THE IMPLEMENTATION OF DERADICALIZATION REGULATION THROUGH RELIGIOUS MODERATION PROGRAM:

Study at State Islamic Higher Education

Agus Purnomo*
Faculty of Sharia, IAIN Ponorogo, Indonesia
Email: agus.purnomo@iainponorogo.ac.id

Kardi

Faculty of Economic and Islamic Business, IAIN Ponorogo, Indonesia Email: kardi@iainponorogo.ac.id

*Corresponding author

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Abstract: This article aimed to find the form of the role of strengthening religious moderation in implementing Law No. 5 of 2018 concerning Terrorism, considering that the two have overlapping focuses. This paper is based on field research conducted at two State Islamic Higher Education (PTKIN) that feature religious moderation programs. The approach taken in this research was legal sociology, precisely legal effectiveness. As a result, the form of strengthening religious moderation carried out by PTKIN in preventing radicalism, which is part of combating terrorism, has not played a significant role. Differences in the conditions of the regions where PTKIN is located are insufficient to differentiate the programs to enhance religious moderation. Therefore they have no implications for the role performed in preventing the notion of radicalism, particularly terrorism. Factors that create obstacles to implementing Law No. 5 of 2018 through strengthening religious moderation are aspects of the legal structure and legal substance.

Keywords: Regulation; Terrorism; Radicalism; Deradicalization; Religious Moderation

Abstrak: Artikel ini bertujuan menemukan bentuk peran penguatan moderasi beragama dalam mengimplementasikan UU No. 5 Tahun 2018 Tentang Terorisme, karena antara keduanya memiliki fokus yang saling beririsan. Tulisan ini adalah riset lapangan (field research) di dua Perguruan Tinggi Kagamaan Islam Negeri (PTKIN) yang memiliki program penguatan moderasi beragama. Pendekatan yang digunakan dalam tulisan ini adalah sosiologi hukum yakni efektivitas hukum. Hasilnya, bentuk penguatan moderasi beragama yang dilakukan PTKIN dalam mencegah paham radikalisme yang menjadi bagian dari pencegahan terorisme belum menunjukkan peran yang signifikan. Perbedaan kondisi wilayah tempat PTKIN berada, tidak cukup membedakan terhadap program penguatan moderasi beragama yang dilaksanakan, sehingga tidak berimplikasi terhadap peran yang

dilakukan dalam mencegah faham radikalisme terlebih terorisme. Faktor yang menjadikan kendala bagi implementasi UU No 5 Tahun 2018 melalui penguatan moderasi beragama adalah pada aspek struktur hukum dan substansi hukum.

Kata Kunci: Regulasi; Terorisme; Radikalisme; Deradikalisasi; Moderasi Beragama



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INTRODUCTION

The enactment of Law No. 5 of 2018 concerning Amendments to Law No. 15 of 2003 Concerning Stipulation of Government Regulations instead of Law No. 1 of 2002 Concerning Eradication of Criminal Acts of Terrorism to Become Laws has provided the impetus to institutions that are the leading sector in eradicating terrorism, namely the BNPT (National Agency Counterterrorism), to prevent terrorism in Indonesia. The reason for this is that the law can serve as a legal framework for the BNPT to eradicate terrorism, which was previously dependent solely on Government Regulations in place of laws (Perpu) that frequently had to "deal" with human rights issues (HAM). This law has been followed by PP No. 77 of 2019 concerning the Prevention of Terrorist Criminal Acts and the Protection of Investigators, Public Prosecutors, Judges, and Correctional Officers.¹

According to the Centre for the Study of Islam and Society (PPIM) at UIN Syarif Hidayatullah Jakarta, the trend for intolerant religious attitudes in society, especially educational institutions, is quite strong. For example, in 2017, PPIM published religious perspectives from 34 provinces comprised of students, university students, and lecturers. This study discovered that 58.5% of pupils had intolerant religious views and radical opinions, 51.1% had internal intolerance opinions, and 34.3% had external intolerance opinions.²

The problem of terrorism and radicalism cannot be tackled solely by repressive measures in the form of punishment and penalty but also through preventive efforts, as stated by Article 43 of Law No. 5 of 2018, enhanced by PP (Government Regulation) No. 77 of 2019. National Preparedness, counter-radicalization, and

Dwi Haryadi, "Pemberantasan Terorisme Berorientasi HAM," *Masalah-Masalah Hukum* 43, no. 2 (2014): 247–54; Fairus Augustina Rachmawati, "Bring Back Terrorist into the Society: How Indonesia Deradicalize the Terrorist," *Semarang State University Undergraduate Law and Society Review* 2, no. 1 (January 30, 2022): 57–86, https://doi.org/10.15294/lsr.v2i1.53480.

² R.E. Saputra, *Api Dalam Sekam: Keberagaman Generasi Z (Survei Nasional Tentang Sikap Dan Perilaku Keberagaman Di Sekolah Dan Universitas)*, Convey Report (Jakarta: Pusat Pengkajian Islam dan Masyarakat UIN Syarif Hidayatullah Jakarta, 2018), 3.

deradicalization measures can all contribute to prevention.³ Furthermore, under the coordination of the BNPT, efforts to combat radicalism can be implemented by involving the community, including academics, practitioners, religious leaders, community leaders, the commercial sector, and institutions/ministries. Among the prevention models is the Ministry of Religion's work to strengthen/mainstream religious moderation.

In this context, religious moderation is critical in the fight against extremism, which leads to counter-terrorism. According to Ma'ruf Amin (Vice President of the Republic of Indonesia), religious moderation can be recognized by four indicators: tolerance, nonviolence, national dedication, and a knowledge of multicultural religious behavior. In other words, religious moderation is a strategy for combating radicalism by shaping a person's behavior and attitude to become accepting, nonviolent, dedicated to the nation, and respectful of multiculturalism, all of which radicalism opposes.

The Ministry of Religion, as outlined in its strategic plan document for 2020-2024, is obliged to realize religious moderation and religious harmony.⁵ Therefore, the Ministry of Religion is leading in its mainstreaming efforts. Although in terms of terminology, the term religious moderation is only known now, substantively, the Ministry of Religion has carried out the mission of maintaining harmony since its inception. It is currently gaining momentum to realize religious moderation in a more systematic and structured manner.⁶

When the Ministry of Religion was led by Lukman Hakim Saifuddin, strengthening religious moderation was carried out systematically and continuously, at least through 3 (three) strategies, namely: *first*, socializing the idea of religious moderation; *second*, the institutionalization of religious moderation into binding policies; and *third*, integrating the perspective of religious moderation into the 2020-2024 National Medium-Term Development Plan (RPJMN).⁷

⁴ Fransiska Ninditya, "Wapres: Moderasi Beragama Kunci Toleransi Dan Kerukunan," *Antara News*, November 3, 2020, https://www.antaranews.com/; Mohammad Rindu Fajar Islamy, "Islam and Religious Moderation: The Role of School Laboratory In Negotiating Religious Moderation Within Theological Plurality," *Al-A'raf*: *Jurnal Pemikiran Islam Dan Filsafat* 18, no. 1 (June 30, 2021): 91–110, https://doi.org/10.22515/ajpif.v18i1.3418.

³ Indonesia, Law No 5 of 2018 Concerning Terorism.

Ministry of Religious Affairs of the Republic of Indonesia, Minister of Religious Affairs Regulation No. 18 of 2020 on the Ministry of Religious Affairs Strategic Plan 2020-2024.

⁶ Tim Penyusun, Moderasi Beragama, (Jakarta: Badan Litbang dan Diklat, Kementerian Agama RI, 2019), 107.

⁷ Tim Penyusun, *Moderasi Beragama*, (Jakarta: Badan Litbang dan Diklat, Kementerian Agama RI, 2019).

Furthermore, the Ministry of Religion's policy was followed up with a suggestion to establish religious moderation houses in all State Islamic Higher Education (PTKIN).⁸ Each PTKIN will carry out activities and creations as an implementation of religious moderation, which in turn will be able to contribute to the prevention of radicalism and terrorism in Indonesia. The main focus of this research is the realization of various forms of religious moderation in PTKIN.

The PTKINs that are the focus of this research are UIN Surakarta and IAIN Ambon. The selection of research objects is based on the track record of the area where PTKIN is located, which is closely related to the emergence of radicalism at several moments. The hope is that other aspects of the PTKIN moderation program will be found in an environment where radicalism has developed. UIN Surakarta is located in the city of Solo, which has given rise to several "hard" Islamic organizations. The Indonesian Mujahidin Council (MMI), the Qur'an Interpretation Council (MTA), the Surakarta Islamic Community Warriors (LUIS), the Islamic Youth Command Unit (KPPI), and the Surakarta Muslim Community Communication Forum (Forkuis) are among these organizations.

Furthermore, Surakarta is seen as a fertile environment for the spread of radical Islam due to its actions being related to networks of organizations such as Jemaah Islamiyah (JI) and international terrorists such as the KMMM (Malaysian Muslim Military Group). The perpetrators of the Bali bombings and other incidents are thought to have close ties to local leader Ustadz Abubakar Ba'asyir, who oversees the al-Mukmin Ngruki Islamic boarding school, as well as the imam of the Indonesian Mujahidin Council and the Jamaah Anshorut Tauhid (JAT).¹⁰

Meanwhile, Ambon has been regarded as a conflict zone since 1998, when economic troubles and the monetary crisis erupted. The succeeding fight, however, intersected in the name of religion and ultimately concluded with the Malino

^{8 &}quot;Kemenag Siapkan Program Kerja Rumah Moderasi Di PTKI," accessed October 13, 2021, http://pendis.kemenag.go.id/index.php?a=detil&id=11368#.YWZTkroxXIU.; Circular Letter of the Director General of Islamic Education of the Ministry of Religious Affairs of the Republic of Indonesia No: B-3663.1/Dj.I/BA.02/10/2019 dated October 29, 2019 on the Circular of the House of Religious Moderation.

Rumadi, "Regulasi Bernuansa Agama Dan Arah Demokrasi," in *Agama Dan Kontestasi Ruang Publik: Islamisme, Konflik, Dan Demokrasi*, ed. Badrus Samsul Fata (Jakarta: The Wahid Institute, 2011), 94.

Zakiyuddin Baidhawy, "Dinamika Radikalisme Dan Konflik Bersentimen Keagamaan Di Surakarta," *Ri'ayah: Jurnal Sosial Dan Keagamaan* 3, no. 02 (January 22, 2019): 2; I. Ihsan and Ahmad Fatah, "Pancasila and Islamic Education: The Deradicalization Model of Madrasahs Based on Islamic Boarding Schools in Central Java," *QIJIS* (*Qudus International Journal of Islamic Studies*) 9, no. 1 (July 21, 2021): 245–78, https://doi.org/10.21043/qijis.v9i1.8941; David Efendi et al., "Mainstreaming Religious Moderation in Preventing Radicalisms in Contemporary Indonesia: A Case of Muhammadiyah" (International Joint Conference on Arts and Humanities 2022 (IJCAH 2022), Atlantis Press, 2023), 364–80, https://doi.org/10.2991/978-2-38476-008-4_41.

Agreement in 2001. Generally, the Ambonese people accept their "map gandong" culture. It's merely that the tolerance tradition cannot maintain the existing harmony.¹¹

So research on averting radicalism through moderate religious knowledge has been conducted by Hermawan¹², Husnul¹³, and Arif Prayogo.¹⁴ They argued that there were signs of radical thinking invading Islamic boarding schools, Islamic education, and Muslim sociopolitical life. As a result, it is vital to develop a curriculum centered on religious moderation. To support this viewpoint, Naamy proposes religious moderation to reduce radicalism in a pluralist society.¹⁵

Kurniawan also conducted studies on suppressing extremism through statutory instruments. According to him, Law No. 5 of 2018 on terrorism prevention brings new hope because previous restrictions have failed to discourage perpetrators. Meanwhile, Suntoro explained that the legislative process for Law No. 5 of 2018 meets the method for establishing a law, even though it is still fundamentally incompatible with human rights principles and standards. To

Compared to other writings, this research is substantively in line with religious moderation studies, including its location in educational institutions. However, this research focuses on the religious moderation model carried out by PTKIN as a follow-up to the Indonesian Ministry of Religion's policy related to efforts to prevent radicalism. In addition, this research is expected to be able to map the role of the

¹¹ Toni Setia Boedi, "Resolusi Konflik Agama Di Pulau Ambon," *Jurnal Ketahanan Nasional* 14, no. 3 (December 15, 2016): 51–60, https://doi.org/10.22146/jkn.22305.

Muhammad Wildan and Ahmad Muttaqin, "Mainstreaming Moderation in Preventing/Countering Violent Extremism (P/CVE) in Pesantrens in Central Java," *QIJIS (Qudus International Journal of Islamic Studies)* 10, no. 1 (August 19, 2022): 37–74, https://doi.org/10.21043/qijis.v10i1.8102; Arbanur Rasyid et al., "The Actualization of the Concept of National Fiqh in Building Religious Moderation in Indonesia," *Millah: Journal of Religious Studies*, July 16, 2022, 433–64, https://doi.org/10.20885/millah.vol21.iss2.art5.

Husnul Khotimah, "Internalisasi Moderasi Beragama dalam Kurikulum Pesantren," *Rabbani: Jurnal Pendidikan Agama Islam* 1, no. 1 (January 27, 2020): 62–68, https://doi.org/10.19105/rjpai.v1i1.3008; Muhammad Saekul Mujahidin, "Religious Moderation of Nadhlatul Ulama and Muhammadiyah in Combanting Religious Radicalism in Indonesia," *El -Hekam* 8, no. 1 (June 30, 2023): 231–48, https://doi.org/10.31958/jeh.v8i1.9201.

¹⁴ Ari Prayoga and Mohammad Sulhan, "Pesantren Sebagai Penangkal Radikalisme dan Terorisme," *Dirāsāt: Jurnal Manajemen dan Pendidikan Islam* 5, no. 2 (December 1st, 2019): 163–77.

Nazar Naamy and Ishak Hariyanto, "Moderasi Beragama Di Ruang Publik Dalam Bayang-Bayang Radikalisme," *Sophist: Jurnal Sosial Politik Kajian Islam Dan Tafsir* 3, no. 2 (November 3, 2021): 41–59, https://doi.org/10.20414/sophist.v3i2.51.

¹⁶ Arief Rianto Kurniawan and Yuliana Primawardani, "Proporsionalitas Pembatasan Ham Dalam Pasal 28 Undang-Undang Pemberantasan Tindak Pidana Terorisme," *Jurnal Legislasi Indonesia* 16, no. 1 (2019): 16–26.

Agus Suntoro, "Penerapan Asas Dan Norma Hak Asasi Manusia Dalam Undang-Undang Pemberantasan Tindak Pidana Terorisme (The Application of Human Rights Principles and Norm in the Law on Combating Criminal Acts of Terrorism)," Negara Hukum: Membangun Hukum Untuk Keadilan Dan Kesejahteraan 11, no. 1 (2020), https://doi.org/10.22212/JNH.V11I1.1371.

Ministry of Religion in efforts to prevent radicalism, considering that the Ministry of Religion is one of the ministries mentioned explicitly in the elucidation of Law Number 5 of 2018 must prevent radicalism, namely at the point of deradicalization.

CONSTRUCTION OF TERRORISM AND DERADICALIZATION IN LAW NO. 5 OF 2018

Radicalism is a misunderstanding of religion that eventually leads to violence and terrorism. Violence is intended to be utilized to keep ideology and group thinking alive. Terrorism, radicalism, and violence are sensitive topics in a complex society that affect all groups of people, especially those on college campuses. In truth, this occurred at the State of Islamic Higher Education (PTKIN) in Indonesia.

Radicalism occurs in Indonesia with various models. Post-New Order radicalism has a particular form. Several radical movements fought for their ideology not through the stages of democracy but through 'street politics.' For Martin van Bruinessen, the genealogy of contemporary Islamic radicalism in Indonesia begins with two 'indigenous' political Islamic movements, namely $D\bar{a}r$ al-Islām and the Masyumi Party. Several transnational Islamic networks entered later and interacted within it.¹⁹

Furthermore, radicalism is a mindset or attitude characterized by several characteristics, the first of which is intolerance and a refusal to respect other people's perspectives or beliefs. Second, there is the bigoted attitude, which is the attitude in which one feels most correct and thinks others are wrong. Third is exclusivity, which is contrary to most people's habits. Fourth, a revolutionary mentality is defined as a desire to use violence to attain one's ideals.²⁰ If we are not careful, the concept of radicalism might lead to acts or acts of terrorism to attain the objectives.

Terrorism, in comparison to radicalism, is severe radicalism that is shown in tangible actions to attain its objectives. This is accomplished by launching attacks or terrorizing opposing parties. Terrorism is a well-organized transnational crime classed as an unusual crime that does not discriminate between targets. Terrorism is

Ahmad Zayyadi, "Deradikalisasi Agama Dalam Strategi Penanggulangan Radikalisme Dan Terorisme Di Universitas Jenderal Soedirman Dan IAIN Purwokerto," An-Nidzam: Jurnal Manajemen Pendidikan Dan Studi Islam 5, no. 2 (2018): 19–40.

¹⁹ Greg Soetomo, "Radikalisme Di Indonesia: Sejarah Rekonstruksi Dan Dekonstruksi," *Indo-Islamika* 6, no. 1 (February 25, 2020): 127, https://doi.org/10.15408/idi.v6i1.14798.

²⁰ Guntur Cahaya Kesuma et al., "Deradikalisasi Paham Agama Melalui Organisasi Ekstra Kampus Di Universitas Islam Negeri Raden Intan Lampung," Fikri: Jurnal Kajian Agama, Sosial Dan Budaya 4, no. 2 (2019): 160.

either destructive or anarchic. Terrorist acts frequently seek to instill dread without regard for rules or limits.²¹

There are several definitions of terrorism put forward by experts, including Habib, who defines terrorism as a planned threat carried out by using sudden physical violence against unprepared targets (non-combatants) to achieve political goals.²² Meanwhile, the 1937 UN Convention defines terrorism as all crimes aimed directly at the state to create forms of terror against certain people or groups of people or the wider community.²³ From several different definitions, in general, the definition of terrorism is characterized by: a) Planned by the perpetrators, b) Carried out by groups, c) Using violence, d) Social, political, or religious motives.

Acts of terrorism which are the fruit of radicalism, are latent dangers that are not easy to destroy. Therefore, we need a legal instrument that can comprehensively resolve it. Law number 5 of 2018 is the Anti-Terrorism Law which has undergone amendments and additions to several chapters and articles from the previous Law, namely Law No. 15 of 2003. One of the additional chapters is regarding prevention which is contained in Chapter VIIA concerning Prevention of Criminal Acts of Terrorism which consists of four articles, namely articles 43A to 43D. As is known in Article 43A, paragraph (3), it is stated that the intended prevention efforts can be carried out in three ways, namely, 1) national preparedness, 2) counterradicalization, and 3) deradicalization.

National preparation is defined in Law No. 5 of 2018 (Article 43B) as "the condition of being ready to anticipate the occurrence of criminal acts of terrorism through a planned, integrated, systematic, and continuous process." The appropriate ministries/agencies carry out national readiness under the coordination of the agency in charge of counter-terrorism affairs. Community empowerment, increasing apparatus capacities, safeguarding and enhancing infrastructure, producing terrorism studies, and mapping areas prone to radical terrorism are all part of national preparedness.

²¹ Salman Maggalatung, Konstruksi Moderasi Beragama Catatan Guru Besar UIN Syarif Hidayatullah Jakarta (Jakarta: PPIM UIN Syarif Hidayatullah, 2021), 101.

²² Afif, "Terorisme, Perang Pengganti," *Sky is the Limit* (blog), April 20, 2006, https://afif.wordpress.com/2006/04/20/terorisme-perang-pengganti/; Zaenal Mustakim, Fachri Ali, and Rahmat Kamal, "Empowering Students as Agents of Religious Moderation in Islamic Higher Education Institutions," *Jurnal Pendidikan Islam* 7, no. 1 (June 30, 2021): 65–76, https://doi.org/10.15575/jpi.v7i1.12333.

²³ Loudewijk F. Paulus, "Terorisme," *Bulettin Balitbang Dephan* V, no. 8 (2002), http://buletinlitbang.dephan.go.id.

Meanwhile, counter-radicalization (Article 43C) is a planned, integrated, systematic and continuous process carried out against people or groups vulnerable to exposure to radical terrorism to stop the spread of radical terrorism. Counter-radicalization is carried out by the Government, which is coordinated by the agency that organizes affairs in the field of counter-terrorism by involving the relevant ministries/agencies. Counter-radicalization is carried out directly or indirectly through counter-narratives, counter-propaganda, or counter-ideology.

Meanwhile, deradicalization (Article 43D) is a planned, integrated, systematic and continuous process that is carried out to eliminate or reduce and reverse the understanding of radical terrorism that has occurred. Deradicalization is carried out on a) suspects; b) the accused; c) the convict; d) prisoners; e) former terrorism convicts; or f) a person or group of people who have been exposed to radical terrorism. Deradicalization of people is given through the following stages: a) identification and assessment; b) rehabilitation; c) re-education; and d) social reintegration. Deradicalization is carried out through a) fostering national insight, b) religious insight, and/or c) entrepreneurship.²⁴

Counter-Radicalization and Deradicalization activities are carried out by the government, in this case by the BNPT, in collaboration with relevant ministries/institutions such as the National Police, the Ministry of Religion, and the Ministry of Education, among others. Terrorism is brutal to prevent since there is no tight monitoring mechanism to detect radicalization formation by radical religionists through mosques in critical public locations such as malls, government offices, and state-owned enterprises. As a result, for a deradicalization program to be successful, it must be observed from each region where the terrorist network is located because the solutions implemented from each region differ. The deradicalization program is not implemented nationally but is based on local conditions and context.

Deradicalization transforms complex attitudes and perspectives into soft, accepting, pluralistic, and moderate ones. According to Golose, as described by Farid Septian, deradicalization is an endeavor to neutralize radical beliefs using an interdisciplinary approach that includes political, law, economics, psychology, religion, and social culture for people influenced by extremist or pro-violence ideology. In simple terms, deradicalization is the opposite of radicalization.²⁵

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²⁴ Indonesia, Law No 5 of 2018 Concerning Terorism.

Kesuma et al., "Deradikalisasi Paham Agama Melalui Organisasi Ekstra Kampus Di Universitas Islam Negeri Raden Intan Lampung," 160; Muhammad Turhan Yani and Yusuf Hanafi, "Deradicalization through

Deradicalization intersects with the functions that the Ministry of Religion must perform at this juncture.

THE ROLE OF STRENGTHENING RELIGIOUS MODERATION IN PREVENTING TERRORISM

Strengthening religious moderation is a Ministry of Religion priority program. Hence the State Islamic Higher Education (PTKIN) within the Ministry of Religion incorporates it into the curriculum of each tertiary institution. Furthermore, the Director General of Islamic Education published rule No. 7272 of 2019, establishing the House of Religious Moderation. Every PTKIN in Indonesia, totaling 58 institutions, has built Religious Mediation Houses continuously. Religious Moderation Houses will be created at 32 tertiary universities by 2020. Meanwhile, 26 tertiary institutions lack a formal organization called the House of Religious Moderation.²⁶

The main objective of promoting religious moderation is to promote a mindset balanced between practicing one's religion (exclusive) and respecting the religious practices of others with different beliefs (inclusive). This moderation or middle path in religious practice will prevent religious extremism, prejudice, and revolutionary tendencies. As previously said, religious moderation is a remedy to religion's presence of two extreme poles, the ultraconservative or extreme right on the one hand and the liberal or extreme left on the other.²⁷

In terms of the broad scope of strengthening the understanding of religious moderation, the Ministry of Religion has set the stages and strategies. The intended strategy includes, first, the dissemination of ideas, knowledge, and understanding of religious moderation to all levels of society; secondly, the institutionalization of religious moderation into binding programs and policies; and third, the integration of the formulation of religious moderation in the 2020-2024 National Medium-Term Development Plan (RPJMN).²⁸

UIN Raden Mas Said (RMS) Surakarta is one of the tertiary institutions that has established a House of Religious Moderation (RMB) in response to the Ministry of

Revitalization of Religious and Nationality Insights among Indonesian Students," *Edukasia Islamika* 7, no. 1 (June 30, 2022): 46–65, https://doi.org/10.28918/jei.v7i1.5209.

Najahan Musyafak et al., "Dissimilarity Implementasi Konsep Moderasi Beragama Di Perguruan Tinggi Keagamaan Islam," *Prosiding* 1, no. 1 (2021): 453–464, https://prosiding.muktamardosenpmii.com/index.php/mpdpmii/article/view/44.

²⁷ Tim Penyusun Kementerian Agama RI, Moderasi Beragama...., 18.

²⁸ Tim Penyusun Kementerian Agama RI, Moderasi Beragama..., iv.

Religion's mandate to enhance religious moderation. The institution's goal is to provide advice to the academic community on religious moderation education, as well as to combat radicalism and extremism on campus. RMB UIN Surakarta has set internal and external achievement goals. RMB's internal effort will foster religious moderation among all academics, including lecturers, students, and employees. Meanwhile, external religious moderation initiatives are aimed at high school students and the wider public.²⁹

RMB UIN RMS is preparing to provide educational programs to the public by making modules and pocketbooks like those published by the Ministry of Religion, games, and moderated comics using the character Raden Mas Said as the mascot. High school students were targeted because initially, there were currents that led to radicalism emerging from the high school level through Islamic spiritual organizations. RMB is also preparing a strategy to provide campaigns to high school students who have the potential to be exposed to radical views. Apart from that, RMB UIN Surakarta also cooperates with the Head of the Regional Office of the Ministry of Religion of Central Java to provide moderation reinforcement to religious instructors in Central Java. In addition to collaborating with the Central Java Ministry of Religion, RMB cooperates with BNPT and Surakarta Mayor Gibran Rakabuming Raka.

RMB surveyed new 2021 students for various reasons, including screening to determine the educational background of students from high school, MA, SMK, or Islamic boarding schools. Second, to assess the index of moderation at the initial evaluation stage and to guide policy decisions in 2022.

RMB UIN RMS also performs insertions in lectures such as the Adab and Language Faculty (FAB) in the Cultural and Religious Insights Course and Islamic and Local Culture study. The UIN RMS, a religious moderation house, performed research using LP2M funding to support the wives of terrorism convicts (*napiter*). Among them are economic help, trauma elimination, and persecution.

The Religious Moderation House, which will be founded in 2021, will also work to strengthen religious moderation at IAIN Ambon. This institution is chaired by Hasbollah Toisuta, a Malino Peace advocate for interfaith unity. Furthermore,

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Moh Ashif Fuadi et al., "Strengthening Religious Moderation to Counter Radicalism at IAIN Surakarta," Al-Tahrir: Jurnal Pemikiran Islam 21, no. 2 (November 2, 2021): 261–84, https://doi.org/10.21154/altahrir.v21i2.3102.

Hasbollah is the person responsible for the work of the Ambon Reconciliation and Mediation Centre (ARMC).³⁰

According to him, IAIN Ambon plays several roles in peacebuilding, including (1) Placing the academic process in the spirit of multicultural integration of science, Islam/Christianity, humanity, science and culture, and technology; (2) establishing an IAIN Ambon Centre for Mediation and Reconciliation Studies or an IAKN Ambon Centre for Intercultural and Religious Studies; (3) IAIN Ambon and IAKN Ambon are active in the process of research and community service based on strengthening the multicultural vision; (4) Designing a curriculum with a weighting curriculum that requires students to take multicultural courses or closely related to how to manage diversity; (5) Transforming cross-country (village) *pela* and *gandong* culture into cross-campus interfaith encounters; (6) Initiating various cross-sectoral collaborations with various elements of society.³¹

Hasbollah added that RMB IAIN Ambon is collaborating with various parties, including the State Christian Religious Institute (IAKN), the Regional Police, Regional Military Command, Asia Foundation, and other NGO institutions concerned with peace and religious harmony. In addition, IAIN Ambon also conducts training for convicts. It transforms a culture of peace which develops cross-religious meeting efforts to increase social appreciation for pluralism, especially building relations and tolerance among religious communities in Ambon known as *pela gandong*. ³² *Pela Gandong* is one of the answers for the people of Ambon in fighting against changes in society's character, which sometimes erodes the spirit of religious harmony. ³³

The explanation above demonstrates that the PTKIN Religious Moderation House's strengthening initiatives have not progressed beyond previous actions. Furthermore, even though they are in varied locations with different societal conditions associated with the escalation and potential for radicalism movements, the variations in their actions tend to be homogeneous. For example, the IAIN Ambon Religious Moderation House has exclusively carried out activities in the

³⁰ Hasbollah Toisuta, Head of Rumah Moderasi Beragama IAIN Ambon, Interviews, September 7, 2022.

Mahyuddin Mahyuddin, "Peran Strategis IAIN Ambon dan IAKN Ambon Dalam Merawat Toleransi Sosial dan Moderasi Beragama di Ambon Maluku," *Kuriositas: Media Komunikasi Sosial dan Keagamaan* 13, no. 1 (August 27, 2020): 118, https://doi.org/10.35905/kur.v13i1.1410.

Mahyuddin, 110; M. Nurul Ikhsan Saleh, "The Religious Leaders' View on Deradicalization Efforts through the Islamic Educational Institutions and Anti-Terrorism Law in Yogyakarta," *Progresiva: Jurnal Pemikiran Dan Pendidikan Islam* 11, no. 01 (June 15, 2022): 69–86, https://doi.org/10.22219/progresiva.v11i01.21834.

Mahyuddin, "Peran Strategis IAIN Ambon dan IAKN Ambon Dalam Merawat Toleransi Sosial dan Moderasi Beragama di Ambon Maluku," 110.

form of academic community strengthening through religious moderation outreach that features lecturers from the BNPT (National Agency for Combating Terrorism). Even when students come from a neighborhood or location with a history of severe religious conflict, there has not been a reinforcement activity with "more" creation provided to them. Similarly, at UIN Surakarta, a model of fostering religious moderation is implemented.

However, compared to IAIN Ambon, UIN Surakarta's Religious Moderation House has engaged in more diverse activities. External postsecondary institutions, including as high schools/Aliyah and Islamic residential schools, have been made aware of the need to socialize the notion of religious moderation. Students from both public/formal schools and Islamic boarding schools will be used as input for UIN Surakarta students. As a result, students must be introduced to a "middle" understanding of Islam (*wasasthiyah*) amid Surakarta's heterogeneous religious understanding conditions. Surakarta has been viewed as a fertile ground for the propagation of radical Islam in the previous decade due to their actions being related to networks of organizations such as Jemaah Islamiyah (JI) and international terrorists such as KMMM (Malaysian Muslim Military Group). The perpetrators of the Bali bombings and other incidents are thought to have tight relations with local leader Ustaz Abubakar Ba'asyir, who heads the al-Mukmin Ngruki Islamic boarding school, as well as the imam of the Indonesian Mujahidin Council and, lastly, Jamaah Anshorut Tauhid (JAT).³⁴

Overall, the correlation between religious moderation and the implementation of Law No. 5 of 2018 has yet to take shape. Even if there is, it is done haphazardly and personally rather than in an organized manner as envisaged by the existing religious moderation house. Deradicalization initiatives at IAIN Ambon included personal lectures to terrorism convicts (Napiters), and the person in question happened to be the head of the IAIN Ambon religious moderation house. UIN Surakarta differs from IAIN Ambon in that, in addition to lectures, it gives economic aid to the convict's wife/family. As a result, they are generally aware of the previously held misconception.

³⁴ Benny Afwadzi and Miski Miski, "Religious Moderation In Indonesian Higher Educations: Literature Review," *Ulul Albab: Jurnal Studi Islam* 22, no. 2 (December 31, 2021): 203–31, https://doi.org/10.18860/ua.v22i2.13446; Zakiyuddin Baidhawy, "Dinamika Radikalisme Dan Konflik Bersentimen Keagamaan di Surakarta", *Ri'ayah*, 3, No. 02 (2018), 2.

Table 1: The Form of Religious Moderation Reinforcement

No	PTKIN -	The Reinforcement Model		The Implementation	Characteristi
		Socialization	Institutionali zation	of The Law Number 5/2018	CS
1	UIN	• Course	Forming	Accompaniment of	Scheduled/
	Surakarta	Insertion	RMB	Napiter Wife	Institutionali
		 Seminar 		Economic Field	zed
		• PBAK			
		 Research 			
		 Arrangement 			
		of religious			
		moderation			
		indeks			
2	IAIN	 Seminar 	Forming	Lecture to the	Few/
	Ambon	• PBAK	RMB	Napiter	Personal

IMPLEMENTATION OF LAW NO. 5 OF 2018 THROUGH STRENGTHENING RELIGIOUS MODERATION

Discussing the implementation of a law or law means discussing the implementation and application of a law or law. To find out the implementation or application of a law or law, it seems appropriate to use the theory of legal effectiveness, which Lawrence M Friedman presented. For him, a lack of legal implementation and its success can be observed from 3 things: Legal Structure, Legal Substance, and Legal Culture.³⁵

The legal structure serves as a law enforcement organ, ensuring laws are correctly enforced. According to Law No. 8 of 1981, the legal framework begins with the Police, Prosecutors, Courts, and Criminal Executing Agencies (Lapas). The authority of law enforcement agencies is protected by law. Thus they are free from the influence of government power and other factors when carrying out their tasks and obligations.³⁶

In enforcing and supervising the function of the religious moderation house at PTKIN, legal structure can be defined as a party that enforces and supervises the function of the religious moderation house at PTKIN. In this regard, no party ensures that the House of Religious Moderation functions correctly. Regarding

Mahfud MD, "Politik Hukum Dalam Perda Berbasis Syari'ah", Jurnal Hukum, No. 1 Vol. 14," *Jurnal Hukum* 14, no. 1 (2003): 3.

³⁶ Achmad Ali, Menguak Teori Hukum (Legal Theory) Dan Teori Peradilan (Judicialprudence) Termasuk Interpretasi Undang-Undang/Legisprudence (Jakarta: Kencana Prenada Media, 2009), 8.

performance, there is no mechanism to control or evaluate the work of religious moderation homes, including the three organizations studied in this study. No institution focuses on this issue, not only at PTKIN but also at the Ministry of Religion.

Aside from the issue of monitoring and enforcing performance, the institutional issues of the House of Moderation of Religion have not been fully regulated, resulting in each PTKIN having a different structure for the House of Moderation of Religion and its status. Some academic institutions, such as UIN Surakarta and IAIN Ambon, place the House of religious moderation directly under the Deputy Chancellor. In contrast, others position it under the Institute for Research and Community Service. Furthermore, the budget issue is a problem in and of itself. Even though it is not a direct object of the legal structure, the lack of clarity on the budget has repercussions for the weakening of the House of Moderation in Religion in implementing Law Number 5 of 2018.

In terms of substance, the system contains the rules, conventions, and patterns of genuine human behavior. Thus, the legal substance concerns the applicable laws and regulations, which have binding authority and serve as instructions for law enforcement officers. The substance also refers to the product created by those working in the legal system, such as the judgments they issue and the new regulations they design.³⁷

Regarding this legal substance, many rules govern the implementation of Law 5 of 2018 by increasing religious moderation, namely: 1) Government Regulation No 77 of 2019 concerning the Prevention of Criminal Acts of Terrorism and Protection of Investigators, Public Prosecutors, Judges, and Correctional Officers, 2) Decree of the Minister of Religion of the Republic of Indonesia Number 93 of 2022 concerning Guidelines for Implementing Religious Moderation Strengthening for Civil Servants of the Ministry of Religion, 3) Circular Letter of the Director General of Islamic Circular Education Ministry of Religion Letter Number B3663.1/Dj.I/BA.02/10/2019 dated October 29, 2019, regarding the need for PTKI to establish a House of Religious Moderation.

The regulations controlling enhancing religious moderation to implement Law Number 5 of 2018 are relatively solid in terms of legal substance, albeit there are certain flaws. A distinct frame of mind is nevertheless required, for example, in the case of the concept of religious moderation. What religious moderation means,

³⁷ Ali, 10.

including its elements and indications, and the difficulties in adopting it in higher education must be defined. Similarly, consider how religious moderation values are incorporated into education, research, and community service activities. It is also required in formal learning to regulate students and their actions in student organizations, particularly extra-campus organizations, and international study groups.

Meanwhile, legal culture is the environment of social ideas and dynamics that determine how the law is applied, avoided, or misapplied. Legal culture is inextricably linked to societal, legal understanding. The greater the community's legal understanding, the better the legal culture will be established, and the community's attitude toward the law will change. Simply put, the level of public compliance with the law indicates how well the law works.³⁸

Regarding legal culture, the implementation of Law No 5 of 2018 has something to do with the PTKIN academic community's willingness to adopt the religious moderation program. Even if establishing a religious moderation program is generally favorably regarded, there are pro and con sentiments in numerous places, including the two PTKINs studied. Suspicions abound that the religious moderation program is a "foreign project" or a program affiliated with a specific group.³⁹ The preparedness of all elements in PTKIN to share a standard view of religious moderation significantly impacts the execution of Law No. 5 of 2018 by strengthening religious moderation.

Based on the description above, it can be said that the implementation of Law No. 5 of 2018 through strengthening religious moderation has not been carried out correctly. As a new program, strengthening religious moderation revolves around artificial and formal aspects. The activity model is also much the same among the many PTKINs, including those that are the objects of research, namely UIN Surakarta and IAIN Ambon.

Several obstacles remain to implement Law No. 5 of 2018 through strengthening religious moderation at UIN Surakarta and IAIN Ambon. Borrowing Friedman's theory of legal effectiveness, which includes legal structure, legal substance, and legal culture, the factors that have prevented the implementation of Law No. 5 of 2018 to its full potential are aspects of legal structure and legal substance.

³⁸ Lawrence M. Friedman, Sistem Hukum Perspektif Ilmu Sosial (Bandung: Nusa Media, 2001), 8.

Toisuta, Head of Rumah Moderasi Beragama IAIN Ambon; M. Syaiful Mujab, Head of RMB UIN RMS, Interviews, September 5, 2022.

CONCLUSION

The model of strengthening religious moderation carried out by PTKIN in preventing radicalism has not experienced significant developments over time. Furthermore, the model of strengthening/programs implemented is similar to that of most PTKINs under the Ministry of Religion. The efforts in question revolve around developing the House of Religious Moderation and socializing religious moderation through seminars. Similarly, UIN Surakarta and IAIN Ambon have done this. Differences in the regions where PTKIN is located are insufficient to differentiate the programs to enhance religious moderation. Therefore they have no implications for the role played in preventing radicalism.

Implementing Law No. 5 of 2018 by enhancing religious moderation has various flaws. According to Friedman's theory of legal effectiveness, the challenges to implementing Law No. 5 of 2018 are in legal form and substance. Regarding legal structure, it was discovered that no institutions in the Ministry of Religion dealt with deradicalization constantly and occasionally. Regarding legal substance, the present regulations, specifically Law No. 5 of 2018, are still global, necessitating derivative regulations that regulate in more detail.

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