

Legal Analysis of Online Gambling with the Higgs Domino Island Online Game Mode According to The Perspective Criminal Law in Indonesia

¹Ahmad Novaisal, ²Sumarno, ³Firman Halawa
^{1,2,3}Universitas Pembangunan Panca Budi, Kota Medan, Indonesia
¹ical.lubis1981@gmail.com, ²benerno14@gmail.com

ABSTRACT

This study discusses the legal analysis of online gambling practices using the Higgs Domino Islands game from the perspective of criminal law in Indonesia. The purpose of the study is to assess the extent to which applicable laws and regulations are able to ensnare gambling activities camouflaged through digital game media. The research method uses a normative juridical approach by examining the provisions of the Criminal Code, Law Number 7 of 1974 concerning the Regulation of Gambling, and Law Number 11 of 2008 concerning Electronic Information and Transactions. The results of the study indicate that the Higgs Domino Islands game has characteristics that fulfill the elements of gambling because it involves betting, opportunities, and real economic benefits. However, law enforcement is still not optimal due to limited regulations that do not explicitly regulate the form of digital gambling and technical obstacles in proving electronic transactions. Legal updates and increased capacity of law enforcement officers are needed to be able to keep up with the development of digital technology. This research is expected to contribute to strengthening criminal law policies in facing the challenges of online gambling in the digital era.

Keywords: Online Gambling, Higgs Domino Islands, Criminal Law

Introduction

The development of information technology and the increasing use of mobile devices have changed the pattern of social interaction and access to entertainment for the Indonesian people, especially gambling (Anindita, et al., 2025). One of the digital phenomena that has stood out in recent years is the widespread use of the Higgs Domino Island online game application which is popular among various age groups such as children, adolescents, and adults (Hasan et al., 2023). Not only in urban communities but with technological developments, this also continues to disseminate information to rural communities (Aspan, 2025). Various studies show that Higgs Domino not only serves as a means of entertainment, but has also evolved into an informal economic activity for some players through the mechanism of coin or chip trading (Ramadhani & Syukur, 2021).

Gambling is understood as the activity of risking something of value in the hope of obtaining a profit determined by the element of chance. In criminal law, an action can qualify as a gambling crime if it meets the main elements in the form of betting, games that depend on luck, and the existence of parties who profit from the results of the game. Criminal provisions regarding gambling are formulated in Article 303 and Article 303 bis of the Criminal Code, which affirm the prohibition for parties who provide facilities or participate in gambling (Azis et al., 2025).

From a regulatory perspective, criminal law enforcement theory emphasizes the importance of legal certainty, clarity of norms, and the ability of rules to reach out to technology-based forms of crime (Purba et al., 2024). Regulations such as the ITE Law and the regulations of

the Ministry of Communication and Information function as administrative instruments that complement conventional criminal regulations. However, regulatory theory also highlights the need to update norms so that the law is able to adapt to the dynamics of digital crime, especially in the aspects of proof, perpetrator identification, and content supervision. Overall, in the theoretical study of criminal law, the crime of online gambling is understood as an expansion of the traditional form of gambling offense in the digital realm, the validity of which is still determined by the fulfillment of the elements of the offense that have been formulated normatively in positive law.

Online games are interactive software systems that combine game mechanics, digital interfaces, and server-client networks to enable interaction in a virtual environment. From the perspective of game design theory, each gaming platform has a core structure in the form of rules, outcome probabilities, reward systems, and progression mechanisms that affect users' play patterns (Falk et al., 2022). Higgs Domino Island can be understood as a digital gaming platform that combines various card, board, and chance-based game modules through a single software ecosystem. This structure represents modern game design principles that place the gaming experience, digital incentives, and user interaction as key elements (Google Play, 2025).

The concept of the virtual economy is an important part of this kind of game. The virtual economy includes digital currencies, the mechanisms of accumulation and use of virtual items, as well as the systemic relationship between supply, demand, and use value. Theoretically, digital currencies serve as an incentive instrument in the gaming ecosystem and can be the basis for the formation of internal economic value (Gumara & Umami, 2024). In theoretical studies of game studies, games with reward structures that resemble chance mechanics are often categorized in the spectrum of social games to social casinos, which are game categories that combine elements of entertainment and probabilistic mechanics (Hollingshead et al., 2021). This category is understood based on design features, not on its juridical implications.

The feature of exchanging or sending coins between users in the application opens up opportunities for transactions to occur outside of the official top-up mechanism provided by the developer (Hasan et al., 2023). The practice of buying and selling chips by players is generally aimed at obtaining a larger number of chips or a lower price than buying through official services; This condition gives rise to a secondary market that often takes place beyond the supervision of application operators. As a practical consequence, a variety of socio-economic and legal problems arise, including the risk of fraud, financial dependence, and unregulated transaction circulation (El Rahman, 2023). In addition to causing socio-economic problems, the practice of buying and selling chips outside the official mechanism also has significant implications for legal aspects.

Legal analysis is a scientific process used to interpret, study, and evaluate legal norms so that they can be understood systematically (Paryogo & Halawa, 2024). In law, legal analysis aims to place a rule in a complete legal structure, identify the relationship between norms, and assess the conformity of a provision with applicable legal principles (Fitrianto et al., 2021). To achieve this goal, legal analysis utilizes approaches that have been known in legal doctrine, such as the legislative approach, the conceptual approach, and the historical approach. Through these steps, legal researchers can understand the philosophical, sociological, and normative contexts that shape a legal system (Negara, 2023).

Normatively, legal analysis is based on the assumption that law is a set of norms that have a coercive and binding nature. Therefore, the interpretation of norms is an important part of legal analysis. In doctrine, several methods of interpretation are known which include grammatical,

systematic, teleological, authentic, and historical interpretations. Grammatical interpretation focuses on the meaning of the language of a article, while systematic interpretation connects one provision with another norm in the entire legal system. Teleological interpretation focuses on the law-making purpose, while historical interpretation traces the background to the formation of a rule. This combination of interpretation methods provides space for legal understanding that is not only textual but also contextual (Wiraguna, 2024).

Based on the context of Indonesian criminal law, any activity that contains betting elements with the value of the material at stake can be included in the category of gambling crimes (Sepatia et al., 2022). The Criminal Code through Article 303 regulates sanctions for parties who provide means or facilities for gambling, while Article 303 bis regulates sanctions for individuals who participate in gambling practices. In essence, gambling is an activity that is contrary to the values of religion, morality, and morality of Pancasila which can have a negative impact on society, nation, and state in terms of national interests (Ritonga, et al., 2024). When the Higgs Domino chip is used as a means of exchange that has economic value and can be traded for financial gain, the activity becomes relevant to analyze whether it has fulfilled the elements of gambling as referred to in the criminal provisions (Penatih & Pramesti., 2025).

In addition to criminal regulations, the government through the Ministry of Communication and Information also has the authority to supervise the existence of content or applications that contain negative elements, including online gambling. Several provisions such as the Regulation of the Minister of Communication and Information Technology concerning the Handling of Negatively Loaded Internet Sites and the Circular Letter on the provision of application services and digital content emphasize that an application can be categorized as gambling if it meets the elements of betting, the existence of games, and the existence of parties who get material benefits based on the results of the game. This provision is important to be the basis for assessing whether the features and economic activities running in the Higgs Domino Island application meet these criteria.

A number of empirical studies and legal studies in the last five years have shown that there are different views on the activity of buying and selling chips on the Higgs Domino Island application. Several studies consider that the practice is a form of informal economic activity that contains elements of gambling or *maisir* and raises sharia and social problems. On the other hand, there is an analysis that views Higgs Domino as a digital gaming platform like applications in general, and considers that legal problems only arise when chips are traded commercially outside of the official terms set by the application provider. These differences in interpretation have significant implications for criminal law enforcement, cyber regulation policies, and efforts to protect vulnerable community groups such as children and adolescents. Therefore, a systematic study is needed that links positive criminal law tools, the application of telecommunications regulations, and empirical facts related to chip transactions to produce policy recommendations and law enforcement measures that are proportionate and effective.

Based on this background, this study seeks to analyze whether the practice of chip transactions in Higgs Domino Island meets the elements of gambling crimes according to the Criminal Code and related regulations, as well as how the legal implications of these activities are in the context of legal protection for the community. This analysis is expected to provide normative clarification and policy recommendations for more effective prevention and law enforcement measures.

Methods Research

This research prioritizes approaches related to legislation, conceptualization, and case studies. The goal is to solve problems and understand the legal phenomena discussed and occurring in this research. Through this approach, researchers base their efforts on regulations contained in laws and international conventions related to the issues discussed, enabling them to solve legal and social problems in accordance with the problem formulation. Laws and international conventions on Human Rights and the Eradication of Gambling Crimes serve as the primary framework for conducting this research (Rifa'I et al., 2023).

This research is normative legal research, conducted in accordance with written regulations or other legal entities. The data collection technique used in this study is a documentary study, gathering several theories or opinions discussing criminal acts in online gambling cases (Juliardi et al., 2023).

Results and Discussion

Legal Regulations for Online Gambling Crimes in Legislation

Research shows that online gambling in Indonesia is growing rapidly with the penetration of the internet, smartphones, and digital banking services. Gambling previously conducted conventionally (lottery, cards, and the like), has now migrated to cyberspace, utilizing websites, applications, social media, and electronic payments. Several legal studies consider online gambling a form of cybercrime, namely a crime that uses electronic systems and computer networks as the primary means to commit a crime. In the Indonesian legal system, gambling is generally prohibited through primary instruments such as Law Number 7 of 1974 concerning the Regulation of Gambling and relevant articles in the Criminal Code (KUHP), namely Articles 303 and 303bis (Irza et al., 2024). Article 303 of the Criminal Code stipulates that anyone who intentionally, without permission, offers, provides an opportunity, or participates in gambling activities, whether as an organizer or participant, will be subject to imprisonment of up to 10 years or a maximum fine of IDR 25 million. This provision emphasizes that gambling in any form, including online gambling, which is now widespread through digital platforms, is a criminal offense. By including the elements of "providing an opportunity" and "participating," Article 303 of the Criminal Code provides a strong legal basis for law enforcement to prosecute not only online gambling site operators but also those who promote, provide access to, or facilitate such games. Therefore, this article remains relevant in the context of cybercrime and supports the implementation of the ITE Law in efforts to eradicate online gambling in Indonesia. However, the development of the digital world demands regulatory adaptations because gambling methods are no longer limited to physical locations or regular cash transactions. For example, through game applications, virtual top-ups, coin/chip systems that can be exchanged for real money or prizes. Digital regulations are also embodied in Law Number 1 of 2024, which provides a more comprehensive legal framework for governing digital activities, particularly regarding payments for illegal content, electronic transactions, and the responsibility of electronic system administrators (PSE).

The ITE Law Number 1 of 2024 provides a firm legal basis for online gambling activities by regulating gambling content in the digital realm. Article 27 paragraph (2) states that "Any person who intentionally and without authority distributes, transmits, and/or makes accessible Electronic Information and/or Electronic Documents containing gambling content." This provision criminalizes not only online gambling site operators but also parties who distribute links or promotional content for digital gambling. The sanctions for this violation are stipulated in Article 45 paragraph (3) of the ITE Law, namely a maximum prison sentence of 10 years and/or a fine of up to IDR 10 billion (Nafiatul, 2024). The implications of this regulation are far-reaching: the ITE Law strengthens enforcement instruments against online gambling, particularly in the distribution and promotion of digital content, while also adding a legal dimension that state officials can use to block and shut down online gambling activities (Najwa, 2024). In discussing the elements of online gambling crimes, the objective elements (e.g., offering or providing opportunities for gambling) and subjective elements (intentionally, without right, for profit, or as a livelihood) remain relevant. However, challenges arise when activities are conducted electronically: identifying organizers, virtual fund flows, cross-border jurisdiction, and digital evidence. The study "Criminal Offence of Online Gambling" (Purba et al., 2024) concluded that despite the legal framework being in place, implementation still faces significant obstacles. Furthermore, there is a legal gap or gray area where games that appear to be entertainment but involve betting/real money exchange are not directly regulated as conventional gambling. For example, the study "The Prohibition of Online Gambling in Indonesia" (Lewiandy et al., 2024) criticized the full prohibition approach and suggested a more balanced regulation between morality and economic efficiency.

An Analysis of Gambling in the Higgs Domino Islands Online Game from a Criminal Law Perspective in Indonesia

Online gambling methods utilizing gaming applications like HiggsDominoIslands are becoming increasingly prevalent and a focus of research because they combine elements of entertainment and monetary transactions, potentially leading to "hidden gambling." For example, a study titled "Factors Causing Online Gambling on HiggsDominoIsland Among Young Adults in Pasar Sarulla Village" (Sianturi, 2024) revealed that chip transactions, top-ups, and item exchanges within HiggsDomino play a significant role as a medium for online gambling with significant financial value. Furthermore, based on the study "Juridical Analysis of the Criminal Act of Buying and Selling Online Game Chips" (Rambe et al., 2025), the practice of topping up online game chips, exchanging chips for money/assets, and providing access to games with elements of chance fulfill some of the elements of the crime of gambling, specifically "providing the public with the opportunity to play."

From the perspective of the Criminal Code and the UUIITE, activities in Higgs Domino can be classified as criminal gambling if it can be proven that (1) the application provider

or chip exchanger acts as a provider of gambling opportunities for the public (Article 303 of the Criminal Code), (2) players participate in the game with the hope of profiting through the provided system, and (3) transactions take place electronically (opening up the opportunity to apply Article 27(2) of the UUIITE). The study "Juridical Review of the Criminal Act of Buying and Selling Chips in the Online Game HiggsDominoIsland" (Al Hikam, 2022) states that trading in online game chips can potentially be categorized as gambling, and prosecutors should utilize the UUIITE to adapt to current developments.

The discussion uncovered several important findings. First, methods like those used in Higgs Domino are often carried out by organizers or exchangers located overseas or using foreign servers, thus hampering Indonesian jurisdiction and complicating investigations. Second, evidence of electronic transactions, the flow of crypto or virtual item funds, and the identification of "players" or "dealers" are key challenges in criminal proceedings. The study "Law Enforcement Policy by the Police in Combating Online Gambling" (Tanuwijaya et al., 2025) shows that enforcement is only effective if it can access digital evidence, trace across borders, and strengthen the public's digital literacy.

The implication for criminal law enforcement is that although sanctions are available, such as imprisonment of up to 10 years or large fines, their effectiveness is limited by technical and structural factors: crypto transactions, overseas servers, perpetrator anonymity, and suboptimal inter-agency coordination. A study "The Effectiveness of Law Enforcement Against Online Gambling Crimes" (Nurdiansyah et al., 2024) emphasized the need for a holistic strategy that integrates legal regulations, forensic technology, international cooperation, public education, and efficient court support. Thus, it can be concluded that the normative framework for online gambling crimes in Indonesia has a sufficient foundation, but adapting to the dynamics of electronic gaming is critical for effective regulation and enforcement.

Third, despite legal loopholes in gaming practices packaged as skill-based entertainment but actually containing elements of chance and involving the exchange of real money, this condition gives rise to differences in interpretation among judges when handling cases with similar characteristics because each has a different perspective in assessing whether the elements of gambling are met or not (Rambe et al., 2025). In this context, the results of research on the practice of buying and selling game chips show inconsistencies in court decisions with each other, where some judges consider the activity to be a gambling crime while others consider it a digital game activity without criminal elements. This situation reflects the lack of uniformity in understanding the application of the elements of gambling crimes in the digital context, which leads to inconsistencies in law enforcement. Therefore, although normatively games like HiggsDominoIslands can be qualified as a form of online gambling under applicable regulations, the application of criminal law to these cases still faces serious obstacles due to the lack of clarity on the boundaries between entertainment activities and actions that can be classified as gambling under positive law in Indonesia.

Conclusion

Research results show that online gambling practices using games like Higgs Domino Islands bear substantial similarities to conventional forms of gambling, as they involve elements of betting, chance, and the potential for material gain. The legal framework in Indonesia, through the Criminal Code, Law Number 7 of 1974, and Law Number 1 of 2024, actually provides sufficient grounds for prohibiting all forms of gambling, including those conducted digitally. However, the application of the law in the context of online games remains challenging due to the lack of explicit regulations governing digital transactions that resemble gambling and the lack of uniform interpretation among law enforcement agencies. Furthermore, proving criminal elements remains a challenge due to the anonymous nature of cyberspace, its cross-jurisdictional nature, and the need for complex electronic evidence. This situation leads to inconsistent law enforcement despite the existing legal basis, necessitating regulatory refinements and increased capacity of authorities to address the ever-growing digital crime landscape.

The government needs to immediately draft specific regulations governing digital activities with betting elements to avoid a legal vacuum in handling online gambling cases. Law enforcement officials need to strengthen their digital investigative capabilities by utilizing forensic technology to trace virtual transactions and strengthening coordination between institutions such as the National Police, the Ministry of Communication and Information Technology, the Financial Services Authority (OJK), and the National Cyber and Cyber Security Agency (BSSN). In addition to repressive enforcement, preventive measures must also be enhanced through public education regarding the legal and social risks of using games that feature virtual currency transactions. Education and the mass media can play a role in increasing digital literacy so that the public can distinguish between games that are purely entertaining and those that fall into the gambling category. These efforts are expected to create a legal system that is responsive to technological developments and maintains moral and social stability in the digital era without relying on a reactive legal approach.

Bibliography [size 12, bold]

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