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## **ISLAMIC FANATISM AND TERRORISM CASES IN INDONESIA THE PERSPECTIVE OF ISLAMIC CRIMINAL LAW**

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### **ABSTRACT**

Acts of terrorism are often associated with Islamic teachings, which lead to a bad stigma against Islam. Cases of terrorism in Indonesia occur almost every year, which the shocking case of terrorism is the Bali bombing which killed 202 foreigners. The research aimed to analyze the problems of Islamic fanaticism and terrorism in Indonesia from the perspective of Islamic criminal law. The research used descriptive analysis, with the type of normative juridical research. The approach was historical and conceptual. The study showed that acts of terrorism defending Islam cannot be justified because terrorism has political intentions. Islam is a religion of *rahmatan lil 'Ālamīn* which loves good and hates evil. The government's efforts to mitigate acts of terrorism in Indonesia are by making preventive efforts in the form of legal protection for someone suspected of adhering to terrorist radicalism. Prevention efforts are intended for, national preparedness, counter-radicalization, deradicalization, and fostering religious insight. In addition, the efforts made are by giving the role of society and mass organizations to perform moral movements.

**Keywords:** Terrorism; Islamic Criminal Law; and Religious Fanaticism;

### **ABSTRAK**

Aksi terorisme sering kali disangkut pautkan dengan ajaran Islam, yang menyebabkan stigma buruk terhadap Islam. Kasus terorisme di Indonesia terjadi hampir setiap tahunnya, kasus terorisme yang menghebohkan yaitu bom Bali yang menewaskan 202 orang WNA Tujuan penelitian ini untuk menganalisis permasalahan fanatisme Islam dan terorisme di Indonesia perspektif hukum pidana Islam, Metode penelitian yang digunakan adalah deskriptif analisis, dengan jenis penelitian yuridis normatif. Pendekatan yang digunakan adalah pendekatan historis dan pendekatan konseptual. Adapun hasil penelitian, bahwa aksi terorisme membela agama Islam tidak dapat dibenarkan, karena terorisme mempunyai maksud politik. Islam adalah agama *rahmatan lil 'Ālamīn* yang mencintai kebaikan dan membenci keburukan. Upaya pemerintah dalam menekan aksi terorisme di Indonesia yaitu dengan melakukan upaya pencegahan berupa perlindungan hukum terhadap seseorang yang diduga terpapar radikalisme teroris. Upaya pencegahan dimaksudkan untuk, kesiapsiagaan nasional, kontra radikalisasi, dan deradikalisasi, pembinaan wawasan keagamaan. Selain itu upaya yang

dilakukan dengan memberikan peran masyarakat dan ormas untuk melakukan gerakan moral.

**Kata Kunci:** Terorisme; Hukum Pidana Islam; dan Fanatisme Beragama;

## Introduction

Terrorism has been a tool used by dissidents (anarchists) since the early 20th century, which also started the First World War with the assassination of the noble Ferdinand in Sarajevo. The terrorism has found a new place in the world due to the cold war, the Commonwealth of Nations division, and the mass media's spread. Terrorism has become a tactic to gain attention, and followers and challenge existing governments.<sup>1</sup> Terrorism evolved because of a need to influence observers, a need to survive, and a need to punish those who do not follow their ideology.<sup>2</sup> The most common terrorist acts are bombings, murders, kidnappings, taking hostages, armed attacks, torture, and arson.<sup>3</sup> Acts of terrorism are often linked with the religious teachings of Islam, so not a few Indonesian people give a bad stigma to the teachings of Islam. Terrorist actors believe their actions are part of their teachings of Islam, commonly known as *jihad fi sabilillah*. According to Kiai H. Idrus Romli, *jihad* in the current sense no longer means war, nor physical combat. The struggle today must be with reason with the development of science.<sup>4</sup>

Discussing the cases of acts of terrorism in Indonesia is almost endless because almost every year, there are always acts of terrorism. Then, it becomes the spotlight of the international world. Several records of terrorism cases occurred in Indonesia, including in 1999, the Ramayana convenience store bombing in Jakarta, the Kelapa Gading mall bombing, and the Hayam Wuruk Plaza bombing. And the bombing of the Philippine Embassy, on August 1, 2000, where a bomb was detonated in a car that parked at the house of the ambassador of the Philippines. The victims, 2 people were killed and 21 people were injured, including the ambassador of the Philippines at that

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<sup>1</sup>Herdi Sahrasad and Al Chaidar, *Fundamentalisme, Radikalisme, Terorisme (Perspektif Atas Agama Masyarakat Dan Negara)* (Jakarta: Freedom Foundation, 2017).

<sup>2</sup>Sofia Patel and Jacqueline Westermann, "Women and Islamic-State Terrorism: An Assesment of How Gender Perspective Are Integrated in Countering Violent Extremism Policy and Practice," *JSTOR, International Centre for Political Violence and Terrorism Research* 14, no. 2 (2018): 64, <https://www.jstor.org/stable/26558022>.

<sup>3</sup>Sahrasad and Chaidar, *Fundamentalisme, Radikalisme, Terorisme (Perspektif Atas Agama Masyarakat Dan Negara)*.

<sup>4</sup>Ahidur Asror, *Khalifah Dan Terorisme Pemikiran Islam Kebangsaan Kyai NU* (Jember: IAIN Jember Press, 2015).

time, Leonides T Caddy. Moreover, in the same year on August 27, 2000, another act of terrorism occurs to the Malaysian Embassy, followed by the bombing of the Jakarta Stock Exchange. On the actions, 10 people died, 90 people injured and 104 vehicles were heavily damaged. Also, the Christmas Eve bombing on December 24, 2000 caused 16 fatalities and 96 injuries, followed by the bombing of the GKPI church in Medan, the Jakarta Attorney General's Office building, the Jakarta KPU office, and the office of the agriculture department. In the following years, the terrorist acts occurs in 2001, which are the bombing of the Santa Anna Church and the HKBP, the bombing of the Plaza Atrium on Monday, Jakarta, the bombing of the KFC Makassar restaurant, and the bombing of an Australian school. Along 2002, acts of terrorism, the New Year's Bombings occurred on January 1, 2002, the bombing of churches in Central Sulawesi, and the Bali Bombings occurred on October 12, 2002. These actions never escape the memories of the Indonesian people because these actions caused victims who died were 202 people, which the majority were foreigners from Australia, and 300 people were injured. At the same time, there was also a bombing act of the Office of the Consul General of the Philippines in Manado, North Sulawesi Province.<sup>5</sup>

As for the novelty of this article, the researchers found several written papers/journal articles that also research on Islam and terrorism. These studies include Dede Rodin,<sup>6</sup> Zuly Qodir,<sup>7</sup> Baidhowi,<sup>8</sup> Fitri Wahyuni,<sup>9</sup> and Asmawi.<sup>10</sup> Of the studies, some differences occurs, such as the title or theme raised by the author and the subject matter in each article. Almost none are similar in terms of the title and the theme raised. Therefore, this research is new, and its validity can be accounted for. The research aimed to analyze the problems of Islamic fanaticism and terrorism in Indonesia from the perspective of Islamic criminal law.

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<sup>5</sup>Agus Handoko, "Analisis Kejahatan Terorisme Berkedok Agama," *Jurnal Sosial Dan Budaya Syar'i* 6, no. 2 (2019): 155–178, <https://doi.org/10.15408/sjsbs.v6i2.11041>.

<sup>6</sup>Dede Rodin, "Islam Dan Radikalisme: Telaah Atas Ayat-Ayat Kekerasan Dalam Al-Qur'an," *Addin* 10, no. 1 (2016): 29–60, <https://doi.org/10.21043/addin.v10i1.1128>.

<sup>7</sup>Zuly Qodir, "Kaum Muda, Intoleransi, Dan Radikalisme Agama," *Jurnal Studi Pemuda* 5, no. 1 (2016): 429–445, <https://doi.org/10.22146/studipemudaugm.37127>.

<sup>8</sup>Baidhowi, "Islam Tidak Radikalisme Dan Terorisme," *Law Research Review Quartelry* 3, no. 2 (2017): 197–218, <https://journal.unnes.ac.id/sju/index.php/snh/article/view/20935>.

<sup>9</sup>Fitri Wahyuni, "Causes of Radicalism Based on Terrorism in Aspect of Criminal Law Policy in Indonesia," *Jurnal Hukum Dan Peradilan* 8, no. 2 (2019): 196–213, <https://doi.org/10.25216/jhp.8.2.2019.196-213>.

<sup>10</sup>Asmawi et al., "Measuring Human Rights and Islamicity of Indonesian Anti-Terrorism Law," *Ahkam* 19, no. 2 (2019): 229–246, <https://doi.org/10.15408/ajis.v19i2.13898>.

## Method

The research method used a descriptive analysis with the type of normative juridical research.<sup>11</sup> Descriptive research will provide clear answers about Islamic fanaticism and terrorism cases from Indonesia's perspective of Islamic criminal law. The approach used a conceptual and a historical<sup>12</sup> because this research examines the background and development of terrorism cases in Indonesia, and seeks answers to the causes of the development of criminal acts of terrorism in Indonesia.<sup>13</sup> Sources of data were obtained from primary and secondary legal materials. Data collection techniques were carried out by conducting in-depth document studies by reading, listening, and understanding various literacy and conducting online-searches on the internet related to the particular research. The data analysis method used a prescriptive analysis, namely by providing arguments for the results of the research and assessments and input on the phenomena of what the government should legally do.<sup>14</sup>

## Findings and Discussion

### The International and United Nations Views on Terrorism Cases in Indonesia

The experts' opinions have put forward the definition of terrorism cases, such as proposed by the United Nations convention in 1937, namely, terrorism is all forms of crime directed at the state that intends to create a form of terror against certain people or groups of people at large. Meanwhile, according to the US Department of Defence 1990, terrorism is an unlawful act that contains threats accompanied by violence or coercion against individuals or groups to coerce or intimidate the government or society for political, religious, and physiological purposes. Terrorism can be regarded as a transnational crime, is organized, and has a wide network to threaten national and

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<sup>11</sup>Novita Angraeni and Erry Fitrya Primadhany, "Sociological and Philosophical Study of Ijārah and Ijārah Muntahiya Bi Tamlik," *El-Mashlahah* 12, no. 1 (2022): 84–102, <https://doi.org/10.23971/elma.v12i1.4174>.

<sup>12</sup>Sabarudin Ahmad, *Transformasi Hukum Pembuktian Perkawinan Dalam Islam* (Surabaya: Airlangga University Press, 2020), [https://books.google.co.id/books?hl=id&lr=&id=vQvyDwAAQBAJ&oi=fnd&pg=PP1&ots=ctXR-KXFDi&sig=V9F3\\_1JOuRwhc2tdGDt-pvPaoCE&redir\\_esc=y#v=onepage&q&f=false](https://books.google.co.id/books?hl=id&lr=&id=vQvyDwAAQBAJ&oi=fnd&pg=PP1&ots=ctXR-KXFDi&sig=V9F3_1JOuRwhc2tdGDt-pvPaoCE&redir_esc=y#v=onepage&q&f=false).

<sup>13</sup>Muhaimin, *Metode Penelitian Hukum* (Mataram: Mataram Press, 2020).

<sup>14</sup>Abdul Kadir Muhammad, *Hukum Dan Penelitian Hukum* (Bandung: Citra Bakti Aditya, 2004).

international peace and security. In its form, terrorism seriously threatens world security and peace.<sup>15</sup>

In tackling criminal acts of terrorism, Indonesia cooperates with various countries, such as the United States of America and Australia, which they have experienced the terrorism cases. Bilaterally, Indonesia cooperates with the US and Australia. While regionally, Indonesia places ASEAN as an important part of cooperation in dealing with terrorism as Indonesian terrorism is believed to have an international network, including several ASEAN countries. For example, the case of the Bali Bombing 1, which involved a terrorist network from Malaysia.<sup>16</sup>

With multilateral cooperation, Indonesia supports United Nations measures. It actively cooperates with other countries or international institutions in law enforcement, prevention, and eradication of terrorism and international security. One form of this support is in The Counter Terrorism Committee (CTC), which was formed based on UN Security Council resolution No. 1373 of 2001. In following up on obligations as part of the CTC, the Indonesian government reports on the achievements of counter-terrorism efforts every year.<sup>17</sup>

The international worldview of terrorism in Indonesia sees that several Indonesian's policies in tackling terrorism crimes have reached some success even though there are still obstacles to their implementation. In this case, there is a high appreciation from Ian's countries or the international community in tackling these criminal acts of terrorism, such as successfully arresting the figures behind various bomb attacks and revealing terrorist networks in Indonesia. In this case, Indonesia's success in dealing with terrorism cases has strengthened the political posture of other countries. To strengthen this procedure, the Indonesian state is used to increase the bargaining power of relations with other countries for its national interest.<sup>18</sup>

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<sup>15</sup>Mamay Komariah, "Kajian Tindak Terorisme Dalam Perspektif Hukum Pidana Internasional," n.d.

<sup>16</sup>Ganewati Waryanti, "Politik Luar Negeri Indonesia Dalam Menghadapi Isu Terorisme Internasional," *Jurnal Penelitian Politik* 11, no. 2 (2014), <https://ejournal.politik.lipi.go.id/index.php/jpp/article/view/202>.

<sup>17</sup>Waryanti.

<sup>18</sup>Ardli Johan Kusuma, "Strategi Diplomasi Kemanusiaan Pemerintahan Indonesia Dalam Kasus Krisis Kemanusiaan Yang Dialami Etnis Rohingya Di Myanmar Tahun 2017," *Jurnal Mandala* 2, no. 2 (2019): 151–168, <https://doi.org/10.33822/mjihi.v2i2.1322>.

Based on Law no. 15 of 2003 on the implementation of a substitute government regulation law No. 1 of 2002 on the eradicating criminal acts of terrorism into Law no. 15 of 2003. The Law still maintains the threat of criminal sanctions with a special minimum, starting from minimum imprisonment of 4 years and a maximum of 20 years in prison or life imprisonment, to the death penalty which aims to strengthen the deterrence the criminal acts of terrorism. Criminal acts of terrorism are regulated in Article 6 of Law no. 15 of 2003.<sup>19</sup> The purpose of establishing the Law on Terrorism Crimes is to provide a legal and comprehensive basis for achieving legal certainty in the law enforcement process, starting from the investigation stage to the court's decision on criminal acts of terrorism. Law enforcement against criminal acts of terrorism is currently quite complex where law enforcement procedures differ from law enforcement, as regulated in the Criminal Procedure Code. In addition, the Terrorism Law was established to protect the territorial sovereignty of the Unitary State of the Republic of Indonesia (NKRI) and all of its contents from terrorism activities with local, national, and international background issues or problems, as well as to prevent grip and pressure from powerful countries under the pretext of fighting terrorism. Resistance by terrorist groups has a particular strategy, such as individuals who join terrorist groups must be dedicated and willing to sacrifice themselves. Usually, members of terrorism who do not have the expertise or ability in the military field will be used as slaves to suicide bombers.<sup>20</sup>

### **Islamic Fanaticism and Terrorism Cases in Indonesia in the Perspective of Islamic Criminal Law**

In Arabic, the word terror comes from the word Arab which means the fear caused by acts of violence, such as murder, bombing, and vandalism. Judging from this simple understanding of terrorism, it contradicts the teachings of Sharia, where Islam wants to uphold justice and provide security, order, and prosperity. Islam respects human rights, even according to the view of Islam, a person's blood, property, and honour have a high degree and nobility. Therefore, Islam does not justify acts of terrorism, even if it is for

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<sup>19</sup>Azis Syamsudin, *Tindak Pidana Khusus* (Jakarta: Sinar Grafika, 2016).

<sup>20</sup>Folman P. Ambarita, "Penanggulangan Tindak Pidana Terorisme," *Binamulia Hukum* 7, no. 2 (2018): 141–156, <https://doi.org/10.37893/jbh.v7i2.29>.

defending religion. A person will only fall under certain conditions outlined in Islamic Law, and of course, by taking care of the other side.<sup>21</sup>

The rise of acts of terrorism using violence, such as suicide (suicide bombing), uses jihad as a justification based on a theological reason. However, the understanding of jihad used by the perpetrators of terrorism does not guarantee that it is following the true meaning contained in the teachings of Islam that brings peace to this earth. The fact that has occurred in Indonesia is, there are deviations understanding of jihad that start from being misunderstood and then mis-used by a group of people to legalize violence in perform their actions. This deviation from the meaning of jihad has also made the orientalist to view Islam as a militant religion. Its adherents are seen as fanatical soldiers who spread religion and its laws using the force of arms. The jihad is supposed to be identified with acts of terrorism. In that case, it is not true if a Muslim fights jihad in the name of religion and commits violence or kills others in the name of religion for no reason is justified in Islamic Law. Discussing the Bali Bombing case, for example, the bombings carried out by Amrozi and friends were merely revenge and anger against America and its allies. They oppressed Muslim fighters in Palestine, Afghanistan, and others. The bombing carried out by Amrozi and friends was not in the name of Islam.<sup>22</sup> Furthermore, MUI (Majelis Ulama Indonesia or Indonesian Ulema Council) stated that suicide bombings in a peaceful country, such as Indonesia are unlawful because they are a form of desperation (*al ya'su*) and harm oneself and others (*ihlak an-nafs*). In addition to the MUI, the *Ahlussunnah* clerics and several scientific experts in the country have highlighted the issue of terrorism, both in Indonesia and foreign countries, regarding the Law on suicide bombing or some groups in the movement call *istiyshād* or martyrdom bombing. They concluded that the martyrdom bombings on the battlefields had controversial values among scholars. Some consider it haram, but others allow it when it brings huge benefits, such as the entry of many people into Allah's religion with this action (embrace Islam). Others stipulate the condition that the enemy must be killed, and the perpetrators who break through the death are likely to stay alive. In essence, it is still controversial. However, the *Ahlussunnah* clerics exclude a bombing model, that is

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<sup>21</sup>Hamzah Zunaed, "Pergerakan Kelompok Terorisme Dalam Perspektif Barat Dan Islam," *Jurnal Sulesana* 8, no. 2 (2017): 118–135, <https://journal.uin-alauddin.ac.id/index.php/sls/article/view/1285>.

<sup>22</sup>Zunaed. 132

not occurred in the area of war, such as the Amrozi case, especially in entertainment locations, even with the risk of killing fellow Muslims, as martyrdom bombs or jihad bombs.

Even after the incident of terrorism is always associated with the image of Islamic Law. With today's technological sophistication, these accusations can easily be spread throughout the global, so many community groups lead to bad prejudice against Islam and Muslims. However, the *Ahlussunnah* clerics exclude a bombing model, that is not occurred in the area of war, such as the Amrozi case, especially in entertainment locations, even with the risk of killing fellow Muslims, as martyrdom bombs or jihad bombs.<sup>23</sup>

According to the western view, not a few converts to Islam and joined terrorist groups. The involvement of converts expects repentance so that they become jihadists in a country. Some experts argue that the actions of converts and carry out acts of extremism and terrorists are also influenced by acts of discrimination and warfare that converts have experienced before; converts are more vulnerable to becoming terrorist actors and being radicalized because of their lack of knowledge about Islam. The tendency of converts to convert to Islam and become radical is influenced by the spirit of converts to their new beliefs so that they show their passionate attitude towards Islam. In the case study of Dutch and Belgian Muslims, according to Van San, most of the converts who joined terrorist acts of extremism had problematic backgrounds.

According to Bartoszewicz, converts who lack knowledge about Islam and join extremist terrorist groups can have a bad impact and tarnish Islamic teachings. A person who understands Islam is not easily provoked to engage in terrorist acts. In Bartoszewicz's research, terrorist groups that carry out extreme actions have individual and group interests. Usually, political and economic factors are more dominant as the cause of extremism.<sup>24</sup>

From the beginning, Islam as a complete and final religion did not approve, accommodate and encourage terrorism. Various verses of the Qur'an have clearly stated

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<sup>23</sup>Salim E. Al-Ibia, "Islam and Terrorism in Post 9/11 Literature," *Journal CS Canada (Studies in Literature and Language)* 10, no. 2 (2015): 19–25, <https://doi.org/10.3968/6196>.

<sup>24</sup>Bart Schurman and Peter Grol, "Converts and Islamist Terrorism: An Introduction," *ICCT (International Centre for Counter Terrorism The Hague)*, 2016, 1–20, <https://doi.org/10.19165/2016.2.03>.



that every act of destruction against human beings, both their lives and their property, is *haram* (prohibited). Islam and Muslims are intentionally and mistakenly framed, stereotyped, misinterpreted, and made as the main victims of terrorism and are also blamed in the game of 'blaming the victim'. Even though some Muslims are involved in terrorism, Islam hates it. According to the definition and dimensions of terrorism, Muslims have analytically been the main victims through a variety of different means – discrimination, stereotypes, accusations, and detention without trial (Guantanamo and Abu Ghraib), special and in-depth questioning/interrogation, enacting the 'Patriot Law', exclusion and systematic targeting, anti-Muslim migration policies and Muslim countries.<sup>25</sup>

Terrorism has become a tool and is used covertly by major powers to control the political economy of several other countries, especially the Middle East, Maghreb, North Africa, and the Sahel, and also limits the extent of religion, particularly Islam. Can preach and practice. Terrorism is mistakenly equated and associated with Islam, while other religions, terrorists and their actions are not labelled negatively like Islam and Muslims.

### **Efforts to Settle Indonesian Criminal Terrorism Crimes**

As mentioned in the previous section, terrorism has long threatened Indonesia. As Wilkinson argues, terrorism is not insurgency, guerrilla warfare, or political violence. Terrorism, objectively, is better defined as a specific method of armed resistance used alone or as part of a larger campaign of armed resistance. For various reasons, terrorism was chosen as a method of resistance against the state by some resistance groups in Indonesia. Dealing with and preventing terrorism is not only done by suppressing the views of others or increasing the budget for the weapons of the anti-terrorism forces by providing the latest equipment. On the other hand, the government and all elements of Indonesian society must find the causes and respond to them objectively. The government does not have to seek alternative solutions democratically and constitutionally and respects the human rights of everyone in making decisions.<sup>26</sup>

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<sup>25</sup>E. Al-Ibia, "Islam and Terrorism in Post 9/11 Literature."

<sup>26</sup>Baker S. Mawajdeh et al., "The Culture Of Peace and The Prevention of Terrorism from The Perspectives of Islamic Education and The United Nations," *Journal of Education and Practice* 8, no. 1 (2017): 43–56, <https://eric.ed.gov/?id=EJ1131775>.

The efforts of the Indonesian House of Representatives (DPR) to initiate the birth of the definition of terrorism in the Draft Law on Amendments to Law Number 15 of 2003 concerning the Eradication of Criminal Acts of Terrorism (Revised Law Amendments) is to avoid a single interpretation of law enforcement officers. How could unscrupulous law enforcement officers ever use the Koran as evidence? This single interpretation seems to state that the verses of the Koran give legitimacy to killing another person's life as if Islam is very closely related to murder. It is as if Islam is completely far from the soothing teachings of love and peace. Islam has become a 'scapegoat', even the victim of a series of violence and acts of terror. Many efforts have been and will continue to be made by the Government of the Republic of Indonesia in fighting terrorism, one of which is prevention.<sup>27</sup>

The provisions of Article 43A of the revision of the Criminal Act on Terrorism state that the government makes efforts to prevent the Crime of Terrorism based on the principle of protecting human rights and the principle of prudence. In carrying out these prevention efforts, BNPT (The National Counter Terrorism Agency) must always be prudent in providing legal protection for the rights of individuals or groups suspected of being exposed to terrorist radicalism. This precaution must also have a measure and standard for protecting human rights. This is intended so that prevention efforts do not give birth to new victims and stigma against individuals and groups of people who exposed to radicalism.

For this prevention, the Amendment Law has provided clear and detailed guidelines. The amendment law states that prevention efforts are carried out through national preparedness, counter-radicalization, and deradicalization. The aims and objectives of the prevention efforts are, first, national preparedness. Prevention efforts through national preparedness are a condition of being ready to anticipate the criminal acts of terrorism through a planned, integrated, systematic, and sustainable process. National preparedness activities are carried out through community empowerment, increasing the capacity of the apparatus, protecting and improving infrastructure, developing studies on terrorism, and mapping areas prone to radicalism. Second,

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<sup>27</sup>Muhammad Zulfikar and Aminah, "Peran Badan Nasional Penanggulangan Terorisme Dalam Pemberantasan Terorisme Di Indonesia," *Jurnal Pembangunan Hukum Indonesia* 2, no. 1 (2020): 129–144, <https://doi.org/10.14710/jphi.v2i1.129-144>.

counter radicalization. Prevention efforts through counter-radicalization are a planned, integrated, systematic, and continuous process that is carried out against people or groups of people who are vulnerable to being exposed to radical ideas of terrorism, which are intended to stop the spread of radical ideas of terrorism. This counter-radicalization activity is carried out directly or indirectly through counter-narrative, counter-propaganda, or counter-ideological. A counter-radicalization strategy aimed at supporting groups, sympathizers, and the public by carrying out preventive activities, which include surveillance activities against people, firearms, counter-propaganda activities, vigilance activities, and protection activities for vital objects transportation, VVIP as well as the environment and public facilities. Third, deradicalization. Deradicalization efforts are a planned, integrated, systematic, and continuous process that is carried out to eliminate or reduce and reverse the radical understanding of terrorism to whom has been exposed to radical notions of terrorism. Deradicalization efforts can no longer be made casually. The amendment law regulates that deradicalization efforts are carried out in several stages, including the identification and assessment, rehabilitation, re-education, and social reintegration. Furthermore, the deradicalization program is also explicitly regulated in three models: fostering national insight, religious insight, and entrepreneurship.<sup>28</sup>

According to Golose, without neglecting the hard-line approach to solving the problem of terrorism at its roots. Therefore, countering terrorist acts in Indonesia is done through deradicalization, which is the realization of a general approach, known as the soft-line approach. The purpose of punishment in eradicating terrorism is necessary to eradicate the radical thinking of the perpetrators by applying the deradicalization.<sup>29</sup>

Deradicalization is detecting early, preventing early, and targeting various potential layers with various forms and variants relevant to each target group. The Counter-Terrorism Implementation Task Force (CTITF) sees deradicalization as a policy aimed at people who have influenced and exposed radical ideas. This is intended these people can re-integrate into society or, at least, reduce their intentions so that they do not commit crimes. National Counter Terrorism Agency (BNPT) define

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<sup>28</sup>Josephin Mareta, "Rehabilitasi Dalam Upaya Deradikalisasi Narapidana Terorisme," *Jurnal Masalah-Masalah Hukum* 47, no. 4 (2018): 338–356, <https://doi.org/10.14710/mmh.47.4.2018.338-356>.

<sup>29</sup>Mareta.

deradicalization as an effort to deal with radical groups to become non-radical, which is intended for those already involved in terrorist activities.

In deradicalization, efforts to change the radical thinking of terrorist actors are carried out through rehabilitation. Rehabilitation theory states that the imposition of punishment on criminals is not only seen as compensation for harmful acts or deterrence but also for certain uses. Crime is a symptom of mental disharmony or personal imbalance that requires psychiatric therapy, counselling, and motivation to perform spiritual practices. Petrus Reinhard Golose stated that the deradicalization of terrorism efforts carried out in Indonesia to overcome the limitations of rehabilitation terminology, namely reorientation of motivation and re-education due to improving motivation in terrorists and their sympathizers and society, in general, are very vital.<sup>30</sup>

### **Conclusion**

Terrorism is all forms of crime directed at the state to create a form of terror against certain people or a broad group of people. Terrorism can be regarded as a transnational crime, is organized, and has a wide network to threaten national and international peace and security. From the perspective of Islamic Criminal law, acts of terrorist acts are very far from Islamic teachings. Islam does not teach acts of extremism such as murder, destruction, and persecution. Islam strongly opposes actions that cause harm. The accusation against Islam as the root of terrorist teachings is not true because, in the Qur'an, it is clearly explained in QS Al-Anbiya verses 13 and 07 and QS Al-Maidah verse 32, which essentially commands his people to do good. Cases of acts of terrorism in Indonesia almost always occur every year, so the government has made several efforts to overcome them. Efforts are being made, namely prevention efforts by providing legal protection for the rights of individuals or groups of people suspected of being exposed to terrorist radicalism. Prevention efforts are intended for national preparedness, counter-radicalization, and deradicalization by fostering national insight, religious insight, and entrepreneurship. In addition, efforts are made to give the role of the community and mass organizations, namely carrying out a moral movement where the community must make convicts not experience alienation so that they can return to behaving toward the people around them or Islamic beliefs.

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<sup>30</sup>Santo Waluyo, *Menangkal Terorisme* (Surabaya: CV. Saga Jawadwina, 2018).

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