

The Urgency of Establishing Child Protection Regulations from Online Games

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Abstract:

Online games that are increasingly accessible to every age group, especially children, still seem to contain many inappropriate actions such as violence, pornography, gambling, and the like, which hurt the quality of the nation's future generations. Moreover, there have been many criminal cases of children and adolescents influenced by online games containing violence, pornography, gambling, and the like. The Indonesian Child Protection Commission responded to this problem by urging the government to issue regulations regarding child protection immediately. However, there have been several regulations that have similar substance, so this paper examines to provide solutions to the urgency of establishing child protection regulations using two analytical knives in the form of responsive legal theory and Sadd Al-Dzari'ah which results in a discussion from both perspectives both found a good purpose to protect children from online games containing violence, pornography, gambling and the like so it is very important and necessary to immediately establish child protection regulations from online games. This research is specialized in the form of solutions that are made to overcome and deal with the impact of online games that contain violence and the like.

Keywords: online games; child protection; regulation.

Introduction

Over time, social change in Indonesia entered a new phase called modernization and development. Modernization as a process involves changes in society as well, centered on the use of modern technology.¹ The development of technology and information that is growing quite rapidly also affects almost all aspects of people's lives, both in the social, economic, educational, cultural, and even entertainment realms. Technology comes as a very real factor in the relationship with social change.² Before the emergence of the internet, our society,

¹ Satjipto Rahardjo, *Hukum dan Perubahan Sosial " Suatu Tinjauan Teoritis Serta Pengalaman-Pengalaman di Indonesia"*, Genta Publishing, Yogyakarta, 2009. Hlm. 10

² Satjipto Rahardjo, *Hukum dan Perubahan Sosial "Suatu Tinjauan Teoritis Serta Pengalaman-Pengalaman di Indonesia"*, Genta Publishing, Yogyakarta, 2009. Hlm. 42

especially children, still filled their free time with entertainment activities such as playing traditional games such as marbles, spinning tops, or team games that were popular such as soccer, volleyball, selodor, and the like. However, as time goes by, technological developments seem to drown out traditional games that require physical contact and direct communication. The development of technology brings a new chapter in the world of entertainment by serving online games or games that can be very easily accessed without being limited by space and time and can collaborate with friends in other areas by utilizing technology and internet access. This change is reflected in the increase in entertainment activities, especially online games that use the internet in daily activities of various ages.

Online games are games that are connected to a network or server to be played anytime and anywhere either individually or in groups.³ A few years ago, online gameplay had to require several tools such as computers, sticks, and the like to support the game. However, since the spread of gadgets, online game applications are easier to play and access by all groups. The ease of access and the rapid development of the times have also influenced many companies to improve the quality and quality of online games. Today, social problems due to the development of technology including online games have begun to manifest themselves in Indonesia. ranging from cases of violence by children, bullying, pornography, and ethical violations began to be rampant and very frequent, especially among children and adolescents. KPAI Commissioner Kawiyan pointed out that there have been many cases due to the impact of online games on children. Starting from the case of child pornography in Soetta, which in its development was suspected of being a crime of trafficking in persons. Where it happened started with online games. In addition to the Soetta case, there are also cases of children killing their parents which also started from online games. And there are many more criminal cases due to the impact of online games.⁴

In addition to the impact on the emergence of criminal cases, online games also have an impact on the mental development and behavior of children and adolescents as well as the emergence of moral and ethical degradation such as the habits of children and adolescents who often swear (say harsh words) and even have difficulty controlling emotions. Social changes that lead to the deterioration of the nation's next generation will certainly not leave the law untouched. Even Friedman says that "in an atmosphere of social change, it is the law that will be most quickly affected". (Friedman, 1953: 437)⁵. This situation is certainly related to the function of law that gives shape to social relations. Law can also be said to be an element that determines the procedures that must be taken to achieve the social goals desired by society in the social changes that occur.

Today, the Indonesian Child Protection Commission, hereinafter referred to as KPAI, urges the Government through the Ministry of Communication and Information Technology (Kominfo) to immediately act by issuing regulations and

³ Chairunisa, *Mengenal Game Online: Pengertian, Industri, Sejarah hingga Jenisnya*, Daily Social, 2002. [Mengenal Game Online: Pengertian, Industri, Sejarah hingga Jenisnya | DailySocial.id](https://dailysocial.id/mengenal-game-online-pengertian-industri-sejarah-hingga-jenisnya/)

⁴ Kadek Melda Luxiana, *Respon KPAI, Menkominfo Siap Blokir Game Online Mengandung Kekerasan*, Detiknews, 2024. [Respons KPAI, Menkominfo Siap Blokir Game Online Mengandung Kekerasan \(detik.com\)](https://detik.com/respons-kpai-menkominfo-siap-blokir-game-online-mengandung-kekerasan/)

⁵ Satjipto Rahardjo, *Hukum dan Perubahan Sosial "Suatu Tinjauan Teoritis Serta Pengalaman-Pengalaman di Indonesia"*, Genta Publishing, Yogyakarta, 2009. Hlm. 10

blocking online games that contain violence and the like to limit children's access to these things. In line with the discussion above, the government has been working on regulations in the form of Government Regulations on child protection governance in the implementation of electronic systems to overcome the problems of social changes that have occurred recently.

As we know, the Government has established several regulations to overcome this problem in the form of Regulation of the Minister of Communication and Information Technology Number 11 of 2016 concerning Classification of Electronic Interactive Games, then Regulation of the Minister of Communication and Information Technology Number 19 of 2014 concerning Handling Negatively Charged Internet Sites, there is also a Circular Letter of the Minister of Communication and Information Technology Number 3 of 2016 concerning Provision of Application Services and/or Content via the Internet, and the latest is the Regulation of the Minister of Communication and Information Technology Number 2 of 2024 concerning GIM Classification.

Some of the regulations mentioned above are certainly part of legal changes to respond to social changes that occur, especially in the world of entertainment in the form of online games. On the other hand, KPAI urges the government to make rules regarding the protection of children from the dangers of online games. Of course, this adds to the list of regulations regarding the regulation of online games, giving rise to indications of over-regulation, which is a problem of legislation in Indonesia. In the viewpoint of responsive legal theory which emphasizes law as a facilitator of various responses to social needs and aspirations. Where responsive legal theory contains a critical view that law is a means to an end. Responsiveness can be interpreted as serving social needs and interests that are experienced and found.⁶ Therefore, the relevance of responsive legal theory to the context of the discussion of the formation of regulations on child protection from online games is the need to examine more deeply to find out the objectives to be achieved in the formation of regulations.

While in the context of Islamic law, there is the *Sadd Al-Dzariah* method, *which is used to analyze the feasibility of a process to achieve a goal.*⁷ *The formation of regulations on child protection from online games also needs to be studied for its process and purpose using the Sadd Al-Dzari'ah method to find the harm or shortcomings contained in the formation of these regulations.*⁸ As in previous research discussed by Ryan Prianggih, H.E. Rakhmat Jazuli, and Ahmad Lanang Citrawan entitled "The Authority of the Classification Committee in the Test of Suitability of Online Games "Grand Theft Auto V". Based on the Regulation of the Minister of Communication and Information Technology Number 11 of 2016 concerning the Classification of Electronic Interactive Games" in 2023⁹, but the shortcomings of

⁶ Henry Arianto, *Hukum Responsif dan Penegakan Hukum di Indonesia*, Faculty of Law, Esa Unggul University, Jakarta, 2010 . 119

⁷ Amir Syarifuddin, *Ushul Fiqh II*, (Jakarta: Prenada Media, 2014), hlm. 449

⁸ Wahbah Zuhaili, *Kitab Ushul Al-Fiqh Al-Islami, Juz 2*. (Dar al-Fikr: Damaskus, Cetakan Pertama, 1986), hlm. 873.

⁹ Ryan Prianggih, H.E. Rakhmat Jazuli dan Ahmad Lanang Citrawan, *Kewenangan Komite Klasifikasi Dalam Uji Kesesuaian Game Online "Grand Theft Auto V" Berdasarkan Peraturan Menteri Komunikasi dan Informatika Nomor 11 Tahun 2016 Tentang Klasifikasi Permainan Interaktif Elektronik*, *Journal of Administrative Law and Public Policy*, Volume 1 Nomor 2, Fakultas Hukum Universitas Sultan Ageng Tirtayasa, 2023.

this research only focus on classifying online game games that only focus on one game, namely “Grand Thief Auto” even though the game is currently starting to be abandoned. On the other hand, the research only examines the position of the Organization and Work Procedure of the Ministry of Communication and Information and examines and explains the obstacles to the supervision of game classification, but does not provide a definite solution to one of the obstacles, namely the legal vacuum. Then the journal by Abd. Rafi Ahsandhia entitled “The Authority of the Indonesian Child Protection Commission in Efforts to Prevent Online Violence in Children from the Perspective of Maqashid Syariah” in 2021. Where the research has results and discussions in the form of KPAI's authority in protecting Indonesian children from online violence which is reviewed from the Maqashid Sharia perspective¹⁰. The research examines the overall protection of children from online violence, while the research we write focuses more on the protection of children from online games with two perspectives, namely responsive legal theory and Sadd Al-Dzari'ah which then offers solutions to the formation of child protection regulations from online games.

There is also previous research from Luthfi Hafidz Rafsanjani et al which explains “Formulation of Age Restriction Quiet Rules in Online Transactions of Virtual Property Games in Self-Service Stores as a Suggestion for Child Protection” the Year 2022.¹¹ This research examines child protection from online transactions in online games and does not focus on child protection from criminal acts in online games. The solution provided by this research is the establishment of regulations governing age restrictions in online game transactions in convenience stores. Meanwhile, this research focuses more on child protection from online games that contain crimes and are not good for consumption by children and adolescents. The next Literature Review which is in line with this research is from Reza Fahlevi with the title “Aspek Hukum Perlindungan Anak Dalam Perspektif Hukum Nasional.”¹² 2015. The research examines child protection from a broad national legal perspective, while this research focuses on the urgency of establishing child protection from online games that contain crimes. Then similar previous research from Laurensius Arliman S with the title “Local Government Participation in Sustainable Child Protection in Indonesia” in 2016.¹³ The journal focuses on discussing the participation of local governments in child protection, while this journal focuses on the urgency of establishing child protection from online games that contain criminal acts which are not only limited to the participation of local governments, but rather to authorized institutions both KPAI, Menkominfo, and the Central Government.

¹⁰ Abd. Rafi Ahsandhia yang berjudul “Kewenangan Komisi Perlindungan Anak Indonesia Dalam Upaya Mencegah Kekerasan Online Pada Anak Perspektif Maqashid Syariah”, Journal of Family Studies, Volume 5 Issue 2, UIN Malang, 2021. <http://urj.uin-malang.ac.id/index.php/jibl>

¹¹ Luthfi Hafidz Rafsanjani, *Formulasi Peraturan Tentang Pembatasan Usia Dalam Transaksi Online Game Virtual Properti Pada Toko Swalayan Sebagai Saran Perlindungan Anak*, Fakultas Hukum Universitas Diponogoro, Jurnal Crepido, Volume 4, Nomor 2, 2022. <https://ejournal2.undip.ac.id/index.php/crepido/>

¹² Reza Fahlevi, *Aspek Hukum Perlindungan Anak Dalam Perspektif Hukum Nasional*, Lex Jurnalica Volume 12 Nomor 3, STIK PTIK Widya Arya Guna, Jakarta, 2015

¹³ Laurensius Arliman S, *Partisipasi Pemerintah Daerah Di Dalam Perlindungan Anak Yang Berkelanjutan Di Indonesia*, Jurnal Ilmu Hukum, Volume 7, Nomor 2. STIH Padang. 2016

There is also a previous study entitled “Urgensi Profesionalisme Guru Pendidikan Anak Usia Dini dalam Penyelenggaraan Perlindungan Anak” from the writings of Desmawati Roza, Nurhafizah, Yaswinda in 2019.¹⁴ This research focuses on the professionalism of PAUD teachers towards the implementation of child protection which is considered very important. While this research focuses on the urgency of establishing child protection from online games that contain criminal acts. The previous research from Djoko Siswanto Muhartono entitled “Urgensi Regulasi Penyelenggaraan Perlindungan Anak Di Kabupaten Kediri”, 2021.¹⁵ This research focuses on the implementation of child protection in general, which is only focused on Kediri Regency. While this research is more specific to the urgency of establishing child protection regulations from online games but within the national scope.

The next literature review is an article by Djihan Yuniantari and Emmilia Rusdiana in a journal entitled "Kajian Yuridis Pelecehan Seksual Terhadap Anak Melalui Daring" in 2021.¹⁶ That journal only focuses on protecting children from online sexual harassment, while this journal focuses more on the urgency of establishing child protection regulations that focus on online games that contain crime. There is also previous research in the form of “Urgensi Pembentukan Komisi Perlindungan Anak Indonesia Daerah Untuk Meningkatkan Upaya Pencegahan Kejahatan Terhadap Anak di Kabupaten Sambas” written by Hardi Alunaza in 2022.¹⁷ The journal only focuses on the formation of regional Indonesian child protection commissions. Meanwhile, this Kai journal focuses more on the urgency of establishing regulations for protecting children from online games. There is also a literature review from Wiwin Guanti with the title "Urgensi Perlindungan Hak Konstitusi Anak Oleh Pemerintah Daerah Kabupaten Sambas" in 2021.¹⁸ The journal focuses on researching the urgency of protecting children's constitutional rights by the Sambas Regency Regional Government, but does not address the urgency of establishing regulations for protecting children from online games which have recently become increasingly popular containing violence, pornography, gambling and the like.

From the background explanation above, it is clear that there is a need for this problem to be discussed and studied in more depth with two problem formulations as follows: 1) What is the urgency of establishing regulations for child protection from online games from the perspective of responsive legal theory? 2)

¹⁴ Dasmawati Roza, Nurhafizah, Yaswinda, *Urgensi Profesionalisme Guru Pendidikan Anak Usia Dini dalam Penyelenggaraan Perlindungan Anak*, Jurnal Obsesi: Jurnal Pendidikan Anak Usia Dini, Volume 4, Issue 1 Universitas Negeri Padang 2019

¹⁵ Djoko Siswanto Muhartono, *Urgensi Regulasi Penyelenggaraan Perlindungan Anak Di Kabupaten Kediri*, Jurnal Ilmu Sosial Dan Ilmu Politik, Volume 14 Nomor 1, Universitas Pawayatan Daha Kediri, Kediri. 2021

¹⁶ Djihan Yuniantari, Emmilia Rusdiana “*Kajian Yuridis Pelecehan Seksual Terhadap Anak Melalui Daring*”, Fakultas Ilmu Sosial Dan Hukum, Novum, Jurnal Hukum, Volume 8 Nomor 3 Universitas Negeri Surabaya, 2021

¹⁷ Hardi Alunaza, *Urgensi Pembentukan Komisi Perlindungan Anak Indonesia Daerah Untuk Meningkatkan Upaya Pencegahan Kejahatan Terhadap Anak di Kabupaten Sambas*, Jurnal Ilmiah Pendidikan Madrasah Ibtidaiyah, Volume 6, Nomor 1 2022

¹⁸ Wiwin Guanti, *Urgensi Perlindungan Hak Konstitusi Anak Oleh Pemerintah Daerah Kabupaten Sambas*, Al-Sulthaniyah, Volume 10 Nomor 2, Institut Agama Islam Muhammad Syafiuddin Sambas. 2021.

What is the urgency of establishing regulations for child protection from online games in perspective *Sadd Al-Dzari'ah*? Which was formulated into a research entitled "**The Urgency of Establishing Regulations for the Protection of Children from Online Games**"

Method

This research is a type of normative legal research, namely to analyze the extent of the urgency of establishing regulations for child protection from online games in terms of Responsive Law Theory and *Sadd Al-Dzari'ah*. The approach used is a statutory approach and a conceptual approach. Types and legal materials consist of primary, secondary and tertiary legal materials.

Result and Discussion

The Urgency of Establishing Regulations for the Protection of Children from Online Games from the Perspective of Responsive Legal Theory

In the current technological era, developments occur in all aspects of life including entertainment activities such as online games. Online gaming is a social phenomenon in the digital era which has given rise to several legal problems which of course must be immediately responded to by the government in order to fulfill the public interest by forming regulations that regulate legal phenomena and problems as a result of online gaming, especially as Indonesia is a country that wants all national life. and the state is regulated by law.¹⁹ Playing online games has had an impact on increasing criminal acts by children, changes in behavior and words that have begun to deviate from ethics in general. Following the explanation above, KPAI has responded by urging the government to form regulations for protecting children from online games, which is currently being prepared by the government. On the other hand, there are several previous regulations that regulate the classification of games, basically as a response to social changes, namely the emergence of online games. However, recently violent online games have become increasingly popular among children, giving rise to negative impacts, so that previously existing regulations are deemed unable to accommodate these problems, so it is necessary to respond and make changes by forming regulations for the protection of children against online games.

Basically, game makers have been prohibited from providing games with negative content that violates decency and is pornographic, contains hate speech (*hate speech*), as well as containing content that creates conflict or disagreement in accordance with the provisions of the Circular Letter of the Minister of Communication and Information Technology Number 3 of 2016 concerning Provision of Application Services and/or Content Via the Internet (Over The Top). Meanwhile, both the Regulation of the Minister of Communication and Information of the Republic of Indonesia Number 11 of 2016 concerning the Classification of Electronic Interactive Games and the Regulation of the Minister of Communication and Information of the Republic of Indonesia Number 2 of 2024 Classification of Games only regulate the classification of games based on age groups in accordance with the provisions of Article 8 paragraph (1) of the Minister

¹⁹ Pasal 3 ayat (1) Undang-Undang Dasar Negara Republik Indonesia Tahun 1945

of Communication and Information Regulation No. 2/2016²⁰ to meet the criteria based on user age as regulated in the provisions of the following Articles.

Provisions regarding criteria for games that display writing or images related to cigarettes or electronic cigarettes, alcoholic drinks, narcotics, psychotropics and/or other addictive substances, display elements of violence on animated characters that resemble humans, display elements or content of blood, mutilation, and/or cannibalism, contains elements of adult humor with sexual connotations, displays human-like characters but does not show vital organs, breasts and/or buttocks, the content contained in game products does not contain pornography, shows game activities that are based solely on luck or anything else. betting as long as it does not use legal means of payment, foreign currency, electronic money, or intangible commodities in the form of digital assets that can be traded and exchanged for legal means of payment, as well as displaying products containing symbols that try to cause feelings of horror and/or extreme fear. and has network interaction facilities in the form of conversations in accordance with the provisions of Article 13 letters a to i of Permenkominfo No. 2/2024, only classified as users aged 18 (eighteen) years or more. However, in reality, users under the age of 18 can still access online games with the classifications mentioned above very easily.²¹

If studied from a responsive legal perspective, it has two prominent characteristics, namely a shift in emphasis from rules to principles and goals and the importance of democracy both as a legal goal and a way to achieve it.²² Where in essence, responsive legal theory is result-oriented, namely the goals to be achieved outside law.²³ So the formation of child protection regulations from online games is considered necessary to accommodate legal problems and social problems that occur due to the proliferation of online games which contain a lot of violent, pornographic and similar content which is very easy to access by all members of the public even though they have been classified in accordance with the provisions of Permenkominfo No. 2/2024.

The formation of regulations to protect children from online games is a response from the government that is in accordance with the characteristics of the law responsive on. Namely focusing on the goals and principles to be achieved in the form of protecting children from content and features of online games that are not good for them consumed and to suppress criminal acts and disgraceful acts from children and teenagers which recently often occur as a result of the influence of online games that are not good for consumption. On the other hand, related to the context of law enforcement in Indonesia, responsive law implies that law enforcement cannot be done half-heartedly. Executing the law is not just implementing the law, but must have its sensitivity social,²⁴ this means that the emphasis is not only on the need to establish regulations to protect children from

²⁰ Lihat juga ketentuan Pasal 4 ayat (3) dari Peraturan Menteri Komunikasi dan Informatika Republik Indonesia Nomor 11 Tahun 2016

²¹ Lebih lanjut lihat ketentuan dari Peraturan Menteri Komunikasi dan Informatika Republik Indonesia Nomor 2 Tahun 2024

²² Henry Arianto, *Hukum Responsif dan Penegakan Hukum di Indonesia*, Lex Jurnalica Volume 7 Nomor 2, Fakultas Hukum, Universitas Esa Unggul, Jakarta, 2010. Hlm. 119

²³ Philippe Nonet, *Hukum Responsif*, Nusa Media, Bandung. 2019. Hlm 85.

²⁴ Henry Arianto, *Hukum Responsif dan Penegakan Hukum di Indonesia*, Lex Jurnalica Volume 7 Nomor 2, Fakultas Hukum, Universitas Esa Unggul, Jakarta, 2010. Hlm. 119

online games, but also the role of the environment and parents in being able to control and limit children from consuming bad online games. As well as improving moral education in the family and environment which must continue to be encouraged by both the government and parent.

The Urgency of Establishing Regulations for the Protection of Children from Online Games in Perspective *Sadd Al-Dzari'ah*

In perspective *Sadd Al-Dzari'ah* which is an effort to determine law to achieve benefits and avoid damage by analyzing various possibilities/disadvantages contained in the process/path to achieving a goal.²⁵ In the context of the formation of child protection regulations from online games which have recently had quite a bad impact on the mental condition and behavior of children and teenagers, the formation of child protection regulations from online games to overcome the social and legal problems that occur is a good goal. which should be implemented to protect future generations of the nation. Moreover, online games that contain violence, pornography and so on are very easy to access even though they have been classified according to the user age limit in the provisions of Perkominfo No. 2/2024. So it can be said that the establishment of regulations to protect children from online games has a high level of urgency and is a goal that does not have visible negative aspects.

If we analyze the process of forming regulations for protecting children from online games, then the process of forming these regulations is indeed necessary because there are no regulations that regulate the problems that arise from the ease of access to online games by all members of the public. Good Perkominfo No. 11/206 or Perkominfo No. 2/2024 which has just been issued by the government is only limited to the classification of games, the scope of the regulations only includes procedures for classifying games, community participation and sanctions. administrative in accordance with the provisions of Article 3 letters a to c. However, it does not clearly and specifically provide protection for children and how to handle and prevent games containing them harm still exists.

The drafting process has involved the Indonesian Child Protection Commission, the Ministry of Women's Empowerment and Child Protection, as well as the Minister of Communication and Informatics. Currently the draft Regulation is in the harmonization stage at the Ministry of Law and Human Rights.²⁶ So that the formation process can be said to be correct and appropriate because it was prepared and formulated by institutions that collaborate and actually handle this matter. From the process of forming regulations for protecting children from online games, no harm can be found, so both the process and the objectives of forming regulations for protecting children from online games can be said to be good and indeed have an urgency to be issued immediately.

Then from the explanation above, if the formation of child protection regulations is viewed from the level of damage caused²⁷ then it is

²⁵ Wahbah Zuhaili, *Kitab Ushul Al-Fiqh Al-Islami, Juz 2*. (Dar al-Fikr: Damaskus, Cetakan Pertama, 1986), hlm. 873.

²⁶ Farih Maulana Sidik, *KPAI Sambut Baik Rencana Pemerintah Terbitkan Aturan Anak Main Game Online*, DetikNews, 2024. [KPAI Sambut Baik Rencana Pemerintah Terbitkan Aturan Anak Main Game Online \(detik.com\)](https://www.detik.com/indonesia/kongres-politik/detiknews/read?tid=60888888)

²⁷ Wahbah Zuhaili, *Kitab Ushul Al-Fiqh Al-Islami, Juz 2*, Cetakan Pertama, 885.

possiblecategorized As a Dzari'ah who rarely leads to harm or damage, this means that if the action is carried out, it will not necessarily cause damage. The biggest risk from the formation of these regulations is the occurrence of over-regulation of online game regulations, because there are already previous regulations in the form of Minister of Communication and Information Regulation Number 2/2024 about Game Classification. But it's possibleimpact This form of over regulation is refuted because Minister of Communication and Information Regulation No. 2/2024 is only limited to classifying games and does not fully regulate the protection of children from online games that contain negative content. Apart from that, the increasing prevalence of criminal acts and the like among children and teenagers due to the influence of online games which have a negative content encourages the importance of the government immediately establishing and issuing regulations regarding the protection of children from online games. Therefore, if these regulations are not immediately issued, there are other bad possibilities that will occur rather than just the badness of over-regulation. This is also in line with the Fiqh rule, namely "rejecting harm is prioritized over taking benefits". This means rejecting the possibility of the nation's generation getting worse and the spread of criminal acts and the like due to the influence of online games which have a negative content by establishing regulations to protect children from online games taking priority over taking benefits by avoiding over-regulation.

Conclusion

Of the two analytical tools used, namely responsive legal theory or method *Sadd Al-Dzari'ah* to analyze the urgent problem of establishing regulations for protecting children from online games, a common thread can be drawn that: Legally responsive, the formation of child protection regulations from online games is an important and necessary response with the aim of overcoming the rise of criminal acts and the like among children and teenagers due to the influence of online games that contain violence, pornography, gambling and the like which are certainly disturbing. society at large. So it can be said that the formation of these regulations is in accordance with the two characteristics and objectives of responsive law. Then in perspective *Sadd Al-Dzariah*, The formation of child protection regulations from online games has found no harm or content of damage that would result from this formation, both in terms of objectives and process. So it can be said to be in accordance with the method *Sadd Al-Dzari'ah*.

Bibliography

Books

- Amir Syarifuddin, *Ushul Fiqh II*, Jakarta: Prenada Media, 2014.
Philippe Nonet, *Hukum Responsif*, Nusa Media, Bandung. 2019.
Satjipto Rahardjo, *Hukum dan Perubahan Sosial " Suatu Tinjauan Teoritis Serta Pengalaman-Pengalaman di Indonesia "*, Genta Publishing, Yogyakarta, 2009.
Wahbah Zuhaili, *Kitab Ushul Al-Fiqh Al-Islami, Juz 2.* (Dar al-Fikr: Damaskus, Cetakan Pertama, 1986.

Legislations

Undang-Undang Dasar Negara Republik Indonesia Tahun 1945

Peraturan Menteri Komunikasi dan Informatika Republik Indonesia Nomor 11 Tahun 2016

Peraturan Menteri Komunikasi dan Informatika Republik Indonesia Nomor 2 Tahun 2024

Surat Edaran Menteri Komunikasi dan Informatika Nomor 3 tahun 2016 tentang Penyediaan Layanan Aplikasi dan/atau Konten Melalui Internet (Over The Top)

Journals

Abd. Rafi Ahsandhia yang berjudul “*Kewenangan Komisi Perlindungan Anak Indonesia Dalam Upaya Mencegah Kekerasan Online Pada Anak Perspektif Maqashid Syariah*”, Journal of Family Studies, Volume 5 Issue 2, UIN Malang, 2021. <http://urj.uin-malang.ac.id/index.php/jibl>

Dasmawati Roza, Nurhafizah, Yaswinda, *Urgensi Profesionalisme Guru Pendidikan Anak Usia Dini dalam Penyelenggaraan Perlindungan Anak*, Jurnal Obsesi: Jurnal Pendidikan Anak Usia Dini, Volume 4, Issue 1 Universitas Negeri Padang 2019

Djihani Yuniantari, Emmilia Rusdiana “*Kajian Yuridis Pelecehan Seksual Terhadap Anak Melalui Daring*”, Fakultas Ilmu Sosial Dan Hukum, Novum, Jurnal Hukum, Volume 8 Nomor 3 Universitas Negeri Surabaya, 2021

Djoko Siswanto Muhartono, *Urgensi Regulasi Penyelenggaraan Perlindungan Anak Di Kabupaten Kediri*, Jurnal Ilmu Sosial Dan Ilmu Politik, Volume 14 Nomor 1, Universitas Pwiyatan Doha Kediri, Kediri. 2021

Hardi Alunaza, *Urgensi Pembentukan Komisi Perlindungan Anak Indonesia Daerah Untuk Meningkatkan Upaya Pencegahan Kejahatan Terhadap Anak di Kabupaten Sambas*, Jurnal Ilmiah Pendidikan Madrasah Ibtidaiyah, Volume 6, Nomor 1 2022

Henry Arianto, *Hukum Responsif dan Penegakan Hukum di Indonesia*, Fakultas Hukum, Universitas Esa Unggul, Jakarta, 2010.

Laurensius Arliman S, *Partisipasi Pemerintah Daerah Di Dalam Perlindungan Anak Yang Berkelanjutan Di Indonesia*, Jurnal Ilmu Hukum, Volume 7, Nomor 2. STIH Padang. 2016

Luthfi Hafidz Rafsanjani, *Formulasi Peraturan Tentang Pembatasan Usia Dalam Transaksi Online Game Virtual Properti Pada Toko Swalayan Sebagai Saran Perlindungan Anak*, Fakultas Hukum Universitas Diponogoro, Jurnal Crepido, Volume 4, Nomor 2, 2022. <https://ejournal2.undip.ac.id/index.php/crepido/>

Reza Fahlevi, *Aspek Hukum Perlindungan Anak Dalam Perspektif Hukum Nasional*, Lex Journalica Volume 12 Nomor 3, STIK PTIK Widya Arya Guna, Jakarta, 2015

Ryan Prianggih, H.E. Rakhmat Jazuli dan Ahmad Lanang Citrawan, *Kewenangan Komite Klasifikasi Dalam Uji Kesesuaian Game Online “Grand Theft Auto V” Berdasarkan Peraturan Menteri Komunikasi dan Informatika Nomor 11 Tahun 2016 Tentang Klasifikasi Permainan Interaktif Elektronik*, Journal of Administrative Law and Public Policy, Volume 1 Nomor 2, Fakultas Hukum Universitas Sultan Ageng Tirtayasa, 2023.

Wiwin Guanti, *Urgensi Perlindungan Hak Konstitusi Anak Oleh Pemerintah Daerah Kabupaten Sambas*, Al-Sulthaniyah, Volume 10 Nomor 2, Institut Agama Islam Muhammad Syafiuddin Sambas. 2021.

Website

Chairunisa, *Mengenal Game Online: Pengertian, Industri, Sejarah hingga Jenisnya*, Daily Social, 2002. [Mengenal Game Online: Pengertian, Industri, Sejarah hingga Jenisnya | DailySocial.id](https://dailysocial.id/mengenal-game-online-pengertian-industri-sejarah-hingga-jenisnya/)

Farih Maulana Sidik, *KPAI Sambut Baik Rencana Pemerintah Terbitkan Aturan Anak Main Game Online*, DetikNews, 2024. [KPAI Sambut Baik Rencana Pemerintah Terbitkan Aturan Anak Main Game Online \(detik.com\)](https://news.detik.com/berita/detiknews/id/6911000/kpai-sambut-baik-rencana-pemerintah-terbitkan-aturan-anak-main-game-online)

Kadek Melda Luxiana, *Respon KPAI, Menkominfo Siap Blokir Game Online Mengandung Kekerasan*, Detiknews, 2024. [Respons KPAI, Menkominfo Siap Blokir Game Online Mengandung Kekerasan \(detik.com\)](https://news.detik.com/berita/detiknews/id/6911000/respon-kpai-menkominfo-siap-blokir-game-online-mengandung-kekerasan)