

Classification of Gambling in Positive Law and Islamic Law: A Study of the Entertainment Elements of Claw Doll Games

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Article Info	Abstract
Received: 16-08-2024 Revised: 11-10-2024 Accepted: 11-10-2024 Published: 22-10-2024 Keywords: Positive Law; Islamic Law; Classification of Gambling;	The development of gambling presents complexities within both positive law and Islamic law. In Indonesian positive law, gambling is strictly regulated to protect society, whereas in Islamic law, gambling is deemed haram due to its moral and economic harm to individuals and society. This study examines the claw machine game, which is often considered entertainment but raises questions about its legal status as gambling. This research employs a normative legal method with a comparative analysis to contrast the perspectives of positive law and Islamic law regarding the claw machine game. The results show that, under positive law, there is a classification for determining gambling, and this game is considered entertainment. In contrast, Islamic law does not classify entertainment as a factor in evaluating this game, and it is considered a form of gambling.
Info Artikel	Abstrak
Kata Kunci: Hukum Positif; Hukum Islam; Klafikasi judi;	Perkembangan judi menghadapi kompleksitas dalam hukum positif dan hukum Islam. Dalam hukum positif Indonesia, perjudian diatur ketat untuk melindungi masyarakat, serta dalam hukum Islam, perjudian dianggap haram karena merugikan individu dan masyarakat secara moral dan ekonomi. Penelitian ini mengkaji permainan capit boneka, yang sering dianggap sebagai hiburan, namun dipertanyakan status hukumnya sebagai perjudian. Penelitian ini menggunakan metode hukum normatif dengan analisis komparatif untuk membandingkan perspektif hukum positif dan hukum Islam mengenai permainan capit boneka. Hasil menunjukkan bahwa dalam hukum positif terdapat klasifikasi dalam menentukan perjudian dan permainan ini dianggap sebagai hiburan. Sedangkan hukum Islam tidak mengklasifikasikan hiburan dalam menilai permainan ini dan dianggap sebagai bentuk perjudian



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INTRODUCTION

The development of gambling, both in traditional and digital forms, has created serious challenges in the context of positive law and Islamic law. In positive law, gambling is regulated by stringent regulations to protect society from its negative impacts, such as fraud and financial losses (Isnaini, 2017; Gainsbury et al., 2013). Similarly, in Islamic law, gambling is explicitly prohibited because it is considered harmful to individuals and society from both moral and economic perspectives (Nasution, 2017). Nowadays, gambling often extends to popular games and entertainment centers. Some public games, when examined, meet the criteria outlined in legal regulations, one example being claw machines commonly found in shopping malls and amusement parks (MithaRusady et al., 2023). Legal and social economics experts often emphasize the need for a multidisciplinary approach to addressing gambling issues. The theory of legal legitimacy, as expressed by Priel (2011), states that law should serve as a tool for achieving social justice. In this context, gambling regulations should be designed not only to enforce the law but also to ensure that the public is educated about the risks and impacts of gambling. Furthermore, behavioral economics theory Englert (2015) explains how individuals often make irrational decisions when involved in gambling. Although these games involve skill in controlling the machine, the final outcome is largely based on chance, leading many to view them as a form of gambling (Jadidah et al., 2023). Claw machines create a sense of curiosity that encourages players to keep playing repeatedly (Nugroho, 2021). These games can also lead to addiction for some people, who spend significant amounts of money in the hope of winning prizes that are not proportionate to the amount spent (Lubis et al., 2023). According to Article 303 paragraph (3) of the Indonesian Criminal Code, any game that relies on luck and chance generally depends on fortune and expectation (Munawar, 2019; Rachman, 2023). In Islam, such games are considered haram due to their elements of deception and chance (Tona, 2022). Claw machines are popular among children and teenagers as an entertaining game. The claw machine game first appeared in Indonesia around the 2000s. Initially, this game was imported from other Asian countries, particularly Japan. Its popularity quickly increased, especially in shopping malls and entertainment venues. The users of this game are generally children and teenagers, but many adults are also interested. Over time, the variety and design of claw machines have become more diverse, attracting more visitors.

So far, existing studies have examined claw machines from the perspective of Islamic law (Kautsar, 2023; MithaRusady et al., 2023; Nugroho, 2021) and from the

viewpoint of fatwas issued by the Indonesian Ulema Council (MUI) in Jember and the Indonesian Criminal Code (Latif, 2023). It appears that current research has not addressed the specific elements used to classify entertainment as gambling. The classification of gambling has become a complex topic of debate in both positive law and Islamic legal views (Riskila, 2017). As time has progressed, gambling has also evolved, resulting in new forms of games that raise complex questions about their legal status (Sitanggang et al., 2023). In positive law, whether an activity is classified as gambling often depends on the definitions set by the laws and regulations of a country (GULTOM, 2024). In Islamic law, the legal consideration of gambling is based on principles found in the Quran and Hadith (Abas et al., 2023). Concepts such as fairness and positive contributions to society are fundamental in determining whether a game can be considered gambling (Lubis et al., 2023).

Based on this, this study aims to compare positive law and Islamic economic law regarding entertainment elements as exceptions in classifying gambling in the case of claw machines. The game was chosen due to its popularity among children and teenagers, as well as its ambiguity in classification as gambling despite involving elements of chance.

This study argues that understanding the differences in approaches between positive law and Islamic economic law in classifying gambling is crucial for creating regulations that are fair and aligned with societal and religious values. Positive law tends to view these games as a form of entertainment that does not fall under the category of gambling, provided certain conditions are met, such as the absence of deception and transparency in the game's mechanics. In contrast, Islamic economic law is stricter in its definition, categorizing any game that involves betting and relies on chance as gambling, even if it includes elements of entertainment

RESEARCH METHOD

This study uses a normative legal method with a descriptive approach. The data sources include primary data such as Law No. 7 of 1974, Government Regulation No. 9 of 1981, Article 303 of the Indonesian Criminal Code, Fatwa MUI Purworejo No. 39/MUI/KAB/X/2022, and Fatwa MUI Jember No. 05/MUI-Jbr/XI/2021, as well as opinions from scholars and perspectives from NU and Muhammadiyah. Secondary data includes literature studies from books, journals, articles, and relevant legal documents related to claw machines and gambling laws in both positive law and Islamic economic

law. In this research, the researcher has chosen the claw machine toy game as the subject of study to compare positive law and Islamic law. The focus of this study is to analyze the legal concepts and implications of the game. It is important to note that this research does not discuss the practice of claw machine games in the field, but rather aims at a theoretical analysis of the existing regulations and legal perspectives. The data analysis technique employs comparative analysis to compare these two legal frameworks (Adhim, 2019). Through this analysis, the study aims to draw conclusions about the legal implications of claw machines based on the findings.

RESULTS AND DISCUSSION

Gambling in the Perspective of Positive Law

Alkalah (2016) defines gambling as an activity where players risk something to choose one option out of several, with only one option being correct and thus the winner. According to LaPlante et al. (2011), gambling involves putting a sum of money or items at stake in a game that depends on chance, with the aim of winning more money or items than were initially wagered. Article 303 of the Indonesian Criminal Code states that any game where the expectation of winning generally depends solely on luck and chance is considered gambling. This article emphasizes that the outcome of games depends on luck, making it a risky activity (Aryadi et al., 2024). Positive law defines gambling not only through the elements of wagering and uncertain outcomes but also considers the social and economic impacts of this practice (Wahid et al., 2023). Gambling regulations reflect the awareness that this activity can harm individuals and create negative cascading effects for society, such as increased addiction and financial problems (Carran, 2018). By acknowledging these risks, the definitions and regulations surrounding gambling aim to protect individuals and society from potential losses while maintaining social welfare (Błaszczynski et al., 2011). This approach aligns with legal principles that stress the necessity of protecting society from practices that can cause harm, ensuring that although gambling may appear as entertainment, the associated risks require careful attention and strict regulation (Abbott et al., 2018).

In the context of Ushul Fiqh, gambling can be analyzed using relevant fiqh principles. One applicable principle is *al-gharar*, which means uncertainty or speculation. In gambling, there is a high level of uncertainty regarding the outcome, where players cannot know for certain the results of their bets (Stetzka & Winter, 2023). Therefore, this activity

contradicts the principles of justice and transparency advocated in Islamic law (Fadel, 2008). Additionally, the principle *la dharar wa la dirar* (no harm to oneself or others) is also relevant in discussing gambling (Askari et al., 2014). This activity often harms individuals and society, both financially and socially, the losses incurred from gambling can negatively impact the welfare of families and communities (Williams et al., 2011).

Research shows that under positive law, claw machines are usually viewed as a form of entertainment using machines and are categorized as gambling because they meet the elements of gambling. However, there is no clear jurisprudence or regulation specifically addressing claw machines, so they cannot be definitively classified as gambling. This aligns with Wane's (2016) research, which states that criminal gambling offenses involve games based on luck with bets. As Munawar (2019) notes, if there is official permission from relevant authorities or institutions, activities regulated under such rules are no longer considered illegal and therefore cannot be prosecuted criminally. Similarly, Tiarto (2006) argues that judges cannot impose their own sentences for offenders but must adhere to the penalties established by law. This is consistent with Lakoro et al. (2020), which suggests that gambling is often associated with illegal money-making. According to Law No. 7 of 1974 on Gambling Control, gambling is regulated as an activity involving betting money to win something of value, whereas claw machines typically only require payment for each attempt or round, without a clear monetary bet. The game relies more on the player's skill and precision in operating the machine, although luck also plays a role.

A more detailed explanation of the types of prohibited gambling games can be found in the Explanation of Article 1, paragraph (1) of Government Regulation No. 9 of 1981, which includes:

- a. Casino Gambling, including: Roulette, Blackjack, Baccarat, Craps, Keno, Tombola, Super Ping-pong, Lotto Fair, Satan, Paykyu, Slot machines (Jackpot), Ji Si Kie, Big Six Wheel, Chuc a Luck, throwing dice/chickens at a target or spinning board (Paseran), Pachinko, Poker, TwentyOne, Hwa-Hwe, Kiu-kiu.
- b. Gambling in Public Places, including: Throwing dice or chickens at stationary targets or boards, Ring Toss, Coin Toss, Kim, Fishing, Shooting stationary targets, Ball Toss, Cockfighting, Bullfighting, Buffalo fighting, Sheep/Goat fighting, Horse racing, Ox racing, Dog racing, Hailai, Mayong/Macak, Ere-ere.
- c. Gambling Associated with Other Customs, including: Cockfighting, Bullfighting, Buffalo fighting, Horse racing, Ox racing, Sheep/Goat fighting.

- d. Not Considered Gambling, if the custom is related to religious ceremonies, provided it is not in the form of gambling.

In principle, any act not regulated by existing regulations cannot be considered a violation, even if it meets the elements of gambling. So far, positive law has not classified claw machines as gambling. This aligns with the legal principle that laws do not apply retroactively (Rokilah & Sulasno, 2021).

Gambling in the Perspective of Islamic Law

In Arabic, gambling is often referred to as Al-maysir, which involves wagering money or property on a game of chance with the goal of winning more money or property (Ma'u, 2016). Zurohman et al. (2016) define gambling as a social illness considered a crime; its proliferation can damage social structures and contradict Islamic values that prohibit it, as it is deemed sinful and forbidden. According to Mustaqilla et al. (2023), this activity is haram because it can lead to hostility, hatred, financial loss, and obstruct a person from fulfilling religious duties such as prayer and remembrance of Allah. This aligns with Dewi's (2023) findings, which state that in Islamic law, gambling, known as maisir or qimar, is prohibited due to its elements of uncertainty (gharar) and speculation.

This prohibition is supported by Islamic legal foundations outlined in the Quran:

1. Surah Al-Baqarah, 2:219: *"They ask you about wine and gambling. Say, 'In them is great sin and [yet, some] benefit for people. But their sin is greater than their benefit.'"*
2. Surah Al-Maidah, 5:90: *"O you who have believed, indeed, intoxicants, gambling, [sacrificing on] stone alters [to other than Allah], and divining arrows are an abomination of Satan's handiwork, so avoid it that you may be successful."*
3. Hadith: The Prophet Muhammad (peace be upon him) forbade gambling in several hadiths. One such hadith is: *"Whoever says to his companion, 'Come, let us gamble,' should give charity."* (Reported by Al-Bukhari and Muslim)

The Quran explicitly prohibits gambling (maisir) and categorizes it as an abominable act originating from Satan. Surah Al-Maidah 5:90 explains that gambling can lead to hostility, hatred, and prevent one from remembering Allah (Hilyatin, 2021). Research shows that Islamic economic law does not provide exceptions based on entertainment if the game contains elements of gambling. This study contrasts with the views of MUI DIY and Prof. Dr. KH. Makhrus Munajat, who argue that claw machines should be viewed as modern entertainment, with the cost of coins considered part of the

entertainment expense rather than a wager, and thus not classified as gambling (Rinepta, 2022).

This research aligns with findings by Ismail et al. (2021), which state that permissible entertainment in Islam is that which does not involve speculation and does not harm any party. This is also consistent with Agustin (2021) and Uddin (2015), who assert that all economic transactions and activities must comply with Sharia principles emphasizing justice, honesty, and mutual benefit without elements of speculation (**gharar**) or gambling (**maisir**). The Quran clearly forbids gambling in Surah Al-Ma'idah 5:90, which states that gambling is an impure act and among the deeds of Satan (Kadafi, 2023). This is reinforced by a hadith narrated by Abu Hurairah RA, which states that games involving gambling elements are haram (Redaksi Dalam Islam, 2024). Fatwa MUI Purworejo No. 39/MUI/KAB/X/2022 also confirms that games involving elements of deception and speculation, including claw machines, are haram (Kautsar, 2023). Scholars like Sheikh Yusuf Al-Qaradawi also emphasize that games involving elements of speculation are not permitted in Islam (Habibi, 2010). This is consistent with the opinion of NU Central Java, which states that claw machines are not allowed and thus haram because they involve gambling elements, making the provision of such games also haram (Rohadi, n.d.). According to Anwar Abbas, Chairman of Muhammadiyah, claw machines fall into the category of gambling and are haram due to the exchange of coins for prizes or souvenirs, which is based on chance. This is different from the typical sale of dolls. "Since the prize or souvenir is obtained based on chance, the game falls into the category of gambling, which is prohibited in Islam" (Fika Nurul Ulya, 2022).

Although gambling can take the form of entertaining games like claw machines, it can lead to addiction and significant financial loss. Islam places great importance on the well-being of individuals and society, and it forbids any activities that can harm this well-being. In the context of claw machines, despite providing entertainment, the dominant elements of speculation and uncertainty still categorize it as gambling.

Comparison and Exceptions between Positive Law and Islamic Law regarding Gambling

Positive law in modern countries explicitly prohibits gambling due to its potential to cause economic and social harm (Rumbay et al., 2023). Similarly, Islamic law emphasizes protection of life, property, and religion by considering gambling as detrimental to social

and economic stability, and potentially harmful to individuals and society (Lubis et al., 2023; Hidayah et al., 2024).

Table 2: Comparison

No	Aspect	Positive Law	Islamic Law
1	Dedfinition of Gamblling	Gambling is every game that is based on the hope to win in general depends on luck and also hope.	Maisir (qimar) is prohibited due to its elements of uncertainty (gharar) and speculation.
2	Legal Sources	Law No. 7 of 1974, Government Regulation No. 9 of 1981, Article 303 of the Penal Code	The Quran, Hadith, Scholars' Opinions, Fatwa MUI Purworejo No. 39/MUI/KAB/X/2022, Jember No. 05/MUI-Jbr/XI/2021, Muhammadiyah and NU
3	Penalties	Imprisonment and fines (according to Article 303 of the Penal Code)	Haram, with moral and social consequences
4	Regulation	Imprisonment and fines (according to Article 303 of the Penal Code)	Prohibits gambling to protect property and life
5	Claw Machine Games	Not considered gambling if solely for entertainment	Prohibited due to elements of wagering and chance

From the table, it can be concluded that positive law may permit entertainment games like claw machines as long as they do not involve monetary stakes, while Islamic law continues to prohibit them due to the elements of speculation and uncertainty, which are contrary to religious values and can disrupt social and economic order.

Under Positive Law, claw machine games are not explicitly categorized as gambling due to the lack of clear jurisprudence and regulations. Article 303, paragraph (3) of the Penal Code defines gambling as games where the outcome depends on luck, even if player skill is involved (U. R. Indonesia, 20 C.E.). Meanwhile, Law No. 7 of 1974 states that all

forms of gambling are crimes (President of the Republic of Indonesia, 1974). Explanation of Article 1, paragraph (1) of Government Regulation No. 9 of 1981 details various types of prohibited gambling, from casinos to games in public places, and gambling associated with other customs (R. Indonesia, 1981). Research by (Al Islami, 2022; Banks & Waugh, 2019) reveals that gambling can lead to various criminal acts and can disturb mental health (Baihaqi et al., 2024; Sidiq, 2024). This aligns with findings by (Siringoringo et al., 2024) that gambling may drive players to seek instant money and justify any means to fulfill their gambling desires (Jannah et al., 2023). If claw machine games are conducted purely for entertainment, such as in children's play areas without significant stakes, they might not be classified as gambling under positive law (Hilya Azkha Nissa, 2022).

In Islamic Economic Law, the assessment of games like claw machines is more stringent. Sharia principles emphasize justice, honesty, and transactions that are mutually beneficial without elements of speculation or gambling (Maharani & Yusuf, 2020). The prohibition of gambling in the Quran and Hadith, which describe gambling as impure and among the deeds of Satan, reinforces this view (Harahap, 2018). Fatwas from Islamic institutions like MUI Purworejo No. 39/MUI/KAB/X/2022 and MUI Jember No. 05/MUI-Jbr/XI/2021 also confirm that games involving elements of speculation and deception, including claw machines, are haram (Kautsar, 2023; Dewan Syariah Nasional, 2021). Although such games may provide entertainment, the uncertainty of outcomes and potential financial loss keep them classified as gambling in Islamic perspective (Siringoringo et al., 2024). A study by Putri et al., (2023) states that addiction to such games can lead to social isolation and a decline in quality of life, particularly among adolescents. Gintari et al., (2023) adding that the psychological impact of involvement in these risky games can lead to anxiety disorders and depression, which worsen mental health conditions. In addition, recent studies indicate that practices like this not only carry financial risks but can also lead to social problems, such as addiction and negative impacts on interpersonal relationships (Dewi & Adriansyah, 2023). Therefore, Islam prohibits any activity that could potentially harm individual and societal well-being, even if the activity is entertaining.

CONCLUSION

Under positive law, this game is generally considered a form of entertainment and is not officially categorized as gambling, primarily because there are no specific regulations or jurisprudence governing it. Article 303 of the Penal Code defines gambling as games relying

on luck with bets, but this game relies more on player skill. Therefore, as long as the game does not involve significant monetary stakes, it is not considered gambling under positive law. This aligns with the legal principle that laws do not apply retroactively, so new actions can only be considered illegal if there are clear regulations governing them.

Conversely, from the perspective of Islamic law, claw machine games are considered a form of gambling due to their elements of speculation and uncertainty. In Islam, gambling is prohibited as it is seen as detrimental to individual and societal well-being and contrary to religious values emphasizing fairness and honesty. The Quran and Hadith explicitly forbid gambling, and fatwas from Islamic institutions such as the MUI also classify games involving speculative elements, like claw machines, as haram. Although the game may provide entertainment, Islam prohibits any activity that could potentially harm well-being, both financially and socially.

REFERENCES

- Abas, M., Sunarto, S., Sudrajat, A. S. S. N. S., Jumali, E., Qurtubi, A. N., Baroroh, H., Adisaputra, A. K., Ambulani, N., & Anam, M. (2023). *Hukum Ekonomi Syari'ah*. PT. Sonpedia Publishing Indonesia.
- Abbott, M. W., Binde, P., Clark, L., Hodgins, D. C., Johnson, M. R., Manitowabi, D., Quilty, L. C., Spangberg, J., Volberg, R. A., & Walker, D. M. (2018). *Conceptual framework of harmful gambling*.
- Adhim, F. (2019). Analisis Perbandingan kinerja keuangan perbankan Syariah dengan perbankan Konvensional. *Al-Infaq: Jurnal Ekonomi Islam*, 2(2). <https://doi.org/10.32507/ajei.v2i2.382>
- Agustin, H. (2021). *Manajemen keuangan syariah*. Rajawali Pers.
- Al Islami, M. F. (2022). *Perbandingan Perspektif Hukum Islam dan Hukum Positif Tentang Judi Online di Era Digital*. Fakultas Syariah dan Hukum UIN Syarif Hidayatullah Jakarta. <https://repository.uinjkt.ac.id/dspace/handle/123456789/61446>
- Alkalah, C. (2016). *Pengertian perjudian*. 19(5), 1–23.
- Amini, M., & Aisyah, S. (2014). Hakikat anak usia dini. *Perkembangan Dan Konsep Dasar Pengembangan Anak Usia Dini*, 65, 1–43.
- Aryadi, D. W., Hardyansah, R., Darmawan, D., Saputra, R., Putra, A. R., Negara, D. S., & Maulani, A. (2024). Prosecution on Online Gambling Based on Enforcement of Criminal Law in Indonesia. *International Journal of Service Science, Management, Engineering, and Technology*, 5(2), 1–6. <https://ejournalisse.com/index.php/isse/article/view/116>
- Askari, H., Iqbal, Z., Mirakhor, A., Askari, H., Iqbal, Z., & Mirakhor, A. (2014). Economic and social justice: the policy objective in Islam. *Challenges in Economic and Financial Policy Formulation: An Islamic Perspective*, 31–46. https://doi.org/10.1057/9781137381996_3
- Baihaqi, M., Rahayu, S., Humaira, R., & Rahma, S. K. (2024). Pengaruh Judi Online Terhadap Kesehatan Mental. *Ijeduca: International Journal of Education, Social Studies and*

Counseling, 2(1).

- Banks, J., & Waugh, D. (2019). A taxonomy of gambling-related crime. *International Gambling Studies*, 19(2), 339–357. <https://doi.org/10.1080/14459795.2018.1554084>
- Carran, M. A. (2018). *Gambling regulation and vulnerability*. Edward Elgar Publishing.
- Dewan Syariah Nasional. (2021). *Majelis Ulama Indonesia (DSN-MUI)*. 51. <https://muijember.or.id/wp-content/uploads/2021/11/FATWA-05-MUI-Jbr-XI-2021.pdf>
- Dewi, R. P. (2023). Larangan MAGHRIB (Maysir, Gharar, Riba) dalam Transaksi Jual Beli Kajian Ekonomi Islam. *EJESH: Jurnal Of Islamic Economics and Social*, 1(1), 23–33. <https://doi.org/10.32923/ejesh.v1i1.3265>
- Dewi, D. A., & Adriansyah, M. I. (2023). Maraknya Judi Online Di Kalangan Remaja Kelurahan Derwati Kecamatan Rancasari Kota Bandung. *Jurnal Cerdik: Jurnal Pendidikan Dan Pengajaran*, 3(1), 73–87. <https://doi.org/10.21776/ub.jcerdik.2023.003.01.08>
- Englerth, M. (2015). Behavioral law and economics. In *Economic Methods for Lawyers* (pp. 177–204). Edward Elgar Publishing. <https://doi.org/10.4337/9781783471676.00013>
- Fadel, M. (2008). The true, the good and the reasonable: The theological and ethical roots of public reason in Islamic law. *Canadian Journal of Law & Jurisprudence*, 21(1), 5–69. <https://doi.org/10.1017/S084182090000432X>
- Fika Nurul Ulya, I. R. (2022). *Soal Permainan Capit Boneka, Muhammadiyah: Itu Kategori Judi, Hukumnya Haram*. <https://nasional.kompas.com/read/2022/09/27/09482231/soal-permainan-capit-boneka-muhammadiyah-itu-kategori-judi-hukumnya-haram>
- Gintari, K. W., Jayanti, D. M. A. D., Laksmi, I. G. A. P. S., & Sintari, S. N. N. (2023). Kesehatan Mental Pada Remaja: The Overview of Mental Health in Adolescents. *Journal Nursing Research Publication Media (NURSEPEDIA)*, 2(3), 167–183. <https://doi.org/10.55887/nrpm.v2i3.49>
- GULTOM, M. K. D. (2024). *Analisis Penerapan Sanksi Pidana Dalam Tindak Pidana Perjudian Di Indonesia*. Universitas HKBP Nommensen Medan. <https://repository.uhn.ac.id/handle/123456789/10714>
- Habibi, H. (2010). *Konsep Yusuf Al-Qardhawy Tentang Norma Dan Etika Ekonomi Islam Dalam Sirkulasi Perdagangan*. Universitas Islam Negeri Sultan Syarif Kasim Riau. <http://repository.uin-suska.ac.id/id/eprint/10784>
- Harahap, M. A. I. (2018). *Judi menurut perspektif alquran*. Universitas Islam Negeri Sumatera Utara. <http://repository.uinsu.ac.id/id/eprint/3971>
- Hidayah, D. F. N., Putri, D. F., Salsabila, F., Yunaenti, S. R., Nuryanti, T., & Nurjaman, A. R. (2024). MENELAAH FENOMENA JUDI ONLINE (SLOT) DI KALANGAN MAHASISWA DALAM PERSPEKTIF HUKUM ISLAM DI INDONESIA. *Tashdiq: Jurnal Kajian Agama Dan Dakwah*, 3(1), 56–66. <https://doi.org/10.4236/tashdiq.v3i1.2701>
- HILYA AZKHA NISSA, H. A. N. (2022). *KAJIAN KRIMINOLOGI TINDAK PIDANA PERJUDIAN DI KELURAHAN KENALI BESAR KECAMATAN ALAM BARAJO KOTA JAMBI*. Universitas Batanghari.

<http://repository.unbari.ac.id/id/eprint/1090>

- Hilyatin, D. L. (2021). Larangan Maisir dalam Al-Quran dan Relevansinya dengan Perekonomian. *MAGHZAZ: Jurnal Ilmu Al-Qur'an Dan Tafsir*, 6(1), 16–29. <https://doi.org/10.24090/maghza.v6i1.4507>
- Indonesia, R. (1981). Peraturan Pemerintah (PP) Nomor 9 Tahun 1981 tentang Pelaksanaan Penertiban Perjudian. *Demographic Research*.
- Indonesia, U. R. (20 C.E.). *Undang-Undang Republik Indonesia Kitab Undang-Undang Hukum Pidana Buku Ketiga Pasal 492 1915*. September, 1–5.
- Ismail, P., Hasan, S., Syaflin, H., Karimuddin, K., Imam, A., Muhammad, F. I., Kartini, K., & Desi, A. (2021). *Fiqh Mu'amalah Kontemporer*.
- Isnaini, E. (2017). Tinjauan yuridis normatif perjudian online menurut hukum positif di indonesia. *Jurnal Independent*, 5(1), 23–32. <https://doi.org/10.30736/ji.v5i1.61>
- Jadidah, I. T., Lestari, U. M., Fatiha, K. A. S., Riyani, R., & Wulandari, C. A. (2023). Analisis maraknya judi online di Masyarakat. *Jurnal Ilmu Sosial Dan Budaya Indonesia*, 1(1), 20–27. <https://doi.org/10.61476/8xvgdb22>
- Jannah, A. M., Al Wafi, M. O. Z., & Aliyan, S. (2023). Perilaku Judi Online Pada Masyarakat Beragama Di Indonesia. *Islamic Education*, 1(3), 348–357.
- Kadafi, R. (2023). Al-Maisir Dalam Al-Qur'an Studi Analisis Makna Qs. Al-Maidah: 90. *UInScof*, 1(1), 332–345.
- Kautsar, P. T. Z. (2023). *Hukum Permainan Mesin Capit Boneka (Studi Komparatif Fatwa MUI Kabupaten Purworejo Nomor: 39/MUI/Kab/X/2022 Dan Ketua Komisi Fatwa MUI Daerah Istimewa Yogyakarta)*. Universitas Islam Indonesia. dspace.uui.ac.id/123456789/50137
- Lakoro, A., Badu, L., & Achir, N. (2020). Lemahnya Kepolisian Dalam Penanganan Tindak Pidana Perjudian Togel Online. *Jurnal Legalitas*, 13(01), 31–52. <https://doi.org/10.33756/jelta.v13i01.7304>
- LaPlante, D. A., Nelson, S. E., LaBrie, R. A., & Shaffer, H. J. (2011). Disordered gambling, type of gambling and gambling involvement in the British Gambling Prevalence Survey 2007. *The European Journal of Public Health*, 21(4), 532–537. <https://doi.org/10.1093/eurpub/ckp177>
- Latif, A. (2023). KONSEP PERJUDIAN DALAM PERMAINAN CAPIT BONEKA (STUDI ANALISIS PASAL 303 KUHP DAN FATWA MUI KABUPATEN JEMBER). Fakultas Syariah dan Hukum UIN Syarif Hidayatullah Jakarta. <https://repository.uinjkt.ac.id/dspace/handle/123456789/74257>
- Lubis, F. H., Pane, M., & Irwansyah, I. (2023). Fenomena Judi Online di Kalangan Remaja dan Faktor penyebab Maraknya Serta Pandangan Hukum Positif dan Hukum Islam (Maqashid Syariah). *Jurnal Pendidikan Dan Konseling (JPDK)*, 5(2), 2655–2663. <https://doi.org/10.31004/jpdk.v5i2.13284>
- Ma'u, D. H. (2016). Judi Sebagai Gejala Sosial (Perspektif Hukum Islam). *Jurnal Ilmiah Al-Syir'ah*, 5(2). <http://dx.doi.org/10.30984/as.v5i2.230>
- Maharani, D., & Yusuf, M. (2020). Implementasi Prinsip-Prinsip Muamalah dalam Transaksi Ekonomi: Alternatif Mewujudkan Aktivitas Ekonomi Halal. *Jurnal Hukum Ekonomi Syariah*, 3(2), 131–144.
- MithaRusady, L. L., Sulfinadia, H., & Ichsandi, A. D. (2023). Tinjauan Maysir terhadap

- Permainan Capit Boneka. *Saqifah: Jurnal Hukum Ekonomi Syariah*, 8(2), 11–17.
- MUMPUNI, D. D. W. I., & Anwar, Q. K. (2024). *AKAD KERJASAMA FRANCHAISE PERMAINAN CAPIT BONEKA DALAM PERSPEKTIF AKAD MUSYARAKAH (Studi Kasus di Franchise Nana Desa Nglarangan Kecamatan Kebakkramat Kabupaten Karanganyar)*. UIN Surakarta.
- Munawar, S. (2019). Kebijakan Penegakan Hukum Pidana Terhadap Tindak Pidana Perjudian. *Widya Pranata Hukum: Jurnal Kajian Dan Penelitian Hukum*, 1(1), 1–18. <https://doi.org/10.37631/widyapranata.v1i1.253>
- Mustaqilla, S., Sarah, S., Salsabila, E. Z., & Fadhillah, A. (2023). Analisis Maraknya Warga Miskin yang Kecanduan Judi Online di Indonesia. *Glossary: Jurnal Ekonomi Syariah*, 1(2), 121–136. <https://doi.org/10.52029/gose.v1i2.175>
- Nasution, M. M. (2017). Telaah dan Analisis Perjudian dari sisi Perspektif Hukum Islam. *Studi Multidisipliner: Jurnal Kajian Keislaman*, 4(1), 43–56.
- Nugroho, F. W. (2021). *Tinjauan Hukum Islam Terhadap Sewa-Menyewa Permainan Capit Boneka (Studi Kasus Di Toko Kelontong Pangestu Desa Cebongan, Salatiga)*. <http://e-repository.perpus.uinsalatiga.ac.id/id/eprint/12276>
- Olivia, F. (2013). *Kembangkan Kecerdikan Anak Dengan Taktik*. Elex Media Komputindo.
- Presiden Republik Indonesia. (1974). *Undang-Undang Republik Indonesia Nomor 7 Tahun 1974 Tentang Penertiban Perjudian*. *Undang-Undang Republik Indonesia Nomor 7 Tahun 1974 Tentang Penertiban Perjudian*, 14, 1–20. www.bphn.go.id
- PUTRI, R. I., & Bowo, S. A. (2024). *TINJAUAN HUKUM ISLAM TERHADAP PERMAINAN CLAW MACHINE (MESIN CAPIT)(Studi Kasus di Toko Sejahtera dan Toko Makmur, Karanganyar)*. UIN RADEN MAS SAID.
- Putri, M. Y., Yuliana, Y., Yulastri, A., Erianti, Z., & Izzara, W. A. (2023). Artikel Review: Dampak Kecanduan Bermain Game Terhadap Kesehatan Mental. *Jurnal Psikologi Dan Konseling West Science*, 1(05), 291–303. <https://doi.org/10.58812/jpkws.v1i05.827>
- Priel, D. (2011). The place of legitimacy in legal theory. *McGill Law Journal*, 57(1), 1–35. <https://doi.org/10.7202/1006417ar>
- Rachman, I. A. (2023). *STUDI KOMPARASI SANKSI HUKUM TINDAK PIDANA PERJUDIAN MENURUT HUKUM PIDANA ISLAM DAN MENURUT UNDANG-UNDANG NOMOR 7 TAHUN 1974 TENTANG PENERTIBAN PERJUDIAN*. FAKULTAS HUKUM UNIVERSITAS PASUNDAN. <http://repository.unpas.ac.id/id/eprint/62426>
- Redaksi Dalam islam. (2024). *Larangan Islam Tentang Judi: Dalil dan Penjelasannya*. <https://dalamislam.com/akhlaq/larangan/larangan-islam-tentang-judi>
- RInepta, A. G. (2022). *MUI DIY Nilai Main Mesin Capit Boneka Tak Haram*.
- Riskila, N. (2017). *Studi Komparatif Tindak Pidana Perjudian Ditinjau Dari Syari'at Islam Dan Hukum Pidana Positif Indonesia*. <http://digilib.unila.ac.id/id/eprint/25818>
- Rohadi, A. (n.d.). NU Purworejo Bahas Hukum Permainan Capit Boneka. 2022. <https://jateng.nu.or.id/regional/nu-purworejo-bahas-hukum-permainan-capit-boneka-ini-hasilnya-sOSw0>
- Rokilah, R., & Sulasno, S. (2021). Penerapan Asas Hukum Dalam Pembentukan Peraturan Perundang-Undangan. *Ajudikasi: Jurnal Ilmu Hukum*, 5(2), 179–190.

<https://doi.org/10.30656/ajudikasi.v5i2.3942>

- Rumbay, I. S., Tangkudung, F. X., & Antow, D. T. (2023). Tinjauan Yuridis Terhadap Lemahnya Penanganan Tindak Pidana Judi Online. *Lex Privatum*, 11(5). [Vol. 11 No. 5 \(2023\): Lex Privatum](#)
- Sidiq, F. (2024). The Effect of Online Gambling on Mental Health: Study on Teenagers in Panimbang District, Banten. *International Journal of Health, Medicine, and Sports*, 2(1), 11–15. <https://doi.org/10.46336/ijhms.v2i1.69>
- Siringoringo, A. C., Yunita, S., & Jamaludin, J. (2024). Tren Perjudian Online di Kalangan Mahasiswa: Dampak, dan Upaya Pencegahannya. *Journal on Education*, 6(2), 10948–10956. <https://doi.org/10.31004/joe.v6i2.4883>
- Sitanggang, A. S., Sabta, R., & Hasiolan, F. Y. (2023). Perkembangan Judi Online Dan Dampaknya Terhadap Masyarakat: Tinjauan Multidisipliner. *Trivikrama: Jurnal Ilmu Sosial*, 1(6), 70–80. <https://doi.org/10.6578/tjis.v1i6.248>
- Stetzka, R. M., & Winter, S. (2023). How rational is gambling? *Journal of Economic Surveys*, 37(4), 1432–1488. <https://doi.org/10.1111/joes.12473>
- Tiyarto, S. (2006). *Kebijakan Penegakan Hukum Pidana Dalam Rangka Penanggulangan Perjudian*. program Pascasarjana Universitas Diponegoro.
- Tona, T. I. (2022). Dalam Islam, permainan seperti ini juga dianggap haram karena mengandung unsur penipuan dan untung-untungan. *Muamalat: Jurnal Kajian Hukum Ekonomi Syariah*, 14(2), 163–176. <https://doi.org/10.20414/mu.v14i2.5504>
- Uddin, M. A. (2015). *Principles of Islamic finance: Prohibition of riba, gharar and maysir*. <https://mpira.ub.uni-muenchen.de/id/eprint/67711>
- Waney, G. (2016). Kajian Hukum terhadap Tindak Pidana Perjudian (Penerapan Pasal 303, 303 Bis Kuhp). *Lex Crimen*, 5(3). [Vol. 5 No. 3 \(2016\): Lex Crimen](#)
- Williams, R. J., Rehm, J., & Stevens, R. M. G. (2011). *The social and economic impacts of gambling*. Faculty of Health Sciences. <https://hdl.handle.net/10133/1286>
- Zurohman, A., Astuti, T. M. P., & Sanjoto, T. B. (2016). Dampak fenomena judi online terhadap melemahnya nilai-nilai sosial pada remaja (studi di Campusnet Data Media cabang Sadewa Kota Semarang). *JESS (Journal of Educational Social Studies)*, 5(2), 156–162. DOI [10.15294/jess.v5i2.14081](https://doi.org/10.15294/jess.v5i2.14081)