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Consistent Law Enforcement Creates An Anti-Gambling Legal Culture

Siprianus Edi Hardum

Fakultas Hukum, Universitas Tama Jagakarsa, Jakarta Indonesia

*Corresponding Author: edihardum@gmail.com

Abstract: One of the challenges of the current Indonesian State is the crime of gambling. Offline and online gambling does not have a positive impact on individuals, society and the country at all. Precisely the negative impact that arises, among others, first, the impact on individuals and families, namely gambling makes poor. Playing gambling, both online and offline, makes a person and his family economically destitute. The group of people who fall into gambling is a group of people who are classified as poor and low-income. They are already poor, they are playing gambling, they are getting poorer. In addition to economic losses for the gambler, online gambling is also addictive: Online gambling is addictive. The person involved often finds it difficult to stop even though they have already suffered a loss. their money to scammers. The next impact for the individual is mental disorders. Anxiety, depression, and severe stress are often experienced by gamblers who lose or feel guilty. The impact on the family is the rift in the household. Online gambling can cause arguments, loss of trust, and divorce. Family money can be spent on gambling, leading to financial hardship and unmet basic needs. In extreme cases, children can experience neglect due to parents who are too focused or addicted to gambling. Impact on Society. Crime rates are increasing: Implications for the State. The state has to spend huge costs on law enforcement, rehabilitation, and handling the social impact of online gambling. Therefore, this article offers solutions to prevent and eradicate gambling.

Keywords: Gambling, Online Gambling, Poor People

INTRODUCTION

The development of information and communication technology has brought major changes in people's lives, including in the pattern of economic and social activities. On the one hand, technological advances provide convenience in various areas of life. But on the other hand, these developments also give rise to various new social problems, one of which is the increasing prevalence of gambling practices, especially online gambling. This phenomenon does not only occur in big cities, but has also spread to regions, causing serious social, economic, and legal impacts on society.

Gambling is basically not a new phenomenon in people's lives. For a long time, the practice of gambling has been known in various forms of games involving bets on money and valuables. However, the emergence of internet-based gambling has made this practice more

accessible to anyone, anytime, and anywhere. The ease of access has caused the number of gamblers to increase significantly, even involving various levels of society regardless of age, education level, or socioeconomic status. The negative impact of gambling, particularly online gambling, is not only felt by individual perpetrators, but also has a wide impact on the family and social environment. Many cases show that gambling addiction causes a person to suffer large financial losses, get into debt, lose their job, and even lead to domestic conflicts and divorce. In addition, it is not uncommon for gambling practices to also trigger other criminal acts such as fraud, embezzlement, and domestic violence.

Various cases that occur in society show that gambling can destroy the stability of one's family and social life. Not a few families have to lose their property, experience prolonged conflicts, and even lead to humanitarian tragedies due to gambling addiction. This condition shows that gambling is not just a recreational activity, but has developed into a serious social problem and requires comprehensive treatment.

Therefore, strict and consistent enforcement of gambling practices is very important. Law enforcement not only aims to provide a deterrent effect to the perpetrators, but also to build public awareness and create a legal culture that rejects all forms of gambling. With consistent law enforcement, it is hoped that a strong legal culture can be born in society, especially a legal culture that is anti-gambling practices, so as to create a more orderly, safe, and prosperous social life.

The real cases that occurred in various regions in Indonesia show how serious the impact of gambling is on the lives of individuals and families. This becomes an important basis for understanding how gambling practices can undermine the social order of society. Therefore, the following descriptions of some of the cases can provide a concrete picture of the real impact of gambling on people's lives.

The increasingly rampant gambling phenomenon has caused various social problems, especially in domestic life. This can be seen from a number of cases that occur in the community, one of which is the following case. Yudi (36), a resident of Bojong Village, Bojong Nangka Village, Gunung Putri District, Bogor Regency, West Java, was divorced by his wife Serly (30). The reason is, two units of their car and one unit of the house they occupy had to be sold because Yudi was entangled in debt. The man with three children was wrapped in money because of the loss of playing online gambling (slots).

Another case occurred in West Manggarai, East Nusa Tenggara (NTT). Mesi (42), a resident of Pateng Village, Pateng Lesu Village, Ndosso District, had to sell two plots of land to pay his debt. In addition, some of his rice fields had to be pawned to others as well to pay debts. This man with three children is entangled in debt. Mesi wallows in online gambling games. His wife Emy often ran away to her parents' house in Kajong, West Reok, Manggarai, because she was upset with her husband's behavior that it was difficult to leave the habit of gambling.

Another case was that a female police member (Polwan) FN from the Mojokerto Police, East Java (East Java) blindly doused her husband RDW, who is also a member of the National Police, with gasoline and then lit a fire. FN acted without control because her husband used household money to gamble. FN tried to extinguish the fire and had taken her husband to the Wahidin Sudiro Husodo Hospital, but his life could not be saved. RDW died with 96 percent burns. Meanwhile, FN was designated as a suspect in a domestic violence case and detained¹.

The three cases above are three married couples out of so many Indonesian married couples who fell into poverty and ended in divorce due to cases of online gambling and conventional gambling.

¹ https://pusiknas.polri.go.id/detail_artikel/bahaya_judi:_suami_dibakar,_istri_ditahan.

Gambling and gambling are one of the challenges and even obstacles to development in Indonesia in addition to corruption, collusion and nepotism (KKN), religious radicalism (Islam), and rampant drug trafficking.

According to the Great Indonesian Dictionary (KBBI), gambling is a game by using money or valuables as bets such as playing cards, dice and gambling is the root of crime.

Gambling in English is called *gambling*, in Dutch it is called *gokspel* or *hazardspel* which means game, where players bet to choose one choice among several options where only one choice is correct and becomes the winner. The player who loses the bet will give his bet to the winner. Rules and bet amounts are determined before the match starts².

The lottery can be seen as gambling where the rules of the game are by way of determining a decision by random selection. Draws are usually held to determine the winner of a prize. An example is a lottery where participants have to buy a piece of a numbered ticket. The number of these tickets is then randomly drawn and the number drawn is the winning number. Ticket holders with this winning number are entitled to certain prizes³.

The principle in gambling in general aims to make a profit if you win a bet. The more money or goods are at stake, the greater the money will be earned.

Gambling consists of two categories, namely, *first*, conventional gambling, which is gambling that is carried out face-to-face, must meet physically involved in the game and use cash. *Second*, online gambling is gambling that is carried out through internet media. So those involved in gambling do not meet physically⁴.

RESULTS AND DISCUSSION

Conventional Gambling

There are five conventional gambling games that Indonesians like the most⁵, *first*, the Togel (Dark Betting). This lottery is not unfamiliar to some Indonesian people. Lottery to enter to remote parts of Indonesia. Lottery is a game of guessing numbers that, according to history, has been popular since hundreds of years ago. Although the game has a variety of names, the point is still to guess the numbers. However, what distinguishes this game is only the matter of giving gifts. In NTT, especially in mainland Flores, people guess numbers until they believe or rely on dreams. Not a few people in NTT who are economically weak are increasingly destitute because they wallow in this gambling.

Second, Cockfighting. Cockfighting is a type of gambling where there is a punishment. The way to play this gambling is to use chickens as animals that are pitted. Generally, when roosters are fighting, the spectators will place bets. They bet to determine which chicken will win. If he wins, the bet money will fall on him, and if he loses, it will be the other way around.

Cockfighting gambling is found in almost all regions in Indonesia. The most famous of this cockfighting gambling is on the island of Bali. In Manggarai Raya, cockfighting gambling is located in Ruteng District and a number of surrounding villages.

Third, Dice Gambling. A dice is a small, generally cube-shaped object that is used to generate random numbers or symbols. Craps are used in a variety of children's games and gambling.

Fourth, card gambling (playing cards) is a game that involves betting money or other valuable objects on the outcome of a card game, in the hope of getting a bigger profit. Not a few Indonesians still live in poverty, even from a fairly good economic existence to destitution

² <https://id.wikipedia.org/wiki/Perjudian> (diakses, 6 Juli 2025).

³ Ibid

⁴ <https://mojok.co/kilas/sosial/alasan-judi-online-lebih-berbahaya-ketimbang-judi-konvensional-bisa-jadi-penyakit/>

⁵ <https://economy.okezone.com/read/2022/05/20/622/2597194/5-permainan-judi-melanggar-hukum-yang-banyak-disukai-oleh-orang-indonesia?page=2>

because the husband always sits in a circle playing cards. Card gambling is the main disease of the people of Greater Manggarai, NTT, including those who are alumni of secondary seminaries and high seminaries in Flores. In fact, not a few NTT people who live not far from the State Palace who as a law enforcer are like advocates are very maniacal in this card gambling.

Card gambling that is played ranges from playing rummy, to dominoes. Even the owner of the house where card gambling is held will provide drinks and also empty glasses in the middle. The person who wins the gamble will fill the glass as a donation to the homeowner. In some areas, this practice is often raided by the police because it is considered unlawful.

A true story in the Tangerang area, Banten, in 2024, around 12 people from Manggarai, NTT were arrested by the police for gambling cards in a warehouse of a company's factory. The twelve people were put into a police truck (a basket car as they term). From their hands were confiscated around Rp 5,000,000.00 in card gambling betting money. The police instead took these gamblers to the police station for legal proceedings, but the police instead asked for money from each person (gamblers) in the amount of Rp 5,000,000.00, with which they would not be detained and not processed by the law. All these gamblers are bad factories. All of them did not agree to pay Rp 5,000,000.00. Because they could not afford to pay Rp 5,000,000.00 per person, they were taken around with the police. Towards night, they were finally able to pay Rp 1,000,000.00 million per person to the police. Some of them borrow from their friends over the phone. After paying such a sum per person, the police then released them.

Fifth, Soccer Gambling. Soccer betting is indeed very popular in Indonesia. This type of betting is not boring and gives a challenging impression. Where we will champion one of the football teams that are playing. For football fans, of course, soccer betting is not a strange thing.

Judi Online

Online gambling was born in line with the birth of the industrial revolution which is currently entering the industrial revolution 4.0., even until the industrial revolution 5.0. There are also stages of the industrial revolution⁶, *first*, the Industrial Revolution 1.0. It happened around 1750 -1850 (18th century) with the invention of the Steam Engine by James Watt in England. Since then, there have been massive changes in production in agriculture, manufacturing, mining, transportation and technology. With the invention of the steam engine, the machine consumes human power.

Second, the Industrial Revolution 2.0. It happened in the early 20th century with the invention of electric power and conveyor belts. Steam power was replaced by electric power, and the conveyor belt industry in the late 1800s, cars, tanks, airplanes, and weapons began to be mass-produced. The change from an agrarian society to an industrial society. In this century, there was an acceleration in the development of mechanical engines. These inventions changed the face of the world in real terms, especially making it easier for people to accessibility.

Third, the Industrial Revolution 3.0 was marked by the invention of computers and robots in the 20th century. The first computer Colossus, then semiconductors, transistors, and integrated chips (ICs) were invented into small and light computers. Computers and robots began to replace human functions in the industrial industry as operators and controllers of production lines.

Fourth, the Industrial Revolution 4.0. It takes place in the early 21st century. This era combines automated technology with cyber technology. This concerns cyber-physical systems, the Internet of things (IoT), cloud computing, and cognitive computing. The industrial revolution 4.0 instills *intelligent* technology that can connect with various areas of human life.

⁶ Agus Nur Arifin, "The History of the Industrial Revolution from 1.0 to 5.0". [<https://www.kafapet-unsoed.com/2023/09/sejarah-revolusi-industri-dari-10.html>].

The three main characteristics of industry 4.0 are digitization in many fields, the existence of *artificial intelligence* (AI) or artificial intelligence and the existence of big data. With these three characteristics, the industrial revolution 4.0 has brought massive changes in all aspects of human life. There has been a massive explosion in the field of technology, changing the way humans live and work.

Fifth, the Industrial Revolution 5.0. The industrial revolution 5.0 is still in the concept of development, because several countries are still adapting to the industrial revolution 4.0. The concept of the industrial revolution 5.0 focuses on the merger of technology and humans, as well as the need to develop systems that are more adaptive and responsive to changes in the production environment.

The development of this technology to industry 4.0 has an impact on human life, both positive and negative impacts. This negative impact is clearly detrimental to human life both organizationally such as the size of the country and individuals. Industry 4.0 with its digitization makes it easier for humans to communicate and can make it easier for humans to meet their life needs.⁷ Almost all economic activities in the world utilize internet media using electronic systems.

One of the negative impacts of the birth of the internet-based industry 4.0 is the practice of online gambling. Online gambling is a form of *cyber crime*. Cyber Crime is a criminal act committed on internet technology (cyber space), both attacking public facilities and private property⁸.

Online gambling is a form of gambling that is done electronically through the internet. In online gambling, players can place bets, play casino games, sports betting, poker, to games disguised in entertainment applications or bet on the results of virtual sporting events, including money deposits, withdrawal of winnings, and interactions with other players.

Squirt

Online gambling is a modern form of conventional gambling and has grown rapidly in recent years. Almost every minute the Indonesian people are treated to news about online gambling. The National Police itself claims to eradicate the crime of online gambling for a long time. National Police Chief General Listyo Sigit Prabowo during a working meeting with Commission III of the House of Representatives in Senayan, Jakarta, on Monday, November 11, 2024, said that since 2020-2024, his agency has designated 9,096 suspects in online gambling cases⁹.

According to the National Police Chief, in that time span the police also blocked 5,991 accounts and closed 68,108 online gambling sites. He also revealed that during the first quarter to the third quarter of 2024, the police found that there was a turnover of money worth Rp 283 trillion related to online gambling cases.

Because of the rampant and dangerous nature of online gambling, President Joko Widodo at that time formed an Online Gambling Task Force chaired by the Coordinating Minister for Political, Legal and Legal Affairs Hadi Tjahjanto to eradicate the practice of online gambling in Indonesia. The establishment of the Online Gambling Task Force is contained in Presidential

⁷Syaibatul Hamdi, Suhaimi, and Mujibussalim, "Electronic Evidence in the Criminal Evidence System," *Journal of Law* 1, Number 4, 2013, pp. 25–31, <http://jurnal.unsyiah.ac.id/MIH/article/view/4564>. p. 25.

⁸ Dr.Yurizal, S.H., M.H., "Law Enforcement of Cyber Crime", Media Nusa Creative, Jakarta 2018 page 16.

⁹ <https://www.tempo.co/hukum/sederet-fakta-judi-online-yang-disorot-publik-sepanjang-2024-siapasosok-inisial-t-1196488>

Decree (Keppres) Number 21 of 2024 concerning the Online Gambling Eradication Task Force issued in Jakarta, Friday (14/6/2024).¹⁰

Causes of the Rise of Gambling and Online Gambling

There are several main factors that encourage the rise of gambling and online gambling practices in society, including:

a. Law enforcement officials involved

The involvement of law enforcement officials, especially members of the National Police, in online gambling is not a puff of the thumb. Coordinating Minister for Political and Security Affairs (Coordinating Minister for Political and Security Affairs) Budi Gunawan said that until 2024, as many as 97,000 members of the TNI-Polri will also become online gambling players¹¹. Attorney General ST Burhanuddin in a working meeting with Commission III of the House of Representatives in Senayan, Jakarta, Wednesday, November 13, 2024, said that there were thousands of members of the prosecutor's office who were suspected of being involved in online gambling.

The involvement of members of the National Police in conventional gambling has also occurred for a long time, such as cockfighting gambling, cards and others. The case of two TNI members shooting three police members to the point of killing them with firearms when the three policemen raided a cockfighting gambling location in Karang Manik Village, Negara Batin District, Way Kanan Regency, Lampung on Monday, March 17, 2025 as an example of members of the National Police and the TNI wallowing in a conventional gambling case. According to the perpetrator, they targeted the three police members because the three police members often took rations from the cockfighting gambling place¹².

The involvement of law enforcement officials in gambling cases can take the form of being directly involved as a gambling player, but it can be indirectly such as making gamblers and gambling places as a place to source money with a system to accept deposits.

b. Infection of Various Groups

Based on data from the Online Gambling Task Force, online gamblers come from various backgrounds, ranging from the police, soldiers, journalists to civil servants (PNS) from various institutions and ministries. The perpetrators involving journalists until June 2024, the number of transactions reached 6,899 with a value of IDR 1.4 billion. What is also concerning is that this online gambling practice targets legislative members both at the central and regional levels¹³. The Head of the Financial Reporting and Transaction Center (PPATK), Ivan Yustiavandana, said that there were more than 1,000 members of the House of Representatives and the DPRD and their secretariat general involved in online gambling transactions¹⁴.

The Online Gambling Task Force recorded that as many as 2.37 million people were trapped in online gambling, of which 80 percent were middle-to-lower economic groups. Not only that, online gambling also occurs among college students. The reason is, until November 2024, a total of 960,000 students and students are involved in online gambling

¹⁰ <https://nasional.kompas.com/read/2024/06/21/21081631/polri-tangkap-5982-tersangka-judi-online-sejak-2022-puluhan-ribu-situs>.

¹¹ <https://nasional.kompas.com/read/2024/11/21/22364331/menko-polkam-97000-anggota-tni-polri-bermain-judi-online>.

¹² <https://nasional.kompas.com/read/2025/03/20/19522741/polisi-diduga-terlibat-judi-sabung-ayam-di-lampung-kapolri-kita-tunggu-tim?page=all>.

¹³ <https://www.tempo.co/hukum/sederet-fakta-judi-online-yang-disorot-publik-sepanjang-2024-siapa-sosok-inisial-t-1196488>

¹⁴ Ibid

cases. Of the many online gambling users in Indonesia, 60% of this figure is the Millennial generation and generation Z. The Online Gambling Task Force also noted that 82% of people who access the internet have seen online gambling ads. Of the many social media that exist, Instagram and Facebook rank at the top of social media with the most online gambling ads. In addition, illegal movie sites and online games have become a fertile field for online gambling users.¹⁵

c. Opportunity / Ease of Access

Almost everyone who is literate in Indonesia has a mobile phone. Through this handphone, access to online gambling is very easy. Playing online gambling is carried out anytime and anywhere, the most important thing is to be connected to the internet.

d. The Lure of Instant Profits

Online gambling often promises big prizes or quick wins, which tempts many people, especially those who are experiencing economic difficulties. The difficulty of getting a job or finding an income will eventually find shortcuts to make more money, quickly and easily. A research shows that the trend of online gambling began to increase rapidly during the Covid-19 pandemic, where almost all activities were carried out remotely. This makes many people start trying to play online gambling.

e. Ministry of Communication and Digital Officers Involved

Online gambling is rampant and difficult to eradicate because many people in the Ministry of Communication and Digital (Komdigi) of the Republic of Indonesia are involved in this online gambling. Towards the end of 2024, surprising news came from Komdigi. The findings of the Directorate of General Criminal Investigation (Dirreskrimum) of the Metro Jaya Police show that the ministry responsible for controlling online gambling has employees who are actually involved in backing this illegal business. In total, there are 1,000 sites that are protected from blocking. "A thousand sites were fostered. It is guarded so that it is not blocked," said the perpetrator when questioned by the Director of General Criminal Investigation (Dirreskrimum) of the Metro Jaya Police, Commissioner Wira Satya Triputra on Friday, November 1, 2024.

On November 25, 2024, the Metro Jaya Police has named 24 suspects in an online gambling syndicate (judol) involving employees at the Ministry of Communication and Digital (Komdigi). Of all the suspects determined by the Metro Jaya Police, nine of them are Komdigi employees and one expert staff at the ministry, while the rest are civilians. The other four people are included in the list of wanted persons (DPO). One of the suspects, with the initials AJ, acted as a filter and verified so that certain judol sites were not blocked¹⁶.

f. Lack of Individual Awareness

This lack of individual awareness refers to moral and legal awareness. A person's morality is related to beliefs and how to distinguish between right and wrong actions. Many people continue to gamble even though they know that gambling violates ethics, morals and laws, but it is still done for the reason that it is entertainment. In fact, not a few people in NTT who are former seminarians are very familiar with unhealthy entertainment called

¹⁵ <https://ugm.ac.id/id/berita/judi-online-makin-marak-di-kalangan-anak-muda-pakar-ugm-sarankan-perlunya-edukasi-literasi-keuangan/#:~:text=Merespon%20fenomena%20judi%20online%20yang,oleh%20teknologi%20dan%20kemuda%20akses>.

¹⁶ <https://www.bbc.com/indonesia/articles/c5ygxz3zx65o>.

gambling. Not a few NTT people have a doctorate in the field of law but are addicted to gambling, especially card gambling.

g. Anonymity and Confidentiality

In online gambling, perpetrators feel safe because their identity can be hidden in the digital world, in contrast to conventional gambling which is easier to supervise.

h. Massive Advertising and Promotions

Online gambling is often promoted through social media, influencers, and even games, making it look normal and attractive.

i. Weak Law Enforcement

There are still many online gambling sites that escape supervision and are not immediately blocked, even continuing to operate with overseas servers.

j. Psychological and Social Factors

Stress, life pressure, boredom, or the influence of the social environment can encourage a person to try online gambling as an escape or sometimes curiosity because the surrounding environment plays online gambling. Not only online gambling, conventional gambling such as mian kartu in villages is carried out by the community for the reason of entertainment because they feel stressed.

Negative Impact of Gambling

Offline and online gambling does not have a positive impact on individuals, society and the country at all. Precisely the negative impact that arises, among others, first, the impact on individuals and families, namely gambling makes poor. Playing gambling, both online and offline, makes a person and his family economically destitute. According to the National Police Headquarters¹⁷, the community groups that fall into gambling are groups that are classified as poor and low-income. They are already poor, they are playing gambling, they are getting poorer.

Data from the Financial Transaction Analysis Reporting Center (PPATK) in November 2024, states that 2.1 million poor people in Indonesia play online gambling. The bet is also fairly low, which is IDR 100,000 and below. They come from laborers, farmers, housewives, and even students. But it is possible that gambling also drags gambling players from the middle-income class¹⁸.

PPATK revealed that from 2017 to 2022, there were 156 million online gambling transactions worth IDR 190 trillion. The money was supposed to revolve around the community but instead went into the pocket of the bookies. Even PPATK also reported that as many as 571,000 recipients of social assistance (bansos) participated in online gambling (judol) with a transaction value of hundreds of billions¹⁹.

Another impact individually is addiction: Online gambling is addictive. The person involved often finds it difficult to stop even though they have already suffered a loss. their money to scammers.

The next impact for the individual is mental disorders. Anxiety, depression, and severe stress are often experienced by gamblers who lose or feel guilty. Fourth, decreased productivity. Individuals can lose focus, morale, or even be dismissed from their jobs leading

¹⁷https://pusiknas.polri.go.id/detail_artikel/bahaya_judi_online:_jadi_miskin_hingga_terjerat_hukum.

¹⁸ Ibid

¹⁹<https://www.cnnindonesia.com/ekonomi/20250708141904-532-1248256/571-ribu-penerima-bansos-diduga-main-judol-transaksi-tembus-rp957-m>].

to an overall decrease in quality of life. Players may feel depressed and unhappy due to the financial pressures and personal problems that arise from gambling.

Second, the impact on the family is the rift in the household. Online gambling can cause arguments, loss of trust, and divorce. Family money can be spent on gambling, leading to financial hardship and unmet basic needs. In extreme cases, children can experience neglect due to parents who are too focused or addicted to gambling.

Third, Impact on Society. Increased crime rates: To cover up losses, perpetrators can recklessly steal, cheat, and even commit other crimes. In addition, it damages social morals. Online gambling can form an instant mindset and undermine the value of hard work among people.

In addition, social relationships are disrupted. Playing online gambling too often can interfere with one's social relationships. Addicted players may spend more time in front of a computer or mobile device gambling than interacting with their family and friends. This can lead to conflict and social isolation. Damaging the younger generation. Teenagers who are still in the stage of finding their identity are easily influenced by online gambling. This exposure can form bad habits and irresponsibility towards money and time, potentially damaging their future.

Fourth, crime is increasing. UDI and online gambling trigger criminal acts among the public. An example of a case is that on Wednesday, June 19, 2024, a man from Selakau District, Sambas Regency, S, 35 years old, killed an employee of a savings and loan cooperative, with the initials RR. The murder was triggered by RR collecting installment arrears. S, S could not pay because the money had been used for online gambling. Previously, on Saturday, June 8, 2024, a female policewoman, Brigadier of Police One or Brigadier Fadhilatun Nikmah, set fire to her husband, who is also a policeman, Briptu Rian Dwi Wicaksono. The arson that occurred at the Mojokerto Police Dormitory, East Java, was allegedly triggered because the victim used his salary for online gambling.

Fifth, Impact for the State. The state has to spend huge costs on law enforcement, rehabilitation, and handling the social impact of online gambling. On Wednesday, May 22, 2024, a young man in Berau Regency, East Kalimantan with the initials EJ, 29 years old, was killed by his mother, M, 52 years old. The motive was that the mother was angry with her son because he was unemployed and often asked for money to play online gambling. Because the impact of gambling and gambling is negative on humans, society and the state, gambling is prohibited by religion and law in almost all countries in the world.

Indonesia Becomes Poor

Four goals of the Indonesian state were formed, namely to protect the entire Indonesian nation and all Indonesian territories, to prosper the Indonesian people, educate all Indonesian children and participate in implementing world order. The purpose of this state is written in the preamble to the Indonesian state constitution, namely the 1945 Constitution.

According to the founders of the Indonesian nation and state at that time, to achieve the goals of the state as above, of course, Indonesia must first be independent from the grip of the colonizers. That's why Soekarno said that independence is a golden bridge to a prosperous country.

Now Indonesia has been independent for almost 80 years. Is the Indonesian people prosperous? According to the author, of course not. There are still many Indonesian people who are trapped in poverty. The Central Statistics Agency (BPS) report on ²⁰ January 15, 2025 stated that the percentage of Indonesia's poor population in September 2024 was 8.57 percent

²⁰ <https://www.bps.go.id/id/pressrelease/2025/01/15/2401/persentase-penduduk-miskin-september-2024-turun-menjadi-8-57-persen-.html> [accessed July 17, 2025].

(24.06 million people), a decrease of 0.46 percentage points (1.16 million people) compared to March 2024 and a decrease of 0.79 percentage points (1.84 million people) compared to March 2023.

According to BPS,²¹ the percentage of urban poor people in September 2024 was 6.66 percent, a decrease compared to March 2024 which was 7.09 percent. Meanwhile, the percentage of the rural poor in September 2024 was 11.34 percent, a decrease compared to March 2024 which was 11.79 percent.

Compared to March 2024, the number of urban poor people decreased by 0.59 million people in September 2024 (from 11.64 million people in March 2024 to 11.05 million people in September 2024). Meanwhile, in the same period, the number of rural poor people decreased by 0.57 million people (from 13.58 million people in March 2024 to 13.01 million people in September 2024).

The Poverty Line in September 2024 was recorded at IDR 595,242.00/capita/month with the composition of the Food Poverty Line of IDR 443,433.00 (74.50 percent) and the Non-Food Poverty Line of IDR 151,809.00 (25.50 percent).

In September 2024, the average poor household in Indonesia has 4.71 household members. Thus, the average Poverty Line per household is Rp 2,803,590.00/poor household/month. Meanwhile, World Bank data released in April 2025²² shows poverty rates around the world, including Indonesia. According to the World Bank, the poverty rate data in Indonesia is very high, the number of poor people in Indonesia is one of the highest in the world. The World Bank classifies Indonesia as an *upper middle income country*.

According to the World Bank, by 2024 the number of poor people in Indonesia will reach 60.3 percent. The poverty rate data in Indonesia has decreased slightly when compared to 2023, where the poverty rate in Indonesia according to the World Bank is 61.8 percent. Still referring to data from the World Bank, the number of poor people in Indonesia is the fourth highest in terms of percentage in the world²³.

South Africa: 63.4%; Namibia: 62.5%; Botswana: 61.9%; Indonesia: 60.3%; Guatemala: 57.3%; Equatorial Guinea: 57%; Armenia: 51%; Fiji: 50.1%; Georgia: 35.6% Gabon: 34.6%. The formula used by the World Bank is the income of the population of 6.85 US dollars or the equivalent of Rp 111,600 (exchange rate of Rp 16,290) per capita per day according to the formula for *the upper middle-income poverty rate*. That means, people whose income is less than \$6.85 per day are categorized as poor by the World Bank. The formula for determining the number of poor people in Indonesia between the World Bank is of course different from the calculation of the BPS version. The BPS poverty rate calculation always refers to the national poverty line per capita which is set at Rp 595,242 per month.

Cultivating gambling and gambling in the community for a long time, coupled with the presence of online gambling that is so rampant and massive is one of the reasons for the increase in the poverty rate in Indonesia.

Social Disease Gambling

Gambling is one of the social diseases or social pathologies in addition to drugs, alcohol, free sex and other criminal acts. Social pathology is contrary to ethical and moral norms and religious teachings, especially the pagan religions: Judaism, Christianity and Islam as well as legal norms or laws and regulations²⁴. The factors that cause social pathologies are (1)

²¹ Ibid

²²<https://money.kompas.com/read/2025/06/01/081510726/data-bank-dunia-603-persen-penduduk-indonesia-hidup-miskin>.

²³ Ibid

²⁴ https://www.melintas.id/religi/344808698/judi-online-dalam-tafsir-patologi-sosial-menjadi-bahaya-serius-yang-harus-segera-diperangi#google_vignette.

aladjustment is the inability of individuals to adjust to carry out their roles, (2) *malfunction* is the failure of society to perform its functions to meet the needs of citizens.

Greg Soetomo, SJ, champions gambling and gambling as a form of poverty. Greg Soetomo groups poverty into three types²⁵. *First*, natural poverty such as barren land, lack of rainfall. East Nusa Tenggara (NTT), West Nusa Tenggara (NTB) and Central Sulawesi are examples of areas with the lowest rainfall in Indonesia, which is an average of 550 mm to 1,000 mm per year. It must also be admitted that some areas in NTT are barren, especially parts of the islands of Timor, Sumba and Flores. *Second*, cultural poverty, such as party customs and culture, laziness, gambling, and so on. Almost every village in NTT has people who like to gamble, especially yoker card gambling. Still fresh in the memories of the people of NTT, in 2016 a member of the West Manggarai DPRD had to be behind bars because he was caught playing yoker card gambling. The most recent case was on September 13, 2017, the West Manggarai Police of six people who were playing yoker cards at a resident's house in Labuan Bajo. The people of NTT also like to hold parties such as new welcome parties, school parties, and traditional parties that take up time and drain money. *Third*, structural poverty, which is poverty that occurs due to wrong state policies. Wrong state policies like this are often referred to as community impoverishment. The state in a sense is the government. In the context of regions, such as NTT, what the state means is local governments such as the executive government (governor, regent, mayor and their staff), legislative (DPRD) and judiciary (Police, Prosecutor's Office and court-reading judges). Structural poverty also includes acts of collusion, corruption and nepotism (KKN) carried out by state civil servants (ASN) including the DPRD and the judiciary.

Gambling is Prohibited by Religion

Gambling is an act that is prohibited by all religions, especially Islam and Christianity (Protestant and Catholic). "*Do you resist the temptations of the devil in the form of superstition, gambling and unwholesome entertainment?*" asked the priest. "*Yes, I refuse*", replied the people. That is a statement and answer that is a promise or oath of Catholics every Easter celebration (Easter night) is held. Of course, for some Catholics, an oath or promise like the above is just a mere formality. Promises are just promises of gambling going forward.

Every Easter Eve celebration is held, the people who are in the church are certainly hundreds of adults consisting of women and men. In Greater Manggarai (West Manggarai, Manggarai, East Manggarai), East Nusa Tenggara (NTT) of the 150 adults who attend a church to attend Easter Mass, it is ascertained that half are gamblers: medium and heavy. Of the hundreds of seminary alumni, 60 percent could be gamblers: medium and heavy. The author suspects that in other districts in East Nusa Tenggara (NTT) it is also the same. Gambling and gambling are like a culture. In Greater Manggarai, most of the State Civil Apparatus (ASN) likes to gamble. Minimum card gambling. In the teachings of Islam, gambling and gambling are haram acts. Whoever gambles will go to hell, because remembering the impact of gambling is extraordinarily damaging to him. Just like Protestant Christianity and Catholicism, Islam also prohibits gambling, due to the negative impact as mentioned above.

Legal Review

The day after Indonesia's independence, on August 18, 1945, the State Constitution, namely the 1945 Constitution, was passed²⁶. Article 1 paragraph 3 of the 1945 Constitution reads, "The State of Indonesia is a State of Law". This means that Indonesia upholds the law

²⁵ Greg Soetomo, SJ, "The Defeat of Farmer Man: The Human Dimension in Agricultural Development" 1997 p. 67.

²⁶ Yudi Latif, 2011, *The Plenary State, Historicity, Rationality, and Actuality of Pancasila*, PT Gramedia Pustaka Utama Jakarta, pp. 3 – 40.

and human rights. Consequently, in the life of the Indonesian state, it is mandatory to protect all Indonesian citizens from all forms of colonialism and threats.

The purpose of the Indonesian state is clearly stated in the Preamble to the Constitution of the Republic of Indonesia of 1945 paragraph IV, namely: (1) to protect the entire Indonesian nation and all Indonesian bloodshed, (2) to advance public welfare, (3) to educate the life of the nation, and (4) to participate in implementing world order.

Based on the purpose of the state as stated in paragraph IV of the Preamble to the 1945 Constitution, Indonesia adheres to a state of law in a broad sense, namely a *welfare state*. A just and prosperous society is the ideal of Indonesian independence. Prosperity is the ideal of the nation where economic abundance and welfare are ideals that must be achieved. But the prosperity that is created must be based on justice for all people²⁷.

According to Charles Himawan, the countries that can guarantee economic growth and good national integration are those that carry out law enforcement very well²⁸. For example, the US, Japan, China and European countries.

The understanding of the state of law is based on the belief that state power must be exercised on the basis of good and fair law. There are several elements in the understanding of the state of law²⁹. *First*, the relationship between the ruling and the ruled is not based on power but based on an objective norm that also binds the ruling party. *Second*, the objective norm is legal, meets formal requirements and can be defended in the face of legal ideas. The law is the basis for state action and the law itself must be good and fair. Both because of what society expects from the law, and fair because the basic purpose of all laws is justice.

Sudikno Mertokusumo said that the law functions as a protection for humans. In order for human interests to be protected, the law must be implemented. The implementation of the law can take place normally, peacefully, but it can also occur due to violations of the law. In this case, the law that has been violated must be enforced. It is through the enforcement of the law that the law becomes a reality. The three objectives of law enforcement are, *first*, legal certainty (*rechtssicherheit*); *second*, utility (*Zweckmassigkeit*) and third, justice (*gerechtigkei*).³⁰

The law must be implemented and enforced. Everyone expects the law to be established in the event of a concrete event. How the law should apply, it is basically not allowed to deviate: *Fiat Justitia et pereat mundus*: even if the world collapses the law must be enforced. That is what legal certainty wants.³¹

The community expects legal certainty, because with legal certainty the community will be more orderly. The law is tasked with creating legal certainty because it aims to promote public order.

On the contrary, the community expects benefits in the implementation or enforcement of the law. Law is for humans, so the implementation of the law or law enforcement must provide benefits or usefulness for society. Do not let it be precisely because the law is implemented or enforced that there is unrest in the community.

The *third* element is justice. The community is very interested that in the implementation or enforcement of the law, justice is considered. In the implementation or enforcement of the law, it must be fair. Law is not synonymous with justice. The law is general, binding on everyone, equal. Whoever steals must be punished: everyone who steals must be

²⁷ Isharyanto, 2016, *Public Economic Policy Law*, Thafa Media Jakarta, p. 39.

²⁸ *Loc.cit*

²⁹ *Op.cit.*, Magnis-Suseno, p. 295.

³⁰ Prof Dr Sudikno Mertokusumo SH, "Mengenal Hukum : Suatu Pengantar, Penerbit Liberty Yogyakarta 2008 halaman 160.

³¹ *Ibid*.

punished, regardless of who steals. Justice should be subjective, individualistic and not equal. Fair to person A is not necessarily fair to person B.

If in enforcing the law, only legal certainty is considered, then other elements are sacrificed. Similarly, if only the benefit is considered, then legal certainty and justice are ignored and so on.³²

The Purpose of the Law

From several theories related to the purpose of law³³. *First*, Ethical Theory. According to ethical theory, law is solely aimed at justice. The essence of justice is the assessment of a treatment or action by examining it with a norm that according to subjective views exceeds other norms.

Aristotle distinguishes between two justices, namely distributive justice (*justitia distributiva*) and communicative justice (*justitia commutativa*). Distributive Justice demands that everyone gets what is his right or allotment (*sum cuique tribuere*). This ration is not the same for each person, depending on wealth, birth, education, ability and so on; Its nature is proportional. Communicative Justice (*Justitia Commutativa*) gives to everyone as much.

Second, the Theory of Utilistis (Eudaemonistis).³⁴ According to this theory, the law wants to guarantee the greatest happiness for human beings in the greatest number (*the greatest good of the greatest number*). In essence, according to this theory, the purpose of law is the benefit in producing pleasure or happiness that is greater for the greatest number of people. The proponent of this theory is Jeremy Betham.

Betham dephysicalizes *a sense of security, which is the most essential goal of the law as a condition of expectation*. Without law there is no sense of security, and without a sense of security, the values of survival, prosperity and equality cannot be achieved through law. And the sense of security itself is achieved because of the maintenance of expectations (hopes).

Betham emphasized that the law must be known to everyone, consistent and its implementation is clear, simple and strictly enforced. The most important requirement is that the law must be based on the principle of benefit. After that, each condition is fulfilled as something that is appropriate. Certainty and simplicity are two utilitarian shields for good law. If there is good reason to assume that the law will not be enforced, then the law is useless.³⁵

Third, Mixed Theory. The organizer of this terror is Mochtar Kusumaatmadja. Where the main and first purpose of the law is order. This order is the basic requirement of humans.

Meanwhile, IS Susanto³⁶ mentioned the primary function of the law in three main issues, *first*, protection. The law has the function of protecting society from the threat of danger and harmful actions that come from others and community groups, including those carried out by power holders (government and state) and those that come from outside that are aimed at their physical, mental, health, values, and human rights.

Second, justice. Namely to maintain, protect and provide justice for all people. *Third*, development. Law is used as a vehicle both in determining the direction, goals, implementation, and supervision of development in a fair manner. The use of law in development to realize the welfare of all Indonesian people in all aspects of life such as economic, social, political, cultural and spiritual aspects.

³² F, Isjwara, 1971, *Introduction to Political Science*, Bina Cipta Publisher, Bandung, pp. 80-81.

³³ Ibid Number 8 page 77.

³⁴ Jeremy Betham in *Legislative Theory: Principles of Legislation, Civil Law and Criminal Law - Nuansa Cendikia* 2019, page 90.

³⁵ Ibid Number 44 page 92.

³⁶ Bambang Setyo Wahyudi, "Indonesia Prevents Volume II: Legal Considerations, Weapons for Corruption Prevention by the Civil and TUN Prosecutor's Office, Bhuana Popular Science Gramedia Group, 2017, page 28.

Meanwhile, Lawrence Friedman³⁷ mentioned the five functions of the legal system. *First*, as a control system. In other words, the legal system is concerned with controlling behavior. *Second*, the legal function is a *dispute settlement*. The legal system is a conflict resolution agent as well as a dispute resolution agent.

Knowing the characteristics of the truth required by the law, it will quickly be seen if there is an act that deviates from that act.

Third, the redistributive function or *social engineering function*. This function directs the use of the law determined by the government. Social engineering means that law functions to create new social conditions, that is, with legal regulations created and implemented, there is a social change from a limited state of life to a better life.

This is in line with the *theory of Law as a tool Social Engineering* from a legal expert from Harvard University, USA, Roscoe Pound³⁸, law means as a means aimed at changing the behavior of citizens, in accordance with the set goals. In this case, the existence of the function of law as a means to change the behavior of community members shows that the law is an *agent of change* who is a whistleblower who gains the trust of the community. The complainant influences the community with a system that is planned in advance.

The main function of the law is to protect the interests that exist in society. According to Roscoe Pound, there are three interests that must be protected by law, namely *the public interest*; group interests and individual interests.

Keempat, hukum berfungsi sebagai pemelihara sosial (*social maintenance*). *Kelima*, hukum berfungsi mengawasi penguasa itu sendiri.

Efektif atau suksesnya penegakan tergantung pada tiga unsur sebagaimana yang dikemukakan Lawrence Friedman³⁹, yakni (1) struktur hukum (*legal structure*), (2) substansi hukum (*legal substance*) dan (3) budaya hukum (*legal culture*).

The substance of the law concerns the applicable laws and regulations, which have binding force and become a guideline for law enforcement officials.

Legal Structure refers to court institutions and law enforcement officials such as police, prosecutors and judges as well as advocates.

Legal Culture. Regarding legal culture, it refers to people's attitudes towards the law and the legal system, including their beliefs, values, ideas, and expectations. Legal culture, in other words, is the climate of social thought and social forces that determine how the law is used, avoided, or abused.

Legal culture is closely related to people's legal awareness. The higher the public's legal awareness, the better a legal culture will be created and can change people's mindset about the law. In simple terms, the level of compliance that is a community culture to the law is one of the indicators of the functioning of the law.

a. Indonesian Law and Gambling

Laws and regulations in Indonesia have clearly and firmly regulated the prohibition of gambling. As for the articles that prohibit which prohibits gambling.

b. Old Criminal Code

The Criminal Code (KUHP), Article 303, reads, "*Threatened with imprisonment for a maximum of 10 years or a maximum fine of Rp 25 million, whoever without obtaining*

³⁷ Lawrence Friedman, 1976. American Law and Introduction, Second Edition, translated by Wisnu Basuki, 2001. American Law An Introduction, First Printing, Jakarta: PT Tata Nusa.p.11-18.

³⁸Prof. Dr. Suteki, SH, M.Hm and Galang Taufani, S.H, MH, in "Legal Research Methodology – Philosophy, Theory and Practice-, Rajawali Press, Higher Education Book Division, PT RajaGrafindo Persada Depok, third printing, January 2020, page 95.

³⁹Prof.Dr.Suteki, SH, M.Hm dan Galang Taufani, S.H,MH, dalam "Metodologi Penelitian Hukum – Filsafat, Teori dan Praktik-, Rajawali Pers Divisi Buku Perguruan Tinggi PT RajaGrafindo Persada Depok Cetakan ketiga Januari 2020, halaman 102.

permission: 1. deliberately offers or provides opportunities for gambling games and makes them for a search, or deliberately participates in a company for that purpose; 2. intentionally offering or giving the opportunity to the general public to gamble or intentionally participating in the company for it, regardless of whether to use the opportunity of a condition or the fulfillment of a certain procedure; 3. making participating in gambling games a pursuit".

Article 303 bis (second) paragraph (1) *"Threatened with imprisonment for a maximum of four years or a fine of up to ten million rupiah: 1) whoever uses the opportunity to play gambling, which is held in violation of the provisions of Article 303; 2) Whoever participates in gambling on public roads or on the side of public roads or in places that can be visited by the public, unless there is permission from the competent authority who has given permission to hold such gambling".*

Article 303 bis (second) paragraph (1) *"If when committing an offense it has not been two years since there has been a conviction that becomes permanent because of one of these violations, it can be imprisoned for a maximum of six years or a fine of up to fifteen million rupiah. Whoever makes, distributes, or operates machines or tools used for gambling, is sentenced to a maximum of 6 (six) years in prison and a maximum fine of Rp 1,000,000.*

This article focuses more on the provision of tools and machines used for gambling, and provides sanctions for parties involved in the provision and operation of such gambling tools.

Article 303 paragraph (3) of the Criminal Code, "Gambling is any game in which there is generally a possibility to profit due to luck or because the player is proficient and has been trained. Also included in gambling is betting on the results of a race or other game, which is not held by those who also compete or play, as well as all other bets".

c. Law Number 1 of 2023 (New/National Criminal Code)

The law is also called the National Criminal Code which will come into effect from January 2, 2026. It is called the National Criminal Code because this law is purely the work of Indonesian lawmakers, not the Dutch heritage like the old Criminal Code.

Law Number 1 of 2023 Article 426 reads, "(1) Sentenced to a maximum of 9 (nine) years in prison or a maximum fine of category VI (IDR 2 billion), any person without a permit:

1. offer or provide opportunities to gamble and make as a livelihood or participate in gambling enterprises;
2. offer or provide opportunities to the public to gamble or participate in gambling companies, regardless of whether there is a condition or procedure that must be met in order to use such opportunities; or
3. making participating in gambling games a livelihood.

(2) If the Criminal Acts as intended in paragraph (1) are committed in the course of carrying out their profession, an additional penalty may be imposed in the form of revocation of rights as intended in Article 86 letter f".

Article 427 reads, "Every person who uses the opportunity to play gambling held without a permit shall be sentenced to a maximum of 3 (three) years in prison or a maximum fine of category III (Rp50 million)".

Law Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 concerning Information and Electronic Transactions

Article 27 paragraph (2) reads, "Every Person deliberately and without rights distributes, transmits, and/or makes accessible Electronic Information and/or Electronic Documents that have gambling content".

The elements of the article can be explained as follows:

1. "Distributing" means sending and/or disseminating information and/or electronic documents to many people or various parties through an electronic system.
2. "Transmitting" means sending information and/or electronic documents addressed to other parties through an electronic system.
- 1) "Making accessible" is any other act other than distributing and transmitting through an electronic system that causes information and/or electronic documents to be known to other parties or the public.

Article 45 paragraph (3) reads, "*Every person who deliberately and without the right distributes, transmits and/or makes accessible electronic information and/or electronic documents that have gambling content shall be sentenced to a maximum of 10 years in prison and/or a maximum fine of Rp 10 billion*".

Banned in Many Countries

In addition, many countries in the world have laws that prohibit gambling. This certainly considers the disadvantages of gambling are extraordinarily detrimental to individuals, families, communities and the state. Below are a number of countries from the many countries in the world that prohibit gambling.

a. Malaysia⁴⁰

Balan Rathakrishnan from the University of Malaysia Sabah (UMS) in a paper entitled *Gambling in Malaysia: Overview (2020)* said that there are three main legal frameworks that govern gambling in Malaysia, namely the Gambling Act of 1953, the Common Gaming Houses Act of 1953, and sharia law. The law prohibits any form of gambling, unless the company has an official license to operate. Meanwhile, the Malaysian Communications and Multimedia Commission (MACC) has reportedly blocked 6,381 online gambling portals from 2020 to the end of 2022.

b. Cambodia⁴¹

Cambodia is among the countries that ban online gambling where more than 7,000 locals have lost their jobs and dozens of casinos have been closed after the government imposed a ban since August 2019. The regulation was passed by Prime Minister Hun Sen because he considered the gambling industry to be a tool for foreign criminals to extort money from Cambodian residents.

c. Bhutan⁴²

Reporting from the Bhutan Broadcasting Service (BBS) page, gambling is completely prohibited in Bhutan, including online gambling, according to the Criminal Code (KUHP) of 2004. If they violate, a person will receive a minimum prison sentence of one month and a maximum of one year.

d. Thailand⁴³

Quoted from Thai PBS World, most forms of gambling are considered illegal in Thailand. This is evident from the arrest of five people involved in a giant online gambling network on Monday, December 13, 2022. The local Technological Crime Suppression Division (TCSD) police said that the gambling network was spread across 13 locations in Bangkok and the northern province of Chiang Rai.

⁴⁰<https://www.tempoco.com/internasional/tak-hanya-indonesia-ini-9-negara-yang-melarang-judi-online-154034>

⁴¹ Ibid

⁴² Ibid

⁴³ Ibid

e. Korea Selatan

Quoted from koreatravelpost.com, South Korea is classified as a country that prohibits online gambling. Even so, there is no law that specifically opposes the activities of local residents to engage in online betting sites. Further, referring to Interpol International's release on August 4, 2015, the Head of the Foreign Affairs Investigation Division of the Seoul NCB, Gwak Jeong-gi emphasized that online gambling and fraud are very serious crimes in South Korea⁴⁴.

f. Cina

Article 303 of the Criminal Law of the People's Republic of China (PRC) or the Criminal Law (1997 amendment), gambling in China is illegal, except for Macau, Taiwan, and Hong Kong. The punishment that will be imposed on violators is imprisonment for three years (players) or 3-8 years (gambling house founders).⁴⁵

g. Rusia

Russia is targeting to stop online gambling within the country. The local telecommunications watchdog, Roskomnadzor claims that it had blocked fewer than 63,000 online gambling domains in 2017. Then, as many as 130,000 domains have also been deactivated in 2018 and followed by nearly 5,000 domains during January-February 2019⁴⁶.

h. Uni Emirat Arab (UEA)

Reporting from dubai.com, gambling and casinos are not allowed in the United Arab Emirates (UAE), including online gambling because the laws of the majority countries are oriented towards the book of Islam (Al Quran). On the other hand, tourists and expats can make bets without breaking the law. In addition, the local government has no control over the multinational corporations that allow gambling⁴⁷.

i. Kuwait

Kuwait is among the countries that prohibit online gambling through Article 205 of the Criminal Code. Lotteries are also considered a form of gambling because one can experience the possibility of gaining and/or losing money. As per the applicable regulations, gamblers will be sanctioned in the form of fines or imprisonment for one year⁴⁸.

CONCLUSIONS AND SUGGESTIONS

Conclusion

Gambling is really detrimental, both for individuals, gamblers' families and for society and the state. Gambling is a social disease, so that is why gambling is one type of poverty, namely structural or mental poverty. Because gambling has a tremendous adverse impact, religion and laws in many countries, including Indonesian law, prohibit gambling. The rise of gambling in Indonesia is more about the lawlessness. The law is not enforceable because law enforcement officials are involved and profiting in gambling.

The rise of online gambling and gambling in Indonesia is because the government also in this case the executive sector, especially regional heads, does not have *good will* to prevent and eradicate gambling. Even in NTT in general, especially Greater Manggarai, most of the State Civil Apparatus (ASN) is very fond of gambling. Not only that, there are several priests in Flores, NTT who like to play online gambling. This is really dangerous and shameful.

Online gambling addiction is a serious problem that can have a wide impact on various significant aspects of life such as dependence, financial problems, mental health disorders, and

⁴⁴Ibid

⁴⁵ Ibid

⁴⁶ Ibid

⁴⁷ Ibid

⁴⁸ Ibid

social impacts. It is important to be aware of these dangers and take appropriate prevention and handling measures.

That online gambling is a criminal offense and can be sanctioned based on applicable laws, especially Law 1/2024 concerning the second amendment to the ITE Law. Article 27 ayat (2) jo. Pasal 45 ayat (3) UU 1/2024 mengatur secara khusus tentang judi online. Selain itu, Pasal 303 KUHP juga dapat dikenakan bagi pelaku perjudian, termasuk judi online.

Suggestions

As Lawrence Friedman said, the effectiveness or not of enforcement depends on three elements, namely (1) legal structure, (2) legal substance and (3) legal culture. Legal Structure refers to court institutions and law enforcement officials such as police, prosecutors and judges as well as advocates. The substance of the law concerns the applicable laws and regulations, which have binding force and become a guideline for law enforcement officials.

Legal Culture. Regarding legal culture, it refers to people's attitudes towards the law and the legal system, including their beliefs, values, ideas, and expectations. Legal culture, in other words, is the climate of social thought and social forces that determine how the law is used, avoided, or abused.

Legal culture is closely related to people's legal awareness. The higher the public's legal awareness, the better a legal culture will be created and can change people's mindset about the law. In simple terms, the level of compliance that is a community culture to the law is one of the indicators of the functioning of the law.

In the context of gambling and online gambling, the legal structure is more about: (1) The Ministry of Tourism which has the function and task of monitoring all sites that appear. All sites that harm society, nation and country especially online gambling should be blocked. (2) The National Police and the Prosecutor's Office which play a role in eradicating perpetrators of gambling and online gambling crimes. (3) Judicial Institutions (Courts) which play a role in examining and prosecuting defendants for gambling and online gambling crimes. (4) All law enforcement officials such as police, prosecutors, judges and advocates. They should be a "clean broom".

Meanwhile, regarding the substance of the law, it admits to the completeness of laws and regulations that specifically prohibit gambling and online gambling. In general, according to the author, the law is quite complete, only what is needed most is the application of existing laws and regulations. What has happened so far, law enforcement officials, in terms of gambling, are just to scare gamblers so that gamblers deposit to law enforcement officials.

The application of strict and consistent laws in eradicating gambling will give birth to a good legal culture. So the result is that people will be afraid to gamble. In this case, the law plays its main function, which is to protect the interests that exist in society, as Roescoe Pound said. On the other hand, if law enforcement officials participate in gambling and make gamblers as "ATMs", gambling will be rampant and difficult to eradicate.

In addition to the strict application of the law as an effort to eradicate gambling, the most important thing is also the process and efforts to prevent gambling, namely, first, from the family. All parents must set an example for children and the community to avoid gambling games either for entertainment or to earn money. Second, to prevent gambling, all schools from elementary to university levels in Indonesia must be taught about the bad effects of gambling and how to prevent it. Third, religious leaders such as pastors, pastors, uztaz, etc. must continue to socialize and set an example to prevent and eradicate gambling. Gamblers should not be involved in religious management. In NTT in general, gambling is one of the main challenges for bishops and priests, pastors and other religious leaders in proclaiming the Words of God.

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