

PERSPECTIVE OF ISLAMIC LAW IN COUNTER-RADICALISM IN INDONESIA

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Abstract

Wrong understanding of jihad and mis-implementation in a non-war atmosphere (daar as salam), has given rise to radical attitudes that lead to violent acts of terrorism. Studies in this field are generally from the point of view of positive law and human rights as part of counter-radical thinking. This paper explains the background of thoughts that give rise to radical attitudes, and shows approaches to criminal law and Islamic law in the context of counter-radicalism. The legal instruments discussed are Law No. 15 of 2003 and Law No. 5 of 2018. The discussion of Islamic law takes the perspective of fiqh jinayat which is related to rebellion against the state and murder, the conditions for imposing rebellion and murder, and punishment for the perpetrators. Through this explanation, it is hoped that it can correct the meaning of the arguments for jihad which are the roots of radical attitudes.

Keywords: *Counter Radicalism; Juridical; Philosophical; Inayat Fiqh.*

A. Introduction

Radicalism with a religious background can transform into an act of terrorism, which is a crime against humanity which results in damage to infrastructure, a feeling of anxiety among the public and increased suspicion among religious communities (Jamhari & Testriono, 2021). All the negative effects of terrorism risk disrupting the life of the nation and state. The real and serious threat of terrorism can endanger the country because of its wide network (Sinaulan, 2016; Sukabdi, 2015).

There are many reasons for the originators of this radical movement, ranging from economic, social, cultural and even political understanding both nationally and globally which have begun to show injustice (Muluk, Sumaktoyo, & Ruth, 2013; Putra & Sukabdi, 2013; Sukabdi, 2015). The growth of radicalism in the name of religion is the result of the wide opening of the post-reform democratization faucet that has influenced the growth and development of radical movements. In contrast to the opinion above, Huntington's thesis, which is known as the clash of civilizations, places Islam as the enemy of the West after the destruction of communism in the Soviet Union. Huntington firmly stated that the dominant source of conflict today is not something ideological and economic, but cultural. Conflicts will occur between countries and groups from different civilizations. Huntington defines civilization as the highest cultural entity and the greatest identity possessed by humans.

In the Indonesian Dictionary (Kamus Besar Bahasa Indonesia), radicalism is defined as an ideology or flow that wants social and political change or renewal by violent or drastic means; and extreme attitudes in political flow (Sumardiana, 2017). Radicalism in Arabic is called tatharruf which means there is no balance because of exaggerating or reducing actions. Besides

the word *tatharruf*, radicalism is also often called *ghuluw*. *Ghuluw* in religion means a harsh and rigid attitude in crossing the boundaries that are ordered and determined in the *shari'a*.

According to Azyumardi Azra (Azra, 2005), radicalism is a condition that encourages a person or group of people to make social and political changes quickly and thoroughly by using violent means and without compromise. Radicalization is a process of cultivating an ideology (non-mainstream) that departs from values and specific purposes, involving individuals and groups. Viewed from the point of view of the militant, or extremist faction, this process is generally accompanied by ideological socialization which is more oriented towards radical or extremist ideology. In the process, an alternative dichotomous view of the world and everything that happens in it is included as a substitute for the old, mainstream views, or as a substitute for views resulting from the dominant political process as a system that is no longer recognized as proper or legitimate. This process then has a great possibility to influence the personality of the individual or group to become more revolutionary, militant or extremist.

According to Abdurrahman Wahid, the emergence of these hard-line or radical groups cannot be separated from two main causes, namely: first, these hard-line Islamic adherents experience a kind of disappointment and alienation due to the backwardness of Muslims from the progress of Western civilization and its cultural penetration with all its excesses. . Because of their inability to balance the materialistic impact of Western culture, they eventually use violence to block the materialistic offensive and penetration of the West (Wahid & Taylor, 2008).

Second, the emergence of hard-line Islamic groups cannot be separated from the existence of religious simplification among the Muslim community itself, especially the younger generation. This silting occurs because those who are influenced or involved in radical or hard-line Islamic movements generally consist of those with an educational background in exact sciences and economics.

Such a background causes their minds to be full of rational mathematical and economic calculations and there is no time to study Islam in depth. They content themselves with religious interpretations based on literal or textual understanding (Kustana, 2017). Their recitation or memorization of the holy verses of the Qur'an and Hadith in large numbers is indeed amazing. However, their understanding of the substance of Islamic teachings is weak, because they do not study various existing interpretations, the principles of *Usul Fiqh*, as well as variations in understanding of existing texts. The influence of religious radicalism can give birth to the radicalization of religious movements which, according to Endang Turmudzi in (Zuhdi, 2017), are due to the fact of the strengthening of the religious fundamentalism of its adherents caused by a strong desire to practice the doctrines of their religion in the form of an image of an ideal society and challenges to the domestic reality of the domestic community and the international political constellation that is assessed cornered and damaged the socio-political life of Muslims. It can be said that radicalism is the embryo of terrorism.

Radicalism is an attitude that yearns for total change and is revolutionary by overturning existing values drastically. through violence and extreme actions (Milla, Hudiyana, & Arifin, 2020). There are several characteristics that can be recognized from radical attitudes and beliefs, namely: intolerant (not wanting to respect other people's opinions and beliefs); fanatical (always self-righteous; thinks others are wrong); exclusive (different from Muslims in general); and revolutionary (tend to use violent means to achieve goals). Having a radical attitude and understanding alone does not necessarily make a person fall for the notions and acts of terrorism (Hakim & Mujahidah, 2020; Winarni, 2016).

There are other factors that motivate someone to join a terrorist network (Asghar, 2015). Moh Yasir Alimi said that there are five steps before someone actually becomes a terrorist. The first step is to spread religious hatred and violence. Religion is used as a tool to spread hatred and violence. The second ladder, *takfiriyah*, namely disbelief and apostasy for fellow Muslims accompanied by justification for depriving their lives or property. Sometimes it is even

accompanied by a statement that mosques used by other groups are considered enemies, and may be destroyed. The third ladder, marked by efforts to conduct research and test other groups while carrying the jargon "obligation to uphold God's law", considers the existing regime as jahiliyah (ization). The fourth and fifth ladders are occupied by those who have been prepared as direct perpetrators of acts of terror and their facilitators (Zaidan, 2017).

Law has the function of protecting human interests, where the purpose of the legal system requires the fulfillment of 3 (three) elements that have always been the foundation of law, namely justice (*gerechtigheit*), certainty (*rechtsicherheit*) and expediency (*zweckmassigkeit*). The presence of law in the midst of people's lives must be able to provide positive values for their lives. This positive value can be interpreted at least as justice, certainty and benefit which are expected to realize and improve the welfare of human life.

More specifically, criminal law has a function in limiting and announcing prohibited acts (Asghar, 2015). These are referred to as rules of conduct, which have previously been established and addressed to members of the public as actions that must be avoided under the threat of criminal sanctions. In addition, the law must maintain the status quo while simultaneously overseeing change flexibly. Law, especially criminal law, is designed to maintain order, as well as to protect public and private interests. The community determines that some very important interests need to be maintained by a formal control system.

Countermeasures against crime by imposing criminal sanctions must also be accompanied by efforts that prioritize the "non-penalty" function (Winarni, 2016). Preventive and non-penal activities, have a very strategic position, and hold a key position that must be intensified and made effective. This strategy is in accordance with the results of the Sixth UN Congress in 1980 regarding the Prevention of Crime and The Treatment of Offenders. This can be seen from the resolution related to the problem of Crime Trends and Crime Prevention Strategies, which states: "crime prevention strategies must be based on the causes and conditions that give rise to crime".

In an Islamic perspective, expediency is known as *maslahat*, which is then popular with *al-maqashid sharia* (Buehler & Muhtada, 2016). It is interpreted as the goals of Islamic teachings or can also be understood as the goals of the shari'a makers (God, Allah SWT) in outlining Islamic teachings. Meanwhile, *al-mashlahah almursalah* commonly referred to as *istislah* – is one of the results of *ijtihad* through human *al-ra'yu* (reason). 6 Muhammad Tahir understood it as a legal theory. Imam Malik (d.759) is the author of the theory of *al-mashlahah al-mursalah*, which can be translated "for the public interest".

According to Imam Malik, the public interest is one of the sources of sharia, with three conditions, namely: 1) the public interest is not matters relating to worship; 2) the public interest or benefit must be in harmony with the spirit of shari'ah and not may conflict with one of the sources of the shari'ah itself; and, 3) the public interest or benefit must be something essential (necessary) and not luxury. Things that are needed or needed are efforts related to the five objectives of Islamic law as formulated by Syatibi, namely to protect religion, life, reason, lineage and property. These five are known as *al-maqashid sharia*. In the perspective of Islamic teachings, benefit is known as *maslahah*. Najm Al-Din Al-Tufi defines *maslahah* as a cause that leads to the goal of sharia in the form of worship or custom (Al Bajuri, 2019). The definitions of *maslahah* above basically have similarities and complement each other's meaning and essence of *maslahah*. Another opinion from Al-Gazali, explained that *maslahah* is maintaining and realizing the objectives of Islamic law in the form of preserving religion (*hifz al-din*), soul (*hifz al-nafs*), reason (*hifz al-aql*), offspring (*hifz al-nasl*) and assets (*hifz al-mal*).

One of the substance of Jeremy Bentham's theory, namely, the theory of legislation or principles of legislation, where the goal of law formation by legislators (legislators) is the general benefit (public good). Muhammad Erwin then emphasized that legislators must be led by a principle of utility, and what must be the benchmark for legislators is what will give happiness to the greatest number of individuals.

Regarding the substance of the law, namely the formation of laws and regulations that regulate the deradicalization of terrorism, both the theory of benefit, namely *al-maqashid sharia*, as well as the theory of utility from Jeremy Bentham are relevant to be used as a basis of reference in the formation of laws and regulations for deradicalization programs. The existence of law has the aim of providing security and order and guaranteeing the existence of welfare that is obtained by the community from the state as the umbrella of society. Rules of law in addition to human interests against the dangers that threaten them, also regulate the relationship between humans.

In terms of the law-forming process that will be used as a tool to achieve its goals, especially in the framework of forming laws and regulations that accommodate deradicalization programs, there are several aspects that must be considered. According to Soerjono Soekanto, there are several factors that influence law enforcement, namely: law factors, law enforcement factors, facilities or facilities, community factors, cultural factors. These five factors will greatly influence whether law enforcement will work smoothly or will experience certain obstacles. As a result of various disturbing factors, law enforcement is difficult to materialize in its total form. Lili Rasjidi stated that discussing law as a system is always interesting and never finds an end point because the legal system (legal order or legal system) does not know a final form. The emergence of new ideas even outside the legal discipline can always have an impact on the legal system. Satjipto Rahardjo defines the system as follows: "The system is a complex unit consisting of parts that are related to one another. In eradicating criminal acts of terrorism through a deradicalization program, its existence needs to be reviewed with a philosophical, theoretical, juridical and sociological approach.

Terrorists who operate and are caught in Indonesia always act in the name of jihad with the excuse of defending the teachings of God (Allah SWT) and carrying out the teachings of the Prophet Muhammad. Arrested terrorists almost always carry literature such as books on jihad (Bakti, 2014; Irfanda, 2022). This shows symptoms of misunderstanding in interpreting jihad. This article discusses the issue of the gap between '*das sollen*' (desired state of affairs) and '*das sein*' (current state of affairs) in laws related to terrorism.

Mitigation and overcoming terrorism crimes need to be carried out in an integrated manner between penal and non-penal means. Non-penal efforts through deradicalization are deemed necessary to correct the wrong views and understanding of jihad, where jihad is not the same as acts of terrorism. As a view or understanding, jihad must also be in line with the principles of Islamic law. It is hoped that the aim of implementing deradicalization can be achieved in accordance with expectations, namely changing radical understandings to become non-radical as an effort to tackle crime, especially terrorism.

Jazuli (2016) dan Suryani (2017) formulates a strategy with 'enforcement' and 'prevention' and is carried out simultaneously, which is called proactive law enforcement, without neglecting the "rule of law" and "legality principles". With this approach, efforts can be made to prevent acts of radicalism that lead to terrorism without having to wait for an act to occur and its consequences. While the article from Nasution (2017) takes the point of view of this research, it aims at terrorism as an 'Extraordinary Crime' in the perspective of Law and Human Rights. However, the research is not supported by a philosophical basis and does not examine the perspective of Islamic law.

Wicaksono and Jaya (2020) specifically examine normatively juridically tackling terrorism by de-radicalization, which is mandated in Law Number 5 of 2018. In this study, the institutions involved in countermeasures have been explained, as well as the obstacles faced, namely terrorism convicts who are not cooperative. Follow-up research recommendations from this research are strengthening ideas to fight the idea of jihad through terrorists. However, the article has not provided any guidance on how to develop thoughts from the perspective of Islamic law to fend off the idea of terrorist jihad.

B. Discussion

1. Juridical and Philosophical Basis of Counter-Radicalism Legal Instruments

Countermeasures against criminal acts of terrorism cannot be solved only by enforcing the law or a hard approach, but must also be carried out using a soft approach, namely the deradicalization program approach, especially against perpetrators of criminal acts of terrorism. The Pancasila legal state is a legal state characterized by or based on values and based on the identity and characteristics found in Pancasila. The values that form the basis for the Pancasila rule of law state are Belief in One God, Just and Civilized Humanity, Indonesian Unity, Democracy Led by Wisdom of Wisdom in Representative Deliberations, Social Justice for All Indonesian People. The characteristics of the Pancasila Law State are divinity, kinship, mutual cooperation and harmony.

Bernard Arief Sidharta put forward the elements of a Pancasila legal state as follows: 1) the existence of the rule of law; 2) the existence of a government based on law; 3) democracy; 4) independent judicial power; 5) there is a means of legal control for government actions; 6) the law aims to realize the welfare and social justice of the community members; 7) recognition and protection of human rights; 8) based on the principle of Belief in the One and Only God.

The right to life is the most basic human right for all human beings which has the nature of non-derogable rights, which means that this right absolutely must be owned by everyone. Exceptions to deprivation of the right to life do not cover the deprivation of a person's right to life by another person without any reason for that right based on the provisions of the applicable law. One example of deprivation of the right to life without reasons of rights is murder through acts of terrorism. Acts of terrorism have clearly violated human values, dignity and religious norms. Terror has also shown its movement as a tragedy of human rights.

Terrorism is a crime against humanity and civilization which is a serious threat to the sovereignty of every country because terrorism is already a transnational crime that poses a threat to security, world peace and harms people's welfare. human rights of the people can be protected and upheld. This statement is in line with the objectives of the Indonesian nation which are included in the 1945 Constitution, namely "...to protect the entire Indonesian nation and all of Indonesia's bloodshed, and to promote public welfare, educate the nation's life, and participate in carrying out world order..." The birth of Law No. 15 of 2003 concerning the Stipulation of Government Regulation in Lieu of Law Number 1 of 2002 concerning Eradication of Criminal Acts of Terrorism, becoming a Law is to realize the national goal as referred to in the preamble of the 1945 Constitution, namely protecting the entire Indonesian nation and all of Indonesia's bloodshed, advancing public welfare, educating the life of the nation and participating in maintaining public order, and participating in maintaining world order based on freedom and eternal peace and social justice. So it is absolutely necessary to uphold law and order consistently and continuously (Sumpter, 2017).

In the context of eradicating criminal acts of terrorism through deradicalization programs, the existence of a legal system in a rule of law determines the applicability of law enforcement against criminal acts of terrorism (Darma, Wahyuningsih, & Hanim, 2018). Regarding law enforcement, it is a process to make legal wishes come true. The deradicalization program basically departs from the assumption that terrorism originates from radicalism. Therefore, efforts to fight terrorism are more effective through deradicalization. The essence is to change the understanding or mindset that is considered wrong and deviant. Prevention of terrorism through the deradicalization paradigm is a proactive step and requires caution with consideration of the diversity of Indonesian society and the vulnerability of pluralism to social conflict. The deradicalization paradigm must be used as a "counter-terrorism ideology" and institutionalized in people's daily lives down to the lowest strata of society.

In the view of Islam, the public good is one of the sources of sharia. The rules in sharia are not made for sharia itself, but are made for the purpose of benefit. In line with this, Abu Zahrah also stated that the true aim of Islam is benefit. There is not a single rule in sharia both in the Qur'an and as-Sunnah but in it there is benefit. Individuals who have implemented sharia, then he will be free from the bonds of lust and become a servant who - in Syathibi's terms - is ikhtiyar and not idhtiraran.

The deradicalization program is also related to the five objectives of Islamic law as formulated by Syatibi, namely to protect religion, life, reason, lineage and property (Pradityo, 2016). These five are known as al-maqashid sharia. The deradicalization program is part of *maslahat dharuriyyat*, namely something that must exist, implemented to realize benefits related to worldly and spiritual dimensions. If this is not there, it will cause damage and even loss of life and life. Strictly speaking, the deradicalization program is very much related to the five objectives in this *masalahah dharuriyyat*, namely to protect religion (*hifdzuddin*), protect the soul (*hifdzun-nafs*), protect offspring (*hifdzunnasl*), protect property (*hifdzul-maal*), and protect the mind (*hifdzul-aql*).

Law embodies in law as a means of social change, meaning that legislation is part of a particular policy. Thus, the law is a series of tools owned by the government to realize the policy. Law is an act that functions as a means of social control that is different from other rules. According to Romli Atmasasmita, the law on the Eradication of Criminal Acts of Terrorism is based on six principles, namely: first, the principle of national security, namely to realize the principle of territoriality as well as to underlie the defense and security of the Republic of Indonesia. Second, the principle of balance of justice, namely to uphold the principle of equality before the law for both suspects/accused and victims so that the two processes must be coupled with the crime control model in preventing and eradicating criminal acts of terrorism. Third, the principle of safe guarding rules, namely the principle to prevent abuse of power. Fourth, the principle of save harbor rules, namely the principle of protection for suspects, and this principle has been strengthened by provisions that criminalize the act of providing facilities after the crime has been committed as a separate crime. Fifth, the sunshine principle, namely the principle of transparency and accountability in the process of investigation, prosecution and examination before a court session. Sixth, the sunset principle, namely the principle of time limits, on government policies that are in the nature of establishing special institutions and/or certain special mechanisms needed to prevent and eradicate criminal acts of terrorism.

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The existence of law aims to provide security and order and guarantee the existence of welfare that is obtained by the community from the state as an umbrella for society. Rules of law in addition to human interests against the dangers that threaten them, also regulate the relationship between humans. Thus, the deradicalization program is a practical necessity in the context of realizing security and order as well as public welfare. Therefore, the deradicalization program is realized by reorienting motivation, re-education, re-socialization, and seeking social welfare and equality with other communities for those who have been involved in terrorism and for sympathizers, so that a sense of nationalism arises and a willingness to participate properly as Indonesian citizens. This growing sense of nationalism is the key to the success of the deradicalization program.

2. Perspective of Islamic Criminal Law (Fiqh Jinayah) in Counter Radicalism

Interestingly, the motive for terrorism is not only politically charged, but also loaded with religious and ideological overtones. As with radicalism, they carry out treason under the pretext of ideology and religion by making justifications for religious texts. This can be understood from another meaning that can be quoted from several agencies authorized to deal with terrorism, namely the use of violence that is calculated to coerce or frighten governments, or various communities to achieve goals that are usually political, religious or ideology .

In the perspective of Islamic law, behavior that gives birth to extremist beliefs by expelling them through violence in order to maintain their ideology can be considered as *al-baghy* (rebel) (Said, 2015). In Islamic law, a rebel (*al-baghy*) is included in the category of crime (*jarimah*) which can be subject to the death penalty. Apart from rebels (*al-baghy*), there are also apostates or leaving Islam (*al-riddah*), adultery, robbery, and killing (*qishâsh/diyât*). Islamic law divides criminal acts into three parts, namely *hudûd*, *qishâsh/diyât*, and *ta'zîr*. According to language, *al-baghy* has several meanings, namely seeking, wanting, wanting, exceeding limits, tyranny, persecution, evil deeds, lawlessness, deviating from the truth, and transgressing, resisting. The word *al-baghy* means tyranny or persecution, while the word *al-baghy* according to the terms of the clergy is a person who opposes a just government and does not want to carry out what is his obligation. to oppose the government, because there are differences in understanding of matters of state. There are also other interpretations, namely someone leaving obedience to a legitimate Imam without any reason. Rebellion is an attempt to do damage. Islam prescribes a maximum of two years and eight months or a maximum fine of four thousand five hundred rupiahs. The same punishment shall be imposed on a person who intentionally and unlawfully kills, destroys, renders useless or eliminates an animal, which wholly or partly belongs to another person.

In the Big Indonesian Dictionary (Kamus Besar Bahasa Indonesia/KBBI), there are three meanings of mutiny. First, thrashing about to escape. Second, against, not according to the government. Third, against the government (power and so on) simultaneously. While rebellion is a person who opposes or opposes legitimate power. *al-Baghy* (treason) in KBBI, treason is defined as: 1) Rogue, deception; 2) Actions (efforts) with the intention of attacking (killing) people; 3) The act (attempt) to overthrow the legitimate government. From the above understanding, it can be concluded that *al-baghy* (rebel/treason) is an attempt to overthrow the legitimate government. If this understanding is drawn into the context of discussing religious radicalism, a common view will be found between the perpetrators of treason and the radical actors. As explained in the previous language, the radicalism movement is a plot attempt to overthrow the legitimate government due to various religious dogmas which are used as justifications on the grounds of dissimilar views between radical actors and the government.

According to Teungku Muhammad Hasbi ash-Shiddieqy explained that the *mujtahidin* agreed, if someone or something group rebels against the state with sufficient reasons, it is permissible for the head of state to fight them so that they return to the truth. If they realize their mistake, the crackdown should be stopped. 58 In *Jinâyah Jurisprudence*, the *jarimah* regarding

jinâyah, acts of treason or al-baghy has been regulated in the texts of both the Koran and Sunnah, in addition to being regulated in Islamic Criminal Law, these actions have also been discussed in Indonesian government regulations which are commonly called in law as a crime of terrorism. Acts of religious radicalism which in turn gave birth to terrorism. So in the writer's opinion, radical actors can be charged with the law on terrorism. The basis for the punishment for the perpetrators of treason/rebellion is very clearly described in many verses of the Quran. Among them in Q.s. al-Mâ'idah [5]: 33, Q.s. al-Syûrâ [42]: 40, Q.s. al-Hujurat [49].

Discussion of criminal law is an ongoing discussion (continuities), along with human life. Therefore, criminal law develops along with the times. In the perspective of Islamic Criminal Law (*Fiqh al-Jinâyah*), at least two acts of treason are punished. First, when the perpetrators of treason (rebels commit murder) and secondly, the perpetrators of treason commit abuse and injury. Murder here means an activity carried out by a person and/or several people resulting in a person and/or several people dying. There are three areas of Islamic criminal law that must be considered, such as the principles of justice, legal certainty, and its benefits. Based on the Qur'an, there are at least three punishments for the perpetrators of murder, namely: First, the main punishment for intentional killing is qishâsh or retribution in kind. Since this killing resulted in death, the appropriate recompense was death as well. This is in accordance with the word of Allah Q.s. al-Baqarah [2]: 178. Second, alternative punishment, this punishment is carried out if the relatives who were killed receive forgiveness. This is based on the word of Allah Q.s. al-Baqarah [2]: 178, replace it by giving 100 camels. Third, additional punishment, both qishâsh and diyât, is the right of relatives who were killed, so they can sue or not. But this additional punishment is the unforgivable right of Allah. The first additional punishment is kafârah in the form of freeing slaves. If unable to do so, it is replaced by fasting for two consecutive months as described in Q.s. al-Nisâ [4]: 92. The second additional punishment is the loss of the right to inherit from those killed.

Based on the opinions above, apart from punishment or punishment as has been discussed many times, what needs to be considered in determining Islamic law, namely: prevention, and improvement and education

C. Conclusion

Radical actions are the same as those who commit treason or rebellion against other people who have different ideologies from the perpetrators, as well as acts of treason against the state. If the act of radicalism in the name of religion is dangerous because of distrust of the government which is considered not in accordance with Shari'a. Likewise with the perpetrators of al-baghy (rebels). Third, the Quran does not provide any justification for the perpetrators of religious radicalism. Even if there are arguments that support radical dogmas, it can be ascertained that it is due to too narrow an understanding of the Qur'anic text itself. Fourth, if possible, it can also be discussed that the sanction for radical actors whose form is treason in both positive law and Islamic law is the same, namely the death penalty. If in the Criminal Code the execution is not completed due to factors from within the perpetrator or from outside, then the perpetrator is subject to punishment. So in Islamic law, the implementation of an act that is not completed due to factors from within the perpetrator or from outside, the perpetrator is not subject to punishment. Fifth, punishment (ta'zîr) is not the only punishment solution. In addition, other ways are also needed, namely prevention, improvement and education. This needs to be done because the main purpose of punishment for treason perpetrators is to make all members of society aware of doing good and staying away from bad deeds, knowing their own obligations, and respecting the rights of others so that what they do in the future based on this awareness is not always associated with threats of punishment.

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