

The Legal Protection for Children Whose Parents Are Online Gambling and Drug Addicts: Maqāṣid Sharī'a Perspective

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Abstract

Legal protection for children is a measure of national civilization, therefore it is mandatory to be attempted according to the capabilities of the nation and state. Because child protection is a legal action that has legal consequences. As educators, parents are responsible for creating a nurturing environment that can provide a sense of security and comfort to children. Based on this responsibility, parents must be good role models for their own children, but this responsibility cannot be fulfilled if parents become thieves and carry out actions that are reproachful, one of which is being involved in drugs and online gambling that occurs in Rade Village. This study aims to describe the condition of parents as drug and online gambling addicts with a phenomenological approach and case studies, data is collected through in-depth interviews with informants. The results of this study indicate that there are no laws and regulations governing the protection of children from parents who are addicted to drugs and online gambling. Parents who are addicted to drugs and online gambling have an impact on children, both in terms of economy, family, children's education, and even children's health, both in terms of children's psychology and physical health. In the maqasyid syaroah, the protection of children from parents who are addicted to drugs and online gambling is included in al daruriyat al khams which includes maintaining religion (hifz ad din), maintaining the soul (hifz an nafs), maintaining family and descendants (hifz an nasabu wal ar raddu), maintaining reason (hifz al aql), and maintaining property (hifz al mal). This category of ad daruriyah al-khams is something that must not be absent (must exist) for the sake of upholding goodness and welfare, both concerning hereafter and worldly affairs. If this aspect does not exist, then it cannot be realized, namely worldly life (chaos) and a life in the hereafter that is suffering and miserable. Legal protection efforts that can be given to children whose parents are addicted to drugs and online gambling are in the form of assistance and determining the child's custody rights so that they do not fall into the hands of irresponsible parents.

INTRODUCTION

Children are a gift bestowed by God upon both parents, who are legally required to guard, care for, and raise them until they are successful because in a child are inherent human rights that must be upheld and every child born into the world is already inherent in Human Rights as stated in the 1945 Constitution, Article 28 E paragraph (2). In the Qur'an it is explained that children are a treasure and jewel in family life, as the word of Allah SWT in Q.S Al-Kahf/18: 46 which reads:

Translation:

"Wealth and children are the adornment of the life of this world, while good deeds that are eternal (in reward) are better in the sight of your Lord and better in being hoped for. Among the examples of good deeds that are eternal in reward are carrying out the pillars of Islam correctly and reciting tasbih, tahmid, and other dhikr".¹

And the word of Allah SWT in Surah Al-Furqan/25: 74, which reads :

Translation :

"And, those who say, "O our Lord, grant us the eyes of our spouses and offspring and make us leaders of the pious."²

Protection of children in community life is a benchmark for the development of civilization, because it must be attempted according to the capabilities of the nation and state. Because child protection is an act of legal protection and if it violates these rights, it will receive the consequences of what is done. Efforts to protect children's rights can be done in the form of protection of the validity and basic rights of children (fundamental rights and freedoms of children).

Children as referred to in Article 1 of Law Number 35 of 2014 concerning Child Protection, amended from the Law, are people who are not yet 18 (eighteen) years old, including children who are still in the womb. Meanwhile, in the Criminal Code (KUHP), there is no detailed explanation regarding the issue of child limitations, only according to the Criminal Code Article 45 and Article 72 paragraph (1), the Law explains that the age limit for people who are not yet adults is before the age of 16 years.

Protection of children's rights is intended to protect various interests related to the welfare and right to life of a child, so the role of parents as *madrasatul ula* (first place of education) because parents are the ones who will provide both education and how to respect elders and others. Thus the first form of education is in the family environment,

¹ Kementrian Agama Republik Indonesia, *Al Qur'an Dan Terjemahan* (Jakarta: Kementrian Agama Republik Indonesia, 2019).h.448.

² Kementrian Agama Republik Indonesia, *Al Qur'an dan Terjemahan* (Jakarta: Kementrian Agama Republik Indonesia) h.334..

in general education in the family environment is not a common thing but it is very mandatory to be instilled by both parents if they want their children to have morals and be educated in community life.³

As the first educational institution, parents are fully responsible for creating a sense of security and comfort for their children. Based on this responsibility, parents must be an example or role model for their children. However, this cannot be an example or role model if the parents do bad things, such as gambling, getting drunk, and committing despicable acts such as consuming illegal goods such as drugs and becoming drug addicts.

Muslims have long known and are familiar with drugs, but lately many levels of society have fallen into it, both men and women, adults and children, young and old, into what is stated by Allah SWT and explained by Rasulullah SAW in his word and Hadith that drugs and all kinds of intoxicants are forbidden. As the word of Allah SWT in Surah Al-Maidah / 5: 90 which reads :

Translation :

"You who believe, indeed drinking alcohol, gambling, (sacrificing to) idols, and drawing lots of fortunes with arrows are abominable acts (and) are among the acts of Satan. So, stay away from those (actions) so that you will be lucky."⁴

The verse above states that alcoholic beverages (containing alcohol) are included in addictive/psychotropic substances. Drinks or items containing alcohol can disrupt health such as heart and blood vessel disease, cancer, and nervous disorders. So Allah SWT forbids such acts, and in the verse above it is explained that such acts are included in the works of demon.

In 2024, the Bima Police Narcotics Investigation Unit (Satresnarkoba) successfully uncovered 65 cases of drug abuse, with 87 suspects consisting of 83 men and 4 women. The evidence secured included 353.99 grams of marijuana, 571.32 grams of crystal methamphetamine, and 15,081 pills of hard drugs without a distribution permit (Tramadol). In addition, the Bima Police also recorded 66 drug cases throughout 2024, an increase of 40% compared to the previous year. The evidence destroyed included 632.37 grams of crystal methamphetamine, 349.27 grams of marijuana, 15,081 pills of hard drugs, and 2,102 bottles of liquor.⁵

³ M. F. Said, 'Perlindungan Hukum Terhadap Anak Dalam Perspektif Hak Asasi Manusia [Legal Protection of Children in the Perspective of Human Rights]', *Jurnal Cendekia Hukum*, 4.1 (2018), 141-52 <<http://ejurnal.stih-pm.ac.id/index.php/cendekeahukum/article/view/97/110>>.

⁴ RI.h.190

⁵https://bima.inews.id/read/534576/setahun-polres-bima-ungkap-65-kasus-narkotika-ini-penjasannya?utm_source (di akses pada tanggal 2 Juli 2025, pukul 21.27 WITA)

The Bima Police are also active in eradicating online gambling practices. In August 2022, the police arrested two online lottery gambling collectors in Bima City, securing cash, cellphones, and evidence of gambling transactions. In addition, in 2024, the Bima Police uncovered an online lottery gambling case in Nisa Village, Woha District, by confiscating lottery coupons, cash, and gambling account balances.⁶

Based on the description above, the researcher is interested in conducting research on how legal protection for children whose parents are addicted to online gambling and drugs from the perspective of maqasyid sharia (case study in Rade village. This research is different from previous research because this research focuses on how the correlation of legal protection for children with the rules of Fiqh, namely Maqasyid Sharia and positive law. Therefore, the researcher gave the title of the research with the title "Legal protection for children whose parents are addicted to Online Gambling and Drugs in the Perspective of Maqasyid Sharia (Case study in Rade Village, Madapangga District, Bima Regency, West Nusa Tenggara).

Various agencies and parties play a crucial role in protecting children from the impact of parents who are addicted to drugs and online gambling. The government, through social services, the police, and child protection agencies, is obligated to provide legal guarantees and rehabilitation for affected families. Educational institutions play a role in safeguarding children's rights to access to education and providing psychological support to ensure they do not lose their motivation to achieve a successful future. Religious leaders and religious institutions serve as reinforcements of moral values and guide families back on the right path. Meanwhile, village and community communities are expected to remain vigilant and participate in providing social support and creating a safe and child-friendly environment. With the synergy of all parties, child protection can be effective, allowing children to thrive despite facing limitations within their families.

In protecting children whose parents are involved in drugs and online gambling, the involvement of various agencies and parties is crucial. Local governments, along with law enforcement officials, play a role in firmly cracking down on drug abuse and online gambling practices, while also providing rehabilitation for addicts. Social services and child protection agencies are tasked with ensuring that children's basic rights are met through assistance programs, mentoring, and legal protection. Educational institutions are at the forefront of safeguarding children's right to continue learning, while health

⁶https://www.antaranews.com/berita/3079529/polisi-menangkap-pengepul-judi-online-di-kota-bima?utm_source (diakses pada tanggal 2 Juli 2025, pukul 21.30 WITA)

workers must ensure that children's growth and development are not neglected. Religious and community leaders also play a moral and social role in providing advice, spiritual support, and creating a safe and supportive environment for children's growth and development. Through this cross-sectoral collaboration, it is hoped that children will remain protected and be able to grow into a healthy, educated, and well-mannered generation.

METHOD

This study uses a qualitative approach with a case study method. This approach was chosen to deeply understand the phenomena that occur in the context of real life, as well as to explore the meaning, experience, and views of the research subjects as a whole.⁷ Case studies are chosen because they allow researchers to conduct in-depth exploration of an event of parents as online gambling and drug perpetrators which has the potential to have a negative impact on the family environment,⁸ process, or individual in a specific context. This study focuses on one case that is studied intensively, both through interviews, observations, and relevant documents.⁹

Researchers chose Rade Village, Madapangga District, as the research object because this village represents a real social phenomenon related to the impact of drug addiction and online gambling on families, particularly on child protection. Based on community information and field conditions, cases of parents caught in this addiction are quite common in Rade Village, giving rise to various social problems, such as child neglect, domestic violence, and school dropouts. Rade Village is also interesting to study because it has the characteristics of a rural community that is still strong with the values of mutual cooperation and religion, so that potential solutions through legal, social, and religious approaches can be explored more deeply. Thus, research in Rade Village is expected to provide a real picture of the urgency of child protection, while also offering relevant strategic recommendations to prevent the recurrence of similar cases in the village environment and this research was conducted in Rade Village, Madapangga District, Bima Regency, West Nusa Tenggara, with research subjects selected with the aim of eliminating the circulation of drugs and online gambling in order to create a prosperous family. The research subjects consisted of 8 key informants who had a direct relationship

⁷ Rahmad Rafid and others, 'Peran Pendidikan Hukum Dalam Membangun Kesadaran Hukum Masyarakat : Studi Kualitatif Pada Siswa Sekolah Di Wilayah Perkotaan Dan Pedesaan', *Jurnal Pengabdian Masyarakat Dan Riset Pendidikan*, 3.4 (2025), 561-70
<<https://doi.org/https://doi.org/10.31004/jerkin.v3i4.445>>.

⁸ Hadawiyah, 'Sumber Data Kualitatif', *Al Munzir*, 2019, 151.

⁹ Rijali Ahmad, 'Analisis Data Kualitatif', 2018, 38.

with the phenomenon being studied, such as: Police, BNN, Communication and Information Service, religious leaders, community leaders, village heads and their staff and parents as the main actors.¹⁰

RESULT AND DISCUSSION

1. Legal protection concept

The presence of law in society is to integrate and coordinate interests that are usually in conflict with each other. Therefore, the law must be able to integrate so that the conflict of interest can be minimized. In Islam, Allah says in Q.S Al-Maidah/5: 8, about the protection and enforcement of justice must be felt equally by all social strata, Allah SWT. Says :

Translation :

“O you who believe, be you upholders of (the truth) for Allah (and) witnesses (who act) fairly. Don't let your hatred of a people encourage you to act unfairly. Be fair because (fair) is closer to piety. Have faith in Allah. Indeed, Allah is careful about what you do”.¹¹

The verse above explains that law enforcement or justice is the responsibility of every believer. Justice must be established consistently and without favoritism, and accompanied by honest and fair testimony. This verse emphasizes that Allah knows all human actions and demands that the principles of justice and integrity be prioritized in every action. There are several points regarding the interpretation of the verse above :

- a. Justice: This verse emphasizes the importance of justice in all aspects of life, both in court and in everyday social relations. Allah SWT commands us as believers to uphold justice without being influenced by external factors such as hatred or hostility.
- b. Avoiding bias: Allah SWT warns against letting hatred or hostility towards certain groups influence our attitude in acting justly. Decisions must be made based on the principle of justice, not personal emotions.
- c. The necessity for justice: justice is not only important for social relations, but it is also a basic principle in a broader life. Siding with justice brings a person closer to piety, namely awareness and obedience to Allah SWT.

¹⁰ Imam Gunawan, *Metodologi Penelitian Kualitatif*, PT. Bumi A (Jakarta, 2015).

¹¹ RI.h.130.

- d. Allah's supervision: Allah SWT always does what humans do, including their intentions and actions. Therefore, justice must be upheld with full awareness of Allah SWT's supervision.¹²

Overall, this verse emphasizes the importance of justice and integrity in action, as well as ensuring that personal hatred does not hinder the implementation of justice.

The term "law" in English can be called law or legal. In this sub-chapter, the definition of law will be discussed in terms of linguistic terminology which refers to the definition in several dictionaries and the definition of law which refers to several opinions or theories conveyed by experts. The discussion of law is intended to create definite boundaries regarding the meaning of law because according to Immanuel Kant, the definition or understanding of law is what is still.

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In terms of understanding the law there is a concept of legal construction. There are three types or three kinds of legal construction, namely, first, legal construction by way of opposition. The intention is to interpret the law between the rules in the legislation with the case or problem faced. Second, the narrowing legal construction is to limit the process of interpreting the law in the legislation with the actual situation, third, the expanding legal construction is a construction that interprets the law by way of expanding the meaning, namely a construction that interprets the law with a legislation.

The definition of protection in Law Number 13 of 2006 concerning Protection of Sanctions and Victims, is explained as all efforts to fulfill rights and provide assistance to provide a sense of security to victims and witnesses which must be provided by the Government.¹³

¹² Yuyut Prayuti, 'Dinamika Perlindungan Hukum Konsumen Di Era Digital: Analisis Hukum Terhadap Praktik E-Commerce Dan Perlindungan Data Konsumen Di Indonesia', *Jurnal Interpretasi Hukum*, 5.1 (2024), 903-13 <<https://doi.org/10.22225/juinhum.5.1.8482.903-913>>.

¹³ Devi Ginting, Ahmad Fauzi, and Ida Nadirah, 'Pertanggungjawaban Pidana Terhadap Orang Tua Yang Tidak Melaporkan Anaknya Sebagai Pecandu Narkotika', *Legalitas: Jurnal Hukum*, 14.2 (2023), 214 <<https://doi.org/10.33087/legalitas.v14i2.341>>.

The scope of "legal protection" in question is the protection provided by the government through its legal instruments such as laws and regulations (Witness and Victim Protection Law, Law on the Eradication of Human Trafficking, etc.). Starting from someone being identified as a victim of human trafficking, the process of speaking through investigation, arrest, to trial, as well as health rehabilitation, social rehabilitation, to the process of returning victims of human trafficking and social reintegration.¹⁴

2. The Concept of Online Gambling and Drugs

a. Definition of Drugs

Drugs are narcotics and dangerous drugs. Narcotics are something in the form of substances or drugs produced from plants or non-plants, by synthesis. Drugs later function to cause depression of consciousness or eliminate reason, or cause addiction. Dangerous drugs here are drugs that are dangerous if used not according to their purpose and provisions, so that users will cause bad effects such as psychotropic and addictive substances.¹⁵

b. Types and Dangers for Drug Users

- 1) Candu atau Opium
- 2) Morfin
- 3) Heroin
- 4) Kokain
- 5) Ganja

Drugs that have been consumed will enter the human bloodstream and will interfere with the nerve center and brain. Drug users will visibly interfere with the thinking, feelings, mentality, and behavior of the user. It can be said that drugs have many disadvantages. Indeed, there are several types of drugs that have benefits. if used for the purposes of developing science, strengthening, and medical. That too must be with a condition, namely there must be direct supervision from competent, strict, and directed experts. So that it will produce maximum benefits.

c. Drug Regulations in Indonesia

Indonesia as a unitary state with diverse tribes, cultures, languages and religions has succeeded in uniting. Indonesia declared its independence on August 17, 1945. The goal

¹⁴ Andi Hamzah, *Perlindungan Hak Asasi Manusia Dalam Kitab Undang Undang Hukum Acara Pidana* (Bandung: Binacipta, 1987)
<https://books.google.co.id/books?id=6PodEAAAQBAJ&printsec=frontcover&dq=perlindungan+hukum&hl=id&newbks=1&newbks_redir=0&sa=X&ved=2ahUKEwi1tYnRgsWIAxXXTmwGHRDHAeMQ6AF6BAgJEAI#v=onepage&q=perlindungan+hukum&f=false>.

¹⁵ Oleh Syapar and Alim Siregar, 'Pengedar Narkoba Di Tinjau Dari Hukum Islam', *Al-Maqasid (Jurnal Kesyariahan Dan Keperdataan)*, 5.1 (2019), 111-24.

of Indonesian Independence can be found in the opening of the 1945 Constitution, paragraph IV, namely that the state is obliged to protect, implement, advance, and educate the lives of its people. In order to realize this goal, various efforts and special attention need to be made to support it. One of the efforts and attention in this case is the Indonesian government as an executive institution in realizing the welfare of its people through the health sector. In this case, it is done by providing and preventing the misuse of drugs and eliminating the spread of drugs and especially psychotropic drugs and narcotics. The government together with members of the Indonesian House of Representatives have passed a law relating to drugs, namely Law No. 35 of 2009 concerning drugs. This law contains more and more complete materials and more severe threats to violators.¹⁶

3. Review of Maqasyid Syariah on the Law on the Protection of Children whose parents are addicted to Drugs and Online Gambling

Islamic Law, especially in the Islamic religion, the position of parents, especially a father, is a leader in a family, namely having a very important role, such as providing for children and wives in material and non-material ways, all of which solely expect the pleasure of Allah SWT. As the head of the household in the family, of course the husband is responsible for his wife and children to meet the needs of daily life. Providing all basic needs such as providing a decent place to live, food, clothing, medicine and protection that endangers his family. The needs described are the most important needs that must be met by a husband.¹⁷

Then Allah swt. says in QS Al-Baqarah 2/223 which confirms that the husband's obligation is to provide support for his children and wife according to his abilities as follows :

Translation :

Your wife is a field for you. So, come to your field (mix it properly and naturally) when and how you like. Prioritize (the best thing) for yourself. Fear Allah and know that you will (someday) face Him. Tell the good news to the believers. The wife is compared to a field, a place to plant seeds. So, plant the seeds according to the preferred time.¹⁸

¹⁶ Fitri Wahyuni, Siti Rahmah, and Muhsin Wandu, 'Penyuluhan Hukum Terpadu Tentang Bahaya Narkoba Dan Pencegahannya Bagi Siswa / Siswi SMP IT Insan Mulia Desa Sungai Intan Kecamatan Tembilahan Hulu Kabupaten Indragiri Hilir Integrated Legal Education on the Dangers of Drugs and Their Prevention for Stude', 2020, 71.

¹⁷ Rifky Taufik Ferdian, 'Pemenuhan Hak Anak Yang Berhadapan (Berkonflik) Dengan Hukum Di Lembaga Pembinaan Khusus Anak (LPKA)', *Jurnal Kolaborasi Resolusi Konflik*, 2.1 (2020), 7 18.

¹⁸ RI.h.66.

The explanation of the verse above refers to the husband's ability to earn a living. The husband is obliged to provide a living according to his ability in a good way. Allah SWT does not give a burden to any of his servants beyond the limits and abilities of a servant. Likewise, a husband who has the status of a prisoner can still fulfill the physical and spiritual needs of his wife and children according to his ability.

Therefore, drug abuse and online gambling are one of the problems faced today. Parents as the first educators for their children when abusing drugs is a form of violation of the rights and obligations of a child. In article 57 of Law Number 22 of 1997 concerning Narcotics, article 54 of Law Number 5 of 1997 concerning psychotropics, it is stated that parents as part of society have a very large role in efforts to eradicate threats to young generations from the dangers of narcotics.¹⁹

Many cases of parents who are addicted to drugs and online gambling, but there are no records or evidence indicating that there are cases of parents who are addicted to drugs and online gambling that result in children being neglected or their children being separated due to being adopted by different people or families. These cases are very common in society and some people do not want to talk about it. In Rade Village, Madapangga District, Bima Regency, West Nusa Tenggara, there are many addicts and dealers who roam the village area, considering the status of Bima Regency, Bima City, and Bima Regency as drug emergencies.

The impact of parents who are addicted to drugs and online gambling includes education, health and even the family economy. The impact on children where parents spend money to satisfy themselves, then the child is not cared for. However, not all of these impacts affect the child's education and economy.²⁰

If parents allow their children to see or witness their parents using drugs, it will damage the child's mentality and teach the child to use drugs following in their parents' footsteps. The local government in this case as a leader and ruler is obliged to maintain protection and ensure a sense of justice for its people, especially children, because children are the next generation in the future and their rights must be protected. In carrying out its duties, the local government through the Family Planning Service, Women's Empowerment, Protection of Children from parents who are drug inmates provides protection for the rights of children in Regional Regulations. The Bima Regency

¹⁹ Ika Yuliana Yani, Ahmad, 'Penegakan Hukum Terhadap Perbuatan Tindak Melapor Terjadinya Tindak Pidana Psikotropika Menurut Undang Undang Nomor 5 Tahun 1997 Tentang Psikotropika', *Jurnal Unizar Recht*, 2.1 (2023), 23.

²⁰ Maimun, 'Dampak Penyalagunaan Narkoba Terhadap Perkembangan Moral Anak', *Jurnal Penelitian Humaniora*, 3.2 (2023), 22.

Regional Regulation Number 5 of 2019 concerning the Empowerment of Women and Children in Article 3, this article contains 4 points as follows :

- a. Realizing opportunities in access, participation, control, and benefits in development and control of resources in the Region;
- b. Preventing and handling violence, exploitation, and discriminatory treatment against women and children;
- c. Improving the quality and role of women and children; and
- d. Availability of data for planning women's empowerment and fulfillment and protection of children's rights.²¹

In Islam, there are also five basic rights known as Maqasyid Syari'ah, namely protecting religion (hifz ad-din), protecting the soul (hifz an-nafs), protecting reason (hifz al-'aql), protecting descendants (hifz an-nasl), protecting property (hifz al-mal) :

- a. The right to respect and full use for survival, growth and development

Protection of children who must fulfill their rights to respect and grow and develop When their parents become drug inmates or are still in rehabilitation, it is certainly necessary to do so that later in the process of growing and developing the child can use their rights. This concept is in accordance with hifz al-'aql because respect and full use for survival, growth and development can make children feel comfortable and not afraid which will have an impact on their future.

- b. Basic Service Rights

Basic Service Rights (HPD) for children include several important aspects, such as education, health, and protection. Education and health are basic services that must be provided by the local government to the community, including children. The local government must ensure access to basic services for children, such as quality education and adequate health services

Education is one of the basic rights of children, which includes the right to obtain quality education and access to decent educational facilities. The local government must ensure that every child has an equal opportunity to obtain quality education, including children who cannot afford it or cannot afford it.

Health is also one of the basic rights of children, which includes the right to obtain adequate health insurance and access to quality health services. The local government

²¹ Pemerintah Kabupaten Bima Bagian Hukum., 'Peraturan Daerah Nomor 5 Tahun 2019 Tentang Penyelenggaraan Perlindungan Perempuan Dan Anak', 2019, 1-23.

must ensure that every child has access to adequate health services, including health services for children who cannot afford it.²²

4. Household Harmony of Drug and Online Gambling Addicts in Islamic Law

Online gambling addiction is a serious problem that can cause deep damage to the structure and harmony of a family. This addiction process does not happen suddenly, but develops slowly and without the individuals involved in the family realizing it. The beginning of online gambling addiction seems harmless, starting from curiosity or as a way to fill free time. However, over time, the individual begins to spend more time and money on online gambling, which is often beyond the perpetrator's financial capabilities. At this stage, negative consequences begin to appear, both financially and emotionally. Money that should be allocated for family needs, such as food, education, and health, is diverted to fulfill the desire to gamble. This can cause tension in family relationships, where trust begins to erode and communication becomes disrupted.

In Rade Village, Madapangga District, there are still children whose rights are not met because their parents are addicted to online gambling and drugs. Children should receive love, education, health care, and a safe environment in which to grow and develop. However, parental addiction often neglects their basic needs. Money that should be used for school, food, and healthcare is instead spent on online gambling or buying drugs. As a result, children are forced to live under stressful conditions, with some even having to work to support the family. This situation not only robs them of their childhood but also causes psychological trauma and hinders the aspirations and future of the children in the village.

As a result, many children in Rade Madapangga Village experience educational delays due to inability to afford school supplies or even drop out early. Disharmonious household conditions also make children vulnerable to mental stress, feelings of inferiority, and loss of self-confidence. They often become victims of verbal and physical abuse due to uncontrolled parental emotions. Furthermore, children can be drawn into the wrong social environment, imitate their parents' negative behavior, and even be at risk of drug abuse from an early age. If left unchecked, this will not only damage the children's future but also negatively impact the social life of the community in Rade Village, as the younger generation grows up without a strong foundation to build a better village.

²² Aris Nur Mua'lim, 'Potret Maqasyid Syariah Prespektif Abu Hanif Bin Muhammad Al Ghazaly As Syafi'i', *Jurnal Syariah Dan Hukum*, 4.2 (2022), 111 120.

As the addiction deepens, the individual may begin to hide their behavior, lie about the whereabouts and use of money, and may even engage in illegal activities to fund their drug and gambling habits, resulting in a breakdown in the foundation of family trust. Secrets, lies, and manipulation are often part of the cycle of addiction, as addicted individuals attempt to hide or minimize their gambling behavior. When these lies are revealed, the damage to trust can be very difficult, if not impossible, to repair. This can cause permanent damage to core family relationships, with family members feeling betrayed and unsure whether they can ever trust each other again.

In an attempt to finance their drug and gambling habits, addicted individuals may engage in illegal behavior such as theft, fraud, or embezzlement. The legal consequences of these actions affect not only the individual but also their family, who may have to deal with public embarrassment, financial pressure to pay fines or legal fees, and the emotional stress of the legal process. The impact on physical health cannot be ignored either. Chronic stress and anxiety caused by financial strain and strained relationships can lead to a variety of health problems, such as heart disease, hypertension, and sleep disorders. This affects not only the individual addicted to gambling but also other family members, who may be experiencing similar stress and anxiety.²³

CONCLUSION

Based on the discussion that has been described in the research results related to Legal Protection for children whose parents are drug addicts and online gambling from the perspective of Maqasyid sharia, the researcher concludes as follows: 1. Digital technology is increasingly developing and making it easier for people to do anything. Even now gamblers do not need to come all the way to a casino or a place to gamble, as well as the spread of drugs in all regions in Indonesia, from the tip of Sabang to the tip of Merauke. From its form which is like medicine to those derived from plants have their own effects when consumed. In its spread both among teenagers and parents. In this case, parents have an important role where in general parents are the ones who provide a sense of security, the right to education, the right to safety and welfare to children, but in fact parents are the perpetrators in doing things that are not worthy of being emulated.

As for children of parents who are addicted to drugs, they have the right to receive comprehensive legal protection. Because parents who are addicted to drugs and online gambling have a negative impact on their children's mental health, education, and

²³ T.B Perdana, 'Faktor Judi Slot Oleh Keluarga Di Desa Sanggutan Kec. Pangkalan Lampar, Kab. Ogan Hilir', *Jurnal Hukum*, 2.4 (2024) <[http://e-theses.iaincurup.ac.id/id/eprint/6003%0Ahttp://etheses.iaincurup.ac.id/6003/1/Full Text%2C.pdf](http://e-theses.iaincurup.ac.id/id/eprint/6003%0Ahttp://etheses.iaincurup.ac.id/6003/1/Full%20Text%2C.pdf)>.

psychology. Not only that, children whose parents are addicted to drugs and online gambling are often neglected or even abandoned in the community. Protection for children of parents who are addicted to drugs and online gambling includes Protection of children's human rights and freedoms. Children of parents who are addicted to drugs and online gambling often do not feel free because they have to be locked up in the house because they are ashamed of their parents' attitudes or even neglected and neglected due to their parents' behavior. Because there is no legal regulation regarding the rights of children of parents as convicts, here an important role lies with the government and society so that they can practice children whose parents are convicts.

In the *maqasyid sharia*, the protection of children from parents who are addicted to drugs and online gambling can be classified into al Daruriyyat al Khams which includes maintaining Religion (hifz ad din), maintaining the soul (hifz a nafsh), maintaining family and descendants (hifz an nasab wa al aradu), maintaining reason (hifz al aql), and maintaining property (hifz al mal). This category of ad daruriyah al khams is something that should not exist (must exist) for the sake of upholding goodness and welfare, both concerning hereafter and worldly affairs. If this aspect does not exist, then an orderly and prosperous worldly life cannot be realized, in fact what is realized is a worldly life that is in between (chaos) and a hereafter life that is suffering and miserable. The government has a responsibility to ensure legal protection for children whose parents are involved in criminal acts of drugs and online gambling.

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