

THE WAY TO HEAVEN INDOCTRINATION AND INEFFICIENCY OF DEATH PENALTY AS TERRORIST DETERRENCE

Manotar Tampubolon, Faculty of Law, Christian University of Indonesia
Fernando Silalahi, Faculty of Law, Christian University of Indonesia

ABSTRACT

This article focuses on the death penalty as a deterrent to terrorism crime in Indonesia. Earlier proponents agree that the death penalty should be useful as often as possible to prevent future crimes and provide a sense of justice and moral order. However, abolitionist agrees that the death penalty does not address future murders. Execution is brutalization and human sacrifice without consistent or reliable evidence that executions de jure availability had a deterrent effect on homicides-death penalty as undeniably cruel, inhuman, and degrading. The death penalty does not deter criminals; imprisonment is more significant as a deterrent against the perpetrator. This is doctrinal research that uses a religious-legal approach and use indoctrination theory to assess the problems. The result shows there is no significant effect of the death penalty on crimes of terrorism in Indonesia due to indoctrination that killings humans are a way to heaven to meet angles heaven.

Keywords: Death Penalty, Deterrence, Terrorism, Indoctrination, The Way To Heaven.

INTRODUCTION

The abolition of the death penalty from Indonesian law is one of the most controversial issues nowadays (Makarim, 2014). As a retentionist, death penalty is currently in force in Indonesia (Death Penalty Information Center, 2017) through some legislation such as Article 340 of the Criminal Code concerning crimes against life or premeditated murder. Article 59 paragraph (2) of Law Number 5 of 1997 concerning Psychotropics. Article 113 paragraph (2) of Law Number 35 of 2009 concerning Narcotics. Article 2 paragraph (2) of Law Number 31 of 1999 in conjunction with Law Number 20 of 2001 concerning Eradication of Corruption Crimes.

Although the death penalty applies to these crimes, it does not have a deterrent effect on individuals and society to re-commit crimes. In 2020 alone, there have been approximately 100 (defendants) sentenced to death due to drug cases throughout Indonesia (Malau, 2020). Also, from 1998-2013, the average conviction per year was 13.13 death sentences. Meanwhile, from 2014-2019, the death penalty number averaged 44.2 per year (Faiz, 2019). Furthermore, in the Jokowi era, there were at least 221 death sentences in the past five years handed down at various courts in Indonesia. Of these, 166 people sent to death for drug cases, 51 people for murder, three for theft with violence, and one person for terrorism cases (Faiz, 2019).

Though the death penalty has been in effect for several decades, the crime rate in the terrorism remains high (Masykuri, 2016). From January to December 2019, there were approximately 296 terror suspects in the country (US Department of State 2019). It means that

regulations on the Prevention of Terrorism such as Law encountering terrorism and Badan Penanggulangan Terorisme and Detachment 88 (Datasegment 88) are less effective than expected.

The death penalty not only eliminates the lives of those sentenced to death but also leaves deep scars for families and relatives who are left behind; the death penalty does not deter the ones to commit terrorism. This suffering happened due to the very long waiting time for execution. The Institute of Criminal Justice Reform (Arjanto, 2020) survey noted that at least 60 people sentenced to death have been awaiting execution for a long time, more than ten years, with poor conditions of detention. There are 5 of them who have waited more than 20 years, and even one of them has waited nearly 40 years (Arjanto, 2020). The death penalty's main reason is still in effect because of the government and society's firm belief that the death penalty will have a deterrent effect and general deterrence and give fear among criminals not to commit the crime in the future (Walia, 2009). However, the promised deterrent effect of the death penalty is a myth (Masykuri, 2016). The death penalty fails to guarantee the legal system's most basic benefits to the communities in which it operates. This benefit is not a cruel punishment but consistency and fairness as the goal of punishment.

This study focuses on whether the death penalty is deterrent on terrorism in Indonesia. When the death penalty as deterrent is connected with indoctrination of a bridge to heaven, it is become ineffective and is crucial to re-examine the death penalty and look for the way out. Based on the problems above, the questions will be: why the death penalty does not affect as a deterrent against terrorism crimes? What are the consequences of the imposition of the death penalty on terrorism?

METHODOLOGY

This is a socio-legal research that explores the death penalty of terrorism from a religious-legal approach. The author uses a desk research method with collected documentary sources and written documents based on terrorism and death penalty information-it deterrent and indoctrination theories to dissect the problems. The author uses source such primary legal materials, secondary materials, and tertiary legal materials related to terrorism. As for theoretical and academic contributions, this article provides a valuable understanding of the death penalty on terrorism analysis and its effects on the Indonesian Criminal Justice system. The results of this study indicate that the death penalty in Indonesia does not have a deterrent effect on terrorism due to indoctrination and misunderstanding of religious teaching of Jihad.

LITERATURE REVIEW

The pro and against the death penalty among scholars continue to decorate the criminal law and human rights literature. Earlier proponents agree that the death penalty should be applied as often as possible to prevent future crimes and provide a sense of justice and moral order (Colyer, 1999). Garofalo in Zavatta (2017) support the death penalty by saying:

"The perpetrator of a crime is a person who does not deserve to live in society because morals so far removed from society in them that they are deeply disturbing to the conscience."

Punishment, like execution, has a deterrent effect on would-be killers (Ehrlich, 1975). Van-Den-Haag (1986) looked at punishment in terms of justice by saying that:

"If one includes justice among the purposes of punishment, then it may justify one punishment-even death-on the grounds of justice."

He further said that although it is not to cause physical pain, the execution was the only physical punishment still applied to adults (Van-Den-Haag, 1986).

Abolitionist, however, agrees that the death penalty does not address future murders (Colyer, 1999). Bowers & Pierce (1980) claim that execution is brutalization and human sacrifice without consistent or reliable evidence that executions' de jure availability negatively affected homicides. Death penalty as undeniably cruel, inhuman, and degrading and does not have an era effect on criminals; imprisonment is more significant as a deterrent against the perpetrator (Hood & Hoyle, 2015; Radelet & Lacock, 2019).

Recent studies in several countries prove that sentencing to death convicts of terrorism to curb their followers is illegal and futile; and lack of valid evidence that the death penalty is better than other punishments for combating terrorism (The Office of the High Commissioner for Human Rights, 2020). Also, most reject the death penalty because it may be a judicial error; life comes from God, and humans do not have the right to end another human being (Romanov, 2013). The author of one idea with abolitionists, and, indoctrination (Robinson and Holcomb, 2020; Garrison, 1986) or terrorist brainwashing (Tan, 2011), must be a primary concern and is likely to answer the conundrum around the death penalty's inefficiency. The indoctrination such as heaven, haven angels and "*Allahu Akbar*", makes more terrorist followers prefer into Jihad so that the death penalty for terrorism crimes is ineffective; Terrorism has become unhindered and is still growing in Indonesia.

The Growing of Terrorism in Indonesia

As a secular state with the largest Muslim population globally (World Population Review, 2020), the country generally produces religious terrorism as the primary form of terrorism, ranking 42 out of 130 countries for the severity of terrorism (Setianto, 2019). Islamic extremist groups in Indonesia demand literal implementation of Quranic values such as Jemaah Islamiyah (J.I.) and Jemaah Ansharut Daulah (JAD), two of the world's deadliest Islamic extremist groups (Setianto, 2019). For example, the Bali bombing killed more than 200 civilians. The religious terrorists are slightly different from other terrorist groups of other ideologies; they are small in numbers but more dangerous and cause the highest casualty rates wounded and killed per attack (Feldman and Ruffle, 2008; Ayu, 2020). Most of them justify the most heinous acts "*in the name of Allah*" (Hudson, 1999). But in general, terrorists in carrying out their actions often use the phrase *Allahu Akbar* (God is great) as a basis for legitimizing their activities. However, their inhuman actions prove that terrorists have an ideology full of hatred, a doctrine of destruction, not by the teachings of religion, especially Islam. Claiming in the name of Islam in committing terrorists even though they shout *Allahuakbar* is a lie; it is just a false justification to kill innocent people in the name of God (Nagourney, 2017).

Some scholars deny a significant relationship between Islam and terrorist behavior. Terrorists carry the name and Islamic terms in carrying out actions such as Jihad (Junaid, 2013; Zulfadli, 2017; Handoko, 2019). Other researcher's say that Islamic terrorism is a real threat nationally and globally (Kustana, 2017). These means of violence, among other things, justify any means in achieving their goals, including carrying out acts of bombing, kidnapping, robbery,

and other criminal acts to obtain their mission. Terrorism action represented by radical groups such as Jemaah Islamiyah (J.I.) also tries to replace the existing value order in society according to their ideology is not for and on behalf of Islam. The declaration of Jihad by such a terrorist group does not represent the state; consequently, the action is against the law.

Even though there is no relationship between Islam and terrorism in Indonesia, their terrorist actions tend to align with Islamic teaching (Hanifa, 2018; Fenton 2014; Kustana, 2017; Sinaulan, 2016). According to Hanifa (2018), Islam is considered a religion that teaches violence. Even acts of terrorism committed by Muslims, regardless of their religious motives, are still considered part of Islamic ideology's influence. Terrorism that carries the ambition of truth uses various vehicles such as political and economic reasons. Whatever the vehicle, terrorism displays a hegemonic, anarchist, and radical character. Terrorism is a form of crime that is well organized, transnational, and classified as an extra-ordinary crime that does not differentiate between targets (indiscriminative). Meanwhile, Jihad is fighting in earnest. Jihad is to carry out the primary mission of humans, namely upholding the religion of Allah, in ways according to the lines of struggle of the Qur'an.

A lengthy debate is a relationship between terrorists Islam and killing the infidel in God's name (Allah) through Jihad. Jihad is one of the most misunderstood teachings of Islam as if it became synonymous with holy war. However, Jihad is a noble job (Knapp 2003), but Jihad committing suicide or injuring oneself or other innocent people is an act that is very contrary to Islamic teachings (Roshandel and Chadha, 2006). The question is if Jihad is sacred, why is it permissible to kill innocent people or calls to kill infidels?

There are some reasons why terrorist simphatyzers continue to increase and make the death penalty ineffective. The multi interpretation of some verses of Alquran will cause Jihad. The Alquran verses have the potential to carry out terrorist acts (Nurrohman, 2017). Islamic terrorists legitimize violent Jihad actions permitted by the Koran because of religious sanctions that allow the use of violence to defend and to safeguard God's will in the Islamic community (Venkatraman, 2007). According to the Koran, if these verses are misinterpreted, it will lead to murder, which is considered legitimate. For example, Imam Samudra, one of the Bali bombers, quoted a piece from verse 36 at taubah:

"... and fight all the polytheists as they also fight against you all, and know that Allah and those who fear "

Imam Samudra concluded that the war would last until there is no more polytheism and until Allah's religion, namely Islam, wins over other faiths. In other words, until all humankind testifies that there is no God but Allah and that Muhammad is the Messenger of Allah. That is to say, that Jihad's objective is to impose Islam, and there is no religion other than Islam. Destroy other faiths is one of the potential dangers and misinterpretations made in understanding the Quranic verses about Jihad. This misinterpretation is a betrayal of the Koran, which advocates brotherhood between Muslims and non-Muslims (Allam, 2015). However, if Jihad is part of Islam, it is difficult to reject Jihadists' violence and terrorism with nothing to do with Islam. However, the call for not to go for Jihad rather than deepen knowledge about religion as stated in Q.S. At-Taubah 9:

"It is not proper for the believers to go all of them (to the battlefield). Why not go away from each class among them some people to deepen their knowledge of religion and to warn their people when they return to them, so that they may guard themselves."

Even though Jihad has a negative meaning due to actions contrary to Islamic teachings, it is acceptable, according to some groups such as Jemaah Islamiyah (J.I) and Jamaah Ansharut Daulah-JAD (Setianto, 2019). This expression is well known among extremist groups, which means blind love for their group and blind rejection of people outside their group. So they are antipathy towards people of other religions.

The terrorist indoctrinated that committing Jihad that cost human lives are still considered the right thing, are developing rapidly among Jihadists. The groups indoctrinated that committing Jihad, such as bombing that cost human lives, are still considered the right thing. Meanwhile, self-martyrdom must be on the intention to protect Muslims and to upholding Islam; suicide is an act of foolishness that is based on frustration and has nothing to do with keeping religion (Hilmy 2008). For example, when the government has been declared an infidel, all opposition to the government, such as acts of terror, whether in suicide bombings, explosions, or murder of government officials, are supposedly legal actions.

Terrorist groups that use religion to cover up acts of violence cannot hide ignorance. This act is heretical thought from the Koran verses and misleads and justifies what they do by committing violence and murder and bloodshed. Although this is foolishness in interpreting the Koran verses, it is still a crime against the holy book and an insult to the prophet. Factors such as excessive bigotry towards religion, the wrong doctrine of messages contained in religious aqidah, and low education are essential factors in various acts of terrorism (Hendijo, 2014).

Second, spiritual crisis factor: Terrorists in Indonesia, who are dominated by the doctrine of radical Islamic Jihad, are the same as terrorists in the Philippines affected by a spiritual crisis (Manalo, 2004). Terrorism also arises because of the inability of terrorists to interpret Islam teaching. As a result, those who can be persuaded to become suicide bombers have relatively minimal religious education and knowledge-no less important, the ruling government regime's unfair legal treatment.

Third, there are still many people who have a narrow understanding of translating religious values in society. As a result, perpetrators can be influenced to follow influencers to carry out terror against humanity. Asy Syariah, in its special edition (2017), mentions that there are four the stupidity of terrorism in Jihad, including the following:

1. Terrorist groups consider that by criticizing the mistakes of the government through free media, demonstrations, pulpits, sermons, agitation and politics, "*Tabligh Akbar*" (large scale Koran recitation program or gathering) accompanied by provocations that ignite people's emotions and anger towards their government is Jihad as a form of practicing hadith.
2. The terrorist group very quickly imposes kafir verdicts on Muslim governments that do not carry out Allah's law.
3. The Khawarij terrorist group did not understand the laws of Jihad. Islam cannot do Jihad individually or in groups sporadically. Jihad must be in togetherness with the government of the Muslims and their command. Jihad is a noble practice in Islam.
4. Terrorists do not understand that they may not kill all infidels.

Al-Jauziyah, as quoted by Asrori (2015) that there are several ways to eradicate radicalism. First, get rid of evil and replace it with kema'rufan; second, get rid of sin by reducing

it, although not wholly eliminating it; third, get rid of evil by giving rise to the same evil; and fourth, to get rid of sin by bringing forth evil that is more evil than it.

Fourth, indoctrination of heaven and angles. The nature of terrorists who developed with jihadists' concept is ready to die with the belief that heaven's reward is a phenomenon of indoctrination. The heaven and the readiness to die is a realistic view of terrorists themselves (Nitibaskara 2002). Such a terrorist act is undoubtedly the result of thought, which is often influenced by indoctrination. Terrorists sell heaven cheaply by calling for Jihad and killing opponents. With the lure of paradise, Terrorists spread the virus of extremism and with the interest of heaven, and succeeded in tricking their followers into joining Jihad.

Fifth, there is a group of Islam fundamentalist minorities supports Jihad. The rise of Islam militancy or fundamentalism. Radical Muslims refer to those who use extreme measures such as violence to change political and social conditions and those who tacitly agree with such acts of power even if they do not commit the action themselves. Gross (1998) explain the principle of fundamentalism, which has resistance to forms that endanger religion's existence, whether in the form of modernism, secularism, or Westernism; and, is his rejection of hermeneutics. Fundamentalist groups reject critical attitudes to the text and its interpretation. According to this group, the text must be understood because reason is considered unable to provide a correct understanding of the book. Therefore this group is also called textual-scripturalists. This causes a terrorist network that is difficult to trace when joining this group. Besides, terrorists also have this group's support, so it is complicated to trace and break the chain of terrorist networks. That there is a narrow understanding among certain religious communities that the war against terrorism is considered to be fighting Islam. For example, Ali Imron's statement, a Bali Bomber, as quoted by Salenda (2002) that the bombing carried out at the Philippine Embassy in Jakarta was an expression of retaliation against the barbarity of Israel, America, and the enemies of Islam who carried out attacks on Muslims.

In line with the explanation above, Hassan (2006) also argues that Islamic fundamentalism considers that their identity is in danger and is being eroded by culture and religion's hybridity. They retain sacred past interpretations, doctrines, beliefs, and practices. For them, the modernity and globalization that characterize the world constitute a severe threat to the traditional worldview. The main reason for the emergence of Islamic fundamentalism is Muslims' feeling, including highly educated people, that they afraid of losing their Islamic identity, which has been eroded by the West. Muslims also feel that Islamic societies will become worse off with the social revival caused by Western influence than other communities. Modern Islamic fundamentalism is a collective response to emotional and intellectual crises because it promises to return to "*true Islam*", which can solve all problems.

Fundamentalist groups assert that non-Muslims must be lowered in rank in a Muslim country so that their status is lower in front of Muslims (Hassan, 2006). For example, non-Muslims must wear a special badge so that they are easily identifiable. Furthermore, non-Muslims are not allowed to build churches or synagogues higher than mosques, and they must be secondary to Muslims in all daily social activities. Including Muslims are prohibited from initiating peaceful greetings to non-Muslims. The premise that motivates them is that Islam must dominate and dominate.

Consequently, non-Muslims living in Muslim areas must be made to feel inferior not to stand their status. This condition will be an entry point for them to see the truth and convert to Islam. This way, they can leave their low level behind. Based on several classical jurists' works,

fundamentalists are keen to fight for theology, known as loyalty and separation doctrines. This doctrine states that Muslims are only obliged to care, interact, and make friends only with Muslims. Muslims are allowed to ask non-Muslims for help only when they are weak and needy, but as long as Muslims can gain their strength, they must take their superior status. Muslims must not befriend non-Muslims or allow themselves to care for or love non-Muslims.

Sixth, it is easier for terrorist recruitment through Islamic School (Pesantren). There are several ways of indoctrination to recruit potential terrorists and with different targets. The most effective recruitment method is through Islamic schools or Pesantren with teaching methods that praise Jihad so that they are easier to recruit a student to be a suicide bomber (Tan, 2011). For this reason, many people say that Madrasas, as incubators for violent extremism and jihad factories, indoctrinating Muslim students with hatred of the West, an ideology of intolerance, violence, and hatred with differences (Tan, 2011; Nurpratiwi, 2019).

Also, the Islamic Boarding School (Pesantren) primary purpose is to prepare future Islamic religious scholars (ulama). However, some Pesantren has become a particular concern for several reasons because they have graduated alumni to become terrorists (Tan, 2011). It is undeniable that some Islamic boarding schools teach radicalism and teach hatred for non-Muslims (Nurpratiwi, 2019). It means that terrorists are not recruited from members of the general public only, but through indoctrination of heretical teachings about Jihad through school, which should be a place to educate tolerance, human rights, and respect human dignity.

Indoctrination of Heaven and Angles of Heaven

On 15 September 2007, a letter from Bali Bombers containing three messages addressed to the public as follows: First, if released, they will live the rest of his life to Jihad. "*Wherever they are ready for jihad.*" Second, if executed, they are ready. Because they can meet the prophets, mujahid who were martyred, and God willing, meet the angels in heaven. Third, if they are still not executed, they will sincerely accept it and will fill their lives by making the best use of it for worship (Muhamad, 2008).

Also, the messages on social media (Wadehel Wordpress, 2006) praising Amrozi as the Smiling Bomber said:

1. Ohh, how happy
2. I'm going to heaven soon.
3. Greeted by shirtless angels
4. For a while, I was bathing in the river of milk.
5. After bathing, I will show four beautiful angels.
6. Every day is just enjoying heaven.
7. Oh the pleasure

Some bombers also say that heaven is a reward for terrorists who have Jihad and killed humans. Mohiussunnath Chowdhury, the terrorist who planted the bomb in the city of London, made his eleven plans in heaven include (Alfaisal, 2020):

1. Tour the entire property in Jannah and choose the main palace.
2. Meet all wives and name and choose a primary.
3. Decorate the main palace.
4. Meet all family and feast.

5. Meet all friends and feast.
6. Meet all Ambiya [prophets] and Sahaba [companions of Prophet Mohammed].
7. Meet Allah [God].
8. Visit Jannah market.
9. Spend time with wives.
10. Choose quests to embark upon.
11. New form of entertainment.

As there is no link between education level and poorness to terrorism, a superhero's feeling is excessive, namely the degree of superhero delusion. To some extent, this tendency is categorized as usual because humans are social creatures. It becomes abnormal when these levels of superhero delusions are excessive. There is an internal urge to change the social order so that there is an order by the desired personal perception quickly. Radical action was taken to achieve this. Even if he/she has to sacrifice his/her own life, he/she willingly, then this is an acute superhero delusion.

According to the terrorists, doing terror is advantageous for them; if they kill, they can be rewarded, or if they are killed, they will go straight to heaven and meet heaven's angles (Hanifa, 2018; Hilmy, 2008). They think that killing immoral or disbelief people would be acceptable in heaven by Allah. The suicide action of bombing is inseparable from the strength of their doctrine. That what is being done is an imperative that must be done, to hell with the wrong verdict or the government's death sentence. It is a belief, a commandment from God that must be carried out. For hardline religious groups (fundamentalists), committing violence and even bombing others is considered a struggle (Jihad), which has a very noble position with God and cannot even be negotiated to be postponed. This is the doctrine they build and develop in their members. The risk of death or execution for them is not a barrier, but instead, there is hope and a promise to enter heaven. This is the power of their "*jihad*," which never goes out.

This doctrine's strength is actually challenging to be stopped and conquered by anyone and with any resistance. Therefore, their groups may die, but with their doctrine and ideology. Based on their doctrine and ideology, the acts of terror committed by them are rational or reasonable and considered truth. Even if capital punishment and execution provide a deterrent effect or as an effort to control terrorism crimes, it will not affect those exposed to the ideological symptoms of terrorism because they are ready to die before and or for a moment about to commit the crime.

A shred of concrete evidence that this terrorist group is very ready to die is when the South Jakarta District Court Judge convicted the defendant Aman Abdurrahman had committed a criminal act of terrorism and sentenced him to death. Aman Abdurrahman's attorney, Asludin Hatjani, as reported by CNN (Ayuragil, 2018), said:

"It is safe not to trust Indonesia's law. In Indonesia, it does not use Allah's law; therefore, it does not recognize this court. When he got sentenced to death, he even bowed his gratitude. Before the trial, he said, 'If I got sentenced to death, I would bow down in appreciation'."

One of the stories to understand first is the story of Garil, whose father lived in the Bali bombing incident when he was ten years old. When he was 21 years old, the National Counterterrorism Agency (BNPT) gave Garil and his mother access to meet directly with the bombing perpetrator, Ali Imron, convicted. During the meeting with Ali Imron, Garil spilled all his heart with tears in his eyes. There is nothing Ali Imron can say other than bowing,

apologizing, feeling guilty, and sorry. Garil also revealed that he felt very relieved to say what he had been hiding for a dozen years. Garil also said:

"I give it all, and the important thing is that he has admitted his mistakes and repentance, which repents his relationship with God. I feel her sincerity. He already apologized".

From the description above, the life sentence is more beneficial. The benefits in question are first, for the perpetrator of the crime himself, a life sentence becomes a means for them to reflect on the committed crime to realize that the act is wrong and change them back to be useful (for this use a religious approach). Second, it benefits from the government, namely in assisting in preventing or exposing terrorism crimes.

Thus, the death penalty and the execution do not provide a deterrent effect against the crime of terrorism. Because this problem is related to ideological understanding, the execution will break the chain of terrorism crimes, which may also be related to other terrorism crimes.

The solution to acts of terrorism, domestic recruitment can be effectively prevented by involving Muslim organizations and ulama. The process of deradicalizing thoughts must go on because even though they got execution, the ideology of terror still exists. So efforts to eradicate terrorists are in vain. In the Indonesian context, if the ulama are good at explaining our state's concept with Pancasila, it seems that the deradicalization process can be successful. There is not a single principle in Pancasila that contradicts the teachings of Islam. The One and Only Godhead, Just and Civilized Humanity, Indonesian Unity, Democracy Led by Wisdom in Representative Deliberations, and Justice.

CONCLUSION

The crime of terrorism in Indonesia still exists because the death penalty cannot deter terrorism crimes due to heaven's indoctrination. The crime of terrorism is an ideological problem in which one who commits a crime of terrorism. The terrorist considers that what they are doing is right because this action is Jihad, which in their ideology when they die while committing this act; they are very ready to go to heaven and meet heaven angles.

Therefore, the death penalty can't be significant since there is no deterrent effect on a person who later intends to commit a similar crime. Then terrorism still exists today and may exist in the future even though the death penalty has been executed. Apart from fulfilling a sense of justice, the law also has a secondary objective. Namely to frighten people from committing crimes, either by frightening people (general preventive) or by scaring people who have committed crimes, so that in the future, they become people of good character and beneficial in society.

Based on these discussions, the author suggests that the purpose of legal sanctions is not only a meaning of retaliation. However, it has the added goal of frightening the public to know and not commit terrorism crimes in the future. Then provide education in the form of legal sanctions or punishments for criminals to regret their actions and return to good behavior.

REFERENCES

Alfaisal, L. (2020). *Would-be terrorist to-do list in heaven: Choose palace, possess wives, and meet God*. Retrieved from <https://english.alarabiya.net/en/variety/2020/02/12/Would-be-terrorist-s-to-do-list-in-heaven-Choose->

- palace-possess-wives-then-meet-God.html?fbclid=IwAR0Y_rDi1HleJKzxisGL7Wof40wNSMqXV7nn8dBXRwgSpwIRCgB4TB7cumA
- Allam, S. (2015). *Terrorists and their Quranic delusions*.
- Arjanto, D. (2020). *Extermination of drugs at Polda metro, 100 Perpetrators Already Sentenced to Death*.
- Asrori, A. (2015). Radicalism in Indonesia: Between historical and anthropicity. *Journal of Religious Studies and Islamic Thought*, 9(2), 253-268.
- Ayu, P. (2020). *Most dangerous minority: Indonesia's radical Islam*.
- Ayuragil, K. (2018). Safe gratitude after the sentencing has been planned. *CNN Indonesia*. Retrieved from <https://www.cnnindonesia.com/nasional/20180622132153-12-308044/sujud-syukur-aman-abdurrahman-usai-vonis-sudah-direncanakan>
- Bowers, G.J., & Pierce, G.L (1980). Deterrence or brutalization: What is the effect of executions? *Crime & Delinquency*, 26(4), 453-484.
- Colyer, G.W. (1999). *Is capital punishment a deterrent to crime? Thesis, California State University*.
- Death Penalty Information Center. (2017). *Abolitionist and retentionist countries*. Retrieved from <https://deathpenaltyinfo.org/policy-issues/international/abolitionist-and-retentionist-countries>
- Ehrlich, I. (1975). The deterrent effect of capital punishment: A question of life and death. *American Economic Review*, 65(3), 397-417.
- Faiz, D. (2019). Death penalty sentences increase 236 percent in the Jokowi era. *CNN Indonesia*. Retrieved from <https://www.cnnindonesia.com/nasional/20191010231327-12-438586/vonis-hukuman-mati-naik-236-persen-di-era-jokowi>
- Feldman, N.E., & Ruffle, B.J. (2008). *Religious terrorism: A cross-country analyzes*. Retrieved from <https://www.neaman.org.il/EN/Files/1-146.pdf>
- Fenton, A.J. (2014). Change and continuity in Indonesian Islamism ideology and terrorist strategy. *Journal of Islamic Studies*, 52(1), 1-24.
- Garrison, J. (1986). The paradox of indoctrination: A solution. *Synthese*, 68(2), 261-273.
- Gross, S.R. (1998). Update: American public opinion on the death penalty-It's getting personal (Symposium: How the Death Penalty Works: Empirical Studies of the Modern Capital Sentencing System. *Cornell Law Review*, 83(6), 1448-75.
- Handoko, A. (2019). Analysis of terrorism crimes impersonating religion. *Journal of Social and Cultural Syar-I*, 6(2), 155-178.
- Hanifa, S. (2018). *Four terrorist confessions can kill innocent people*. Retrieved from <https://www.merdeka.com/peristiwa/4-pengakuan-teroris-tega-ngebom-orang-tak-bersalah.html?page=2>
- Hassan, R. (2006). *Islam from conservatism to fundamentalism*. Jakarta: Rajawali.
- Hendijo. (2014). *Jadoel's sentence in the archipelago*. Indonesian Archives.
- Hilmy, M. (2008). The theological constructions of radical Islamism in post-new Order Indonesia. *Miqit*, 32(1), 32-49.
- Hood, R., & Hoyle, C. (2015). *The death penalty: A worldwide perspective*. Oxford: Oxford University Press.
- Hudson, R.A. (1999). *The sociology and psychology of terrorism: Who becomes a terrorist and why?* Library Congress.
- Junaid, H. (2013). Terrorism group movement in western and Islamic perspective. *Sulesana*, 8(2), 118-135.
- Kustana, T. (2017). Islamic terrorism in Indonesia: Addressing government strategies and Muslim population. *Defense Journal*, 3(2), 77-100.
- Makarim, M. (2014). *Some views of the death penalty and its relevance to the legal debates in Indonesia*. Retrieved from <http://reference.elsam.or.id/wp-content/uploads/2014/12/beberapa-pandangan-about-law-mati-death-penalty-dan-relevansinya-dengan-perdebatan-law-di-indonesia.pdf>
- Malau, B.S.L. (2020). There are 100 drug suspects sentenced to death in 2020 National Police Chief: Hopefully they will be executed soon. *Tribun News*.
- Manalo, E.P. (2004). *The Philippine response to terrorism*. The Abu Sayyaf group. Thesis. Naval Postgraduate School.
- Masykuri, R. (2016). *The politics of the death penalty in Indonesia*. Tangerang: Marjin Kiri.
- Muhamad, D. (2008). *This is the will of Amrozi Cs. Inicom*. Retrieved from <https://inilah.com/news/60593/inilahwasiat-amrozi-cs>
- Nagourney, E. (2017). Allahu akbar: Everyday phrases. *The New York Times*.

- Nitibaskara, R.R. (2002). Terrorists as full face crimes: An overview of criminology and criminal law. *Indonesian Journal of Criminology*, 2(3), 14-21.
- Nurpratiwi, S. (2019). Educational model of inclusive Islamic boarding Schools. *Conference Paper: International Conference on Islam and Civilization (ICIC)*.
- Nurrohman, T. (2017). *Verses of terrorism: The problem of radical's theological reasoning*. IAIN Metro.
- Radelet, M.L., & Lacock, T.L. (20019). Recent development do executions lower homicide rates? The review of leading criminologists. *The Journal of Criminal Law & Criminology*, 99(2), 489-508.
- Robinson, P.H., & Holcomb, L. (2020). *Indoctrination and social influence as a defense to crime: Are we responsible for who we are?* Retrieved from https://scholarship.law.upenn.edu/faculty_scholarship/2153/
- Romanov, S. (2013). Death penalty: Sociological Survey of public opinion on the abolition of the death penalty in the republic of Tajikistan. *Penal Reform International*. Retrieved from https://cdn.penalreform.org/wp-content/uploads/2014/05/Death-Penalty_Sociological-survey_Tajikistan-March-2014.pdf
- Roshandel, J., & Chadha, S. (2006). *What is the ideology of jihad? Jihad and International Security*. Palgrave Macmillan, New York.
- Salenda, K. (2009). Analysis of terrorism practices in the name of Jihad. *Alqalam*, 26(1), 75-101.
- Setianto, N. (2019). Tackling terrorism and religious extremism in Indonesia. *The Monsoon Project*. Retrieved from <https://www.themonsoonproject.org/tackling-terrorism-and-religious-extremism-in-indonesia/>
- Sinaulan, R.L. (2016). Islamic law and terrorism in Indonesia. *International Journal of Nusantara Islam*, 4(1), 13-28.
- Syariah, A. (2017). *Ignorance of fertile lands of terrorism*.
- Tan, C. (2011). *Islamic education and indoctrination: The case in Indonesia*. London Routledge.
- The Office of the High Commissioner for Human Rights. (2016). *The death penalty should not be used as a deterrent for terrorism-UN rights experts warn*. Retrieved from <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20659>
- Van-Den-Haag, E. (1986). *The ultimate punishment: A defense*. Retrieved from <https://www.pbs.org/wgbh/pages/frontline/angel/procon/haagarticle.html>
- Venkatraman, A. (2007). Religious basis for Islamic terrorism: The Quran and its interpretations. *Journal Studies in Conflict & Terrorism*, 30(3), 229-248.
- Wadehel Wordpress. (2006). *Amrozi goes to heaven, everyone can be relieved*. The Similing Bomber.
- Walia, I.K. (2009). *Reference of deterrent theory in capital punishment*.
- World Population Review. (2020). *Indonesian population 2020*. Retrieved from <https://worldpopulationreview.com/countries/indonesia-population>
- Zavatta, L. (2017). Controversial theories on the death penalty. *Beijing Law Review, Beijing Law Review*, 8(2), 212-225.
- Zulfadli. (2017). Islamic radicalism and terrorism motives in Indonesia. *Akademika*, 22(1), 173-198.