

The Role of Law Enforcement Officers in Eradicating Online Gambling

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Info Articles	Abstract
<p>Article History Received : 2022-09-05 Revised: 2022-09-11 Published: 2022-09-30</p> <p>Keywords: <i>Online Gambling, Law Enforcement, Law Enforcement Officers, Cyber Crime, Criminal Acts,</i></p>	<p>Online gambling is a form of cybercrime that has experienced rapid growth along with advances in information and communication technology in Indonesia. This phenomenon not only impacts the legal aspects but also creates social and economic problems in society. This study aims to analyze the role of law enforcement officials in eradicating online gambling practices and identify obstacles faced in the law enforcement process. The research method used is normative juridical, with a statutory regulatory approach and literature review. The results indicate that law enforcement officials play a crucial role through preventive and repressive measures, such as website blocking, investigations, arrests, and prosecutions based on the provisions of the Criminal Code and the Information and Electronic Transactions Law. However, various obstacles remain in its implementation, including technological limitations, the transnational nature of the crime, and a lack of coordination between institutions. Therefore, stronger synergy is needed between the government, law enforcement officials, and the public to increase the effectiveness of eradicating online gambling in Indonesia.</p>

I. INTRODUCTION

The development of information and communication technology in the digital era has brought about significant changes in the lives of modern society. The internet, as one of the primary products of technological advancement, facilitates various activities, such as communication, economic transactions, and entertainment. However, despite these benefits, technological developments also open up opportunities for various forms of digital-based crime, known as cybercrime. One form of cybercrime currently growing rapidly in Indonesia is online gambling (Rahayu, n.d.).

Online gambling is a form of gambling conducted electronically using the internet. Unlike conventional gambling, online gambling has unique characteristics: it can be accessed anytime and anywhere, is anonymous, and involves a digital transaction system that is difficult to trace. This makes online gambling more complex and difficult to eradicate than traditional gambling. Furthermore, the development of digital platforms and the use of

smart devices (smartphones) has accelerated the spread of online gambling practices among various segments of society, including the younger generation (Juhara et al., 2023).

The rise of online gambling in Indonesia is inextricably linked to easy access, a lack of digital literacy, and economic incentives driving individuals to seek instant profits. In practice, online gambling often involves organized networks on a national and even international scale. This makes online gambling not only a national legal issue but also a transnational issue that requires international cooperation to address (Kesuma, nd).

The negative impacts of online gambling are extensive, not only economically but also socially and psychologically. Individuals involved in online gambling are at risk of addiction, loss of property, and mental health problems. Socially, online gambling can lead to increased crime rates, such as theft and fraud, committed to satisfy gambling needs. Furthermore, online gambling has the potential to undermine the moral fabric and prevailing

social values within society (Ariyanto & Ibrahim, nd).

Normatively, Indonesia has legal instruments that regulate and prohibit gambling practices, both conventional and online. Provisions regarding gambling are regulated in the Criminal Code (KUHP), specifically Articles 303 and 303 bis, which provide criminal sanctions for gambling perpetrators. Furthermore, Law Number 11 of 2008 concerning Electronic Information and Transactions, as amended by Law Number 19 of 2016 (the ITE Law), also prohibits the distribution and access to gambling content through electronic media (Indonesia, 2008; Indonesia, 2016). Nevertheless, effective law enforcement against online gambling still faces various complex challenges.

One of the main challenges in enforcing the law against online gambling is the cross-border nature of the crime, making it difficult for law enforcement officials to prosecute perpetrators located outside of Indonesian jurisdiction. Furthermore, online gamblers generally use sophisticated technology such as Virtual Private Networks (VPNs), data encryption, and digital payment systems, which complicate tracking. Limited human resources, facilities and infrastructure, and coordination between law enforcement agencies are also hampering efforts to eradicate online gambling (Syaputra et al., nd).

In addressing these issues, law enforcement officials have a highly strategic role. This role extends beyond repressive law enforcement to include preventative measures through public education, increased digital literacy, and collaboration with various parties, including internet service providers and international institutions. Law enforcement officials are also required to adapt to technological developments and increase their capacity to address cybercrime (Arief, 2018).

Furthermore, synergy between law

enforcement officials, the government, and the public is key to eradicating online gambling. The government, through firm policies and regulations, can strengthen the legal framework, while the public can play an active role in reporting and preventing online gambling practices in their communities. With strong cooperation between various parties, it is hoped that efforts to eradicate online gambling can be more effective and sustainable (Soekanto, 2014).

Based on this description, it can be concluded that online gambling is a serious problem that requires comprehensive handling from various aspects, including legal, social, and technological. Therefore, research into the role of law enforcement in eradicating online gambling is crucial to determine the effectiveness of law enforcement and formulate appropriate solutions to address the challenges.

II. RESEARCH METHODS

This study employs a normative legal approach, focusing on the study of applicable legal norms and regulations related to online gambling. This approach was chosen because the study aims to analyze the role of law enforcement officials in eradicating online gambling based on positive legal provisions in Indonesia, particularly those stipulated in the Criminal Code (KUHP) and the Electronic Information and Transactions Law (UU ITE).

The approaches used in this research are a statutory approach and a conceptual approach. The statutory approach examines various regulations governing gambling and cybercrime, while the conceptual approach is used to understand legal concepts related to law enforcement, criminal acts, and cybercrime.

The legal sources used in this study consist of primary, secondary, and tertiary legal materials. Primary legal materials include laws and regulations such as the Criminal Code (KUHP) and the Electronic Information and Transactions (ITE)

Law. Secondary legal materials include books, scientific journals, and previous research relevant to the topic of online gambling and law enforcement. Tertiary legal materials include legal dictionaries, encyclopedias, and other sources supporting the understanding of the legal terms used in this study.

The legal material collection technique was conducted through library research, which involved collecting and reviewing various literature related to the research object. Next, the obtained legal material was analyzed using qualitative analysis methods by systematically interpreting and reviewing laws and regulations and expert opinions.

The analysis results are then presented descriptively and analytically, clearly describing the role of law enforcement officials in eradicating online gambling and examining the effectiveness and obstacles encountered in the enforcement process. This method is expected to provide a comprehensive understanding of online gambling countermeasures from a legal perspective in Indonesia.

III. RESULTS AND DISCUSSION

A. Research result

Research results show that online gambling practices in Indonesia have increased significantly along with advances in information and communication technology. Online gambling is easily accessible to the public through various digital platforms, reaching a wide range of people, regardless of age or social status. Furthermore, the use of electronic transaction systems has made it easier for perpetrators to conduct gambling activities covertly.

This study also found that law enforcement officials have fulfilled their role in eradicating online gambling through various preventive and repressive measures. Preventive measures include blocking online gambling sites, public outreach, and collaboration with relevant

agencies in monitoring digital activity. Meanwhile, repressive measures include law enforcement actions in the form of investigations, inquiries, arrests, and prosecutions of online gambling perpetrators in accordance with applicable laws.

However, law enforcement officials still face various obstacles in their implementation. These obstacles include the transnational nature of online gambling crimes, the use of sophisticated technology by perpetrators, and limited human resources and supporting facilities for handling cybercrime. Furthermore, suboptimal coordination between agencies and low public legal awareness are also hindering factors in eradicating online gambling.

B. Discussion

1. The Nature of Online Gambling as a Cyber Crime

Online gambling is a form of cybercrime that exploits advances in information technology as the primary means of conducting illegal activities. Unlike conventional gambling, online gambling has unique characteristics, such as being unconstrained by time and space, being anonymous, and using a difficult-to-trace electronic transaction system. These conditions make online gambling a more complex form of crime and difficult for law enforcement to handle (Rahayu, n.d.).

From a criminal law perspective, online gambling can be categorized as a crime because it fulfills the elements of an unlawful act that harms society. Furthermore, online gambling also violates social, religious, and moral norms in Indonesia. Therefore, online gambling is not only a legal issue but also a social problem that requires serious attention (Kesuma, n.d.).

2. The Role of Law Enforcement Officers in Eradicating Online Gambling

Law enforcement officials have a strategic role in eradicating online gambling. This role can be seen through two main approaches:

preventive and repressive efforts.

a. Preventive Efforts

Preventive measures are implemented to prevent online gambling crimes before they become widespread. These efforts include public education about the dangers of online gambling, increasing digital literacy, and blocking gambling sites by the government in collaboration with law enforcement. Furthermore, monitoring digital activity is also a crucial part of prevention efforts (Juhara et al., 2023).

Preventive measures are considered crucial because they can reduce the potential for public involvement in online gambling practices. With adequate education, it is hoped that the public will develop greater legal awareness and be able to avoid illegal activities.

b. Repressive Efforts

In addition to preventive measures, law enforcement officials also employ repressive measures by prosecuting online gambling perpetrators. These actions are carried out in accordance with applicable legal provisions, such as Article 303 of the Criminal Code and the Electronic Information and Transactions Law (UU ITE).

In practice, law enforcement officers carry out a series of actions, ranging from investigations, inquiries, arrests, and prosecution of perpetrators. These actions are not only aimed at players, but also at bookies and parties facilitating online gambling activities (Ariyanto & Ibrahim, nd).

Repressive measures aim to deter perpetrators and reduce the number of online gambling crimes. However, their effectiveness depends heavily on the authorities' ability to solve increasingly complex cases.

3. Obstacles in Law Enforcement against Online Gambling

Despite various efforts by law enforcement officials, law enforcement

against online gambling still faces numerous obstacles. One major obstacle is the transnational nature of the crime, which often results in perpetrators operating outside of Indonesian jurisdiction. This complicates the law enforcement process, particularly in arresting and prosecuting perpetrators (Syaputra et al., nd).

Furthermore, the use of advanced technologies such as Virtual Private Networks (VPNs), data encryption, and digital payment systems makes online gambling activities difficult to track. Perpetrators can easily conceal their identities and locations, requiring specialized expertise from law enforcement officials in the field of information technology.

Another obstacle is the limited human resources and infrastructure available to law enforcement officials. Not all officers possess the technical skills to handle cybercrime, resulting in less than optimal law enforcement. Furthermore, suboptimal coordination between law enforcement agencies also hinders the eradication of online gambling (Arief, 2018).

Societal factors also influence the effectiveness of law enforcement. Low legal awareness and high public interest in online gambling present challenges. Many people still view online gambling as a common activity without understanding the legal and social implications (Soekanto, 2014).

4. Efforts to Optimize Law Enforcement against Online Gambling

To increase the effectiveness of online gambling eradication, various optimization efforts are needed from various parties. First, increasing the capacity of law enforcement officers in information technology is crucial. Continuous training and competency development in cybercrime is essential to ensure officers are able to keep up with technological developments.

Second, strengthening cooperation between institutions, both at the national and international levels, needs to be improved. Given the transnational nature of online gambling, international cooperation is key to uncovering global gambling networks.

Third, regulatory improvements that are more adaptive to technological developments are also needed. Existing regulations need to be updated to accommodate new modes of online gambling practices.

Fourth, increasing public legal awareness through education and outreach must be continuously carried out. With a high level of legal awareness, it is hoped that the public will play an active role in preventing and reporting online gambling practices in their communities.

IV. CONCLUSION AND SUGGESTIONS

A. Conclusion

Based on the research results and discussion, it can be concluded that online gambling is a form of cybercrime that is growing rapidly alongside advances in information and communication technology. Its characteristics, being unlimited in time and space, anonymous, and supported by digital transaction systems, make online gambling difficult to control and eradicate effectively.

Law enforcement officials play a crucial role in eradicating online gambling, both through preventive and repressive measures. Preventive measures include outreach, public education, and blocking of gambling sites, while repressive measures involve law enforcement against perpetrators under the Criminal Code and the Electronic Information and Transactions Law. This role demonstrates that law enforcement officials are making maximum efforts to combat online gambling practices.

However, various obstacles remain in its implementation that hinder the effectiveness of law enforcement, including the transnational nature of crimes, the use of advanced technology

by perpetrators, limited human resources and infrastructure, and a lack of coordination between institutions. Furthermore, low public legal awareness is another contributing factor to the worsening situation.

Therefore, more comprehensive and integrated efforts are needed, such as increasing the capacity of law enforcement officials in information technology, strengthening cross-sectoral and international cooperation, improving regulations, and increasing public legal awareness. This is expected to make the eradication of online gambling in Indonesia more effective and sustainable.

B. Suggestion

First, the author is advised to strengthen the theoretical foundation by examining in more depth the opinions of scholars from various schools of thought regarding the concept of the crime of alcohol, both from the perspective of Islamic jurisprudence (Fiqh Jinayah) and Islamic principles (Usul Fiqh). This is crucial so that the analysis is not only descriptive but also comparative and critical, thus demonstrating the differences and similarities in Islamic legal perspectives comprehensively.

Second, research should be complemented by a contextual or empirical approach relevant to current societal conditions, particularly in Indonesia. For example, linking the application of laws to alcohol crimes with the prevailing positive legal system and social phenomena related to alcohol consumption. Thus, research will not only be normative but also make a tangible contribution to the development of Islamic law in modern life.

Third, the author could add an analysis of the purpose of imposing punishment (maqasid al-shariah), particularly in preserving reason (hifz al-'aql), one of the primary objectives of sharia. This approach would enrich the discussion by highlighting the wisdom behind the prohibition of alcohol and its relevance to maintaining public order and morality.

Fourth, it is recommended that authors clarify the writing structure, including the systematic discussion and consistent use of scientific language. Adding up-to-date reference sources, both from national and international journals, is also essential to improve the academic quality and credibility of the research.

Finally, the author can provide practical recommendations for policymakers, religious leaders, and the public regarding efforts to prevent and address alcohol consumption. Thus, this journal not only provides theoretical contributions but also has broader applicative value.

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