

**Students and terrorism: study of student understanding law
no 5 of 2018 on combatation of criminal acts of terrorism in
IAIN surakarta****Lukman Harahap¹, Shofwan Anwar²****Abstract**

This article aims to know in real student's understanding of Law No. 5 of year 2018 on combating criminal acts of terrorism. The data collection techniques used in this study use interviews, observations and documentation. Meanwhile the analysis used in this research is a qualitative descriptive. Simultaneous, planned and integrated aspects of prevention need to forward to minimize the occurrence of criminal acts of terrorism. The optimal prevention is done by involving ministries or related institutions as well as all components of the nation through the efforts of national preparedness, counter radicalisation, and deradicalisation coordinated by the National Management Agency Terrorism. To optimize the eradication of criminal acts of terrorism, it is necessary to strengthen institutional functions, especially the coordination functions held with the National Agency for Terrorism counter following its oversight mechanisms. While it relates to the eradication of criminal acts of terrorism in Indonesia is not merely a matter of law and law enforcement but it is also a social, cultural, economic problem closely related to the issue of national resilience So that policies and precautions and pemberantasannyapun are aimed at maintaining balance in the obligation to protect the sovereignty of the State, the rights of victims and witnesses, and the rights of suspects/defendants.

Keywords: Terorism, Student, Criminal Act

1. Introduction

Study of understanding of law number 5 of the year 2018 concerning the eradication of criminal acts of terrorism is an explanation of the changes in law number 15 year 2003 on the Determination of Government Replacement Act number 1 year 2002 Related to the eradication of terrorism in the country of Indonesia. Acts of terrorism become a threat to the stability of countries that must be carried out special handling both curative and prefentive. On curative handbook conducted by law enforcement officers, while the community and educational institutions can contribute in order to make a prefentive effort. Therefore, the support of various elements participate actively in the framework of the eradication of terrorism according to their respective capacities. One of its prevention efforts is to form a society of civility or known as the civil society. The term civil society has a shift in meaning, in line with the dynamics of thought and factors that surround the context in which the civil society is applied.

Eisenstadt proposed four civil society components as a suatuprasaric of modern democracy and helped to transition from an authoritarian or totalitarian regime to democracy (Lipset, 1995): *firstly*, the autonomy of The country against individuals and

Author's Information:

¹ Institut Agama Islam Negeri
(IAIN) Surakarta
(gus.lukman@gmail.com)

² Institut Agama Islam Negeri
(IAIN) Surakarta
(shofwananwar.sa58@gmail.com)

Article's Information:

DOI:

<https://doi.org/10.35326/volkgeist.v4i2.449>

groups; *Secondly*, on the one hand, the community and the organisations or institutions have access to various State institutions, but on the other hand they receive a certain commitment to the political community and the various regulations, That is, there is reciprocal and mutually beneficial interaction between the country and the community; *Third*, there is a public space (public arenas) that can be used as a public to familiarize themselves/interests that are relatively free from state intervention; and fourth, the public has access to the public space. In the context of Indonesia where the process of democratization continues to walk the civil society is a political ideals, although on its way until now the achievement of the goal is not something easy. Political socialization in Indonesia, which includes giving birth to political education, has not given enough space for the development of the civil society. (Gafar, 2000) This, among other things, is caused by conditions where children in the family, are not educated to become independent family elements. Children even experience alienation in family politics where the important decision of the family is taken, including the decision on the interest of the child itself into adult domination. In addition, the political level of society in Indonesia is still very low. Most of our society, especially the middle and lower classes, still see that getting involved in public discourse about the rights and obligations of citizens, human rights and the like is not an important scale of priority. With such conditions, socialization of the politics of the new society to the cognitive plains, has not yet related to the evaluative dimensions of the emerging political issues in the society itself. This condition affects the development of the civil society in Indonesia.

The word radicalism is reviewed in terms of the terminologically derived from the basic radix word meaning root (tree). Radicalism is an understanding or genre that remembers social and political change or renewal in a violent or drastic way. The essence of radicalism is the concept of soul attitude in carrying change. Meanwhile, Wikipedia's radicalism is an understanding of a group of people who desire drastic social and political change or renewal using violent means. When viewed from a religious point of view can be interpreted as religious as referring to the very basic religious foundations with very high religious fanaticism, so it is not uncommon followers of the understanding/flow using Violence to different people understand/stream to actualize the religious understanding that is embraced and believed to be accepted forcibly. The meaning of radicalism is the movement of the Colot and often uses violence in teaching their beliefs. While Islam is a religion of peace. Islam never justifies the practice of violent use in spreading religious, religious and political understanding. Etymologically terrorism comes from the word "to Terror" in English. Semntara in Latin is called Terrere which means "to tremble" or to thrill. Theorism in the sense of war has a definition as a coordinated attack aimed at raising the feelings of terror (fear), as well as causing the victims of a massif for civilians by bombing or suicide bombing. (Yunus, 2017)

Law No. 5 of 2018 on combating criminal acts of terrorism says that terrorism is a crime against humanity and civilization and is one of the serious threats to the sovereignty of each country due to terrorism is already an international crime that poses a danger to the security, world peace and the detriment of the welfare of the community so that it is necessary to eradicate in planning and sustainable so that human rights Many people can be protected and held high. It is further said that the eradication of terrorism crime in Indonesia is a proactive policy and anticipatory step that is based on caution and long-term because: first, Indonesian society is a multi-ethnic society with diverse and inhabited hundreds of thousands of islands scattered throughout the

archipelago and some of which are located bordered by other countries; Secondly, with the characteristics of the Indonesian community all components of the nation of Indonesia are obligated to maintain and raise vigilance against all forms of activities that constitute a criminal act of terrorism which is international; Third, the conflicts that occurred lately very detrimental to the life of nation and state and is a decline of civilization and can be used as a place of the fertile criminal acts of terrorism that are internationally well- Indonesian citizen as well as by foreigners.

The movements of the radicalism are religious or more broadly SARA (ethnic, religious, racial and inter-group), potentially arising while there are factors that trigger it and sometimes utilize the weaknesses of security forces and State institutions in general. Minority groups are trying to impose his will not only in subtle ways even with more vulgar mode like the movements that occur in the actions taken by the group that can then lead To the actions of anarchism and persecution. Violent ways as often brought about by radical groups are a manifestation of the common terror movement as formulated in the laws of terrorism. The movement of terrorism is often presented with the democratization which is growing rapidly in the homeland. The causability between democracy and terrorism has been demonstrated by several authors, including Eubank and Weinberg, stating that there is a link between terrorism and the type of democratic regime with terrorism. Found that terrorism is far more frequent in a democratic society than a society led by an authoritarian regime. (Lele, 2005) It is further said that the two are also of the view that countries experiencing the transition to democracy have a tendency to have more frequent terrorist attacks. Terrorism is more often afflicted with established democratic countries and if it is found in other countries, victims of such attacks are largely of democratic countries. This is certainly acceptable with common sense, where in especially emerging democracy countries, it will always give freedom to its citizens to brainstorm, set up an organization and conduct a number of actions Within certain boundaries can still be tolerated. However, in a higher level, these actions are sometimes aimed at certain groups by promoting non-deliberation ways.

The college is one of the pillars of the establishment of the civil Society that invites all the important civitas to play a role in the counter-terrorism efforts. Students belonging to young adulthood experience a period of self-adjustment to the patterns of life and new social expectations. They are expected to play new roles, such as the role of a leader on campus or off-campus constitution, as a child, or as a husband/wife, parent or as a breadwinner. In addition, they are expected to develop new attitudes, desires and new values according to their duties. In addition, physically, a young adult displays a perfect profile in the sense that the growth and development of physiological aspects has reached the peak position. They have the durability and level of excellent health so that in conducting various activities appear initiative, creative, energetic, fast and proactive. (Dariyo, 2003)

One of the other avenues to the development of the civil society in Indonesia according to Halili is the implementation of political education for the citizens systematically through formal activities, and on the other side Political ideological doctrines. (Halili, 2006) Over the years the government imposed the doctrine of government political ideology wrapped in formal education, such as P4 and PMP, as a form of an ethatic state intervention. Moreover, the indoctrination is accompanied by repressive threats with the reason of subversion. Political education in formal education should be viewed as one of the rights of citizens in order to increase politics literacy and political participation. In this case, political education can be packaged in citizenship education format such as in developed democracies known as civic education or

citizenship terminology. But so many prospects that allow the realization of civil society does not necessarily commit to the ease of implementation in the field, it remembers all prospects that there is surely born with the challenge. These challenges include the high social fragmentation, the unprecedented development of the results, and the strong political culture of paternalistic. Moving on from the description, the author intends to conduct research with the title of Students and terrorism: Study of student understanding of Law No. 5 year 2018 on the eradication of criminal acts of terrorism in IAIN Surakarta.

2. Method

This research is a qualitative study. This research aims to know in real student's understanding of Law No. 5 of year 2018 on combating criminal acts of terrorism. The data collection techniques used in this study use interviews, observations and documentation. Meanwhile the analysis used in this research is a qualitative descriptive. Analysis is conducted through, *first*, data collection in the form of legislation that became the object of research; *Second*, reduce data by categorisation or initial identification to determine the subject to be used; *Third*, presenting data that is presented with verbal writings or words systematically; and *fourth*, draw conclusions.

3. Student Understanding Law Number 5 of 2018 on Combatation of Criminal Acts of Terrorism

Terrorism is a crime against humanity and civilization and is one of the serious threats to the sovereignty of each country because terrorism is already an international crime that poses a danger to security, World peace and the detriment of the welfare of society so that it needs to be eradicating the plan and sustainability so that the rights of many people can be protected and held high. The eradication of terrorism crimes in Indonesia is a proactive policy and anticipatory step that is based on long-term prudence. Terrorism becomes a very real threat. On the one hand emerging democratic ripples that emphasize the values of equality and fairness, while on the other hand emerging economic waves of the market are very in dominance by capitalism. Along with the condition also appears terrorism acts in the form of suicide bomb action, religious radicalism, creating terror in the community, book bombs and so forth. Religion is often the material of ammunition in every act of terrorism. Every religion is very condemning against acts of terrorism. Religion is very distant and even very different from acts of terrorism. But all of the violent terrorism events that occur in the homeland do not simply be separated from the religious understanding of the script, the narrow thinking, the Jumud, the exclusive, which in turn breeds the ideology of radicalism.

The interpretation of religion to commit violence based on the religious spirit is the denial of true religious doctrine. A narrow, partial interpretation, which is made legitimacy in committing terror to spread fear and worry to others or a specific group called religious terrorism. Radicalism is always attributed to the political ideology that championed fundamental changes in a setting or system, such as the economic, political, social, cultural and educational systems and other aspects of life. As an ideology or political understanding, radicalism contains a set of ideas or ideas about the form of society and State, radicalism also contains strategies and tactics to bring the idea to life. In addition radicalism demanded the seriousness of his men to achieve his political goals. In general, the cause or motive of terrorism is the injustice, poverty, retardation and inaction of some communities in a country. The injustices, poverty and retardation that occur in some countries, especially Muslim countries are caused by the state of

global imperialism.

Terrorism in Indonesia is essentially not a character of the Indonesian nation, but rather a political conflict that uses religion and the believers. Terrorism actions in Indonesia involving some groups of Muslims show very strong political motives. Another motive of all bomb blasting and terrorism action in Indonesia is the motive of religious sentiment. These religious motifs are more dominant than other Moti-motifs. Religion has been the main trigger of various acts of terrorism that ravaged Indonesia for the last five years. The most concerned terrorists use jihad terminology in every bomb blasting they do. Terrorism is a study of humanity that is deeply engaged with true human values. Whether it be the law of culture, ideology, political and religious systems.

The neglect of the poor, the occurrence of the wide chasm between the rich and the poor, not fulfilling the rights of society, the loss of elite sensitivity to the fate of its citizens, the orientation of development that only prioritize physical aspects, less Attention to the aspects of the Ruhani and social-religious values of the community, widespread violence and conflict, and others are factors that can fertilize terrorism. Since the beginning of independence until the reform of terrorism action is always in the form, motifs and movements are different and with different countermeasures strategy. Terrorism is an act of crime that has roots and complex networks that can not only be approached by an institutional approach through law enforcement alone. The involvement of Community communities especially the environment of educational institutions, families and the community and the young generation itself in preventing terrorism is very important. It is therefore necessary to engage all components of society in combating terrorism.

Young generations are vulnerable to the teaching and solicitation spread by radical groups both directly and through online media. Efforts to fortify the younger generation of the doctrinal and solicitation of violence become common tasks. There are three very important social institutions to portray themselves in protecting the younger generation. *First*, education, through the role of educational institutions, teachers and curriculum in strengthening the national insight, moderate and tolerant attitudes to the young generation. *Second*, the family, through the role of parents in instilling love and affection for the younger generation and making the family as a unit of consultation and discussion. *Third*, community: through the role of community leaders in the community in creating a space conducive for the creation of a culture of peace among the young generation. In addition to an institutional role through institutional education, family and community environment. Young generations are also required to have a strong imuntas and power of appeal in the face of the radical influence and invitation of terrorism.

Explanation of Law Number 5 year 2018 about Pemberantasan criminal acts of terrorism said that some of the content material set out in this law, among others, is the prevention of criminal acts of terrorism implemented by the corresponding to the functions and authorities of each of which are coordinated by the National Agency for Counter-terrorism. From here it can be seen that there are two main points in the eradication of terrorism crime, namely: prevention and countermeasures. Prevention is regulated in article 43A up to 43D, while countermeasures are set out in article 43E up to 43G. In connection with the prevention of criminal acts of terrorism, article 43A mentions that the government is obliged to prevent criminal acts of terrorism. In the efforts to prevent criminal acts of terrorism, the Government is continuously

anticipating measures based on the principles of protection of human rights and the principles of prudence. While prevention is carried out through national preparedness; Counter radicalisation; and deradicalisation. In this provision referred to as "prudence principle" is a principle that states that in carrying out functions and prevention tasks, the competent officer is always prudent in order to provide the protection of the law Individual rights or groups of persons entrusted to the officer. The following article further describes the prevention of criminal acts of terrorism as provided for in article 43A clause 3.

First, article 43B, stating that national preparedness is a condition of standby to anticipate terrorism crime through a planned, unified, systematic, and ongoing process undertaken by The Government through community empowerment, enhancement of apparatus capability, protection and improvement of infrastructure, development of terrorism studies, and mapping of radical vulnerable areas of terrorism. *Second*, article 43C explains the counter-radicalisation is a planned, unified, systematic, and ongoing process implemented against persons or groups of people susceptible to exposure to radical terrorism that is intended to Stop the spread of radical terrorism, which is done directly or indirectly through the Contra narrative, counter propaganda, or counter ideology. *Third*, chapter 43D, mentioning Deradicalisation is a planned, unified, systematic, and ongoing process that is implemented to eliminate or mitigate and reverse the radical understanding of terrorism that has occurred, Done to: suspect; Defendant Convicted Inmates ex-terrorism convicts; Or people or groups of people who have been exposed to radical terrorism, and are based on identification and judgment. Deradicalisation is given through stages: identification and judgment; Rehabilitation reeducation; and social reintegration. Meanwhile, deradicalisation of people or groups of people can be implemented through: the development of national insights; Coaching religious Insights; and/or entrepreneurship.

Counterterrorism crime prevention is regulated in article 43E up to 43G. Article 43E mentions that the agency that conducts the affairs in the field of counter-terrorism hereinafter referred to as the National Agency for Counter-terrorism, is under and responsible to the president. The National Agency for Counter-terrorism itself is explained to be the center of analysis and crisis control that serves as a facility for the president to establish crisis policies and measures, including the deployment of resources in Dealing with terrorism. Article 43F emphasizes the need for a functioning national agency for combating terrorism: to develop and establish policies, strategies, and national programs in the field of counterterrorism; Conducting policy coordination, strategy, and national programs in the field of counterterrorism; and conducting national preparedness, counter radicalisation, and deradicalisation. Meanwhile, on article 43G, the National agency for Counter terrorism is in charge: formulating, coordinating, and implementing policies, strategies, and national programs of counter-terrorism in the field of national preparedness, counter radicalisation, and deradicalisation; Coordinating the inter-law enforcement in combating terrorism; Coordinating the victims recovery program; and to formulate, coordinate and implement policies, strategies, and national programs of counter-terrorism in the field of international cooperation.

Students are significantly able to interpret the prevention and countermeasures of terrorism crime, as follows: *first*, prevention of criminal acts of terrorism. In the simultaneous eradication of combatant terrorism, the planned and integrated prevention needs forward to minimize the occurrence of criminal acts of terrorism. The optimal prevention is done by involving ministries or related institutions as well as all components of the nation through the efforts of national preparedness, counter

radicalisation, and deradicalisation coordinated by the National Management Agency Terrorism. To optimize the eradication of criminal acts of terrorism, it is necessary to strengthen institutional functions, especially the coordination functions held with the National Agency for Terrorism counter following its oversight mechanisms. *Second*, counterterrorism crime prevention. The eradication of terrorism crimes in Indonesia is not merely a matter of law and law enforcement but it is also a social, cultural, economic problem that closely relates to national resilience issues so that policies and measures Prevention aimed at maintaining balance in the obligation to protect the sovereignty of the State, the rights of victims and witnesses, and the birthright of suspects/defendants. The Civil society is also understood as a life-setting that allows the alignment of relations between citizens and countries on the basis of mutual respect. Civil Society is actually an idea that continues to championed its manifestation in order to eventually form a moral society, law-conscious society, civilized society or the establishment of a good social order, orderly and progressive With a democratic system of governance. Civil Society and Democracy are two interconnected, correlated entities. In civil society, citizens work together to build social bonds, productive networks and non-governmental solidarity to develop a common good. Therefore, the central pressure of the civil society is its independension against a country. From here then the civil society is understood as resourceful and early democracy's association.

Historically, institutional civil society in Indonesia has emerged when the transformation process due to modernization occurs and results in new formation that is different from traditional people. The roots of the civil society in Indonesia can be historically taken from the era of socio-economic change during the colonial period, especially when capitalism of the French began to be introduced by the Dutch. The Civil society must be distinguished by tribes, clans, or networks of clientelism, as the main variables therein are the nature of autonomy, public and Civic. The necessity of freedom and openness for Union, assembly, and issuing the same opinion and opportunity in maintaining public interest. The growth of the civil society has a significant link to the growing regime that carries democracy as its understanding and ideological. In government-savvy democracy provides a very broad opportunity to all individuals in the economic field. The concept of civil society essentially contains some problems in its application. That is, understanding and interpretation change over time. Not only does it change in dimension of time, but the meaning of the term is different to contemporary thinkers in the past and today. That is why people's perception of civil society is different today. Similarly, the usage of certain terms can lead to different associations and perceptions. It depends on the information and knowledge of the person or group in question. In civil society, there are universal values on and which eliminate all forms of particularism and sectarianism. It is in the process of democracy to be a very significant element, where each individual, ethnicity and group is able to respect diversity and respect every decision.

In connection with the prevention of terrorism, it is necessary to understand in advance that religion is often a material ammunition in every act of terrorism. Every religion is very condemning against acts of terrorism. Religion is very distant and even very different from acts of terrorism. But all of the violent terrorism events that occur in the homeland do not simply be separated from the religious understanding of the script, the narrow thinking, the Jumud, the exclusive, which in turn breeds the ideology of radicalism. The interpretation of religion to commit violence based on the religious spirit is the denial of true religious doctrine. A narrow, partial interpretation, which is made legitimacy in committing terror to spread fear and worry to others or a specific

group called religious terrorism. Radicalism and terrorism are seen from the side of ideology, the principle of democracy and the country of law and national character of Indonesia in fact there is no place for radicalism and terrorism itself. It is very clear ideology in Pancasila, there is the divine principle of the Almighty, the principles of fair and civilized humanity, the principle of unity, the principle of deliberation, and justice while the ends radicalism falls on the contrary conditions The principles of democracy and a fair and civilized society. Developing a critical attitude of the prinsipiil and sensitivity of conscience including critical to oneself in order to realize a society that is free, orderly, fair and prosperous is the task of all parties. Efforts to fortify the younger generation of the doctrinal and solicitation of violence become common tasks. There are three very important social institutions to portray themselves in protecting the younger generation. *First*, education, through the role of educational institutions, teachers and curriculum in strengthening the national insight, moderate and tolerant attitudes to the young generation. *Second*, the family, through the role of parents in instilling love and affection for the younger generation and making the family as a unit of consultation and discussion. *Third*, community: through the role of community leaders in the community in creating a space conducive for the creation of a culture of peace among the young generation. In addition to an institutional role through institutional education, family and community environment. Young generations are also required to have a strong imuntas and power of appeal in the face of the radical influence and invitation of terrorism.

A truly open and democratic system of governance is not a threat to the welfare of individuals and common welfare, but rather a way in which a nation can explore its overall potential, both in the economic field and in Political field. Democracy requires a running democracy structure: a legislative body representing citizens and supervising executives; Elections where voters actually chose their leaders; A judicial body that upholds the law and is independent of outside influences; A checks and balances system within the community; Institutions and leaders who are sued publicly. Active support and collaboration between civil society, associations and political organisations that are strong and inclusive, in their partnership with living civil society must be accepted as balanced equity to be able to acquire the system More transparent and more participatory governance.

In conducting the oppressing and prevention of the movement of terrorism, it is necessary to know about the terrorism Motiv-motiv that occurred in Indonesia and its relation to the religious radikalime. Thus the identification and mapping of terrorism motiv and religious radicalism can be used as the basis in the prevention and action of terrorism practices that occur in Indonesia. Terrorism is not an ordinary crime, like other crimes, as the conclusion of the law has been claimed to be an extraordinary crime. Considering terrorism especially that struck Indonesia last five years only as a criminal act or extraordinary crime is an attitude and a view that is not comprehensive and impressed in a hurry. Such attitudes and views will in turn cause mistakes in the counter-terrorism efforts themselves. To avoid fatal errors against the possibilities of acts of terrorism, it is necessary to trace the patterns of terrorism that hit. Some people or groups have particular interests or missions to develop the understand or ideology of terrorism that endangers the nation through preventive and blocking actions. Criminal acts of terrorism as well as other radicalism are remarkable crimes therefore must be done comprehensively. The completion of terrorism is not only done by enforcement and enforcing the law (hard power) but most importantly touching the problem with the prevention effort (soft power).

4. Conclusion

The Civil society is essentially a concept of the Keumatan in shaping society in line with certain powers, norms or religions so as to create a desired positive condition. Furthermore, the civil society is aimed at protecting the freedoms and property rights of citizens. For this reason, it cannot be absolute, and should be limited to its role in areas that cannot be managed by the community, and provide a natural space for the country to obtain its rights reasonably. This is where there is a favorable relationship between state rights and citizens' rights. In the simultaneous eradication of combatant terrorism, the planned and integrated prevention needs forward to minimize the occurrence of criminal acts of terrorism. The optimal prevention is done by involving ministries or related institutions as well as all components of the nation through the efforts of national preparedness, counter radicalisation, and deradicalisation coordinated by the National Management Agency Terrorism. To optimize the eradication of criminal acts of terrorism, it is necessary to strengthen institutional functions, especially the coordination functions held with the National Agency for Terrorism counter following its oversight mechanisms. While it relates to the eradication of criminal acts of terrorism in Indonesia is not merely a matter of law and law enforcement but it is also a social, cultural, economic problem closely related to the issue of national resilience So that policies and precautions and pemberantasannyapun are aimed at maintaining balance in the obligation to protect the sovereignty of the State, the rights of victims and witnesses, and the rights of suspects/defendants.

References

- Dariyo, A. (2003). *Psikologi Perkembangan Dewasa Muda*. Grasindo-Gramedia Widiasarana Indonesia.
- Gafar, A. (2000). *Politik Indonesia Transisi Menuju Demokrasi*. Pustaka Belajar.
- Halili. (2006). Masa Depan Civil Society Di Indonesia: Prospek dan Tantangan. *CIVICS (Jurnal Kajian Kewarganegaraan)*, 3(2).
- Lele, G. (2005). Terorisme dan Demokrasi. *Jurnal Ilmu Sosial Dan Ilmu Politik, Fisip Unikom, Bandung*, 9(1).
- Lipset, S. M. (1995). Civil Society. In *The Encyclopedia of Democracy, Volume*. Congressional Quarterly Inc.
- Yunus, A. F. (2017). Radikalisme, Liberalisme dan Terorisme: Pengaruhnya Terhadap Agama Islam. *Jurnal Studi Al-Qur'an*, 13(1).