

**ANTI-TERRORISM EDUCATION POLICIES (THEORETICAL UNDERSTANDING OF INDONESIA’S PERSPECTIVE AS A RELIGIOUS LEGAL STATE)**

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**Abstract**

In general, the existing policies related to terrorism have become a hot topic in our government. The anti-violence policies have not explicitly created in the educational scope yet, but it is included in the anti-terrorism policies which have been clearly written. The terrorists’ age range is getting younger. This phenomenon is very surprising. In some countries, terrorist organizations have successfully regenerated their membership by recruiting young generations and even underage children. This ambitious project of course has been created to secure this extremist organization regeneration when their ideologists are getting older and incompetent. In Indonesia, most terrorist who do suicide attack are young people or adolescence. Thamrin bomb attack is also attacked by young terrorist. Another fact is related to the captured terrorists in Klaten whose one of the members is still a high schooler in Klaten. Moreover, the leaders of the terrorist organization are from young generation. Terrorism cannot be eliminated by an institution only or even only by police (Polri). In the writer’s opinion, the strategic way to eliminate terrorism is through Islamic education (from schools until university) because terrorism is highly correlated with religious ideology. Other variables are also included as the aspect to influence terrorism but they are not very significant. We can see that most terrorism purpose such as suicide bomb attack is to against kafir (non-Muslim) and to defend Muslim community which is attacked by non-Muslims. Thus, there is a big problem which needs to be solved by all of us. Another important thing besides enforcing the law to the terrorist organization is how to stop terrorism regeneration in Indonesia. So, how to do it?

**Keywords: Policies, Education, Terrorism**

**INTRODUCTION**

The fact that terrorist age range are getting younger is a surprising phenomenon. In some countries, terrorist organizations have successfully regenerated their membership by recruiting youth and even underage children. This ambitious project is intended to keep the organization existence while their ideologists are getting older and incompetent. In Indonesia, almost all suicide bombers or people who join terrorist organization are young generation. Thamrin suicide bomber are also still very young. Another fact shows that three of the captured terrorist organization members in Klaten are still high schooler. When the young generation is targeted for terrorist organizations recruitment, we need to realize that those organizations are having a big project which is to regenerate their membership through poisoning youth and children mind. It is possible that in the future, the terrorists are still very young and even the ideologists may come from the young generation. That is why there is a big problem which we need to solve which require our unity. Another urgent thing to do is to break the chain of terrorism in Indonesia besides law enforcement as a counterterrorism tool.

How to break the chain of terrorism in Indonesia? Terrorism is not just a matter of who are the members, the group, and the organization but terrorism is an act which has basic beliefs, doctrine, and ideology which can attack social belief and can make people join the terrorism organization. Hendropriyono stated that the root of the terrorism ideology is radicalism. Radicalism is an embryo of terrorism. I agree with KH Said Aqil Siradj’s opinion which stated that Indonesia is now in the state of radicalism emergency. Many Indonesians are influenced by ideologies which are unsuitable to the spirit of NKRI (Indonesian Nationalism) and contrast from moderate religious teachings. This lead to the conclusion that Indonesia is not only in the state of emergency because of terrorism but also because of radicalism which has influenced our young generation.

Where does the radicalism influence come from? One of the answers is from education. Let's see a case found in a study book in a kindergarten in Depok, West Java. Similar cases are not found just once. In 2015 midyear, we are also surprised by similar case found in East Java. There are so many thoughts, messages, and ideologies which are planted as a seed of terrorism through education. The influence of radicalism can also be found in organizations and friendships in school. Therefore, the way to break the chain of terrorism organization is through keep our young generation away from radicalism especially when they are in school environment. The country must provide education which is clean from radicalism and terrorism. Education becomes the main aspect in preparing the nation's generation as a tough, superior, and as a generation who has high nationalism spirit and integrity for the nation. Based on those facts, the formulated research problems are: 1) How is the comprehensive anti-terrorism education? 2) Why anti-terrorism education is used in Indonesia's perspective as a legal state?

## **LITERATURE REVIEW**

### **Policies**

Policies are a set of concepts and foundations which become the planning guide and basis of the implementation of a certain job, leadership, and actions<sup>1</sup>. This term can be used in governmental scope, organization or private organization scope, and individual scope. Policies are different from regulation and law. Policies can refer to the process of organization important decision making including the identification of several alternatives such as program priority or expenses and how to choose the correct decision based on its impact.

Policies can also be interpreted as a political mechanism, management, financial, or administrative which is used for achieving certain explicit goal. Policies are spoken or written statement which provides general instruction about scope arrangement which gives limitation and general direction for someone to act. In etymology, policies are from the word policy. Policies can also mean as a set of concepts and foundations which become the guidelines for the implementation of job, leadership, and actions. Policies are different from law. Law can force or forbid a certain action (such as a law which force the income tax payment), while policy can only become the guidance of action to lead on the expected result. Policies are action direction which purpose is determined by an actor or some actors in solving a problem or to make a change.

### **Education**

Education is learning, knowledge, skill, and habit of a group of people which is passed from one generation to another through teaching, training, or research. Education often occurs under the guidance of others but can be done autodidact. Every experience which have formative effect to the way of thinking, feeling, or acting can be considered as education. In general, education is categorized into several stages such as pre-school, elementary school, middle school, and university or internship. A right for education has been approved by some governments.

In etymology, education is an English word which is from Latin word “*educatum*” which is formed by two words “*e*” and “*duco*”. “*e*” means a development from inside to outside or from a few into a lot, while “*duco*” means development or developing<sup>5</sup>. The word “*pendidikan*” in Bahasa Indonesia is from the word “*didik*” which is added by prefix “*pe*” and suffix “*an*”. Thus, this word means process or the way to educate. This word is also from Greek word “*pedagogy*”, the root is “*paid*” which means child and the word “*ogogos*” which means guide, so the word “*pedagos*” in Greek means knowledge which learn the art of educating children<sup>6</sup>.

### **Anti**

*Anti* is the dependent prefix which means against, oppose, and fight. *Anti* can also mean disagree, dislike, hate. *Anti* is related to the word *contra*. In Indonesian, Kontra<sup>1</sup>/kon-tra/ means 1*a* in the state of disagreement, in the state of against; 2*v* against (opinion, etc.).

### **Terrorism**

United States Department of Foreign Affairs defines terrorism as “*planned violence, has political motive, targeting unarmed civilian and done by separatist group or underground agents, usually for public influence purpose.*” Some definitions of terrorism are similar. Some definitions state that terrorism is the use of violence to achieve the intended goal. As stated in Indonesian Law Number 15 year 2003 about anti-terrorism, Chapter 1 General Provisions, Article 1 Number 1, stated that:

*The crime of terrorism is any act that fulfils the elements of a crime under this Interim Law. While Article 6 and 7 in Chapter 3 provides a generally-worded description of terrorism: 1) any person who by intentionally using violence or threats of violence, creates a widespread atmosphere of terror/fear or causes mass casualties, by taking the liberty or lives and property of other people, or causing damage or destruction to strategic vital objects, the environment, public facilities or international facilities. 3) any person who by intentionally using violence or threats of violence, creates a widespread atmosphere of terror/fear or causes mass casualties, by taking the liberty or lives and property of other people, or causing damage or destruction to strategic vital objects, the environment, public facilities or international facilities. And any person is considered to do the act of terrorism based on the Law Number 15 year 2003, article 8, 9, 10, 11, and 12. From many definitions from different sources, it can be concluded that the characteristics of terrorism actions are: 1) There is intention to do the action. 2) Done by a certain group or organization. 3) Use violence. 4) The target victims are civilians, for the purpose to intimidate government. 5) Done for the purpose to achieve a certain goal which can include social, politic, or religious motives.*

### **Understanding**

Understanding is defined as the learning and thinking process. It is defined that way because to understand, one needs to learn and think. Understanding is a process, action, and the way to understand. However, it does not mean that knowledge is not questioned since to understand, knowing and identifying are needed<sup>7</sup>. Understanding in the learning is a level of competence which requires one to understand a meaning or concept, situation and facts he know. In this case, one must not only remember verbally but also need to understand the concept from the problem or fact which is questioned. Therefore, in operational aspect, one can differentiate, change, prepare, present, arrange, interpret, explain, demonstrate, give example, estimate, determine, and make decision<sup>8</sup>. On the other hand, understanding can be interpreted as knowing. Know about something and can see it from several point of views. Understanding is the higher thinking level than remembering and memorizing<sup>9</sup>. The indicator of understanding shows that understanding has wider or deeper meaning than knowledge. Through knowledge, one is not guaranteed to deeply understand something learned while through understanding, one can memorize something learned and have the ability to get the meaning of something learned and also can understand the concept of the lesson.

### **Legal State**

Legal state is a translation from the term *rechtsstaat* or rule of law. *Rechtsstaat* can be interpreted as the form of juridical concept from constitutionalism ideas. Thus, constitution and legal state are two institutions which cannot be separated. Simply, legal state is a state/country/nation which the exercise of governmental power is constrained by the law. A legal state places law as the highest rule which creates the term law supremacy. The term refers not to ignore three basis of law: justice, expediency, and certainty. A legal state is a translation from the word *rechtsstaat* or *rule of law*. The term *rechtsstaat* is introduced by the European law expert while the term *rule of law* is introduced by an Anglo-Saxon law expert. Friedrich Julius stated that the principles of *rechtsstaat* are: 1) Human rights. 2) Separation of powers to guarantee human rights. 3) The judicature and the executive are bound by law. 4) Well-ordered administrative law

### **Indonesia as a Legal State**

The operational concept of Indonesia as a legal state is stated in The 1945 Constitution of the Republic of Indonesia which has the highest legal authority in the nation's system of government consist of **written** laws and **unwritten** laws. The 1945 Constitution then set forth the Pancasila as the embodiment of basic principles of an independent Indonesian state as stated in the preamble and the content of 1945 Constitution. The constitution sequences are: 1) The 1945 Constitution of the Republic of Indonesia Is Indonesian written constitution which states the elementary constitutional rights and principles which become the basis of the exercise of governmental power. 2) People's Consultative Assembly Decree (Ketetapan MPR RI) Is any decision made by the Assembly as the democracy caretaker which is the result of Assembly's Session. 3) Law (*Undang-Undang* or UU). 4) Established by People's Representative Council (DPR) together with President to implement The 1945 Constitution of the Republic of Indonesia and People's Consultative Assembly Decree. 5) Government Regulation in Lieu of Law (*Peraturan Pemerintah Pengganti Undang-Undang* or Perpu). 6) Government Regulation (*Peraturan Pemerintah* or PP) Established by the government to implement the Law (UU). Further, the hierarchy of rules and regulation is enumerated under Law 10/2004 on the formulation of laws and regulations: 1) 1945 Constitution (UUD 1945). 2) Laws/Governmental Regulation in Lieu of Law (UU/Perpu). 3) Governmental Regulation (PP). 4) Presidential Regulation (Perpres). 5) Regional Regulation (provincial/municipal/village level) (Perda)

### **DISCUSSION**

#### **Comprehensive Anti-Terrorism Education**

Many ideology, messages, and belief are planted in education. Besides, there are also many terrorism ideology infiltration take place in education scope through organizations and friendship in school environment. Therefore to break the chain of terrorism means we need to keep our young generation away from the terrorism ideology especially in school environment. The country must provide education which is clean from radicalism and terrorism. Education becomes the main aspect in preparing the nation's generation as a tough, superior, and as a generation who has high nationalism spirit and integrity for the nation. Besides the country, there are three other social institutions which have a very important role in protecting Indonesian young generation from the influence of radicalism in educational environment.

The first is educational institution which includes school headmaster, teachers and curriculum. Educational institution must protect the students through strengthen the nationalism knowledge and through moderate and tolerant attitude.

Second is family education. Through the role of parents in the family, parents should teach their children about love and affection and make the family as the consultation and discussion unit for the children. Parents must actively communicate and initiate discussion with their children.

Third is community education. Community becomes very important in creating a social space for children to play. Community education through the role of community leaders in creating conducive space to create peaceful habit in children or our young generation is very pivotal. Young generation must always be embraced and should not be expelled from social activities in the community.

Terror, violence, and hate are identical to terrorism. Some intimidations and actions done by radical organizations often cause people to feel afraid, panic, and worry. It is getting worse when there are died victims. Yes, talking about terrorism is never ending. This topic is important and popular in many communities including politicians, academicians, education practitioners, and many other elements of the community. Studying terrorism needs a long time. Terrorism is a term which is used for the use of violence to the civilian for achieving a certain purpose based on several background or motives such as politics, economy, holy war, revenge, and any other motives based on certain beliefs. Terrorism is not a part of any religious teaching

but it is a strategy. Nowadays, radicalism of terrorism is seen as international enemy. Everyone against terrorism and want to fight this extremist organization since it is considered as international violence. Militant terrorism organization always carries religion name and religion jargons such as jihad, kafir, and heaven. We can see it from some terrorism acts which we have witnessed. In fact, religion is never legalized any violence, terror, and murder. Islam as a religion of peace and safety never teach violence in implementing *amar ma'ruf nahi munkar*. Yes, they have different ideology.

Radical terrorism actions which have been done using religion name are inappropriate to moral value in any religion. Islamic education in school has a strategic position to support national development especially in the aspect of human resources. In more basic aspect, Islamic education in school is expected to be the mean of faith and piety education which can be seen from the students' worship and characters. Religious education is one of the important elements which can support the implementation of tolerant, transparent, and multicultural education principles. Religious education can give comprehensible religious understanding to the students. Thus, the role of education especially religious education in school is very significant. Although in fact, Islamic education in school still cannot show significant effect in the achievement of those good purposes. However, we need to stay optimist while fixing the imperfection. As result, it is expected that terrorism in the name of religion will not be happen anymore.

### **Anti-terrorism Education Using the Perspective of Indonesia as a Religious Legal State**

In *ius constitutum* in Indonesia, the literature of law which regulates the elimination of terrorism is categorized as *lex specialis*. The law of terrorism actions is not included in Kitab Undang-Undang Hukum Pidana (KUHP) since KUHP does not state about terrorism. Meanwhile, terrorism actions such as bomb attack are haunting the people. Hence, to fill in the *vacuum of law*, Indonesian government establishes Governmental Regulation in Lieu of Law (Perpu) Number 1 Year 2002 which later is legalized as Law Number 15 Year 2003 about terrorism.

Based on Article 1(1) Law Number 15 year 2003, it is simply stated that “the crime of terrorism is any act that fulfills the elements of a crime under this Interim Law.” It further stated that the terrorism action includes “any person who by intentionally using violence or threats of violence, creates a widespread atmosphere of terror/fear or causes mass casualties, by taking the liberty or lives and property of other people, or causing damage or destruction to strategic vital objects.” Meanwhile related to the term of terrorism, there is no definition related to the term terrorism from the *Ulama* (those recognized as scholars or authorities in the religious hierarchy of the Islamic religious studies) from old era since the first use of the terrorism which definition we know nowadays begin from European ideology in the France Revolution era in 1789 – 1794 although it has been known since the era of Greek, Rome, and the first centuries through the notes found about terrorism actions.

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