

BETWEEN SPORT, ENTERTAINMENT, AND GAMBLING: REGULATING DOMINO UNDER SHARIA-BASED QANUN OF ACEH

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Abstract: This article examines the legal contestation surrounding *me'en batee*, the Acehese term for domino, within Aceh's Sharia-based local legal order. While *me'en batee* is often practiced as social entertainment, it is also associated with gambling, wasted time, public disorder, and neglect of religious obligations. The issue has become more complex as domino is increasingly framed as an organized sport when played without betting. Using normative juridical research with socio-legal sensitivity, this article analyzes statutory materials, Aceh's *qanun*, Islamic legal concepts, academic literature, and selected public discourses. It argues that the problem of *me'en batee* is not a complete legal vacuum, since gambling and *maysir* are already regulated under national law and Qanun Aceh No. 6 of 2014. The main issue is normative ambiguity: how to distinguish entertainment, sport, and prohibited gambling. The article proposes a proportional *qanun*-based regulatory model that is preventive and regulatory rather than merely punitive, aiming to protect Sharia-based public order while avoiding overcriminalization.

Keywords: *Me'en Batee*; *Qanun*; Islamic Sharia; *Maysir*; Legal Pluralism; Aceh.

Introduction

Aceh occupies a distinctive position within Indonesia's constitutional order because its special autonomy gives the province authority to enact *qanun* (derived from Arabic, *qānūn*), a local regulation that governs both administrative affairs and the social life of

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Acehnese society. Under Law No. 11 of 2006 concerning the Government of Aceh, *qanun* is recognized as a regional legal instrument equivalent to provincial or regency/municipal regulations, but in Aceh it also carries a specific local character shaped by Islamic Sharia, customary values, and public morality.¹ For this reason, *qanun* should not be understood merely as regional legislation. It is also a legal medium through which Aceh negotiates the relationship between state law, Islamic norms, local identity, and everyday social order.²

One everyday practice that exposes this negotiation is *me'en batee*, also known as *peh batee*, the Acehnese term for domino. On the surface, *me'en batee* may appear to be an ordinary social game played in coffee shops, village posts, or informal gatherings. Yet in Aceh, it is often viewed through a moral and legal lens because of its association with gambling, wasted time, disputes among players, and the neglect of religious obligations, especially when the game involves monetary or material stakes.³ The issue has become more complicated as domino is also increasingly framed as a sport when played in organized competitions without gambling elements.⁴ This overlapping meaning creates the central ambiguity of this article: should *me'en batee* be treated as entertainment, sport, or a practice that may fall within the category of *maysir*? The answer depends not only on the game itself, but also on the presence of betting, the social setting, and the authority interpreting the practice.

The central problem is not simply whether domino is lawful or unlawful. The harder question is how *me'en batee* should be classified

¹ Law No. 11 of 2006 concerning the Government of Aceh, art. 1, points 21-22; Yulia Susantri and Roni Hidayat, "Perda, Qanun dan Perdasi dalam Sistem Hukum Nasional," *Syah Kuala Law Journal* 4, no. 1 (2020): 33-44.

² Bambang Antariksa, "Kedudukan Qanun Aceh Ditinjau dari Aspek Sejarah, Pengaturan, Fungsi, dan Materi Muatan Qanun," *Jurnal Ilmiah Advokasi* 5, no. 1 (2007): 17-33; Asma T. Uddin, "Religious Freedom Implications of Sharia Implementation in Aceh, Indonesia," *University of St. Thomas Law Journal* 7, no. 3 (2010): 618.

³ See the discussion in the original manuscript on the association of *me'en batee* with gambling, time-wasting, public disorder, and neglect of prayer obligations. The Contestation of Local Law: The Qanun of Islamic Sharia and the Practice of Me'en Batee in Aceh, manuscript, 2026.

⁴ Serambi Indonesia, "PORDI Aceh and the Recognition of Domino as Sport," September 21, 2025. Full bibliographic information should be completed by the author based on the original news source or an official institutional document.

when it appears in different social settings. As entertainment, it may be only a familiar leisure game. As sport, it may be defended as a game of concentration, strategy, and regulated competition, especially when played without betting. Yet as *maysir*, the same practice becomes legally and religiously problematic once it involves stakes, material gain, speculation, or social harm. Aceh's Qanun No. 6 of 2014 defines *maysir* through the presence of a wager or betting arrangement between parties, while Indonesian criminal law also treats gambling as a punishable offense.⁵ Thus, the legal issue cannot be settled by the name of the game. What matters is whether *me'en batee* remains a game, becomes a sport, or crosses into gambling. This is where contestation begins.

Existing studies on Aceh's Sharia-based legal system have discussed special autonomy, the position of *qanun* in Indonesia's legal hierarchy, the institutionalization of Islamic Sharia, and the operation of Islamic criminal law. These studies are important, but they mostly examine formal legal structures and institutions. Less attention has been given to small, everyday practices through which those legal structures are tested in ordinary social life. *Me'en batee* matters for that reason. It is not a grand legal institution, nor a formal doctrine of Islamic law. It is a common practice whose meaning becomes unstable when read through different frames: entertainment, sport, customary concern, public disorder, or *maysir*. By focusing on *me'en batee*, this article shifts the discussion from the general prohibition of gambling to the more specific problem of legal classification within Aceh's plural normative order.⁶

Against this background, this article is guided by three questions. First, how is *me'en batee* contested within Aceh's Sharia-based local legal framework? This question is intended to identify the actors, norms, and institutional interests involved in defining the practice. Second, to what extent do existing legal norms on *maysir* and gambling regulate, or fail to regulate, the practice of *me'en batee*? This

⁵ Qanun Aceh No. 6 of 2014 concerning Jinayat Law, art. 1, point 22. The official JDIH Aceh entry confirms Qanun Aceh No. 6 of 2014 as the applicable qanun on Jinayat Law, promulgated in Banda Aceh on October 23, 2014. See JDIH Aceh, "Qanun Aceh Nomor 6 Tahun 2014 tentang Hukum Jinayat."

⁶ Susantri and Hidayat, "Perda, Qanun dan Perdasi dalam Sistem Hukum Nasional"; Antariksa, "Kedudukan Qanun Aceh Ditinjau dari Aspek Sejarah, Pengaturan, Fungsi, dan Materi Muatan Qanun"; Uddin, "Religious Freedom Implications of Sharia Implementation in Aceh, Indonesia."

question is important because the problem may not lie in the total absence of law, but in the uncertainty of classification when domino is played without betting or is presented as sport. Third, what kind of *qanun*-based regulatory model is appropriate for governing *me'en batee* without overcriminalizing non-gambling practices? These questions deliberately avoid beginning from the assumption that all forms of *me'en batee* must be prohibited. Instead, they ask where the legal problem actually lies: in the game itself, in the gambling elements attached to it, in the social effects surrounding it, or in the absence of clear institutional guidance.

This article argues that the controversy over *me'en batee* should not be reduced to a simple choice between prohibition and permission. The practice sits between several normative orders at once: Islamic Sharia, Aceh's *qanun*, Indonesian criminal law, local custom, religious authority, sport institutions, and everyday social practice. For that reason, it is better read through legal pluralism, which helps explain how different legal and moral orders may operate in the same social space.⁷ The same domino game may be accepted as leisure, promoted as sport, criticized as morally harmful, or punished as *maysir*, depending on whether betting is present and who interprets the practice. The legal response, therefore, should be proportional. It should distinguish lawful entertainment or organized sport from *me'en batee* that involves gambling, public disorder, or neglect of religious and social obligations. This approach is also in line with criminal policy, which suggests that penal measures should be used carefully, especially when non-penal responses may prevent harm more effectively.⁸

This study uses normative juridical research with socio-legal sensitivity. It does not rely on fieldwork and does not claim to represent all Acehnese communities. Instead, it examines *me'en batee* through statutes, *qanun*, Islamic legal concepts, academic literature, and selected public discourses. The statutory approach is used to read Aceh's special autonomy, Law No. 11 of 2006, national rules

⁷ John Griffiths, "What Is Legal Pluralism?," *Journal of Legal Pluralism and Unofficial Law* 18, no. 24 (1986): 1-55; Sally Engle Merry, "Legal Pluralism," *Law & Society Review* 22, no. 5 (1988): 869-896.

⁸ Sudarto, *Kapita Selektta Hukum Pidana* (Bandung: Alumni, 1986), 23; Barda Nawawi Arief, *Bunga Rampai Kebijakan Hukum Pidana: Perkembangan Penyusunan Konsep KUHP Baru* (Jakarta: Kencana, 2008), 24-26.

on gambling, and Aceh's *qanun* on *jinayah* and *maysir*.⁹ The conceptual and Islamic legal approaches are used to discuss local law, legal certainty, criminal policy, public order, *maysir*, *sadd al-dharr'ah*, *maṣlaḥah*, and *al-'ādah muḥakkamah*.¹⁰ The materials include primary legal sources, books and journal articles, and supporting institutional or media sources related to the debate on domino and *me'en batee*. Any reference to social perception in this article should therefore be read as a discussion of normative and public discourse, not as a statistical claim about Acehnese society as a whole.

The article is framed by legal pluralism and Islamic legal theory. Legal pluralism helps explain why the meaning of *me'en batee* cannot be settled by state law or religious doctrine alone. In Aceh, *qanun*, Sharia norms, customary values, religious authority, and everyday practice often overlap. This is why the same domino game may be seen as leisure, sport, moral concern, or *maysir*, depending on the context and the presence of betting. Islamic legal theory sharpens this point through *sadd al-dharr'ah* and *maṣlaḥah*: a practice that is formally permissible may be restricted when it becomes a path to harm, while regulation should still aim at public benefit.¹¹ At the same time, criminal policy requires proportionality. Not every morally suspicious practice should be treated as a crime; the law must distinguish harmful conduct that deserves sanction from non-gambling entertainment or sport that may only require guidance, supervision, or administrative control.¹²

Aceh's *Qanun*, Islamic Sharia, and the Regulation of *Maysir*

Qanun is the main legal form through which Aceh expresses its special authority within the Indonesian legal system. Formally, Law

⁹ Law No. 11 of 2006 concerning the Government of Aceh, arts. 1, 21-22; Qanun Aceh No. 6 of 2014 concerning Jinayat Law, art. 1, point 22; Law No. 7 of 1974 concerning the Control of Gambling; Indonesian Criminal Code, arts. 303 and 303 bis.

¹⁰ Soerjono Soekanto and Sri Mamudji, *Penelitian Hukum Normatif: Suatu Tinjauan Singkat* (Jakarta: Rajawali Pers, 2015), 13-14; Peter Mahmud Marzuki, *Penelitian Hukum* (Jakarta: Kencana, 2017), 133-36; Mohammad Hashim Kamali, *Principles of Islamic Jurisprudence*, 3rd ed. (Cambridge: Islamic Texts Society, 2003), 268-76.

¹¹ Griffiths, "What Is Legal Pluralism?"; Merry, "Legal Pluralism"; Kamali, *Principles of Islamic Jurisprudence*.

¹² Sudarto, *Kapita Selekta Hukum Pidana*, 23; Arief, *Bunga Rampai Kebijakan Hukum Pidana*.

No. 11 of 2006 defines *Qanun Aceh* as a regulation equivalent to a provincial regional regulation, while regency or municipal *qanun* are equivalent to local regulations at the district or city level.¹³ Yet in practice, *qanun* in Aceh cannot be treated as an ordinary regional regulation. It carries a particular legal and symbolic function because it is connected to Aceh's special autonomy, Islamic Sharia, and local social order. This is why discussions about *qanun* often move beyond administrative competence. They also concern how Aceh translates religious norms, local customs, and public expectations into binding legal rules. In this sense, *qanun* works as a local legal instrument that regulates government, but also reaches into the social life of the Acehnese people.¹⁴

The implementation of Islamic Sharia in Aceh also gives *qanun* a moral dimension. It does not operate only as a formal legal mechanism, but also as a way of marking the boundary between conduct that is socially accepted and conduct seen as damaging to public order. This point is important for understanding cases such as *me'en batee*. A practice may look ordinary in one setting, but become problematic when it is associated with gambling, neglect of worship, public disturbance, or other forms of social harm. Aceh's Sharia-based regulations, including those dealing with *jinayat*, therefore reflect more than the criminalization of certain acts. They also express an attempt to protect a moral order that many Acehnese legal and religious actors regard as part of the province's collective identity.¹⁵ Still, this moral function must be handled carefully. If every socially disliked practice is immediately turned into a legal offense, *qanun* risks losing its proportionality and becoming more punitive than necessary.

In Islamic law, *maysir* refers to gambling or a transaction-like activity in which gain and loss depend on a wager, chance, and the transfer of benefit from one party to another. The prohibition is not only concerned with the game itself, but with the social and moral

¹³ Law No. 11 of 2006 concerning the Government of Aceh, art. 1, points 21-22.

¹⁴ Susantri and Hidayat, "Perda, Qanun dan Perdasi dalam Sistem Hukum Nasional"; Antariksa, "Kedudukan Qanun Aceh Ditinjau dari Aspek Sejarah, Pengaturan, Fungsi, dan Materi Muatan Qanun."

¹⁵ Uddin, "Religious Freedom Implications of Sharia Implementation in Aceh, Indonesia"; R. Michael Feener, *Shari'a and Social Engineering: The Implementation of Islamic Law in Contemporary Aceh, Indonesia* (Oxford: Oxford University Press, 2013), 1-20.

effects that may follow from it: dependency on luck, unfair gain, hostility among participants, and the diversion of time and responsibility.¹⁶ Aceh's legal order adopts this concern in a more formal way. Qanun Aceh No. 6 of 2014 defines *maysir* as an act involving a wager or betting arrangement between two or more parties, in which the winning party receives payment or benefit from the losing party, either directly or indirectly.¹⁷ This definition is important for the discussion of *me'en batee*. Domino, as a game, does not automatically become *maysir*. It becomes legally relevant when the practice includes money, goods, or other material stakes, or when the game is organized in a way that produces gain and loss among players. In other words, the legal concern is not the domino tiles, but the gambling structure that may be attached to them.

At the national level, gambling is also treated as a criminal offense. The Indonesian Criminal Code regulates gambling through Articles 303 and 303 bis, while Law No. 7 of 1974 was enacted specifically to strengthen the control of gambling.¹⁸ Aceh's *qanun* on *jinayat* operates within this broader national legal framework, but it also reflects Aceh's special authority to regulate certain forms of social conduct through Sharia-based local law. This means that the regulation of *maysir* in Aceh should not be read as standing outside Indonesian law. Rather, it works as a local legal articulation of a prohibition that is already recognized nationally, with a stronger religious and moral character in the Acehnese context.¹⁹

For this reason, the problem of *me'en batee* should not be described too quickly as a legal vacuum. If the game involves money, goods, or other material stakes, existing legal norms on gambling

¹⁶ Kamali, *Principles of Islamic Jurisprudence*, 310-14; Yusuf al-Qaradawi, *The Lawful and the Prohibited in Islam*, trans. Kamal El-Helbawy, M. Moinuddin Siddiqui, and Syed Shukry (Indianapolis: American Trust Publications, 1994), 351-55.

¹⁷ Qanun Aceh No. 6 of 2014 concerning Jinayat Law, art. 1, point 22. The official JDIH Aceh database lists Qanun Aceh No. 6 of 2014 as the applicable qanun on Jinayat Law, promulgated in Banda Aceh on October 23, 2014.

¹⁸ Indonesian Criminal Code, arts. 303 and 303 bis; Law No. 7 of 1974 concerning the Control of Gambling. For the official metadata of Law No. 7 of 1974, see JDIH BPK RI, "Undang-Undang Nomor 7 Tahun 1974 tentang Penertiban Perjudian."

¹⁹ Law No. 11 of 2006 concerning the Government of Aceh, arts. 125-127; Qanun Aceh No. 6 of 2014 concerning Jinayat Law. See also Susantri and Hidayat, "Perda, Qanun dan Perdasi dalam Sistem Hukum Nasional"; Uddin, "Religious Freedom Implications of Sharia Implementation in Aceh, Indonesia."

and *maysir* already provide a basis for legal response. The more difficult situation arises when *me'en batee* is played without betting, appears as ordinary leisure in coffee shops or village spaces, or is presented as an organized sport. In such cases, the issue is less about the absence of law than about normative ambiguity: should all forms of *me'en batee* be treated with suspicion because of their possible connection to gambling, or should the law distinguish between harmless play, regulated sport, and prohibited *maysir*? This distinction matters because Islamic criminal regulation in Aceh must still operate within the principles of legal certainty, proportionality, and the proper identification of prohibited elements.²⁰ A future regulatory response, therefore, should not merely add another prohibition. It should clarify the boundary between entertainment, sport, and gambling, while deciding whether Aceh needs a new *qanun*, a technical guideline, stronger enforcement of existing *jinayah* provisions, or a combination of these approaches.

***Me'en Batee* in Aceh: Entertainment, Sport, Gambling, or Social Disturbance?**

The term *me'en batee* literally refers to “playing stones” or “playing tiles,” and in everyday Acehnese usage it is commonly associated with domino. It is also known as *peh batee*, another local expression used to refer to the same practice. The term itself is important because it shows that the practice is not usually discussed in abstract legal language by ordinary people. It is first known as a familiar game, attached to local speech and everyday settings. A brief reference to the wider history of domino may be useful, but it should not distract from the main point: in Aceh, *me'en batee* is not merely a imported game with fixed meaning. It has become a local practice whose meaning depends on where it is played, who plays it, and whether the game is connected to betting or other social consequences.²¹

²⁰ Qanun Aceh No. 6 of 2014 concerning Jinayat Law, art. 1, point 22; Law No. 7 of 1974 concerning the Control of Gambling; Indonesian Criminal Code, arts. 303 and 303 bis; Arief, *Bunga Rampai Kebijakan Hukum Pidana*.

²¹ The original manuscript identifies *me'en batee* or *peh batee* as the Acehnese term for domino and explains that the expression literally refers to “playing stones.” *The Contestation of Local Law: The Qanun of Islamic Sharia and the Practice of Me'en Batee in Aceh*, manuscript, 2026. For general reference on Acehnese regional vocabulary,

Seen from the side of everyday sociability, *me'en batee* may function as a form of social entertainment. It can appear in coffee shops, village posts, *rangkang*, wedding-night gatherings, or other informal spaces where men gather, talk, drink coffee, and spend time together. This does not mean that every such gathering is legally or morally neutral, but it does mean that the practice should not be judged too quickly before its concrete form is examined. Acehese coffee shops, for example, have often been described as public spaces for conversation, information exchange, and social interaction; leisure games may become part of that wider culture of gathering.²² In this setting, *me'en batee* is not always about gambling. Sometimes it is only a way to fill time, sustain conversation, and create a small circle of social interaction. This point matters because an article on *me'en batee* will become analytically weak if it begins with the assumption that all domino playing is already *maysir*. The more careful question is when, and through what elements, a social game becomes a legal problem.

The claim that domino can be treated as a sport adds another layer to the debate. In this view, domino is not simply a pastime, but a game that requires concentration, memory, calculation, strategy, and emotional control. When it is organized through formal competition and separated from betting, its defenders argue that domino is closer to chess or bridge than to gambling. This framing has become more visible with the presence of PORDI (*Persatuan Olahraga Domino Indonesia*/the Indonesian Domino Sports Association) and public claims that domino may be developed as an organized sport, provided that it is kept free from gambling elements.²³ Still, the sport

see Balai Bahasa Provinsi Aceh, “Kamus Bahasa Daerah Aceh Daring,” launched December 24, 2021, <https://kamusbbpa.kemendikdasmen.go.id/>

²² Saiful Asra and Yudhi Fahrimal, “Warông Kupa sebagai Public Sphere dan Pengaruhnya terhadap Social Movement Masyarakat di Kabupaten Aceh Barat,” *SOURCE: Jurnal Ilmu Komunikasi* 3, no. 1 (2017); see also Marlina, “Acehese Social Interaction Process in Coffee Shops,” *Academic Research International* 7, no. 1 (2016): 118-126.

²³ See Moh Ramli, Wahyu Nurdiyanto, and Ahmad Rizki Mubarak, “Transisi Offline ke Online, PB PORDI Hapus Stigma Judi pada Olahraga Domino,” *Times Indonesia*, 1 June, 2025, available at <https://timesindonesia.co.id/olahraga/541342/transisi-offline-ke-online-pb-pordi-hapus-stigma-judi-pada-olahraga-domino> (accessed 19 December 2025); Ibnu Naufal, “MUI Nyatakan Domino Halal, Kemenpora Siap Akui sebagai Cabor Resmi,” *Inilah.com*, July 2025. These media

label does not automatically settle the issue in Aceh. A practice may be institutionally framed as sport at the national level, but still face moral suspicion in a local context where domino has long been associated with gambling, idleness, or the neglect of religious obligations. The important point, then, is not simply whether domino can be a sport in general, but whether its organization, supervision, and social effects are compatible with Aceh's Sharia-based public order.

The more serious problem appears when *me'en batee* is played with money, goods, or other material stakes. At that point, the game is no longer merely a form of leisure or competition; it begins to resemble the structure of *maysir*, because one party's gain depends on another party's loss. This is also where the Islamic legal principle of *sadd al-dhari'ah* becomes relevant. A practice that is originally neutral or permissible may be restricted when, in its concrete social use, it becomes a path toward prohibited harm.²⁴ In Aceh, this concern is not only doctrinal. Domino played as hidden gambling may produce small disputes, debts, wasted time, and neglect of prayer or work responsibilities. Of course, these effects should not be assumed in every case. But they help explain why *me'en batee* remains sensitive: the object of concern is not the tile itself, but the betting culture, social disorder, and moral harm that may grow around it.

Mapping the Contestation: Actors, Norms, and Interests

Religious authorities occupy an important position in the contestation over *me'en batee*. For many ulama and Sharia-oriented institutions in Aceh, the issue is not only whether domino can be formally classified as gambling, but whether the practice may open the way to *maysir*, *maksiat*, idleness, or neglect of worship. This concern is closely related to the Islamic legal idea of *sadd al-dhari'ah*, which allows the restriction of a permissible act when it becomes a path to prohibited harm. It is also connected to *maṣlahah*, since law is ex-

reports should ideally be supplemented by official documents from PB PORDI, Kemenpora, KONI, or MUI if available.

²⁴ Kamali, *Principles of Islamic Jurisprudence*; Wael B. Hallaq, *A History of Islamic Legal Theories: An Introduction to Sunni Usul al-Fiqh* (Cambridge: Cambridge University Press, 1997), 112-15; Qanun Aceh No. 6 of 2014 concerning Jinayat Law, art. 1, point 22.

pected to protect public benefit and prevent social damage.²⁵ Seen from this angle, the position of ulama or MPU should not be reduced to a simple desire to prohibit entertainment. Their concern is broader: to guard the moral boundaries of public life in Aceh, especially when a social practice is believed to carry a strong risk of becoming gambling or encouraging conduct considered harmful to religious discipline.

Local government and DPRA stand in a different but related position. They are not only moral actors; they are legal and political institutions with authority to formulate *qanun*. Under Law No. 11 of 2006, the Governor of Aceh and DPRA have a central role in the enactment of Aceh's local regulations, including those related to the implementation of Islamic Sharia and the social life of the community.²⁶ This authority, however, is not unlimited. Any regulation concerning *me'en batee* must still be harmonized with national law, existing *qanun* on *jinayah* and *maysir*, and the practical needs of society. A careless regulation may create overlap, while a regulation that is too weak may fail to address hidden gambling. This is why the role of local government and DPRA is delicate: they must translate religious and social concerns into legal norms without ignoring legal certainty, proportionality, and public participation.

Law enforcement actors face a more practical difficulty. For the police, Wilayatul Hisbah, and village-level authorities, the main issue is not whether domino is socially disliked, but whether the elements of gambling can be proven. A group of people playing *me'en batee* in a coffee shop does not automatically constitute *maysir*. What must be shown is the presence of stakes, a betting arrangement, material gain, or other elements that transform the game into gambling under national law or Aceh's *qanun*.²⁷ This is why operational guidance matters. Without clearer criteria, enforcement may become incon-

²⁵ Kamali, *Principles of Islamic Jurisprudence*, Abu Ishaq al-Shatibi, *Al-Muwafaqat fi Usul al-Shari'ah*, trans. Imran Ahsan Khan Nyazee, vol. 2 (Reading: Garnet Publishing, 2011), 3-8; Qanun Aceh No. 2 of 2009 concerning the Aceh Ulama Consultative Assembly.

²⁶ Law No. 11 of 2006 concerning the Government of Aceh, arts. 23(1), 42(1), and 125-127; Susantri and Hidayat, "Perda, Qanun dan Perdasi dalam Sistem Hukum Nasional."

²⁷ Qanun Aceh No. 6 of 2014 concerning Jinayat Law, art. 1, point 22; Indonesian Criminal Code, arts. 303 and 303 bis; Law No. 7 of 1974 concerning the Control of Gambling.

sistent: ordinary play may be treated with suspicion, while hidden gambling may continue under the appearance of casual entertainment.

Sports institutions enter the debate from a different direction. For organizations such as PORDI, domino is increasingly framed as a game of skill, concentration, discipline, and competition. Several public reports in 2025 stated that PB (*Pegurus Besar*/the Central Board) PORDI promoted domino as a sport free from gambling elements, and that PORDI Aceh had also been formed as part of this institutional development.²⁸ This argument should not be dismissed too quickly, because many recognized games and sports also involve calculation, memory, and strategy. Still, the Acehnese context makes the matter less simple. Institutional recognition may help remove the stigma of gambling in formal tournaments, but it does not automatically erase the older social memory that associates domino with betting, idleness, or late-night gatherings. In Aceh, the claim that domino is a sport must therefore be tested against local norms: whether the competition is supervised, whether betting is truly absent, whether it respects public order, and whether it can be accepted within the moral framework of Sharia-based local law.

Local communities should not be treated as a single voice in this debate. Some people may see *me'en batee* simply as a familiar form of entertainment, part of the ordinary rhythm of coffee shops, village posts, or informal male gatherings. Others may reject it because of its strong association with gambling, wasted time, or behavior considered inconsistent with Aceh's Islamic public morality. There may also be a middle position: *me'en batee* can be accepted if it is played without betting, limited in time and place, and kept away from practices that lead to *maysir*. This variety of perception is important. Acehnese society is often described through the close rela-

²⁸ "PB PORDI Sebut Domino Bakal Diakui sebagai Cabor Resmi di Indonesia," *Antara News Makassar*, July 4, 2025, available at <https://makassar.antaranews.com/berita/598021/pb-pordi-sebut-domino-bakal-diakui-sebagai-cabor-resmi-di-indonesia> (accessed 19 December 2025); Nasir Nurdin, "Cabor Domino Terbentuk di Aceh, Ini Susunan Pengurusnya," *Portal Nusa*, 21 September, 2025, available at <https://portalnusa.com/2025/09/21/cabor-domino-terbentuk-di-aceh-ini-susunan-pengurusnya/> (accessed 19 December 2025); "Cabor Pordi Aceh Resmi Terbentuk, Ini Susunan Pengurusnya," *Aceh Inspirasi*, 21 September, 2025, available at <https://acehinspirasi.com/ai-35118/cabor-pordi-aceh-resmi-terbentuk-ini-susunan-pengurusnya/> (accessed 19 December 2025).

tionship between religion, custom, and social order, but that does not mean every community member interprets every practice in the same way.²⁹ In everyday life, the meaning of *me'en batee* is shaped not only by formal law, but also by habit, local reputation, religious advice, social setting, and the presence or absence of money on the table.

The contestation over *me'en batee*, then, is not merely about whether domino is allowed or prohibited. It is about who has the authority to define the practice: religious scholars who guard moral order, state law that defines gambling, local government that produces *qanun*, sport institutions that promote domino as competition, or communities that encounter the practice in daily life. This is the real legal problem. The same game can carry different meanings depending on the actor, the setting, and the norm used to judge it. Any future regulation must begin from this complexity.

Local communities should not be treated as a single voice in this debate. In some settings, *me'en batee* may be understood simply as a familiar form of entertainment, part of the ordinary rhythm of coffee shops, village posts, or informal male gatherings. It may accompany conversation, waiting time, or social interaction, without necessarily involving betting. In other settings, however, the same practice may carry a negative reputation because of its association with gambling, wasted time, late-night gatherings, minor disputes, or behavior considered inconsistent with Aceh's Islamic public morality. Between these two positions, there is also a possible middle ground. Some members of the community may not object to domino as a game, or even as a supervised competition, as long as it is played without stakes, does not disturb public order, and does not become a cover for hidden gambling. This variation matters because Acehnese society cannot be reduced to one homogeneous moral response. Religion, custom, and social order are deeply connected in Aceh, but everyday interpretation still depends on local setting, generation, social experience, and the reputation attached to a particular practice.²⁹ For that reason, the meaning of *me'en batee* in daily life is shaped not only by *qanun* or formal religious discourse, but also by

²⁹ Feener, *Shari'a and Social Engineering*; John R. Bowen, *Islam, Law, and Equality in Indonesia: An Anthropology of Public Reasoning* (Cambridge: Cambridge University Press, 2003), 3-12; Uddin, "Religious Freedom Implications of Sharia Implementation in Aceh, Indonesia."

habit, local advice, neighborhood tolerance, social stigma, and the simple question of whether money is actually placed on the table.

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Toward a Proportional Qanun-Based Regulatory Model

A regulatory response to *me'en batee* is needed because the practice sits in an uncertain legal and social position. On the one hand, Aceh already has legal instruments to deal with gambling and *maysir*. On the other hand, *me'en batee* does not always appear in the form of gambling. It may appear as leisure, as a community habit, or as a sport-like activity claimed to be free from betting. This is why the problem cannot be solved simply by saying that Aceh needs another prohibition. What is needed first is clarity. Law enforcement actors need criteria to distinguish ordinary play from hidden gambling. Communities need to know which forms of the practice are prohibited, discouraged, supervised, or still tolerable. Such clarity is part of legal certainty, a principle often understood as the need for law to be knowable, predictable, and not applied arbitrarily.³⁰ In the case of *me'en batee*, legal certainty means drawing a workable boundary between entertainment, organized sport, and *maysir*.

A total prohibition may look simple, but it creates another problem. If all forms of *me'en batee* are treated as criminal or Sharia violations, the law risks punishing conduct that does not contain the elements of gambling. That would weaken the distinction between moral suspicion and legal offense. Criminal law, especially in a plural society, should be used with care; it is most justified when directed at conduct that produces clear harm or violates clearly defined legal

³⁰ Gustav Radbruch, "Statutory Lawlessness and Supra-Statutory Law," trans. Bonnie Litschewski Paulson and Stanley L. Paulson, *Oxford Journal of Legal Studies* 26, no. 1 (2006): 1-11; Lon L. Fuller, *The Morality of Law*, rev. ed. (New Haven: Yale University Press, 1969), 33-94.

interests.³¹ For that reason, a proportional *qanun*-based model should target the harmful elements attached to the practice: betting, material gain, gambling facilitation, public disorder, and repeated neglect of religious or social obligations. It should not target the name of the game alone. Penal measures may still be necessary when *maysir* is proven, but they should not be the first and only response. In many cases, guidance, supervision, administrative control, or community-based prevention may work better than immediate punishment.

A proportional model may begin by dividing *me'en batee* into three legal categories. The first is *prohibited practice*. This covers *me'en batee* that contains money, goods, debt, or other material stakes; is facilitated as gambling; creates material gain for the winner from the loser; or causes public disorder. In this form, the practice can be treated as *maysir* and may fall under Aceh's *jinayah* regulation as well as national gambling law.³² The second is *permitted but limited practice*. This refers to casual domino playing without betting, without material gain, and without disturbance to public order. It may still be morally discouraged in some places or at certain times, but it should not automatically be treated as a criminal act. The third is *controlled sport competition*. If domino is organized as sport, it should be placed under clear conditions: official organizer, prior permission, written rules, no betting, supervision, and a code of conduct. This category is important because it prevents the sport label from being used as a cover for gambling, while also preventing the law from rejecting every organized domino competition merely because of old stigma. The aim is not to make *me'en batee* free from all moral debate. That is impossible. The aim is more modest: to make its legal classification clearer.

Such a model also requires institutional coordination. DPRA and the Aceh Government would be responsible for formulating the legal norm, but they should not work alone. MPU can provide religious consideration, especially on the boundaries between permissible play, *sadd al-dhari'ah*, and *maysir*. Wilayatul Hisbah and the

³¹ Andrew Ashworth, *Principles of Criminal Law*, 7th ed. (Oxford: Oxford University Press, 2013), 28-31; Arief, *Bunga Rampai Kebijakan Hukum Pidana*; Sudarto, *Kapita Selekta Hukum Pidana*, 23.

³² Qanun Aceh No. 6 of 2014 concerning Jinayat Law, art. 1, point 22; Indonesian Criminal Code, arts. 303 and 303 bis; Law No. 7 of 1974 concerning the Control of Gambling.

police would deal with supervision and enforcement when gambling elements appear. Gampong authorities can help with local monitoring, while sport organizations must ensure that any competition is genuinely free from betting.³³ Without this division of roles, regulation may remain strong on paper but weak in practice.

Sanctions should not be the first response in every case. If *me'en batee* is played without betting but still creates public concern, warning, dispersal, or community guidance may be enough. A heavier response is more reasonable when the practice is repeated, organized, or clearly used as a cover for gambling. Coffee shops or public spaces that repeatedly allow betting, for example, may be subject to administrative sanctions before the case is brought into a criminal or *jinayat* process. Only when the elements of *maysir* are clear—such as stakes, material gain, and a gambling arrangement—should penal sanctions become central.³⁴ This is important because gambling around *me'en batee* is not only a legal problem, but also a social habit that often grows from weak supervision, peer pressure, and the lack of alternative activities. For that reason, prevention should not be treated as an accessory to punishment. Public legal education, religious guidance, youth activities, supervision of coffee shops or village spaces, and cooperation between gampong authorities, Wilayatul Hisbah, the police, and community leaders may do more to reduce hidden gambling than punishment alone.

Any future regulation must also be careful not to repeat what existing law already says. The Criminal Code, Law No. 7 of 1974, and Qanun Aceh No. 6 of 2014 already provide a legal basis for dealing with gambling and *maysir*.³⁵ What remains unclear is the classification of *me'en batee* when it appears as entertainment, sport, or suspected gambling. A new *qanun* or technical guideline should fill that gap, not create overlap. Its task should be regulatory and preventive before it becomes punitive: to protect Aceh's Sharia-based public order, while still preserving legal certainty and avoiding the

³³ Law No. 11 of 2006 concerning the Government of Aceh, arts. 23(1), 42(1), and 125–127; Qanun Aceh No. 2 of 2009 concerning the Aceh Ulama Consultative Assembly; Qanun Aceh No. 6 of 2014 concerning Jinayat Law.

³⁴ Arief, *Bunga Rampai Kebijakan Hukum Pidana*; Sudarto, *Kapita Selekta Hukum Pidana*, 23.

³⁵ Indonesian Criminal Code, arts. 303 and 303 bis; Law No. 7 of 1974 concerning the Control of Gambling; Qanun Aceh No. 6 of 2014 concerning Jinayat Law, art. 1, point 22.

criminalization of social activities that do not contain gambling elements.

Conclusion

This article has shown that the controversy over *me'en batee* in Aceh cannot be understood merely as a question of whether domino is permitted or prohibited. The practice is contested because it moves across several social and legal meanings at once: it may appear as ordinary entertainment, be promoted as organized sport, be viewed with suspicion as a morally risky practice, or become *maysir* when it involves betting and material gain. Existing legal norms in Aceh and Indonesia already provide a basis for responding to gambling, especially through Qanun Aceh No. 6 of 2014, the Criminal Code, and Law No. 7 of 1974. The main problem, therefore, is not a complete legal vacuum, but the normative ambiguity that arises when *me'en batee* is played without clear gambling elements or when it is framed as sport. A proportional regulatory model is needed to clarify this boundary. Such a model should distinguish prohibited gambling practices, limited non-gambling entertainment, and controlled sport competitions, while involving the Aceh Government, DPRA, MPU, Wilayatul Hisbah, police, gampong authorities, sport organizations, and local communities. In this way, future regulation should not simply add another layer of prohibition. It should work as a preventive and regulatory instrument that protects Aceh's Sharia-based public order, avoids hidden *maysir*, provides legal certainty, and prevents the overcriminalization of social practices that do not contain gambling elements.

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