

**THE CRIME OF ONLINE GAMBLING IN THE SLOTS TYPE AMONG
TEENAGERS IN A SOCIAL PRACTICE THAT CONTRADICTS
ARTICLE 303 OF THE KUHP
(CASE STUDY IN KARAWANG DISTRICT)**

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Abstract

Modern era advances encourage advances in internet technology providing benefits to society. Everything in electronic media can be accessed freely by the general public. On the other hand, advances in internet-based electronic media can also have negative impacts, such as the rise of new issues in society, especially the rise of online gambling cases. Online gambling refers to a type of betting activity in which participants place bets against each other using money as a betting tool chosen by online players and gamblers and carried out using electronic media connected to the internet. In this problem in Karawang district, online gambling is very widespread among teenagers and has a bad impact on users who gamble online. The role of law enforcement officials must be to participate in helping and following up on problems that are already circulating in the community. Online gambling violates laws and social conventions, as well as moral principles. As a result, anyone involved in internet gambling must face severe criminal penalties. Article 303, Article 303 bis of the Criminal Code, Article 2 paragraphs (1), (2), and (3) of Law Number 7 of 1974 concerning Gambling, and Article 27 paragraph 2 Jo. Article 45 paragraph 2 of the ITE Law contains provisions that regulate criminal acts for online gambling players in Indonesia.

Keywords: Electronic Media, Online Gambling, Crime.

INTRODUCTION

In this era of globalization, technology is developing very rapidly and offers many benefits for everyone who has advanced in various fields, especially law. The Republic of Indonesia according to Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia (UUD of the Republic of Indonesia) is a legal state. This development in society has been well received by the government with the enactment of Law Number 11 of 2008 which was amended by Law Number 19 of 2016 concerning Information and Electronic Transactions (UU ITE) so that it can reduce risks in society. In Law Number 19 of 2016 concerning information and electronic transactions (UU ITE), many of the restrictions imposed do not constitute a violation of freedom of expression or a violation of the right to education,

information and technology, all of which are regulated in the National Constitution of the Republic of Indonesia in 1945.

According to Article 1 Paragraph 3 of the Constitution of the Unitary State of the Republic of Indonesia, "Indonesia is a country of law". How advanced a country is can be measured by the level of legal awareness of its people; These factors play an important role in the legal development of a country. The level of public legal awareness creates a smooth law enforcement atmosphere, which provides a sense of justice, legal security and benefits for the community. As time goes by, it cannot be denied that developments are increasingly advanced and rapid, especially in the field of technology which continues to develop. In fact, there are major advances in this field of technology, which can help everything in this field. However, who would have thought that this development would actually be a backlash against society? Currently crimes are committed not only in the real world but also via the internet, or often referred to as cyber crimes.

Gambling is one of the most common crimes committed in cyberspace. Gambling is also a crime that can disturb society, which makes it difficult to stop. Due to its closed nature, the crime of gambling is difficult to overcome. Because gambling occurs all over the world, it has become a national and international problem. This criminal act continues to increase every day, and its forms also continue to change.

The prohibition on gambling using electronic media or better known as online gambling has been around for a long time and is very strictly regulated in several laws and regulations. Even with the many regulations that tighten the scope of gambling, gamblers are increasingly creative in running this illegal business. In its implementation, Law Number 11 of 2008 concerning Information and Electronic Transactions cannot be separated from the implementation of other laws and regulations.

The material criminal law currently in force in Indonesia consists of the entire system of statutory regulations (statutory rules) contained in the Criminal Code (as the main general rules), and laws outside the Criminal Code. The Criminal Code consists of general rules, namely in book I, and special rules, namely in book II and book III. Apart from that, there are also special regulations in the Criminal Law which are spread outside the Criminal Code. Implementation of UU NOo. 11 of 2008 concerning electronic information and transactions, there are many related legal provisions, because this Law is a special Law on the Criminal Code which regulates criminal acts of online gambling. The result is the general requirements for the implementation of Law no. 11 of 2008 concerning electronic information and transactions must refer to general laws, namely the Criminal Code and other laws.

Adults and teenagers are interested in playing gambling with the aim of getting as much profit as possible because of the many advantages offered by online gambling sites. As a result, players can become addicted due to dependency caused by the desire to keep trying. Increasing levels of poverty and the amount of debt borrowing can lead to an increase in the level of crime caused by online gambling players and can have a direct or indirect negative impact on society (Fatimah & Taun, 2023).

Therefore, society basically agrees that gambling must be eradicated in a sustainable manner and without discrimination against the perpetrators, so that they appear deterred and aware that gambling is a disease of society. With the large number of gambling games in certain communities, the already miserable and difficult situation of the community will be made even

worse. Gambling that is detrimental to society must be prevented and stopped or avoided because of its negative impact on society (Rumbay, 2023). Gambling is considered an easy way for ordinary people to earn money. They do not realize that the consequences of gambling are much more dangerous and detrimental than the profits they gain, which is very rare. In social life you will definitely face social problems. A problem is a social problem if it has negative consequences in social life in society. As a result of this social problem, it affects people's lives so that interactions in society are very disturbed. The negative consequences are very big if they are not overcome as quickly as possible. Therefore, law enforcers, especially police officers, must act firmly and seriously in dealing with crime, especially the crime of gambling which has spread everywhere.

RESEARCH METHOD

This research was conducted using normative legal research methods, considering the object/focus of this research study is a product of statutory regulations (Marzuki, 2017). The approach used is the statutory approach (Statue Approach), an approach that utilizes an analysis of statutory provisions that have a link or relevance to the legal issues in this study (Ibrahim, 2013) and the case approach (Case Approach), an approach to cases related to the issues examined by the author.

The data analysis technique that will be used in this study is to use a qualitative juridical analysis method in the form of interpretation of legal materials, then the results of the analysis will be linked to the problems abbreviated in this study in order to produce an objective assessment in answering the issues raised in this research. (Ali, 2013). The data sources used in this study are primary legal materials in the form of legal materials that have authority and are binding. Secondary legal materials are explanations related to primary legal materials such as legal books, scientific papers, internet materials, articles, opinions from legal experts, and other legal materials (Ibrahim, 2013).

DISCUSS AND ANALYSIS

Legal Regulations Against the Crime of Slot Type Gambling

The crime of gambling on the internet is now a major problem in the computer and internet era. This phenomenon has many negative consequences, both for individuals and groups. The crime of online gambling is considered a criminal offense subject to punishment under the electronic information and transactions law. Therefore, the government and society must prioritize preventing criminal acts of online gambling, by implementing strict regulations and policies and increasing public awareness about information laws and electronic transactions (Rumbay, 2023). Article 303 of the Criminal Code and Article 303 bis of the Criminal Code regulate punishment in cases. Article 1 of the Elucidation to Law Number 7 of 1974 states that, therefore, the government and society must prioritize preventing online gambling crimes, by implementing strict regulations and policies and increasing public awareness. about information law and electronic transactions (Harahap et al., 2023). According to the explanation above, gambling such as cockfighting, cow racing, and so on is not considered gambling unless the habit is related to religious ceremonies and is not gambling. This article also covers the types and forms of gambling that may appear in the future, as long as they are included in the gambling category mentioned in Article 303 paragraph (3) of the Criminal Code. Article 303

paragraph (1), which defines threats to criminal acts of gambling, includes elements without a permit.

Article 303, Article 303 bis of the Criminal Code, and Article 2 paragraphs (1), (2), and (3) of Law no. 7 of 1974 only regulates punishment for violators of gambling that is carried out directly, namely gambling that is carried out without the intermediary of electronic media connected to the internet.

In Law Number 19 of 2016 concerning information and electronic transactions (UU ITE), there are many restrictions imposed by the Indonesian government, the restrictions imposed do not constitute a violation of freedom of expression or a violation of educational, information or technology rights, all of which regulated in the 1945 Constitution of the Republic of Indonesia. The ITE Law limits the prohibition on gambling via electronic media and/or electronic documents.

By considering the regulations relating to criminal acts of gambling, it is clear that gambling is prohibited by Indonesian law. Because Government Regulation no. 9 of 1981 concerning the Implementation of Gambling Control, Article 1 paragraph (1) states that "Granting permits to carry out all forms and types of gambling is prohibited, whether gambling is held in casinos, in crowded places, or related to other reasons." In other words, all types of gambling, whether carried out in person or online, and various other types of gambling, are prohibited. Authorities reserve the right to investigate gambling if there are multiple parties.

The Impact and Punishment of Online Gambling in Social Practice

In the current era of globalization, phenomena that occur in society meet certain patterns of social behavior. The social behavior of society tends to change with the complex development of the era of technology, mechanisms, industrialization and urbanization. Everything a person does must have an effect after it is done, both positive and negative effects which are immediately felt by the perpetrator and seen by the people around him. This also applies to players who play slot type online gambling because they feel the effects of online gambling. Looking at the impact felt by players in online gambling, among others, they will feel that they lack time that should be used for positive activities, instead they use it for slot type online gambling activities.

Gambling is a criminal act, namely betting a certain amount of money where the winner gets the betting money or in other words, fighting of fate is a form of game that is a game of chance for those who play, and also includes all kinds of bets where the bettor is not directly involved in the competition. , including all kinds of other bets. Gambling that is currently popular is online gambling, which is one of the problems that is being highlighted by all levels of Indonesian society. Not a few feel disturbed in terms of security and comfort. The existence of online gambling which is starting to spread and disturb all of society is difficult to overcome due to the reality of poverty in our country, as one of the factors causing the increasing prevalence of online gambling, in accordance with the formulation of the Criminal Code (KUHP) article 303 bis (Article 542 paragraphs (1) and (2) which state that there are provisions prohibiting gambling.

In Karawang district, the reality of a lifestyle that tends to be consumptive, especially with the increasing prices of basic necessities due to the current unstable economic inflation rate, makes everyone want to achieve everything in a way that is practical or that they think is

easy to do, including gambling. The irony is that gambling parties often play in public places where they can gamble. They have their own reasons for gambling online, because online gambling has more attraction than other forms of gambling. Apart from that, the involvement of law enforcement officers who are actually the stronghold of online gambling players is increasingly disturbing the local community who are not involved in any form of gambling.

The impact felt on online slot gambling activities is that they become addicted because they initially tried it from friends and they were also promised by the slot gambling admin to win in this activity. They also do it in certain places, for example hangouts, boarding houses and stalls. And the perpetrator who played online slot gambling even borrowed money from his friends and even borrowed money from an online loan application to play online slot gambling. Even the online slot gambler who borrowed money to play online slot gambling could not pay the debt the perpetrator had borrowed (failed to pay).

In efforts to prevent and overcome criminal acts of gambling, positive efforts are made regarding this idea, so in order to change this behavior we must change the environment by reducing things that support online gambling. Efforts to prevent it depend on two aspects of improving the environment, especially the first, namely that science and technology regarding behavior will be developed to a point where major deviant behavior can be monitored. The true value of science is if it can design an environment in which people can develop in such a way that deviant behavior is not reinforced.

Law enforcement in eradicating online gambling with criminal action according to criminal law, namely criminal sanctions which constitute a criminal threat as explained in article 303 of the Criminal Code, not article 27 paragraph (2) in conjunction with article 45 of Law Number 11 of 2008 concerning information and electronic transactions.

The practice of online slot gambling also does not look at gender, which means that almost all people play online gambling, from children, teenagers, adults and the elderly because of the popularity of online gambling.

CLOSURE

Conclusion

The crime of gambling on the internet is now a major problem in the computer and internet era. This phenomenon has many negative consequences, both for individuals and groups. Online crime is considered a criminal offense punishable under the electronic information and transactions law. The government and society must prioritize preventing online gambling crimes, implementing strict regulations and policies and increasing public awareness about information laws and electronic transactions. Article 303 of the Criminal Code and Article 303 bis of the Criminal Code regulates the punishment in the case of Article 1 of the Elucidation of Law Number 7 of 1974, changing the punishment stated in Article 303 paragraph (1) of the Criminal Code from imprisonment for two years and eight months or a fine of . Article 303 paragraph (1) includes elements without permission. This phenomenon has many negative consequences, both for individuals and groups. Online crime is considered a criminal offense punishable under the electronic information and transactions law. The government and society must prioritize preventing online gambling crimes, implementing strict regulations and policies and increasing public awareness about information laws and electronic transactions. Article 303 of the Criminal Code and Article 303 bis of the Criminal Code regulates the punishment in the case of Article 1 of the Elucidation of Law Number 7 of 1974, changing the punishment stated

in Article 303 paragraph (1) of the Criminal Code from imprisonment for two years and eight months or a fine of . Article 303 paragraph (1) includes elements without permission.

In the era of globalization, social behavior becomes increasingly complex due to developments in technology, mechanisms, industrialization and urbanization. This has both positive and negative impacts on individuals who play online games, such as online gambling. The impact of online gambling is influenced by Indonesia's social landscape, which is influenced by the real estate market and the increasing demand for online gaming. The popularity of online gambling has led to an increase in legal problems for online gambling operators, as they are required to comply with certain rules and regulations. This can create legal problems for online gambling operators, as they must respect the environment and laws governing online gambling. To address the problem of online gambling, it is important to collaborate with authorities and governments to improve the environment and protect the rights of online gambling players. This includes improving knowledge and technology regarding online gambling, as well as ensuring that the legal framework for online gambling is enforced.

Sugesstion

Minimize the occurrence of slot-type gambling crimes committed by teenagers, because the existence of slot-type online gambling has a bad impact on both users and the people around them. Because the impact has disturbed many people in the area.

Looking at the law enforcement officers themselves, they must focus more on the problems that exist in society because there have been many victims and people around them who have felt the impact of someone playing slot type online gambling, so that in this way there will be no recurrence of legal problems and causing negative impacts. are in the surrounding community.

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