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ARTICLE (REFEREED)

Universal Values of Pancasila in Managing the Crime of Terrorism

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Abstract

Using a Socio-Legal Studies approach, this article analyses the primacy of the universal values of Pancasila, a decolonizing ideology, in tackling crimes of terrorism in Indonesia. In Indonesia's last two decades, radical movements have become more widespread, and the public easily follows their developments. Intolerance is the seed for radicalism, and terrorism is the forerunner of the emergence of acts of terrorism. In tackling crimes of terrorism, it is important to apply Pancasila as a way of life; ideals and nationalism have an important role in every aspect of the life of the nation and state. The policies for inculcating Pancasila values must be carried out in a synergistic and coordinated manner by involving various existing sectors, and the material content of programs of deradicalization must be comprehensive, integral and sustainable by taking into account the condition of the target participants, educational background, experience and age with a dialogical, democratic, and participatory approach.

Keywords

Terrorism; Transnational Crime; Radicalism; Pancasila Universal Values; Indonesia

Introduction

Indonesia is an archipelagic country formed from ethnic groups that have various languages, religions and cultures ([Schefold 1998](#)). This country has indigenous tribes who have inhabited their ancestral lands since time immemorial. The tribes are found on the islands of Java, Madura, Sumatra, Kalimantan, Sulawesi, Lesser Sunda Islands, Maluku, and Papua. In addition, there are also immigrant ethnic groups such as Arabs, Chinese, Indians and Pakistanis. In a sense, Indonesia is home to countless races, nationalities, and traditions; this is inextricably linked to the founding fathers' moral compass, as expressed in Pancasila. The Pancasila contains five fundamental principles that serve as the moral foundation for the nation and state. These principles govern include the values of justice and humanity, unity and democracy as well as the primacy of religious values, forming the basis of an "Indonesia for all" ([Dewantara 2015](#)).

The Republic of Indonesia is a legal state based on Pancasila as the state ideology, and with the principles of Pancasila embedded in its 1945 Constitution ([Saraya 2019](#)). The Preamble to this Constitution contains many dimensions, including humanitarian, social, economic, legal and international relations that must be maintained and developed according to national needs ([Tutik 2016](#)), and explicitly states that the objective of the Indonesian government is to bring together the entire Indonesia nation, and eliminate intolerance, whatever its basis ([Tanamal & Siagian 2020a](#)).

However, in the last two decades, there have been movements that reject Pancasila and seek to replace its principles with religious ideology as the basis of the Indonesian state ([Aristin 2016](#)). Even in the name of the religion with the largest number of adherents in Indonesia, intolerant groups have contributed to shaking the values in Pancasila, especially the first principle, *Ketuhanan yang Maha Esa*, or 'Belief in the value of divinity', the second principle, *Kemanusiaan yang Adil dan Beradab* or 'Just and civilised humanity', and the third principle *Persatuan Indonesia* or 'The unity of Indonesia' ([Fenton 2016](#); [Yuningsih et al. 2020](#)). This intolerant group, often supported by the local government, deliberately intimidates other religious groups. Even more sadly, this group can stop the worship of other religious groups by closing places of worship and withdrawing permits for places of worship after getting support from the community and local government, as happened to the Huria Kristen Batak Protestant Filadelfia church in Bekasi and the Yasmin Indonesian Christian Church in Bogor ([Tanamal & Siagian 2020a](#)).

The existence of Indonesia as a multicultural country is also threatened by the issue of acts of terrorism, such as the Bali Bombings 1 and 2 or other cases, as well as the changing public perception of Islam in general. These in turn pose a threat to the country's security and sustainability, as well as to multiculturalism itself. Even though specific groups are the only ones who commit terrorist acts, the acts themselves alter how the general public views Islam. As a result of this perspective, Indonesia, the largest Muslim nation, also suffers negatively. Terrorism in Indonesia itself grows closely related to ideology, history, and politics which are also directly related to strategic social interactions at the domestic and global levels. The terrorists who have been apprehended thus far exhibit radical religious views and believe that the blood of those they designate "infidels" is halal. Additionally, it was discovered that Indonesian terrorism is connected to international terrorist organizations. This was demonstrated by the fact that each of the attackers apprehended was coordinated by key members of international terrorist organisations outside of Indonesia, particularly ISIS ([Pradana & Setiyono 2021](#)).

According to the LAB 45 Analyst Team's estimates, there were 552 terrorist actions committed in Indonesia between the years 2000 and 2021, or roughly 26.29 acts of terror per year ([Farisa 2021](#)). According to the report, three distinct categories were the targets of terrorist attacks. The three groups in question are: assets or persons/groups (24%); police groups (17%); and places or figures (15%). Terrorist acts are most commonly committed as bombings (51%), armed assaults (30%), attacks on public facilities (8%), murder (5%), kidnapping (4%), and unarmed attacks (1%). In the last 21 years, most acts of terrorism have been carried out by Jamaah Islamiyah (JI), affiliated with Al Qaeda (50%), followed by the East Indonesia

Mujahideen (MIT) affiliated with the Islamic State in Iraq and Syria (ISIS) (26%), then Jamaah Ansharut Daulah (JAD) (15%) and the West Indonesia Mujahideen (MIB) (1%) ([Canu & Canu 2020](#)). In 2021, the Center for Financial Transaction Reports and Analysis noted that suspicious transactions related to terrorism cases had increased by 70%, from 660 transactions to 1,122 transactions, much more than the suspicious transactions related to fraud, corruptions or drug trafficking. Somewhat surprisingly, given the emphasis these groups place on adherence to Islamic law, these transactions tend to take place through commercial banks, rather than Islamic banks ([Suwiknyo 2021](#)), and constitute one of the many ways that terrorist organizations often earn capital ([CNN Indonesia 2019](#)).

Terrorism that threatens multiculturalism and, as a consequence, world peace has shifted towards religious radicalism. As an antidote, deradicalization that restores fundamental religious ideals or divinity, including peace, love, and mutual respect, is required. Pancasila offers such an antidote. Pancasila is not confined to the ideals listed in the five precepts; it also comprises philosophical ideals. Taken as an intellectual philosophy the Pancasila precepts are a crystallization of a value system; hence, the Pancasila principles are fundamentally a single entity. The fundamental ideals of Pancasila, which include divinity, humanity, unity, democracy, and justice, are universal, meaning that they are applicable to all people and are not exclusive to the Indonesians. These Pancasila values can be utilized by all parties to fight terrorism ([Harahap 2021](#)).

The purpose of this study is to analyse the primacy of the universal values of Pancasila in tackling crimes of terrorism in Indonesia.

Research Methods

This study takes a socio-legal approach. The primary data used was obtained based on observations of several cases of terrorism. The secondary data used are the 1945 Constitution of the Republic of Indonesia and Law no. 15 of 2003 concerning the Eradication of Criminal Acts of Terrorism. Primary and secondary data were analysed using document studies in the form of legal expert doctrine contained in textbooks in legal theory and philosophy ([Shidarta 2006](#)).

Results and Discussion

TERRORISM AS A TRANSNATIONAL CRIME

Advances in technologies have brought many benefits to society, but they have also given birth to new forms of crime or conventional crimes with a new modus operandi, transnational crime. According to the Regulation of the Chief of the Police of the Republic of Indonesia Number 7 of 2009 concerning the Reporting System for Disturbances Security and Public Order, transnational crime is an organised crime, whose area of operation covers several countries, which has an impact on the political, governmental, socio-cultural, and economic interests of a country and is global. This concept was first introduced internationally in the 1990s in The Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders ([Wagley 2006](#)) leading to the United Nations Convention on Transnational Organized Crime (UNTOC) and the United Nations Convention Against Corruption (UNCAC). In the regional context, Transnational Organized Crime (TOC) has become a concern since 1977, especially in Southeast Asia. This type of crime became a particular challenge for countries in Southeast Asia during the economic crisis.

Indonesia provides support for the efforts made by the international community by actively participating in these conventions, and ratifying the results of the convention into law in Indonesia. The Law of the Republic of Indonesia Number 5 of 2009 concerning Ratification of the United Nations Convention

Against Transnational Organized Crime is the legal basis in Indonesia in overcoming TOC, and brought together existing legislation as follows ([Hadiyantina 2020](#); [Rasyid 2021](#); [Silalahi 2021](#)):

1. The Law of the Republic of Indonesia Number 5 of 2009 concerning Ratification of the United Nations Convention Against Transnational Organized Crime;
2. Law of the Republic of Indonesia Number 1 of 1979 concerning Extradition;
3. Law of the Republic of Indonesia Number 22 of 1997 concerning Narcotics;
4. Law of the Republic of Indonesia Number 31 of 1999 concerning Eradication of Criminal Acts of Corruption as amended by Law Number 20 of 2001;
5. Law of the Republic of Indonesia Number 41 of 1999 concerning Forestry;
6. Law of the Republic of Indonesia Number 15 of 2002 concerning the Crime of Money Laundering as amended by Law Number 25 of 2003;
7. Law of the Republic of Indonesia Number 15 of 2003 concerning Stipulation of Government Regulation in Lieu of Law Number 1 of 2002 concerning Eradication of Criminal Acts of Terrorism into Law;
8. Law of the Republic of Indonesia Number 1 of 2006 concerning Mutual Legal Aid in Criminal Matters;
9. Law of the Republic of Indonesia Number 13 of 2006 concerning Protection of Witnesses and Victims;
10. Law of the Republic of Indonesia Number 21 of 2007 concerning Eradication of the Crime of Trafficking in Persons.

The Government of the Republic of Indonesia has the responsibility to protect its citizens from threats both from within the country and from abroad as stated in the Preamble to the 1945 Constitution of the Republic of Indonesia to protect the integrity of the nation's sovereignty. From the definition written in the law, terrorism is categorised as an extraordinary crime. Given this categorisation, it is certainly not possible to deal with terrorism using the same method as dealing with murderers or thefts because of the impact on the surrounding environment, causing tremendous damage and causing high death tolls. Judging from the characteristics of terrorism, it does cause not only actual damage but also intangible consequences such as causing massive damage to the environment, social security and disturbing political stability ([Hikam 2016](#)).

Terrorism cannot be regarded as a localized crime, and a broader understanding is required in order to combat it. Terrorism has evolved into a more complex form so that perceiving terrorism as monolithic will only jeopardize humanity. Terrorists have dismantled their financial dependence on state sponsored terrorism, as shown in Indonesia where groups have covertly utilized social fundraising to sponsor their acts against humanity. In term of communication, state borders no longer act as barriers to information exchange, facilitating financing of groups. Terrorism as a transnational crime can be evaluated based on its coordination and execution; the presence of ISIS is one indication of a regime change. There is no denying that the existence of terrorist organizations operating internationally has had an impact on the recent emergence of crimes of terrorism. ISIS claimed responsibility for a number of actions in Indonesia, particularly after an extensive investigation revealed that some of the perpetrators had contact with the group (detailed in the next section). The development of ideologies and funding are obviously related to the role of international groups in this context. One could almost argue that modern terrorism is a well-planned, well-organized crime with a predetermined outcome.

DYNAMICS OF TERRORISM CRIMES IN INDONESIA AND MEASURES OF PREVENTION

In societies where terrorists are well organized, like Indonesia, terrorism is still prone to occur. They blend in with the neighbourhood where they live so well that it can be challenging to distinguish them at times.

Due to the proliferation of terrorists and their leaders continued use of commandos, it is difficult for the public and the police to track them down. Their actions, especially bombings, create tense conditions and a frightened community, with the excuse that they are jihad.

The name Khawarij, adopted from the history of Islam, has evolved into a label for organizations that believe that the Islam they practice is the most accurate, leaving them feeling compelled to correct those outside their group, and being willing to use violence to attain their goals. (The literal meaning of Khawarij is 'missing' or 'lost'). The following are some examples of terrorism crimes in Indonesia ([Wulandari 2020](#)), with their emphasis on the perpetrators:

1. Suicide Bombing in Kampung Melayu (Wednesday, May 24, 2017)
Ahmad Sukri and Ichwan Nurul Salam committed the suicide bombings. Five people were killed in this atrocity, including the two perpetrators, and 12 others were hurt. ISIS media, the Amaq News Agency, claimed that this atrocity was a product of ISIS. The perpetrators were identified through a police investigation as being JAD (Mudiriyah Jamaah Anshar Daulah) members in Bandung Raya. According to the investigation, this group is connected to ISIS.
2. The Thamrin Bombing (Thursday, January 14, 2016)
Ahmad Muhazan (attacking Starbucks) and Dian Juni Kurniadi (attacking the police post) committed these atrocities and died in the suicide bombing. Sunakim alias Afif and Muhamad Ali carried out the second wave of attacks on the same occasion. The police and the perpetrators engaged in a shootout during this incident and both perpetrators were killed. According to the investigation, this terror attack was planned and orchestrated by Aman Abdurrahman, also known as Oman Rachman, and Iwan Darmawan Muntho, also known as Rois, both inmates of the Nusakambangan Kembang Kuning prison. Rois and Aman share a similar ideology. Aman is renowned for being a fervent ideological propagandist. Extremists and terror movements frequently reference his "thoughts" in their rhetoric. Aman founded the terrorist organization Jamaah Ansharut Daulah (JAD), which regularly conducted war simulations and dispatched members to Syria. The flow of funds discovered allowed for the identification of the alleged connection between ISIS and JAD.
3. Suicide Bombing of Three Churches in Surabaya
The perpetrators were members of one family. The bombs were detonated at the Immaculate Santa Maria Church, the Diponegoro Indonesian Christian Church, and the Arjuna Street Pentecostal Church. The family, known to be members of the JAD group, were killed in the action. In this incident, three children participated with their parents in carrying out this suicide bombing.
4. Bombing in Rusunawa Wonocolo, Sidoarjo
The perpetrators of this bombing are known to be from a family that still had ties to the families of the terrorist bombers at the three churches in Surabaya. In this incident, three people died: the father, mother, and their eldest child. Three more children from the family were injured.
5. Bombing at the Surabaya City Police Resort
A husband and wife with three children came to the Surabaya Police Station using two motorbikes. While they were still at the entrance gate of the Surabaya Police, the bomb exploded. Four of the five terrorist bombers died on the spot, but a small daughter survived. Four policemen and six civilians were also victims of the attack.

These five cases are but a small portion of the terrorism cases that have happened in Indonesia. Some of these incidents involved both ISIS and JAD, respectively. The terrorists involved in the suicide bombings were not just adults; but their children were also often present. According to the investigations, each of these cases had some connection to ISIS or, more specifically, to the development of ISIS ideology in the past. This demonstrates that terrorism can be considered a transnational crime. Additionally, they were seen to

target police stations, government buildings or institutions, and places of worship. They believed that other groups and religions are infidels, and by doing so, they justified violence against them. In addition, they believed that the government and police, whom they hold in high regard, permitted other understandings (other than their own) and so were equally infidel.

Policies or efforts to combat crime are integral to protecting society (social defence) and achieving the good of society at large. Therefore, it can be said that the main goal of criminal politics is the protection of society. According to [Barda Nawawi Arief \(1996\)](#), criminal politics is an integral part of social politics, defined as the policies or efforts to achieve social harmony. Efforts to overcome crime need to be taken with a policy approach, so that there is integration between criminal politics and social politics, and there is integration between crime prevention efforts with “penal” and “non-penal” penalties. According to [Hoefnagels \(1973\)](#), crime prevention can be achieved by applying criminal law, preventing the creation of new criminals, and influencing public views on crime and punishment through the mass media. The role of the Government in efforts to eradicate and overcome acts of terrorism is related to the theory of the national interest ([Morgenthau 1952](#)).

Combating terrorism was originally regulated in Law No. 15 of 2003 concerning the Eradication of Criminal Acts of Terrorism as a legal umbrella, which boiled down to Government Regulation in Lieu of Law No. 1 of 2002, a regulation that only provided a basis for implementing repressive acts (eradication) against terrorism. As a result, the victims of terrorist acts were mostly ordinary citizens, and the offenders were only subject to repressive measures. This legislation put terrorism in the context of maintaining security and public order. Law Number 15 of 2003 concerning the Eradication of Criminal Acts of Terrorism was finally revised and ratified in May 2018.

According to the provisions of Article 6 of Law Number 15 of 2003 concerning the Eradication of Criminal Acts of Terrorism, anyone who intentionally uses violence or threats of violence creates an atmosphere of terror or fear of people widely or causes mass victims by depriving them of their freedom or eliminating them or causes damage or destruction to vital strategic objects or the environment or public facilities or international facilities shall be punished with death or life imprisonment or imprisonment for a minimum of 4 (four) years and a maximum of 20 (twenty) years. The maximum punishment under these clauses is the death penalty, which indicates that terrorist perpetrators face a very serious criminal charge. But ultimately, it all comes down to how serious and acutely conscientious law enforcement is in catching the offenders through lawsuits and penalties that are proportionate to their level of guilt. It is obvious that the community finds cases such as the Thamrin bombing to be extremely upsetting, so law enforcement officials and the criminal justice system for terrorism must be open, impartial, and willing to engage with all parties involved. Ensnaring outliers under the banner of terrorist organizations is insufficient. The perpetrator or creator of the attack and the source of funding must be disclosed in these exceptional criminal cases.

The financial issue is a significant component in determining the smooth running of terrorist groups, especially now that they no longer have access to funding from groups such as ISIS. Several efforts need to be continuously improved, such as identifying in detail the profiles of users of financial services, strict supervision of compliance with financial service users and supervision of money transfer activities through a range of systems. This includes supervising the carrying of cash or other payment instruments into or out of the Indonesian customs area.

The threat of terrorism to humanity is unquestionably present, but from the standpoint of diversity, the harm posed by this group’s arrogance is no less potent. Terrorist organizations are now more challenging to pinpoint because of their ability to blend in with society. As a result, there will always be animosity and suspicion between people, which might heighten societal tension. This is worsened by the designation of particular religious expressions as terrorist groups, such as the use of religious characteristics that differ

from the local culture. Therefore, eliminating terrorism is essential to preserving multiculturalism. In his analysis of the spiral of violence, [Hélder Câmara \(1972\)](#) stated that one of the expressions of violence is the struggle to uphold ideology. This term is better known in Indonesia by hardline religious groups as jihad. Terrorist organizations can be regarded to have erred in their interpretation of jihad. They defend using violence and the blood of innocent people to achieve ideals in which they truly believe. A command in any book of scripture cannot be narrowly interpreted; rather, it must be understood in the context of its history and current relevance. For example, in the Qur'an, the definition of jihad is not 'waging war' to fight against others but rather striving with all your might to obtain divine pleasure. However, it is evident that militant groups, who frequently use the name of religion as a justification, have adopted a lifestyle in which misinterpretations of religious orders have become commonplace.

TRENDS OF RADICALISM IN INDONESIA

Reforms in the legal system result from our decades-long efforts to decolonize the legal field. The law is contextual; if the law is created based on values other than the values prevailing in our society, then the law will be criminogenic, that is, the law itself may lead to situations where criminal behaviours may arise. In the current era of reform that provides space for openness and freedom in Indonesian society, several Islamic radical movements are called radical because their followers sometimes carry out actions that, according to normal standards, are classified as very violent and destructive, for example, some places of entertainment, were damaged by a group because they were considered as centres of immorality ([Turmudi & Sihbudi 2005](#)).

Islamic radicalism in Indonesia emerged and was triggered by domestic problems and the global political landscape, which was considered to have constrained the socio-political life of Muslims ([Ridha, Zainal & Andy 2021](#)). In the domestic context, for example, various conflicts have arisen between groups of Muslims, starting from the murder of a *Kiai* (spiritual expert) accused of sorcery, and including the Poso Tragedy that occurred on December 25, 1998, and the Ambon Tragedy on January 19, 1999, where other Muslims were again the target ([Faiqah & Pransiska 2018](#)).

These critical events did not necessarily receive adequate handling by the Indonesian government at that time, and this motivated moderate Islamic organizations to take the initiative to assist their fellow believers. These groups saw the government's delay in addressing "immorality," aside from being a fundamental contradiction, to be highly disturbing. In this situation, the government was charged with acting inconsistently when enforcing the rules and laws that were mutually agreed upon. The inability of Islamic organizations like Nahdlatul Ulama, Muhammadiyah, and the Indonesian Ulema Council to both realize moderate Islamic goals and resolve issues encountered by Muslims in Indonesia also contributes to this worry. Events happening elsewhere in the world have also raised prejudice against Muslims as a group, especially the World Trade Centre incident in 2001, widely known as the 9/11 act.

Religious radicalism is a phenomenon that can appear in any religion. Radicalism itself will not be a problem if it is only contrary to the thoughts or ideologies of its adherents. But when radicalism, which was once simply an idea, becomes a movement and is translated into action, issues arise. Such a situation results in open hostility or violence between two rival factions, although conflicts may not often come out in the open. However, no matter how the dispute manifests, it still has a detrimental effect on multiculturalism.

The emergence of radicalism in Indonesia, along with changes in the social and political order, has a long history. It dates as far back as the 13th century and includes, in the 18th century, the influence of the Maliki school of thought, which introduced the ideas of Muhammad bin Abdul Wahab, currently the official ideology of the Saudi Arabian government, known as Wahabism. Ideologies brought from outside did not necessarily recognize tolerance of differences, and led to transformations of the Muslim population. (Thus,

contemporary radicalism and thus terrorist acts among Islamists are rooted in religious understandings that can be traced to the Khawarij and then Wahabi groups ([Mufid 2013](#)).

Actions of intolerance in Indonesia are not only carried out by radical Islamic groups. In areas where Christians are becoming the majority, there are also acts of intolerance against other minority citizens. For example, in Manado, North Sulawesi, the Manguni Brigade group was formed in 1999 to maintain security and stability in North Sulawesi when riots broke out in Poso and Ambon. When the conflict in Poso and Ambon had ended, the Manguni Brigade remained to carry out security in the Manado area. However, they have been accused of committing violence against places of worship and Muslims who wanted to build mosques such as the AsySyuhada Mosque in the Aer Ujang Complex, sub-district Girian Permai, in the Bitung area (['Buntut Penolakan Pendirian Masjid Asy Syuhada, Warga Muslim Mengungsi' 2015](#)).

This radical group of Christians brought its understanding to the community and tried to articulate and implement it by making changes to the socio-religious order, such as the culture of Islamization. A part of this attitude can be tolerated and justified in the context of democracy, but this excessive spirit is more destructive and cannot be justified. The group made use of several means to achieve their goal, both through political movements and movements in civil society, including structured community-based education as well as the use of print-based and electronic media ([Isnawan 2018](#)).

In preventing radicalism in the country, the Coordinating Ministry for Political, Legal and Security Affairs developed three important policies, and circulated documentation about them. This was an effort to suppress the spread of radical understanding in the community. By cooperating with the National Counter-Terrorism Agency, and coordinating intensively with other agencies, the Coordinating Ministry for Political, Legal and Security Affairs mounted a strong fight against terrorism in the country, using measures from the softest to the toughest. Some of the key policies are set out below.

The first policy implemented was by issuing a regulation on Terrorists across Borders which can revoke the citizenship status of Indonesian citizens who join terrorist groups based abroad. That way, all their rights as Indonesian citizens are immediately lost when they reach the overseas group. However, the regulation provides concessions for children under the age of 10 who are forcibly taken abroad. Within this age limit, the individual can return to Indonesia as an Indonesian citizen.

The second policy was carried out with the National Counterterrorism Agency to combat terrorism and Ministry for Political, Legal, and Security Affairs by launching a national action plan to prevent and overcome extremist violence. Under this policy, the two institutions are responsible for deradicalization programs for domestic communities exposed to terrorism. The method is through dialogues involving religious and community leaders with expertise in their fields.

The third policy was to coordinate intensively with relevant government agencies in preventing intolerance. In this case, the national government, together with local governments, religious institutions, NGOs, community leaders, and so on, has made efforts to prevent acts of intolerance in the community. Intolerance is an attitude that must be prevented as early as possible because it becomes the forerunner of understanding radicalism. Therefore, all government agencies must be involved in tackling this matter.

The approach used by the Indonesian government in these policies has been seen to be overly legalistic, and based on an ignorance of the underlying factors that have led to the emergence of radical and intolerant movements in Indonesia. Despite the fact that the approach contains three key aspects that can help eradicate terrorism, it is unlikely to be successful. A key reason is that it does not have the principles of Pancasila at its core.

THE ROLE OF THE UNIVERSAL VALUES OF PANCASILA IN OVERCOMING TERRORISM

Pancasila was established as the rational will of the nation and as an answer to plurality, pluralism and multiculturalism for the Indonesian nation. Pancasila is logical, rational, universal, and systematic as

an ideology and represents a decolonizing statement of values. Pancasila is a value that comes from the ancestors, through the struggle process, and reflects local Indonesian people's cultural diversity and wisdom (Latif 2016). Thus, Pancasila is the ideal basis for overcoming the problems of radicalism and terrorism, according to Barda Nawawi Arief (2018). If the effort to eradicate terrorism is seen in the context of legal substance, it can be said that the effort to eradicate crimes of terrorism in Indonesia is part of the Pancasila Legal System, an approach which is already apparent in the Constitution.

Terminologically, Pancasila in the Preamble to the 1945 Constitution of the Republic of Indonesia is the basis of the state. Pancasila is explained as the source of all sources of law, that is, the source of legal order, in Indonesia. Thus, Pancasila is the spiritual principle of law and order. It provides the standard criteria for validating values in society, nation, and state life as the precepts of Pancasila are reduced to values for society and the state. Pancasila consists of five precepts, the essence of which can be expressed as universal values: divine values, human values, values of unity, values of deliberation and consensus, and values of justice. These five values in Pancasila are compounds that are very important for the Indonesian people in turning the wheels of social, national and state life.

Pancasila can be understood as the basis of the state at three levels. First, it can be the basis for organising an independent and sovereign state; secondly, it can be the basis for regulating the implementation of a clean and authoritative state apparatus to achieve the national goals as stated in the Preamble to the 1945 Constitution of the Republic of Indonesia, 4th paragraph; and thirdly it can be the basis, direction, and guidance for the activities of the Indonesian people in their daily life (Suryana 2017). It has been established as a source of national basic law after the reform through the Decree of the People's Consultative Assembly Number III/2000, which was later amended by the Law of the Republic of Indonesia Number 10 of 2004 concerning the Establishment of Legislations and as noted earlier, it is written into the 1945 Constitution. Sources of law can also be unwritten: the values of Pancasila underpin the way of life of the Indonesian people, which implies that all activities of daily life of the Indonesian people must be led according to the precepts of Pancasila because Pancasila is also a crystallisation of values that are owned and sourced from the life of the Indonesian nation itself.

Thus, Pancasila permeates all aspects of Indonesian life. It is the state ideology, whose goal is realising a just and prosperous society that is materially and spiritually evenly distributed, in a state which is independent, sovereign, and united in the atmosphere life of the nation which in turn is safe, peaceful, orderly, and dynamic, contributing to an independent, friendly, orderly and peaceful world. Its general and universal values enable it to accommodate all diversity and to be accepted by all parties.

Terrorist movements and acts of terrorism specifically contradict the 3 (three) main precepts in Pancasila, namely:

- the value of divinity;
- Fair and Civilised Humanity; and
- Indonesian Unity.

In recent times, terrorists in Indonesia have focussed on their interpretation of the first precept, mistakenly presuming that their ideas are absolute and condemning the beliefs of other groups. Terrorism is considered antithetical to just and civilized humanity since it is not uncommon for radical and terror movements to rationalize the use of violence in defence of their beliefs. Ultimately, these violent acts have repercussions for the nation's unity, which is based on mutual trust, because, as is well known, the presence of radical groups in society breeds animosity and mistrust among its citizens.

The implementation of the values at the heart of Pancasila can bring a spirit of togetherness to maintain unity from the crimes of radicals and terrorism. The value contained in the first precept is the parent

of the values of Pancasila. Currently, Indonesia has six beliefs recognised by the state: Islam, Protestant Christianity, Catholicism, Hinduism, Buddhism, and Confucianism. However, currently the implementation of the values of this first precept is not going well, because even though the concept itself is predicted to be very flexible, it exists only as a dream, for there is no real implementation. The concept of open ideology is not well implemented in daily life because there are still many disputes, disputes, acts of violence arising from religion and belief. The arrogant attitude of some groups who act in the name of religion by committing acts of violence is one of the reasons for unavoidable disputes. Therefore, it is necessary to actualise the understanding of Pancasila values in the life of the nation and state before considering possible future approaches to implementation.

To understand what this might mean, it is first important to explore the contribution that each of the precepts bring to the ideology of the state. In Pancasila, faith is the primary and most important value and serves as the fundamental moral tenet of both state life and social interaction. The second precept, 'just and civilized humanity', recognizes the position of equality among humans, who must be able to respect one another regardless of distinctions between people based on their political convictions, social and economic standing, origin, descent, race, skin colour, language, religion, culture, customs, ethnicity, or other differences. This respect for human values must also motivate actions to uphold values of justice. Thirdly, the Indonesian nation's uniqueness in the plethora of national socialities around the world is reflected in the major importance of the creation of the principles of the Indonesian Unity. This principle serves as a counterbalance to the social side of the Indonesian country as well as an expression of the existence of the Indonesian nation within the association of Indonesian countries. The fourth precept of democracy led by wisdom in deliberation reflects the specific democratic characteristics of Indonesia. Consequently, the essence of this precept is the spirit of democracy which remains connected to specific principles, including accountability to divinity value, the principle of humanity, and the identity of Indonesian unity. The Pancasila fifth precept defines social justice as justice with broad dimensions. Soekarno's vision of a just society included the political, economic, and social ideals of justice as its three central tenets.

Pancasila values should be used to fight radicalism and terrorism because these are, of course, contrary to Pancasila ([Winarni 2020](#)). Pancasila values can be implemented in various real efforts. Efforts that can be made so that radicalism and terrorism do not flourish are as follows:

1. A good quality and level of public education and welfare must be created by the Government, the law must be properly enforced, and the Government itself must be accepted as authoritative;
2. Group cohesiveness and the identity of groups who seek to separate themselves from the community, a significant factor in decision-making leading to jihad, must be reduced, thus becoming a useful first step in reducing the tendency to put intergroup relations at risk; and
3. Access to information and other assets that unjustly give rise to a sense of oppression and persecution must be minimised, along the expansion of opportunities to participate in wider social interactions, without ignoring the fulfilment of their need for an integralist Muslim identity, a strategy that will be useful in returning those inclined to radical views to a moderate strategy in inter-group relations.

Acceptance of Pancasila as a way of life nation is a form of awareness of the reality of diversity in Indonesia. Islam in Indonesia is not the only religion that exists. Thus, the state must provide fair service to all recognised religions. It also means the state must guarantee a harmonious and balanced pattern of association among fellow people. Diversity should always be an invaluable asset and pride for the people of Indonesia who do not want to be fooled by the ideology of death, which makes them die in vain. The ideological resilience of Pancasila will ultimately impact the nation's national security. Therefore, we need

a policy approach that is comprehensive and integrated into inculcating the values of Pancasila and the Constitution 1945 so that the results can be more optimal ([Tanamal & Siagian 2020b](#)).

This policy must be supported by strategic steps and technical efforts to implement strategy at the operational level. With more concrete policies, strategies and efforts, the Government and the community it employs can work together to inculcate the values of Pancasila and the Constitution 1945 as part of deradicalisation in dealing with radicalism and terrorism. A very significant step was taken when Ministers in the government, and other senior officials include the Attorney General, the Head of the National Police and the Head of the National Counter Terrorism Agency announced a number of new laws¹, regarding the prohibition of activities, use of symbols and attributes as well as termination of the activities of the Islamic Defenders Front December 30, 2020.

In addition to overseeing the law enforcement process, the Government needs to revitalise the linear connection between three important pillars of society in eradicating terrorism: the police, religious leaders, and the community. The seriousness of the Indonesian National Police in uncovering terrorist networks, for example, should not be undermined by the issue of human rights violations. This issue risked becoming a shield for the terrorist group to take refuge behind, but the police will not be careless in carrying out their duties because standard operating procedures bind them.

Terrorism is asserted as a crime against humanity which Indonesian government and world community are trying to eradicate. Functional violence against terrorists is deemed necessary to a certain extent to break the dangerous links of terrorism. For this reason, the public should be expected to consider the performance of the National Police proportionally, not only to think about the rights of terrorists and their families. The suffering of the bomb victims' families who lost their husbands, children, wives, sources of livelihood, and enthusiasm for life must also be considered.

As one of the pillars essential to eradicating terrorism, the community must also increase its role. The mobile security system that was in effect in the New Order era needs to be developed by tightening the supervision of citizens from the lower levels. If people are suspicious of the movements and actions of others, they should report them to the authorities.

Finally, religious leaders have a key role to play. They must provide a correct understanding of the prophetic message of religion ([Silberman, Higgins, & Dweck 2005](#)). Young people have just learned religion but mistakenly are passionate about jihad ([Sageman 2011](#)), as if religion is synonymous with war. The paradigm of jihad in religion is seen to always ends violently in a pool of blood; if this simplistic understanding is not straightened out, it will give birth to violence in religion. The pressing need to clarify the meaning of jihad falls to religious leaders. Their influence on how to mold the perspectives of their followers cannot be underestimated. Giving such responsibility to one or two people is not easy, so to reduce religious group intolerance, all parties must actively participate with religious leaders.

Conclusion

Terrorism is an act that can cause an unfavourable security and order situation and cause significant loss and damage within a society. The crime of terrorism is a transnational crime based on international conventions. Thus, terrorism is a threat to every country globally, and this requires joint efforts to eradicate it.

In Indonesia's last two decades, radicalism movements have tended to be more widespread, and the public easily follows its developments. Intolerance is the seed for radicalism, and radicalism is the forerunner to

¹ So the Government, in this case, the Minister of the Interior Republic of Indonesia, Minister of Law and Human Rights RI Man, Minister of Communications and Informatics of the Republic of Indonesia, Attorney General of the Republic of Indonesia, Head of National Police of the Republic of Indonesia, Head of National Agency Counter-Terrorism decided No. 220-4780 of 2020, No. M.HH-14.HH.05.05 of 2020, No. 690 of 2020, No. 264 of 2020, No. KB/3/XII/2020, No. 320 of 2020

the emergence of acts of terrorism. Therefore, to ensure no regeneration in acts of terrorism, it is not enough just to arrest and process the perpetrators through legal channels. Eradicating the habitus for the breeding of new jihadists undoubtedly requires a complex program and involves the active role of various parties. Building Islamic narratives that are friendly, tolerant and caring for others is a challenge that needs to be continuously developed to reduce the bad influence of intolerance and radicalism.

As a state ideology, Pancasila as a way of life, ideals and nationalism has an important role in every aspect of the life of the nation and state and of the people. Although the application and inculcation of the universal values of Pancasila can start from the family environment, the surrounding environment, including through formal education or informal education, needs to create the nuances of diversity, a strong sense of Indonesianness, unity and integrity among nations. Such an approach has the potential to mitigate all forms of action that can cause disturbing acts of terrorism in the community. The Government needs to carry out its duties in development properly, fairly, and evenly to create justice and prosperity by the goals and ideals of the state that Pancasila encompasses.

The policy of the Pancasila value inculcation program and the 1945 Constitution of the Republic of Indonesia is considered important and relevant considering the nation's condition, which is still facing threats from radical terrorist groups. The current development of Pancasila values is carried out in an era of democracy that is full of freedom and openness. The aim is not to maintain the state regime but to maintain the nation's integrity, create conditions for a peaceful, secure, tolerant state, respectful of differences and diversity. The policy of Pancasila values inculcation must be balanced in a synergistic and coordinated manner by involving various existing sectors and their material content with a comprehensive, integrated, and sustainable process of implementation, taking into account the condition of the target participants, educational background, experience, age, with a dialogical, democratic, and participatory approach.

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