



EFFECTIVENESS OF QANUN JINAYAT IMPLEMENTATION IN ADDRESSING ONLINE GAMBLING CRIMES IN ACEH PROVINCE

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Online gambling in Aceh represents a borderless and technology-driven transformation of *maisir* that challenges the practical application of Qanun Aceh No. 6 of 2014 on Jinayat Law. Rather than indicating a complete legal vacuum, the problem lies in interpretive and enforcement challenges arising from digital gambling modalities, electronic evidence, and inter-agency coordination. This paper aims to analyze the effectiveness of Qanun Jinayat implementation in addressing online gambling crimes, assess enforcement practices among relevant institutions, and formulate policy recommendations that align syariah-based legality with contemporary digital realities. Employing a qualitative juridical-sociological approach, this study combines semi-structured interviews with law-enforcement and syariah institutions and document analysis of regulations, case data, and court decisions. The data were examined through thematic analysis and

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triangulated to ensure validity. The findings indicate that the doctrinal elements of *maisir* under Qanun Jinayat are sufficiently broad to cover gambling activities, including online forms. However, interpretive difficulties arise when betting activities involve tokens, e-wallet balances, virtual accounts, or in game mechanisms. Electronic evidence, such as screenshots, bank transfer records, digital logs, and online communication traces, is increasingly used in practice, provided that authenticity, relevance, and chain of custody standards are fulfilled. Enforcement agencies rely on undercover techniques, financial tracing, and basic digital forensics, yet investigations remain constrained by encryption, cross-border servers, limited forensic infrastructure, and uneven regional capacity. Preventive efforts by municipal enforcement authorities, syariah institutions, prosecutors, and community actors show potential but remain inconsistent due to budget limitations and digital-literacy gaps. Courts also consider non-juridical factors, including repentance, motive, and socio-economic background, while maintaining due-process guarantees. The study concludes that Aceh has developed an emerging integrated criminal justice response combining repressive, preventive, and educational measures. Nevertheless, its effectiveness requires clearer interpretive guidelines, formal inter-agency protocols, certified regional digital forensic facilities, standardized procedures for electronic evidence, sustained capacity-building, and community-based digital literacy programs.

Keywords: Online Gambling; Qanun Jinayat; Cybercrime; Law Enforcement; Aceh

A. Introduction

The phenomenon of online gambling is a technology-driven offense that has become increasingly concerning due to the expansion of internet access, digital payment systems, and limited cyber surveillance capacity. At the transnational level, illegal online gambling is associated with cyber-enabled financial crime, including money laundering and online fraud. Interpol's financial crime initiatives, particularly Operation HAECHI, have identified money laundering associated with illegal online gambling as one of the targeted forms of cyber-enabled financial crime (Interpol, 2024). However, Interpol data are used in this study only as contextual evidence to demonstrate the transnational and cyber-enabled character of illegal online gambling, not as a direct statistical basis for measuring the scale of online

gambling in Aceh. Therefore, online gambling should not only be viewed as a moral or public-order issue, but also as a cross-border criminal phenomenon that challenges conventional law enforcement mechanisms.

This activity not only violates positive laws, but also threatens the social order and the future of the younger generation. The Current Addiction Reports in 2025, report confirms that the promotion of online gambling through social media has increased adolescent engagement, normalized gambling practices, and had an impact on declining academic achievement and increasing criminal behavior (Bolat et al., 2025). As online gambling became a significant national policy issue, the Indonesian government established the Online Gambling Eradication Task Force through Presidential Decree No. 21 of 2024. The Task Force was chaired by the Coordinating Minister for Political, Legal, and Security Affairs and involved several ministries and state institutions in an integrated enforcement framework. (Andi Firdaus, 2024).

In the context of national law, Indonesia regulates gambling through a layered legal framework. During the 2024–2025 enforcement period examined in this study, gambling offenses were primarily governed by Article 303 paragraph (1) of the Indonesian Criminal Code (KUHP/*Wetboek van Strafrecht*), as amended by Law No. 7 of 1974 on Gambling Control, which provides a maximum penalty of ten years' imprisonment or a fine of up to IDR 25 million (Indonesia, 1974). Since January 2, 2026, the National Criminal Code under Law No. 1 of 2023 has entered into force and now provides the general criminal-law framework for gambling offenses (Indonesia, 2023). In the digital context, Law No. 11 of 2008 on Electronic Information and Transactions, as amended by Law No. 19 of 2016 and Law No. 1 of 2024, specifically prohibits the distribution, transmission, and/or making accessible of electronic information or electronic documents containing gambling content under Article 27 paragraph (2), with criminal sanctions regulated under Article 45 paragraph (3) (Indonesia, 2024). However, the rise of online gambling cases shows that the national legal approach has not been able to reduce this

practice comprehensively. Data from the Coordinating Ministry for PMK even recorded that around 4 million Indonesians are involved in online gambling activities, and more than 500 thousand of them are children and adolescents under 20 years old (PPATK, 2024).

Aceh as the only province in Indonesia that implements Islamic sharia has a stricter legal instrument through Qanun Aceh Number 6 of 2014 concerning the Law of Jinayat (Muksalmina et al., 2023). This Qanun provides a legal basis for imposing sanctions on maisir offenders through caning, fines, or imprisonment. In this study, online gambling is understood as a contemporary manifestation of maisir, although it is not explicitly mentioned as a separate offense in the Qanun. However, despite the existence of Islamic Sharia-based regulations, the practice of online gambling in Aceh is still on the rise. Based on Google Trends data, in the last 12 months Aceh ranked sixth nationally in searches for online gambling sites, while Banda Aceh and Lhokseumawe were in the top five cities with the highest access (Zuhri Novianti, 2024). Data from the Aceh Police shows that as of August 2024, there are 136 cases of online gambling with 157 suspects (M. Irhamsyah N, 2024). This fact shows that the existence of Qanun Jinayat has not been fully effective in reducing the number of violations.

A number of previous studies have also confirmed the existence of obstacles in the eradication of online gambling in Aceh. Rif'at and Yazid found that online gambling practices continue to develop in Southeast Aceh despite law enforcement efforts; The main obstacles are low legal awareness, technological limitations, and weak coordination of apparatus (Rif'at, 2025). Azman highlighted efforts to build synergy between agencies in Banda Aceh, but prevention still faces serious challenges due to high internet access and limited raids (Azman Sulaiman, 2023). Ade Soraya's research related to the enforcement of domino chip online gambling law shows the weak effectiveness of Wilayatul Hisbah due to the overlap of authority with the police (Soraya, 2023). Meanwhile, Fathimah Madaniyyah compared the sanctions of the Criminal Code and the Aceh Qanun, and assessed that although the qanun is stricter because it regulates the

punishment of whipping, its effectiveness is still not optimal in the field (Madaniyyah, 2024). In addition, previous studies have not sufficiently examined the interpretive gap between the normative formulation of *maisir* in Qanun Jinayat and the practical challenges of applying it to online gambling, which involves digital platforms, electronic evidence, and cross-border transactions.

This research addresses this gap by providing an in-depth juridical-sociological analysis of the implementation of Qanun Jinayat in online gambling cases in Aceh. In contrast to previous studies, this article focuses on the effectiveness of Qanun Jinayat as both substantive and procedural law, the coordination among law enforcement institutions, including Wilayatul Hisbah, the Police, the Prosecutor's Office, and the Mahkamah Syar'iyah, as well as public perceptions of sanctions based on Islamic Sharia. From a methodological standpoint, the use of a socio-legal approach is relevant because contemporary legal issues cannot be understood merely through written norms, but must also be examined in relation to social, institutional, cultural, and practical realities (Yulis, 2025).

The use of snowball sampling is justified by the limited accessibility of law enforcement actors and the sensitive nature of online gambling enforcement within Aceh's socio-legal setting. Furthermore, the observation was conducted in a non-participatory manner and based on institutional permission, allowing the researcher to observe relevant institutional practices without directly intervening in the enforcement process. Accordingly, this study contributes not only to the development of academic literature on Islamic criminal law and socio-legal studies, but also to the formulation of more effective, coordinated, and contextually applicable policies for local governments and law enforcement authorities.

Based on the above description, this study is focused on two main problem formulations: (1) how to evaluate the implementation of Qanun Aceh Number 6 of 2014 concerning the Jinayat Law in handling online gambling cases in Aceh Province? and (2) what are the law enforcement efforts against online gambling perpetrators and the role of the authorities in its implementation? The findings of this study are

expected to be able to answer the issue of the effectiveness of Islamic Sharia-based law in facing the challenges of digital crime while providing contextual policy recommendations.

This study adopts a qualitative descriptive analytical approach within a juridical-sociological framework to examine the implementation of Qanun Jinayat in Aceh. Although Qanun Jinayat does not explicitly mention online gambling, this study analyzes online gambling as a contemporary manifestation of *maisir*, which falls within the normative scope of the Qanun. Therefore, the juridical-sociological approach is used to assess how the provisions on *maisir* are interpreted and implemented by law enforcement institutions in responding to online gambling cases. Key informants (police, judges, prosecutors, ulama, and the government in the field of Islamic sharia) were selected purposively and then expanded through snowball sampling. The number of interviews was determined iteratively to the point of "saturation" or "near-saturation" as the basis for stopping data collection; Recent empirical references suggest meaning saturation can be achieved at moderate sample ranges and near-saturation is often adequate for practitioner purposes. (Hennink & Kaiser, 2022; Yulis, 2025) .

Primary data were collected through semi-structured interviews and limited observations (e.g., patrols/surveillance and counseling); secondary data through document review (qanun, fatwa, SOP electronic evidence, case data, verdicts). The validity of the findings is maintained by triangulating sources and methods, following the latest practices on methodological triangulation and analysis on case studies (Schlunegger et al., 2024), and a brief and easily accessible explanation of triangulation (Bans-Akutey & Tiimub, 2021). The validity of interpretation is strengthened through member checking that is designed proportionally (Lloyd et al., 2024)

The analysis was carried out with reflexive thematic analysis following six steps (familiarization with the data, coding, theme development and review, theme naming, and writing) with an emphasis on methodological consistency and the researcher's reflexivity (Braun & Clarke, 2023; Byrne, 2022). Analytical reporting

refers to the Reflexive Thematic Analysis Reporting Guidelines (RTARG) to ensure traceability of analytical decisions and suitability between theoretical positions, procedures, and outcomes (Braun & Clarke, 2024).

Researcher reflexivity was also applied throughout the research process because online gambling enforcement in Aceh involves sensitive legal, religious, institutional, and social dimensions. The researchers acknowledge that informants, particularly law enforcement officials and institutional actors, may provide formal or cautious responses due to the sensitivity of the issue. To minimize potential bias, the researchers maintained a neutral position during interviews, avoided leading questions, and compared interview data with legal documents, case data, official information, and non-participatory observation conducted with institutional permission. This reflexive stance was used to strengthen the credibility, transparency, and objectivity of the qualitative analysis.

B. Discussion

1. Evaluation of the Implementation of Qanun Aceh Number 6 of 2014 concerning the Law of Jinayat in Handling Online Gambling Cases in Aceh Province

The phenomenon of online gambling in Aceh in recent years has shown an alarming trend, not only because it violates religious and social norms, but also because of its economic impact that is detrimental to the community. Although Aceh has a speciality in implementing Islamic sharia through Qanun Jinayat, online gambling practices continue to evolve with technological advancements, transcending geographical and jurisdictional boundaries. Qanun Aceh Number 6 of 2014 concerning the Law of Jinayat was born as a form of codification of several previous qanun, including Qanun Number 12, 13, and 14 of 2003, which regulates ten types of jarimah, one of which is maisir or gambling. However, as acknowledged by a number of key officials of sharia law enforcement in Aceh, the effectiveness of the implementation of this qanun in the context of online gambling still

faces various challenges, both in terms of regulations, human resources, and technology.

Irhamna Yusra, Head of the Islamic Sharia Legislation Section at the Aceh Islamic Sharia Office, in an interview in July 2025 she said that normatively Qanun Jinayat was sufficient to ensnare the perpetrators, including online. The elements of jarimah which include betting, the element of luck, and losses for certain parties are in line with the practice of online gambling. However, the absence of explicit provisions regarding "online gambling" in the formulation of the article makes law enforcement dependent on the interpretation of officials and judges. Therefore, limited revisions are needed so that Qanun is more adaptive to technological developments and digital crime modes.

This view is in line with the assessment of the Aceh High Prosecutor, Mursyid, S.H., M.H who also in an interview in July 2025, assessed that Qanun Jinayat had run quite effectively, both in terms of norms and prosecution practices. In fact, Article 5 of the Qanun of the Jinayat Procedural Law provides unique flexibility by allowing non-Muslims to voluntarily submit to the jinayat law and undergo caning. This flexibility is seen as a characteristic of sharia-based law enforcement in Aceh, as well as showing the acceptance of the law across communities. However, the Attorney General noted that there were differences in interpretation between officials related to certain elements, such as the interpretation of the bet value of "two grams of gold", which had implications for the disparity in the verdict. For this reason, Mursyid proposed the establishment of a routine forum for equalizing perceptions between law enforcement officials so that the interpretation of the law is more uniform and reduces inconsistencies in enforcement.

In addition, prosecutors and judges of the Sharia Court in Aceh view that the punishment of whipping remains the most effective and distinctive form of punishment in Qanun Jinayat. The implementation of whipping in public not only causes a deterrent and embarrassment effect for the perpetrator, but is also considered efficient because it does not burden the state as a prison sentence. This shows that despite

a number of technical obstacles in the interpretation of norms, the existence of whipping sanctions strengthens the identity of Qanun Jinayat as an effective sharia law instrument in Aceh. Thus, whipping-based punishment not only shows the effectiveness of sharia law, but also strengthens the existence of Qanun Jinayat as a distinctive Acehnese identity in tackling online gambling.

In an interview with Dr. Amiruddin, M.H., the High Judge of the Aceh Syar'iyah Court in July 2025 assessed that Qanun Jinayat was able to substantially crack down on online gambling because the elements of *jarimah maisir* that were regulated included betting, elements of luck, and potential losses. However, technically there are still many obstacles, including the absence of specific regulations on online gambling, difficulties in authenticating digital evidence, limited digital forensic capacity, and jurisdictional problems in cross-border cases. However, data from the Aceh Syar'iyah Court shows that online cases have continued to increase in the past two years, with the majority of verdicts imposing caning in public.

Table 1. Online Gambling Data at the Aceh Sharia Court in 2024

No	Satker	Jan	Feb	Mar	Apr	Mei	Jun	Jul	Agst	Sep	Okt	Nov	Des	Jmlh
1	Banda Aceh	0	0	0	0	0	0	1	6	4	2	4	5	22
2	Sigli	0	0	1	0	4	0	5	4	0	6	6	0	22
3	Takengon	0	0	0	0	0	0	1	2	1	0	0	0	4
4	Langsa	0	0	0	0	1	0	3	0	0	0	4	0	9
5	Lhokseumawe	0	0	0	0	0	2	3	4	4	1	0	0	14
6	Meulaboh	0	0	0	0	1	2	3	9	0	0	2	0	17
7	Kutacane	0	0	0	0	0	0	4	3	0	0	0	0	7
8	Tapaktuan	0	0	2	0	0	0	1	0	0	0	0	0	2
9	Bireuen	0	0	0	0	0	0	0	0	0	0	11	1	13
10	Jantho	0	0	0	0	0	2	2	6	3	0	0	0	14
11	Lhoksukon	0	0	0	0	0	1	0	0	2	0	0	4	7
12	Sabang	1	0	0	0	0	0	1	1	4	0	1	0	8
13	Meureudu	0	0	0	0	0	2	0	2	1	0	0	0	5
14	Idi	0	0	1	0	0	6	1	3	1	0	0	3	16
15	Kualasimpang	0	0	0	0	0	5	0	5	3	1	0	0	10
16	Blangkejeren	0	0	1	0	0	2	0	0	0	0	9	0	13
17	Calang	0	0	0	0	0	0	5	0	0	0	0	0	5
18	Singkil	0	0	0	0	0	1	0	2	4	1	0	0	10
19	Sinabang	0	0	0	0	0	0	0	4	0	0	0	7	12

20	Simpang Tiga Redelong	0	0	0	0	0	0	1	0	0	0	2	0	3
21	Blangpidie	0	0	0	0	0	0	0	0	4	16	1	0	21
22	Suka Makmue	0	0	0	0	0	0	2	1	2	0	0	0	6
23	Subulussalam	0	0	0	0	0	0	0	0	2	0	0	3	5

Table 2. Online Gambling Data at the Aceh Sharia Court in 2025

	Satker	Jan	Feb	Mar	Apr	Mei	Jun	Jmlh
1	Banda Aceh	0	2	0	1	1	1	5
2	Sigli	5	0	0	4	0	4	13
3	Takengon	0	5	0	0	5	2	12
4	Langsa	1	0	0	0	0	6	7
5	Lhokseumawe	2	3	0	0	0	0	5
6	Meulaboh	3	2	0	0	0	3	8
7	Kutacane	0	0	0	0	0	4	4
8	Tapaktuan	0	0	0	0	1	0	1
9	Bireuen	7	3	0	4	0	6	20
10	Jantho	2	3	0	2	0	0	7
11	Lhoksukon	0	1	2	2	0	0	5
12	Sabang	2	0	2	0	0	0	4
13	Meureudu	2	2	1	0	0	0	5
14	Idi	0	2	0	2	0	0	4
15	Kualasimpang	0	0	0	0	0	0	0
16	Blangkejeren	1	0	4	0	1	0	6
17	Calang	0	0	0	0	4	0	6
18	Singkil	3	0	0	0	0	0	4
19	Sinabang	2	3	0	0	1	0	6
20	Simpang Tiga Redelong	0	0	0	1	0	0	2
21	Blangpidie	0	0	0	9	0	0	9
22	Suka Makmue	6	5	0	0	1	0	12
23	Subulussalam	0	0	0	2	0	0	2

This fact shows that technical constraints do not hinder the implementation of qanun, but rather affirm its relevance in answering the challenges of technology-based gambling.

From an investigation perspective, the Aceh Regional Police placed Qanun Jinayat as the main legal basis in handling online gambling cases. No significant overlap was found with the Criminal Code or the Information and Electronic Transactions Law (UU ITE) as

long as these acts were included in the category of jarimah regulated by qanun. The obstacles faced are more technical-operational, including hidden operating patterns, the use of personal communication devices, transactions through third-party accounts, and foreign servers that are difficult to track.

Brigadier Tamam Ansari, member of the Aceh Regional Police, in an interview in July 2025, stated that routine patrols carried out by the Police together with Wilayatul Hisbah in coffee shops, cafes, and public spaces are considered quite effective in preventing online gambling practices at the grassroots community level. This strategy emphasizes that the enforcement of Qanun Jinayat is not only carried out through digital instruments, but also through prevention efforts that are in direct contact with the daily social life of the people of Aceh.

Meanwhile, the Aceh Province Pamong Praja (PP) and Wilayatul Hisbah (WH) Police Unit highlighted the limitations of human resources and technological devices as the main obstacle. According to Marzuki, S.Ag., M.H. Head of the Investigation Section, Pamong Praja Police Unit and Wilatul Hisbah Aceh in an interview in July 2025 stated that, there are still many WH officers who have not been trained to use Android-based software or smartphones to detect online gambling activities. As a result, field surveillance is more focused on patrols in public spaces such as cafes or internet cafes that provide Wi-Fi access, without the ability to conduct more in-depth cyber tracking.

Dr. Rahmatillah, a member of *Majelis Permusyawaratan Ulama (MPU)* Aceh in an interview in July 2025, also agreed that in sharia the substance of the qanun is complete, but its implementation is hampered by the nature of the digital world that is difficult to track without the support of technology and special expertise. Dr. Rahmatillah emphasized that although the law is available, enforcement in cyberspace requires a special approach that does not only rely on regulations, but also apparatus capacity building and cross-sector collaboration.

These obstacles show that although Aceh has a strong legal foundation through Qanun Jinayat, the success of its implementation in the case of online gambling is largely determined by technical

readiness and institutional capacity. Sharia law enforcement not only requires moral commitment and courage of the authorities, but also requires adequate supporting infrastructure, including digital forensic laboratories, online monitoring systems, and standard procedures for handling electronic evidence. In this context, some legal research confirms that successful law enforcement in the cyber realm requires a combination of clear substantive legal norms, the technical capabilities of the apparatus, and ongoing institutional support. (Ahmad Syaafi, 2023)

In addition to technical factors, cultural and social barriers also have a significant influence. Dr. Rahmatillah stated that some people, especially the younger generation in urban areas, still take the ban on online gambling lightly, and some even consider the MPU fatwa too strict or irrelevant to their economic reality. This phenomenon is in accordance with *the social control theory* put forward by Hirschi in 1969, which asserts that the effectiveness of the law is greatly influenced by the internalization of social norms. These findings are also reinforced by recent research showing that social control theory remains relevant in explaining deviant behavior in the modern era, including in the context of cybercrime (Costello & Laub, 2020). Thus, if the norms set by the qanun are not fully internalized by the community, then the threat of sanctions, no matter how severe, will not have an optimal deterrent effect.

This view is also strengthened by empirical data from the PP and WH Police which shows that some online gambling perpetrators come from civil servants (AJNN, 2025), students, to housewives (Inews Aceh, 2022). The driving factors are diverse, ranging from a consumptive lifestyle, economic pressure, to the desire to get instant profits. In fact, there are cases where perpetrators are willing to sell personal assets, such as jewelry, to pay off debts due to online gambling addiction. This indicates that the problem of online gambling in Aceh is not only a legal issue, but also a moral, social, and economic issue.

From a juridical point of view, the existence of Qanun Jinayat is the embodiment of Aceh's specificity as stipulated in Article 125 of Law Number 11 of 2006 concerning the Government of Aceh, which

gives the authority to regulate and manage religious life, including the enforcement of Islamic law for its adherents (*Undang Undang Republik Indonesia Nomor 11 Tahun 2006 Tentang Pemerintahan Aceh*, 2006). Qanun Aceh Number 6 of 2014 itself has contained quite various sanctions, ranging from whipping, fines in the form of pure gold, to imprisonment. However, as revealed by the Aceh Syar'iyah Court, the effectiveness of each sanction is still debated, because each type of punishment has its own advantages and disadvantages. The punishment of whipping, for example, is considered to have a high effect of shame, but it is not uncommon for perpetrators to choose it over prison because of its short duration.

In enforcement practice, the Aceh Regional Police tend to prioritize arrest operations with undercover and sting operation methods to ensure that there is evidence of arrest. This strategy is considered important considering that many perpetrators use private communication devices and overseas server networks, so proving requires advanced digital investigative skills. However, the limited number of investigators who have digital forensic competence is a serious obstacle. This is in line with the findings of previous research which stated that one of the biggest challenges in cyber law enforcement in the regions is the inequality between the progress of crime modes and the ability of the authorities to keep pace with technological developments (Irawan, 2025).

Furthermore, the Aceh High Prosecutor assessed that although normatively there are no obstacles to prosecuting online gambling perpetrators based on Qanun Jinayat, problems arise at the evidentiary stage at the trial. Electronic evidence such as screenshots, transaction recordings, and log data must meet the provisions of the chain of custody and digital proof standards in accordance with the ITE Law and Supreme Court Regulation Number 4 of 2016. Without it, the evidence can be considered invalid or doubtful of its validity, making it difficult for the prosecutor to prove it.

These problems show that the effectiveness of Qanun Jinayat in handling online gambling cases does not only depend on the quality of legal norms, but also on the readiness of the enforcement system and

the level of public acceptance. Therefore, efforts to increase the effectiveness of the implementation of qanun must include aspects of legislation, capacity building of apparatus, strengthening technological infrastructure, and strategies for socialization and internalization of sharia values to all levels of society.

The technical weaknesses of enforcement are also exacerbated by the limited inter-agency coordination in Aceh. Although Qanun Jinayat is explicitly a reference for the Islamic Sharia Office, Wilayatul

Hisbah, the Police, the Prosecutor's Office, and the Sharia Court, systematic formal coordination is still rare; Enforcement often relies on informal communication so enforcement efforts are less integrated.

In fact, the *integrated criminal justice system* model that emphasizes uniformity of procedures, information synchronization, and technical coordination has been proven to increase the effectiveness of eradicating organized crime, including cybercrime (Finlay et al., 2022).

The limitations of the legal apparatus that explicitly regulate online gambling are also in the spotlight. Although juridically jarimah maisir in Qanun Jinayat can include digital-based gambling, the absence of a specific terminology on "online gambling" gives rise to a variety of interpretations among law enforcement officials. The Aceh

Syar'iyah Court seeks to overcome this void by conducting a progressive interpretation of the elements of betting, profits, and losses that are the essence of maisir. However, this approach has the risk of legal uncertainty when faced with different perceptions of judges, prosecutors, or investigators in different regions.

Some parties have proposed a limited revision of the Qanun Jinayat to include specific clauses regarding internet-based gambling, including new forms such as in-game gambling, mobile app-based gambling, and international platforms that use crypto payment systems. This kind of revision will not only strengthen the legitimacy of law enforcement, but also provide clearer guidance for the authorities in identifying elements of jarimah, collecting evidence, and establishing appropriate articles.

Another aspect that also affects the effectiveness of the implementation of Qanun Jinayat is the availability of competent

human resources in the fields of cyber law and digital forensics. Law enforcement officials still face limitations in the number of personnel who have these skills. In some cases, the authorities are forced to ask for the help of a third party or central agency to conduct forensic analysis of the devices confiscated from the perpetrator. This situation prolongs the investigation process and has the potential to reduce the quality of evidence at trial.

This condition is in line with the finding that digital forensic capacity at the regional level is still limited so that the authorities often rely on external laboratories/providers, which has implications for the risk of data leakage and slowdown of the legal process (Rusnan Dinata et al., 2025). Therefore, a number of studies recommend the establishment of a special cyber-based sharia law enforcement unit in Aceh equipped with state-of-the-art forensic tools and certified human resources, referring to UNODC/INTERPOL guidelines and the integration of the regional CSIRT ecosystem.

On the other hand, the preventive and educational approach carried out by the Islamic Sharia Office and the Aceh MPU is considered to be still unevenly reached. The socialization of the jinayat law is generally focused on urban areas or centers of public activities, while rural and coastal areas that are prone to online gambling practices have not been fully touched by intensive education programs. In fact, according to the theory of crime prevention through social development, crime prevention will be more effective if it is implemented comprehensively up to the gampong/village level, including coastal areas, through value education, digital literacy improvement, and sustainable community-based economic empowerment (Welsh & Piza, 2024).

MPU Aceh emphasizes the importance of a moral-religious approach that not only relies on legal sanctions, but also builds internal public awareness to stay away from online gambling. Through sermon pulpits, taklim assemblies, and recitations in gampong, MPU continues to campaign against the dangers of online gambling from a religious and social perspective. However, this effort requires the support of mass media and digital platforms so that these messages

can reach the younger generation who spend more time in virtual spaces.

By paying attention to these various obstacles and strategies, it is clear that the implementation of Qanun Aceh Number 6 of 2014 in handling online gambling cases is at the intersection between moral commitment, technical readiness, and socio-cultural support. The success of law enforcement in the future will depend heavily on Aceh's ability to integrate these three aspects in a balanced manner. Without regulatory reforms, increasing the capacity of the apparatus, and internalizing sharia values to all levels of society, the effectiveness of qanun in eradicating online gambling will still run in place even though normatively it has adequate legal force.

By considering all field findings collected from the Aceh Islamic Sharia Office, the Aceh High Prosecutor's Office, the Aceh Regional Police, the PP and WH Police, the Aceh Syar'iyah Court, and the Aceh Ulema Consultative Assembly, it can be concluded that the implementation of Qanun Aceh Number 6 of 2014 in handling online gambling cases shows the existence of a relatively strong normative framework, but its effectiveness is still hampered by structural problems. cultural, and substantial. Structural obstacles appear in the limitations of human resources and technological means in law enforcement, including the uneven digital forensics capabilities of the apparatus. Substantial obstacles can be seen from the absence of regulations that explicitly mention online gambling in the qanun's text, thus giving rise to different interpretation spaces between law enforcement. Meanwhile, cultural barriers are manifested in the resistance of some people, especially the younger generation who have not fully accepted the norms of banning online gambling as part of their life values, as well as in an instant lifestyle that encourages involvement in the practice.

If analyzed using the theoretical framework of Lawrence M. Friedman's Law Enforcement, the effectiveness of law enforcement is greatly influenced by three components: legal structure, legal substance, and legal culture (Bengoetxea, 2022; Čehulić, 2021). In the context of Aceh, the components of the legal structure have been

formed through the existence of institutions such as Wilayatul Hisbah, the Islamic Sharia Office, the Aceh Regional Police, the Prosecutor's Office, the Syar'iyah Court, and the MPU, each of which has a clear role, although formal coordination between agencies still needs to be strengthened. The legal substance contained in the Qanun Jinayat is considered quite adequate from a sharia perspective, but it is not yet responsive to technological developments and the modus operandi of cybercrime. The legal culture is the biggest challenge, because without collective awareness and strong social acceptance, even strict regulations are difficult to achieve the expected effectiveness. Thus, the successful implementation of Qanun Jinayat on online gambling is not only a matter of improving rules or increasing the capacity of the apparatus, but also the formation of a legal culture that is in line with sharia values and public awareness of the dangers of online gambling.

2. Law Enforcement Efforts for Online Gambling Perpetrators in Aceh and the Role of Officials in Their Implementation

Law enforcement against online gambling crimes in Aceh is an integral part of the implementation of Qanun Aceh Number 6 of 2014 concerning the Law of Jinayat, especially the articles that regulate *jarimah maisir* (Agustina et al., 2025). In the context of technology-based crime, law enforcement not only relies on repressive measures such as arrests and criminalization, but also requires a cross-agency preventive and coordinated strategy. This crime has a borderless nature, utilizes encryption technology, and often uses servers outside Indonesian jurisdiction (Baroto, 2024), thus demanding an adaptive, integrated, and technical expertise-based legal response in the field of cybercrime (Putra & Riyanta, 2025).

The Aceh Regional Police is at the forefront of cracking down on online gambling perpetrators. According to Brigadier Tamam Ansari, the process starts from early detection through an undercover investigation by utilizing intelligence and information networks from the public. Arrests are made only after sufficient preliminary evidence, including arrests, is gathered to ensure the strength of the evidence in court. Challenges arise when perpetrators use mobile phones with

encrypted applications, transactions through digital wallets, and overseas servers that are difficult to track without international cooperation. In the context of procedural law, this practice is also in line with the provisions of Article 44 of the ITE Law which provides space for investigators to use electronic investigation methods as long as they meet the formal requirements.

Within the framework of procedural law, this practice is in line with the provisions of Article 44 of the ITE Law which provides space for investigators to optimize electronic investigation methods as long as they meet the formal requirements. In line with that, the latest study confirms that the digital policing strategy developed by the Directorate of Cyber Crime of the Criminal Investigation Branch of the National Police in dealing with online gambling not only emphasizes the aspect of electronic proof, but also demands cross-agency coordination and the continuous use of digital forensic technology (Ramdhani Dwi Cesario, 2025)

The Aceh Province Pamong Praja (PP) Police and Wilayatul Hisbah (WH) carry out prevention and supervision functions in public spaces. According to Marzuki, S.Ag., M.H., routine patrol activities in internet cafes, cafes, and public areas aim to detect suspicious activities. WH also appealed to business owners to install gambling site filters, but limited human resources and lack of mastery of digital technology limit the effectiveness of supervision. Many officers are not used to using site detection devices or mobile applications to identify online gambling, so their role tends to be pre-emptive rather than repressive. Within the framework of situational crime prevention, this condition signals the need for increased technology-based surveillance that is more systematic and effective in line with the approach proposed in the SCP-C3 model, which aligns situational prevention techniques with cybersecurity controls according to ISO/IEC 27002:2022, and demands an integrated intervention approach through the Concentrate, Comprehend, Consider phases to optimally close the gap in perpetrators' access (Ho et al., 2024).

Dinas Syariat Islam (DSI) focuses on educating and socializing the dangers of online gambling through counseling to gampongs,

schools, and taklim councils. However, the reach of this activity has not been evenly distributed to all districts/cities due to budget limitations. Efforts to strengthen the capacity of gampong apparatus as the spearhead of the government are hampered by the digital literacy gap between the younger generation and village officials who are less tech-savvy. From the perspective of crime prevention through community engagement, the role of DSI is very strategic because it involves the community directly as a prevention partner. This approach is in line with international research findings as carried out by (Nubani et al., 2023) , which suggests that a community-based participatory approach combining citizens, crime data, and intervention design can result in more responsive and impactful prevention strategies at the local level.

The Aceh Syar'iyah Court, according to Dr. Amiruddin, M.H., has taken an inclusive interpretation of the elements of jarimah maisir to be relevant to online gambling practices including bets in the form of digital balances or application tokens. Electronic evidence such as screenshots, proof of bank transfers, and digital activity logs can be accepted as evidence as long as they meet the formal and material requirements under the ITE Law and the Qanun of the Jinayat Procedural Law. In considering the verdict, the judge also takes into account non-juridical factors such as repentance, the motivation of the perpetrator, and socio-economic conditions. This trend is in line with global developments, where the judiciary is beginning to recognize cyber forensic evidence as legitimate evidence especially in situations where the validity and authenticity of electronic evidence are better maintained through strict forensic standards (Obidiegwu, 2024).

The Aceh High Prosecutor's Office, through Mursyid, S.H., M.H., strongly emphasized the importance of coordination from the investigation stage to ensure the completeness of the file and the strength of digital evidence before the case is transferred to the court. In addition to prosecution efforts, the Prosecutor also runs the "Legal Information" and "Prosecutor Entering School/Dayah" programs, which aim to instill legal awareness based on Islamic values from an

early age. This model is a form of non-penal approach in which education is placed as the main prevention strategy. Similar approaches are recognized internationally: recent research highlights that educational programs integrated with community engagement such as those run by Prosecutor are effective in changing public perceptions, strengthening legal norms, and reducing youth involvement in cybercrime (Sepaha, 2025).

Dr. Rahmatillah, stated that MPU plays a role as the moral guardian of the community by formulating fatwas that function as normative guidelines in handling *maisir jarimah*, including in online form. The MPU is also actively involved in the preparation of the *qanun* through the Public Hearing Meeting with the DPRA and related institutions. According to the MPU, prevention cannot only rely on law enforcement officials: it is also necessary to mobilize teachers, scholars, community leaders, and families, because the root of the problem is often related to instant lifestyles, economic pressure, and weak value education. This value-based approach is very much in line with social control theory, which emphasizes that social institutions and norms internalized in the community play a vital role in shaping individual behavior and protecting against deviation (Lown, 2025).

The structural obstacles faced in the enforcement of online gambling laws in Aceh as explained by Brigadier Tamam Ansari include the limitations of digital forensic technology at the regional level, the lack of digital tracing software, and the dependence on technical assistance from the National Police Headquarters or central agencies. This condition often results in delays in the proofing process, especially if the evidence has to be downloaded from an overseas server that requires mutual legal assistance (MLA). In addition, most law enforcement units in the regions do not have adequate digital forensic laboratories, so the examination of electronic evidence often takes a long time.

The results of interviews with various related institutions confirm that law enforcement against online gambling crimes in Aceh has been carried out optimally through a comprehensive approach. The Aceh Regional Police prioritizes a repressive strategy based on

undercover investigation and the use of digital forensics, Satpol PP and Wilayatul Hisbah play a role in preventive aspects in public spaces, while the Islamic Sharia Office strengthens the education base through counseling in gampongs and educational institutions. The Syar'iyah Court also accommodates electronic evidence in judicial practice in accordance with the principle of due process. This cross-sectoral synergy shows the real implementation of an integrated criminal justice system that emphasizes inter-agency coordination in dealing with organized crime, including online gambling (Finlay et al., 2022).

The non-juridical dimension also appears strong in practice in the field. The Syar'iyah Court considers the repentance and socio-economic condition of the perpetrator as part of the judge's consideration, while the MPU emphasizes the importance of the role of family, teachers, and scholars in instilling moral values. The Aceh High Prosecutor's Office complements this strategy through the "Legal Information" and "Prosecutor Entering School/Dayah" programs, which are in line with the education-based non-penal approach. This approach is consistent with social control theory which emphasizes the importance of the role of social institutions in shaping individual behavior (Lown, 2025), and in line with international research showing the effectiveness of community involvement in crime prevention strategies (Nubani et al., 2023).

Although there are still structural obstacles such as limited digital forensic laboratories in the regions and dependence on central technical assistance, the steps that have been taken show a progressive direction. A multi-stakeholder strategy that integrates repressive, preventive, and educational approaches makes Aceh an adaptive model in dealing with technology-based crime. This is in line with global developments that emphasize the need to adapt the justice system to digital evidence (Obidiegwu, 2024), and the implementation of the Situational Crime Prevention framework to close the gap in access for perpetrators (Ho et al., 2024). Thus, it can be concluded that law enforcement efforts against online gambling in Aceh not only show the seriousness of the relevant authorities and institutions, but also mark a collective commitment to strengthen social resilience,

strengthen sharia values, and keep pace with the dynamics of crime in the digital era.

C. Conclusion

This study confirms that the handling of online gambling in Aceh has moved towards an integrated approach that combines material-formal legal instruments of Qanun Jinayat, repressive-preventive-educational work, and cross-sectoral institutional support. Normatively, Qanun Aceh No. 6 of 2014 is sufficient to ensnare *maisir jarimah*, including online forms, even though it has not explicitly mentioned "online gambling" so that enforcement practices still rely on progressive interpretations of officials and judges. In the realm of structure, the collaboration of the Aceh Regional Police, the High Prosecutor's Office, the Sharia Court, DSI, the PP/WH Police, and the MPU shows the seriousness and high intensity of fieldwork; Its effectiveness, however, is still influenced by the limitations of digital forensic technology, the digital literacy of the apparatus, and the need for more consistent formal coordination.

Field findings show that the implementation of Qanun Jinayat in online gambling cases is running and relevant, as reflected in the receipt of electronic evidence of screenshots, proof of transfer, and activity logs as long as they meet the formal-material requirements. The main challenge lies in the vacuums of the specific terminology "online gambling" that triggers variations in interpretation, authentication problems and chains of custody of digital evidence, as well as cross-jurisdictional barriers. On the social side, the legal culture of the community, especially young people, has not fully internalized the value of prohibition so that sanctions do not always present an optimal deterrent effect. Therefore, the strengthening strategy does not rely enough on criminalization, but needs to balance substance improvement, technical capacity building, and value strengthening.

Enforcement efforts in Aceh have in fact been carried out optimally through three complementary axes. The repressive axis can be seen in undercover investigations, sting operations, file construction from the investigation stage, and the receipt of cyber

forensic evidence at trial. The preventive-situational axis can be seen in the patrol and encouragement of the installation of site filters by the PP/WH Police which needs to be supported by improved competence and digital equipment.

The education-community axis is strengthened by DSI through counseling in gampongs and educational institutions and by the Ministry of Education through the "Legal Information" and "Prosecutor Entering School/Dayah" programs, while the MPU strengthens social control based on religious and family values. In a theoretical framework, this configuration is in line with the ideas of an integrated criminal justice system, situational crime prevention, crime prevention through community engagement, and social control theory, while reflecting the three pillars of Friedman-style legal effectiveness that need to be balanced. With improved coordination, limited revision of Qanun to provide certainty for digital modes, and continued investment in literacy and forensic infrastructure, the implementation of Qanun Jinayat in Aceh has the potential to be more effective, adaptive, and responsive to the dynamics of cross-border cybercrime.

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