



Law Enforcement Against the Criminal Act of Online Gambling in the Jurisdiction of Central Aceh

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Article Info	Abstract
Article History Received: 2025-08-05 Revised: 2025-08-06 Published: 2025-09-10 Keywords: <i>Law Enforcement, Online Gambling, Qanun Jinayat, Maisir, Central Aceh, Cybercrime</i>	The phenomenon of online gambling has become a form of cybercrime that is increasingly prevalent in various regions, including in special autonomous regions such as Central Aceh. This article critically examines law enforcement against online gambling crimes using normative and juridical-empirical approaches, particularly in the context of the application of national law and Aceh Qanun Number 6 of 2014 concerning Jinayat Law. The study results indicate that law enforcement still faces various substantial and structural obstacles, such as regulatory disharmony between national criminal law and Jinayat law, limited technical capacity of law enforcement officers in handling digital crimes, and low public legal awareness of the prohibition of gambling crimes. Although Aceh has local legal instruments based on Islamic law, their implementation has not been fully effective in addressing the dynamics of technology-based crime. The author recommends the need for harmonization of legal norms, strengthening digital forensic institutions, and an educational approach based on local values to realize an adaptive and equitable law enforcement system in the Aceh region.

I. INTRODUCTION

According to Law Number 7 of 1974 concerning the Regulation of Gambling, gambling is an act that violates religion, morality, and the Pancasila ideology, and endangers the livelihoods and lives of society, the nation, and the state. Gambling is a social ill that negatively impacts social life. Winnings from gambling are short-lived and can actually damage an individual's character and life.(Yudhanegara et al. 2024) Numerous facts demonstrate that gambling winners don't always lead prosperous lives. Most experience extreme poverty and alienation from their families and communities. A life that should be enjoyed with family can turn into a nightmare.(Setyaningrum and Arifin 2019)

Technological developments in the current era of globalization are rapid, particularly in the information technology sector, making it easier for people to receive and share information. While information technology has positive impacts, it can also have negative consequences, such as creating opportunities for cybercrime. According to the British police, cybercrime is any use of computer networks for criminal purposes and/or high-tech crimes by misusing the convenience of digital technology.(Aspan et al. 2023)

Information and communication technology has transformed societal behavior and human civilization globally. The phenomenon of rapid information technology development has encompassed every corner of the globe.(Anwary 2022) Thus, with the advancement of technology and information, gambling practices have shifted from conventional to more practical and safer online gambling. The online gambling phenomenon is now widespread and widely found in society, with people using internet cafes, laptops, and even smartphones equipped with supporting features or applications.(Ritonga, Hasibuan, and Zarzani 2024)

Online gambling remains a popular choice for some due to its ease of access and the ability to play anytime and anywhere. Compared to traditional gambling, online bookmakers operate 24/7, compared to traditional gambling. Types of online gambling include poker, casino games, soccer, dice, lottery, and other games. Besides this convenience, security is a key reason many people are switching from conventional to online gambling. This is because comprehensive oversight of online gambling remains difficult. Currently, online gambling is prevalent in Aceh Province, particularly in Central Aceh.

Indonesia is a state based on law, as stipulated in the 1945 Constitution of the Republic of Indonesia (UUD NRI 1945), which regulates all aspects of Indonesian society. This is expressly stipulated in the Explanation of the 1945 Constitution, which states that "The Republic of Indonesia is based on law (*rechtsstaat*), not on mere power (*machstaat*).\" Although all behavior and actions are regulated by law, crime still frequently occurs in this country, one of which is gambling.

The government has made efforts to eradicate online gambling activities so that these activities can be minimized as early as possible and do not give the impression that online gambling is not monitored by law. The proof is that the Indonesian government has issued regulations for gambling activities, namely Law Number 7 of 1974 concerning the Regulation of Gambling, Government Regulation Number 9 of 1981 concerning the Implementation of Law Number 7 of 1974 concerning the Regulation of Gambling, Article 303 of the Criminal Code (KUHP) and Article 27 paragraph (2) of Law Number 19 of 2016 concerning Amendments to Law Number 11 of 2008 concerning Information and Electronic Transactions, Provisions of Article 1 of Law No. 7 of 1974 states all criminal acts of gambling as crimes. Therefore, Article 542 of the Criminal Code which was originally gambling on public streets was declared a violation has been changed to a crime and changed to Article 303 bis of the Criminal Code.

In addition, sanctions for gambling carried out online on the internet are regulated in Article 27 paragraph (2) of the ITE Law which states: Any person who intentionally and without the right distributes, transmits and/or makes accessible Electronic Information or Documents containing gambling content and the threat of this violation is regulated in Article 45 paragraph (2) of Law 19/2016 as referred to in Article 27 paragraph (2) shall be punished with imprisonment of up to 6 (six) years and/or a maximum fine of IDR 1 billion.(Rianto, Zarzani, and Saragih 2024)

Cybercrime, particularly online gambling, requires law enforcement to prevent and eradicate it from becoming increasingly prevalent. Conceptually, law enforcement is an activity aimed at harmonizing the relationships between values expressed in good and embodied principles. It is also an attitude and action as a series of final-stage value interpretations, in order to create, maintain, and preserve social peace. The rapid growth of gambling and its consequences

have disturbed many communities, and in Aceh Province in general and Central Aceh in particular, the role of the police is also needed to prevent online gambling crimes.(Setiawan 2021)

Simons stated that what is meant by criminal law is all mandatory (*gebod*) and prohibition (*verbod*) actions made by the state or other general authorities that are threatened with special suffering, namely criminal. Moeljatno stated that criminal law is a part of the law that provides the basis and rules to determine which actions may not be carried out, which are prohibited with the threat of sanctions in the form of a certain criminal penalty, when and in what cases those who violate these prohibitions can be subject to or sentenced to the criminal penalty as threatened and in what way the imposition of the criminal penalty can be carried out if there are people who violate the prohibition. Criminal law is the law that regulates crimes or any actions that can be punished with criminal penalties determined by law and against whom the criminal penalty can be imposed.

Law enforcement efforts against cybercrime in Indonesia are carried out by the police, as these crimes are related to national security and order. The police are the frontline in anticipating various security threats and enforcing the law in Indonesia, as stipulated in Article 13, letter b, of Law Number 2 of 2002 concerning the Indonesian National Police, which states, "The primary duty of the Indonesian National Police is to enforce the law."(Ibrahim 2021)

The police are one of the foremost pillars in upholding legal justice and national security, and play a crucial role in uncovering the rampant online gambling cases. Those who have committed crimes cannot simply surrender themselves to be processed through the existing justice system. A public body must initiate the process, and the police do so primarily through detention and investigation. The police encompass all matters related to the police's functions and institutions, in accordance with statutory regulations, as stipulated in Article 4 of Law Number 2 of 2002 concerning the Indonesian National Police.

In general, Aceh also has regulations contained in laws that regulate various criminal acts and gambling and the sanctions that apply therein. In addition, in Aceh Province there is Aceh Qanun no. 6 of 2014 concerning jinayat law, one of which also regulates Maisir or gambling. In the Qanun it is explained that Jinayat law is the law that regulates Jarimah and 'Uqubat. Jarimah is an

act prohibited by Islamic Sharia, one of which is gambling. In this Qanun, it is threatened with 'Uqubat Hudud and/or Ta'zir. Uqubat is a punishment that can be imposed by a judge on the perpetrator of Jarimah. Hudud is a type of 'Uqubat whose form and amount have been determined in the Qanun explicitly. Ta'zir is a type of 'Uqubat that has been determined in the Qanun whose form is optional and the amount is within the highest and/or lowest limits. Maisir or gambling is an act that contains elements of betting and/or elements of chance carried out between 2 (two) or more parties, accompanied by an agreement that the winning party will receive a certain payment/profit from the losing party, either directly or indirectly.

Based on the results of previous research conducted by Gita Anggraini, with the research title "The Effectiveness of Law Enforcement Against Online Gambling Based on Aceh Qanun Number 6 of 2014: A Case Study in Banda Aceh City". This research shows that the effectiveness of law enforcement against online gambling in Banda Aceh City is still less than optimal. Although there are clear regulations in the Aceh Qanun, implementation in the field is limited by the lack of consistent monitoring and law enforcement. This study recommends increasing cooperation between authorities and the community to improve the law enforcement system. Furthermore, based on the results of previous research conducted by Damaris Pramesti Rahayu, with the research title "Analysis of Law Enforcement of Online Gambling Crimes in the Perspective of Aceh Qanun Number 6 of 2014 and Its Implications for Society". This study reveals that law enforcement against online gambling crimes is often ineffective due to cultural and social factors in society that still tolerate gambling activities. (Ritonga, Hasibuan, and Zarzani 2024)

In some cases, online gambling involves groups of students using their tuition money to gamble without considering the risks. This potentially jeopardizes their ability to pay for their education. The lack of oversight of individuals involved in online gambling has turned this behavior into a habit that could potentially harm future generations in Indonesia. Thus, gambling not only has direct negative impacts but also indirect negative consequences that harm individuals and society at large.

Furthermore, based on information published in online news, the Central Aceh Regional Criminal Investigation Unit arrested 2 residents suspected of playing online slot

gambling. They were arrested in Simpang Kelaping Village, Pegasing District, Central Aceh Regency, Thursday, June 20, 2024 evening. Both were subject to sanctions. Both will be charged with Article 18 of Aceh Provincial Qanun Number 6 of 2014 concerning Jinayat law. The arrests were made by the Central Aceh Police's strong efforts to eradicate gambling practices, especially those played online. Moreover, this has greatly disturbed the community. In another case, a young man from Pepayungen Angkup Village, Silih Nara District, Central Aceh Regency was forced to deal with the local police. He is suspected of embezzling the proceeds from the sale of pure gold worth IDR 1 billion belonging to the victim FS (41), who is none other than the owner of a gold shop in Pepayungen Angkup Village. He did this because he was addicted to playing online gambling and paying off debts due to online gambling.

The increasing availability of online gambling sites and the ease of access and transactions through electronic banking systems have made it difficult for law enforcement to address online gambling practices. The main challenges lie in gathering the necessary evidence and the resistance from financial institutions to providing police access for investigations. This phenomenon has attracted more people to try online gambling in the hope of significant profits, particularly in Aceh in general and Central Aceh in particular. (Damlah 2017)

Based on this background, this paper will investigate how law enforcement officers carry out law enforcement efforts against online gambling perpetrators reviewed from Aceh Qanun Number 6 of 2014 concerning Jinayat Law and Law Enforcement in Handling Gambling Crimes Through Electronic Media in relation to the Existence of Law Number 11 of 2008 Jo and Law Number 1 of 2024 and Number 19 of 2019 concerning Information and Electronic Transactions. in the Central Aceh jurisdiction. The lack of concrete and effective solutions to the problem of online gambling opens up space for students to continue carrying out these activities, without realizing that these actions are contrary to the social and cultural norms adopted by Indonesian society, especially in the Central Aceh region.

II. RESEARCH METHODS

This research uses a normative-juridical approach with qualitative-descriptive

specifications, namely examining and analyzing relevant laws and regulations and legal theories that support law enforcement against online gambling crimes. Data was collected through library research.(Indra Utama Tanjung 2024)which includes primary legal materials such as Law Number 7 of 1974 concerning the Regulation of Gambling, the Criminal Code (KUHP), Law Number 11 of 2008 in conjunction with Law Number 19 of 2016 and Law Number 1 of 2024 concerning Electronic Information and Transactions, and Aceh Qanun Number 6 of 2014 concerning Jinayat Law. In addition, secondary legal materials such as journals, previous research results, legal documents, and media reports are used to strengthen the analysis. Data analysis techniques are carried out qualitatively by organizing and interpreting normative data in certain patterns and categories to answer the problem formulation and draw logical and relevant legal conclusions.

III. RESULTS AND DISCUSSION

A. Law Enforcement Against Online Gambling Crimes in the Central Aceh Jurisdiction

Law enforcement against online gambling crimes in the jurisdiction of Central Aceh is an urgent need amidst the spread of increasingly complex and difficult to control digital-based gambling practices.(Yudhanegara et al. 2024)Gambling, originally known in conventional forms such as card games, cockfighting, and dice, has now metamorphosed into online gambling based on apps and websites that can be easily accessed via smartphones. This phenomenon has not only reached metropolitan areas but has also penetrated regions that uphold religious and customary norms, such as Aceh, particularly Central Aceh. Therefore, law enforcement efforts against online gambling practices must be thoroughly analyzed within the framework of national and local legal systems (qanun), while also taking into account the social dynamics of the communities subject to such regulation.

From a formal legal perspective, gambling is classified as a criminal offense as stipulated in Articles 303 and 303 bis of the Criminal Code (KUHP). These articles state that anyone who intentionally offers or provides the opportunity to gamble to the public, or participates in such gambling, or acts as an organizer, is subject to

imprisonment or a fine. Furthermore, gambling regulations are further strengthened by Law Number 7 of 1974 concerning the Control of Gambling, which stipulates that all forms of gambling are a social ill that must be eradicated because they contradict religious norms and Pancasila morals, and have the potential to disrupt public order. This provision was then expanded in scope to the digital realm through Article 27 paragraph (2) of Law Number 11 of 2008 concerning Electronic Information and Transactions (ITE) as amended by Law Number 19 of 2016 and most recently by Law Number 1 of 2024. This article strictly prohibits the distribution of electronic content containing gambling and threatens perpetrators with a maximum prison sentence of six years and/or a maximum fine of one billion rupiah.(Dhadha et al. 2021)

In the context of Aceh as a region that has special rights in implementing Islamic law based on Law Number 11 of 2006 concerning the Government of Aceh, the crime of gambling is categorized as a form of *maisir* crime which is specifically regulated in Aceh Qanun Number 6 of 2014 concerning Jinayat Law. Articles 18 to 22 of the qanun stipulate that anyone who commits an act of *maisir* will be subject to sanctions of *'uqubat ta'zir* in the form of caning, a fine in the form of grams of pure gold, or imprisonment, with the imposition of sanctions adjusted to the value of the bet or the profits obtained. This construction shows the existence of a parallel legal dualism in Aceh, namely between national criminal law and Islamic criminal law (*jinayat*), both of which have the authority to regulate and prosecute online gambling perpetrators, depending on the case handling mechanism and institutional jurisdiction.

Law enforcement against online gambling in Central Aceh is carried out by the Central Aceh Police, who serve as the spearhead of criminal investigations. This law enforcement process takes place in several stages, starting with information and data collection, tracking gambling networks, identifying perpetrators, arrests, interrogations, and finally handing over cases to the prosecutor's office for further legal proceedings. One concrete case illustrating the intensity of this law enforcement is the arrest of two residents in Simpang Kelaping Village, Pegasing District, Central Aceh Regency, on the evening of June 20, 2024. The two residents were arrested for their involvement in online slot gambling, conducted via mobile phones in a

residential area. This arrest demonstrates that online gambling is no longer limited to internet cafes or computers, but has transformed into an online activity that can be done from home using personal devices.(2013 Investigation)

However, law enforcement against online gambling crimes is not always smooth. Law enforcement officials often face various challenges in obtaining evidence, digital tracking, and jurisdictional barriers. In many cases, the gambling sites accessed by the public originate from overseas and are not under the direct supervision of the Indonesian government. Servers located overseas, the use of VPN technology, and financial transactions via unregistered digital wallets (e-wallets) make it difficult for police to freeze the flow of funds, identify the main bookies, or even trace the origin of gambling content. Furthermore, in the context of Central Aceh, many perpetrators are unaware that playing online slot machines or lottery games is a serious crime punishable by imprisonment and caning, especially because the activity occurs in private spaces and is not directly visible to the public.

In practice, the implementation of the Islamic criminal law (qanun jinayat) as part of law enforcement in Central Aceh also faces internal and external obstacles. Internal obstacles can include limited understanding of the normative construction within the qanun by law enforcement officials, as well as minimal integration between the national justice system (police and prosecutors) and the sharia legal system (Wilayatul Hisbah and the Sharia Court). On the other hand, external obstacles include public resistance to caning as a form of punishment (uqubat hudud) or ta'zir, which is considered irrelevant to current global conditions. In many cases, society tends to tolerate online gambling because it is seen as entertainment or even an alternative economic means, especially among the younger generation. Therefore, law enforcement based solely on a repressive approach tends to be ineffective if not accompanied by a preventive and educational approach.(Rianto, Zarzani, and Saragih 2024)

Structurally, law enforcement against online gambling is also influenced by institutional factors, including the lack of digital forensic infrastructure owned by regional police.(Hasibuan, Sembiring, and Rafianti 2024)Investigations into online gambling require IP address tracking, digital transaction tracing, blocking access to illegal domains, and cross-

sectoral collaboration with the Ministry of Communication and Information Technology, the Financial Transaction Reports and Analysis Center (PPATK), the Financial Services Authority (OJK), and banking operators. Unfortunately, this inter-agency coordination often fails due to limited technical procedures and sectoral egos between agencies. As a result, many online gambling cases end up with lower-level perpetrators (players), while the main organizers or bookies remain untouched because they operate outside jurisdictions or use anonymous identities.

From a legal approach perspective, law enforcement in Central Aceh should ideally not only prioritize positive (positivistic) law, but also integrate sociological and anthropological approaches.(Tanjung et al. 2023)This is crucial given that Acehnese society strongly adheres to Islamic values and local customs. Therefore, legal campaigns regarding the prohibition of gambling and the caning punishment stipulated in the qanun must be accompanied by collective awareness-raising, cultural outreach, and strengthening the role of religious leaders, traditional leaders, and educational institutions in fostering public legal awareness. Law enforcement must not stop at mere enforcement but must foster a sustainable value system to prevent society, especially the younger generation, from falling prey to digital gambling practices.

Law enforcement efforts must also be framed within the principles of justice and human rights protection. Although Islamic law authorizes the Aceh government to enforce caning for perpetrators of gambling (maisir), its implementation must still adhere to the principles of modern criminal law, such as legality, proportionality, and the non-discriminatory principle. Legal debates frequently arise regarding the legality of caning in public spaces, which some argue are questioned within the framework of human rights as guaranteed by the 1945 Constitution and various international instruments. Therefore, law enforcement officials in Central Aceh must maintain a neutral position, bridging the two applicable legal systems: national positive law and local Islamic law, without compromising the principle of substantive justice.

From these various realities, it can be concluded that law enforcement against online gambling in the jurisdiction of Central Aceh is a complex process involving normative,

technological, sociological, and political aspects. Efforts to eradicate online gambling must be carried out simultaneously through strengthening regulations, increasing the capacity of officials, educating the public, and coordinating between legal and government institutions. The Qanun Jinayat, as a local legal product, must be critically reviewed to adapt to the ever-changing modes of digital crime. Law enforcement should not be merely symbolic or ceremonial, but rather measured, systematic, and oriented towards protecting the community and fostering stronger public morals.

B. The Effectiveness of the Implementation of Aceh Qanun Number 6 of 2014 concerning Jinayat Law on the Crime of Maisir (Online Gambling)

Aceh Qanun Number 6 of 2014 concerning Jinayat Law is a manifestation of the special law possessed by Aceh Province as part of the implementation of special autonomy based on Islamic law.(Fitriani 2024) Within a normative framework, this qanun functions as a material and formal criminal law that is *lex specialis* for the Aceh region, which regulates various acts that are qualified as *jarimah*, one of which is *jarimah maisir*, namely a form of legal violation in the form of gambling, including those conducted online. The existence of this qanun reflects the strong desire of the Acehnese people to organize social life based on Islamic values and to make the law an instrument to maintain public moral order. However, when examined from the perspective of effectiveness, the application of Aceh Qanun No. 6 of 2014 to online gambling cases contains a number of problems both from the aspect of normative substance, law enforcement structure, and community legal culture.

In terms of substance, the Aceh Qanun defines gambling (*maisir*) as an act involving elements of betting and/or chance between two or more parties, with an agreement that the winning party will receive a certain benefit from the losing party. Articles 18 and 19 of the Qanun explicitly regulate the sanctions imposed on perpetrators of *maisir*, with the stipulation that the value of the bet serves as the basis for distinguishing between light and heavy categories. If the value of the bet does not exceed two grams of pure gold, the sanction is a maximum of 12 lashes, a maximum fine of 120 grams of gold, or a maximum imprisonment of 12 months.(Fitriani 2024) Meanwhile, if the wager exceeds two grams of gold, the penalty increases

to a maximum of 30 lashes, a maximum fine of 300 grams of gold, or a maximum of 30 months' imprisonment. This provision demonstrates that the qanun has formulated criminal sanctions using a selective system based on distributive justice in accordance with Islamic sharia principles. However, the application of this norm to online gambling still faces several obstacles, particularly in proving the nominal value of bets and linking online activities to the elements of the crime of gambling (*maisir*) as defined by the qanun.

One serious issue concerns the need for proof and the literal interpretation of the articles in the qanun. In practice, in many online gambling cases, it is difficult to directly prove the value of the bets, as the entire transaction process takes place electronically, using digital currency, e-wallets, or mobile phone credit. This makes it difficult for law enforcement to determine whether the bet amount in a case meets the requirements to be categorized as a gambling crime under the Aceh Qanun. As a result, authorities often face a dilemma between enforcing the qanun's provisions normatively or taking a functional approach through articles in the Criminal Code or the ITE Law. This results in inconsistencies in case handling and opens up room for interpretation, potentially creating legal uncertainty.

Furthermore, in terms of the law enforcement structure, the effectiveness of the qanun is largely determined by coordination between the institutions that carry out criminal justice functions. In Aceh, this structure consists of the Sharia police (*Wilayatul Hisbah*), investigators from the conventional police force, prosecutors, and the Sharia Court as the judicial institution. Unfortunately, coordination between these actors has not been optimal, both due to differing understandings of the substance of the qanun and technical administrative limitations. The *Wilayatul Hisbah* is often hampered by a lack of technological investigative capacity, while conventional investigators are more accustomed to handling general criminal cases under the Criminal Procedure Code (KUHP) and the Criminal Code (KUHP). This situation has resulted in several online gambling cases that should be handled through the criminal justice system being discontinued or transferred to the national criminal justice system, even though the qanun has jurisdictional power of *lex specialis* in Aceh.(Bukhari 2022)

Another equally significant obstacle is the legal culture of the community. Although the

qanun (Islamic law) has been in effect since 2014 and embodies the aspirations of the Acehnese people for the implementation of Islamic law, in reality, not all levels of society share the same understanding and awareness of the law. In some regions, gambling, including online gambling, is still viewed as a form of entertainment or economic escape, rather than a crime. In fact, there is resistance to caning, both from the community and from the authorities themselves. Caning is considered inconsistent with modern humanitarian principles and often attracts international media attention. This has led to several cases of gambling (maisir) that should have been subject to ta'zir punishments being discontinued due to concerns about creating social controversy or public criticism.

Furthermore, control and oversight are also significant challenges to the effective implementation of the qanun. Online gambling is generally not conducted in public spaces but rather hidden behind mobile phones and private networks. Perpetrators use pseudonyms, fake accounts, and closed networks, making them difficult for authorities to catch. In some cases, law enforcement officials have even admitted to difficulties obtaining permits for wiretapping or access to digital data due to the lack of a strong legal framework at the local level to regulate electronic data handling. The Aceh Qanun lacks technical provisions on digital forensics or law enforcement procedures in cyberspace. As a result, prosecution of online gambling perpetrators relies heavily on cooperation with central institutions such as the Ministry of Communication and Information Technology or the Financial Transaction Reports and Analysis Center (PPATK), which lacks coordinating authority in the implementation of the qanun.

The effectiveness of the qanun is also being tested in the realm of criminal enforcement. Although caning, fines, or imprisonment have been imposed in some cases, oversight of the implementation of these sanctions remains weak. It is not uncommon for canings to be postponed, not fully implemented, or carried out behind closed doors to avoid public pressure. This reduces the deterrent effect and prevents perpetrators from experiencing consequences commensurate with their violations. Furthermore, fines in grams of gold are no longer realistic when converted to rupiah, which constantly fluctuates with market prices. Therefore, adjustments to the provisions are

needed to ensure that punishments remain proportional and applicable in practice.

However, it cannot be denied that Aceh Qanun Number 6 of 2014 still has great potential to become an effective legal instrument in handling online gambling crimes, especially because it offers a legal system that is contextual and based on strong religious values in Acehnese society.(Yanti 2020)The existence of this qanun should be understood not merely as a symbol of Sharia law, but as a normative framework that can bridge local values of justice with the national legal system. To achieve this, it is necessary to harmonize regulations between the qanun and national laws, provide intensive training for law enforcement officers in digital-based investigations, and provide legal education to the public so they recognize that gambling, in any form, is a violation of law and morality that must be abandoned.

Concrete steps that can be taken include the establishment of a special work unit for handling cyber crimes under the Wilayatul Hisbah (Civil Service) equipped with digital forensic expertise, the involvement of traditional leaders and religious scholars in the socialization of criminal law among youth and students, and updating the provisions of the qanun (religious law) to adapt to technological developments and societal realities. Strengthening the local legal system must also be accompanied by guarantees of human rights so that law enforcement is not only formal and legal, but also fulfills a sense of substantive justice. The Aceh Qanun should not be merely symbolic law, but must become an instrument of social transformation capable of forming a strong, disciplined, and common-benefit legal culture.

Thus, the effectiveness of Aceh Qanun No. 6 of 2014 on gambling crimes in Central Aceh depends heavily on its consistent implementation, synergy with national law, and active participation by all elements of society. Without adequate legal and political support, strong institutional capacity, and collective public awareness of the importance of eradicating online gambling, the Qanun will remain a normative regulation that is strong only on paper but weak in implementation.

C. Factors Inhibiting Law Enforcement Against Online Gambling in Central Aceh

Law enforcement against online gambling crimes in Central Aceh jurisdiction cannot be separated from various multidimensional inhibiting factors. These obstacles are not only technical or administrative in nature, but also

reflect structural problems within the law enforcement system, including regulatory fragmentation, weak human resources among law enforcement officers, and low public legal awareness.(Ritonga, Hasibuan, and Zarzani 2024)Within Lawrence M. Friedman's legal system theory, the legal system consists of three main subsystems: legal substance, legal structure, and legal culture. In the context of Central Aceh, these three subsystems have not yet worked synergistically to support effective law enforcement against online gambling. Therefore, a critical approach is needed to systematically identify the root causes of the problem.

First, from a legal substance perspective, the main problem lies in the disharmony and unclear jurisdictional boundaries between national law and local law (qanun). Online gambling is regulated in Article 27 paragraph (2) of Law Number 11 of 2008 in conjunction with Law Number 19 of 2016 concerning Electronic Information and Transactions (ITE), which stipulates a prohibition on the distribution of electronic content containing gambling. However, at the same time, in the Aceh region, Aceh Qanun Number 6 of 2014 concerning Jinayat Law is also in effect, which regulates the crime of gambling as a sharia criminal offense. Both have different norms and sanctions, and enforcement mechanisms that are not always synchronized. This creates confusion in legal practice, especially in determining which institution has the authority to handle cases, and which law is used as the basis for prosecution. This dualism, if not harmonized through the harmonizing norms of *lex specialis* or *lex superior*, has the potential to lead to violations of the principle of due process of law and open up opportunities for forum shopping by law enforcement to choose the path deemed easiest.

Second, from a legal structural perspective, the most significant obstacle lies in the weak capacity of law enforcement officials to address the complexity of technology-based crimes. Investigating online gambling cases requires robust digital forensic skills and equipment, ranging from the ability to trace IP addresses, track fund flows through e-wallets or cryptocurrencies, to cracking website encryption and user data. Unfortunately, in Central Aceh, these capabilities remain limited, both in terms of personnel and supporting facilities. Police, prosecutors, and the Regional Police (Wilayah Hisbah) are not yet fully equipped with the technical competency to combat cybercrime, especially in the form of cross-border online

gambling networks using foreign servers. As a result, most law enforcement only reaches lower-level perpetrators (end users), while the network providers (servers) and organizers (bookies) remain untouched. This distorts the objectives of criminal prosecution, as it fails to target the actual intellectual actors behind the crime.(Anwary 2022)

Third, from a legal culture perspective, a deeper problem lies in the public's weak legal awareness of the dangers and prohibition of gambling, including online gambling. In some communities in Central Aceh, online gambling is not even viewed as a serious crime, but rather as a game or an easy way to make money. This view is further exacerbated by difficult economic conditions, unemployment, and weak social oversight, which make it easy for people, especially young people and students, to fall prey to digital gambling practices. Ironically, several cases have shown that tuition fees or business capital are used to play online slots. This demonstrates that the value system that should be a pillar of legal strengthening has not been firmly established in society. Within this framework, repressive law enforcement (arrests and criminalization) will be severely limited in its reach and effectiveness if not supported by social development, legal education, and cultural outreach that touches the roots of society's collective consciousness.

Fourth, law enforcement is also hampered by conventional evidentiary mechanisms that are incompatible with the nature of online crime. In many cases, law enforcement officials struggle to prove the existence of betting in online games because all transactions take place digitally, using pseudonyms and e-wallets not registered to individuals. This often leads to legal proceedings stalling at the investigation stage, or if they do go to court, the evidence is insufficient to impose the maximum penalty. This creates the impression that online gambling is a crime that is difficult to prosecute, thus eroding public trust in the criminal justice system.(Rofiqoh, nd)

Fifth, jurisdictional factors also pose a serious obstacle to law enforcement against online gambling. Many gambling sites operating in Indonesia are actually based in countries where gambling is legal, such as the Philippines, Cambodia, or several European countries. These sites are protected by the laws of their home countries, so Indonesian law enforcement officials lack direct legal authority to freeze, close, or seize assets controlled by foreign bookies. Without

international cooperation and mutual legal assistance (MLA) instruments, law enforcement officials in regions like Central Aceh can only deal with local perpetrators, while the primary infrastructure for these crimes remains unaffected.

Sixth, the lack of integrated information systems between law enforcement officials, the Ministry of Communication and Information Technology, the Financial Services Authority (OJK), and financial institutions is also a significant obstacle. Ideally, law enforcement against online gambling should be carried out through a multi-sectoral approach based on digital tracking, access blocking, account tracking, and electronic transaction audits. However, in reality, there is no single data exchange system that can legally and real-time link internet user data with bank accounts and other digital footprints. This results in many online gambling cases being subject to only administrative sanctions (site blocking), without legal proceedings against users and organizers. This creates a deterrence gap, namely the gap between normative legal threats and the actual effectiveness of the law.

Seventh, resistance to local laws also poses a challenge. The implementation of the qanun (Islamic law) in Aceh, particularly the caning penalty for gambling (maisir), is often the subject of debate over the relationship between Islamic law and universal human rights principles. Some believe that caning violates Article 28G of the 1945 Constitution and the principle of non-degrading treatment in international conventions. Consequently, there is a tendency to limit or postpone the implementation of caning, ultimately weakening its deterrent effect and fostering discriminatory perceptions against perpetrators of sharia violations. If the philosophical and legal aspects of the qanun are not properly understood, its implementation will continue to face legal, political, and social obstacles.

Overall, the obstacles to law enforcement against online gambling in Central Aceh stem from a systemic failure to anticipate the transformation of crime from conventional to digital forms. The state, specifically the central and regional governments, has not yet seriously developed a law enforcement system that adapts to cyber realities, including digital criminal procedure law, investigator capacity, and public legal literacy. Efforts to eradicate online gambling cannot simply rely on a formal penal approach; they must

be accompanied by a reconstruction of the legal system based on collaboration, responsiveness, and sensitivity to socio-cultural dynamics.

Thus, efforts to enforce the law against online gambling perpetrators in Central Aceh must be accompanied by a comprehensive evaluation and improvement of the substance, structure, and culture of the existing law. Harmonization of regulations between national law and Aceh's qanun (Indonesian legal code) is urgently needed to avoid contradictions in law enforcement. Increasing the capacity of law enforcement officers in digital forensic technology is imperative. The community needs to be empowered through legal education based on Islamic values and Acehese customs. Without strategic, structural and sustainable measures, the law will lose its preventive and repressive functions, and ultimately become merely a formality that the public no longer trusts as a protector of justice.

IV. CONCLUSIONS AND RECOMMENDATIONS

Law enforcement against online gambling crimes in the jurisdiction of Central Aceh faces complex challenges stemming from regulatory disharmony between national law and the Aceh Qanun, the weak structural capacity of law enforcement officials in handling digital crimes, and low public legal awareness regarding the prohibition of gambling, particularly in its online form. Despite the existence of sufficient legal basis—from the Criminal Code, the ITE Law, and Aceh Qanun Number 6 of 2014—the effectiveness of law enforcement is still hampered by technical unpreparedness, limited evidence, and inconsistent implementation of sanctions. The cross-border and anonymous nature of online gambling demands a swift, coordinated, and technology-based legal response, which unfortunately is not yet fully possessed by law enforcement officials in the region.

Therefore, comprehensive legal reform is needed through harmonization of norms between national positive law and criminal law, strengthening the institutional capacity of law enforcement officials, and integrating a digital tracking system that simultaneously involves multiple sectors. Law enforcement approaches must also be directed not only at perpetrators but also at providers of online gambling systems and transaction channels by building national and international collaboration. Furthermore, repressive efforts must be accompanied by

educational and cultural strategies to build public legal awareness based on Acehese sharia and customary values. Without synergy between structural and cultural approaches, law enforcement against online gambling will be partial and unsustainable.

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