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### LETTER OF ACCEPTANCE

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Dear Authors,

Teuku Muhammad Alvis Alden, Misran and Novi Heryanti

We are pleased to inform you that your paper entitled "**Effectiveness of the Implementation of Qanun Jinayat by the Wilayatul Hisbah in Handling Online Gambling in Banda Aceh**" has been **accepted** for publication in the "Journal of Governance and Social Policy" managed by the Department of Government Studies, Faculty of Social and Political Science, Universitas Syiah Kuala.

Your paper will be published in Volume 7, Issue 1, which is scheduled for release in June 2026 as part of our regular issue.

We extend our gratitude for your valuable contribution to presenting this research. Your work has undergone evaluation and has been selected to proceed to the next stage, which involves the process of copyediting and publication.


Our editorial team will be in touch with you shortly to commence the copyediting process. We look forward to your cooperation in this process to ensure that your work is conveyed effectively and in accordance with our journal standards.

Once again, congratulations on your achievement, and thank you for your dedication to contributing to this field of knowledge.

Banda Aceh  
March 3, 2026

Best regards,



  
Wais Alqarni, S.IP., M.A  
Editor-in-Chief

# Effectiveness Of The Implementation Of Qanun Jinayat By The Wilayatul Hisbah In Handling Online Gambling In Banda Aceh

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## Abstract

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Penelitian ini bertujuan menganalisis efektivitas penerapan Qanun Jinayat oleh Wilayatul Hisbah (WH) dalam menangani perjudian online di Banda Aceh serta faktor-faktor yang memengaruhi pelaksanaannya. Penelitian menggunakan metode yuridis-empiris dengan data yang diperoleh melalui wawancara dengan pejabat WH, aparat penegak hukum, dan masyarakat. Hasil penelitian menunjukkan bahwa penegakan Qanun Jinayat dilakukan melalui penyelidikan, patroli siber, koordinasi antarinstansi, dan proses hukum syariat. Namun, efektivitasnya masih terkendala oleh keterbatasan kemampuan deteksi digital, rendahnya partisipasi masyarakat dalam pelaporan, serta keterbatasan sumber daya manusia. Upaya yang dilakukan meliputi peningkatan kerja sama dengan Kepolisian dan Dinas Komunikasi dan Informatika, penguatan literasi digital masyarakat, serta pelatihan teknologi informasi bagi personel WH. Penelitian menyimpulkan bahwa penegakan Qanun Jinayat terhadap perjudian online telah berjalan baik secara normatif, tetapi efektivitas praktisnya masih dipengaruhi oleh faktor teknologi dan kesadaran hukum masyarakat.

**Kata kunci:** Qanun Jinayat, Wilayatul Hisbah, perjudian online, penegakan Hukum Aceh.

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## Abstract

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This study aims to analyze the effectiveness of the implementation of the Qanun Jinayat by the Wilayatul Hisbah (WH) in addressing online gambling cases in Banda Aceh, as well as the factors influencing its implementation. The study employs a juridical-empirical method, with data collected through interviews with WH officials, law enforcement officers, and local community members. The findings indicate that the enforcement of the Qanun Jinayat is carried out through investigations, cyber patrols, inter-agency coordination, and the processing of offenders under Islamic law. However, its effectiveness is still constrained by limited digital detection capabilities, low public participation in reporting violations, and insufficient human resources within WH. Efforts to improve enforcement include strengthening cooperation with the Police and the Department of Communication and Informatics, enhancing public digital literacy, and providing information technology training for WH personnel. The study concludes that the enforcement of the Qanun Jinayat against online gambling has been normatively effective, although its practical effectiveness remains limited by technological challenges and the level of public legal awareness.

Optimization efforts include increasing cooperation with the Police and the Communications and Information Technology Agency, strengthening public digital literacy, and providing information technology training for WH personnel. This study concludes that enforcement of the Qanun Jinayat against online gambling in Banda Aceh has been well-established, but its practical effectiveness is still limited by technological factors and public legal awareness.

*Keywords: Qanun Jinayat, Wilayatul Hisbah, Online Gambling, Law Enforcement, Aceh.*

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## INTRODUCTION

The development of digital technology has brought very foundational changes in the life of modern society, both in social, economic, and legal aspects. Digital transformation, marked by the massive use of the internet and smart devices, has created a new interaction space that is virtual, fast, and difficult to control. On the one hand, this progress provides convenience and efficiency, but on the other hand, it also opens up opportunities for the occurrence of various forms of deviant behavior that were previously difficult to do. One of the phenomena that has experienced significant developments due to digitalization is the practice of gambling, which is no longer limited to physical spaces, but has shifted to the online domain with increasingly complex and covert patterns.

From the perspective of islamic teachings, gambling or maisir are acts that are expressly forbidden because they are contrary to the principles of justice, rationality and the best of the people. This prohibition is explicitly affirmed in qs al-māidah verse 90 which states that khamar, gambling, drawing of fate, and idolatry are including violent deeds that come from the deeds of satan and must be avoided in order for human beings to get luck. This verse shows that gambling is not only viewed as an individual violation, but also As an action that has the potential to damage social order, weaken work ethic, and encourage consumer and speculative behavior that is contrary to islamic values.

As a region that has special provisions in the implementation of islamic shariat, aceh then adopted the prohibition of gambling into the regional positive legal system through aceh qanun number 6 of 2014 concerning jinayat law. This qanun comprehensively regulates various types of jarimah, including maisir, and set forth

criminal sanctions in the form of uqubat for the perpetrators. Thus, the prohibition of gambling is not only normative-religious in nature, but also obtains formal legitimacy that binds all acehen society without exception.

Along with the advancement of information and communication technology, the practice of maisir has experienced a transformation in its form and modus operandi. Gambling, previously conducted in personal places in certain places, is now shifting to online platforms accessible via personal mobile phones, social media, or foreign-based websites. This change makes gambling increasingly difficult to monitor because perpetrators can operate anonymously, across regions, and without physical contact, thus creating new challenges for the enforcement of sharia law in aceh.

In the framework of enforcement of qanun jinayat, wilayatul hisbah (wh) has a strategic role as an apparatus for enforcement of islamic sharia. This authority is normatively regulated in article 18 paragraph (1) of qanun aceh number 6 of 2014 concerning jinayat law, which gives a mandate to wh to conduct supervision, guidance, investigations, and take action against violations of jarimah, including maysir. Legally, this authority also includes practices Gambling conducted through online media, considering the absence of exceptions for any form of crime in these provisions.

However, the reality of law enforcement in the field shows a significant gap between legal norms and its implementation. Official data from the satpol pp and the wilayatul hisbah of banda aceh city during the period of 2023 to 2025 shows that all maisir cases successfully processed up to the stage of imposing jinayat sanctions are still dominated by conventional gambling. All of these cases are resolved through the implementation of uqubat cambuk, while not a single online gambling case has been successfully processed up to the stage of jinayat criminalization.

This condition cannot be interpreted as the absence of online gambling practices in banda aceh, but it more reflects the limitations of sharia enforcement officers in reaching digital-based crimes. Handling of online gambling by the wh has so far tenden to still be at the prevention, socialization, supervision, and cyber patrol stages, without the capability to bring these cases to formal legal processes as mandated by qanun jinayat.

One of the main factors causing weak enforcement against online gambling is

the dynamic and difficult-to-trace characteristics of digital crime. Online gambling platforms often use constantly changing domains, servers located outside aceh, and an electronic transaction system that makes it difficult to identify perpetrators. This condition directly impact the difficulty of wh in fulfilling the elements of legal proof required in the jinayat enforcement process.

In addition, the challenge of cyber forensic evidence is a very crucial obstacle. Handling digital crime requires the availability of special technological devices, human resources with digital forensic expertise, and effective cross-institutional coordination mechanisms. In this context, the institutional capacity of wilayatul hisbah is still relatively limited when compared to the complexity and speed of development of cyber crime.

Despite this, wilayatul hisbah has undertaken various adaptive and collaborative efforts, including working with the police and related agencies to prevent and supervise online gambling. However, these efforts have not been fully able to comprehensively answer the challenges of legal enforcement, therefore the effectiveness of qanun jinayat enforcement against online gambling is still not optimal.

The rise of online gambling increasingly exposes the gap between established regulations and social reality on the ground. 2025 data shows two registered online gambling cases, the same number as the total cases throughout 2024. This fact indicates that online gambling practices have not experienced a significant decrease despite the strictly implementation of the legal prohibition.

According to the banda aceh police officer, the rise in online gambling is also influenced by the community's difficult economic conditions. Many citizens are entertained by the promise of instant profits and huge prizes offered by online gambling sites, even though they end out suffer significant financial losses. This phenomenon shows that economic and psychological factors are playing a role in the rise of online gambling practices. This situation shows that despite the clear normative mandate of the wilayatul hisba, the police have disclosed most of the online gambling cases. This condition indicates limited wh capabilities in detecting and responding to digital crimes, which ultimately weakens the effectiveness of sharia law enforcement in the digital era. In addition to technical factors, the low legal literacy of the public

and the massive presence of online gambling advertising on social media have worsened the situation. The public is often unaware of the legal and moral consequences of involvement in online gambling, so law enforcement alone is not enough without educational efforts and increasing public awareness.

Thus, the core of the problem in this research is in the ineffectiveness of the enforcement of qanun jinayat by the wilayatul hisbah of banda aceh city in handling online gambling, even though the number of cases continues to increase and its legal authority has been clearly regulated. Therefore, this research is important to deeply study the causal factors, operational obstacles, and formulate strategies to strengthen the role of wilayatul hisbah in enforcement of islamic sharia law in the digital era.

## **RESEARCH METHODS**

This research uses a juridical-empirical method, namely legal research that not only studies the written norms in the Qanun Jinayat, but also their implementation in enforcement practices by Wilayatul Hisbah officers.

This research uses a qualitative approach with a sociological character, with an emphasis on in-depth interviews with key informants, such as officials of the Banda Aceh Wilayatul Hisbah, community leaders, and Islamic law academics.

The types of data used consist of:

1. Primary data, namely data obtained directly from the results of in-depth interviews with the Wilayatul Hisbah, especially direct interviews with WH officials who are authorized to enforce the Qanun Jinayat.
2. Secondary data, namely data obtained from Islamic criminal law books, academic literature, scientific journals, laws and regulations, Aceh Qanun, and the Banda Aceh Satpol PP & WH Annual Report which contains data on the development of maisir cases from 2023–2025.

Data analysis was conducted using a descriptive-qualitative method, systematically processing, categorizing, and interpreting primary and secondary data to understand how the Qanun Jinayat is enforced and the factors influencing the effectiveness of handling online gambling cases. This analysis aims to produce comprehensive conclusions regarding the extent to which the Banda Aceh Regional Police (Wilayatul Hisbah) is able to exercise its authority in addressing digital-based

sharia violations.

## RESULTS AND DISCUSSION

### Online Gambling Cases in Aceh in 2023-2025

Despite a well-implemented enforcement system, the rate of online gambling cases in Banda Aceh remains relatively high. According to data from the Banda Aceh Regional Police (Wilayatul Hisbah) (2023), 46 online gambling reports were received in 2024, a 65% increase compared to the previous year.

**Table 1 Data on Handling Maisir (Gambling) Cases — WH Banda Aceh**

Year	Number of Cases	Build	Whip
2023	26 cases	15	11
2024	18 cases	-	18
2025	13 cases	-	13

Available data shows that the Wilayatul Hisbah (WH) has, in principle, taken action against gambling crimes, both conventional and online. These efforts reflect institutional awareness that gambling practices, in any form, constitute a serious violation of Islamic law and the Aceh Qanun on Jinayat Law.

The focus is predominantly on conventional gambling, while relatively few online gambling cases are brought to formal legal proceedings. This situation indicates structural and technical obstacles in enforcing the law against digital-based gambling practices.

The dominance of enforcement against conventional gambling demonstrates that the WH's mechanisms remain more effective in addressing visible violations committed in physical spaces. Conventional gambling is relatively easy to detect because it involves face-to-face meetings, physical evidence, and perpetrators within a clearly defined jurisdiction. In contrast, online gambling is inherently hidden, cross-border, and technology-based, requiring a different and more complex law enforcement approach than conventional enforcement.

According to a report by Serambinews.com dated July 26, 2025, the Banda Aceh Police Criminal Investigation Unit has named 12 suspects in online gambling

cases within the city of Banda Aceh. This number is the same as the total number of suspects in online gambling cases throughout 2024. This data indicates that online gambling practices have not decreased significantly year-over-year, despite various prevention and enforcement efforts by law enforcement officials.

Banda Aceh Police Chief, Senior Commissioner Joko Heri Purwono, explained in his statement that the rise of online gambling is inextricably linked to the increasingly difficult economic conditions of the community. Limited job opportunities and increasing economic pressures have pushed some people to seek shortcuts to earn income. In this context, online gambling is often perceived as a quick opportunity to make money, although in reality, it causes more harm to those involved.

Furthermore, Senior Commissioner Joko emphasized that the main attraction of online gambling lies in the promise of large prizes and easy access via digital devices. Online gambling sites are designed to create the illusion of instant wins and profits, easily luring people into the trap without warning considering the legal risks and social impacts. This phenomenon demonstrates the exploitation of people's economic and psychological vulnerabilities by online gambling service providers.

In handling online gambling cases, the Banda Aceh Police have tended to prioritize preventative measures over repressive legal action. This approach aims to reduce the number of people involved in online gambling practices through education, warnings, and guidance. Nevertheless, Senior Commissioner Joko emphasized that online gambling remains a criminal offense, and any perpetrators found involved will be prosecuted according to applicable laws.

This assertion demonstrates that the police view online gambling as a crime with far-reaching implications, not only legally but also socially and economically. Online gambling practices are considered to undermine individual financial stability, trigger domestic conflict, and disrupt social order. Therefore, while a preventative approach is prioritized, legal enforcement remains a crucial tool in addressing this phenomenon.

On the other hand, the significant increase in online gambling practices in Banda Aceh in recent years has not been fully reflected in the Wilayatul Hisbah's enforcement reports. This situation indicates that the WH's handling of digital

gambling still faces certain limitations, both in terms of institutional aspects, human resources, and technological support. Consequently, the WH's role in cracking down on online gambling has not been optimally implemented, as mandated by its normative mandate.

Meanwhile, the Banda Aceh City Police have been recorded as having successfully uncovered several online gambling networks, demonstrating that law enforcement against digital crimes is primarily conducted through national legal mechanisms. This fact demonstrates the unequal role between the WH and the police in handling online gambling and indicates that the enforcement of the Qanun Jinayat in the digital sector is still not optimal.

Based on the results of the interview with Mr. Zamzami, the increase in online gambling cases is not solely caused by weak law enforcement.

According to him, the main factor lies in the rapid development of technology and the digital economy, often outpacing the adaptive capabilities of law enforcement. Many online gambling sites use servers located overseas, complicating the process of tracing and legal action.

Furthermore, online gambling transactions are often conducted through cryptocurrencies or other anonymous digital payment systems. This transaction pattern makes the flow of funds difficult to trace and verify, posing a serious obstacle to legal prosecution. This situation demonstrates that online gambling is not only a legal violation but also a technical challenge for modern law enforcement systems.

Economic factors are also a major driver of the rise in online gambling, particularly among lower-middle-class individuals. In times of economic constraints, online gambling is often viewed as a "quick opportunity" to make money without requiring significant capital or specialized skills. This perception makes people more susceptible to the lure of online gambling providers, despite the significant risk of loss.

These empirical findings align with research by Hidayat (2022) in the Indonesian Journal of Criminology, which states that online gambling behavior tends to increase among productive age groups impacted by post-pandemic economic pressures. This group is vulnerable because they face high economic demands but have limited job opportunities, making online gambling a false but tempting

alternative.

Mahfudz (2023) also expressed a similar sentiment, emphasizing that low digital financial literacy makes people susceptible to the lure of winnings in online gambling applications. The inability to understand how digital systems work and the associated financial risks exacerbates people's vulnerability to online gambling practices.

Thus, the increase in online gambling cases reflects an imbalance between existing regulations and the ability to adapt.

institutional aspects in its implementation. The Qanun Jinayat provides a clear legal basis, but its effectiveness depends heavily on the readiness of law enforcement officers, supporting facilities, and social conditions in the community.

As Soerjono Soekanto (2011) points out, legal effectiveness is influenced by four main factors: legal substance, law enforcement officers, facilities, and public legal awareness. In the context of handling online gambling in Aceh, these four factors have not yet fully aligned, so law enforcement against online gambling still faces various limitations and requires more comprehensive strengthening.

### **The Process of Enforcing the Qanun Jinayat Against Online Gambling by the Wilayatul Hisbah**

Based on the results of field research conducted by the author at the Banda Aceh Regional Office (WH) in May 2025, it can be seen that the process of enforcing the Qanun Jinayat (Islamic Law) regarding online gambling cases has been carried out through a relatively systematic and adaptive mechanism to technological developments. This enforcement is not only oriented towards the aspect of prosecution, but also includes prevention, education, and supervision efforts based on information technology. These findings indicate that the WH Banda Aceh has attempted to adapt its work pattern of sharia enforcement to the dynamic and hidden characteristics of digital crime, while remaining within the framework of authority regulated by the Aceh Qanun on Jinayat Law.

An in-depth interview with Mr. Zamzami, an enforcement officer at the Wilayatul Hisbah (Islamic Law Enforcement Agency), revealed that handling online gambling cases begins with receiving public reports. These reports then serve as the

basis for the WH to conduct initial monitoring and preliminary investigations to determine any indications of sharia violations. This stage is crucial because online gambling cannot always be detected immediately, so public participation is crucial in providing initial access for sharia enforcement officers to conduct further investigations.

Following the initial monitoring phase, Wilayatul Hisbah conducted cyber patrols as part of its law enforcement strategy against online gambling. These patrols were conducted by monitoring websites, digital applications, and social media accounts suspected of being used to promote or facilitate online gambling activities. Through cyber patrols, the WH is attempting to identify online gambling operational patterns and the actors involved, despite challenges such as the use of anonymous accounts, frequently changing domains, and servers located outside Aceh.

If strong indications of violations are found, the Wilayatul Hisbah will then secure digital evidence as part of the legal evidence process. This evidence includes screenshots of gambling activities, documentation of online gambling promotions, and tracing of financial transaction flows through bank accounts or e-wallets. This digital evidence is then compiled and included in an Examination Report (BAP) as the basis for determining further law enforcement action in accordance with the provisions of the Qanun Jinayat.

In certain cases involving cross-regional gambling networks or requiring specialized technical support, the Wilayatul Hisbah coordinates with relevant agencies, such as the police and the Communications and Information Technology Agency. This coordination includes information exchange, in-depth investigations, and even blocking access to online gambling sites or applications. This cross-sectoral working pattern demonstrates that enforcing sharia law in the area of digital crime cannot be done unilaterally but requires synergy between institutions to increase the effectiveness of handling.

In addition to enforcement, the Wilayatul Hisbah (WH) is also actively developing prevention strategies through persuasive and collaborative approaches with the community. Mr. Fadil explained that one focus of prevention is directed at coffee shop (warkop) owners, who often use internet facilities for online gambling.

Through direct communication and appeals, the WH encourages warkop owners to monitor customer activity and ensure their businesses are not used for Sharia violations.

This collaborative approach with coffee shop owners and the community is considered effective because it can suppress the potential for online gambling without creating social resistance. By involving business actors as oversight partners, the WH does not. This strategy not only expands the scope of surveillance but also builds collective awareness of shared responsibility in upholding Islamic law. This strategy demonstrates that community-based prevention can be a crucial tool in addressing digital crimes that are difficult to control through repressive means alone.

Regarding the effectiveness of handling online gambling, Mr. Fadil assessed that the enforcement of the Qanun Jinayat by the Wilayatul Hisbah Banda Aceh has so far been quite good, seen from the increasing intensity of supervision, relatively quick response to public reports, and the establishment of cooperation with other law enforcement officers and the community. However, he also acknowledged that the character of online gambling which continues to develop and change rapidly requires the WH to constantly adapt its supervision and law enforcement strategies to remain relevant and effective. Normatively, the entire process is in line with Aceh Qanun Number 6 of 2014 concerning Jinayat Law, specifically Article 18 paragraph (1) letter a concerning the uqubat ta'zir for perpetrators of maisir, including those carried out online, so it can be concluded that the enforcement of the Qanun Jinayat against online gambling in Banda Aceh has been implemented in a layered and comprehensive manner, although it still requires continuous strengthening.

### **Obstacles Faced by Wilayatul Hisbah**

Enforcing the Qanun Jinayat (Islamic Law) on online gambling is not without its challenges, both technical and structural. Interviews with WH officers revealed the following key obstacles:

1. Information Technology Capacity Limitations

The WH doesn't yet have adequate digital forensic equipment to track overseas servers or trace electronic transactions. According to Fadil, "We often encounter obstacles when tracing digital evidence due to limited

equipment. Often, evidence is deleted before it can be secured."

2. Lack of Expert Human Resources in the Cyber Field

Most WH members have a background in sharia law, not information technology. This makes it difficult for them to understand the workings of digital networks, while online gambling is becoming increasingly prevalent. Hasibuan's (2022) research also confirms that human resource unpreparedness is the main cause of weak cyber law enforcement at the regional level.

3. Lack of Inter-Agency Coordination

The coordination process between the WH, the Police, and the Ministry of Communication and Information Technology is often hampered by bureaucratic hurdles. Despite a memorandum of understanding (MoU), its implementation has not been optimal. Marlina (2023) assessed that the lack of integration between law enforcement agencies often hampers the effective implementation of the Qanun in Aceh.

4. Low Public Awareness and Participation

Many people are reluctant to report online gambling activities because they consider them not serious violations. According to Amiruddin & Asikin (2020), law enforcement will not be effective without public compliance, or the public's willingness to participate in upholding legal norms.

5. The Impact of Social Stigma on Sharia Enforcers

Some people still consider the WH to be too repressive, especially after several cases went viral on social media. This has sparked social resistance that has affected public acceptance of Qanun enforcement. Therefore, the WH is now working to shift its approach to a more educational and open one.

To address these challenges, WH Banda Aceh has developed a number of strategic steps. Based on interviews, the ongoing efforts include:

1. Improving Community Digital Literacy. WH collaborated with the Banda Aceh City Communications and Information Agency and the Ministry of Religious Affairs to conduct anti-digital gambling training in schools and religious study groups.

2. Improving Officer Competence. Basic cyber investigation training for WH members has been implemented since early 2024.
3. Legal Socialization and Preventive Preaching. WH collaborates with religious scholars and preachers to explain the impact of the sin of gambling and its legal consequences.

This approach shows that the enforcement of the Qanun Jinayat has moved towards a preventive and educational legal model, as suggested by Rahardjo (2010) and Zehr (2002), that the law must be a tool for social reconciliation, not just a tool for punishment.

Furthermore, the implementation of sharia law in Aceh needs to be understood within the framework of maqasid al-syari'ah (obligatory objectives), namely safeguarding religion (hifz al-din), life (hifz al-nafs), reason (hifz al-'aql), and wealth (hifz al-mal). In this context, law enforcement against online gambling not only prosecutes perpetrators but also protects society from moral and social damage caused by the misuse of technology.

As Rahmawati & Fauzan (2023) noted in the Journal of Sharia and Islamic Law, the success of implementing the Qanun in Aceh is greatly influenced by the ability of law enforcement agencies to combine Islamic legal values, modern technological approaches, and socio-cultural understanding of the community. This approach is what the WH Banda Aceh has begun to develop through a transformation towards values-based and innovation-based law enforcement.

### **The Effectiveness of the Qaanun Jinayat in Handling Online Gambling by the WH in Banda Aceh**

Based on the author's field research and in-depth interviews with Mr. Fadil, an enforcement officer at the Banda Aceh Regional Office (WH), it is clear that the effectiveness of the Qanun Jinayat enforcement in handling online gambling cases is quite effective, although it still faces various structural, technical, and institutional challenges. This effectiveness is not only assessed by the number of cases successfully prosecuted, but also by how systematic and sustainable law enforcement mechanisms are implemented in accordance with the mandate of Aceh Qanun Number 6 of 2014 concerning Jinayat Law.

The effectiveness of this enforcement is reflected in the structured and coordinated work patterns of the Wilayatul Hisbah, starting from the initial monitoring stage, receiving public reports, cyber patrols, and then implementing collaborative enforcement and prevention efforts. The WH not only waits for reports but also actively monitors potential Sharia violations in the digital space, demonstrating institutional adaptation to the hidden and evolving nature of online gambling.

According to Mr. Fadil, the WH's efforts to handle and prevent online gambling have shown relatively positive results. This can be seen from The WH's increased ability to utilize information technology to monitor indications of online gambling, whether through social media, digital applications, or specific websites. Furthermore, the WH's response to public reports is considered increasingly rapid and measured, allowing potential violations to be promptly addressed before they escalate into more widespread practice.

This effectiveness is further strengthened by the development of cross-sectoral collaboration between the Wilayatul Hisbah (Wilayatul Hisbah) and relevant agencies, such as the police, the Communications and Information Agency, and businesses, particularly internet cafe and coffee shop owners. This collaboration is crucial given that these locations are often used as internet access points for online gambling activities. By involving businesses as monitoring partners, the WH is able to expand its monitoring reach without having to rely entirely on law enforcement.

Furthermore, Mr. Fadil explained that the implementation of the Qanun Jinayat in handling online gambling is not solely oriented towards repressive action. The WH also prioritizes a preventive and educational approach through moral guidance or ta'dib, particularly in certain cases involving novice perpetrators or members of the public who do not yet fully understand the legal consequences and social impacts of online gambling. This approach reflects the character of Sharia law enforcement, which not only punishes but also educates and fosters the community.

However, empirically, enforcement of online gambling, including judicial proceedings and the imposition of criminal sanctions, remains relatively limited. This indicates that law enforcement has not yet fully achieved its effectiveness at the final stage, namely the imposition of criminal sanctions in accordance with the provisions

of the Qanun Jinayat. This limitation is not solely due to weak enforcement, but rather to the complex nature of digital crime, which is difficult to prove legally.

Mr. Fadil revealed that one of the main obstacles to law enforcement against online gambling is the dynamic and rapidly changing nature of digital crime. Online gambling platforms frequently change domains, use overseas servers, and utilize anonymous accounts and difficult-to-trace digital payment systems. This situation complicates the process of gathering strong and valid evidence.

Furthermore, limited human resources and supporting facilities for cyber patrols also pose challenges for the Wilayatul Hisbah. Not all officers possess technical expertise in digital forensics, while the need for cyberspace surveillance is increasing. Limited budgets, technological equipment, and specialized training also impact optimal enforcement of the Qanun Jinayat (Islamic Law) in the context of online gambling crimes.

Overall, the enforcement of the Qanun Jinayat against online gambling in Banda Aceh can be considered moderately effective. Based on subjective assessments and estimates from informants, this effectiveness rate is estimated to be around 70 percent. This figure reflects that the WH has carried out its role quite well, particularly in the areas of supervision, prevention, and institutional coordination, although it has not been fully optimal in terms of legal enforcement until the final stage.

Therefore, to enhance the effectiveness of Qanun Jinayat enforcement against online gambling to a more optimal level, strengthening technological capacity, improving the quality of human resources, and fostering sustainable institutional synergy are necessary. These efforts are crucial for the Wilayatul Hisbah (Islamic Court) to be able to address the increasingly complex developments in digital crime, while also ensuring that Sharia law enforcement in Aceh remains relevant, adaptive, and effective in the digital era.

### **Theory of Legal Effectiveness**

The theory of legal effectiveness essentially discusses the extent to which a legal rule is able to achieve the objectives set by the legislators. Law is not only understood as a collection of written norms, but also as a social instrument that functions to regulate societal behavior and create order, justice, and legal certainty.

According to Hans Kelsen (1961), legal effectiveness is closely related to the level of societal compliance with applicable legal norms, because law can only function if its norms are truly implemented in social practice. Thus, the normative existence of law does not automatically guarantee its effectiveness, if it is not followed by compliance and acceptance by society as a legal subject.

Furthermore, Soerjono Soekanto (2008) stated that legal effectiveness is influenced by five main factors: the law itself, law enforcement officials, supporting facilities, community factors, and cultural factors. Legal factors include clarity of norms, consistency of regulations, and the appropriateness of regulations to social needs. If a legal regulation is not clearly formulated or conflicts with prevailing values in society, its implementation will face various obstacles. Therefore, the quality of legal substance is a primary prerequisite for achieving real legal effectiveness.

Law enforcement officials also play a crucial role in determining the effectiveness of the law. Professional officials with integrity and a thorough understanding of the law will be able to enforce the rules fairly and consistently. According to Friedman (1975), the legal structure, which includes law enforcement agencies and their officials, is a key element in the legal system that influences the success of law enforcement. When law enforcement officials are discriminatory, weak, or inconsistent, the law will lose its authority and public trust, leading to a decline in public compliance with the law.

Furthermore, the effectiveness of the law is greatly influenced by the availability of facilities and infrastructure that support the law enforcement process. These facilities include human resources, budget, technology, and adequate administrative mechanisms. Without adequate facilities, law enforcement officers will struggle to carry out their duties optimally. This aligns with Satjipto Rahardjo's (2009) opinion, which emphasizes that law must be understood as a process, not simply text. Therefore, the success of the law depends heavily on the institution's ability to manage and implement the law enforcement process effectively and fairly.

Societal factors are also a determining factor in the effectiveness of law, as law is essentially intended to regulate social behavior. The level of legal awareness, understanding of norms, and societal attitudes toward the law will greatly influence the success of its implementation. According to Achmad Ali (2012), society

Those with high legal awareness tend to obey the law not out of fear of sanctions, but out of an awareness of the benefits and justice inherent in the law. Conversely, low legal literacy can lead to structural and repeated violations of the law.

Finally, the effectiveness of law cannot be separated from the cultural factors that exist and develop within society. Local cultural values, religion, and traditions shape how society views law and justice. Lawrence M. Friedman (1975) refers to this element as legal culture, which refers to the attitudes, values, and expectations of society toward the legal system. If the law aligns with the cultural values and beliefs of society, its acceptance will be stronger and its implementation more effective. Therefore, effective law is law that is not only normatively valid but also socially and culturally accepted by society.

## **CLOSING**

### **Conclusion**

Based on the research results, it can be concluded that the enforcement of the Qanun Jinayat (Islamic Law) against online gambling crimes by the Wilayatul Hisbah Banda Aceh has essentially complied with applicable legal provisions. The case handling process follows a relatively clear and structured process, from supervision and enforcement to the transfer of the case to the Sharia Court.

However, in practice, law enforcement has not been fully optimal. Various obstacles remain, such as limited human resources, technological support facilities and infrastructure, and the digital and trans-regional nature of online gambling. Furthermore, legal culture and public awareness also influence the effectiveness of Qanun Jinayat enforcement. Therefore, the success of Sharia law enforcement depends not only on the strength of legal norms but also on the ability of officials to implement them and the support of the public as legal subjects.

## **Suggestion**

Based on these conclusions, it is recommended that the Banda Aceh Regional Police (Wilayah Hisbah) continue to improve its human resource capacity, particularly in information technology and digital crime investigation, so that it can adapt to the increasingly complex forms of online gambling. Coordination and cooperation between relevant agencies also need to be strengthened to ensure more effective and integrated case handling.

Furthermore, local governments are expected to promote policy reforms and strategies for enforcing the Qanun Jinayat (Islamic Law) to be more adaptive to technological developments. Continuous legal education and outreach efforts to the public are also needed to foster legal awareness and build a legal culture that supports the enforcement of Islamic law in Aceh.

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