



Divorce Lawsuit on the Reason Husband is Addicted to Online Gambling

Lusiana Desvia¹, Rusdy An¹, Akmal Yandi², Thomas Febria³, Umu Huzaemah⁴

¹STAI Solok Nan Indah, Indonesia

²UIN Imam Bonjol Padang, Indonesia

³Universitas Ekasakti Padang, Indonesia

⁴Yarmouk University, Jordan

✉ lusianadesfia@gmail.com*

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Abstract

Suiting for divorce on the grounds that the husband is addicted to online gambling is an increasingly disturbing phenomenon in today's modern society. This article aims to dig deeper into the impact of online gambling addiction on marital relationships and the resulting divorce process. The data collection method in this research was carried out through literature study which includes scientific articles, journals and other trusted sources. In this research, we will analyze how online gambling addiction can affect the dynamics of husband and wife relationships, the factors that trigger online gambling addiction in husbands, as well as the psychological and social impact it has in the divorce process. It is hoped that the results of this research will provide deeper insight into this problem and contribute to efforts to prevent and overcome online gambling addiction in marital relationships.

INTRODUCTION

The phenomenon of divorce has become a growing concern in society, especially when linked to lifestyle choices and detrimental habits of one partner. Among the various causes, a new issue gaining prominence is divorce lawsuits citing online gambling addiction. This addiction not only disrupts household harmony but also severely impacts the economic, psychological, and social well-being of families. Furthermore, it exacerbates existing family conflicts, creating a cycle of emotional instability and financial distress that is difficult to break (Lucero et al., 2016; Ratomi & Qomar, 2022). The rise in divorce cases due to online gambling reflects broader societal challenges, including the increasing influence of digital technology on behavior and relationships.

Online gambling, as an easily accessible form of entertainment facilitated by technological advancements, has become a significant societal problem. Its impact often goes unnoticed by perpetrators, leading to financial losses, emotional instability, and neglect of responsibilities within the household (Bista et al., 2023; Favre, 2021; Węziak-Białowolska et al., 2019).

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This issue is compounded by the addictive nature of gambling, where individuals are drawn into a continuous cycle of betting despite mounting losses. This addiction not only affects the gamblers themselves but also imposes a heavy burden on their families, particularly their spouses. Consequently, many wives file for divorce, feeling that they can no longer endure a marriage marked by conflict, financial strain, and emotional stress. The pervasive influence of online gambling poses a unique challenge to marital stability, making it a critical issue that demands further investigation (Tavakol et al., 2017).

Figure 1 provides a network map of topics related to divorce, illustrating that this issue remains a central concern interconnected with various subtopics. However, the specific topic of divorce due to online gambling is not yet depicted. The absence of this topic in the network highlights the need for further exploration and discussion, considering its growing prevalence and significant impact on family dynamics. This gap suggests that while divorce has been extensively studied from various angles, the unique challenges posed by online gambling addiction particularly its role in financial instability, emotional distress, and neglect of household responsibilities remain underrepresented in existing analyses. Addressing this omission is crucial for developing a comprehensive understanding of the multifaceted nature of divorce in the digital era (Farasa et al., 2024; Igomu et al., 2024; Trisnandi & Ulfatun, 2024; Yandi et al., 2024).

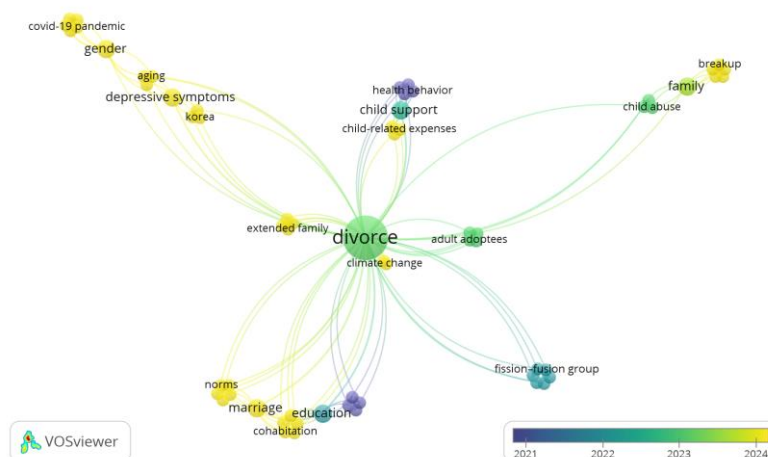


Fig 1. Divorce Database from Sciencedirect

The figure also underscores the interconnectedness of divorce with broader societal issues, such as financial struggles, emotional instability, and neglect of household responsibilities. These factors are often exacerbated by online gambling addiction. This behavior, which is contrary to societal and cultural norms, poses severe challenges to families, leading to conflict, debt, and psychological stress. Consequently, it becomes one of the significant drivers of divorce in cases involving gambling addiction (Ramadhan & Sirait, 2022; Samsul & Husen, 2020; Sitompul et al., 2023; Yazid, 2019).

Despite the growing prevalence of divorce lawsuits caused by online gambling addiction, there remains a lack of comprehensive research addressing this specific issue. Existing studies tend to focus on general causes of divorce or the psychological effects of gambling addiction in isolation, without examining the intersection of these factors in the context of household dissolution. Furthermore, the socio-religious and legal implications of online gambling addiction in Indonesia, particularly as they relate to divorce, are underexplored. This research aims to fill this gap by analyzing the multidimensional impacts of online gambling addiction on marital relationships, providing a deeper understanding of its role in divorce, and offering insights into potential legal and societal interventions (Hanafi et al., 2024; Rohmah & Khodijah, 2024).

METHODS

The research employs a library research method (Fauzi et al., 2024), which involves collecting, evaluating, and synthesizing information from various literature sources related to specific research topics. This bibliographic approach is a critical component of the research process, enabling a comprehensive understanding of the subject under study (Assyakurrohim et al., 2023; Okoli, 2015; Rosmini et al., 2022). By systematically analyzing existing literature, this method provides a solid theoretical foundation and context for addressing the research problem effectively. Furthermore, library research allows researchers to identify gaps in existing studies, compare various perspectives, and build upon previous findings to offer new insights and contributions to the field. This approach ensures that the research is grounded in established knowledge while remaining open to exploring emerging ideas and concepts (Hassan et al., 2023; Pérez et al., 2020; Triandini et al., 2019).

RESULT AND DISCUSSION

Divorce is a legal process in which a marriage is officially and legally terminated, either by a decision from an authority, such as a court, or by mutual agreement between the partners involved. This process results in the dissolution of the marital bond that was previously formed (Choeri & Fitriani, 2021). Although the definition of divorce is not explicitly regulated in the Compilation of Islamic Law (KHI), the procedures and conditions for divorce are detailed in Articles 113–148. These articles emphasize that divorce is not an easy process; it requires valid and lawful reasons to proceed. Article 115 of the KHI states: "Divorce can only be conducted in court after the court has attempted to reconcile the two parties." According to this provision, divorce outside the court is considered invalid and has no legal force, as the process must be ratified by a religious court judge (Choeri & Fitriani, 2021).

Marriage is the foundation of the relationship between a man and a woman as husband and wife, while divorce signifies the end of that union (Ajisaputri, 2021). Although marriage is ideally meant to last a lifetime, many marriages face challenges that lead to their dissolution (Daud et al., 2023). According to Article 38 of Law Number 1 of 1974, divorce is defined as "the breakup of marriage," while marriage itself is described in Article 1 of the same law as "an outer and inner bond between a man and a woman as husband and wife with the aim of creating a happy and eternal family based on Almighty God" (Situmeang et al., 2023).

Gambling, defined as the act of risking money in pursuit of greater fortune, is a significant issue that disrupts family financial stability. Husbands are expected to manage their income responsibly to meet family needs, save for future goals, and ensure household harmony. However, when financial resources are squandered on gambling, it causes disappointment and distress for the wife and children (Pragholapati, 2020). Financial instability, often triggered by gambling losses, becomes a primary factor in the breakdown of marital relationships. Online gambling exacerbates this issue, introducing additional conflicts as one partner assumes disproportionate financial burdens while the other engages in irresponsible spending. This imbalance leads to stress, dissatisfaction, and ultimately, the collapse of the marital bond (Khoerunisa et al., 2024).

Technological advancements and the misuse of social media have further complicated household dynamics. Online gambling, facilitated through smartphones, has become increasingly accessible and contributes to financial crises within families. Husbands who engage in online gambling often fall into debt, disrupting the harmony and stability of their households (Saputra, 2020). While online gambling is perceived as a quick way to earn money, its consequences are severe, leading to

financial ruin and strained family relationships. This phenomenon underscores the negative impact of modern technology when misused, particularly in marital contexts (Sarkowi et al., 2022).

From an Islamic perspective, gambling, whether traditional or online, is clearly prohibited (*haram*) as stated in the Qur'an and Hadith. This prohibition reflects the moral and social dangers associated with gambling, including its detrimental impact on individual well-being and familial harmony (Hakim et al., 2023). The Islamic stance on gambling reinforces the importance of financial responsibility and ethical conduct within a marriage to maintain stability and prevent the dissolution of households.

Allah Subhanahu Wa Ta'ala says:

﴿ يَسْأَلُونَكَ عَنِ الْخَمْرِ وَالْمَيْسِرِ قُلْ فِيهِمَا إِثْمٌ كَبِيرٌ وَمَنَافِعُ لِلنَّاسِ وَإِثْمُهُمَا أَكْبَرُ مِنْ نَّفْعِهِمَا وَيَسْأَلُونَكَ مَاذَا يُنْفِقُونَ قُلِ الْعَفْوَ كَذَلِكَ يُبَيِّنُ اللَّهُ لَكُمْ الْآيَاتِ لَعَلَّكُمْ تَتَفَكَّرُونَ

It means: "They ask you (Muhammad) about drinking and gambling. Say, "In both of them there is a great sin and some benefits for mankind. But the sin is greater than the benefit." And they ask you (about) what they (should) spend. Say, "Excess (of what is required)." Thus Allah explains His verses to you so that you may think," (QS. Al-Baqarah 2: Verse 219).

A lawsuit for divorce on the grounds of a husband's online gambling addiction reflects the wife's response to a severe issue that disrupts domestic life. This legal process often involves the wife presenting evidence such as transaction records, communication related to gambling activities, or testimony from close associates to prove her husband's addiction. Gambling addiction not only causes financial instability but also undermines trust and creates emotional tension in the household. Courts typically consider such evidence to determine the validity of the divorce claim, and in some cases, rehabilitation options for the husband may be explored before a final decision is made.

Gambling has long existed in Indonesia and has become a societal issue that evolves alongside advancements in technology. Initially conducted face-to-face, gambling has transitioned to online platforms, and making it more accessible to all segments of society. Unlike traditional gambling, online gambling is often disguised as an application or game, enabling it to attract a broader audience. Players can easily participate from anywhere with an internet connection and sufficient funds, further normalizing gambling as a part of daily life. The allure of online gambling lies in its ease of access and promises of large winnings, which often push individuals into financial ruin and dependency.

In Indonesia, gambling, including its online form, is explicitly prohibited by law. Article 27(2) and Article 45(2) of the Information and Electronic Transactions Law (UU ITE) impose severe penalties on those who distribute or offer online gambling services, including a maximum prison sentence of six years and/or a fine of IDR 1 billion. Similarly, Article 303 of the Criminal Code prescribes penalties for players, including a maximum prison sentence of four years and/or a fine of IDR 10 million. Despite these legal measures, online gambling continues to affect households profoundly, often serving as a precursor to financial instability, domestic violence, and ultimately, divorce.

The impact of online gambling on divorce is significant. Addiction to gambling drives individuals to desperate measures, such as selling assets, stealing, or committing fraud, to finance their habit. These behaviors exacerbate conflicts within the household, leading to poverty, emotional distress, and domestic violence factors commonly associated with divorce. Furthermore, the accessibility of online gambling due to rapid technological advancements intensifies its prevalence and influence in family dynamics.

In Islamic law, marriage is considered a sacred bond, where the husband is expected to lead and support his family. When the husband engages in activities detrimental to the family, such as online gambling, the wife has the right to file for divorce after all reconciliation efforts have failed. The process, however, requires strong evidence and involves complex legal and religious considerations. Islamic teachings emphasize the husband's responsibility to provide for his family, regardless of financial disparities, and highlight that illicit income, such as from gambling, disrupts the harmony of the household and may justify divorce.

To mitigate the risk of divorce, solutions include fostering mutual understanding, maintaining transparency, and avoiding conflicts fueled by jealousy or suspicion. Effective communication, equitable treatment within the family, and addressing both external and internal household needs are critical to preserving marital harmony. Addressing the root causes of gambling addiction and promoting family-centered interventions can also play a vital role in reducing the impact of this issue on households.

A lawsuit for divorce on the grounds that the husband is addicted to online gambling is a statement indicating that the wife wants a divorce because her husband has a serious problem with online gambling addiction (Kusumaningtyas & Sutanto, 2024). In the legal process, this can be a basis for filing for divorce because of behavior that is detrimental and disrupts domestic life. In a process like this, the wife will usually collect evidence regarding her husband's gambling addiction, such as transaction records, evidence of communication related to online gambling, or testimony from people closest to him. Gambling addiction can be considered a behavior that damages marital relationships because it can cause disrupted family finances, loss of trust, and emotional tension. The court will usually consider this evidence to determine whether the reasons presented are strong enough to grant a divorce decision. Additionally, depending on the jurisdiction of residence, there is also the possibility of considering therapy or rehabilitation options for the husband in question before taking any further legal decisions.

Gambling has existed in Indonesia for a long time so it has become commonplace in society (Fanani & Tritasyah, 2023). The development of technology and information also influences the development of gambling. Initially played face to face, games of chance can now be played online so players do not need to meet in person (Ramadhan & Wijayani, 2023). In contrast to traditional gambling, online gambling is disguised as an application or game to more easily reach all levels of society. The presence of online gambling makes people increasingly interested in gambling because online gambling sites offer many features or types of games. Online gambling makes it easy for someone to play because players don't need to go to the place of play, but must do it anywhere, the most important thing is to have an internet connection and a deposit balance for betting materials (Rizzaldi & Mustofa, 2024). Internet gambling is a crime involving the internet medium. Online gambling can be played anytime and anywhere as long as it is connected to the internet. Due to the ease of gambling, many people are increasingly demanding to play online because of the easy conditions and the big wins promised (Dowling et al., 2021; Igomu et al., 2024).

In Indonesia, gambling is prohibited under Article 27(2) and Article 45(2) of the Information and Electronic Transactions Law (UU ITE). Anyone who distributes or deliberately offers online gambling services will be subject to a maximum prison sentence of 6 years and/or a maximum fine of IDR 1 billion. Apart from that, Article 303 of the Criminal Code regulates that players face a maximum prison sentence of 4 years and/or a maximum fine of IDR 10 million (Rodhiyah et al., 2022).

Online gambling affects divorce. This is because online gambling addiction allows players to use all means such as selling assets, stealing, cheating and even killing to get money/capital for gambling (Fanani & Tritasyah, 2023; Situmeang et al., 2023). In addition, this addiction affects the psychology of the perpetrator, causing an increase in emotional levels and temperamental attitudes. All of this can lead to poverty, laziness, family disputes and domestic violence. These consequences are even common factors that lead to divorce. Apart from that, thanks to increasingly rapid technological developments, online gambling is becoming more accessible.

According to the laws in several countries, including Indonesia, a divorce suit can be filed on the grounds that the husband is addicted to online gambling (Riskawati & Nurbaedah, 2024). In Islamic law, marriage is a sacred bond and is expected to provide mutual support between husband and wife. If the husband is involved in activities that are detrimental to himself and the family, such as an addiction to online gambling, the wife has the right to file for divorce.

In Islamic law, there is a concept that the husband is the leader of the family and is expected to be responsible for his family. If the husband is involved in behavior that is detrimental to the family, the wife can ask for a divorce as a final step after efforts to resolve the problem have been made (Muhajarah, 2017). However, each divorce case will be assessed based on the laws applicable in that country and also the relevant principles of Islamic law. The divorce process on the grounds of online gambling addiction will involve a complex legal process and requires strong evidence to support the lawsuit.

Gambling often causes endless disputes, illicit income can lead to divorce in the household. In the Islamic view, it is the husband's responsibility to support his wife in the household, even though the wife has more income than the husband (Riskawati & Nurbaedah, 2024). Solutions that can be taken to avoid divorce are: Fulfilling the external needs of the household, meeting the internal needs of the household, and ensuring mutual communication and understanding. Transparency is practiced by both parties at home. Avoid discrimination in the family. Able to accept ideas or contributions and refrain from fanatical disagreements. Avoid quarrels in family matters. Avoid excessive jealousy/suspicion without clear reasons. Each party has an introspective attitude. Avoid threats and violence from family members. Cut off contact with the party who caused the incident ([Asfiyak, 2019](#)).

CONCLUSION

Divorce signifies the end of marital life and is often triggered by financial instability, with online gambling emerging as a significant contributing factor. The ease of access to online gambling, facilitated by advancements in technology and social media, has created new challenges for marital harmony, leading to financial losses, psychological distress, and conflict within households. Although online gambling is prohibited under Islamic law and Indonesian legal provisions, its allure continues to attract many, despite the risk of severe legal consequences such as imprisonment and fines. The addiction to online gambling not only undermines the economic foundation of families but also disrupts the emotional and relational stability of couples. In Islam, the husband's responsibility to provide for and support his family is paramount, and failure to uphold this duty, especially due to gambling, can justify divorce. Ultimately, online gambling poses a serious threat to household harmony, often culminating in the dissolution of marriages.

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