



The Social Construction of Kiai Authority and Sexual Violence in Pesantren: A Case Study of Court Decision Number 136/Pid.Sus/PN.Smp

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Abstract: *This study aims to analyze the social construction of kiai authority within the pesantren tradition that enables the abuse of power in the form of sexual violence against female students, as well as to examine how state law delegitimizes such authority through the Sumenep District Court Decision Number 136/Pid.Sus/PN Smp. This research employs a normative legal research method using statutory approach and case approach. The research data consist of primary and secondary legal materials analyzed descriptively and analytically through Peter L. Berger's social construction theory. The findings reveal that kiai authority is formed through the processes of externalization, objectification, and internalization, positioning the kiai as a religious figure possessing strong moral and spiritual legitimacy. This condition creates hierarchical power relations that encourage the absolute obedience of students, thereby opening opportunities for the manipulation of authority, intimidation, and sexual violence. The court decision in this case demonstrates that state law functions as a corrective mechanism that dismantles the social construction of kiai authority when it is used to legitimize criminal acts. The novelty of this study lies in positioning a court decision as a social archive to explain the delegitimization of kiai authority through Peter L. Berger's social construction theory, thereby extending socio-legal analysis within the pesantren context. The findings imply the need to strengthen institutional accountability mechanisms and student protection systems to ensure that religious legitimacy cannot be misused to justify criminal conduct. This study emphasizes the importance of strengthening student protection mechanisms, institutional supervision within pesantren, and legal awareness to prevent the abuse of religious authority.*

Keywords: *Kiai, Pesantren, Sexual Violence, Social Reconstruction*

Abstrak: Penelitian ini bertujuan untuk menganalisis konstruksi sosial otoritas kiai dalam tradisi pesantren yang memungkinkan terjadinya penyalahgunaan kekuasaan berupa kekerasan seksual terhadap santriwati, serta mengkaji bagaimana hukum negara mendeligitimasi otoritas tersebut melalui Putusan Pengadilan Negeri Sumenep Nomor 136/Pid.Sus/PN Smp. Penelitian ini menggunakan metode penelitian hukum normatif dengan pendekatan perundang-undangan dan pendekatan studi kasus. Data penelitian berupa bahan hukum primer dan sekunder yang dianalisis secara deskriptif-analitis dengan menggunakan teori konstruksi sosial Peter L. Berger. Hasil penelitian menunjukkan bahwa otoritas kiai terbentuk melalui proses eksternalisasi, objektivasi, dan internalisasi yang menempatkan kiai sebagai figur religius dengan legitimasi moral dan spiritual yang sangat kuat. Kondisi tersebut menciptakan relasi kuasa hierarkis yang mendorong kepatuhan absolut santri sehingga membuka ruang terjadinya manipulasi otoritas, intimidasi, dan kekerasan seksual. Putusan pengadilan dalam perkara ini menunjukkan bahwa hukum negara berfungsi sebagai mekanisme korektif yang meruntuhkan konstruksi sosial otoritas kiai ketika digunakan untuk melegitimasi tindakan kriminal. Kebaruan penelitian ini terletak pada penggunaan putusan pengadilan sebagai arsip sosial untuk menjelaskan proses delegitimasi otoritas kiai melalui perspektif konstruksi sosial Peter L. Berger, sehingga memperluas analisis sosio-legal di lingkungan pesantren. Implikasi penelitian ini menunjukkan perlunya penguatan mekanisme akuntabilitas kelembagaan dan perlindungan santri agar legitimasi keagamaan tidak disalahgunakan sebagai instrumen pembenaran tindak pidana. Penelitian ini menegaskan pentingnya penguatan perlindungan santri, pengawasan kelembagaan pesantren, dan kesadaran hukum untuk mencegah penyalahgunaan otoritas keagamaan.

Kata Kunci: *Kiai, Kekerasan Seksual, Pesantren, Rekonstruksi Sosial.*



1. Introduction

The pesantren functions as a pivotal institution for the dissemination and preservation of Indonesia's Islamic intellectual and traditional heritage. It typically arises from community demand for advanced religious education, which is subsequently realized through the establishment of an institution centered around a kiai. The community's decision to pursue religious study at a specific pesantren is fundamentally predicated on the recognition of, and trust in, the founding kiai.¹ A pesantren is traditionally defined by five core elements: pondok (dormitory), kiai, santri, teaching of classical Islamic texts, and mosque with the kiai serving as the central authoritative figure whose scholarly reputation largely determines the institution's quality and influence.²

Etymologically, the term kiai is understood in Javanese society as a designation used to refer to a respected person, an object considered venerable, or an individual who teaches Islam.³ In Madurese society, the kiai is socially constructed as a central religious and moral authority whose guidance is widely followed, as reflected in the traditional hierarchy of respect expressed in the philosophy *bhuppa'-bhabhu' ghuru-rato*.⁴ This philosophy did not emerge abruptly; rather, it evolved through an extensive historical process whereby Madurese society constructed its perception of the kiai. Regardless of individual background, the Madurese community consistently complies with kiai directives, illustrating that the figure has been socially constructed as a pious, knowledgeable authority whose guidance is sought across all facets of life, extending far beyond purely religious concerns.⁵

The strong position of the kiai within both the institutional structure of the pesantren and the broader social structure of society, as reflected in such traditions and life philosophies, has attracted the attention of scholars to further examine the figure of the kiai and his role in society. One of the incidents that undermines the definition of a pesantren as an institution dedicated to the study and deepening of Islamic knowledge can be found in a decision of the Sumenep District Court. The case file reveals repeated acts of sexual harassment and violence committed collectively, even resulting in one of the victims giving birth. The victims were predominantly minors, and the perpetrator was the kiai who also served as the caretaker of the pesantren.⁶ These legal facts indicate that the legitimacy of the kiai's role and position within the social structure of society can enable such incidents to occur when the leadership of a kiai is not accompanied by adequate social control.

The novelty of this study lies in examining the Sumenep District Court Decision Number 136/Pid.Sus/PN.Smp as a socio-legal archive through Peter L. Berger's social construction theory to explain how the social construction of kiai authority enables sexual violence and is subsequently delegitimized through state legal intervention. Accordingly, a clear research gap remains regarding how judicial decisions can be interpreted as socio-legal

¹ Faizun Najah, "Persepsi Masyarakat Terhadap Pesantren: Studi Fenomenologi," *Jurnal Islam Nusantara* 05, no. 1 (2021), <https://doi.org/10.33852/jurnal.in.v5i1.238>.

² Zamakhsyari Dhofier, "The Pesantren Tradition: A Study of the Role of the Kyai in the Maintenance of the Traditional Ideology of Islam in Java" (Australian National University, 1980).

³ Zamakhsyari Dhofier, *Tradisi Pesantren Studi Tentang Pandangan Hidup Kyai* (Jakarta: LP3ES, 1985).

⁴ Ayuni Putri Wulandari et al., "Telaah Terhadap Interaksi Santri Dengan Kyai Dalam Kehidupan Masyarakat Madura," *Jurnal Yustitia* 23, no. 2 (2022).

⁵ Ali Topan and Itaanis Tianah, "Persentuhan Kiai Lokal Dalam Kontestasi Politik Era Reformasi Di Madura: Tinjauan Sejarah," *Jurnal Keislaman* 7, no. 2 (2024): 396–420.

⁶ Mahkamah Agung Republik Indonesia, "Putusan Nomor 136/Pid.Sus/PN Smp" (2025).



evidence to explain the construction and delegitimization of kiai authority within the pesantren context.

2. Literature Review

Within the pesantren tradition, the kiai occupies a central position as a religious leader, educator, and moral authority whose legitimacy extends beyond institutional boundaries into the broader social and cultural life of the community. This authority is constructed and reinforced through continuous interactions between religious values, social norms, and patterns of obedience that position the kiai as a highly respected figure.⁷ While such authority contributes to the preservation of Islamic learning and pesantren traditions, its hierarchical nature may also create asymmetrical power relations that become vulnerable to abuse when institutional accountability and legal oversight are absent. In this context, Peter L. Berger's theory of social construction provides a relevant analytical framework for explaining how authority is socially produced, maintained, and contested through the processes of externalization, objectification, and internalization.⁸

Kiai hold considerable authority and influence over both santri and the wider community. Among santri, acts of devotion such as competing to arrange the kiai's sandals are commonly perceived as a means of obtaining *barakah* (divine blessings).⁹ Within the broader community, the kiai's endorsement of unregistered (siri) marriages as a preventive measure against illicit relationships among santri has contributed to the normalization of the practice.¹⁰ Consequently, siri marriages in such contexts are often not regarded as a form of deviant behavior, as they are considered legitimate due to the kiai's approval. Other studies have also demonstrated that, in Madurese society, the figure of the kiai plays a decisive role in the success of political contests, indicating that the kiai's influence extends far beyond the pesantren environment and occupies a significant position within the broader social and political sphere.¹¹

Excessive authority without adequate oversight creates opportunities for abuse. Such deviations may also originate from the kiai's family members, particularly those known as *gus*, as evidenced by the growing public attention to the phenomenon of *gus-gusan*, which is often associated with hedonistic and materialistic lifestyles that contradict the traditional image of kiai as modest and ascetic religious leaders.¹² More seriously, several cases have revealed that kiai have exploited their authority to sexually abuse underage santri, resulting in pregnancies, while victims' children were falsely labeled as orphans and both the victims and their families were coerced into working for the kiai's personal benefit.¹³ While these works

⁷ Lailatur Rofidah and Nur Syam, "Fenomenologi Relasi Santri-Kiai Di Pesantren : Motif Nata Sandal Di Kalangan Santri," *Jurnal Tarbawi STAI Al Fithrah* 10, no. 1 (2021): 33–48.

⁸ Peter L Berger and Thomas Luckmann, *The Social Construction of Reality*, 13th ed. (London: Penguin Books Ltd, 1991).

⁹ Rofidah and Syam, "Fenomenologi Relasi Santri-Kiai Di Pesantren : Motif Nata Sandal Di Kalangan Santri."

¹⁰ Ahmad Muktafi, "Pola Relasi Suami Istri Pada Pernikahan Siri Di Kalangan Santri Perspektif Konstruksi Sosial (Studi Kasus Di Dusun Blok Pesantren Desa Sumber Kalong Kecamatan Wonosari Kabupaten Bondowoso)," *Al Fuadiy: Hukum Keluarga Islam* 7, no. 1 (2025).

¹¹ Jihan Amalia Syahidah, "Peran Kiai Dalam Kontestasi Politik Lokal Di Madura," *As-Shahifah: Journal of Constitutional Law and Governance* 2, no. 2 (2022): 213–25.

¹² Muhammad Daffa Rizki Abidin, Ahmad Ridwan, and Franciscus Xaverius Sri Sadewo, "Konstruksi Sosial Atas Fenomena 'Gus Gus an': Religiusitas, Gaya Hidup Mewah Dan Kontroversi Moral Di Mata Publik," *JISA: Jurnal Ilmiah Sosiologi Agama* 9, no. 1 (2026): 117–38.

¹³ Suci Amelia Harlen, "Pemenuhan Hak Santri Atas Kasus Pelanggaran Hak Asasi Manusia Oleh Oknum Pondok Pesantren," *Jurnal HAM* 13, no. 2 (2022): 199–214.



highlight cultural and ethnographic dimensions of power abuse, few have analyzed such deviations through the lens of court decisions, which is the focus of the present study.

While existing literature frequently addresses the sociological aspects of the pesantren environment, there remains a paucity of research examining the abuse of kiai authority through the lens of legal records. This study fills this gap by analyzing court decisions as a nexus where religious and state legitimacy collide. It specifically addresses two critical questions: first, how the social construction of kiai authority within pesantren facilitates the sexual exploitation of santri; and second, how this long-standing construction undergoes a process of rupture when confronted with state legal intervention. Accordingly, a research gap remains regarding the use of judicial decisions as socio-legal sources to explain how the social construction of kiai authority facilitates sexual violence and how such authority is delegitimized through state legal intervention.

Previous studies indicate that, absent institutional accountability, the kiai's prominent status can normalize problematic practices rather than merely fostering social stability. Phenomena such as the legitimation of nikah siri, shifting public perceptions of the gus figure, and cases of sexual abuse reveal that religious authority functions as a socially constructed entity susceptible to distortion. Peter L. Berger's social construction theory provides a relevant framework for this analysis: externalization constructs the kiai as a moral guardian; objectivation solidifies this role into an unquestionable reality; and internalization leads the community and santri to perceive these asymmetrical power relations as legitimate and natural.¹⁴

3. Research Methods

This study employs a normative legal research method focusing on the analysis of legal norms and judicial decisions relevant to the issue under examination. The research adopts both a statutory approach and a case approach.¹⁵ The statutory approach is utilized to examine legislation governing sexual violence, child protection, and the legal regulation of pesantren, while the case approach is employed through an in-depth analysis of Sumenep District Court Decision Number 136/Pid.Sus/PN Smp as the primary object of legal study.¹⁶ The case approach specifically focuses on the court's legal reasoning (*ratio decidendi*), judicial considerations, and established facts in order to understand how the abuse of kiai authority is assessed within the Indonesian legal system. The legal materials used in this research consist of primary and secondary legal materials. The primary legal materials include statutory regulations and Sumenep District Court Decision Number 136/Pid.Sus/PN Smp, while the secondary legal materials comprise books, journal articles, and other scholarly publications related to pesantren, kiai authority, sexual violence, and Peter L. Berger's social construction theory. The legal materials are collected through library research and analyzed descriptively and analytically to examine the phenomenon of the abuse of kiai authority from the perspective of Peter L. Berger's social construction theory.¹⁷

This aims to establish a strong analytical foundation based on various reliable sources, both direct and indirect. Furthermore, the obtained data are presented descriptively and analytically¹⁸. The purpose of this study is to examine the phenomenon of the abuse of kiai

¹⁴ Berger and Luckmann, *The Social Construction of Reality*.

¹⁵ Amiruddin and Zainal Asikin, *Pengantar Metode Penelitian Hukum* (Jakarta: Raja Grafindo Persada, 2006), 89.

¹⁶ Indonesia, Putusan Nomor 136/Pid.Sus/PN Smp.

¹⁷ Peter Mahmud Marzuki, *Penelitian Hukum* (Jakarta: Kencana Prenadamedia Group, 2016), 79.

¹⁸ Sigit Sapto Nugroho, Anik Tri Haryani, and Farkhani, *Metodologi Riset Hukum* (Sukoharjo: Oase Pustaka, 2020), 41.



4. Results and Discussion

A. Kiai Authority in the Tradition of Islamic Boarding Schools

Historically, the kiai has occupied a strategic position in the development of Islam in Indonesia through the institution of pesantren. The establishment of a pesantren is generally marked by the community's recognition of a kiai and by the collective aspiration of the community to deepen their understanding of Islam.¹⁹ The position and status of the kiai become even stronger and more strategic within the cultural context of Madurese society. This condition is closely related to the life philosophy of bhuppa'-bhabhu' ghuru-rato, which is upheld by the Madurese community.²⁰ This philosophy places the kiai in a special position within the social understanding of Madurese society. Consequently, it is not surprising that members of the community tend to approach a kiai whenever they encounter problems in their lives. The community often regards the kiai as a sacred figure and as the heir to the legacy of the prophets. As a result, the strong religious devotion of the Madurese people leads them to regard the kiai as a central moral and spiritual role model.²¹

Consequently, within Madurese society it is considered taboo to hate, insult, or show disrespect toward a kiai. This perception also reinforces the belief that, regardless of the circumstances, obedience to a kiai is regarded as an absolute obligation. As a result, it is not surprising that the position of the kiai in the eyes of Madurese society is often perceived as higher, or at least more authoritative, than that of government officials.²² The distinctiveness and privileged status of the kiai are not found solely on the island of Madura but are also evident among Madurese ethnic communities residing in the *Tapal Kuda* region, where Madurese cultural traditions continue to shape social life.²³

Madurese society historically adopted a social order known as kasunanan. This social structure gradually merged with the religious institutions introduced when pesantren established by kiai began to spread throughout Madura as an extension of the missionary efforts of the Wali Songo in Java. The establishment of pesantren, along with the recognition of kiai as leaders of both religious and customary life by the community, positioned the pesantren as a central institution in shaping the Islamic identity of Madurese society, making it an inseparable part of their social and cultural structure.²⁴ This means that the role of the kiai becomes highly crucial in shaping the behavioral patterns of Madurese society. This is because various social and religious activities even personal matters such as marriage are often considered legitimate only after obtaining the approval of a kiai.²⁵ At this point, it becomes

¹⁹ Najah, "Persepsi Masyarakat Terhadap Pesantren: Studi Fenomenologi."

²⁰ Wulandari et al., "Telaah Terhadap Interaksi Santri Dengan Kyai Dalam Kehidupan Masyarakat Madura."

²¹ Abdullah Achmad Madani, "Ambiguitas Peran Kyai Dalam Arena Publik," *Ekomadania* 9, no. 1 (2025): 15–30.

²² Topan and Tianah, "Persentuhan Kiai Lokal Dalam Kontestasi Politik Era Reformasi Di Madura: Tinjauan Sejarah."

²³ Suhermanto Ja'far, Haqqul Yaqin, and Muhammad Febriansyah, "Islam Aboge Between Heritage Tradition and Religious Sect in the Horseshoe Area," *Religia: Jurnal Ilmu-Ilmu Keislaman* 26, no. 2 (2023): 190–212.

²⁴ Ach Syafiq Fahmi et al., "Telaah Historis Lahirnya Pesantren Di Madura : Reformasi Perdikan Ke Pesantren," *Kasyafa: Jurnal Pendidikan Agama Islam* 1, no. 2 (2024): 69–80.

²⁵ Totok Agus Suryanto, Haldiya Syamsiar, and Muhammad Usamah, "The Central Role of the Village Kiai as Significant Other in Rural Madura," *Penamas: Journal of Religion and Society* 36, no. 1 (2023).



evident how deeply Madurese society depends on the figure of the kiai and how significant the role of the kiai is in shaping the social structure and character of Madurese society

Within the pesantren context, the role of the kiai becomes even more active than in the broader community. The kiai does not merely serve as the founder of the pesantren, but also functions as a mentor, teacher, and the principal authority in determining the institution's policies and direction. If a pesantren were to be analogized to a kingdom, the kiai would occupy the position of the king, given the centrality of his role in shaping and determining the development and progress of the pesantren.²⁶ Within the pesantren environment, santri are expected to regard the kiai not only as their teacher but also as a parental figure during the course of their religious studies. The relationship between the kiai and the santri is fundamentally grounded in a strong foundation of trust.²⁷ This relational pattern may not originate solely from the cultural traditions of the Sufis. There are also indications that the teacher–student relationship within pesantren is influenced by earlier traditions of teacher–disciple relations derived from Hindu–Buddhist teachings.²⁸

The figure of the kiai in a pesantren is not merely that of a teacher, but rather a paternal figure who possesses significant moral and spiritual authority within the institution. Consequently, his words and instructions are often expected to be followed without question. While such authority helps maintain the pesantren as an independent institution, this pattern of authority may also suppress the development of critical thinking and limit the space for open discussion within the pesantren.²⁹ This condition has given rise to a particular interpretation within the pesantren environment, in which santri perceive the kiai as a mediating figure through whom spiritual blessings may be obtained. As a result, a tradition known as ngalap berkah has emerged, whereby santri perform certain acts in the hope of receiving blessings through the kiai as an intermediary. This tradition has long been deeply rooted within pesantren culture, and its practices vary. They may include arranging the kiai's sandals, consuming leftover food, or drinking the remainder of the kiai's beverages. Such acts are understood as expressions of devotion and as efforts to obtain spiritual benefit. The ultimate aim is that the knowledge acquired by the santri will become meaningful and beneficial when they later serve in society.³⁰ The obedience of santri to the kiai is also closely related to the principle of sami'na wa atho'na, which may be translated as "we hear and we obey." Within this framework, it is considered inappropriate for a santri to question the instructions of their teacher. Instead, they are expected to carry out such instructions as part of their learning process within the pesantren.³¹

The condition of santri obedience and the blind fanaticism of society toward the figure of a kiai has at times generated new polemics. In the nineteenth century, Christiaan Snouck Hurgronje as cited by Michael Laffan identified at least three types of kiai. First, the ignorant kiai, who encourages blind obedience to himself rather than devotion to God. Second, the

²⁶ A Halim, Rr Suhartini, and Dkk, *Manajemen Pesantren*, ed. M Choirul Arif and A Sunarto AS (Yogyakarta: Pustaka Pesantren, 2005).

²⁷ Dhofier, "The Pesantren Tradition: A Study of the Role of the Kyai in the Maintenance of the Traditional Ideology of Islam in Java."

²⁸ Ahmad Ihwanul Muttaqin and Rif'an Khumaidi, "Konstruksi Budaya Pendidikan Pesantren," *Nusantara Journal of Islamic Studies* 04, no. 01 (2023).

²⁹ Juhairiyah et al., "Konstruksi Pengetahuan Dalam Relasi Kuasa Di Pondok Pesantren," *Kartika: Jurnal Studi Keislaman* 6, no. 1 (2026): 422–37.

³⁰ M Buhori and Dian Ahmadan, "Konstruksi Konsep Berkah Di Pesantren Tasikmalaya (Penelitian Di Pesantren Cipasung Dan Kajian Kitab Talim Muta'alim)," *Pesan-Trend: Jurnal Pesantren Dan Madrasah* 3, no. 2 (2024): 43–55.

³¹ Bz. Fitri\ Pebriaisyah, Wilodati, and Siti Komariah, "Kekerasan Seksual Kyai Terhadap Santri Perempuan Di Pesantren," *Kafa'ah: Journal of Gender Studies* 12, no. 2 (2022): 134–49.



ignorant and malicious kiai, who teaches fraudulent forms of magic and employs them for harmful purposes, such as theft. Third, the virtuous and wise kiai, who guides his students to deepen their religious knowledge and to remain obedient to God.³² This suggests that even before independence, colonial observers had recognized that not all kiai were solely devoted to teaching religion and preaching. Rather, some kiai taught religion with particular motives or interests beyond purely religious instruction.

Such motives may, in certain cases, culminate in acts of harassment and sexual violence committed by a kiai against his santri. These “*ignorant kiai*” exploit the trust deeply embedded within society and among the santri, presenting themselves as legitimate successors to the prophetic mission of preaching. As a result, they construct an image of authority that is considered beyond suspicion, questioning, or opposition whenever they issue instructions or religious directives.³³ Kiai who commit such immoral acts within pesantren often occupy positions of dominant authority. This condition is closely related to the perception that the kiai is more knowledgeable and morally correct than the santri. Consequently, a kiai may legitimize his actions as justified and present them as directives that must be followed.³⁴

When sexual abuse is perpetrated by a kiai, the misconduct is frequently legitimized through religious manipulation.³⁵ Perpetrators often exploit the victims' psychological vulnerability by framing abusive acts as pathways to divine blessing or forms of 'spiritual knowledge transmission, causing profound psychological trauma.³⁶ Victims are often coerced into silence by threats that reporting would tarnish the pesantren's reputation or burden the kiai with unnecessary hardship.³⁷ Tragically, many victims are minors who lack the agency to defend themselves. These children experience severe cognitive dissonance, struggling to reconcile the kiai's role as a parental figure with his deviant actions. Fear of social stigma and familial rejection further reinforces this silence.³⁸ Consequently, the tradition of total obedience originally rooted in institutional trust has been perversely inverted, becoming a structural catalyst for abuse within the pesantren environment.³⁹

Historically, the kiai-santri-community triad has been anchored in profound institutional trust, where the kiai's actions were traditionally beyond reproach.⁴⁰ However, this paradigm is undergoing a steady erosion. The community has shifted from passive recipients of fatwas to active evaluators of the kiai's family conduct, increasingly scrutinizing behaviors that contradict

³² Michael Laffan, *Sejarah Islam Di Nusantara* (Jakarta: Mizan Digital Publisng, 2011).

³³ Amalia Syauket et al., “Sextortion Fenomena Pemerasan Seksual Di Lingkungan Pendidikan,” *Jurnal Kajian Ilmiah* 22, no. 3 (2022): 219–30.

³⁴ Desy Wahyu Rahmawati, “Faktor Penyebab Dan Penanggulangan Tindak Pidana Kekerasan Seksual Di Lingkungan Pesantren Kulon Progo” (Universitas Islam Indonesia, 2023).

³⁵ Nuril Endi Rahman, M. Mohtar Mas'od, and Muhad Faton, “Korelasi Antara Tingkat Stigma Dan Upaya Normalisasi Stigma Oleh Oknum Pemuka Agama Yang Menjadi Pelaku Kekerasan Seksual,” *Jurnal Analisa Sosiologi* 13, no. 2 (2024): 276–96.

³⁶ Salwa Dama Nazila and Ziyah Yusriana Asri, “Penyimpangan Moral Dalam Kekerasan Seksual Di Lembaga Pendidikan : Analisis Terhadap Al- Anfal: 27 Dan An-Nisa: 135,” *Spiritus : Religious Studies and Education Journal* 3, no. 2 (2025): 39–46.

³⁷ Zulia Khikmatul Maulidia, Diah Ariani Arimbi, and Nunuk Endah Srimulyani, “Holy Institution, Unholy Reality: Analisis Wacana Kritis Terhadap Sudut Pandang Vice Indonesia Tentang Kekerasan Seksual Pesantren,” *SIBATIK JOURNAL* 4, no. 10 (2025): 3079–96.

³⁸ Ryan Aldi Nugraha, “Kekerasan Seksual Dalam Perspektif Dominasi Kuasa,” *Ijouds: Indonesia Journal of Gender Studies* 3, no. 1 (2021): 79–87.

³⁹ Endri Puji Winarno et al., “Investigasi Pendidikan Islam Terhadap Kuasa Otoritas Kekerasan Seksual Di Pesantren,” *Al Qalam: Jurnal Ilmiah Keagamaan Dan Kemasyarakatan* 19, no. 2 (2025): 958–72.

⁴⁰ Wulandari et al., “Telaah Terhadap Interaksi Santri Dengan Kyai Dalam Kehidupan Masyarakat Madura.”



expected moral standards.⁴¹ This erosion is evidenced by the increasing willingness of victims to pursue legal recourse, as observed in the Sumenep sexual abuse case.⁴² Consequently, such crises threaten the credibility of the kiai figure, potentially undermining the long-term sustainability of the pesantren as a cultural institution. This reality poses a complex challenge: how to uphold the sanctity of authentic Islamic pedagogy while simultaneously implementing necessary accountability measures to protect those currently vulnerable to abuse.

B. The Dynamics of Power Relations in the Perspective of Peter L. Berger

According to Peter L. Berger and Thomas Luckmann, social reality within a society is formed through the processes of externalization, objectification, and internalization.⁴³ Through the concepts of externalization, objectivation, and internalization, this section analyzes how kiai leadership within the pesantren not only shapes patterns of compliance among students and the community but also establishes asymmetrical power relations. Furthermore, it examines how state legal rulings serve as a critical juncture that destabilizes this social construction.

Externalization is the first process in the formation of a social order. At this stage, individuals attempt to adapt to their world. In the context of social order, this adaptation refers to acceptance within the system of social rules recognized by society. Social order is not an innate condition present from birth, as instincts are in animals; rather, it is continuously created and renewed through human actions.⁴⁴ A society's stock of knowledge and everyday practices also influence the process of externalization.⁴⁵ Thus, in this initial process, society is understood as a system of order created by humans.⁴⁶

Based on the explanation of externalization, the figure of the kiai can be understood as emerging from the community's need for a person who can guide them not only in religious matters but also in everyday life. This is reflected particularly in Madurese society, where a kiai is regarded as someone who legitimizes the conduct of both social and personal activities⁴⁷. Through their stock of knowledge, reflected in the philosophy of *bhuppa'-bhabhu' ghuru-rato* transmitted orally, in writing, and through social practices Madurese society regards the kiai as an integral part of everyday life.⁴⁸ In the pesantren context, the term kiai does not need to be translated as ulama, as students already understand that the term inherently conveys this meaning. When the word kiai is used among students in Islamic boarding schools, they immediately recognize it as referring to the teacher who guides them, rather than to parents or revered objects, as interpreted by Dhofier in his explanation of the term.⁴⁹

This process is also evident in the Sumenep District Court verdict. The externalization process is demonstrated by several incidents cited in the ruling. First, the perpetrator exploited the students' collective understanding of the kiai figure when committing molestation and

⁴¹ Abidin, Ridwan, and Sadewo, "Konstruksi Sosial Atas Fenomena 'Gus Gus an': Religiusitas, Gaya Hidup Mewah Dan Kontroversi Moral Di Mata Publik."

⁴² Indonesia, Putusan Nomor 136/Pid.Sus/PN Smp.

⁴³ Berger and Luckmann, *The Social Construction of Reality*.

⁴⁴ Berger and Luckmann.

⁴⁵ Aimie Sulaiman, "Memahami Teori Konstruksi Sosial Peter L. Berger," *Jurnal Society* VI, no. 1 (2016): 15–22.

⁴⁶ Asmanidar, "Suluk Dan Perubahan Perilaku Sosial Salik (Telaah Teori Konstruksi Peter L Berger Dan Thomas Luckman)," *Abrahamic Religions: Jurnal Studi Agama-Agama* 1, no. 1 (2021): 99–107.

⁴⁷ Suryanto, Syamsiar, and Usamah, "The Central Role of the Village Kiai as Significant Other in Rural Madura."

⁴⁸ Wulandari et al., "Telaah Terhadap Interaksi Santri Dengan Kyai Dalam Kehidupan Masyarakat Madura."

⁴⁹ Dhofier, "The Pesantren Tradition: A Study of the Role of the Kyai in the Maintenance of the Traditional Ideology of Islam in Java."

sexual assault. He employed phrases such as 'this is a teacher's command' and threatened that 'revealing this event will lead to eternal misfortune in this world and the hereafter'.⁵⁰ These phrases served as the basis for the perpetrator's criminal actions, as he understood that the victims, in their capacity as students, were inherently bound to submit and obey the kiai. The verdict also reveals an externalization process experienced by the community, specifically the witnesses presented by MS. These witnesses dismissed the allegations against MS as mere rumors and falsehoods, citing his status as a kiai and religious teacher at the pesantren. They maintained this stance even as MS's victims wept in the courtroom. Alleging ulterior motives to discredit MS, the witnesses insisted that, regardless of the evidence and facts presented, such actions were inconceivable for a kiai of his stature⁵¹. The contradiction between MS's actions and the community's perception of the kiai figure stems from long-standing, repeated practices and a collective understanding of the kiai that has been deeply ingrained in society for generations.

Objectification is the second process in the formation of a social order. Through which society perceives the outcomes of the norms and social arrangements formed during externalization. What was initially created by humans gradually becomes recognized and accepted as something natural and self-evident.⁵² Objectification can also be understood as the fulfillment of human needs through social instruments and structures within society. These elements are then adopted and internalized by community members through both primary and secondary social interactions. Ultimately, objectification contributes to shaping humans as rational and distinctive beings.⁵³

In the context of the kiai's role, society no longer views this figure as a social construct created to meet the community's need for guidance and leadership. Instead, the kiai is now perceived as an essential element of the social order, particularly within Madurese society. In this context, the kiai occupies a highly distinctive position, often regarded as more authoritative than government officials. This status stems from the belief that the kiai is the successor to the prophets and bears responsibility for preserving the moral order of society.⁵⁴ Thus, within Madurese culture, a kiai's fatwa often becomes the primary guide for social action. Even when such guidance does not align with state regulations for example, in the acceptance of unregistered marriages (*siri*) many community members tend to follow the kiai's ruling.⁵⁵ However, marriages that are not officially registered with the state contradict Indonesia's marriage laws and regulations.⁵⁶

Kiai are understood by the community as guardians who maintain and lead religious activities. Accordingly, they perform their role by guiding and filtering local traditions and rituals either by leading them directly or through dialogue so that these practices remain consistent

⁵⁰ Indonesia, Putusan Nomor 136/Pid.Sus/PN Smp.

⁵¹ Indonesia.

⁵² Berger and Luckmann, *The Social Construction of Reality*.

⁵³ Asmanidar, "Suluk Dan Perubahan Perilaku Sosial Salik (Telaah Teori Konstruksi Peter L Berger Dan Thomas Luckman)."

⁵⁴ Topan and Tianah, "Persentuhan Kiai Lokal Dalam Kontestasi Politik Era Reformasi Di Madura: Tinjauan Sejarah."

⁵⁵ Muktafi, "Pola Relasi Suami Istri Pada Pernikahan Siri Di Kalangan Santri Perspektif Konstruksi Sosial (Studi Kasus Di Dusun Blok Pesantren Desa Sumber Kalong Kecamatan Wonosari Kabupaten Bondowoso)."

⁵⁶ Negara Kesatuan Republik Indonesia, "Undang-Undang Republik Indonesia Nomor 1" (1974), <https://doi.org/10.1093/nq/s2-ix.215.112a>.



with Islamic principles, tawhid, and prevailing social norms.⁵⁷ Consequently, the community does not remain a passive recipient but actively interprets the actions and behavior of the kiai and their family members. This also explains why phenomena such as *gus-gusan* involving the families of kiai often receive strong criticism from the community, as such actions contradict their expectations of the moral conduct associated with the kiai and their household.⁵⁸

Within the pesantren environment, the social reality of the kiai's position also appears as an objective social structure. As a religious educational institution, the pesantren places the kiai as the central figure holding the highest authority in various aspects of institutional life. This position extends beyond the role of teaching religious knowledge, encompassing leadership as a spiritual guide, decision-maker, and moral reference for all members of the pesantren community. Consequently, this structure of authority becomes an accepted and normalized social order within pesantren life.⁵⁹ Within this structure, decisions made by the kiai are regarded as legitimate mechanisms for regulating pesantren life. The kiai's position as the highest authority is no longer viewed as a social construct shaped by the pesantren community but as an inherent component of the pesantren educational system itself.⁶⁰

Moreover, various traditions within pesantren life further reinforce the objectification of the kiai's position. Practices of respect toward the kiai, the use of religious symbols associated with scholarly authority, and the hierarchical relationship between kiai and students grounded in trust all form part of the social reality regarded as characteristic of the pesantren.⁶¹ Through these practices, the kiai's position as a figure of moral and religious authority is continuously reproduced and maintained in pesantren social life. Consequently, within the pesantren context, the kiai's role is not merely understood as a social function emerging from the needs of religious education, but as an objective social reality. The presence of the kiai as the center of authority is regarded as an inseparable element of the pesantren's structure and culture. This condition indicates that the social construction of kiai authority has undergone a strong process of objectification within pesantren social life.

This pattern is also reflected in the decision of the Sumenep District Court. In persuading his victims, MS did not hesitate to employ religious symbols, particularly by emphasizing students' obedience to their teacher as a means of legitimizing his actions. Witnesses who attempted to defend the perpetrator also invoked his status as a kiai teaching in a pesantren to deny and question the accusations, even though they saw the victims crying during the court proceedings.⁶² This occurs because the process has persisted over a long period, producing habitualization that has been deeply internalized within the community.⁶³ Internalization is the final stage in Peter L. Berger's process of social construction. The entire process through which individuals become members of society by understanding prevailing norms and rules through socialization constitutes the stage of internalization.⁶⁴ Internalization

⁵⁷ Syamsul Hadi, "Tradisi Pesantren Dan Kosmopolitanisme Islam Di Masyarakat Pesisir Utara Jawa," *Muqoddima: Jurnal Pemikiran Dan Riset Sosiologi* 2, no. 1 (2021): 79–98, <https://doi.org/10.47776/MJPRS.002.01.06>.

⁵⁸ Abidin, Ridwan, and Sadewo, "Konstruksi Sosial Atas Fenomena 'Gus Gus an': Religiusitas, Gaya Hidup Mewah Dan Kontroversi Moral Di Mata Publik."

⁵⁹ Bagus Ahmadi, "Charismatic Leadership Style of Kiai in Pondok Pesantren Lirboyo Kediri," *Jurnal Media Akademik* 2, no. 10 (2024).

⁶⁰ Halim, Suhartini, and Dkk, *Manajemen Pesantren*.

⁶¹ Muttaqin and Khumaidi, "Konstruksi Budaya Pendidikan Pesantren."

⁶² Indonesia, Putusan Nomor 136/Pid.Sus/PN Smp.

⁶³ Ahmad Agung and Ramadhanita Mustika Sari, "Filsafat Dan Perubahan Perilaku Keagamaan Santri Di Pondok Pesantren Mahasiswa Muthahhari Yogyakarta," *Misykat: Jurnal Ilmu-Ilmu Al-Quran Hadist Syariah Dan Tarbiyah* 8, no. 1 (2023): 28–36.

⁶⁴ Berger and Luckmann, *The Social Construction of Reality*.



is the stage in which objective reality is drawn into the individual and becomes subjective reality through processes of primary and secondary socialization. At this stage, humans have become products of society.⁶⁵ Internalization through primary and secondary socialization occurs throughout an individual's life within society.⁶⁶

The internalization process within the pesantren is characterized by the unconditional obedience students accord to the kiai. The students perceive the kiai not merely as a teacher, but as a vital medium for acquiring barakah (divine blessing) and ensuring the future utility of their knowledge. In their pursuit of this blessing, they engage in various acts of devotion, ranging from organizing the kiai's sandals and kissing his hand to consuming the remnants of his food and drink.⁶⁷ This tradition has long been established and understood by students at the pesantren, both before and after they depart from the institution.

The Sumenep District Court verdict illustrates an deeply ingrained form of internalization that facilitated the recurrence of these acts over an extended period. First, the perpetrator leveraged the students' inherent duty of obedience to the kiai to coerce victims into compliance. MS manipulated deeply rooted linguistic codes familiar to the students, claiming that reporting or disclosing the events would result in the loss of barakah (divine blessing) and bring misfortune upon their families, while further legitimizing his conduct under the guise of 'a teacher's command'.⁶⁸ These utterances were deeply internalized by the students over a prolonged period. Within the pesantren environment, defying a kiai is considered taboo, particularly due to the concept of sami'na wa atho'na (we hear and we obey), which allowed MS to manipulate his words as if they were authoritative religious guidance.⁶⁹

Second, the verdict indicates that MS continued to deny his actions in court, claiming that he did not understand why the female students or the woman would choose to expose their own disgrace⁷⁰. Regardless of the perpetrator's contradictory statements, this indicates that in the wider societal view, sexual abuse is still perceived as a disgrace to the victims rather than to the perpetrator himself⁷¹. This condition explains why sexual abuse can persist within the pesantren for years, as evidenced in the verdict; such deeply entrenched perceptions effectively silence victims and shield the perpetrator.

Third, the court documents reveal that defense witnesses remained steadfast in their denial, insisting that the perpetrator was incapable of such immoral acts. These witnesses maintained that the allegations were slanderous, pointing to the perpetrator's high social status and standing within both the pesantren and the broader community as definitive proof of his character.⁷² These three points constitute a chain of social reality within Peter L. Berger's social construction theory. The processes of internalization, driven by the individual and collective perception of the kiai as a sacrosanct figure, have facilitated the recurrence of sexual abuse and molestation within the pesantren for years.

⁶⁵ Asmanidar, "Suluk Dan Perubahan Perilaku Sosial Salik (Telaah Teori Konstruksi Peter L Berger Dan Thomas Luckman)."

⁶⁶ Agung and Sari, "Filsafat Dan Perubahan Perilaku Keagamaan Santri Di Pondok Pesantren Mahasiswa Muthahhari Yogyakarta."

⁶⁷ Buhori and Ahmadan, "Konstruksi Konsep Berkah Di Pesantren Tasikmalaya (Penelitian Di Pesantren Cipasung Dan Kajian Kitab Talim Muta'alim)."

⁶⁸ Indonesia, Putusan Nomor 136/Pid.Sus/PN Smp.

⁶⁹ Pebriaisyah, Wilodati, and Komariah, "Kekerasan Seksual Kyai Terhadap Santri Perempuan Di Pesantren."

⁷⁰ Indonesia, Putusan Nomor 136/Pid.Sus/PN Smp.

⁷¹ Maulidia, Arimbi, and Srimulyani, "Holy Institution, Unholy Reality: Analisis Wacana Kritis Terhadap Sudut Pandang Vice Indonesia Tentang Kekerasan Seksual Pesantren."

⁷² Indonesia, Putusan Nomor 136/Pid.Sus/PN Smp.



C. Abuse of Authority and Disruption by State Law (Study of Sumenep District Court's Decision)

The decision issued by the District Court of Sumenep functions not only as a juridical record but also as a social archive that reflects the tension between the religious authority of the kiai and the state's legal mechanisms. An examination of the legal facts, witness testimonies, and judicial considerations presented during the trial indicates that, without proper control and accountability, the authority of a kiai may transform into acts of sexual violence against santri.

The abuse was committed by MS, a kiai who also served as a caretaker and teacher at the pesantren, against five of his female students, most of whom were minors.⁷³ Children are particularly vulnerable to sexual abuse due to the perpetrator's moral degradation, their perceived weakness and vulnerability, and the lack of adequate supervision from parents and the community.⁷⁴ Such incidents can occur because the community often feels no need to question or correct the authority of a kiai. At the same time, a kiai is generally regarded as a parental figure while children reside in the pesantren.⁷⁵

Records indicate that five out of ten victims of sexual abuse and molestation reported MS's actions to the police. However, during the trial, six victim-witnesses were presented, yet the court only included four victims as part of the judicial facts used to convict the perpetrator. The victims considered in the judge's deliberation were victim-witnesses xxx1, xxx2, xxx3, and xxx5. The court decision document also reveals a discrepancy in the reported timeline between victim-witness xxx3 and xxx4. Victim xxx3 stated that the abuse and sexual assault occurred in 2021, while victim xxx4 indicated that the incident took place in 2020. Although six victims testified before the court, only four were ultimately used by the judges as the basis for establishing the court's factual findings.⁷⁶ The forms of abuse and violence committed by the perpetrator included rape, which resulted in one of the victims suffering a miscarriage. Other deviant acts were also identified, including the coercion of victims into engaging in threesome activities with the perpetrator. In addition to rape, the perpetrator committed acts of physical violence when one of the victims threatened to report his actions. Furthermore, the perpetrator also committed sexual harassment against one of the victims, who was his own niece.

Given the repetitive nature of MS's sexual abuse and molestation, the court determined that the perpetrator was of sound mind and body, thus legally liable for his actions. The court sentenced MS to 20 years of imprisonment and a fine of 5 billion IDR, or an additional 6 months of confinement in default of payment. Furthermore, the court imposed accessory penalties, including public disclosure of MS's identity as a child sex offender in both national and local media. Additional sanctions include chemical castration and two years of electronic monitoring. During the sentencing phase, the court found no mitigating circumstances to warrant a reduction in the perpetrator's penalty.⁷⁷

The legal facts within the Sumenep District Court verdict demonstrate that sexual violence in the pesantren is neither an isolated nor spontaneous occurrence; rather, it persists within social relations that enable the perpetrator to maintain authority over an extended period. The strategies of silencing victims, pursuing out-of-court reconciliation, and the

⁷³ Indonesia.

⁷⁴ Yeremia Richardo Napitupulu and Bryan Astro Julio, "Pelecehan Seksual Anak Di Bawah Umur Pada Anak Indonesia," *Jurnal Multidisiplin Indonesia* 2, no. 10 (2023): 3088–95.

⁷⁵ Wulandari et al., "Telaah Terhadap Interaksi Santri Dengan Kyai Dalam Kehidupan Masyarakat Madura."

⁷⁶ Indonesia, Putusan Nomor 136/Pid.Sus/PN Smp.

⁷⁷ Indonesia.



students' fear of reporting misconduct illustrate how the kiai's authority functions as a social force that is difficult to challenge, often sacrificing justice to preserve the institution's reputation.⁷⁸ Consequently, this court verdict serves not only as a record of individual criminal acts but also as an exposure of the social and cultural structures that sustain such abuses of authority. These historical facts provide the foundation for further analysis, utilizing Peter L. Berger's social construction theory to elucidate how the kiai's authority is produced, legitimized, and ultimately destabilized when confronted with the state's legal mechanisms.

Within the framework of social construction theory, social reality having undergone the processes of externalization, objectivation, and internalization is inherently dynamic and continuous. Such reality may face a crisis when it encounters divergent systems or societal values.⁷⁹ In the context of this study, this crisis becomes apparent when the case of sexual violence perpetrated by a kiai in a pesantren is brought into the state legal domain and processed through judicial mechanisms. The Sumenep District Court verdict demonstrates that the religious authority, previously viewed as valid within the pesantren environment, no longer serves as a legitimate basis when confronted with positive law norms. In other words, actions that were previously shielded by the kiai's symbolic authority are reinterpreted by the state as criminal offenses and legal violations.⁸⁰

The intervention of state law in this case marks a collision between two distinct systems of legitimacy: the religious legitimacy nurtured within the pesantren tradition and the legal legitimacy established by the state. Through this process, the social construction of the kiai's authority long objectified within the pesantren begins to fracture. The figure of the kiai, previously positioned as an untouchable moral and spiritual leader, is no longer perceived solely as a religious authority, but as a legal subject accountable for his actions.⁸¹ Thus, the court verdict functions not merely as a mechanism for punishing the perpetrator, but also as a pivotal moment where a social reality previously accepted as natural is contested and scrutinized through the lenses of law and justice.

From a social perspective, this crisis demonstrates that religious authority within the pesantren is neither a static structure nor immune to change. State legal intervention creates a space for reinterpreting the power dynamics between the kiai and the students dynamics long legitimized by tradition and religious authority. Consequently, the state's effort to restore public trust in the kiai figure involves punishing the perpetrator for tarnishing the pesantren institution, damaging the image of Islam, and causing parental anxiety regarding the safety of sending their children to such boarding schools. In this regard, the court verdict serves not only as a tool for enforcing criminal law against the perpetrator of sexual violence but also as a profound point of reflection on the social construction of religious authority within the pesantren. Through judicial mechanisms, the state establishes normative standards, affirming that religious legitimacy cannot be invoked to conceal or justify abuses of power. From the perspective of Peter L. Berger's social construction theory, this moment represents a process of delegitimization stripping away the taken-for-granted status of a long-established social reality. The kiai's authority, previously objectified as unquestionable, enters a state of crisis when confronted with the state's legal mechanisms and the demand for justice for the victims. Ultimately, the verdict delegitimizes the misuse of religious authority by subjecting the kiai to

⁷⁸ Nurmayani et al., "Kekerasan Seksual Berbasis Relasi Keagamaan : Studi Literatur Atas Kasus Kasus Di Pesantren Indonesia," *Jurnal Inovasi Dan Kolaborasi Nusantara* 06, no. 2 (2025): 149–57.

⁷⁹ Berger and Luckmann, *The Social Construction of Reality*.

⁸⁰ Indonesia, Putusan Nomor 136/Pid.Sus/PN Smp.

⁸¹ Indonesia.



state law, thereby opening space for more accountable, transparent, and student-protective power relations in pesantren

5. Conclusion and Suggestions

This study concludes that the social construction of kiai authority, while serving as an important foundation for religious education within pesantren, may also generate asymmetrical power relations when not accompanied by effective accountability mechanisms. The interaction between religious legitimacy and state law demonstrates the importance of judicial intervention in redefining the boundaries of authority and ensuring legal protection for students against abuses of power.

The study contributes to socio-legal scholarship by integrating Peter L. Berger's social construction theory with normative legal analysis through a case approach. Unlike previous studies that primarily discuss the sociological dimensions of pesantren or rely on media reports, this research positions a court decision as both a legal document and a social archive for examining the interaction between religious legitimacy and state authority. It also provides practical insights into the importance of strengthening accountability mechanisms within pesantren while maintaining respect for the positive role of kiai as religious educators.

Despite these contributions, this research is limited by its reliance on a single court decision and normative legal analysis without empirical investigation involving victims, pesantren communities, or institutional stakeholders. Future studies should adopt empirical or socio-legal methods by incorporating interviews and field observations to obtain a more comprehensive understanding of power relations and institutional dynamics within pesantren. Furthermore, policymakers and pesantren administrators should strengthen internal supervision, legal awareness, and victim protection mechanisms to prevent the misuse of religious authority and promote a safer educational environment.

6. Daftar Pustaka

- Abidin, Muhammad Daffa Rizki, Ahmad Ridwan, and Franciscus Xaverius Sri Sadewo. "Konstruksi Sosial Atas Fenomena 'Gus Gus an': Religiusitas, Gaya Hidup Mewah Dan Kontroversi Moral Di Mata Publik." *JISA: Jurnal Ilmiah Sosiologi Agama* 9, no. 1 (2026): 117–38.
- Agung, Ahmad, and Ramadhanita Mustika Sari. "Filsafat Dan Perubahan Perilaku Keagamaan Santri Di Pondok Pesantren Mahasiswa Muthahhari Yogyakarta." *Misykat: Jurnal Ilmu-Ilmu Al-Quran Hadist Syariah Dan Tarbiyah* 8, no. 1 (2023): 28–36.
- Ahmadi, Bagus. "Charismatic Leadership Style of Kiai in Pondok Pesantren Lirboyo Kediri." *Jurnal Media Akademik* 2, no. 10 (2024).
- Amiruddin, and Zainal Asikin. *Pengantar Metode Penelitian Hukum*. Jakarta: Raja Grafindo Persada, 2006.
- Asmanidar. "Suluk Dan Perubahan Perilaku Sosial Salik (Telaah Teori Konstruksi Peter L Berger Dan Thomas Luckman)." *Abrahamic Religions: Jurnal Studi Agama-Agama* 1, no. 1 (2021): 99–107.
- Berger, Peter L, and Thomas Luckmann. *The Social Construction of Reality*. 13th ed. London: Penguin Books Ltd, 1991.
- Buhori, M, and Dian Ahmadan. "Konstruksi Konsep Berkah Di Pesantren Tasikmalaya (Penelitian Di Pesantren Cipasung Dan Kajian Kitab Talim Muta'alim)." *Pesan-Trend: Jurnal Pesantren Dan Madrasah* 3, no. 2 (2024): 43–55.
- Dhofier, Zamakhsyari. "The Pesantren Tradition: A Study of the Role of the Kyai in the Maintenance of the Traditional Ideology of Islam in Java." Australian National University, 1980.
- . *Tradisi Pesantren Studi Tentang Pandangan Hidup Kyai*. Jakarta: LP3ES, 1985.



- Fahmi, Ach Syafiq, Faiqatul Munawwarah, Maimun, and Intan Dwi Permatasari. "Telaah Historis Lahirnya Pesantren Di Madura : Reformasi Perdikan Ke Pesantren." *Kasyafa: Jurnal Pendidikan Agama Islam* 1, no. 2 (2024): 69–80.
- Hadi, Syamsul. "Tradisi Pesantren Dan Kosmopolitanisme Islam Di Masyarakat Pesisir Utara Jawa." *Muqoddima: Jurnal Pemikiran Dan Riset Sosiologi* 2, no. 1 (2021): 79–98. <https://doi.org/10.47776/MJPRS.002.01.06>.
- Halim, A, Rr Suhartini, and Dkk. *Manajemen Pesantren*. Edited by M Choirul Arif and A Sunarto AS. Yogyakarta: Pustaka Pesantren, 2005.
- Harlen, Suci Amelia. "Pemenuhan Hak Santri Atas Kasus Pelanggaran Hak Asasi Manusia Oleh Oknum Pondok Pesantren." *Jurnal HAM* 13, no. 2 (2022): 199–214.
- Indonesia, Mahkamah Agung Republik. Putusan Nomor 136/Pid.Sus/PN Smp (2025).
- Ja'far, Suhermanto, Haqqul Yaqin, and Muhammad Febriansyah. "Islam Aboge Between Heritage Tradition and Religious Sect in the Horseshoe Area." *Religia: Jurnal Ilmu-Ilmu Keislaman* 26, no. 2 (2023): 190–212.
- Juhairiyah, Maimun, A Sa'dud Darain, Eliyatul Fitriyah, and Achmad Junaidi. "Konstruksi Pengetahuan Dalam Relasi Kuasa Di Pondok Pesantren." *Kartika: Jurnal Studi Keislaman* 6, no. 1 (2026): 422–37.
- Laffan, Michael. *Sejarah Islam Di Nusantara*. Jakarta: Mizan Digital Publising, 2011.
- Madani, Abdullah Achmad. "Ambiguitas Peran Kyai Dalam Arena Publik." *Ekomadania* 9, no. 1 (2025): 15–30.
- Marzuki, Peter Mahmud. *Penelitian Hukum*. Jakarta: Kencana Prenadamedia Group, 2016.
- Maulidia, Zulia Khikmatul, Diah Ariani Arimbi, and Nunuk Endah Srimulyani. "Holy Institution, Unholy Reality: Analisis Wacana Kritis Terhadap Sudut Pandang Vice Indonesia Tentang Kekerasan Seksual Pesantren." *SIBATIK JOURNAL* 4, no. 10 (2025): 3079–96.
- Muktafi, Ahmad. "Pola Relasi Suami Istri Pada Pernikahan Siri Di Kalangan Santri Perspektif Konstruksi Sosial (Studi Kasus Di Dusun Blok Pesantren Desa Sumber Kalong Kecamatan Wonosari Kabupaten Bondowoso)." *Al Fuadiy: Hukum Keluarga Islam* 7, no. 1 (2025).
- Muttaqin, Ahmad Ihwanul, and Rif'an Khumaidi. "Konstruksi Budaya Pendidikan Pesantren." *Nusantara Journal of Islamic Studies* 04, no. 01 (2023).
- Najah, Faizun. "Persepsi Masyarakat Terhadap Pesantren: Studi Fenomenologi." *Jurnal Islam Nusantara* 05, no. 1 (2021). <https://doi.org/10.33852/jurnalin.v5i1.238>.
- Napitupulu, Yeremia Richardo, and Bryan Astro Julio. "Pelecehan Seksual Anak Di Bawah Umur Pada Anak Indonesia." *Jurnal Multidisiplin Indonesia* 2, no. 10 (2023): 3088–95.
- Nazila, Salwa Dama, and Ziyen Yusriana Asri. "Penyimpangan Moral Dalam Kekerasan Seksual Di Lembaga Pendidikan : Analisis Terhadap Al- Anfal: 27 Dan An-Nisa: 135." *Spiritus : Religious Studies and Education Journal* 3, no. 2 (2025): 39–46.
- Negara Kesatuan Republik Indonesia. Undang-undang Republik Indonesia Nomor 1 (1974). <https://doi.org/10.1093/nq/s2-ix.215.112a>.
- Nugraha, Ryan Aldi. "Kekerasan Seksual Dalam Perspektif Dominasi Kuasa." *Ijouds: Indonesia Journal of Gender Studies* 3, no. 1 (2021): 79–87.
- Nugroho, Sigit Supto, Anik Tri Haryani, and Farkhani. *Metodologi Riset Hukum*. Sukoharjo: Oase Pustaka, 2020.
- Nurmayani, Sarah Zulchoiroh, Alfina Tussalmi, Sulisma Yovani, and Ichzan Perdiansyah. "Kekerasan Seksual Berbasis Relasi Keagamaan : Studi Literatur Atas Kasus Kasus Di Pesantren Indonesia." *Jurnal Inovasi Dan Kolaborasi Nusantara* 06, no. 2 (2025): 149–57.
- Pebriaisyah, Bz. Fitri\, Wilodati, and Siti Komariah. "Kekerasan Seksual Kyai Terhadap Santri Perempuan Di Pesantren." *Kafa'ah: Journal of Gender Studies* 12, no. 2 (2022): 134–49.
- Rahman, Nuril Endi, M. Mohtar Mas'od, and Muhad Faton. "Korelasi Antara Tingkat Stigma

- Dan Upaya Normalisasi Stigma Oleh Oknum Pemuka Agama Yang Menjadi Pelaku Kekerasan Seksual.” *Jurnal Analisa Sosiologi* 13, no. 2 (2024): 276–96.
- Rahmawati, Desy Wahyu. “Faktor Penyebab Dan Penanggulangan Tindak Pidana Kekerasan Seksual Di Lingkungan Pesantren Kulon Progo.” Universitas Islam Indonesia, 2023.
- Rofidah, Lailatur, and Nur Syam. “Fenomenologi Relasi Santri-Kiai Di Pesantren : Motif Nata Sandal Di Kalangan Santri.” *Jurnal Tarbawi STAI Al Fithrah* 10, no. 1 (2021): 33–48.
- Sulaiman, Aimie. “Memahami Teori Konstruksi Sosial Peter L. Berger.” *Jurnal Society* VI, no. 1 (2016): 15–22.
- Suryanto, Totok Agus, Huldiya Syamsiar, and Muhammad Usamah. “The Central Role of the Village Kiai as Significant Other in Rural Madura.” *Penamas: Journal of Religion and Society* 36, no. 1 (2023).
- Syahidah, Jihan Amalia. “Peran Kiai Dalam Kontestasi Politik Lokal Di Madura.” *As-Shahifah: Journal of Constitutional Law and Governance* 2, no. 2 (2022): 213–25.
- Syauket, Amalia, Ika Dewi Sartika Saimima, Rajanner P Simarmata, Widya Romasindah Aidy, Nina Zainab, Rahadi Budi Prayitno, and Cornelia Evelin Cabui. “Sextortion Fenomena Pemerasan Seksual Di Lingkungan Pendidikan.” *Jurnal Kajian Ilmiah* 22, no. 3 (2022): 219–30.
- Topan, Ali, and Itaanis Tianah. “Persentuhan Kiai Lokal Dalam Kontestasi Politik Era Reformasi Di Madura: Tinjauan Sejarah.” *Jurnal Keislaman* 7, no. 2 (2024): 396–420.
- Winarno, Endri Puji, Islah, Toto Suharto, and Fauzi Muharom. “Investigasi Pendidikan Islam Terhadap Kuasa Otoritas Kekerasan Seksual Di Pesantren.” *Al Qalam: Jurnal Ilmiah Keagamaan Dan Kemasyarakatan* 19, no. 2 (2025): 958–72.
- Wulandari, Ayuni Putri, Suhaimini, St Nuradinda Wahyudiarti, Prima Zandika, Sofianto, Moh Syauki Iklil, and Moh Sofyan. “Telaah Terhadap Interaksi Santri Dengan Kyai Dalam Kehidupan Masyarakat Madura.” *Jurnal Yustitia* 23, no. 2 (2022).