion have led to legal scrutiny. The phenomenon also raises questions about digital literacy, online safety, and the responsibility of social media platforms in regulating content that may exploit vulnerable users.[27]

The Sadbor Dance phenomenon highlights the need for comprehensive digital literacy education, especially in rural areas undergoing rapid digitalization11. It also underscores the importance of developing robust economic support systems to provide alternatives to potentially exploitative online practices. As social media continues to reshape societal norms and economic opportunities, a nuanced understanding of phenomena like the Sadbor Dance is crucial for policymakers, educators, and social scientists alike.

From a legal perspective, the practice of Joget Sadbor as a form of digital begging has the potential to violate several laws and regulations. The Undang-Undang ITE is the main basis for regulating activities in cyberspace. Article 27 paragraph (1) of the Undang-Undang ITE prohibits the distribution or transmission of electronic information that has content that violates morality. In the context of Joget Sadbor, it is necessary to consider whether the content produced can be categorized as a violation of moral norms that apply in society.

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[22] AV Nariswari and D Alvinasari, 'Kisah Sadbor TikToker Viral Gegara Joget Ayam, Dulu Pernah Jadi Tukang Jahit Di Jakarta' [2024] *Suara.Com*, https://www.suara.com/lifestyle/2024/10/30/184906/kisah-sadbor-tiktoker-viral-gegara-joget-ayam-dulu-pernah-jadi-tukang-jahit-di-jakarta.

[23] AV Nariswari and D Alvinasari, 'Kisah Sadbor TikToker Viral Gegara Joget Ayam, Dulu Pernah Jadi Tukang Jahit Di Jakarta' [2024] *Suara.Com*, https://www.suara.com/lifestyle/2024/10/30/184906/kisah-sadbor-tiktoker-viral-gegara-joget-ayam-dulu-pernah-jadi-tukang-jahit-di-jakarta.

[24] AR Matondang and S Kholil, 'The Phenomenon Of Sadbor Dance On Tiktok: Farmers' Weak Weapon In The Spiral Of Silence And Daily Resistance' (2024) 2(4) *Journal of Research in Social Science and Humanities*, 490–95, https://jrssh.org/index.php/jrssh/article/view/209.

[25] R. Shahana, M Indriani and D Wiryany, 'Analysis Of Online Begging Phenomena in Tiktok (Case Study of Changes in the Structure of Social Problems About Online Beggars)' https://wsj.westsciences.com/index.php/wsis/article/view/199.

[26] Matondang, A. R., & Kholil, S. (2024). The Phenomenon Of Sadbor Dance On Tiktok: Farmers' Weak Weapon In The Spiral Of Silence And Daily Resistance. Journal of Research in Social Science and Humanities, 4(2), 490-495.

[27] D Utoyo, 'Rural Digitalization: The Story of 'Sadbor Dance' and the Trap of Modernization Without Development' LinkedId, [2024] https://www.linkedin.com/pulse/rural-digitalization-story-sadbor-dance-trap-without-donny-utoyo-rroqc/.

From a legal point of view, Pasal 504 KUHPThose who regulate the prohibition of begging in public need to study their relevance to this phenomenon. Although Joget Sadbor is carried out virtually, it is necessary to examine whether this activity can be categorized as a modern form of begging that violates the spirit of the article. According to Eduard Meiyer Paul in his article "Relevance Pasal 504 KUHP Tentang Pengemis di Depan Umum" published in the journal Lex et Societatis Vol. IV No. 2 of 2016, a progressive legal interpretation is needed to accommodate technological developments and changes in the form of social activities in the digital era.[28]

From an ethical perspective, this phenomenon creates a dilemma around self-exploitation and vulnerable groups. Jeremy Bentham's theory of utilitarianism ethics can be used to analyze this phenomenon. According to this theory, ethical actions are the ones that provide the greatest happiness to as many people as possible. In the context of Joget Sadbor, it is necessary to consider whether the economic benefits obtained by actors and their communities are proportional to the potential negative impact on the social and moral values of society at large.

The anomie theory proposed by Emile Durkheim is also relevant in analyzing this phenomenon. Anomie refers to a condition in which social norms weaken or even disappear so that individuals lose moral guidance in acting.[29] The Joget Sadbor phenomenon can be seen as a manifestation of anomie conditions in which traditional values and social norms are shaken by rapid technological and economic changes, prompting individuals to seek new ways to meet their economic needs, even if these methods have the potential to violate existing norms.

The long-term psychological and social impacts on the Joget Sadbor perpetrators also need to be considered. The labelling theory developed by Howard Becker can help in understanding how the social stigma that may arise from this activity can affect the perpetrator's identity and behaviour in the future.[30] Being labelled as a "digital beggar" or "cheap entertainer" can have negative consequences for the perpetrator's self-esteem and socio-economic prospects.

The Joget Sadbor phenomenon also reflects changes in social values in digital society. The theory of network society proposed by Manuel Castells can help in understanding how digital technology has changed social structures and the way individuals interact. In this context, Joget Sadbor can be seen as a form of society's adaptation to the logic of digital networks, where value is determined by online visibility and popularity.

Undang-Undang Nomor 44 Tahun 2008 tentang Pornografi also needs to be considered in analyzing this phenomenon. Although Joget Sadbor may not explicitly violate this law, it is necessary to examine whether some aspects of its performance have the potential to violate the norms of decency and morality stipulated in the law. Careful interpretation is needed to balance freedom of expression and protection of society's moral values.

The challenge of balancing digital creativity with protection against exploitation is also an important issue. The responsive legal theory developed by Philippe Nonet and Philip Selznick can provide a framework for understanding how law should adapt to social change while preserving fundamental values. In the context of Joget Sadbor, a flexible yet firm legal approach is needed to regulate digital innovation while protecting individual rights and social values.

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[28] EM Paulus, 'Relevansi Pasal 504 Kuhp Tentang Pengemis Di Depan Umum,' (2016) 4 *Lex Et Societatis* https://ejournal.unsrat.ac.id/index.php/lexetsocietatis/article/view/11423.

[29] A M Arif, 'Perspektif Teori Sosial Emile Durkheim Dalam Sosiologi Pendidikan' (2020) 2(1) *Moderasi: Jurnal Studi Ilmu Pengetahuan Sosial* 1–14, https://moderasi.org/index.php/moderasi/article/view/28.

[30] R Fitriah and HYusuf, 'Penerapan Teori-Teori Kriminologi Dalam Sistem Peradilan Pidana Indonesia: Sebuah Analisis' (2024) 2(1) *Jurnal Intelek Dan Cendikiawan Nusantara*, 1498–1507.

Undang-Undang Nomor 23 Tahun 2002 tentang Perlindungan Anak, as amended several times, most recently by Undang-Undang Nomor 17 Tahun 2016, also has relevance in analyzing the Joget Sadbor phenomenon. If this activity involves children, either as actors or spectators, it is necessary to consider whether it can be categorized as economic or sexual exploitation of children which is prohibited by this law.

The theory of social justice proposed by John Rawls can also be used to analyze this phenomenon from the perspective of distributive justice. According to Rawls, social and economic inequality can only be justified if it provides the greatest benefit to the least fortunate members of society.[31] In the context of Joget Sadbor, it is necessary to consider whether this practice actually provides significant and sustainable economic benefits to the communities involved, or whether it actually exacerbates existing social inequality.

Finally, the Joget Sadbor phenomenon also raises questions about the responsibility of social media platforms in regulating content distributed through their services. Undang-Undang Nomor 40 Tahun 1999 tentang Pers, although it does not directly regulate social media platforms, can be a reference in understanding how digital content regulation should be carried out. A balance is needed between freedom of expression and the social responsibility of platforms in preventing the spread of potentially harmful or unlawful content.

5. Conclusion.

The phenomenon of Joget Sadbor and the practice of digital *saweran* reveal a legal vacuum in Indonesian regulations, although several laws such as the KUHP, the Undang-Undang ITE, and the Undang-Undang Perlindungan Anak can be interpreted for this case. The need for a more responsive and progressive legal framework is urgent to accommodate technological developments and social trends, while still paying attention to the protection of vulnerable groups, digital ethics, and social justice. A comprehensive legal approach is needed to consider the criminal, civil, social and ethical implications of this practice in the digital era.

The complex ethical, social and legal implications of this phenomenon reflect changing values in digital society and the challenges of balancing creativity with protection. Analysis using various social and legal theories suggests the need for a responsive approach to regulating digital innovation, protecting individual rights and social values, and considering the responsibilities of social media platforms in content regulation. This phenomenon also raises ethical dilemmas related to the exploitation of the self and vulnerable groups, highlighting the importance of adequate policies to face the challenges of the digital era.

[31] J Rawls, *A Theory of Justice* (Harvard University Press, 1971).