

Disparity in the Application of Legal Rules to Gambling Crimes Through Electronic Media

Musriko ¹,Febriansyah ²

5222220016@univpancasila.ac.id ¹, 5222220026@univpancasila.ac.id ²

^{1,2} Magister Ilmu Hukum, Universitas Pancasila, Indonesia

Article Info

Received: 2023-01-15

Revised: 2023-03-21

Accepted: 2023-06-18

Keywords:

Online betting,

Cybercrime,

Disparity of Decition,

in dubio pro reo

Abstract

Gambling is a betting game in which a value that is considered valuable is wagered in advance. Gambling is a criminal offense, of the many online gambling cases that have been decided by the court, including Decision Number 111/Pid.Sus/2021/Pn Unr, and Decision Number 139/Pid.Sus/2021/Pn Skb. Both decisions are decisions related to gambling crimes committed through electronic means, but from the two decisions, there are fundamental differences, especially related to the application of the reason is, where in the first decision the Judge used Article 303 of the Criminal Code, but in other decisions, the judge used the ITE law. Based on that, this study will examine why there is a disparity between the two decisions above. This study uses a normative juridical method with a legislative approach and a case approach. The results of the study show that even though the actions of the two defendants were both carried out with electronic media facilities (smartphones) belonging to each defendant, the judge in making a verdict, tended to follow the demands of the Public Prosecutor. Disparity in the application of law in practice can result in disruption of the value of legal certainty and justice.

I. Introduction

Criminal law is one of the legal instruments that contains the basis and rules to determine every act that is prohibited from being committed, or that contains a prohibition followed by the threat of sanctions, namely a criminal as formulated, when, how and in what kind of cases those who commit the violation in question can be subject to a criminal sanction as threatened. as well as how its application is carried out if there are people who commit criminal acts¹.

The rapid development of technology has had a significant positive impact, especially in the era of globalization like today. One of the positive impacts is to make it easy and fast for the wider community to obtain and provide information. In fact, at the same time, the public can find out what events are happening in other places. However, this rapid technological development also has a negative impact. One of them is the emergence of new crimes along with the rapid improvement of information technology, namely *Cyber2crime*. *Cyber3crime* can be translated as illegal activities carried out using computers through a global electronic network.²

According to Judhariksawan, cyber crime perpetrators need a sophisticated telecommunication system and can connect computers to each other using special antennas such as wireless systems, as well as telephone lines to carry out their actions³. *Cybercrime* is very closely related to *cyberspace*. *Cyberspace*, also known as cyberspace, is a communication medium that is located in a computer that is carried out using the internet. Space is a social space that is not limited by distance and time.⁴ The abuse that occurs in a *cyberspace* is then referred to as *cybercrime*.⁵ There are different types of cybercrime. Online gambling is part of the massive cybercrime model that occurs in today's society.

Gambling is a betting game in which a value that is considered valuable is wagered in advance. In betting, the players will choose one of several options and only one right decision. The losing player will then give the winning player his bet. Before the game starts, the value of the bet is determined.⁶ In Article 303 paragraph (3) of the Criminal Code, it is explained that gambling is a game where players usually only rely on luck to get a profit, but some players gamble because they already understand the flow of the game and are experienced. In addition to betting being an act that is contrary to legal norms, betting is also not in accordance with other accepted practices such as the norm of honor. According to the legal perspective, one of the criminal acts that disturbs society today is gambling. In connection with this problem, in article 1 of Law

¹ Erdianto Effendi, *Indonesian Criminal Law An Introduction*, (Bandung: Refika Aditama, 2011), p. 5.

² Lilik Muladi, *Seraut Wajah Putusan Hakim: Studi Kasus Prita Mulyasari*, (Jakarta : Rineka Cipta, 2009), hlm. 40.

³ Judhariksawan, *Introduction to Telecommunications Law*, (Jakarta: Rajawali Press, 2005), pp. 12-13.

⁴ Maskun, *Cyber Crime: An Introduction*, (Jakarta: Kencana, 2013), p. 46.

⁵ *Ibid.*, p. 47

⁶ M. Sudradjat Bassar, *Certain Criminal Acts*, (Bandung: Remadja Karya, 1986), p. 179.

No. 7 of 1974 (Gambling Control Law) ⁷

The government has been trying to eradicate this online gambling activity. As a result, the government can tackle *online gambling* activities from the beginning and give an understanding that online gambling has been regulated by law.⁸ In proving its seriousness, the government enacted regulations related to gambling activities, the Gambling Control Law, Government Regulation Number 9 of 1981 as the implementing rules of the Gambling Control Law, Article 303 of the Criminal Code and Article 27 paragraph (2) of Law Number 19 of 2016 concerning Amendments to Law Number 11 of 2008 concerning Information and Electronic Transactions (UU ITE).

Since online gambling involves the use of computers and internet networks, it is categorized as *cybercrime*. Gambling clearly clashes with morality, morality and Pancasila. This crime can also threaten the survival of society, nation and state. In Indonesia, gambling is also a violation of social culture.⁹

To stop online gambling crimes, law enforcement agencies often take repressive actions, namely by legally processing the perpetrators. The legal process is carried out starting from investigation, arrest, which is followed by the investigation process, prosecution, and ends in a judicial process to be examined and decided by a panel of judges.

Of the many online gambling cases that have been decided by the court, among them are Decision Number 111/Pid.Sus/2021/Pn Unr, and Decision Number 139/Pid.Sus/2021/Pn Skb. Both decisions are decisions related to gambling crimes carried out through electronic means, but from the two decisions, there are fundamental differences, especially related to the application of the article.

In Decision Number 111/Pid.Sus/2021/Pn Unr, the panel of judges stated that the defendant was guilty of committing the crime of "*using the opportunity to gamble carried out in violation of the provisions of Article 303*", as in the *third alternative indictment*". ". In another decision, namely decision number 139/Pid.Sus/2021/Pn Skb, the panel of judges of the Mempawah District Court stated that the defendant was legally and convincingly proven to have committed a criminal act "*Intentionally and without the right to transmit Electronic Information that has gambling content*" as the *Public Prosecutor's First Alternative Indictment*"

In the reality of the application of these different laws, there seems to be a problem in law enforcement of gambling activities through electronic media in Indonesia, and on this basis the authors in examining how enforcement of gambling crimes through

⁷ Chawasi Adami, *Criminal Law Lessons I*, (Jakarta: Raja Grafindo Persada, 2006), p.79.

⁸ Abdul Wahid and Mohammad Labib, *Cyber Crime: Mayantara Crime*, (Jakarta: PT. Refika Aditama, 2016), p. 48.

⁹ Lanka Amar, *The Role of Parents in the Trial Process of Gambling Crimes Committed by Children*, CV. Mandar Maju, Bandung, 2017, p. 1.

electronic means, especially in relation to why until There is a disparity in the application of legal rules to gambling crimes through electronic mediation as contained in Decision Number 111/Pid.Sus/2021/Pn Unr, and Decision Number 139/Pid.Sus/2021/Pn Skb which is a reflection of law enforcement regarding gambling crimes in Indonesia?

2. Research Method

In this study, the authors use normative juridical as a research method, namely research that contains descriptions related to problems based on written law and uses other documents where it discusses problems by examining legal rules and legal principles. This type of research conducts problem assessments using legal, non-legal, and literature studies as guidelines.¹⁰ As for the research approach, we use the Legislative Approach, the Conceptual Approach, and the Case approach.

3. Results and Discussion

Criminalization and Judges' Decisions: A Theoretical Study

The theory can also be referred to as the result of expert thinking, an event where the perpetrators of crimes who commit criminal acts are tried and sanctioned, or called the term criminal. A criminal act is an act that is not in accordance with the applicable law and whoever commits the act will receive a criminal threat.¹¹

According to absolutists or retribution theorists such as Immanuel Kant, Stahl, Herbart, Leo Polak, and Hegel, it is stated that punishment must be created by the state, which is then given to those who commit crimes because they have been considered guilty.¹²

Basically, this absolute theory has a basic principle, namely the principle of retribution for the deeds that have been done. For example, such as the terms "life is paid for life" or "eyes are paid for eyes", and others. The definition of absolute theory was also expressed by L.J. Van Apeldoorn, according to him absolute theory is a theory that justifies that punishment is an absolute consequence of a crime that has been committed by a perpetrator. So it can be said that the punishment is given with the intention of only providing revenge for the crime of the perpetrator.¹³

Apart from being the "crown", the judge's decision is also an impression of the highest value of justice, true truth, human rights, dominance of regulations or reality in a way that is arranged, quality and verifiable, as well as the moral impression, mindset and

¹⁰ Eko Noer Kristiyanto, The Reach of National Laws Against Online Prostitution, (Journal of Legal Research, 2018), p. 2

¹¹ Moeljanto, *Asas-Asas Hukum Pidana*, Rineka Cipta, Jakarta, 2000, hlm 54.

¹² Ibid.

¹³ Ibid., p. 142.

ethical quality of the judges concerned.¹⁴

Before the judge makes a verdict or verdict, there is an aspect that must be considered, namely the legal aspect. Legal Aspects are considerations based on matters revealed in the trial. These things include witness statements, discovery of evidence, defendant statements, and others. Based on these juridical considerations, it is then determined whether the defendant is considered guilty of the charges filed or acquitted of the charges.¹⁵

The main juridical consideration is contained in the Letter of Indictment. An indictment is an important component in a criminal trial. The indictment is the starting point of the trial process, as well as a benchmark for the judge to decide on a case submitted to the Court.¹⁶

After passing the examination period by the judge and the discovery of facts based on tools and evidence, then a letter of demand is made by the Public Prosecutor¹⁷ which will also be considered by the examining Judge. In relation to evidence, Andi Hamzah stated that evidence in a criminal case is an item used when a criminal act is committed (object of delicacies), or goods used to carry out a delicacy including objects produced from a delicacy.¹⁸

Article 39 paragraph (1) of the Criminal Procedure Code also mentions further related to evidence. It is stated in article 39 paragraph (1) that the objects that can be worn in confiscation are:¹⁹

1. obtained partially or wholly which is suspected to have been obtained from a criminal act and is a product of a criminal crime.
2. used directly to execute criminal acts or those that have been prepared.
3. used to obstruct a criminal investigation.
4. made specifically to commit criminal acts.
5. has a connection with a criminal act

Transformation of Gambling Crimes: From "Offline" Gambling to "Online" Gambling

Gambling is a crime that can damage the morality of the nation. However, this gambling is difficult to eliminate, so it seems to have become a crime inherited from the past to the present. Therefore, avoiding and limiting yourself and others from

¹⁴ Lilies Muladi, *Op.Cit*, hlm. 129.

¹⁵ Lilies Mulyadi, *Op.Cit*, hlm. 129.

¹⁶ Andi Hamzah (a), *Criminal Code and Criminal Code*, (Jakarta: National Library of the Republic of Indonesia: Catalog in Publications, 2016), p. 238.

¹⁷ *Ibid.*, p. 230.

¹⁸ Andi Hamzah, (b), *Indonesian Criminal Procedure Law*, (Jakarta: Sinar Grafika, 2017), p. 149.

¹⁹ Andi Hamzah, (a), *Op.Cit*, hlm. 250.

gambling is a must.²⁰

The main factor that causes the struggle is the decline in social norms in society. This happens when a person is more concerned with his own wealth and desires/needs. On the other hand, the surrounding community also began to not care about what was happening around them. So, this gambling crime is getting easier to develop rapidly. In addition, considering gambling to be a fun game also influenced the development of this crime. A person feels happy with playing games, especially if it has become a hobby then it will be difficult to get rid of gambling.²¹

The three elements that must exist in order for the behavior as described earlier, can be considered to have committed a gambling crime are:

1. *Games* or races, Activities that are usually in the form of games and races. So entertainment if done for fun or an activity to fill free time and entertain yourself. However, here, the guilty party does not need to be there. Because they can bet on the outcome of a match or race as a spectator or participant.
2. Speculation, really intending to win a match or competition, he relies more on luck. Alternately, the winning factor can also come from the habits or intelligence of players who have been trained or known as "players".
3. In this game or competition, there is betting, where players bet money or other property from the house.²²

Online gambling is a game of chance where it is usually played through a computer or *smartphone* connected to the internet and involves placing bets. Nowadays, many people choose to gamble online because it is easy and convenient to make money, compared to playing in traditional casinos. Online gambling is a form of violation of the law as regulated by Article 27 paragraph 2 of the ITE Law.²³

Crime using computers, also known as *Cyber Crime*. This crime uses a sophisticated technological system. Computers with internet connections, which can usually be found in internet cafes/personal devices, or even personal smartphones with *wireless fidelity* (wifi) internet connections from available internet cafes/hotspot stalls are then used to commit online gambling crimes. After that, the bet is placed with the funds that have been deposited into the bank account. The funds in the account will

²⁰M. Irsan, Zuleha, Andi Rachmad, and Meukuta Alam, "Law Enforcement Against Women Who Commit Criminal Acts in Langsa City", Volume 1, Number 1 (June 2019), p. 148.

²¹ Oktir Nebi, "Law Enforcement Against the Crime of Illicit Toto Gambling (Lottery) in the Community", *Journal of Social Administration and Humanities*, Volume 3, Number 1, (December 2018), p. 39.

²² Andi Kumala Yusri Tanra, "Juridical Review of Gambling Crimes" (Undergraduate Thesis, Hasanuddin University of Makassar, 2017), p. 16.

²³ Hery Sulisyanto and Lindu Ardjayeng, "Juridical Review of Online Gambling Reviewed from Law Number 11 of 2008 concerning Information and Electronic Transactions", *Legal and Community Dynamics*, Volume 1, Number 1, (April 2018), p. 1-19.

later be converted into cash balances on the online gambling site after previously prospective players register an account in order to be able to choose the games on the site.²⁴

Disparity in the Application of Legal Rules to Gambling Crimes Through Electronic Mediation in Decision Number 111/Pid.Sus/2021/Pn Unr, and Decision Number 139/Pid.Sus/2021/Pn Skb

Chaeng Molly stated, Criminal Disparity is a crime against the same offense or (*same offence*) but different in application, or for a criminal act that can be compared without a clear legal reason.²⁵

Then, Muladi quoted Jackson who said that criminal disparities can occur between individuals who commit the same offense in the same case but different laws are applied. The Great Indonesian Dictionary defines disparity as "distance or difference".²⁶

In addition, in the context of law enforcement in the jurisdiction of judicial power, one of the goals to be achieved in the consideration of court decisions is legal certainty, which is closely related to justice in relation to positive legal norms.²⁷ Legal certainty is one of the legal characteristics that must exist, especially in written legal norms. Laws without certainty will lose their meaning because they cannot be enforced. Moreover, guarantees of legal certainty are part of human rights. Therefore, the right to obtain legal certainty is placed in Article 28D which is part of Chapter XA of the 1945 Constitution of the Republic of Indonesia, namely regarding Human Rights.

In deciding a case, the Judge has freedom. However, according to Article 182 paragraph (3) of the Criminal Procedure Code, in deciding a criminal case that is the benchmark in determining the guilt of the defendant is in the Indictment. The Indictment occupies a central position in the examination of criminal cases in the Court and the Indictment is the basis and limits the scope of the examination.²⁸ In Case Number 111/Pid.Sus/2021/Pn Unr, and Case Number 139/Pid.Sus/2021/Pn Skb, the indictment submitted by the Public Prosecutor, is in the form of an alternative indictment. Alternative forms of indictment are used when certainty has not been obtained about which Criminal Acts are the most appropriate to prove. In alternative indictments, even though the indictment consists of several layers, only one

²⁴ Muhammad Ikhsan, Journal, Factors Causing Online Gambling Through Internet Media Conducted by Students in Pontianak City Reviewed from a Criminological Perspective, p. 1.

²⁵ Muladi and Barda Nawawi, Criminal Theories and Policies (Bandung: PT. Alumni, 2005), p. 53.

²⁶ Hasan Alwi et. al. Great Dictionary of Indonesian Language (Jakarta: Department of Education Balai Pustaka, 2002)p. 270

²⁷ Sutrisno, Fenty Puluhulawa, and Lusiana Margareth Tijow, "Application of the Principles of Justice, Legal Certainty and Usefulness in the Judge's Decision on Corruption", *Gorontalo Law Review* 3 no. 2 (2020): 170

²⁸ Surat Edaran Jaksa Agung Republik Indonesia Nomor: Se-004/J.A/11/1993 Tentang Pembuatan Surat Dakwaan, : 16 Nopember 1993

indictment is proven without having to pay attention to the order and if one of them has been proven, then the indictment on the other layer does not need to be proven again. In the form of this indictment, between one layer and the other use the conjunction "or". To get a clearer picture of the comparison of the two Putterans, please pay attention to the table below:

DECISION NUMBER	111/PID.SUS/2021/PN UNR	139/PID.SUS /2021/PN SKB
Indictment	Article 45 Paragraph (2) Jo Article 27 Paragraph (2) of the ITE Law, or, Article 303 Paragraph (1) 1 of the Criminal Code, or Article 303 bis Paragraph (1) 1 of the Criminal Code	Article 45 Paragraph (2) Jo Article 27 Paragraph (2) of the ITE Law, Or, Article 303 Paragraph (1) 2nd of the Criminal Code
Evidence	4 Witnesses and Defendant's Statement	3 Witnesses, 1 Expert, and Defendant's Testimony
Material Evidence	- 3 <u>Smartphones complete</u> with SIM card - 1 ATM Card - Cash of Rp100,000.00	- Cash of Rp. 97,000 - 1 ATM card - 1 piece of lottery number notebook - 1 sheet of record containing the Number of the Installer. - 1 cellphone <i>Smartphone</i> complete with SIM card
Demands	The defendant violated Article 303 bis Paragraph (1) 1 of the Criminal Code (third indictment).	The defendant violated Article 45 Paragraph (2) Jo Article 27 Paragraph (2) of the ITE Law (third indictment).
Verdict	Declaring the Defendant guilty of committing the crime of "gambling" as stipulated in Article 303 bis Paragraph (1) 1 of the Criminal Code, according to the third alternative indictment of the Public Prosecutor	Declaring the Defendant guilty of committing the crime of "Deliberately making accessible electronic information that has gambling content" as stipulated in Article 45 Paragraph (2) Jo Article 27 Paragraph (2) of the ITE Law, according to the first alternative indictment of the Public Prosecutor.

Source : processed from the Judgment studied (Directory of Supreme Court Decisions, (<https://putusan3.mahkamahagung.go.id/>))

If you pay attention to the comparison contained in the table above, and are associated with the judge's consideration as described by the author in the previous section, it can be seen, even though in essence the actions of the two defendants were both carried out with the help of electronic media (*smartphones*) belonging to each defendant where it shows the actions of the defendants in each of them, including in the realm of "electronic crime / Cyber Crime". However, the judge's decision is more inclined to "follow" the Claim filed by the Public Prosecutor.

In judicial practice, before the existence of SEMA Number 7 of 2012, judges who were faced with an alternative examination / proof of indictment, had different views, the differences in question include:

1. Some Judges in their decision examine all the charges and then declare which charges are proven;
2. Some other judges immediately examined the indictment that was considered the most relevant to the facts of the trial;

Due to the differences between the judges, the Supreme Court through SEMA Number 7 of 2012 dated September 12, 2012²⁹ which is the Result of the Formulation of the Criminal Chamber Meeting of the Supreme Court of the Republic of Indonesia provides a "Solution" so that *"the Judge can immediately appoint which alternative indictment is most relevant to the facts of the trial and/or which is easier to prove"*. On the one hand, this still gives freedom to the judge in deciding a case, on the other hand with the phrase *"... which is easier to prove"* is full of subjective content. Easy or difficult is a very relative thing, therefore in these two cases, the object of this research, which is considered relevant and *easier to prove*, the judge tends to follow the demands of the Public Prosecutor because the Public Prosecutor in his demands has concluded which article must be proven.

Interpreted simply, Disparity means difference/distance³⁰. With the difference between Decision Number 111/Pid.Sus/2021/Pn Unr, and Decision Number 139/Pid.Sus/2021/Pn Skb, of course, it will result in a disruption of the value of legal certainty. Moreover, when viewed from the Defendant's side, it certainly causes injustice.

In Decision Number 139/Pid.Sus/2021/Pn Skb, the judge sentenced the defendant to 6 (six) months. Meanwhile, for the Defendant in decision Number 139/Pid.Sus/2021/Pn Skb, the Defendant was sentenced to 2 years and 6 months in prison.

The debate about the importance of legal certainty and justice has become a struggle for judges in imposing criminal verdicts. Because a law that successfully guarantees a lot of legal certainty in society is a useful law.³¹ The judge plays a role in this guarantee because it has the authority to issue a verdict. Judges must be able to make decisions by considering the elements of justice and the element of legal certainty in a proportionate and appropriate portion.

Moreover, basically criminalization is a form of giving suffering to people. Legal experts such as Simons, Sudarto, Roeslan Saleh, Ted Honderich, Alf Ross, P.A.F Lamintang said that criminalization refers to a form of suffering for the perpetrator.³² G.P. Hoefnagel said that criminalization is not only suffering but includes all reactions

²⁹ SEMA Number 7 of 2012 dated September 12, 2012, number 9 of the results of the General Criminal Chamber meeting.

³⁰ <https://kbbi.kemdikbud.go.id/entri/disparitas>, accessed 2023

³¹ Adi Toegarisman., *Eradication of Corruption in the Efficiency Paradigm*, (Jakarta: Kompas Media Nusantara, 2016), p. 101

³² Mohammad Ekaputra and Abul Khair, *The Criminal System in the Criminal Code and Its Regulation According to the Concept of the New Criminal Code*, (Medan: USU Press, 2010), pp. 2-4

to violations of the law that have been prescribed by law, from arrest, detention, prosecution, and until the sentence is handed down.³³

4. Conclusion

The actions of the two defendants, both in Decision Number 111/Pid.Sus/2021/Pn Unr, and Decision Number 139/Pid.Sus/2021/Pn Skb, were both carried out with electronic media facilities (*smartphones*) belonging to each defendant where it shows the actions of the defendants in each of them, including in the realm of "electronic crime / *Cyber Crime*". The disparity in the application of the rule of law occurs due to the tendency of judges to follow the demands of the Public Prosecutor. This is certainly considered the most relevant and easiest to prove considering that the Public Prosecutor in his prosecution has concluded which article must be proven. In addition, with the difference between Decision Number 111/Pid.Sus/2021/Pn Unr, and Decision Number 139/Pid.Sus/2021/Pn Skb, it certainly results in the disruption of the value of legal certainty and justice.

References

- Adi Toegarisman., *Pemberantasan Korupsi Dalam Paradigma Efisiensi*, (Jakarta : Kompas Media Nusantara, 2016)
- Andi Hamzah, *KUHP dan KUHP*, (Jakarta: Perpustakaan Nasional RI: Katalog Dalam Terbitan, 2016)
- , *Hukum Acara Pidana Indonesia*, (Jakarta: Sinar Grafika, 2017)
- Andi Kumala Yusri Tanra, "Tinjauan Yuridis Terhadap Tindak Pidana Perjudian" (Skripsi Sarjana Universitas Hasanuddin Makassar, 2017)
- Chawasi Adami, *Pelajaran Hukum Pidana I*, (Jakarta : Raja Grafindo Persada, 2006)
- Abdul Wahid dan Mohammad Labib, *Cyber Crime : Kejahatan Mayantara*, (Jakarta : PT. Refika Aditama, 2016)
- Erdianto Effendi, *Hukum Pidana Indonesia Suatu Pengantar*, (Bandung: Refika Aditama, 2011)
- Eko Noer Kristiyanto, Jangkauan Hukum Nasional Terhadap Prostitusi Daring, (Jurnal Penelitian Hukum, 2018)
- Hery Sulisyanto dan Lindu Ardjayeng, "Tinjauan Yuridis tentang Perjudian Online Ditinjau dari Undang-Undang Nomor 11 Tahun 2008 tentang Informasi dan Transaksi Elektronik", *Dinamika Hukum dan Masyarakat*, Volume 1, Nomor 1, (April 2018)
- Hasan Alwi et. al. Kamus Besar Bahasa Indonesia (Jakarta: Departemen Pendidikan Balai Pustaka, 2002)
- Judhariksawan, *Pengantar Hukum Telekomunikasi*, (Jakarta: Rajawali Press, 2005)
- Kamus Besar Bahasa Indonesia, <https://kbbi.kemdikbud.go.id/entri/disparitas>, diakses November 2022
- Lanka Amar, *Peranan Orang Tua dalam Proses Persidangan Tindak Pidana Perjudian yang Dilakukan oleh Anak*, CV. Mandar Maju, Bandung, 2017
- Lilik Muladi, *Seraut Wajah Putusan Hakim: Studi Kasus Prita Mulyasari*, (Jakarta : Rineka Cipta, 2009)
- M. Irsan, Zuleha, Andi Rachmad, dan Meukuta Alam, "Penegakan Hukum Terhadap Wanita Yang

³³ Muladi and Barda Nawawi Arief., *Criminal Theories and Policies*, (Bandung: Alumni., 1998) pp. 9-10

- Melakukan Tindak Pidana Di Kota Langsa", Volume 1, Nomor 1 (Juni 2019), hlm. 148.
- M. Sudradjat Bassar, *Tindak-Tindak Pidana Tertentu*, (Bandung : Remadja Karya, 1986)
- Mohammad Ekaputra dan Abul Khair, *Sistim Pidana di Dalam KUHP dan Pengaturannya Menurut Konsep KUHP Baru*, (Medan : USU Press, 2010)
- Muladi dan Barda Nawawi Arief., *Teori-teori dan Kebijakan Pidana*, (Bandung : Alumni., 1998)
- Maskun, *Kejahatan Siber (Cyber Crime): Suatu Pengantar*, (Jakarta: Kencana, 2013)
- Muhammad Ikhsan, Jurnal, Faktor-Faktor penyebab Terjadinya Perjudian Online Melalui Media Internet yang Dillakukan oleh Mahasiswa di Kota Pontianak ditinjau dari Sudut Kriminologi,
- Muladi dan Barda Nawawi, *Teori-Teori dan Kebijakan Pidana* (Bandung: PT. Alumni, 2005)
- Oktir Nebi, "Penegakan Hukum Terhadap Tindak Pidana Perjudian Toto Gelap (Togel) di Masyarakat", *Jurnal Administrasi Sosial dan Humaniora*, Volume 3, Nomor 1, (Desember 2018)
- Surat Edaran Jaksa Agung Republik Indonesia Nomor: Se-004/J.A/11/1993 Tentang Pembuatan Surat Dakwaan, : 16 Nopember 1993
- Surat Edaran Mahkamah Agung Nomor 7 Tahun 2012 tanggal 12 September 2012, angka 9 hasil rapat kamar Pidana Umum.
- Sutrisno, Fenty Puluhulawa, dan Lusiana Margareth Tijow, "Penerapan Asas Keadilan, Kepastian Hukum Dan Kemanfaatan Dalam Putusan Hakim Tindak Pidana Korupsi", *Gorontalo Law Review* 3 no. 2 (2020)