

The Urgency of Radicalism Regulation in Legal Norms in Indonesia

Lisa Mery¹

¹ Faculty of Law, East Indonesia University, Makassar-Indonesia, lismer1803@gmail.com

ABSTRACT

Radicalism is a serious threat to countries in the world, Indonesia as a country that has a large area and a population that has increased the potential threat of understanding derived from radical ideology (negative), to show the efforts made by the Indonesian government in anticipating radicalism in the country then This article lightly discusses the urgency of anticipating the threat of radicalism into the rule of law and identifying the elements of radicalism to enter into a classification of crime that is different from terrorism. This research method uses a literature study that qualitatively seeks to analyze the phenomenon of rising tendencies of radicalism in Indonesia and explains the urgency of regulating radicalism into a legal norm. Discussion and analysis of research shows that radicalism is very important (urgent) to be anticipated in a rule of law so that although there are already specific rules in Law No.5 of 2017 concerning terrorism, radicalism also has urgency to be regulated by looking at elements of the pattern of crime development that different from terrorism as a crime that is more clearly characterized by actual. The results of the identification of elements of radicalism show different tendencies with more significant indicators of radicalism before the onset of terrorism.

ARTICLE INFO

Keywords:

Radicalism; Urgency;
Element Identification.

How to cite:

Mery, L., (2019). The Urgency of Radicalism Regulation in Legal Norms in Indonesia. *Musamus Law Review*, 2(1), 1-11

Copyright © 2018 MuLaRev.
All rights reserved.

1. INTRODUCTION

After the reformation of the information flow and the technological vortex had an impact on the Indonesian state whose citizens experienced a euphoria of freedom, both delivering positive and negative ideas. Identifying positive facts certainly makes a growing impact for both the nation and state, not so with negative facts related to the tendency of rising factors of radicalism, this phenomenon is increasingly felt even though it is not a new fact.

The development of IT (Information Technologie) opened a taboo partition that had been controlled by the Indonesian government during the New Order era. Radicalism from various sides deserves serious attention, this makes the world countries work

together to prevent and overcome the seeds of threats that come from various points of the country, for example in Indonesia there have been several bomb threats that have delivered messages of terror to several intended because of political differences, the Bali Bombing I terror on 12 October 2002 with 202 dead, JW Marriot bombing on 5 August 2003 killed 14 people including perpetrators, the Australian Embassy Bombing on 9 September 2004 killed 9 people and 180 people injured, the Bali Bomb II on October 1, 2005 killed 23 people, the JW Marriot bombing and the Ritz Carlton that occurred with a difference of five minutes resulted in 9 people killed and 53 injured, suicide bombing at the Az Dzikra Mapolrestas mosque in Cirebon on 15 April 2011 killed 25 perpetrators and wounded 25 people, Sarinah bomb, Jakarta on January 14, 2016, 5 perpetrators and 2 war three civilians were killed and several residents injured, the Solo Mapolresta Bomb on July 5, 2016 killed the perpetrator and injured a police officer, a suicide bombing around the Kampung Melayu Terminal on May 24, 2017 killed the perpetrator and 3 police officers and injured 11 people, the Surabaya Bomb and Sidoarjo suicide bombings in three churches in Surabaya, East Java on May 13, 2018 the bomb exploded in the morning at 07.00 WIB and at 21.00 WIB killed 17 people, and finally on May 14, 2018 there was a suicide bombing at Surabaya Mapolresta at 08.50 WIB five people who are one family, four people were declared dead on the spot and one managed to escape death, suspicion, and punishment have been handed down to several individuals, networks and groups that move efforts to disrupt the stability of the nation and state.

The development of radicalism that led to terrorism is not only symptomatic in Indonesia, various countries of the world have also experienced bomb terror and the magnitude of the influence of global radicalism that has attracted global vigilance to actively engage in increasing internal security and international cooperation to take concrete steps, both at national and international levels by taking all kinds of defense and security lines. This condition is truly astonishing, especially now that Indonesia actually has a National Human Rights Commission and a Human Rights Court that has long worked.¹

These incidents require deeper analysis to encourage research into the concrete urgency of a rule of law. Based on the background of the above description, the problem is formulated that can be studied and analyzed about the urgency of anticipating the threat of radicalism into the rule of law and identifying the elements of radicalism to enter into a classification of crime that is different from terrorism.

2. METHOD

This research is research that uses qualitative research methods. The research method used is Normative Research which is researching and analyzing legal rules², where the law is conceptualized as a norm or rule that is used as a basis for anticipating the

¹ Imanuel Marthen Dumais, Muhadar Muhadar, Marwati Riza. (2018). The Right of Suspects to Obtain Legal Aid in Criminal Investigation. *Musamus Law Review*, 1(1), 53-62. <https://doi.org/10.35724/mularev.v1i1.736> pp. 54

² Julianto Jover Jotam Kalalo, Chyntia Novita Kalalo. (2018). Legal Protection Against Health Workers in Taking First Aid Medical Measures. *Musamus Law Review*, 1(1), 40-52. <https://doi.org/10.35724/mularev.v1i1.1076> pp.42

tendency of serious crimes against humanity. Sources of normative legal research in the form of secondary data, taking primary legal materials, secondary legal materials and tertiary legal materials.³ The author uses several approaches, namely: Approach to legislation (statute approach), conceptual approach (conceptual approach), case approach (case approach). The source of legal material used in this study is primary legal material and secondary legal material.⁴ Secondary data sourced from official documents, books, research results in the form of reports, diaries, and so on in the form of documents.⁵

3. RESULTS AND DISCUSSION

3.1. The Urgency of Anticipating the Threat of Radicalism

The state in organizing the life of the nation and the nation faces threats originating from within the country and outside the country. The threat is seen from two dimensions, the real threat, and the non-real threat, for example, the threat of open war involving countries. The real threat comes in the form of the usual types of threats in the form of acts of terror (terrorism), disruption from armed uprisings, natural disasters, epidemics and abuse of narcotics and psychotropic substances. Some of these threats already have concrete norms in the regulation of national law. While radicalism, which in the last five years has increasingly shown its critical momentum, is evidenced by several analyzes from legal experts, intelligence and headlines in various mass media, it has not become a concern for more serious anticipation.

Humans are the most perfect creatures and given the noblest position before God Almighty, human beings are equipped with physical and mental perfection and grace in the form of thoughts and reason so that they can distinguish between good and bad this is the ideal concept of humans.⁶ Radicalism is born from various things that accumulate so that it grows into anarchists. Radicalism has become a joint issue with world countries because since the Arab Spring has been mobilized by violent groups there have been various political and humanitarian crises since 2011 which destroyed many Middle Eastern countries, namely Libya, Tunisia, Egypt, Yemen, and Syria. The success of pro-violence groups in the Middle East has inspired groups that carry radicalism in other countries in various parts of the world. The radical network of pro-violence is active in Asia, Europe, Africa, America and Australia, radical groups have a Utopian desire to "establish a Khilafah in all corners of the world." The Syrian crisis pattern was replicated by radical groups in Indonesia. Networks of radical groups in Indonesia are connected with Syrian crisis actors.

For example, at the headquarters of Al Qaida (Jaysh Al Islam), one of the terrorist groups in Aleppo, Syria, was found to be a shipment from one of the non-

³ Amiruddin & H. Zainal Asikin. (2006). *Pengantar Metode Penelitian Hukum*. Jakarta: PT Raja Grafindo Persada. pp. 167-168

⁴ Yusdar, Y. (2019). Accessibility of Persons with Disabilities in Realizing Elections with Integrity. *Musamus Law Review*, 1(2), 105-114.
<https://doi.org/10.35724/mularev.v1i2.1198> pp.108

⁵ Soerjono Soekanto. (1986). *Pengantar Penelitian Hukum*. Jakarta: UI Perss. pp. 22

⁶ Arhjayati Rahim. (2019). Diversion in the Form of Protection of Human Rights. *Musamus Law Review*, 1(2), 87-94. <https://doi.org/10.35724/mularev.v1i2.1126> pp. 89

governmental organizations in Indonesia, and a label that said IHR (Indonesian Humanitarian Relief) was found, this shipment brought a question mark of correlation between Syrian sectarian radical groups and NGOs in Indonesia, is there really connectivity? The flow of funds from Bachtiar Nasir was in the form of a slip of transfer evidence to Turkey from the Justice Foundation for all, bringing international media claims to have links with ISIS.⁷ In addition to the aid of goods and also the flow of funds for terror groups in Syria, intentionally or unintentionally it should increase awareness of the vulnerability of the transnational movement to influence groups or organizations in a sovereign state.

Before entering into the further discussion it is necessary to limit the term radicalism to be explored. The term radical itself has a double meaning, the term radical gives some significant differences, in the opinion of Prof. Irfan Idris from BNPT, radicalism is divided into radicals, radicalization, radicalism, terrorist radicals, and deradicalization. The term "radical" which comes from the word "radix" has a positive meaning because it is attached to a holistic / complete, systematic and universal way of thinking. Understanding the term radicalization so that the negative connotation tends to be the interpretation of the meaning of religious teachings in the scriptures, not to religion. The term radicalism refers more to an understanding that wants (1) to change, (2) quickly, (3) uses violence and (4) in the name of religious understanding (interpretation). Radicalism breeds terrorism, terrorism is a concrete form of crime that originates from radicalism.

Preventive efforts contained in Law No. 5 of 2018 as a result of a revision of Law No. 15 of 2003, in the second and third sections of the Act, preventive measures are emphasized in terms of preparedness, counter-radicalization, and deradicalization. previously in Law No.15 / 2003 CHAPTER VII paragraph 43 paragraph (A, B, C, D) three types of counter-radicalization and deradicalization prevention are regulated. For national preparedness in the form of socialization to various elements of society carried out to increase public awareness and concern for the potential of the environment which may be radicalized by extreme radical thoughts that can lead to terrorism, if the conditions are chronic then counter-radicalization must be carried out.

The development of the seeds of counter-radicalization radicalism in the layers of the nation and state, requires concrete efforts to prevent individuals (citizens) and the community, the main purpose of this prevention so that all components of the nation, all layers of society are protected from the adverse effects of being exposed to radical ideology, the tendency of action to overestimate an act or radicalism that ends in the terrorism event carries religious symbols so that the great impression of extraordinary, very sacred or perfect without blemish (glorification) of the perpetrators, then take part in committing acts of sympathy to the person who committed the crime of radicalism can be muted. Radicalism is a crime against humanity because it is a common enemy of a state and cross country.

Counter radicalization is done by involving all levels of society fighting radicalism. One of them is carried out by the Ministry of Religion as a stakeholder through the

⁷<https://m.detik.com/news/berita/d-3429606/kapolri-ada-bukti-transfer-dana-dari-bachtiar-nasir-ke-turki> accessed on Friday, February 15, 2019.

socialization movement, intensifying the quantity and quality of da'wah, for example explaining the meaning of "jihad" in the correct sense according to the essence of religion. Besides of course with the birth of the revision of the Anti-Terrorism Law, namely Law No.5 of 2018, a norm governing that the dissemination of ideas that are very clear contrary to the ideology of the state must be prohibited.

Counter narration is an effort to prevent and even stem the teachings of violence that use subjective interpretation in interpreting religious scriptures. Propaganda uses pro-violence (destructive) narratives to eliminate human lives by misusing verses from religious scriptures opposed by the "Counter-Narrative" policy. Indoctrination using online and offline media carried out by radical groups, through the recruitment stage, according to Stanislaus Riyanta (in the Narrative Counter Scenario to Prevent Terror) starts from (1) tabligh (universal delivery of messages), (2) ta'lim (teaching), (3) tamrin (training), (4) tamhish (selection), (5) bai'at (carrying out oaths as a condition of being a member). At the level of ta'lim there is intense interaction which results in an understanding between members as a form of solidarity, ta'lim is a common shift in understanding combined with phenomena and imagination in a communal manner that encourages concern for the oppression experienced by Muslims.

There was a shift in "growing militant piety" this term borrowed the term from Karen Armstrong, in the synergy community carried out with a technological approach, because it builds mutual awareness of all levels of society can be done by presenting counter-narratives whose educational effects come from cultural values, conducting dialogue between parties and a personal approach by looking at the development of radical group movements.

Radicalism develops in various countries, specifically for Indonesia, this development is significant and quite influences the stability of life, although it does not directly interfere with the life of the nation and state, Indonesia which is famous for its diversity of tribes, cultures, religions, beliefs, races slowly experiences barriers which are vulnerable to being disturbed the issue of SARA, as evidence of various crimes related to radical understandings received by the community, led to conflicts in various regions of the country. Understanding of violence leads to acts of terrorism, causing bombings that continue to occur in various strategic areas in Indonesia. This radical understanding initially only involved individuals and groups consisting of men, the last case in 2018 showed that the result of a radical understanding that affected a father in Surabaya named Dita Oeprianto so that when carrying out his acts of terror Dita involved his family, which consisted of his wife and his children. Analysis from Hatrits Abu Ulya from The Community Ideological Islamic Analyst involving children and wives by Dita in Surabaya was carried out because the police had begun to easily detect the movements of male and female terrorists, this pattern was carried out to obscure the trail.

The process of indoctrinating radical ideologies involving families in Indonesia actually exists and is recorded in Indonesian history, as an example of the resistance movement carried out by Kartosoewiryo through his guerrillas, Kartosoewiryo invited his wife when he led the Darul Islam, Kartosoewiryo who married a Kyai's child had a significant influence on the Kyai his movement so that the spread of Darul Islam was so massive in the West Java region (Chiara Formichi, 2012: 33), in the 80s Abdullah Sungkar and Abu Bakar Ba'asyir who were Darul Islam activists sent Darul Islam

activists from Jakarta, Solo, Yogyakarta to Afghanistan through Malaysia, in the '80s the involvement of wives and families was limited to supporting their husbands and children who were going to Afghanistan.

Data from the State Intelligence Agency said 39% of students in Indonesia were exposed to radicalism both directly and through information accessed from the internet, the mass media and media coverage tended to give more space to violence in the narrative. Radical groups had the opportunity to recruit members or sympathizers so that groups could be born. learned radicals. Radicalism is also indicated from the level of kindergarten (TK) through the doctrine given by teachers who tend to have been democratically radicalized, this makes the threat of radicalism can not be seen as a mild issue, because of various racial problems, understanding of violence that uses religious symbols to launch their operational mode proved to destroy several peaceful countries in the Middle East Region, namely Syria, Libya, and Egypt so that Indonesia is very important to increase vigilance within the country.

Through Law No. 16 of 2018 concerning the Stipulation of PERPPU of CSOs into Laws, were present because of the consideration of protecting State Sovereignty based on Pancasila and the 1945 Constitution of the Republic of Indonesia, to prevent and act against terrorism crimes there is also Law No. 5 of 2017 concerning the Anti-Terrorism Law. To overcome radicalism as a pro (ideology) understanding of violence, legal instruments are needed in the form of clear and standard rules so that the approach that can be taken is a combination of hard power and soft power as a legal umbrella that can minimize the effects of radicalization in society.

Act No. 16 of 2018 and Act No. 5 of 2017 constitute a legal umbrella, both to stop the steps of community organizations whose activities are not in accordance with the purpose of its establishment and or indicated to practice politics to establish new entities that interfere with the concept of the Unitary State of the Republic of Indonesia and also preventing and cracking down on terrorists born from radical pro-violent ideologies with religious methods, but cannot yet accommodate the latest symptoms and phenomena about the tendency of radicalism as a threat to the sovereignty of a country.

Essence can be understood as the core, and also as general properties than something.⁸ The national values that are pursued can counter the rising tendency of political pro-violence thinking, in fact, it is still very abstract in the concept of polarization, this is because many indicators that affect a person/individual or group in society agree or pro to violence that uses religious symbols.

For example, some politicians who use racial issues, religious issues as issues that distinguish the subsidiary entities of the nation from one another so that identity politics arises, the legitimacy of violence because it is different so vulnerable to separation, even though the purpose of this politicization is only temporary and basically benefits a handful of people / elite political parties that eyeing positions in

⁸ Andi Bau Inggit AR, A Pangerang Moenta, MArwati Riza, Hamzah Halim. (2017). Local Regulation Review in Realizes Legal Order of the Local Governance. *Journal of Law, Policy and Globalization*. Vol. 59: 214-219

the state structure. Another indication of the existence of groups in society who want to replace the state system based on the Pancasila and the 1945 Constitution with the HTI-style caliphate system which, although it has been dissolved, is still moving to fight for the concept they believe underground is more dangerous, and several indicators of threats from the ideology of radicalism.

Radicalism must be carefully formulated in terms of size and reference levels of understanding, movements, and threats of violence that will result in state sovereignty. The first reference if there is a tendency to replace Pancasila as a state philosophy and the 1945 Constitution as the basic norm of the nation and state, then the understanding process that has the potential to disrupt the stability of the state through the expression of hatred and appeal for intolerance can be the second reference, the level of vulnerability that can trigger internal conflicts from radicalism can be further investigated to be the third reference in addition to factors from ideologies imported from outside the country and enter Indonesia massively through rebel groups such as ISIS, Jamaah Ansarul Daulah and other terror organizations, so legislative and executive policies are needed to make regulations related to urgency the anticipation of radicalism is included in the special legal rules outside the existing terrorism law.

3.2. Identification of Radicalism as a Crime Different from Terrorism.

The potential for crime in radicalism becomes a reference that must be formulated appropriately, an understanding has a diverse pattern, whether it remains to be a local idea that lives in the subconscious of someone who has been exposed to violence even though it has not been actualized, or even becomes legitimacy to carry out acts of violence in the form of terrorism.

The term radicalism has always been paired with terrorism in the way the term is written in various scientific works and in the media. The elements that make the difference between these two terms are classified as follows, according to international state agreement terrorism is a term that has a negative connotation that is equivalent to the consequences of genocide, terrorism can be interpreted as:

"an activity that involves a violent act or an act dangerous to human life that is a violation of the criminal laws of the United States or of any State, or that would be a criminal violation if committed within jurisdiction of the United States or any State; and appears to be intended (i) to intimidate or coerce a civilian population, (ii) to influence the policy of a government by intimidation or coercion, or (iii) to affect the conduct of government by assassination and kidnapping".⁹

Henry Campbell Black's definition of terrorism refers to the intention that terrorism (1) intimidates to influence civilians; (2) influencing regulations and policies issued by the government, or (iii) influencing the implementation and implementation of various fields of government by kidnapping and killing.

⁹ Henry Campbell Black. (1990). *Black's Law Dictionary 6th Edition*, West Publishing, St. Paul-Minn. pp 1473, URL : republicsg.info/dictionaries/1990_black's-law-dictionary-edition-6.pdf, accessed March 08 2019

In Webster's New World Dictionary, terrorism emphasizes political reasons, because of the meaning of terrorism itself *"the act of terrorizing, use force or threats to demoralize, intimidate, and subjugate especially such use as political weapon or policy."*¹⁰ The Big Indonesian Dictionary defines "terrorism" is "the use of violence to cause fear in an effort to achieve a goal (especially political goals)".

Radicalism, in terms of terminology, comes from the root word radix which means root, the meaning has a positive extension that is a strong grip, belief, creator of peace and peace and other meanings. The addition of the suffix "-ism" gives meaning to the worldview (paradigm) of an understanding and belief or teaching. Its use is often connected with a certain flow or belief. Dawisha put forward the definition of radicalism in terms of policy and terrorism as part of that radical policy.

Radicalism is an ideology or stream that wants to carry out social and political renewal by means of violence or drastic. If related to the attitude/tendencies of Yusuf Qardhawi¹¹ then radicalism is an exaggerated attitude that someone has in religion, incompatibility between faith with behavior, between what should be with reality, between religion and politics, between speech and action, between imagined and implemented, and between the law required by God with the product human law itself.

Radicalism as part of the triggering aspect of the emergence of terrorism crimes must get the focus of attention for policymakers to regulate it normatively with the premise that radicalism from the historical side, has a great potential to disrupt the stability of life together as a sovereign state. The process of the development of radicalism is developed both from the usual, simple to extreme ways using the indoctrination model, recruitment at the level of adolescents, students and even intellectual groups, using religion as a catalyst for legalization (justification). The truth that is sought is the real truth, namely material truth.¹²

Radicalism as a crime that should be prevented has many influential variables for its development, including religious adherents, both individuals or religious organizations who get ideological doctrines that bring understanding "Indonesia is still a pagan country", the existence of foreign elements that bring a hard understanding from an outside perspective in the form of Islamic teachings perceived by transnational groups by bringing violence as part of the struggle to continue the basic desires of groups to establish a "daulah khilafah" state such as the Islamic State or ISIS groups that collaborate with the Jamaah Ansarul Daulah network, internet media that are accessed by individuals instantaneously provide an understanding to be active bai'at on the concept of Islamic kaffah persuasively disturbs the awareness of its diversity even though it then takes the path out of the country to join the rebels from outside the country, for example related to data Indonesian citizens join ISIS through the entrance

¹⁰ <http://www.yourdictionary.com/terrorism>, accessed March 08 2019

¹¹Yusuf Qardhawi. (2014). *Islam Radikal : Analisis terhadap Radikalisme dalam Berislam dan Upaya Pemecahannya*. Hamin Murtadho (Ed). Solo: Era Intermedia. pp. 127

¹²Ismail Ghonu, Andi Muhammad Sofyan, Nur Azisa. (2018). The role of the Crown Witness in the Process of Proving Criminal Cases in Indonesia. *Musamus Law Review*, 1(1), 21-39.
<https://doi.org/10.35724/mularev.v1i1.737>

of the country's tour ki later died in a war in Syria,¹³ Indonesian citizens who have returned to Indonesia should be cautious, even though they are Indonesian citizens, the fact that they have participated in and taken an oath of loyalty to ISIS which has a pattern of massive movements and works using propaganda through defamation that destroys diversity and radicalizes the mind, not only relying on their assets (ISIS) in the form of weapons or combat troops, Indonesian citizens who have taken bai'at are a group of people who have been extreme (washed) of their brains, changed their perspective on diversity, inculcated hatred in their feelings so that when they return to Indonesia it is like a "sleeping cell" Which at any time can be moved or risen with certain triggers, the most vulnerable triggers are SARA (Ethnic, Religious and Race) sentiments constructed through social inequality. And seeing the atmosphere of Indonesia in the last 10 (ten) years, this negative potential is getting closer to reality.

The Government of Indonesia is quite pro-active in preventing and controlling the rise of radicalism in Indonesia. Illustration of the prevention of radicalism whose actual action is called terrorism in Law No.5 of 2018 as a result of a revision of Law No.15 of 2003 regulates that there are 3 (three) formal efforts through positive law taken by the state in preventing the occurrence of Terrorism Crimes, the state carries out:

- a. national preparedness, one of which is through socialization to various elements of society, with the theme "preventing the understanding of radicalism and the dangers of terrorism" this activity invites the community as partners, religious leaders, members of Public Order Security in various regions.
- b. counter-radicalization applies if the phenomenon of terrorism has been chronic, the role of Detachment 88 becomes an important requirement, both through a soft approach and a hard approach, an approach that prioritizes the strength of state apparatus with a tendency to attack, ambush, kill and arrest in a direct manner.¹⁴ forced. In this case, the law gives time for Detachment 88 to prevent terrorism by making arrests of people suspected of being contaminated with radicalism long before the person commits acts of terrorism. The basis of the arrest is preliminary evidence from information or reports from the national and international intelligence agencies (BIN).¹⁵ The involvement of the Indonesian National Armed Forces in prevention and countermeasures, for example in Operation Tinombala for the ambush of Santoso cs, TNI personnel were able to cripple and shoot Santoso dead because he understood the movements of extreme radical armed groups according to the Standard Operating Procedure (SOP) mechanism in accordance with regulations.
- c. deradicalization, through Presidential Regulation No.46 of 2010 on July 16, 2010 the BNPT (National Counterterrorism Agency) was formed, BNPT facilitated TNI and POLRI as well as civilians in combating

¹³<https://m.cnnindonesia.com/internasional/20190212193146-106-368641/wni-yang-menjadi-salah-satu-petinggi-isis-tewas-di-suriah>, accessed March 08 2019

¹⁴ Hasan, N., Hendrik, B., Jansen, F. & Meijer, R. (2012). *Counter Terrorism Strategies in Indonesia Algeria and Saudi Arabia*. WODC. pp.32

¹⁵ <http://www.tribunnews.com/nasional/2018/07/16/pasca-bom-surabaya-kapolri-klaim-sudah-tangkap-200-terduga-teroris>, accessed March 08 2019

terrorism by taking into account aspects of potential radicalism by carrying out a soft approach, minimizing the use of weapons by multiplying weapons dialogue with terrorism inmates. An important element is the role of civil society that contributes to implementing and campaigning for programs carried out by state institutions, such as deradicalization programs.¹⁶

4. CONCLUSION

Radicalism is an understanding that was born from a pro-violence ideology so that it influences individuals and groups in society in a country, in this case, the focus on Indonesia, radicalism grows by using religion as a basic symbol of the radicalize movement, not only in a region but developing far from one part of the world to another so that the radicalism movement spreads to various countries (transnational), not clearly visible (vague) but has a big impact if it is not anticipated and regulated in clear legal norms. To measure the urgency of anticipating the threat of radicalism so that it can be more concretely regulated in legal norms, a deeper study and study of the use of the term radicalism is needed.

To identify the elements of radicalism included in the clarification of crimes that are different from terrorism, it might not be something easy to do, moreover this is about ideology, the Indonesian state recognizes human rights in issuing opinions and adheres to beliefs, thus determining or further identification of radicalism which can be anticipated according to the rule of law apart from a few indications of development, it may need synergy between the government, the authorities in the mandate of Law No.5 of 2017 and the community so that vigilance remains high against the development of radicalism in the life of the nation and state.

To find clear factors and reasons for radicalism to be seen as a serious crime that differs from terrorism into concrete norms, it is necessary to conduct an in-depth study and involve many parties from the state, including building cooperation between countries and regulating policies in anticipating the inclusion of radicalization patterns. from other countries, by forming a joint task force that separates the level of seriousness of the threat from radicalism and the basic strategic policy steps of the countries managed to reduce the entry of radical pro-violence ideas. To give wide attention, both in the world of education by rearranging the curriculum of pro-unity and peace in a tolerant and plural collective life in Indonesia. In addition to this, the state also issued a variety of policies so that all elements of the nation and the state are not ignorant and remain vigilant in promoting more homeland love programs and national care in the territories of the Unitary Republic of Indonesia.

¹⁶ Tim Peneliti Pusat Kajian Strategik dan Global Universitas Indonesia. (Tanpa Tahun). *Ketahanan Keluarga Paradoks Radikalisme dalam Keluarga Indonesia*. Jakarta: Pusat Riset Sekolah Kajian Strategik dan Global Universitas. pp. 65

REFERENCES

- Amiruddin & H. Zainal Asikin. (2006). *Pengantar Metode Penelitian Hukum*. Jakarta: PT RajaGrafindo Persada.
- Andi Bau Inggit AR, A Pangerang Moenta, MARwati Riza, Hamzah Halim. (2017). Local Regulation Review in Realizes Legal Order of the Local Governance. *Journal of Law, Policy and Globalization*. Vol. 59: 214-219
- Arhjayati Rahim. (2019). Diversion in the Form of Protection of Human Rights. *Musamus Law Review*, 1(2), 87-94. <https://doi.org/10.35724/mularev.v1i2.1126>
- Hasan, N., Hendrik, B., Jansen, F. & Meijer, R. (2012). *Counter-Terrorism Strategies in Indonesia Algeria and Saudi Arabia*. WODC.
- Henry Campbell Black. (1990). *Black's Law Dictionary 6th Edition*. West Publishing, St. Paul-Minn, URL: republicsg.info/dictionaries/1990_black's-law-dictionary-edition-6.pdf
- <http://www.tribunnews.com/nasional/2018/07/16/pasca-bom-surabaya-kapolri-klaim-sudah-tangkap-200-terduga-teroris>
- <https://m.detik.com/news/berita/d-3429606/kapolri-ada-bukti-transfer-dana-dari-bachtar-nasir-ke-turki>
- <https://yourdictionary.com/terrorism>
- <https://m.cnnindonesia.com/internasional/20190212193146-106-368641/wni-yang-menjadi-salah-satu-petinggi-isis-tewas-di-suriah>
- Imanuel Marthen Dumais, Muhadar Muhadar, Marwati Riza. (2018). The Right of Suspects to Obtain Legal Aid in Criminal Investigation. *Musamus Law Review*, 1(1), 53-62. <https://doi.org/10.35724/mularev.v1i1.736>
- Ismail Ghonu, Andi Muhammad Sofyan, Nur Azisa. (2018). The role of the Crown Witness in the Process of Proving Criminal Cases in Indonesia. *Musamus Law Review*, 1(1), 21-39. <https://doi.org/10.35724/mularev.v1i1.737>
- Julianto Jover Jotam Kalalo, Chyntia Novita Kalalo. (2018). Legal Protection Against Health Workers in Taking First Aid Medical Measures. *Musamus Law Review*, 1(1), 40-52. <https://doi.org/10.35724/mularev.v1i1.1076>
- Soerjono Soekamto. (1986). *Pengantar Penelitian Hukum*. Jakarta: UI Perss.
- Tim Peneliti Pusat Kajian Strategik dan Global Universitas Indonesia. (2018). *Ketahanan Keluarga Paradoks Radikalisme dalam Keluarga Indonesia*. Jakarta: Pusat Riset Sekolah Kajian Strategik dan Global Universitas.
- Yusdar Yusdar. (2019). Accessibility of Persons with Disabilities in Realizing Elections with Integrity. *Musamus Law Review*, 1(2), 105-114. <https://doi.org/10.35724/mularev.v1i2.1198>
- Yusuf Qardhawi. (2014) *Islam Radikal: Analisis terhadap Radikalisme dalam Berislam dan Upaya Pemecahannya* (Ed). Hamin Murtadho. Solo: Era Intermedia.