

## Legal Politics of Restricting Access to Online Gambling in *Fiqh Siyasa* and *Saddu adz-Dzariah* Perspectives

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**Abstract:** *This research examines how online gambling poses serious threats to the stability and cohesion of family life. Regardless of the individuals involved, its influence often results in psychological harm such as addiction, job loss, family breakdown, indebtedness, and even criminal behavior. These issues call for in-depth examination through normative legal methods combined with real-time case studies, highlighting online gambling as a current and pressing legal issue. This study employs the framework of fiqh siyasah alongside the principle of saddu adz-dzari'ah to guide its analysis. From a legal-political perspective, some argue that Indonesia could legalize online gambling to increase state revenue through entertainment taxes. However, this perspective contradicts the principles of siyasah maaliyah within fiqh siyasah, which emphasizes that state income should align with both worldly and spiritual welfare. Accordingly, siyasah dusturiyah underscores the importance of preventing the potential harms (mafsadat) associated with online gambling, in line with the principle of saddu adz-dzari'ah, to protect the integrity of families in Indonesia.*

## Introduction

Gambling involves an agreement between two parties in which one places a stake, typically monetary with the expectation of receiving a reward from the other, depending on the result of an unpredictable event. Gambling has existed for thousands of years in various forms and is regulated or sanctioned by the state in many modern societies. However, gambling is not a regular commodity; excessive gambling can result in severe harm. It carries significant personal risks, including clinically significant behavioral addiction, increased risk of suicide attempts, and overwhelming debt. The adverse effects of gambling are not limited to the individual gambler but also impact family members, potentially resulting in chronic health issues and reduced capacity to maintain employment (Murch et al., 2024).

Online gambling first appeared in the 1990s and has since expanded at a swift pace. This has brought with it a host of issues, such as family conflict, unemployment, school dropouts, criminal activity, and suicide (Bai et al., 2023). Online gambling offers instant access at any time and place, making it a habitual activity for some individuals. Consequently, some individuals

engaged in online gambling have chosen to utilize built-in digital features provided by gambling platforms to help regulate their gambling habits (Jove et al., 2019).

In Indonesia, although the majority of the population adheres to Islam, the prevalence of online gambling has risen sharply driven by social media exposure (Jannah et al., 2023), peer influence, and personal curiosity. This trend has contributed to gambling addiction and placed financial strain on families, including the risk of indebtedness (Widjaya & Setyawati, 2023). Gambling behavior not only affects individuals but also has severe repercussions on family life. For instance, the loss of a husband's role as head of the household can result in family welfare conflicts (Al Hakim et al., 2024). Data from the Religious Court in Depok reveal that 70% of divorce cases are linked to online gambling and online loans (Kementerian Agama Republik Indonesia, n.d.). Table 1 illustrates divorce cases associated with gambling (Muhamad, n.d.):

Table 1. Escalating Divorce Cases Due to Online Gambling Over the Past Five Years

Number	Year	Divorce Cases Attributed to Gambling
1	2020	648
2	2021	993
3	2022	1.191
4	2023	1.572
5	2024	2.889

Source: Databoks and CNBC Indonesia (Muhamad, n.d.; Revo, 2025)

The data presented in the table highlights a significant increase in divorce cases attributed to online gambling over the past five years, with 648 cases documented in 2020 alone. This figure rose to 993 in 2021, 1,191 in 2022, 1,572 in 2023, and peaked at 2,889 cases in 2024. This final figure represents an 83.77% increase from the previous year (Revo, 2025), signaling a deeply concerning trend.

Moreover, the Coordinating Minister for Political, Legal, and Security Affairs, serving concurrently as the head of the National Online Gambling Task Force (SATGAS Judi Online) has disclosed data revealing the five provinces with the highest concentration of online gambling participants. West Java ranks first with 535,644 individuals involved and total transaction values reaching IDR 3.8 trillion. DKI Jakarta follows with 238,568 players and transactions totaling IDR 2.3 trillion. Central Java is third, with 201,963 gamblers and IDR 1.3 trillion in related transactions. In fourth place is East Java with 135,227 gamblers and IDR 1.015 trillion in transactions. Banten occupies the fifth position, with a reported 105,302 individuals engaged in online gambling and a circulation of funds reaching IDR 1.002 trillion (Sari, 2024).

At present, online gambling has expanded beyond conventional gambling websites, with the emergence of skin gambling as a notable trend within China's digital landscape. This trend began when Valve, a US-based company, launched a tradable skin system in Counter-Strike: Global Offensive

(CS:GO) in August 2013. Skin gambling is considered illegal under Chinese law. Consequently, over the past decades, Chinese authorities have expanded the application of Article 303 of the Chinese Criminal Law (1949) to cover online gambling and have actively prosecuted major online gambling sites involving real money (Zhang, 2023).

Findings from a study by Emily Fillion, Eva Monson, Christine Loignon, and Adèle Morvannou indicate a rising prevalence of online gambling, including a noticeable increase in participation among women. From 1,235 articles identified across eight databases, 13 articles were selected based on their focus on online gambling behaviors, specifically related to bonus acquisition (Fillion et al., 2023). This trend extends beyond women to adolescents, whose motivations for online gambling include poverty, employment opportunities, environmental influences, and experimentation or learning. As a result, they often remain unaware of the negative consequences associated with online gambling, such as mental health disturbances, worsening family financial situations, triggering criminal behavior, damaging interpersonal relationships, and developing addictive behaviors (Addiyansyah & Roffi'ah, 2023; Meswari & Ritonga, 2023; Sahputra et al., 2022; Sitanggang et al., 2023; Vepsäläinen et al., 2024).

In the Indonesian context, research suggests that university students are actively engaged in online gambling, often rooted in habitual behaviors that began during their elementary and secondary school years. These students are familiar with various gambling games such as soccer betting, sic bo, dragon tiger, qq, and ceme, which are popular on the gambling websites they visit. Their gambling activity typically occurs at least twice a week, with initial deposits ranging from IDR 150,000 to IDR 10,000,000. For these students, winning and losing are perceived as common and routine aspects of gambling (Siringoringo et al., 2024).

This condition underscores the pressing need to restrict access to online gambling, although such efforts are confronted by four key challenges: the widespread reach of gambling platforms, complexities in implementing effective access restrictions, the role of user anonymity in enabling covert relapses, and the continual allure promoted by betting companies (Kim et al., 2023). Therefore, increasing awareness of the negative impacts of online gambling on families, strengthening regulations and legal policies comprehensively, and raising public awareness about the risks associated with online gambling are crucial steps to protect families and preserve marital harmony (Situmeang et al., 2023).

The foremost rationale for eliminating online gambling lies in its detrimental impact on mental health, especially among adolescents and the younger generation. It fosters laziness and promotes the notion of gaining profit without hard work. In fact, gambling activities are already regulated under Articles 302 and 303 bis of the Indonesian Criminal Code (KUHP), which classify them as offenses against public morality (Lubis et al., 2023).

On the one hand, when treated as a regulated social norm, online gambling may contribute to promoting tax compliance and can be leveraged as a source of tax revenue from gambling operators in emerging markets. However, in practice, many gambling companies engage in tax avoidance

(Alharbi et al., 2022; Lei et al., 2023). To prevent such tax evasion and minimize state losses, online gambling companies and the Indonesian government must first understand the differences in the scale of the gambling sector across countries. This understanding is essential for formulating appropriate business strategies and public policies that can enhance state revenue while also considering the interests of users and the profits earned by online gambling companies from the Indonesian public (Diatmoko et al., 2025; Massin, 2024).

The reviewed literature reveals the intricate dynamics of online gambling among diverse groups, such as women, gamers, gambling operators, and university students, along with the challenges they encounter in relation to efforts to restrict access to these platforms. These dilemmas are often associated with adverse effects on mental health and the stability of family life. Therefore, this study seeks to further investigate online gambling, especially in light of the significant revenue potential it presents for the government through taxation. This issue will be examined through the lens of *fiqh siyasah* (Islamic political jurisprudence) and *saddu adz-dzariah* (preventing harm by blocking the means to it).

## Method

This research adopts a normative legal approach, relying primarily on library-based sources for data collection. The analysis is based on a live case study involving an ongoing or unresolved legal issue, namely, online gambling and its impact on family integrity (Helim et al., 2023; Ibrahim, 2023; Muttaqien et al., 2022; Yuni, 2021). The research approach is grounded in *fiqh siyasah*, particularly through the lenses of *siyasah maaliyah* (fiscal governance) and *siyasah dusturiyah* (constitutional politics), which are essential frameworks for assessing how the state regulates online gambling (Bangun & Syam, 2021; Damayanti, 2023; Sodik & Setiyawan, 2021; Fatur Rahman et al., 2024; Janeko & Wahidah, 2023; Rinaldo & Pradikta, 2021; Sari & Zakiruddin, 2024; Sholahudin, 2021; Syamsuar et al., 2024; Wulandari & Zainuddin, 2021). Meanwhile, the *saddu adz-dzariah* approach is rooted in one of the key principles of Islamic law: promoting public welfare (*jalb al-mashlahah*) and preventing harm or corruption (*daf' al-dharar/mafsadah*) (Mustafa et al., 2021; Putra, 2024). This principle is utilized to examine the legal and political aspects of online gambling, particularly in its implications for family well-being.

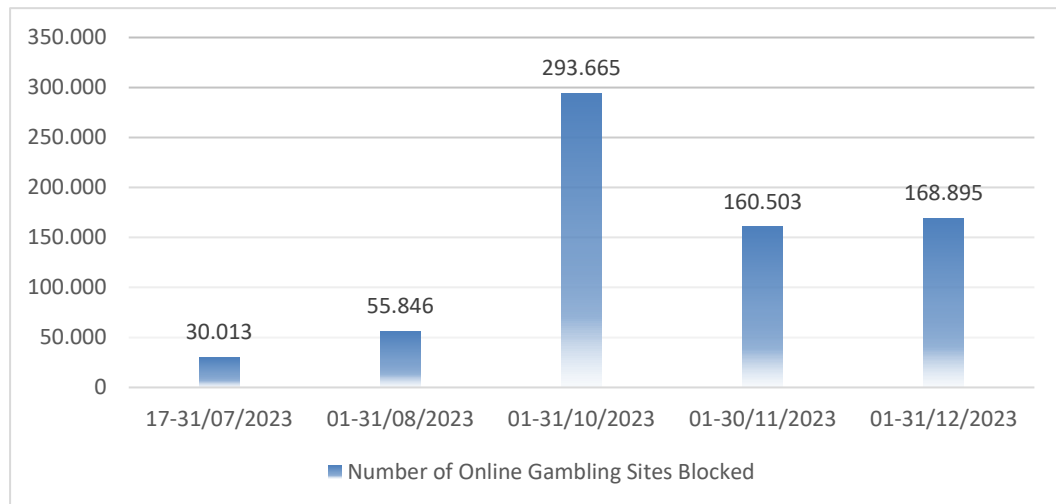
The data for this study were obtained from websites, scholarly journals, and other pertinent sources addressing online gambling and its effects on family cohesion. All collected data were analyzed using a descriptive-analytical method. The data were first selected, sorted, and categorized thematically. Emphasis was placed on exploring implicit meanings to actualize the *saddu adz-dzariah* principle, particularly in preventing potential harm or damage caused by *nusyuz* (marital discord). Essentially, the theory of *maslahah* (public interest) employed in this research serves as a preventive legal approach. The information derived from the two core themes was synthesized and analyzed from psychological and social perspectives (Apriyanti & Hasanah, 2025; Subchi et al., 2022).

## Results and Discussion

### **The Legal Politics of Online Gambling as State Revenue in the Context of *Fiqh Siyasaah***

Based on information provided by the Directorate General of Informatics Applications under the Ministry of Communication and Information Technology (Kominfo), between July 17, 2023, and December 30, 2023, a total of 805,923 pieces of online gambling content were handled. This is presented in diagram 1 below:

Diagram 1. Number of Online Content or Application Blocks by the Directorate General of Informatics Applications, Ministry of Communication and Information Technology



Source: (Biro Humas Kementerian Kominfo, 2024; Handoyo, 2024)

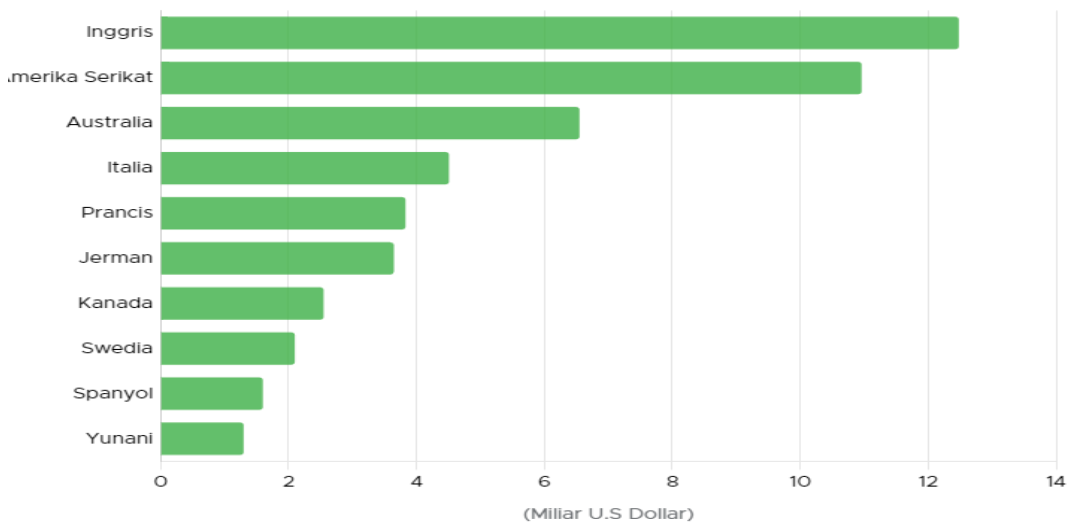
The Ministry of Communication and Information Technology (Kominfo) has taken action to block online gambling content across a total of 596,348 websites and IP addresses. This includes restrictions on 173,134 Meta platforms, 29,257 file-sharing accounts, 5,993 platforms associated with Google and YouTube, 367 accounts on X (formerly Twitter), 170 Telegram channels, 15 TikTok accounts, 8 platforms on the App Store, and 1 account on Snack Video. In addition to online gambling content, the Minister of Communication and Information Technology (Menkominfo) also reported the successful blocking of over 5,000 bank accounts and e-wallets suspected of being used for online gambling transactions. According to Minister Budi Arie, Kominfo collaborated with the Financial Services Authority (OJK) to block accounts associated with online gambling (Biro Humas Kementerian Kominfo, 2024).

The Financial Services Authority (OJK), in collaboration with banking institutions, has implemented preventive measures by freezing bank accounts suspected of being linked to online gambling activities, aiming to curb the flow and distribution of such transactions. According to Hendarto & Handayani, (2024), the OJK has directed banks to block more than 4,000 accounts. Furthermore, banks have been instructed to develop profiling systems capable

of identifying online gambling actors, enabling early detection and independent account blocking mechanisms.

Nevertheless, an analysis of the top ten countries with the highest gambling revenues also reveals the significant economic potential associated with this sector. For example, the United States is projected to earn the highest revenue from online gambling in 2024, estimated at USD 23.03 billion (approximately IDR 376 trillion). The United Kingdom is expected to generate USD 13.78 billion (IDR 225 trillion), followed by Australia with projected revenues of USD 10.14 billion (IDR 165 trillion). Japan's online gambling industry is forecasted to earn USD 6.19 billion (IDR 101 trillion), while Germany is projected at USD 5.65 billion (IDR 92 trillion). Canada is expected to collect USD 4.19 billion (IDR 68 trillion), and France, USD 4.12 billion (IDR 67.3 trillion). Italy is projected to earn USD 3.21 billion (IDR 52 trillion), India USD 2.90 billion (IDR 47 trillion), and Spain USD 1.97 billion (IDR 32 trillion) in 2024 (Oswaldo, 2024; Annur, 2023; Pitoko, 2024). Notably, Cambodia has reported tax revenues from online gambling deposits reaching IDR 51 trillion. For the Cambodian government, this figure represents a highly lucrative source of income, particularly from taxes imposed on online gambling companies (Hidayat, 2025). Nonetheless, the revenue benefits vary across countries, as further illustrated in diagram 2 (Yonatan, 2023).

Diagram 2. Countries with the Highest Gambling Revenue



Source: GoodStats website (Yonatan, 2023)

As shown in diagram 2, the United Kingdom ranks as the world's leading online gambling market, with gross revenue amounting to USD 12.48 billion. The United States follows in second place, generating USD 10.96 billion in gross revenue from online gambling. Australia ranks third with gross revenue amounting to USD 6.55 billion. European countries dominate the global online gambling market, including France, Greece, Sweden, Germany, Italy, and Spain. Notably, no countries from Asia, Africa, or South America appear in the top ten list of the world's largest online gambling markets (Yonatan, 2023).

The substantial revenue potential of online gambling for state income has sparked continuous debate regarding its regulation and practical value within the Indonesian context. Currently, Indonesia does not impose taxes on online gambling to boost state revenue. Online gambling is categorized as part of the entertainment industry, which includes shows, performances, games, and/or public amusements that are accessed for a fee. This industry is growing rapidly due to increasing public demand for entertainment, and such growth has implications for the taxation sector. As the entertainment industry expands, local governments are expected to benefit from increased revenue through entertainment taxes (Mutiarra et al., 2022; Yulia, 2020).

As stipulated in Law No. 28 of 2009, Article 1, points 24 and 25, entertainment tax refers to a levy imposed on the organization or offering of entertainment services. Entertainment is defined as all types of shows, performances, games, and/or public amusements that are accessed by paying a fee. However, the imposition of entertainment tax is not mandatory in every regency or city in Indonesia. This is due to the authority granted to local governments to determine whether or not to impose certain types of regional taxes (Yulia, 2020).

This issue also highlights the potential harm online gambling poses to the state, particularly through the loss of tax revenue and diminished regulatory control. Online gambling sites often operate beyond a country's jurisdiction, thereby evading tax obligations and contributions that should be paid to the local government. Furthermore, online gambling can lead to significant revenue loss for the state, as it does not require physical infrastructure such as casinos or conventional gambling venues, making it harder to monitor and regulate. Another major drawback for the state is that money spent on online gambling often comes from income that should be used to support household needs and family economic well-being (Rumbay & Tangkudung, 2023).

Accordingly, this study contends that instead of focusing exclusively on criminalizing individuals engaged in online gambling and blocking related platforms, the Indonesian government should explore legal-political strategies aimed at imposing taxes on both operators and users of these services. This approach could contribute to state revenue, as discussed previously. This perspective aligns with the provisions of the Indonesian Penal Code (KUHP), Article 303 paragraph (1), which stipulates that gambling is punishable by up to ten years in prison or a maximum fine of twenty-five million rupiah. The law applies to anyone who, without authorization, intentionally offers or provides opportunities for gambling as a livelihood, participates in a gambling enterprise, or facilitates public access to gambling, regardless of whether such participation is subject to certain conditions or procedures (Kitab Undang Undang Hukum Pidana, 2021).

This matter also warrants examination through the lens of *fiqh siyasah*, with particular attention to *siyasah maaliyah* (fiscal policy) and *siyasah dusturiyah* (constitutional governance), as part of efforts to uphold social order within the Indonesian state. Although Indonesia officially prohibits online gambling, this prohibition should not be interpreted as an absolute rejection of all aspects of online gambling. Notably, Article 303 paragraph (1) of the

Indonesian Penal Code (KUHP) stipulates that a gambling act is punishable only if conducted illegally or without authorization. Conversely, if gambling is conducted legally, with appropriate licenses, it implies that such activity is not categorically forbidden by the Indonesian state.

This provision governs criminal offenses associated with gambling conducted in public spaces. If a gambling activity in such a space leads to public disorder, the individuals involved may be sentenced to a maximum of one year and four months in prison or fined up to five hundred thousand rupiah. The primary objective of Article 303(1) of the KUHP is to maintain public order and safety by penalizing disruptive gambling activities, thereby deterring disturbances in public areas used for gambling (Situmeang et al., 2023).

The Penal Code explicitly categorizes gambling as a criminal offense, imposing sanctions on both participants and organizers involved in such activities. Over time, however, the mechanisms of gambling have evolved in tandem with technological advancements. In the past, gambling typically occurred in physical gatherings around a table or designated venue, where the act could be openly observed. Today, gambling has shifted to digital platforms, becoming what is now known as online gambling. While the method differs from conventional gambling, the essence remains the same, staking money or valuables on a game of chance (Juhara et al., 2025).

From the perspective of *fiqh siyasah dusturiyah*, the issue of online gambling in Indonesia should be analyzed within the framework of the *trias politica* system, which functions as a mechanism of social control. Legally and politically, online gambling could potentially be legalized and serve as a source of state revenue, provided it receives approval from the legislative, executive, and judicial branches. However, the legalization of online gambling, when analyzed through the lens of *siyasah dusturiyah*, stands in stark contrast to the principles of justice, *shura* (consultation), and the application of Islamic law within state governance. Legal-political frameworks tend to emphasize state revenue and economic benefits, while *siyasah dusturiyah* focuses on the moral and just execution of political authority (Jhohari, 2024; Kurniawan et al., 2022; Tiopan et al., 2023; Utami & Firmansyah, 2024; Zahra et al., 2024).

From the standpoint of *siyasah maaliyah* (Islamic fiscal policy), online gambling stands in direct opposition to the core principle of safeguarding the fulfillment of basic needs for every individual. Even if taxed, online gambling undermines the goal of enabling individuals to meet their secondary and tertiary needs proportionate to their means within a society that embraces specific lifestyles. Fulfilling individual needs does not mean granting unrestricted freedom of consumption, but rather ensuring the right to a dignified life for every citizen. Islam recognizes that society embraces particular lifestyles and therefore positions itself as a worldview that provides guidance in achieving well-being and prosperity (Sholahudin, 2021).

This is further supported by Law No. 11 of 2008 concerning Electronic Information and Transactions (ITE Law), which includes specific legal provisions regarding online gambling, namely:



1. Article 27(2) of the ITE Law prohibits any activity containing elements of gambling, including actions related to online gambling that may harm others.
2. Article 45(1) of the ITE Law stipulates that individuals who breach its provisions may face criminal penalties, including imprisonment and/or monetary fines. These penalties apply to perpetrators of online gambling who contravene the ITE Law.

The key elements of Article 27(2) of the ITE Law concerning online gambling are as follows:

1. Subjective element: intentional wrongdoing (*mens rea*).
2. Objective elements:
  - a. Unlawfulness: acting without authorization;
  - b. *Actus reus*: distributing, transmitting, and/or making accessible;
  - c. Object: electronic information and/or electronic documents containing gambling content (Hastuti & Dulame, 2024; Sumarwoto, 2024; Trisista, 2022).

*Fiqh siyasah maaliyah* encompasses the regulation of all matters related to state revenue and expenditure, aiming to promote public welfare while safeguarding individual rights and preventing their marginalization. The regulation is inherently oriented toward the well-being of the public within a state. The central factors in *fiqh siyasah maaliyah* include the community, property, and the government or ruling authority. It upholds the belief that all wealth ultimately belongs to Allah. Human-generated wealth is to be used for both worldly and spiritual benefit, and must be distributed to those in need. This principle explicitly prohibits the accumulation and expenditure of wealth through impermissible means, such as online gambling (Rashif et al., 2024; Rs & Irwansyah, 2014).

The regulation of gambling in Indonesia is grounded in multiple legal instruments, including the Indonesian Penal Code (KUHP), Law No. 11 of 2008 on Electronic Information and Transactions (ITE Law) along with its amendments, and Law No. 1 of 2023, which introduces the revised Criminal Code. Articles 303 and 303 bis of the KUHP expressly ban all forms of gambling, encompassing both traditional and online activities. This prohibition is further reinforced by Article 27(2) of the ITE Law, which stipulates sanctions for anyone who distributes, transmits, or makes accessible electronic information containing gambling content. These provisions reflect the government's commitment to eradicating all forms of gambling within Indonesian territory (Husain, 2024; Oktariani et al., 2023; Rizki Nurdiansyah et al., 2024).

In light of the above, it can be concluded that the designation of a justice collaborator reflects the application of the *lex specialis derogat legi generali* principle, functioning as a specific legal guideline for law enforcement authorities, including the police, prosecutors, and judges, in addressing crimes committed by organized, systematic, and premeditated syndicates engaged in online gambling (Sholecha et al., 2023). Fundamentally, Islam does not oppose the use of technology and scientific advancement. In fact, it encourages the pursuit of expertise in solving contemporary problems. However, when

reviewing gambling regulations from the standpoint of positive law, the principles of fiqh siyasah dusturiyah and maaliyah align with the Indonesian government's obligation to formulate strategies for eliminating or criminalizing individuals engaged in online gambling. This is in accordance with the concept of a constitutional state (*negara hukum*) and the reciprocal relationship between the government and its citizens, including the duty to protect citizens' rights. In order to safeguard the public good, it is essential to uphold the principles of fulfilling citizens' rights through social order and financial integrity by establishing firm legal foundations against online gambling (Aslati et al., 2024; Hakim & Havez, 2020; Hutasuhut et al., 2022; Putri & Caniago, 2021; Rinaldo & Pradikta, 2021).

### **Online Gambling and Family Integrity through the Lens of *Saddu ad-Dzari'ah***

Gambling entails the risk of financial or material assets of value, undertaken with the expectation of obtaining substantial returns. Research indicates an average latency period of seven to ten years from the onset of gambling behavior before progressing into a clinical condition known as Gambling Disorder. Clinical diagnoses typically occur when legal issues arise that adversely affect social, occupational, material, and familial values and commitments. Given that gambling primarily involves monetary bets, it is unsurprising that financial gain is a key allure (Girard et al., 2023). Specifically, online gambling disrupts social, occupational, material, and familial commitments. Notable adverse effects of online gambling include:

1. Financial – Reduced or lost capacity to purchase not only luxury goods but also essentials such as food, medicine, and healthcare services;
2. Conflictual – Dishonest relationships and decreased concern for family and children;
3. Emotional and Health Issues – Stress, anxiety, low self-esteem, and neglect of healthy eating and lifestyle habits;
4. Decline in Academic and Work Performance – Reduced achievement in education or employment, increasing the risk of job loss or limited future opportunities.
5. Increased Vulnerability and Criminal Involvement – A heightened likelihood of becoming involved in criminal activities.
6. Furthermore, several scholars have found that gambling-related harm also affects individuals classified as low- or moderate-risk gamblers (Escario et al., 2024)

In Central Kalimantan, especially in Palangka Raya, divorce cases related to online gambling are classified under the broader category of divorces due to ongoing marital conflict. From January to June 2024, there were 1,102 divorce cases due to disputes and quarrels, including those related to infidelity and online gambling (T, 2024). The data on divorce due to gambling across Indonesian provinces is presented in table 2 below:

Table 2. Divorce Cases Due to Gambling by Province in Indonesia

Number	Province	Divorce Factor–Gambling
1.	Aceh	26
2.	North Sumatra	58
3.	West Sumatra	30
4.	Riau	36
5.	Jambi	46
6.	South Sumatra	120
7.	Bengkulu	26
8.	Lampung	131
9.	Bangka Belitung Islands	65
10.	Riau Islands	22
11.	Jakarta Capital Special Region	119
12.	West Java	472
13.	Central Java	281
14.	Yogyakarta Special Region	17
15.	East Java	819
16.	Banten	166
17.	Bali	3
18.	West Nusa Tenggara	44
19.	East Nusa Tenggara	1
20.	West Kalimantan	99
21.	Central Kalimantan	27
22.	South Kalimantan	22
23.	East Kalimantan	67
24.	North Kalimantan	1
25.	North Sulawesi	6
26.	Central Sulawesi	28
27.	South Sulawesi	89
28.	Southeast Sulawesi	21
29.	Gorontalo	3
30.	West Sulawesi	9
31.	Maluku	4
32.	North Maluku	10
33.	West Papua	6
34.	Southwest Papua	...
35.	Papua	15
36.	South Papua	...
37.	Central Papua	...
38.	Highland Papua	...
	Indonesia	2889

Source: Website of Statistics Indonesia (Badan Pusat Statistik) 2025.

The data indicate that a total of 2,889 divorce cases in Indonesia were attributed to online gambling. Notably, no cases were reported in the provinces of Southwest Papua, South Papua, Central Papua, and Highland Papua. Alarmingly, despite being a predominantly Muslim country, Indonesia has a high number of online gambling users. This is particularly concerning given that religion and spirituality are often associated with resilience against various addictive behaviors such as substance abuse, excessive internet pornography use, and gambling disorders.

Addiction to online gambling often results in behavioral instability, potentially giving rise to various intrapersonal difficulties. It has been shown to be a predictor of significant psychological distress, including depression and anxiety. Many religious and spiritual groups view gambling negatively and distance themselves from individuals involved in such activities. Those who gamble may experience inner conflict with their religious or spiritual values, which can further compound their distress. Research indicates that many online gamblers disregard religious or spiritual considerations, making this an important area of concern when addressing problematic gambling behavior (Grant Weinandy & Grubbs, 2021).

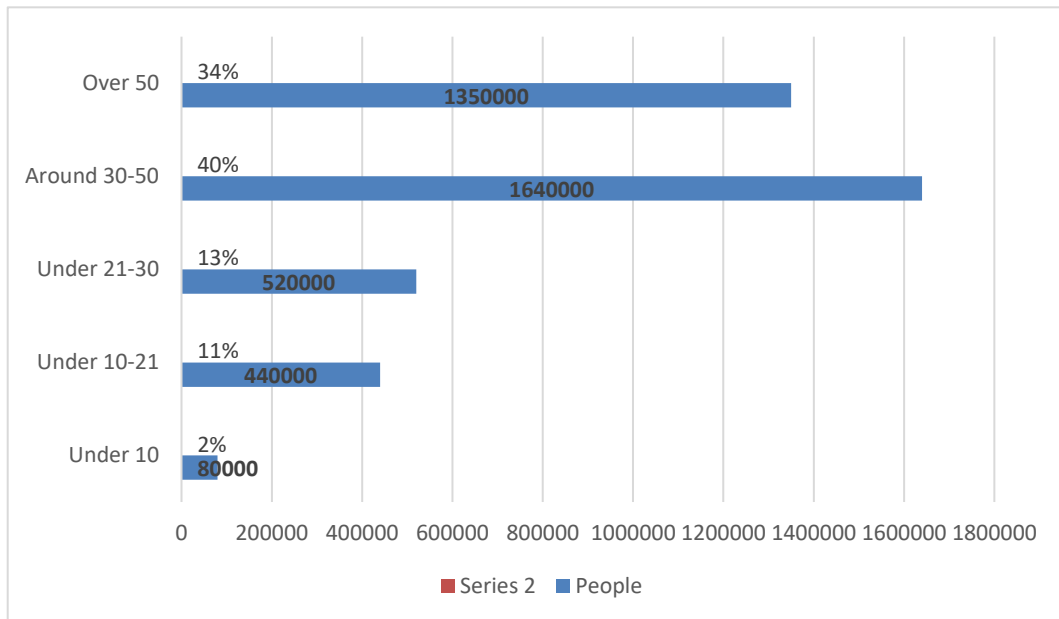
Philander's analysis of the bwin dataset focused on account closures, identifying individuals who cited gambling-related issues as the reason for closure as a target group. The findings support the interpretation that these closures were not due to discriminatory practices. For example, gamblers who cited dissatisfaction with the website as the reason for account closure may still have exhibited a higher degree of gambling-related problems. It is also possible that specific characteristics of each dataset and how certain variables were operationalized contributed to performance differences (Finkenwirth et al., 2020).

It must be acknowledged that the impact of online gambling on state losses in Indonesia—including in Jambi Province—is quite significant, even though there is no universally agreed-upon figure. Online gambling contributes to severe socio-economic harm, including the loss of potential tax revenue and the deterioration of quality of life for many citizens. A major financial loss comes from tax leakage, as many online gambling platforms operate from abroad, thereby depriving the state of revenue that could otherwise be used for public services.

The degradation of life quality caused by online gambling is reflected in broader social problems such as mounting debt, decreased productivity, and increasing domestic conflict. These impacts can contribute to increased criminal behavior and mental health challenges at the community level. In the family sphere, online gambling addiction frequently leads to the neglect of domestic responsibilities. Parents who engage in gambling may ignore the educational and emotional needs of their children, perpetuating a wider cycle of social dysfunction (Habibullah, 2024).

According to data from the Financial Transaction Reports and Analysis Center (PPATK), approximately 4 million Indonesians participated in online gambling in 2023. The data, summarized in the following diagram 3, reveal concerning trends:

Diagram 3. Age Distribution of Online Gambling Participants in Indonesia



Source: PPATK (2024), Hikmah (2024), Muliawati (2024), and Suwito (2024).

These figures were disclosed during the *JUMATAN* Podcast (Weekly PPATK Discussion), aired on July 26, 2024, featuring Deputy for Coordination of Child, Women's, and Youth Quality Improvement at the Coordinating Ministry for Human Development and Culture (Kemenko PMK) Woro Srihastuti Sulistyaningrum (PPATK, 2024). The data suggest that nearly 80% of online gamblers spend approximately IDR 100,000 per day on gambling activities.

Alarmingly, online gambling participants are not limited to adults; children are also involved. PPATK recorded that 2% of online gamblers were under the age of 10, roughly 80,000 individuals. Meanwhile, 11% were aged 10–20 (approximately 440,000), and 13% were aged 21–30 (around 520,000 individuals). Even more concerning is the revelation that instead of blocking gambling sites, certain officials within the Ministry of Communication and Digitalization (KOMDIGI), the very institution tasked with preventing the operation of illegal gambling networks, have instead protected these sites to prevent them from being shut down by national systems. This case became more transparent when two of the 11 suspects were brought to a satellite office suspected of operating illegal online gambling activities (Bogiarto, n.d.; Dewi, n.d.; Fadilah, n.d.; Kustiasih, n.d.)

While online gambling may generate significant revenue for the state's finances, it remains fundamentally detrimental. According to the principle of *sad adz-dzari'ah* (blocking the means), it is a method within Islamic legal theory aimed at preventing, prohibiting, or closing off pathways to certain actions that are initially permissible but may lead to harm or forbidden outcomes (Bakry et al., 2022; Intan arafah, 2020; Sujana, 2023; Suryani Harahap & Harahap, 2022).

A significant portion of the population persists in participating in online gambling, with some individuals resorting to borrowing from friends to finance their gambling habits. This phenomenon persists because gambling presents an alluring challenge, accompanied by the hope of large financial winnings. However, online gambling has severe adverse effects on family economics. A husband or father addicted to online gambling may neglect his financial responsibilities toward his family, thereby damaging family resilience. Similarly, a child addicted to online gambling inflicts suffering on their parents by increasing both moral and financial burdens, diminishing hopes for the child to become a pious and responsible individual. Addicts often fabricate excuses to conceal their gambling activities. Negative consequences inevitably follow such harmful behaviors; thus, from religious, moral, social, economic, and family resilience perspectives, online gambling is considered haram (forbidden). It wastes valuable time, causes economic harm, and damages individual, familial, and societal well-being (Rafiqah & Rasyid, 2023).

These effects encompass financial mismanagement and dishonesty within families, where gamblers often conceal their expenditures by attributing them to vehicle repairs, lost funds, or other explanations, while the money is actually spent on online gambling. The phenomenon of online gambling represents a social pathology that undermines religious values, social cohesion, economic stability, morality, and family integrity (Rafiqah & Rasyid, 2023). Therefore, the *sad adz-dzari'ah* principle explicitly prohibits online gambling due to the numerous harms (mafsadat) it produces (Yaqin & Rofiq, 2023). This aligns with the fiqh maxim:

مَنْ حَالَ حَوْلَ الْحِمَى أَوْشَكَ أَنْ يَقَعَ فِيهِ

*“Whoever grazes near a forbidden area is deemed to be approaching falling into it”* (Ibrahim, 2019).

This maxim implies that even if online gambling were legalized and taxed to bolster state finances (*maslahah*), the harms such as addiction and mental deterioration outweigh the benefits. This principle corresponds to the legal maxim: *أَلَا مَرُّ الْأَعْظَمِ مِنَ الْمَصْلَحَةِ أَوْ الْمَفْسَدَةِ* “When an issue involves both benefit (*maslahah*) and harm (*mafsadah*), the dominant factor should be considered, while the lesser should be disregarded” (Ibrahim, 2019). Al-‘Izz ibn Abdissalam also states:

إِنَّ الْمَفْسَدَةَ إِذَا كَانَتْ هِيَ الْعَالِيَةَ بِالنَّظَرِ إِلَى الْمَصْلَحَةِ فَرَفَعَهَا هُوَ الْمَقْصُودُ شَرْعًا وَلَا جُلُهَا وَقَعَ النَّحْيُ

*“Indeed, when harm predominates over benefit, removing the harm is the objective of Islamic law, and thus prohibition arises”* (Ibrahim, 2019).

The role of *al-qawā'id al-fiqhiyyah* (legal maxims) or *al-qawā'id al-uṣūliyyah* (principles of jurisprudence) is critical in assessing the legality of gambling, which many pursue as recreational activity due to its allure of life-changing rewards, social bonding, mood enhancement, or financial gain (Taufiki et al., 2022). Nonetheless, gambling represents a substantial public health concern that affects more than just individuals diagnosed with gambling disorder. Problematic gambling behavior is linked to adverse mental

health outcomes, including depression, anxiety, substance use, and even suicidal tendencies. Socially, gambling contributes to financial instability, relationship breakdowns, and reduced work productivity, exacerbating social inequalities and broader societal costs. In fact, gambling disorders are estimated to impose an economic burden annually 2.5 times greater than diabetes and three times greater than substance use disorders (García-Pérez et al., 2024).

Online gambling's impact on families is profound, particularly economically, and psychologically, as addiction fosters compulsive play and continuous deposits fueled by easy access and the allure of large wins. Financial problems arise from significant deposits and losses, data security risks emerge including identity theft, especially when using unsafe platforms, and social consequences such as strained relationships and social isolation occur (Aisyah et al., 2024).

This impact extends to family cohesion, frequently resulting in marital conflicts, as wives often oppose their husbands' engagement in online gambling, which may escalate into domestic violence (KDRT). In some cases, when the husband wants to gamble online but lacks money, he pressures his wife to provide funds and may even sell her gold jewelry to finance his gambling. Online gamblers prioritize winning above all else, neglecting their responsibilities, which further fuels domestic disputes and violence. Income intended for family needs is frequently diverted to online gambling, causing the wife to incur debts from her parents, relatives, and friends to support the household (Asman, 2024; Hakim & Alkosibati, 2022; Pribadi, 2023). The detrimental effects of online gambling on family integrity form the basis for the researcher's rejection of its legalization. This rejection aligns with the legal maxim:

دَفْعُ الْمَفَاسِدِ مُقَدَّمٌ عَلَى جَلْبِ الْمَصَالِحِ

"Repelling harm takes precedence over pursuing benefit" (Takhim, 2020).

Regarding online gambling, Ibn al-Qayyim clarifies that although the medium may be permissible in itself, it can serve as a conduit for harm (*mafsadah*), such as entering into marriage solely to justify a triple divorce, conducting sales with the intention of legitimizing usury (*riba*), or endorsing online gambling as a source of state revenue. The notion of legitimizing online gambling for state income, through taxation or legal allowance, falls within the framework of *sadd al-dzarī'ah* (blocking the means), aimed at preventing illicit outcomes, as opposed to *hīlah* (legal stratagems) which attempt to legalize what is inherently forbidden. Even if one does not intend the harmful consequences, any act leading to such harm must be anticipated and prevented (Fawaid, 2019).

This principle is consistent with Islamic law, especially the essence of *Maqasid al-Shariah* (objectives of Islamic law), which aims to promote good and prevent harm, achieve benefits and reject damages, in order to preserve five essential objectives: *hifzu al-din* (protection of religion), *hifzu al-nafs* (protection of life), *hifzu al-'aql* (protection of intellect), *hifzu al-nasl*

(protection of lineage), and *hifzu al-mal* (protection of wealth). Actions fundamentally intended to uphold these five objectives are considered *maslahah* (public interest or benefit) (Baining et al., 2024; Syamsuar, et al., 2024).

Therefore, closing access to online gambling and criminalizing is not solely for political or fiscal interests of the state but also to protect the mental well-being of Indonesian society, particularly in family life. The detrimental effects of online gambling exhibit similarities to those associated with substance abuse. The social costs related to gambling are often borne by the most vulnerable community members, especially those with limited financial resources. Recently, concerns have increased regarding youth involvement in gambling, facilitated by the availability and accessibility of legalized and regulated gambling products. This trend results in heightened personal, social, and economic costs for young people, including increased rates of depression. Moreover, youth gambling involvement can lead to a lack of meaningful social experiences, disrupting their relationships with family and friends. Financial consequences may force them to borrow money or even steal to sustain their gambling habits (Lombardi et al., 2024). Accordingly, the Indonesian government must limit and prohibit access to online gambling, as currently there is no legal framework endorsing either offline or online gambling. Closing illegal online gambling platforms will help safeguard the well-being and family stability of Indonesian society.

## Conclusion

The legal policy of utilizing online gambling as a source of state revenue is frequently justified by the significant income generated in several countries. For instance, the United States generates approximately US\$23.03 billion (equivalent to IDR 376 trillion), the United Kingdom US\$13.78 billion (IDR 225 trillion), Australia US\$10.14 billion (IDR 165 trillion), Japan US\$6.19 billion (IDR 101 trillion), Germany US\$5.65 billion (IDR 92 trillion), Canada US\$4.19 billion (IDR 68 trillion), France US\$4.12 billion (IDR 67.3 trillion), Italy US\$3.21 billion (IDR 52 trillion), India US\$2.90 billion (IDR 47 trillion), and Spain US\$1.97 billion (IDR 32 trillion). Even Cambodia has reported tax revenues exceeding IDR 51 trillion from online gambling deposits.

If such policies were implemented in Indonesia, the state could potentially gain substantial revenue from online gambling activities conducted by its own citizens, given the high popularity of online gambling among Indonesians, provided that legalization by the government is established. However, Indonesia cannot adopt this approach due to legal constraints, including provisions in the Criminal Code (KUHP), Law No. 11 of 2008 on Electronic Information and Transactions (UU ITE), and Law No. 1 of 2023 concerning the Criminal Code. These laws apply in public spaces and typically criminalize such activities, which are often carried out illegally by Indonesian citizens.

From the perspective of *fiqh siyasah dusturiyah* (constitutional political jurisprudence) and *siyasah maaliyah* (financial governance), legalizing online gambling contradicts principles of justice and the balanced benefit to the state both in worldly and spiritual terms. Moreover, online gambling presents



mental health risks to Indonesian society owing to its addictive properties. Thus, despite the significant potential financial benefits for the state, the negative consequences (*mafsadat*) of online gambling outweigh its positive impacts (*maslahat*).

Moreover, the adverse impacts of online gambling on family integrity, including marital conflicts, domestic violence (KDRT), coercive financial demands from wives, the sale of wives' gold jewelry, neglect of familial duties, diversion of household income to gambling, and escalating debts owed to parents, relatives, and friends, offer compelling justification for government measures to restrict access to online gambling. This is aligned with the principle of *saddu adz-dzariah* (blocking the means), which prioritizes the prevention of harm by restricting access that may facilitate forbidden acts. The legalization of online gambling for state revenue (via taxation) or its legal sanction is fundamentally at odds with *saddu adz-dzariah*, which aims to anticipate and prevent harm, unlike *hilah* (legal stratagems) that seek to legitimize prohibited activities, even if there is no direct intent to cause harm.

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