



A Study of Fiqh and Positive Law on the Impact of Online Gambling on the Morality of Indonesian Society

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Abstrak

Pertumbuhan pesat teknologi digital telah menyebabkan fenomena perjudian online yang meluas, yang menimbulkan tantangan signifikan bagi norma sosial dan sistem hukum, terutama di Indonesia—sebuah negara dengan tradisi agama dan moral yang kuat. Studi ini mengeksplorasi dampak perjudian online terhadap moralitas masyarakat Indonesia melalui perspektif Fiqh (yurisprudensi Islam) dan hukum positif. Dari sudut pandang Fiqh, perjudian dilarang keras karena potensinya untuk menyebabkan kerusakan sosial dan moral, namun aksesibilitas dan anonimitas platform online mempersulit penegakan, terutama di kalangan remaja. Secara bersamaan, hukum positif Indonesia, yang menggabungkan prinsip agama dan sekuler, menghadapi kesulitan dalam mengatur perjudian online secara efektif. Penelitian ini menggunakan metodologi yuridis normatif, menganalisis norma hukum, prinsip, dan regulasi untuk memahami bagaimana Fiqh dan hukum positif berinteraksi dalam mengatasi tantangan moral yang ditimbulkan oleh perjudian online di Indonesia. Data diambil dari teks hukum, keputusan peradilan, fatwa, dan literatur akademik, menggunakan pendekatan deskriptif kualitatif untuk menarik wawasan dan kesimpulan tentang kenaikan perjudian online dan implikasinya.

Kata Kunci: Judi Online, Fiqh, Hukum Positif, Moralitas Sosial, Indonesia

Abstract

The rapid growth of digital technology has led to the widespread phenomenon of online gambling, which poses significant challenges to societal norms and legal systems, particularly in Indonesia—a country with strong religious and moral traditions. This study explores the impact of online gambling on Indonesian society's morality through the perspectives of Fiqh (Islamic jurisprudence) and positive law. From a Fiqh viewpoint, gambling is strictly prohibited due to its potential to cause social and moral harm, yet the accessibility and anonymity of online platforms complicate enforcement, especially among youth. Concurrently, Indonesian positive law, integrating both religious and secular principles, faces difficulties in regulating online gambling effectively. This research employs a normative juridical methodology, analyzing legal norms, principles, and regulations to understand how Fiqh and positive law intersect in addressing the moral challenges posed by online gambling in Indonesia. Data is drawn from legal texts, judicial decisions, fatwas, and scholarly literature, using a qualitative descriptive approach to derive insights and conclusions about the rise of online gambling and its implications.

Keywords: Online Gambling, Fiqh (Islamic Jurisprudence), Positive Law, Societal Morality, Indonesia

A. Introduction

The rapid expansion of digital technology has significantly transformed various aspects of human life, including the way people engage in gambling activities. Online gambling, once a peripheral concern, has now become a widespread phenomenon with far-reaching consequences. In Indonesia, a country with deep-rooted religious values and strong moral traditions, the rise of online gambling presents a unique challenge to both societal norms and legal frameworks. This study aims to explore the impact of online gambling on the morality of Indonesian society through the lenses of Fiqh (Islamic jurisprudence) and positive law.

From a Fiqh perspective, gambling is categorically prohibited, as it is considered a form of exploitation that leads to social and moral decay. The teachings of Islam emphasize the importance of preserving moral integrity and protecting individuals from harmful activities that can lead to spiritual and social corruption. Despite these religious prohibitions, the accessibility and anonymity of online gambling platforms have made it increasingly difficult to enforce these moral standards, especially among the younger generation. (Fikriana & Irsyad, 2024)

In addition to the religious viewpoint, the Indonesian legal system, which incorporates both religious and secular principles, also faces challenges in regulating online gambling. Positive law in Indonesia, which includes statutory and regulatory frameworks, strives to address the legal implications of online gambling. However, the effectiveness of these laws in curbing the practice and mitigating its impact on societal morality remains questionable. This study will critically examine the intersections between Fiqh and positive law, and how they together influence the ongoing battle against the moral degradation posed by online gambling in Indonesia.

The advent of digital technology has revolutionized various facets of human life, with one of the most profound changes being the rise of online gambling. What was once confined to physical venues has now permeated the virtual realm, offering unprecedented accessibility and convenience. In Indonesia, a nation deeply rooted in Islamic values and cultural traditions, the proliferation of online gambling has sparked significant concern. The ease with which individuals can engage in gambling activities from the privacy of their homes poses a direct challenge to the moral fabric of Indonesian society. This study aims to explore the impact of online gambling on societal morality in Indonesia, examined through the dual lenses of Fiqh (Islamic jurisprudence) and positive law.

From the perspective of Fiqh, gambling (*maysir*) is unequivocally prohibited in Islam due to its exploitative nature and its potential to foster social harm. The principles of Islamic jurisprudence emphasize the preservation of moral integrity, the protection of the community, and the avoidance of activities that can lead to spiritual and social decay. Online gambling, with its allure of quick financial gain, not only violates these principles but also exacerbates issues

such as addiction, financial ruin, and the breakdown of family structures. Despite the clear prohibitions in Fiqh, the anonymity and pervasive reach of online gambling platforms have made it increasingly difficult to enforce these moral standards, especially among the younger and more tech-savvy population. (Syukur & Ramadhani, 2021a)

Parallel to the religious perspective is the framework of positive law in Indonesia, which seeks to regulate gambling activities through statutory and regulatory measures. Indonesian law, which integrates both religious and secular principles, has established specific legal provisions aimed at curbing gambling, including online platforms. However, the effectiveness of these laws in addressing the challenges posed by online gambling remains a subject of debate. The enforcement of these laws often encounters obstacles, such as jurisdictional limitations, technological complexities, and the global nature of online platforms. This study will critically examine the intersection of Fiqh and positive law in Indonesia, exploring how these two systems can work together—or in tension—to address the moral and legal implications of online gambling in Indonesian society.

B. Methodology

This article employs a normative juridical research methodology. The study focuses on the examination of legal norms, principles, and regulations related to online gambling and its impact on societal morality, within the framework of both Fiqh (Islamic jurisprudence) and positive law in Indonesia. Data is categorized into two types: primary data, obtained through the analysis of relevant legal texts, judicial decisions, and fatwas; and secondary data, gathered from scholarly literature, legal commentaries, and relevant statutory laws governing gambling and moral conduct. The research relies heavily on a comprehensive review of existing legal documents, Islamic legal texts, and academic sources to provide a thorough understanding of the normative frameworks at play. Data analysis is conducted using a qualitative descriptive approach, synthesizing insights from legal doctrines and Islamic jurisprudence to address the core issues. The study integrates the findings from the legal and religious texts to draw conclusions about the impact of online gambling on the morality of Indonesian society. Conclusions are drawn deductively, starting from general legal and religious principles to the specific issues posed by the rise of online gambling in the Indonesian context.

C. Results and Discussion

1. Introduction to the Case Study: Pontianak, West Kalimantan

Pontianak, the capital of West Kalimantan, has witnessed a noticeable rise in online gambling activities over recent years. The increasing penetration of internet services and the availability of mobile devices have made online gambling more accessible to a broader segment of the population. This trend poses significant challenges to the moral fabric of the community, which is deeply influenced by Islamic values. The local government and religious leaders have expressed concerns about the negative impact of online gambling on societal morality, particularly among the youth. Pontianak, the capital city of West Kalimantan, is a vibrant urban center known for its diverse cultural heritage and strong adherence to Islamic values. As a city that sits near the equator, Pontianak has historically been a hub for trade, culture, and education, playing a significant role in shaping the identity of West Kalimantan. However, with the rapid expansion of digital technology and the internet, Pontianak has also become a focal point for the rise of online gambling, a phenomenon that is increasingly challenging the moral and social structures of the community.

The proliferation of online gambling in Pontianak can be attributed to several factors, including the widespread availability of internet services and the growing penetration of mobile devices. In recent years, internet connectivity has expanded significantly in the region, making it easier for residents to access online platforms, including those that facilitate gambling. The advent of smartphones and affordable data plans has further accelerated this trend, allowing individuals to engage in gambling activities at any time and from virtually any location. This shift from traditional to online gambling represents a significant departure from past practices, where gambling activities were more easily monitored and regulated by local authorities.

The impact of this digital shift is particularly concerning in Pontianak, where Islamic values play a central role in the community's moral and ethical framework. The teachings of Islam,

which are deeply ingrained in the daily lives of Pontianak's residents, strictly prohibit gambling (maysir) as it is considered a form of moral corruption and exploitation. Despite these clear religious prohibitions, the allure of online gambling, with its promises of quick and easy financial gain, has proven to be a powerful temptation for many, particularly among the younger generation. This has led to growing concerns about the erosion of moral values and the potential long-term effects on the social fabric of the community.(Lubis et al., 2023a).

Religious leaders in Pontianak have been vocal in their opposition to online gambling, warning of its detrimental effects on both individual morality and the broader society. Sermons delivered in mosques across the city frequently address the issue, emphasizing the importance of upholding Islamic principles and resisting the temptations of modern vices. However, the anonymity and convenience provided by online platforms make it difficult for religious authorities to enforce these teachings effectively. The challenge is further compounded by the fact that many online gambling platforms operate outside of local jurisdiction, making it difficult for both religious and legal authorities to take action against them.(Fasihullisan, 2024)

The local government in Pontianak has also expressed concerns about the rise of online gambling and its impact on the community. Officials have noted a correlation between the increase in online gambling activities and a range of social problems, including financial distress, family breakdowns, and even criminal behavior. The economic consequences of gambling addiction, such as debt and bankruptcy, are particularly troubling, as they not only affect the individuals involved but also place a burden on the local economy and social services. In response, the government has sought to implement measures to curb the spread of online gambling, including public awareness campaigns and stricter enforcement of existing laws. However, the effectiveness of these measures remains limited in the face of the pervasive nature of the internet and the global reach of online gambling platforms.(Fikriana & Irsyad, 2024)

Another critical aspect of the rise of online gambling in Pontianak is its impact on the youth. Young people, who are often more adept at using digital technologies, are particularly vulnerable to the allure of online gambling. The ease with which they can access gambling websites and apps, combined with a lack of awareness about the legal and moral implications, has led to a worrying increase in gambling-related activities among this demographic. This trend is alarming, as it threatens to undermine the moral development of the next generation and could lead to a normalization of gambling behavior in the future.(Syukur & Ramadhani, 2021a)

Moreover, the social consequences of online gambling in Pontianak are not limited to the individuals who engage in it. The ripple effects extend to families and the broader community, where the financial and emotional strain caused by gambling addiction can lead to a breakdown in social cohesion. Families struggling with the consequences of a member's gambling addiction often experience conflicts, mistrust, and a loss of stability, which can have long-lasting effects on the well-being of all involved. This, in turn, weakens the social bonds that are essential for maintaining a strong and resilient community.

In summary, the rise of online gambling in Pontianak represents a significant challenge (Aditya & Rahman, 2024) to the city's moral and social fabric. The combination of increased internet accessibility, the pervasive nature of digital platforms, and the allure of gambling has created a situation that is difficult to manage through traditional religious and legal mechanisms. As a result, there is a growing need for a coordinated response that involves religious leaders, government officials, and the community at large to address the moral, social, and legal implications of online gambling in Pontianak. This case study will explore these dynamics in greater detail, examining the intersection of Fiqh and positive law in addressing the challenges posed by online gambling in this unique socio-cultural context.(Setiawati & Ayu Sri Daulat, 2022a)

2. Legal Framework in Pontianak: Fiqh and Positive Law Perspectives

2.1. Fiqh Perspective

In Pontianak, the influence of Islamic teachings is significant, as the majority of the population identifies as Muslim. According to Fiqh, gambling (maysir) is strictly prohibited, as it is viewed as an immoral activity that leads to societal harm. Religious leaders in Pontianak have issued fatwas condemning online gambling, emphasizing its destructive effects on both individual morality and community well-being. The fatwas align with the broader Islamic jurisprudence, which categorically forbids any form of gambling, including online

variants.(Fikriana & Irsyad, 2024)

In Pontianak, Islamic teachings exert a profound influence on the daily lives and moral compass of the community, as the majority of the population identifies as Muslim. This strong religious foundation shapes the ethical and legal norms within the society, with Islamic jurisprudence (Fiqh) playing a central role in guiding behavior. Within Fiqh, gambling, or *maysir*, is unequivocally prohibited due to its perceived immorality and potential to cause significant harm to individuals and society at large. The prohibition is rooted in Islamic scriptures, including verses from the Qur'an and Hadith, which warn against the dangers of gambling and its corrupting influence on moral integrity.(Muyassar, 2023).

Religious leaders in Pontianak have responded to the rise of online gambling by issuing fatwas (Islamic legal rulings) that explicitly condemn such activities. These fatwas are critical in reinforcing the community's understanding of gambling as a forbidden practice that poses serious moral and social risks. Online gambling, despite being a modern and technologically advanced form of gambling, is viewed through the same lens as traditional gambling within Fiqh. The leaders emphasize that the ease of access and the private nature of online gambling do not mitigate its harmful effects; rather, they exacerbate the risks by making it more pervasive and harder to regulate.(Dimas et al., 2023)

The fatwas issued in Pontianak align with the broader principles of Islamic jurisprudence, which categorically forbids any form of gambling due to its inherently exploitative nature. In Islam, *maysir* is seen as a mechanism that preys on human weaknesses, encouraging individuals to seek quick and unearned wealth at the expense of others. This exploitation runs counter to the Islamic principles of fairness, justice, and the promotion of collective well-being. As such, the prohibition of gambling is not only a matter of religious doctrine but also an ethical imperative aimed at protecting both individual and societal welfare.(Ma`u, 2022)

The destructive effects of gambling, as highlighted in the fatwas, extend beyond the individual gambler to affect the broader community. Online gambling, in particular, has the potential to erode the social fabric by fostering addiction, financial instability, and moral decay. Religious leaders in Pontianak argue that these outcomes are antithetical to the values of Islam, which prioritize social harmony, financial responsibility, and moral integrity. By condemning online gambling through fatwas, the religious authorities seek to safeguard the community from the multifaceted harms associated with this practice, reinforcing the importance of adhering to Islamic teachings in the face of modern challenges.(Bakhtiar & Adilah, 2024a)

In conclusion, the Fiqh perspective in Pontianak regarding online gambling is clear and resolute. The religious community, guided by Islamic jurisprudence, views gambling as a grave sin with far-reaching consequences for both individuals and society. The issuance of fatwas against online gambling reflects the community's commitment to upholding Islamic values and protecting its moral and social integrity. As Pontianak continues to navigate the complexities of the digital age, the Fiqh perspective serves as a vital touchstone for maintaining the ethical and spiritual well-being of its residents.(Melisa, 2023)

2.2. Positive Law Perspective

Under Indonesian law, online gambling is illegal and subject to criminal sanctions. The Indonesian Penal Code (KUHP) and the Information and Electronic Transactions Law (UU ITE) provide the legal basis for prosecuting individuals involved in online gambling activities. However, the enforcement of these laws in Pontianak faces significant challenges. The anonymity provided by online platforms, coupled with the cross-jurisdictional nature of the internet, makes it difficult for local authorities to effectively combat the proliferation of online gambling.(Sakhowi, 2021)

Under Indonesian law, online gambling is unequivocally prohibited and carries criminal penalties. The legal framework addressing this issue primarily comprises the Indonesian Penal Code (KUHP) and the Information and Electronic Transactions Law (UU ITE). The KUHP criminalizes various forms of gambling, including online gambling, while the UU ITE specifically addresses the regulation of electronic transactions and communications, including activities that occur on digital platforms. Together, these laws provide a comprehensive basis for prosecuting individuals involved in online gambling and aiming to curb its spread.(Melisa, 2023)

Despite the clear legal prohibitions, the enforcement of these laws in Pontianak encounters several formidable challenges. One of the primary difficulties is the anonymity afforded by

online platforms, which complicates the identification and prosecution of those involved in illegal gambling activities. Online gambling often occurs on international platforms that are not easily accessible or regulated by local authorities. This anonymity not only shields perpetrators but also impedes the ability of law enforcement agencies to gather evidence and build strong cases against them.(Syukur & Ramadhani, 2021a)

Additionally, the cross-jurisdictional nature of the internet presents another significant hurdle. Online gambling operations frequently involve multiple jurisdictions, complicating efforts to enforce Indonesian laws. Gambling websites and operators may be based in countries with more lenient regulations or even in jurisdictions where they are entirely legal. This international dimension makes it challenging for local authorities in Pontianak to coordinate with foreign counterparts and take effective legal action against international gambling operations.(Sakhowi, 2021)

Another issue affecting enforcement in Pontianak is the limited technical resources and expertise available to local law enforcement agencies. The complexity of investigating and prosecuting online crimes requires specialized skills and advanced technological tools. However, many local police units may lack the necessary resources or training to effectively combat online gambling. This gap in capabilities can result in a slower response to illegal activities and reduced efficacy in upholding the law.(Iskandar et al., n.d.)

Furthermore, public awareness and community cooperation are crucial components in combating online gambling. In Pontianak, there may be a lack of awareness among the general public about the legal consequences of participating in online gambling. Without widespread understanding and support, it is difficult to encourage community members to report illegal activities or cooperate with law enforcement investigations. Enhanced public education and awareness campaigns are essential to mobilize community support and bolster efforts to enforce the law effectively.(Nasir et al., 2022; Pratama & Sondakh, 2024)

In conclusion, while Indonesian law provides a robust framework for addressing online gambling, enforcing these laws in Pontianak is fraught with challenges. The anonymity of online platforms, the cross-jurisdictional nature of internet activities, and the limitations of local law enforcement resources all contribute to the difficulties faced in combating online gambling. Addressing these challenges requires a multifaceted approach, including improved technological capabilities, international cooperation, and increased public awareness to enhance the effectiveness of legal enforcement in the fight against online gambling.(Fanani & Tritasyah, 2023)

3. Impact of Online Gambling on Morality in Pontianak

3.1. Erosion of Traditional Values

The rise of online gambling in Pontianak has led to the erosion of traditional values, particularly those centered around family and community cohesion. In many cases, individuals who engage in online gambling experience financial difficulties, leading to a breakdown in family relationships. The addiction associated with gambling further exacerbates this issue, as individuals become increasingly isolated from their communities. The rise of online gambling in Pontianak has significantly contributed to the erosion of traditional values, particularly those related to family integrity and community cohesion. Traditionally, Pontianak's society has been grounded in strong familial ties and communal support systems, which are deeply rooted in Islamic principles and local customs. However, the increasing prevalence of online gambling has introduced a range of challenges that threaten these foundational values. As more individuals engage in online gambling, there is a growing concern that the resulting financial distress and personal issues are undermining the close-knit family structures that have long been a hallmark of the community.(Rakha Muyassar, n.d.)

Financial difficulties arising from gambling losses are a primary factor contributing to the breakdown of family relationships. Many individuals who fall into gambling addiction face mounting debts and financial instability, which can strain family resources and create conflicts within the household. This financial strain often leads to arguments, reduced family support, and in some cases, even separation or divorce. The repercussions of such family breakdowns extend beyond the immediate household, affecting extended family members and eroding the broader community fabric. Traditional values that emphasize mutual support and familial responsibility are thus increasingly compromised as gambling-related issues become more prevalent.(Hatimatunnisani et al., 2023).

Furthermore, the isolation caused by gambling addiction exacerbates the erosion of traditional values. (Rais & Muyassar, 2022) Individuals who become engrossed in online gambling may withdraw from their families and social networks, seeking refuge in the anonymity of digital platforms. (Muyassar et al., 2023) This withdrawal not only diminishes the individual's participation in family and community life but also weakens the social bonds that are crucial for maintaining a cohesive and supportive community. (Muyassar & Arabiyah, 2022) As gambling addiction isolates individuals from their support systems, it undermines the traditional values of togetherness and mutual care that have historically been central to the social structure of Pontianak. (Arus Jurnal - Ya` Rakha Muyassar, M.H., n.d.)

In addition to these personal and familial impacts, the broader community suffers from the disintegration of traditional values. As more individuals experience the negative effects of gambling, there is a weakening of communal ties and a rise in social problems such as crime and social unrest. The loss of traditional values related to community support and collective responsibility creates a void that can lead to increased social fragmentation and a decline in communal well-being. Addressing these issues requires a concerted effort to reinforce traditional values and provide support to those affected by gambling, helping to restore the social cohesion that is essential for a healthy and resilient community. In conclusion, the rise of online gambling in Pontianak is having a profound impact on traditional values, particularly those centered around family cohesion and community solidarity. The financial difficulties and isolation associated with gambling addiction contribute to the erosion of these values, leading to a breakdown in family relationships and weakening communal bonds. To mitigate these effects, it is crucial to focus on reinforcing traditional values and supporting affected individuals, ensuring that the community can navigate the challenges posed by online gambling while preserving its core values and social integrity. (Bakhtiar & Adilah, 2024b)

3.2. Influence on Youth

The youth in Pontianak are particularly vulnerable to the allure of online gambling. The easy access to gambling websites and apps, coupled with a lack of awareness about the legal and moral implications, has led to a worrying increase in gambling-related activities among young people. This trend is concerning, as it not only undermines their moral development but also exposes them to potential criminal activities. The youth in Pontianak are particularly susceptible to the allure of online gambling due to the widespread accessibility of gambling websites and mobile applications. With the proliferation of smartphones and the internet, young people can easily access gambling platforms from the privacy of their homes or even on the go. This easy access is compounded by a general lack of awareness about the legal and moral implications of gambling. Many young individuals may not fully understand the potential consequences of their actions or the strict prohibitions against gambling within Islamic teachings and Indonesian law. As a result, they may be drawn into gambling activities without fully grasping the risks involved. (Ma`u, 2022)

The increasing involvement of young people in online gambling is deeply concerning, as it threatens to undermine their moral and ethical development. Adolescents are at a formative stage in their lives, where their values and behaviors are still being shaped. Exposure to gambling, particularly in an online environment where the risks are less visible and the consequences can seem distant, can negatively impact their moral judgment and decision-making processes. This exposure not only distorts their understanding of responsible behavior but also sets a precedent for future conduct, potentially leading to more serious issues as they mature. Moreover, the rise in gambling activities among the youth also raises significant concerns about their susceptibility to criminal behavior. The financial pressures and potential addiction associated with gambling can push some individuals toward illegal activities, such as theft or fraud, to support their gambling habits. This shift into criminal activities not only endangers their personal futures but also poses broader risks to community safety and stability. Addressing these issues requires targeted interventions, including educational programs that highlight the risks of gambling and support systems designed to help young people make informed and ethical choices. (Akhyar, 2022)

3.3. Socioeconomic Impact

Online gambling has also had a significant socioeconomic impact in Pontianak. The financial losses incurred by individuals who gamble online have led to increased cases of debt, bankruptcy, and even criminal behavior, such as theft and fraud, as people seek to recoup their

losses. This, in turn, has placed additional strain on the local economy and social services, which are already stretched thin. The socioeconomic impact of online gambling in Pontianak has been profound and multifaceted. As individuals engage in online gambling, they often face significant financial losses that can lead to severe economic consequences, including debt and bankruptcy. The desperation to recover lost funds can drive individuals to extreme measures, such as engaging in criminal activities like theft and fraud. These activities not only exacerbate personal financial difficulties but also contribute to a broader economic strain on the community. The increased demand for financial recovery and the associated criminal behavior create a ripple effect that impacts local businesses, financial institutions, and the overall economic stability of Pontianak. (Setiawati & Ayu Sri Daulat, 2022b)

The rise in gambling-related financial distress has placed additional pressure on local social services, which are already operating under constrained resources. Social service agencies in Pontianak are tasked with addressing a range of issues, including poverty, family breakdowns, and mental health concerns. The influx of individuals seeking help due to gambling-related problems further strains these services, making it more challenging for them to provide adequate support and interventions. The increased need for financial assistance, counseling, and rehabilitation services highlights the growing burden on local social infrastructure and underscores the necessity for more robust support systems to address the multifaceted impact of online gambling. Additionally, the socioeconomic repercussions of online gambling extend to the broader community, affecting public safety and overall quality of life. As individuals resort to illegal activities to fund their gambling habits, there is a rise in crime rates and a decline in public trust and safety. The increased criminal activity can undermine community cohesion and contribute to an atmosphere of insecurity. Addressing these challenges requires a comprehensive approach that includes enhancing community awareness about the risks of online gambling, strengthening law enforcement efforts, and improving social services to better support those affected. By tackling the socioeconomic impacts of online gambling, Pontianak can work towards restoring economic stability and ensuring a safer, more resilient community. (Zurohman et al., 2016)

4. Responses from the Community and Authorities

4.1. Religious Leaders

Religious leaders in Pontianak have been at the forefront of efforts to combat online gambling. They have used sermons, community meetings, and social media platforms to educate the public about the dangers of gambling and to promote adherence to Islamic principles. These efforts have been somewhat successful in raising awareness, but the persistent nature of online gambling requires ongoing vigilance. Religious leaders in Pontianak have played a crucial role in addressing the issue of online gambling by actively engaging with the community through various channels. They have utilized sermons, community meetings, and social media platforms to educate the public about the dangers associated with online gambling and to reinforce adherence to Islamic principles. These initiatives aim to highlight the moral and social consequences of gambling, emphasizing its prohibition under Islamic law and the potential harm it can inflict on individuals and families. By leveraging these platforms, religious leaders seek to foster a greater understanding of the issue and encourage community members to avoid engaging in gambling activities. (Dimas et al., 2023)

Despite these efforts, the persistent and evolving nature of online gambling presents ongoing challenges. The rapid advancement of technology and the increasing sophistication of online gambling platforms make it difficult to completely eradicate the problem. While the awareness campaigns led by religious leaders have succeeded in reaching many individuals and raising consciousness about the risks, religious leaders must adapt their strategies to keep pace with new developments in online gambling and to address emerging concerns within the community. Ongoing education, support, and collaboration with other stakeholders will be essential in maintaining the momentum of these efforts and effectively combating the challenges posed by online gambling. (Fashhulisan, 2024)

4.2. Law Enforcement

Local law enforcement agencies in Pontianak have intensified their efforts to crack down on online gambling. This includes monitoring internet activity, identifying and shutting down gambling websites, and prosecuting individuals involved in illegal gambling operations.

However, these efforts are often hampered by the technical and jurisdictional challenges associated with policing online activities. Local law enforcement agencies in Pontianak have significantly ramped up their efforts to combat online gambling through a variety of measures. These include monitoring internet activity, identifying and shutting down illegal gambling websites, and prosecuting individuals involved in such operations. Agencies have employed specialized units and technology to track online gambling activities and gather evidence for legal action. By targeting both local and international platforms, law enforcement aims to disrupt the operations of illegal gambling networks and mitigate their impact on the community. These proactive measures are crucial for addressing the growing problem of online gambling and maintaining public order.(Pradika, 2024)

However, the effectiveness of these efforts is often constrained by technical and jurisdictional challenges. Policing online activities presents unique difficulties due to the anonymity and global nature of the internet. The technical complexities involved in tracking and investigating digital crimes require advanced tools and expertise, which may be limited within local law enforcement agencies. Additionally, the cross-border nature of online gambling means that international cooperation is often necessary but can be complicated to coordinate. These challenges highlight the need for enhanced resources, training, and collaboration with national and international partners to improve the enforcement of laws against online gambling and effectively address its impact in Pontianak.(Ihsanudin et al., 2023)

4.3. Community Initiatives

Several community-based initiatives have emerged in Pontianak to address the issue of online gambling. These initiatives include educational programs aimed at young people, support groups for those struggling with gambling addiction, and collaborative efforts between religious leaders, law enforcement, and local government to develop more effective strategies for combating online gambling. In response to the growing issue of online gambling, several community-based initiatives have emerged in Pontianak, aimed at addressing the problem through a multifaceted approach. Educational programs targeting young people are a key component of these initiatives, designed to raise awareness about the risks and consequences of online gambling. These programs often involve school workshops, youth seminars, and outreach activities that provide students with information about the dangers of gambling and promote healthy, responsible behaviors. By engaging young people early on, these educational efforts aim to prevent gambling addiction and reinforce the importance of adhering to moral and legal standards.(Pratama & Sondakh, 2024)

Support groups for individuals struggling with gambling addiction also play a crucial role in these community initiatives. These groups offer counseling, therapy, and peer support to help affected individuals overcome their addiction and rebuild their lives. Additionally, there are collaborative efforts between religious leaders, law enforcement, and local government to develop and implement more effective strategies for combating online gambling. This collaboration involves creating comprehensive action plans, sharing resources and expertise, and coordinating outreach and enforcement activities. By combining the efforts of various stakeholders, Pontianak aims to create a more robust response to online gambling and support the community in addressing its challenges.(Rafiqah & Rasyid, 2023)

5. The Role of Fiqh and Positive Law in Addressing Online Gambling

5.1. Synergy between Fiqh and Positive Law

The interplay between Fiqh and positive law is crucial in addressing the issue of online gambling in Pontianak. While Fiqh provides the moral and religious foundation for condemning gambling, positive law offers the legal mechanisms to enforce these prohibitions. A synergistic approach, where religious teachings are reinforced by legal sanctions, can be more effective in curbing the spread of online gambling.(Syukur & Ramadhani, 2021b)

5.2. Challenges and Opportunities

Despite the efforts of religious leaders and law enforcement, significant challenges remain in the fight against online gambling. These include the technical difficulties of regulating online activities, the need for more robust legal frameworks, and the challenge of changing societal attitudes towards gambling. However, there are also opportunities for improvement, such as the potential for greater collaboration between religious and legal authorities, the development of more sophisticated monitoring technologies, and the implementation of comprehensive

education campaigns.(Lubis et al., 2023b).

D. Conclusion

The case of Pontianak, West Kalimantan, highlights the complex challenges posed by online gambling in a society where religious and moral values play a central role. The impact of online gambling on the morality of the community is significant, leading to the erosion of traditional values, the corruption of youth, and various socioeconomic problems. Addressing these issues requires a multifaceted approach that includes both the moral guidance provided by Fiqh and the legal enforcement mechanisms of positive law. The detailed examination of online gambling in Pontianak, West Kalimantan reveals a complex interplay between religious, legal, and socioeconomic factors. The rise in online gambling has had a profound impact on the community, challenging traditional values and exacerbating both moral and legal concerns. The study highlights how Islamic teachings and Indonesian law both play crucial roles in addressing this issue, yet the effectiveness of these measures is often hindered by technical and jurisdictional limitations.

Religious leaders have been proactive in their efforts to combat online gambling, utilizing various platforms to raise awareness and promote adherence to Islamic principles. Their work has contributed to increased public understanding of the dangers of gambling; however, the persistence of online gambling necessitates ongoing vigilance and adaptive strategies. Similarly, local law enforcement agencies have intensified their crackdown on gambling activities, but face significant challenges due to the anonymity of online platforms and the need for cross-jurisdictional cooperation. Despite these efforts, the technical difficulties and legal hurdles limit the scope of their impact. Community-based initiatives have emerged as a vital component in addressing the issue of online gambling. Educational programs aimed at young people, support groups for those struggling with addiction, and collaborative efforts between various stakeholders represent significant steps towards mitigating the effects of gambling. These initiatives underscore the importance of a comprehensive approach that integrates religious, legal, and social dimensions to effectively combat online gambling.

To enhance the effectiveness of these efforts, several recommendations are proposed: **Strengthen Religious Engagement:** Religious leaders should continue their active role in public education, reinforcing the moral and ethical objections to gambling. Expanding outreach efforts and leveraging new media channels can help reach a broader audience and maintain momentum in combating online gambling. **Enhance Law Enforcement Capabilities:** Law enforcement agencies should receive additional resources and training to address the technical challenges of monitoring and regulating online gambling. Improved coordination with national and international bodies can also facilitate more effective enforcement actions.

Foster Collaborative Strategies: Greater collaboration between religious leaders, law enforcement, and community organizations is essential for developing and implementing comprehensive strategies to tackle online gambling. Joint efforts can lead to more effective solutions and better support systems for those affected. **Implement Educational Programs:** Educational initiatives targeting young people should be expanded to include information about the legal and moral implications of online gambling. Schools and community centers can play a crucial role in raising awareness and promoting responsible behavior. To effectively combat online gambling, it is recommended that:

- Religious leaders continue to play an active role in educating the public about the dangers of gambling and promoting moral values.
- Law enforcement agencies receive additional resources and training to more effectively monitor and regulate online gambling activities.
- Collaborative efforts between religious leaders, law enforcement, and community organizations be strengthened to develop comprehensive strategies for addressing online gambling.
- Educational programs be implemented to raise awareness among young people about the legal and moral implications of online gambling.

E. Referensi

Aditya, B., & Rahman, I. (2024). FENOMENA JUDI BOLA ONLINE DI KALANGAN MAHASISWA. *Jurnal Perspektif*, 2(1). <https://doi.org/10.53947/perspekt.v2i2.345>

- Akhyar. (2022). HUKUM MEMBERI NAFKAH KELUARGA DENGAN HASIL JUDI ONLINE DALAM PERSPEKTIF HUKUM ISLAM Akhyar STAIN Mandailing Natal E-Mail: Achyarpul@gmail.com. AL-MAQASID: Jurnal Ilmu Kesyarahan Dan Keperdaaan, 8(2), 233–241.
- Arus Jurnal - Ya` Rakha Muyassar, M.H. (n.d.).
- Bakhtiar, S. H., & Adilah, A. N. (2024a). Fenomena Judi Online: Faktor, Dampak, Pertanggungjawaban Hukum. *Nnovative: Jurnal of Social Science Research*, 4(3).
- Bakhtiar, S. H., & Adilah, A. N. (2024b). Fenomena Judi Online: Faktor, Dampak, Pertanggungjawaban Hukum. *Innovative: Journal of Social Science Research*, 4(3).
- Dimas, P. ; Kusumo, N., Ramadhan, M. R., & Febrianti, S. (2023). MARAKNYA JUDI ONLINE DI KALANGAN MASYARAKAT KOTA MAUPUN DESA. *Jurnal Perspektif*, 2(2). <https://doi.org/10.53947/perspekt.v2i3.391>
- Fanani, A. F., & Tritasyah, R. P. (2023). Maraknya Judi Online di Kalangan Anak Muda dalam Perspektif Hukum The Rise of Online Gambling Among Young People from a Legal Perspective. *Jurnal Fundamental JUSTICE*, 4(2).
- Fashhulisan, M. (2024). Judi Online dalam Pandangan Mahasiswa Jawa Timur. *BAKSOOKA: Jurnal Penelitian Ilmu Sejarah, Sosial, Da Budaya*, 3(2), 114–134.
- Fasihullisan, M. (2024). Judi Online dalam Pandangan Mahasiswa Jawa Timur. *BAKSOOKA: Jurnal Penelitian Ilmu Sejarah, Sosial, Dan Budaya*, 3(2).
- Fikriana, A., & Irsyad, M. (2024). Pengaruh Judi Online Terhadap Kesejahteraan Masyarakat Muslim Perspektif Fiqh Siyasah. *Eksekusi: Jurnal Ilmu Hukum Dan Administrasi Negara*, 2(1).
- Hatimatunnisani, H., Nurfadillah, H., Wasti, M., Rika, P., Maharani, R., dan Perbankan, K., & Pajajaran ICB, P. (2023). MARAKNYA JUDI ONLINE DAN DAMPAKNYA TERHADAP PENGELOLAAN KEUANGAN DI KALANGAN MAHASISWA. In *Jurnal Sosio dan Humaniora | (Vol. 2, Issue 1)*.
- Ihsanudin, R., Dewi, D., & Adriansyah, M. (2023). MARAKNYA JUDI ONLINE DI KALANGAN REMAJA KELURAHAN DERWATI KECAMATAN RANCASARI KOTA BANDUNG. *Jurnal Cerdik: Jurnal Pendidikan Dan Pengajaran*, 3(1), 73–87. <https://doi.org/10.21776/ub.jcerdik.2023.003.01.08>
- Iskandar, A., Nur Hasanah, L., Jannah, M., & Faizah Nur Arifah, R. (n.d.). PENYULUHAN HUKUM TENTANG PERLINDUNGAN HUKUM ANAK DAN PEREMPUAN DALAM HUKUM PIDANA INDONESIA BAGI SANTRIWIATI PONDOK PESANTREN NURUL JADID.
- Lubis, F. H., Pane, M., & Irwansyah. (2023a). Fenomena Judi Online di Kalangan Remaja dan Faktor penyebab Maraknya Serta Pandangan Hukum Positif dan Hukum Islam (Maqashid Syariah). *Jurnal Pendidikan Dan Konseling*, 5(2).
- Lubis, F. H., Pane, M., & Irwansyah. (2023b). Fenomena Judi Online di Kalangan Remaja dan Faktor penyebab Maraknya Serta Pandangan Hukum Positif dan Hukum Islam (Maqashid Syariah). *Jurnal Pendidikan Dan Konseling*, 5(2).
- Ma`u, D. H. (2022). JUDI SEBAGAI GEJALA SOSIAL (Perspektif Hukum Islam). *Jurnal Dosbar Milenial*, 1(7).
- Melisa. (2023). Fenomena “No Judi No Man” Perspektif Hukum Pidana Islam. *Sharia and Law*, 1(1).
- Muyassar, Y. R. (2023). Judi Online dalam Bingkai Maqashidu Syari`ah. *Jurnal Cita Hukum*, 2(4), 23–40.
- Muyassar, Y. R., & Arabiyah, S. (2022). Itsbat Marriage: Urgency, Problems, and Practices, To Reach Law-Aware Villages in Kubu Raya, West Kalimantan. *Jurnal Analisis Hukum*, 5(2).
- Muyassar, Y. R., Purwanto, P., Satria, R., Yuliastini, A., & Hazdan, M. F. (2023). Environmental Jurisprudence and Its Implications for Mining Practices in Ngabang, West Kalimantan (L. W. and T. I. 2023) *International Conference on “Changing of Law: Business Law*, Ed.; pp. 1528–1534). https://doi.org/10.2991/978-2-38476-180-7_157
- Nasir, M., Rizki, A., & Anzaikhan, M. (2022). Pembaharuan Hukum Keluarga Islam Kontemporer. *Taqnin: Jurnal Syariah Dan Hukum*, 04(02), 93–107. <https://doi.org/10.21043/qijis.v7i1.5076>
- Pradika, M. F. (2024). Study of Online Gambling Promotion Policy in Indonesia, Pakistan, and USA. *ETTISAL : Journal of Communication*, 9(1). <https://doi.org/10.21111/ejoc.v9i1.11506>

- Pratama, C. M., & Sondakh, J. (2024). Sanksi Pidana bagi Pendistribusian Judi Online Menurut Perundang-Undangan do Bidang Informasi dan Transaksi Elektronik. *Arus Jurnal Sosial Dan Humaniora*, 4(2), 143–154.
- Rafiqah, L., & Rasyid, H. (2023). The Dampak Judi Online terhadap Kehidupan Sosial Ekonomi Masyarakat. *Al-Mutharahah: Jurnal Penelitian Dan Kajian Sosial Keagamaan*, 20(2), 282–290. <https://doi.org/10.46781/al-mutharahah.v20i2.763>
- Rais, I., & Muyassar, Y. R. (2022). The Construction of Religious Court Judges' Decisions in the Case of Joint Assets Based on Islamic Law and Legal Development. *Jurnal Cita Hukum*, 10(2), 205–222. <https://doi.org/10.15408/jch.v10i2.27800>
- Rakha Muyassar, Y. (n.d.). KONSTRUKSI PUTUSAN HAKIM PENGADILAN AGAMA DALAM PERKARA HARTA BERSAMA PERSPEKTIF HUKUM ISLAM DAN PROGRESIFITAS HUKUM. <http://pustakapedia.com>
- Sakhawi. (2021). Pencegahan dan Penangan Tindak Pidana Penelantaran Rumah Tangga di Negara Republik Demokratik Rakyat Aljazair. *Khatulistiwa Law Review*, 2(2), 379–397.
- Setiawati, S., & Ayu Sri Daulat, P. (2022a). The Urgency of Special Regulations for online Gambling in Indonesia. *The Urgency of Special Regulations of Online Gambling in Indonesia*, 5(7). www.ijassjournal.com
- Setiawati, S., & Ayu Sri Daulat, P. (2022b). The Urgency of Special Regulations for online Gambling in Indonesia. *International Journal of Arts and Social Science*, 5(7), 108–118. www.ijassjournal.com
- Syukur, A., & Ramadhani, P. (2021a). UNSUR PIDANA DALAM GAME ONLINE HIGGS DOMINO YANG CHIP/KOIN DI PERJUAL BELIKAN DI TINJAU DARI PERSPEKTIF HUKUM PIDANA ISLAM DAN HUKUM POSITIF. *Jurnal Insitusi Politeknik Ganesha Medan Juripol*, 4, 331–342. www.facebook.com
- Syukur, A., & Ramadhani, P. (2021b). UNSUR PIDANA DALAM GAME ONLINE HIGGS DOMINO YANG CHIP/KOIN DI PERJUAL BELIKAN DI TINJAU DARI PERSPEKTIF HUKUM PIDANA ISLAM DAN HUKUM POSITIF. In *Jurnal Insitusi Politeknik Ganesha Medan Juripol* (Vol. 4). www.facebook.com
- Zurohman, A., Marhaeni, T., Astuti, P., Tjaturahono, D., & Sanjoto, B. (2016). Journal of Educational Social Studies Dampak Fenomena Judi Online terhadap Melemahnya Nilai-nilai Sosial pada Remaja (Studi di Campusnet Data Media Cabang Sadewa Kota Semarang). <http://journal.unnes.ac.id/sju/index.php/jess>