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Online Loans for Online Gambling among College Students in Indonesia: Legal Liability, Enforcement, and Prevention

Pinjaman Online untuk Judi Online di Kalangan Mahasiswa Indonesia: Pertanggungjawaban Hukum, Penegakan, dan Pencegahan

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Abstract

The use of online loans to finance online gambling among university students raises concerns about debt risks, contractual obligations, and legal liability. This study examines financing patterns, factors associated with the use of borrowed funds for gambling, the legal consequences for relevant parties, and law enforcement challenges in Indonesia. It employs normative legal research through statutory and conceptual approaches, supported by qualitative analysis of previously published findings. The analysis indicates that rapid credit access, financial constraints, social influence, and impulsive behaviour may be associated with loan-financed gambling. It also highlights the need to distinguish borrowers' civil obligations, criminal liability for gambling-related conduct, and lending providers' responsibilities according to their roles and applicable legal provisions. This study contributes an integrated legal framework for analysing these distinct forms of responsibility and identifies interagency coordination, transaction oversight, and digital financial literacy as important components of prevention.

Keywords: Online Loans; Online Gambling; College Students; Law; Responsibility

Abstrak

Penggunaan pinjaman online untuk membiayai perjudian online di kalangan mahasiswa menimbulkan persoalan terkait risiko utang, kewajiban kontraktual, dan pertanggungjawaban hukum. Penelitian ini bertujuan menganalisis pola pembiayaan, faktor yang melatarbelakangi penggunaan pinjaman untuk perjudian, konsekuensi hukum bagi pihak terkait, serta tantangan penegakan hukum di Indonesia. Penelitian menggunakan pendekatan hukum normatif melalui pendekatan perundang-undangan dan konseptual, dengan dukungan analisis kualitatif terhadap temuan penelitian terdahulu. Hasil kajian menunjukkan bahwa akses kredit yang cepat, keterbatasan finansial, pengaruh sosial, dan perilaku impulsif merupakan faktor yang dapat berkaitan dengan penggunaan dana pinjaman untuk perjudian. Analisis juga menegaskan perlunya membedakan kewajiban perdata mahasiswa sebagai peminjam, pertanggungjawaban pidana atas aktivitas perjudian, dan tanggung jawab penyedia layanan sesuai peran serta dasar hukumnya. Penelitian ini menawarkan kerangka analisis hukum terpadu serta menekankan koordinasi antarlembaga, pengawasan transaksi, dan edukasi keuangan digital sebagai langkah pencegahan.

Kata Kunci: Pinjaman Online; Judi Online; Mahasiswa; Hukum; Tanggung Jawab

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INTRODUCTION

Research on online lending and online gambling in Indonesia has identified a connection between digital access to credit and gambling participation. Fadhilah et al. examine the relationship between digital factors, online loans, and online gambling, highlighting the relevance of digital access to gambling-related behaviour.[1] This connection becomes particularly concerning among university students, who may require funds for tuition and everyday expenses while having limited financial resources. When loan proceeds are used for gambling, students face two distinct financial risks: losing the money wagered and remaining contractually obliged to repay the borrowed funds. The problem therefore extends beyond gambling behaviour itself to the consequences of combining speculative financial activity with formal or informal borrowing. Nevertheless, the use of online loans does not, by itself, establish that a borrower has engaged in gambling or that a lending provider has participated in unlawful conduct.

Evidence from Surabaya provides a more specific account of how borrowed funds may enter online gambling activities. Indra and Utami examine the use of loan funds for online gambling and describe practices involving money obtained from both regulated and unregulated sources.[2] These findings illustrate how rapid access to borrowed money can provide gambling capital even when borrowers have limited financial capacity. The mechanism creates a potentially harmful cycle: students obtain funds to place bets, experience losses, and may continue gambling in the hope of recovering the money already spent, while their repayment obligations remain in place. The resulting pressure can affect educational expenses, family relationships, and the ability to meet other financial commitments. However, findings from a study conducted in Surabaya should be interpreted within its research context rather than treated as evidence of national prevalence or as representative of all university students.

The relationship between borrowing and gambling also needs to be understood in terms of the social and behavioural conditions that may shape students' decisions. Peer influence, expectations of quick financial gains, entertainment motives, and limited understanding of financial risk may contribute to gambling participation, while impulsive decisions can make it difficult to stop after experiencing losses. Marliana et al., in their study of impulsive behaviour among university students who gamble online, provide a behavioural perspective for understanding this problem.[3] When gambling is financed through credit, the consequences extend beyond the immediate loss of available money because the borrower remains responsible for repayment under the applicable agreement. This creates an important distinction between the factors associated with gambling participation and the specific evidence needed to establish that borrowed funds were used for gambling. Distinguishing these issues is essential for assessing both students' financial vulnerability and the legal consequences that may arise in individual cases.

Previous studies have addressed different dimensions of this issue, but their findings have not always been integrated into a single legal analysis. Fadhilah et al. examine digital factors and online loans in relation to online gambling,[4] while Indra and Utami provide more direct evidence

1 Ash Shoffi Hana Fadhilah, Safier Ramdani, and Sinta Sri Ramdona, "Pengaruh Digital Dan Pinjaman Online Terhadap Judi Online: Social Influencer Sebagai Variabel Moderasi," *Improvement: Jurnal Manajemen Dan Bisnis* 4, no. 2 (2024), https://doi.org/10.30651/imp.v4i2.24668.

2 Robi Indra and Diyah Utami, "Praktik Pemanfaatan Dana Pinjaman Untuk Judi Online Di Kota Surabaya," *Paradigma* 14, no. 2 (2025): 111–20, https://ejournal.unesa.ac.id/index.php/paradigma/article/view/72124.

3 Hana Marliana, Faisal Adnan Reza, and Iin Yulianti, "Perilaku Impulsif Di Era Digital: Studi Pada Mahasiswa Pemain Judi Online," *Jurnal Penelitian Bimbingan Dan Konseling* 10, no. 2 (2025), https://doi.org/10.30870/jpbk.v10i2.31065.

4 Fadhilah, Ramdani, and Ramdona, "Pengaruh Digital Dan Pinjaman Online Terhadap Judi Online: Social Influencer Sebagai Variabel Moderasi."

concerning the use of borrowed funds for gambling in Surabaya.[5] Their respective focuses help explain the relationship between digital credit access and gambling practices, although their findings do not establish the national scale of the problem. Marliana et al. approach the issue through impulsive behaviour among student gamblers, but behavioural findings alone cannot determine the legal status of borrowing agreements or the liability of other parties.[6] From a law enforcement perspective, Khalimy et al. examine the effectiveness of enforcing online gambling offences among university students,[7] while Hanum et al. investigate students' perspectives on legal awareness and digital ethics.[8] Fathonah et al., meanwhile, provide a broader legal-system perspective relevant to understanding criminal justice institutions.[9] Taken together, these studies offer important behavioural, social, and legal insights; however, further analysis is needed to connect lending contracts, gambling-related offences, institutional oversight, and prevention while distinguishing civil, criminal, and administrative responsibility.

Against this background, this study aims to analyse the factors and financing patterns associated with students' use of online loans for online gambling, examine the legal consequences for student borrowers and other relevant parties, and assess law enforcement and prevention mechanisms under Indonesian law. Its urgency lies in the need to address the risks arising when increasingly accessible digital credit intersects with gambling activities, without treating all borrowers or lending providers as legally culpable. By integrating the analysis of borrowing relationships, gambling offences, and institutional oversight, the study seeks to clarify the different legal positions of the parties involved and identify measures that can strengthen supervision, legal awareness, and prevention. The study contributes a connected legal framework for examining an issue that is often discussed separately in research on financial behaviour, gambling participation, and law enforcement. Its conclusions are based on legal materials and published studies; they are not intended to establish national prevalence or independently measure the causal effectiveness of enforcement programmes.

Method

This study employs normative legal research supported by qualitative analysis of published empirical findings. It adopts a statutory approach to examine the legal provisions governing gambling, electronic agreements, information-technology-based financing, and consumer protection, alongside a conceptual approach to analyse good faith, contractual breach, criminal liability, provider accountability, and law enforcement. These approaches are used to assess the relationship between applicable legal rules and social practices documented in previous studies. The research does not involve original interviews, surveys, or field observations. Instead, it relies on legal materials and published research to identify the applicable legal framework, examine the implications of relevant provisions, and evaluate reported enforcement and prevention measures. The scope is limited to Indonesian law and student-related cases documented in published research, with the applicable legal framework examined as of October 2026. The

5 Indra and Utami, "Praktik Pemanfaatan Dana Pinjaman Untuk Judi Online Di Kota Surabaya."

6 Marliana, Reza, and Yulianti, "Perilaku Impulsif Di Era Digital: Studi Pada Mahasiswa Pemain Judi Online."

7 Akhmad Khalimy et al., "Efektivitas Penegakan Hukum Tindak Pidana Judi Online Di Kalangan Mahasiswa," *Bacarita Law Journal* 5, no. 2 (2025): 209–24, https://doi.org/10.30598/bacarita.v5i2.16949.

8 F F Hanum et al., "Perspektif Mahasiswa Terhadap Judi Online Di Indonesia: Wujud Kesadaran Hukum Dan Etika Digital Warga Negara," *Jurnal Kewarganegaraan* 22, no. 1 (2025): 113–24, https://doi.org/10.24114/jk.v22i1.64574.

9 Rini Fathonah, Maya Shafira, and Mashuril Anwar, *SISTEM PERADILAN PIDANA ANAK: Mewujudkan Kepastian Hukum Terbaik Bagi Anak Yang Berhadapan Dengan Hukum*, *Journal of Physics A: Mathematical and Theoretical*, vol. 44 (Bandar Lampung: Pusaka Media, 2024), https://doi.org/10.1088/1751-8113/44/8/085201.

study does not seek to estimate the national prevalence of gambling financed through online loans.[10]

The primary legal materials comprise the Indonesian Civil Code, Law No. 1 of 2023 on the Criminal Code as adjusted in 2026, Law No. 1 of 2024 concerning amendments to the Electronic Information and Transactions Law, and relevant Financial Services Authority (OJK) regulations on information-technology-based joint funding services and consumer protection. Secondary materials include legal books, journal articles published between 2020 and 2026, and studies addressing online gambling, digital lending, student behaviour, and prevention policies. Supporting materials include official publications issued by institutions such as OJK and the Indonesian Financial Transaction Reports and Analysis Center (PPATK). Sources are identified through searches using publication titles, relevant keywords, DOI records, publisher platforms, and official regulatory databases. Materials are selected according to their relevance to the research questions, their connection to the Indonesian legal context, and the availability of information needed for analysis. The legal status and applicable versions of relevant regulations are checked against official records. OJK Regulation No. 40 of 2024 provides one of the principal regulatory references for analysing information-technology-based joint funding services.[11] Studies examining borrowing or gambling separately are treated as indirect evidence unless they explicitly establish a connection between borrowed funds and gambling activity.

The analysis proceeds through identification, classification, comparison, and systematic interpretation of the selected materials. Legal provisions are examined in relation to their scope, requirements, and implications for the parties involved. The materials are organised into four analytical themes: financing patterns, contributing factors, legal consequences, and law enforcement and prevention. Particular attention is given to distinguishing students' civil obligations as borrowers, their potential criminal liability for gambling-related conduct, and the separate contractual, regulatory, or criminal responsibilities that may arise for lending providers and other parties. Published empirical findings are compared according to their research focus, principal results, and evidentiary limitations; findings from studies with limited samples are not generalised beyond their stated scope. The assessment of enforcement focuses on reported institutional measures, coordination challenges, digital-evidence handling, and prevention initiatives rather than claiming to establish causal effects or nationwide effectiveness. The principal limitation is the absence of original transaction-level data showing the proportion of borrowed funds used for gambling. Consequently, conclusions about financing patterns and enforcement effectiveness remain bounded by the available legal materials and published secondary evidence.

RESULTS AND DISCUSSION

Financing Patterns and Socioeconomic Factors of College Students

Online gambling among university students has developed within a digital environment characterised by smartphone use, social media, electronic payment services, and applications that facilitate rapid transactions. These technologies lower practical barriers to participation, although accessibility alone does not explain why individuals engage in gambling. A study involving 210 students at private universities found statistically significant positive associations

10 Muhaimin, *Metode Penelitian Hukum*, 2020, https://digilib.stekom.ac.id/assets/dokumen/ebook/feb_B8qCO9_uUAUqhJqdyUnP7ryV7949c7VegDGg9T2DkQjSqd0H9X_WSZI_1683795592.pdf.

11 Otoritas Jasa Keuangan, "Regulation No. 40 of 2024 on Information-Technology-Based Joint Funding Services" (Jakarta, 2024), https://ojk.go.id/id/regulasi/Pages/POJK-40-Tahun-2024-Layanan-Pendanaan-Bersama-Berbasis-Teknologi-Informasi.aspx.

between digital access, online loans, and online gambling.[12] Meanwhile, a bibliometric review identified online gambling among school and university students as an emerging educational and social concern.[13] A student survey also examined this phenomenon within the higher education context.[14] Nevertheless, these findings cannot be used to establish the national prevalence of online gambling among Indonesian university students.

Online loans can become a source of gambling funds when students have insufficient savings, allowances, or supplementary income. Application-based procedures may create the impression that funds are readily available, although fees and repayment obligations still apply. Research in Surabaya identified patterns in which individuals initially used personal funds before turning to loans, as well as cases in which borrowed funds were used from the outset. The reported sources included licensed lending providers, illegal services, and interpersonal loans. Research on online borrowing decisions among students in Palangka Raya also highlighted ease of access, peer recommendations, limited financing alternatives, and misleading information on social media.[15] These findings indicate that financing patterns vary across individuals and are not confined to a single type of lender. However, findings from studies involving a limited number of informants should not be treated as representative of all Indonesian students.

Borrowing decisions are not always driven by urgent financial needs. Lifestyle preferences, consumption habits, and the pursuit of social recognition may also influence such decisions. A study involving 200 students in Surabaya, supplemented by six interviews, linked online borrowing to consumptive behaviour and efforts to maintain social status.[16] Although the study did not directly measure gambling expenditure, its findings help explain how loans may be used to finance activities beyond academic necessities. The risk becomes more pronounced when gambling is treated as a leisure activity that requires capital. Gambling stakes may be lost entirely, while loan repayment obligations remain. This situation may deteriorate further when individuals chase their losses in the hope of winning enough to recover previous losses. Research on impulsive behaviour among university students who gamble online describes difficulties stopping after losses and spontaneous decisions to borrow money or pawn possessions.[17]

Economic pressure is one condition that may encourage students to seek additional funds. Dependence on family support, combined with expenses for education, transportation, accommodation, and communication, can limit the financial resources available to students. When these constraints coincide with the belief that gambling offers a quick way to make money, borrowing may appear to be a short-term solution. Nevertheless, financial hardship does not automatically lead to gambling. Some students facing financial constraints avoid gambling, whereas others may participate because of social influences, expectations of winning, or

12 Fadhilah, Ramdani, and Ramdona, "Pengaruh Digital Dan Pinjaman Online Terhadap Judi Online: Social Influencer Sebagai Variabel Moderasi."

13 Ahmad Al Amin, "Judi Online Di Kalangan Siswa Sekolah Menengah Atas Dan Mahasiswa: Studi Tinjauan Pustaka," *Martyvel: Jurnal Pendidikan Dan Pembelajaran* 1, no. 2 (2024): 40–43, https://doi.org/10.33084/martyvel.v1i2.7513.

14 N W Hardimansyah, N Hidayati, and T Elmansyah, "Studi Survey Fenomena Judi Online Di Kalangan Mahasiswa," *JCOSE Jurnal Bimbingan Dan Konseling* 7, no. 2 (2025): 59–72, https://doi.org/10.24905/jcose.v7i2.216.

15 Pingki, Dibyo Waskito Guntoro, and Iin Nurbudiyani, "Studi Fenomenologi Pengambilan Keputusan Melakukan Pinjaman Online Di Kalangan Mahasiswa Universitas Muhammadiyah Palangkaraya," *Neraca: Jurnal Pendidikan Ekonomi* 10, no. 1 (2024): 96–108, https://doi.org/10.33084/neraca.v10i1.8806.

16 Fahrul Hendrik Setiawan, Irzameingindra Putri Radjamin, and Mintarti Ariani, "Pinjaman Online: Perilaku Konsumtif Mahasiswa Surabaya Dalam Rangka Menunjang Status Sosial," *Management Studies and Entrepreneurship Journal* 5, no. 1 (2024): 413–25, https://doi.org/10.37385/msej.v5i1.4067.

17 Marliana, Reza, and Yulianti, "Perilaku Impulsif Di Era Digital: Studi Pada Mahasiswa Pemain Judi Online."

psychological impulses. Economic pressure should therefore be understood as a potentially contributing factor rather than the sole cause of gambling behaviour. Research on the psychological risks of fintech lending and students' online borrowing decisions provides a useful context for understanding these vulnerabilities.[18]

Table 1. Synthesis of Research on Online Gambling Financing and Contributing Factors

Research focus	Key findings	Relevance to this study
Digital access and online gambling	Digital access has been associated with online gambling, which has also been identified as an emerging educational and social concern.	Explains the technological context that facilitates access to online gambling.
Gambling financing patterns	Individuals may use personal funds, loans from lending providers, or interpersonal borrowing to finance gambling.	Identifies the different funding sources that may be used for gambling.
Lifestyle and borrowing decisions	Consumption, social status, ease of application, and limited financing alternatives may influence borrowing decisions.	Explains why loans may be used for purposes other than productive or urgent needs.
Economic and social factors	Financial pressure, peer recommendations, and social influences may be associated with borrowing decisions or gambling intentions.	Situates student behaviour within its economic and social context.
Financial literacy and self-control	Financial knowledge, peer influence, and self-control have been examined in relation to gambling behaviour and financial decisions.	Identifies factors that may shape students' assessment of financial risks.
Financial, psychological, and academic consequences	Research has examined financial losses, impulsive behaviour, psychological distress, and disruptions to student life.	Demonstrates the need for integrated educational and preventive responses.

Source: Compiled by the authors based on the studies discussed in this subsection (2026).

As summarised in Table 1, the literature addresses several distinct but interconnected dimensions of student online gambling and borrowing. The studies do not all directly examine whether loan proceeds are used for gambling; some focus on borrowing decisions, peer influence, financial literacy, or the consequences of gambling. These distinctions are important because evidence of borrowing or gambling alone does not establish that the two activities are directly connected. The synthesis therefore helps identify the relevant factors without overstating the available evidence. It also shows why the phenomenon should be examined through multiple dimensions while recognising that each study has a different scope and evidentiary basis.

Peer influence can either reinforce or discourage risky behaviour. Discussions about gambling winnings, invitations to participate, and perceptions that gambling is a common activity may shape students' views of their chances of making a profit. A study of university students who

18 Ridwan Daud Mahande, Dwi Rezky Anandari Sulaiman, and Retyana Wahrini, "Studi Kasus: Risiko Psikologis Penggunaan Fintech Lending Pada Mahasiswa," *Information Technology Education Journal* 3, no. 3 (2024): 148–56, https://doi.org/10.59562/intec.v3i3.5906; I Sucidha and Yuliani, "Analisa Keputusan Mahasiswa Di Kota Banjarbaru Dalam Menggunakan Pinjaman Online," *Innovative: Journal of Social Science Research* 5, no. 1 (2025): 3590–99, https://doi.org/10.31004/innovative.v5i1.18056.

played online slot games in Bandung found a positive relationship between peer influence and gambling intention.[19] Another study examined the relationship between sensation seeking, peer influence, and indicators of gambling addiction.[20] Research involving students at the Faculty of Economics and Business, Universitas Negeri Yogyakarta, also examined financial literacy, peer influence, and self-control in relation to tendencies towards online gambling.[21] However, gambling intention is not equivalent to the decision to borrow money for gambling. Establishing such a relationship requires separate evidence concerning the source of funds and how they are used.

Financial literacy and self-control influence how students assess the risks associated with borrowing and gambling. Understanding borrowing costs, repayment schedules, late-payment penalties, and accumulated debt can help students evaluate whether their financial obligations are compatible with their available resources. However, financial knowledge does not always translate into prudent behaviour. Research on intentions to use online loans suggests that financial literacy and lifestyle may have different relationships with borrowing decisions depending on the research context.[22] Other studies have examined the relationship between self-control and tendencies towards gambling addiction and online gambling behaviour.[23] Research on student financial management has also examined financial literacy and self-control as relevant factors.[24] These findings support the importance of practical financial education combined with efforts to strengthen students' ability to regulate impulsive decisions.

The consequences of gambling financed through loans may extend beyond gambling losses to repayment pressure, family conflict, anxiety, and difficulties concentrating on academic activities. Research on the effects of online gambling among university students discusses its financial and social consequences, while research on the psychological experiences of online borrowers identifies stress associated with repayment problems.[25] Research on online gambling

19 F K Agrippina and E N Nugrahawati, "Pengaruh Peran Teman Sebaya Terhadap Gambling Intention Pada Mahasiswa Pemain Judi Slot Online Di Kota Bandung," *Bandung Conference Series: Psychology Science* 3, no. 1 (2023): 282–90, https://doi.org/10.29313/bcsps.v3i1.5305.

20 N Larasati, M N Malay, and A Fitriani, "Gelombang Taruhan Online: Peran Sensation Seeking Dan Peran Teman Sebaya Dalam Memicu Kecanduan Judi," *Hijri* 13, no. 1 (2024): 8–17, https://doi.org/10.30821/hijri.v13i1.19187.

21 W D Deviyanti and N W Hidayati, "Pengaruh Financial Literacy, Peers, Dan Self-Control Terhadap Kecenderungan Mahasiswa FEB UNY Melakukan Judi Online," *Jurnal Riset Dan Penalaran Mahasiswa* 1, no. 2 (2024), https://journal.student.uny.ac.id/index.php/rpm/article/download/22833/19248.

22 H Setiyaningsih, "Pengaruh Literasi Keuangan Dan Gaya Hidup Terhadap Niat Melakukan Pinjaman Online Mahasiswa FEB UNY," *Jurnal Riset Dan Penalaran Mahasiswa* 1, no. 2 (2024), https://journal.student.uny.ac.id/index.php/rpm/article/download/22829/19244; S Sumarni et al., "Determinan Keputusan Mahasiswa Menggunakan Pinjaman Online: Peran Literasi Keuangan, Gaya Hidup, Dan Lingkungan Sosial," *Indonesian Journal of Business and Management* 8, no. 2 (2026): 926–35, https://doi.org/10.35965/jbm.v8i2.8941.

23 N Aprilia, H Pratikto, and A R Aristawati, "Kecenderungan Adiksi Judi Online Pada Penjudi Online: Bagaimana Peran Self-Control?," *INNER: Journal of Psychological Research* 2, no. 4 (2023): 888–95, https://aksiologi.org/index.php/inner/article/download/759/577; U N Asifa, R Ramadhan, and N Kur'ani, "Hubungan Kontrol Diri Dengan Perilaku Judi Online Pada Mahasiswa Di Kota Pontianak," *Nusantara: Jurnal Ilmu Pengetahuan Sosial* 12, no. 11 (2025): 4362–70, https://doi.org/10.31604/jips.v12i11.2025.4362-4370.

24 N P S Ganesty, A Santi, and S Mardah, "Pengaruh Literasi Keuangan Dan Self-Control Terhadap Pengelolaan Keuangan Mahasiswa Generasi Z," *BEMA: Journal of Business, Economics, Management, and Accounting* 1, no. 1 (2026): 38–49, https://journal.pijarpelita.com/bema/article/view/105.

25 Muhammad Iqbal Abdullah and Indah Sukmawati, "Analisis Dampak Judi Online Pada Mahasiswa," *Al-Irsyad: Jurnal Pendidikan Dan Konseling* 14, no. 2 (2024), https://jurnal.uinsu.ac.id/index.php/al-irsyad/article/view/21207; T N Kandi and R Setyaningsih, "Dinamika Psikologis Pengguna Pinjaman Online: Studi Kasus Pada Mahasiswa Yang Melakukan Pinjaman Online," *Jurnal Ilmiah Sultan Agung* 3, no. 3 (2024): 27–34, https://jurnal.unissula.ac.id/index.php/JIMU/article/view/40204.

among university students in Bengkalis Regency also situates the phenomenon within its social context and the framework of legal norms.[26] However, students do not respond to financial losses in the same way. Some may stop gambling or seek assistance, whereas others may continue searching for funds to recover their losses. Prevention should therefore take account of students' financial circumstances, gambling experiences, social support, and individual support needs rather than assuming that all borrowers have the same motivations and levels of risk.

Overall, online gambling financing among university students should be understood through the interaction of digital access, economic circumstances, peer influence, financial literacy, and psychological factors. These factors do not form a single causal sequence that applies to every individual. Some students may borrow after losing their own money, while others may borrow because of lifestyle pressures or expectations of financial gain. A further distinction must be made between borrowing for legitimate purposes and using borrowed funds for gambling. Financial Services Authority Regulation No. 40 of 2024 governs information-technology-based joint funding services, whereas gambling raises separate legal questions. Legal analysis must therefore distinguish among students acting as borrowers, individuals participating in gambling, and providers of lending services. This distinction provides the foundation for the following subsection, which examines the legal consequences and liability of each party.

Legal Consequences and Differentiation of Legal Liability

Students who borrow money and engage in gambling must be assessed within two distinct legal relationships: civil liability arising from financing agreements and criminal liability arising from gambling-related conduct. Contractual obligations arise when the parties satisfy the legal requirements for a valid agreement and accept the duties specified therein. Criminal liability, by contrast, requires proof of the statutory elements of an offence and the applicable requirements concerning culpability. Consequently, failure to repay a loan does not, by itself, constitute a gambling offence, nor does gambling automatically invalidate every lending agreement. The regulatory status of the lending provider must also be considered because licensed services operate within a supervisory framework that differs from that governing illegal lending. Distinguishing these relationships is essential to legal certainty and prevents the automatic attribution of liability without examining the conduct of each party.[27]

Under Indonesia's framework for information-technology-based joint funding services, platforms facilitate transactions between funders and funding recipients. Financial Services Authority Regulation No. 40 of 2024 governs service operations, customer identification, financing risk assessment, and relevant risk-mitigation measures.[28] Borrowers must provide the required information and fulfil their contractual repayment obligations, while funders hold rights and bear risks associated with their position in the financing relationship. Providers, meanwhile, have separate operational and compliance responsibilities. These distinctions matter because a platform facilitating financing is not necessarily the direct creditor in every transaction. Liability arising from the use of loan proceeds for gambling should therefore be assessed by examining the financing model, contractual terms, respective functions of the parties, and evidence of their actual conduct.

26 S N Fianti, "Analisis Pelanggaran Dan Implikasi Perjudian Online Terhadap Mahasiswa Kabupaten Bengkalis," *Bertuah: Jurnal Syariah Dan Ekonomi Islam* 5, no. 3 (2024): 312–29, https://doi.org/10.56633/jsie.v5i3.842.

27 Ahmad Wildan et al., "Analisis Peran Klausula Baku Perjanjian Kredit Pinjaman Online Dalam Menangkal Penyalahgunaan Dana Oleh Debitur," *Media Hukum Indonesia* 3, no. 3 (2025): 351–58, https://doi.org/10.5281/zenodo.15612312.

28 Otoritas Jasa Keuangan, "Regulation No. 40 of 2024 on Information-Technology-Based Joint Funding Services."

Electronic lending agreements must satisfy the requirements of the Indonesian Civil Code and the applicable rules governing electronic documentation. Article 1320 of the Civil Code establishes four requirements for a valid agreement: consent, legal capacity, a specific subject matter, and a lawful cause.[29] In digital lending, the parties' identities and their acceptance of contractual terms must be sufficiently established. Research on electronic signatures in online lending emphasises the importance of statutory compliance and appropriate authentication mechanisms, particularly where identity misuse creates uncertainty about who entered into an agreement.[30] Article 1338 further requires agreements to be performed in good faith. Where a valid contract restricts the use of funds, violating that restriction may raise contractual issues; however, the consequences depend on the wording and validity of the relevant clause and the conduct established by the evidence.

When a student fails to repay a loan, the initial legal issue concerns civil obligations. Articles 1238 and 1243 of the Indonesian Civil Code provide the basis for assessing default and potential remedies under the applicable conditions. Losing borrowed funds through gambling does not automatically extinguish the repayment obligation. Nevertheless, non-payment alone does not establish fraud or another criminal offence unless the required legal elements are proven. To clarify the different legal positions, Table 2 summarises the principal legal frameworks and the conditions relevant to assessing the liability of borrowers, gambling participants, and lending providers. This distinction is important because the same factual situation may involve different parties and separate legal questions. It also prevents the assumption that a student's debt, participation in gambling, and a provider's regulatory compliance can be assessed under one undifferentiated standard of liability.[31]

Table 2. Legal Framework and Differentiation of Liability in Online Loan-Financed Gambling

Legal subject	Applicable legal framework	Basis of liability
Student as borrower	Indonesian Civil Code, particularly Articles 1320, 1338, 1238, and 1243; applicable financing agreement	Valid contractual obligations, compliance with agreed terms, and the legal requirements for establishing default.
Student as gambling participant	Law No. 1 of 2023 on the Criminal Code, including Articles 426 and 427, as applicable following subsequent legal adjustments	Proof that the individual's conduct satisfies the elements of the relevant gambling offence.
Individual distributing or providing access to gambling content	Law No. 1 of 2024 amending the Electronic Information and Transactions Law, including Article 27(2)	Proof of the prohibited electronic conduct and the other elements required by the applicable provision.
Lending service provider	OJK Regulation No. 40 of 2024 and OJK Regulation No. 22 of 2023	Compliance with applicable operational, risk-management, and consumer-protection obligations; criminal liability requires separate legal grounds.

Source: Compiled by the authors (2026).

29 "Kitab Undang-Undang Hukum Perdata (Burgerlijk Wetboek)," n.d.

30 Juan Patrick M C Simangunsong, R Suharto, and Herni Widanarti, "Kajian Hukum Tentang Keabsahan Tanda Tangan Elektronik Dalam Perjanjian Pinjaman Online," *Diponegoro Law Journal* 14, no. 3 (2025), https://doi.org/10.14710/dlj.2025.51795.

31 Jeremy Zefanya Yaka Arvante, "Dampak Permasalahan Pinjaman Online Dan Perlindungan Hukum Bagi Konsumen Pinjaman Online," *Ikatan Penulis Mahasiswa Hukum Indonesia Law Journal* 2, no. 1 (February 2, 2022): 73–87, https://doi.org/10.15294/ipmhi.v2i1.53736.

As Table 2 demonstrates, liability depends on the legal status of the party and the conduct established by the evidence. Criminal law distinguishes participation in gambling from organising or providing opportunities to gamble. Law No. 1 of 2023 on the Criminal Code addresses gambling-related conduct in Articles 426 and 427, subject to the applicable adjustments introduced by Law No. 1 of 2026.[32] Article 427 addresses participation in unauthorised gambling, whereas Article 426 concerns conduct associated with offering or providing opportunities to gamble. The use of borrowed funds does not determine which provision applies; the decisive question is whether the proven conduct meets the statutory elements. Similarly, Article 27(2) of Law No. 1 of 2024 addresses specified forms of intentional and unauthorised distribution, transmission, or making accessible of electronic information or documents containing gambling content. Merely placing a wager does not necessarily constitute such conduct.[33]

The 2026 adjustments to Indonesian criminal law must also be considered when determining the applicable penalties. Law No. 1 of 2026 on Criminal Penalty Adjustments should be read together with the Criminal Code rather than relying on outdated penalty provisions. The date of the alleged conduct and the principle of legality are relevant to determining the applicable legal framework. Meanwhile, lending providers' obligations must be distinguished from the criminal liability of borrowers. Under OJK Regulation No. 22 of 2023, providers are subject to consumer-protection requirements, while Regulation No. 40 of 2024 governs information-technology-based joint funding services.[34] A customer's subsequent use of borrowed funds for gambling does not automatically establish that the provider knew of or assisted the activity. Administrative non-compliance and criminal participation are separate questions, each requiring evidence and the applicable legal basis.

Consumer protection remains relevant when students experience repayment difficulties. Applicable regulations require transparent information, appropriate handling of personal data, and fair treatment in service delivery and debt collection. Default associated with gambling does not authorise debt collectors to threaten or humiliate borrowers or misuse their personal information. Conversely, consumer-protection rules do not automatically cancel obligations arising from a valid agreement. Research on online-lending consumer protection identifies information asymmetry, standard contractual terms, and debt-collection practices as continuing concerns.[35] Disputes should therefore be addressed through procedures based on verifiable evidence and accountable decision-making. Students need accessible information about contractual terms, repayment obligations, and their right to submit complaints through lawful channels. Overall, effective legal assessment requires separate consideration of contractual performance, gambling-related conduct, and providers' regulatory duties rather than treating all parties as equally responsible for the same outcome.

Law Enforcement Challenges and Prevention Strategies

32 "Law No. 1 of 2023 on the Criminal Code" (Jakarta, 2023), https://peraturan.go.id/files/uu1-2023.pdf; "Law No. 1 of 2026 on Criminal Penalty Adjustments" (Jakarta, 2026), https://peraturan.bpk.go.id/Details/337869/uu-no-1-tahun-2026.

33 "Law No. 1 of 2024 Amending the Electronic Information and Transactions Law" (Jakarta, 2024), https://jdih.komdigi.go.id/produk_hukum/view/id/884/.

34 Otoritas Jasa Keuangan, "Regulation No. 22 of 2023 on Consumer and Public Protection in the Financial Services Sector" (Jakarta, 2023), https://ojk.go.id/id/regulasi/Pages/Pelindungan-Konsumen-dan-Masyarakat-di-Sektor-Jasa-Keuangan.aspx.

35 Renni Junita Br Perangin Angin et al., "Perlindungan Hukum Terhadap Konsumen Perjanjian Pinjaman Online Berdasarkan Undang-Undang Nomor 8 Tahun 1999 the Legal Protection of Consumers in Online Loan Agreements Based on Law Number 8 of 1999," *Rewang Rencang : Jurnal Hukum Lex Generalis* 6, no. 4 (2025): 4, https://doi.org/10.56370/jhlg.v6i4.1236.

Effective enforcement against online gambling financed through online loans requires coordinated efforts to identify unlawful conduct, trace financial transactions, and supervise lending services. Digital gambling may involve multiple accounts and payment providers, making investigations dependent on information from different institutions. Legal proceedings must also distinguish evidence of gambling offences from evidence of contractual default. Focusing exclusively on one aspect may overlook related concerns, including personal data protection and the involvement of gambling operators. Research on online gambling enforcement among university students identifies limited legal awareness, perceptions that online gambling is difficult to detect, and weaknesses in monitoring as relevant challenges.[36] Accordingly, enforcement effectiveness should be assessed through institutional coordination, compliance with legal procedures, and observable changes in gambling-related behaviour rather than enforcement activity alone.

Law enforcement strategies generally involve pre-emptive, preventive, and repressive measures. Pre-emptive measures strengthen public understanding of gambling prohibitions and associated financial risks, while preventive measures include cyber patrols, transaction monitoring, and efforts to restrict access to gambling websites. Repressive measures involve investigation and prosecution when sufficient grounds exist. Research on enforcement efforts by the West Nusa Tenggara Regional Police identifies the use of these approaches while reporting limitations in technical personnel, electronic evidence facilities, and responses to gambling networks operating through foreign servers.[37] These findings indicate that blocking a website does not necessarily resolve the wider problem. Gambling activities may migrate to alternative platforms, while debts already incurred require separate legal and financial responses. Enforcement strategies must therefore address both the continuity of gambling activities and the consequences experienced by borrowers.

Digital evidence is essential when investigating suspected online gambling offences. Bank records, electronic wallet transactions, promotional messages, and platform histories may help establish relevant conduct when obtained and assessed through lawful procedures. However, the connection between a loan disbursement and a gambling payment should not be inferred from timing alone. Investigators need to examine transaction recipients, payment purposes, and other evidence demonstrating whether the statutory elements of an offence are satisfied. Research on criminal law enforcement against online gambling highlights the importance of investigators' digital capabilities and the monitoring of online activities.[38] These procedures must also respect privacy protections and applicable restrictions on access to information. Proper evidence collection, verification, and documentation are necessary to preserve evidentiary integrity and ensure that findings can withstand judicial scrutiny.

Assessing enforcement effectiveness requires indicators that distinguish the number of detected cases from an actual reduction in gambling. Arrests, investigations, and blocked websites demonstrate enforcement activity but do not necessarily establish a decline in prevalence. Research examining online gambling cases within the North Sumatra Regional Police jurisdiction from 2021 to 2024 records fluctuations in cases and suspects.[39] Such variations may reflect enforcement priorities, investigative capacity, and public reporting rather than changes

36 Khalimy et al., "Efektivitas Penegakan Hukum Tindak Pidana Judi Online Di Kalangan Mahasiswa."

37 Muhammad Rifki Wahyu Cahyadi and Idi Amin, "Upaya Penanggulangan Tindak Pidana Judi Online: Studi Di Polda Nusa Tenggara Barat," *Parhesia* 3, no. 2 (2025): 212–37, https://doi.org/10.29303/0x1jv621.

38 Arianus Harefa, "Upaya Penegakan Hukum Pidana Terhadap Pencegahan Judi Online Di Indonesia," *Jurnal Education and Development* 13, no. 1 (2025): 739–49, https://doi.org/10.37081/ed.v13i1.6906.

39 S M Sitorus and B S Panjaitan, "Penegakan Hukum Terhadap Tindak Pidana Perjudian Online Di Wilayah Polda Sumatera Utara Tahun 2021–2024," *JUNCTO: Jurnal Ilmiah Hukum* 7, no. 1 (2025): 153–61, https://doi.org/10.31289/juncto.v7i1.6177.

in the underlying level of gambling alone. For university students, evaluation should also consider improvements in legal understanding, reductions in repeated gambling, and access to financial assistance. Indicators should be established before prevention programmes begin so that subsequent outcomes can be assessed systematically. This approach provides a more meaningful basis for evaluating whether interventions reduce harm rather than merely increase enforcement outputs.

Financial monitoring is another important component because online gambling relies on payment channels to receive and transfer funds. The Indonesian Financial Transaction Reports and Analysis Center (*Pusat Pelaporan dan Analisis Transaksi Keuangan*, PPATK) analyses financial information within its statutory authority, while financial regulators supervise compliance among regulated service providers. Transaction analysis may reveal patterns that warrant further investigation.[40] Nevertheless, students who maintain multiple loans or make frequent small payments should not automatically be classified as gamblers. Such conclusions require verified evidence, relevant indicators, and compliance with lawful procedures. Effective monitoring should focus on substantiated patterns of financial movement while protecting personal information and legitimate financial activity. Coordination between financial intelligence authorities, law enforcement, and financial regulators can support investigations, provided that each institution acts within its respective mandate and that financial indicators are not treated as conclusive proof of criminal conduct.

The Financial Services Authority (*Otoritas Jasa Keuangan*, OJK) supervises regulated lending services and protects financial consumers. Regulation No. 40 of 2024 establishes requirements for information-technology-based joint funding services, including relevant operational and risk-management obligations. In cases involving gambling-related borrowing, supervision may examine whether providers have implemented applicable identification, financing-risk assessment, and compliance procedures. However, institutional responsibilities must remain distinct. Lending providers do not automatically assume the functions of criminal investigators, just as law enforcement agencies do not replace financial regulators in supervising ordinary lending operations. Effective coordination requires lawful information-sharing and clearly defined responsibilities. These arrangements can help relevant authorities respond to suspected violations without undermining legal certainty or the rights of legitimate borrowers. Regulatory oversight should therefore focus on compliance with applicable obligations rather than presuming that a provider is responsible whenever a customer uses borrowed funds for gambling.

Campus-based prevention should integrate legal and financial education into activities that reflect students' practical experiences. Relevant topics include identifying authorised lenders, understanding financing charges and repayment schedules, protecting personal data, and distinguishing civil default from criminal gambling offences. Case discussions, budgeting exercises, repayment-capacity assessments, and recognition of gambling promotions on social media can translate general knowledge into practical decision-making skills. A community education programme addressing financial literacy, online lending risks, and online gambling reported improvements in participants' knowledge following the intervention.[41] Although the programme involved community members rather than university students, its participatory approach may offer a useful model for adaptation and evaluation in higher education. The objective should be to strengthen informed financial decisions and awareness of legal

40 Indonesian Financial Transaction Reports and Analysis Center, "Strategic Achievements of PPATK in 2025," 2026, https://www.ppatk.go.id/siaran_pers/read/1594/.

41 Candra Fajri Ananda, Citra Indraswari, and Clara Faustine Lie, "Sosialisasi Literasi Keuangan: Bijak Finansial Pahami Risiko Pinjaman Online Dan Bahaya Judi Online," *Jurnal Pengabdian Kepada Masyarakat Nusantara* 6, no. 4.1 (2025): 10–19, https://ejournal.sisfokomtek.org/index.php/jpkm/article/view/7507.

consequences without stigmatising students who have already experienced gambling-related difficulties.

Support services and systematic programme evaluation are also necessary to prevent recurring financial harm. Students experiencing debt may delay seeking assistance because of shame, anxiety, or fear of negative reactions from their families. Research on the psychological risks of fintech lending among students identifies concerns associated with borrowing, including psychological distress and difficulties concentrating.[42] Universities can respond through confidential counselling, financial-management guidance, and referrals to legal assistance when contractual disputes arise. Evaluation should measure changes in legal and financial knowledge, students' ability to assess lending agreements, access to counselling, and reductions in gambling-related borrowing where these can be reliably established. Research on student perspectives concerning online gambling also highlights the relevance of legal awareness and digital ethics.[43] Collaboration among universities, OJK, law enforcement, counsellors, and student organisations can support prevention while preserving each institution's authority and responsibilities.

CONCLUSION

This study examines the legal consequences and enforcement challenges associated with online gambling financed through online loans among university students in Indonesia. The findings indicate that this phenomenon involves interconnected economic, social, financial, and psychological factors, including financial constraints, peer influence, limited financial literacy, impulsive behaviour, and the tendency to chase gambling losses. These factors may encourage students to seek additional funds, while the speculative nature of gambling can leave them with repayment obligations even after losing their stakes. Legally, the study distinguishes three positions: students as borrowers, individuals as gambling participants, and lending providers as regulated service operators. Each position entails different obligations and potential liabilities under Indonesian civil, criminal, and financial services law. Effective responses therefore require accurate classification of conduct, lawful examination of digital evidence, coordination among relevant institutions, and preventive measures combining financial education, legal awareness, and accessible student support.

This study contributes to the discussion of student online gambling by integrating financing patterns, socioeconomic determinants, differentiated legal liability, and enforcement and prevention strategies within a single legal analysis. It emphasises that loan default does not automatically constitute a criminal offence and that a provider's liability cannot be inferred solely from a customer's use of borrowed funds for gambling. Nevertheless, the study is limited by its reliance on secondary sources and normative legal analysis; it does not independently measure the prevalence of debt-financed gambling among students or empirically establish the effectiveness of existing enforcement measures. Future research should use empirical methods, including student surveys, interviews with relevant stakeholders, and analysis of verified transaction or case records where legally accessible, to establish financing patterns and assess enforcement outcomes. Further studies could also evaluate campus-based financial and legal education programmes to determine which interventions most effectively reduce gambling-related borrowing and its financial, psychological, and academic consequences.

42 Dwi Rezky Anandari Sulaiman, "Studi Literatur: Risiko Psikologis Penggunaan Fintech Lending Pada Mahasiswa," *Jurnal MediaTIK* 7, no. 2 (2024): 197–201, https://doi.org/10.59562/mediatik.v7i2.2894.

43 Hanum et al., "Perspektif Mahasiswa Terhadap Judi Online Di Indonesia: Wujud Kesadaran Hukum Dan Etika Digital Warga Negara."

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