



TERRORISM: A STUDY OF STIGMATIZATION BETWEEN ISLAM AND STATE IN INDONESIA

Wardah Yuspin, Kelik Wardiono, Santoso*

Faculty of Law, Universitas Muhammadiyah Surakarta, Surakarta, Indonesia

*corresponding email: wy204@ums.ac.id

Wardah Yuspin, Kelik Wardiono, Santoso. Terrorism: A Study of Stigmatization between Islam and State in Indonesia. - Palarch's Journal of Archaeology of Egypt/Egyptology 17(3) (2020), 1-20. ISSN 1567-214X. 20 pages + 13 figures, 3 tables + 4 frames.

Keywords: Stigmatization, Terrorism, Muslim, Indonesia

ABSTRACT

Indonesia is the largest Muslims country in the world. At the beginning of independence, Muslims had a significant role in compiling the foundation of the nation. During the Old Order, the relationship between Muslims and state was inharmonious, many Islamic activists were arrested on charges of treason especially during the PKI (Indonesia Communist Party) ruling. In the early days of the New Order, the relationship between Muslims and State was visibly disharmonious. In the late 1980s, the relationship between Islam and State gradually improved but it did not last because in 1998, the New Order regime was overthrown and the new order of Indonesia called the *Reformasi* (reform order) which is the relationship between Islam and State is conflicting. It was initiated by the WTC Incident in 2001 and the 2002 Bali Bombing in Indonesia. Then, Legislation on the Eradication of Criminal Acts of Terrorism was stipulated and a special anti-terror unit called Densus 88 was formed. Almost all suspects arrested by Densus 88 and charged with the Terrorism Law were Muslims, while the incident in Papua perpetrated by OPM (Independent Papua Organization) which affected many victims was never called as Terrorism. Thus, there is a Muslim stigmatization in the Implementation of the Eradication of Terrorism Law.

Keywords:

INTRODUCTION

Aftermath the Bali Bombing, the war against terrorism in Indonesia was announced. Then, the Legislation on Terrorism was stipulated and a Special Unit to Fight against Terrorism was formed called the Counterterrorism Special Detachment 88 (Densus 88). Indonesia, behind the body of the Counterterrorism Special Detachment 88, has arrested many Islamic activists on the ground of being part of a Terrorism Network regardless of poor evidence. It is very common to use the articles of Information Retention, Hasan Al Rasyid case, for instance. Often, suspects were executed before the

court trial, the most recent case is the Siyono case whose death was caused by Densus 88.

According to Article 1 of the Government Regulation in Lieu of Law Number 1 of 2002 enacted by Law Number 15 of 2003 on the Eradication of Criminal Acts of Terrorism, Terrorism acts are all actions containing the elements of criminal acts according to the regulations stated in the provision of the Government Regulation in lieu of this law. Article 6 of the Government Regulation in Lieu of Law Number 1 of 2002 enacted by Law Number 15 of 2003 states that everyone who deliberately uses violence or threats of violence to create a sense of terror or fear among the wide public or claim massive victims by taking away freedom, properties or live of other human beings, or cause damage or destruction of strategic vital objects, the environment, public facilities or international facilities damage is charged with a prison sentence with a minimum period of four (4) years and maximum 20 years.

The source of funding for the Bali Bombing 2 was allegedly from the robbery of a gold shop in the Pekalongan. Thus, the robbery was named Terrorism activity. Meanwhile, other gold shop robberies can be referred to as a mere "robbery" or "crime". Two similar events are given different perspectives by the media. The ship hijacking by Somali pirates to ships passing in their area was never called terrorism by the media. The media only labeled them as robbers or pirates. It is clear that media policy in reporting on terrorism is bias or not based on what happens, but a policy with ideological content. Terrorist label is given to certain groups (in this case Islam) with special characteristics.

The data obtained on the 3rd anniversary of the WTC tragedy, September 11, 2011, have reached 150 terrorist suspects in Indonesia. Among them is the kidnapping of the first group of Islamic activists of 30 people, 10 people in the *Cimanggis* case, 6 people of Indonesian students in Pakistan, the latest 7 victims of kidnapping were Urwah, Ari Setiawan, Luthfi Haidaroh, Syaifuddin Umar, Ismail, Chandra, and Sonhadi. Of the seven victims, the most unfortunate event happened to Syaifuddin Umar. He was kidnapped near the Sukolilo Hajj dormitory in Surabaya (August 4, 2004) and was found in a severe depression and terrible injuries. The number of terrorists who were successfully exposed during 2018 was 396 people. A total of 141 people were followed up with law enforcement through a court trial, 204 people through investigation, 25 people died due to lethal force by law enforcement, 13 people died of suicide, 12 people were sentenced, and one person died due to illness.

From the acts of terror described above, there is a difference in treatment among incidents. Bomb incident at Alam Sutera Mall On October 28, 2015, at around 12.00 A.M was done by Leopard who was a Catholic, and Chief of Police Badrodin Haiti stated the bombing had nothing to do with terrorism. Another example is the incident of terror in Papua which occurred on Tuesday, December 12, 2017. An Armed Criminal Group (KKB) of 16 people allegedly shot Yovick Sondak (34), the excavator operator for the Trans Papua Wamena-Mumugu road, to death. Also, at the end of 2018 in Papua the mass shooting resulting in 31 deaths was not named Terrorists but an Armed Criminal Group (KKB). Basically, terrorism is referred to all terrorists as in Article 1 of Government Regulation in Lieu of Law Number 1 of 2002 enacted by Law Number 15 of 2003 on the Eradication of Criminal Acts of Terrorism, which is referred to as; terrorism acts are all actions containing the elements of criminal acts according to the regulations stated in

the provisions of the Government Regulation in lieu of this law. Article 6 of the Government Regulation in Lieu of Law Number 1 of 2002 enacted by Law Number 15 of 2003 states that everyone who deliberately uses violence or threats of violence to create a sense of terror or fear among the wide public or claim massive victims by taking away freedom, properties or live of other human beings, or cause damage or destruction of strategic vital objects, the environment, public facilities or international facilities damage is only targeted as the stigmatization of certain groups, however there are supposed to be "equality before the law" principle.

Based on the background above, the problem formulated is as follows: is there any stigmatization of the perpetrators of terrorism as a residue in the relationship between Islam and State in Indonesia?

RESEARCH METHOD

This research is based on a qualitative non-doctrinal approach. This research emphasizes primary data through interviews and observation on informants, consisting of five terrorist defence attorney and six former convicted terrorist and is supported by secondary data of literature study (Soemitro, 2001). The data processed will then be analyzed qualitatively. Analysis methods of qualitative data were carried out sequentially, comprising domain analysis, taxonomic analysis, component analysis, and cultural theme methods, and then data validation was performed through triangulation.

RESULTS AND DISCUSSIONS

DEFINITION OF STIGMATIZATION

Stigma, discrimination and human rights are closely interrelated. Stigma is described as a dynamic devaluation process that significantly discredits an individual before others. Skin color, speech, habits, and behavior can be the basis for Stigma labeling. For example, when black Africans commit crimes, they are labeled as "Black Criminals". Madurese people are often called "scavenger". Bruce Link and Jo Phelan (Link & Phelan: 2001: 363) state that Stigma exists if four components are fulfilled; individual differences and variations in human labels, cultural beliefs that become group attributes, individual and group labels that create a correlation between "us" and "them", and the label given to individuals to discriminate. In this situation, stigma causing labeling, stereotyping, exclusion, loss of status, and discrimination coexists with power relations.

One of the theories about Stigma was mentioned by Erving Goffman. In his book *Presentation of Self in Everyday Life* (1959) he suggested several interesting concepts including self, stigma, and frames. Stigma is the distance between virtual social identity and actual social identity. Those who experience it are called stigmatized. Stigma and stigmatization are visible signs to show which one is insider and outsider and create powerlessness and social injustice (Goffman, 1968). Stigma is an attribute that interferes with an individual's identity. Goffman distinguishes stigma into 3 types, namely:

a. Abomination of the body (Physical inequality)

This type of stigma is given to people who are physically disabled or display special physical characteristics distinguishing them from others. In general, people with different physical conditions from other people are then attached with special characteristics such as limp, one-legged, black, deaf, and mute. This stigmatization also names the special physical characteristics that a person has and contains the connotation of an action that is considered

deviant in society. For example, the label of Ahmad Jenggut (beardy Ahmad).

Ahmad Jenggut has the real name Ahmad but many media prefer to use "Ahmad Jenggut" as the title of the news. Indeed, physical marks possessed by a person such as beard and mustache are normal signs for men. In the news, the word "beard" is associated with terrorists so that this physical characteristic is attached to the actions carried out by the offender. To support the image of the news object, the media also usually add a short biography of the offender with a mysterious impression of a suspected terrorist with certain physical characteristics.

This stigmatization is carried out by describing the background and presuppositions whose truth is entrusted. Providing details of the perpetrator's activities related to their physical characteristics is also the effort to compile facts into the news with certain motives. Shortly, the facts are compiled as follows: Ahmad has the nickname Ahmad Jenggut, he is connected with terrorism activities, he lives in Cilacap and travels frequently, his neighbors do not know him well. Another element used is the contradiction which seems to show that the neighbors know the purpose of Ahmad Jenggut going to Lampung. In the news, it is stated that "the neighbors only knew the purpose of Ahmad was to sell doormats and brooms to Lampung" followed by the contradiction sentence "even though they did not see the goods he sold". The contradiction model is used to hide the real meaning of the text coated in reverse sentence structure. The media state that Ahmad's neighbors were not sure that he was trading mats and brooms because they never saw his goods.

b. Blemishes Of Individual character

This stigmatization shows people with despicable individual characters. For example, homosexual, lesbian, suicide, and drug addicts. Character inequality such as mental disorder, mental illness, and underdeveloped are also part of this stigma. Another form categorized as a despicable individual is often associated with good and bad characteristics in the majority eyes. For example, obscene *kyai*, and pedophile priests; sexual feelings towards children. Referring to society's opinion, *kyai* is a noble figure but when he commits sexuality, the social law given will be more severe than non-*kyai* perpetrators.

The mass media usually write sentences that indicate their deviant characters. For instance, the sentence "to the police, Aris and Hendra who are known to be pious..." This sentence displays the despicable individual character of the perpetrators. The figure "pious" depicted refers to individuals with respectful behavior in society. The fact is that the "pious" character of Aris and Hendra is depicted by terrorists. The depiction of the despicable individual character continues in the following paragraph.

The facts compiled to describe deviant characters of terrorists are as follows: pious figure in society, religious leader, a role model of society, and exploited by terrorist networks. These facts are arranged so that they become an intertwined paragraph, which is the part of stigmatizing process.

c. Tribal Stigma

Stigma of ethnic (tribal), race, religion, and nation, religious or political extremists can appear in the form of heredity. Examples: Ahmadiyya descent, terrorist children, and Chinese descent. One can also be called PKI because of communist political orientation.

Socialization membership reduces values such as racism and ethnic or gender minorities. Because stigma always carries negative thoughts,

individuals use strategies to protect themselves from "normal" situations. Individuals may try to hide their stigma if it can be disguised and limit the social impact of that stigma to the one identity they have. Another stigma, such as physical disability, can be seen as the primary status of an individual (Mubarak, 2012).

TERRORISM DEFINITION

The word terrorism comes from the Latin *terror* (trembling) and *deterre* (fear). Meanwhile, according to the Popular scientific dictionary, terrorism is a matter related to the actions of disruptors in society (politics); the use of violence and threats systematically to create fear and disrupt the existing system of power. Whereas, the CIA, FBI, and UN have their definitions of terrorism. According to the U.S. Central Intelligence Agency (CIA), International Terrorism is terrorism committed with the support of a foreign government or organization and/or directed against a country, agency, or foreign government. To the U.S. Federal Bureau of Investigation (FBI), terrorism is the use of unlawful power and violence over a person or property to intimidate a government, civilians, and their elements to achieve social or political goals. The UN Convention in 1937 defines terrorism as all forms of terror against certain people or groups of wide society. (Sinaga, 2017).

In the general explanation of Law Number 15 of 2003, it is stated that terrorism is an international crime that poses a danger to security, world peace, and is detrimental to the welfare of the community. Thus, it is necessary to carry out planned and sustainable eradication.

Even though terrorism is said to be an international crime, yet to date, terrorism has not been recognized as an international crime by the United Nations. Even the attempt to include terrorism into the international jurisdiction of the Criminal Court in the Rome Convention in 1998 was rejected, especially by OIC countries and also the United States (Asmasmita, 2004).

The motive behind the rejection of terrorism has not been recognized as an international crime is because the definition of terrorism itself is very plural or multi-interpretative, depending on the point of view used, as a result, there is no universally accepted agreement or diversity regarding the meaning of terrorism.

An example of the complexity to get a universally accepted agreement or diversity on the meaning of terrorism is the debate between the United States-Israel on one side and Syria -Cuba on the other side in the Ad Hoc meeting on terrorism from the United Nations General Assembly (General Assembly's Ad Hoc Committee on Terrorism) in early 2003.

During the meeting, the American-Israeli side proposed that the definition of "terrorism based on the legal order is as the only measure." On the other side, Syria and Cuba proposed the definition of terrorism in the framework of legal language as an instrument that can bind internationally. Meanwhile, the Israeli delegation rejected the proposal to include political language in the draft, which attempted to distinguish between good terrorism and bad terrorism because according to them all terrorists will always identify their actions with noble goals.

Meanwhile, according to the second party, the proposals from America and Israel made an inadequate definition of terrorism since it was unable to seize terrorism by the state. The Syrian spokesperson showed the definition of terrorism by the state. The Syrian delegations pointed out how the definition of terrorism applied only one way in the Israeli-Palestinian

conflict. The term terrorism only applied to suicide bomb attacks carried out by Palestinian militias against Israeli civilian targets. Meanwhile, counter-attacks as well as other attacks by Israel against civilian Palestinians with even a great number of civilian casualties were never called terrorism. The Cuban representative added that terrorism would not be possible to be overcome if there was still ambiguity, especially from America, which condemned certain types of terrorism while allowing or even protecting others. (Permata, 2014).

Due to no universally accepted agreement or uniformity regarding the definition of terrorism, it is understandable if some experts or countries define terrorism according to their point of view.

According to Brian Jenkin (Hendropriyono, 2014), terrorism is 'a strategy of violence designed to promote desired outcomes by instilling fear in the public at large'. Terrorism is '... the use of threatens or the use of force designed to bring about political change,...'

Meanwhile, according to Jhonson, terrorism means 'the deliberate, systematic murder, maiming and menacing of the innocent to inspire fear in order to gain political ends..terrorism is politically evil, necessary evil and wholly evil... (Hendropriyono, 2014'

Further, Hoffman contributes the meaning as 'terrorism is a purposeful human political activity which is directed toward the creation of general climate of fear, and is designed to influence, in way desired by the photographer, other human beings and, through them, some corpus of events' (Wiyono, 2014).

Schmid and Jongman in their book 'Political Terrorism' define: "Terrorism is an anxiety-inspired method of repeated violent action, employed by (semi-) clandestine individuals, groups, or state actors, for idiosyncratic, criminal, or political reason, whereby - in contrast to assassination - the direct target of violence are not the main targets. The immediate human victims of violence are generally chosen randomly (target of opportunity) or selectively (representative or symbolic targets) from a target population"

According to the Department of Foreign Affairs of the United States, terrorism is planned, politically motivated violence aimed at unarmed targets by spinoff groups or underground agents, with the purpose of influencing others (Purwawidada, 2014).

THE RELATIONSHIP BETWEEN ISLAM AND STATE

The Indonesian Islamic movement emerged when Arab and Persian traders entered the west coast of Sumatra in the 7th century. Islam developed rapidly in the 13th century with the establishment of the first Islamic kingdom in North Sumatra, namely *Pasai* or *Samudera Pasai*. Gradually, the first Islamic kingdom continued to stimulate the establishment of other Islamic kingdoms, such as the Demak Kingdom and the Ternate Kingdom, thus Islam became the majority religion in Indonesia. During that period, the Indonesian Islamic movement more focused on religious *da'wah* (sermon).

Muslims have a very big role in the establishment of the Unitary State of the Republic of Indonesia. From the era of struggle against Dutch colonialism, the period of independence and post-independence, Muslims had always been at the forefront. The resistance of the Sultan of Banten, the Javanese War commanded by Prince Diponegoro and Kyai Mojo, the Padri War, the Banjar War, the Aceh War, the *Gerilya* (Guerilla) War led by General Soedirman and the Surabaya *arek-arek* (youths) led by Bung Tomo

with the spirit of *Takbir* screams and the spirit of *jiḥad* regardless very limited weapons defeated the allied forces armed with modern weapons. Those are some examples of the struggle of the Muslim community with the spirit of *jiḥad* against colonials in the motherland, the Unitary State of the Republic of Indonesia. *Jiḥad fi sabilillah* (struggle for the sake of Allah) was called out. Thousands of *kyai* (Islamic leader), students, Islamic leaders, and civilians took up arms, educating future generations.

In preparing for Indonesian independence, the role of Muslims cannot be underestimated. Islamic figures played an important role in establishing the basis of Indonesia that was incorporated in the Investigating Committee for Preparatory Work for Independence (BPUPKI), including Ki Bagoes Hadikoesoemo, Prof. Abdoel Kahar Moezakir, dr. Soekiman Wirjosandjojo, K.H. Wahid Hasyim, Abikoesno Tjokrosujoso, Haji Agoes Salim, KH. Ahmad Sanoesi, KH. Abdoel Halim, AR Baswedan, Muhammad Roem, and others.

During the Old Order Government under Soekarno, to maintain its power, the government restricted the political activities of Islamic leaders and Islamic activists who were arrested and then detained due to different path with the government.

The change in the orientation of the relationship between the Old Order and Muslims was also influenced by the strength of the Indonesian Communist Party. Soekarno's government created an idea called *Manipol/Usdek* (Political Manifesto, Indonesian Socialism, Guided Democracy, and Indonesian Personality) which attempted to unite the three branches, nationalist, religious, and communist. Soekarno openly promoted Pancasila as the State Ideology. Soekarno also began to limit the political activities of Islamic leaders and even detained some of them, such as Muhammad Natsir, Kasman Singodimejo, Prawoto Mangkusawito, and M. Hamka. This method was expected to weaken and extinguish the desire of the Islamic groups so that they would no longer become a threat to the sustainability of the government of President Soekarno.

In the New Order government, using the Subversion and Intelligence law, many Muslim activists were arrested on charges of treason.

General Soeharto in 1968 officially became the official President of the Republic of Indonesia at the MPRS session. The government of President Soeharto tried to increase its supporting power through Islamic groups, such as he released Islamic figures imprisoned during the government of President Soekarno and provided political opportunities to participate in elections. However, the Islamic groups considered that Soeharto was not the ideal leader that they expected and wanted a replacement of the National Leadership. Ever since, the government of President Soeharto regarded Islamic groups as the main competitors in maintaining power and political direction towards Muslims, especially when the mass demonstration demanded MPRS to abolish Suharto's candidacy.

Soeharto considered Islam a threat after the Communists were completely eradicated. Since February 1968, President Soeharto began to limit the movements of the Muslim community. As proven by allowing former Masjumi to lead and participate in politics and take part in the Indonesian Muslim Party. Since then, Soeharto marginalized the Islamic group which lasted from 1970-1990. In the historical record, Indonesia has found the marginalization of the Islamic community, which was built by the power of Islamophobia to divide Muslims in various ways.

In the late 1980s, the relationship between Islam and State had was fairly good. Many regulations published facilitated Muslims. Furthermore, since the last five years or so, we have witnessed the political will of the state to accommodate the socio-religious, economic, and political interests of Islam. It included passing education law that listed religious as a compulsory subject (1988); the passing of religious court law that strengthens the position of the Islamic court to decide matters of marriage, divorce, and inheritance (1989); the formation of ICMI (1990); compilation of Islamic law (1991); joint ministerial-level decisions regarding the institutions for collecting and distributing zakat — Bazis (1991); changing policies that prohibit Muslim high school female students from wearing headscarves (1991); organizing an Islamic cultural festival — Festival Istiqlal (1991); the establishment of BMI (1992); abolition of the state lottery— SDSB (1993); development of religious infrastructure, such as mosques, religious educational institutions; teaching Arabic on national television; and sending Muslim preachers to transmigration areas. Worthy to note that although it was often overlooked, many of these practices were in line with the demands of the previous generation of Islamic political leaders and activists, yet it did not last until in 1998 when the New Order government was overthrown.

After the New Order, called *Reformasi*, the bad-blood relationship between Islam and State recurred. The world changed drastically after September 11, 2001. The aircraft hijacking drama that culminated in the collapse of the World Trade Center (WTC) finally threw the world into a new chapter of a 'bloody' human civilization. The world had to witness the terror-versus-terror between the US and its Allies against a group of people labeled as terrorists. The US and its allies called the terror they launched the "war against terrorism" while the groups they against called their actions "the holy war".

During the Old Order and New Order, many Islamic activists were arrested and imprisoned using the Subversive Law with the issuance of a Government Regulation in Lieu of Law Number 1 of 2002 enacted by Law Number 15 of 2003 on the Eradication of Criminal Acts of Terrorism. A new chapter of the relationship between Islam and State in Indonesia emerged. Many Muslims were arrested based on the accusation of being part of the Terrorism network and charged with Government Regulation in Lieu of Law No.1 of 2002 enacted by Law Number 15 of 2003 on the Eradication of Criminal Acts of Terrorism. The groups chased by Densus 88 and charged with the eradication of criminal acts of terrorism law were Islamic groups.

Terrorism groups are indeed complicated to trace their networks because they are closed organizations and can also be organizations with no form - there is no standard organizational structure, not even an official leader. There are several patterns in the labeling these terrorist groups. First, based on the name of the group itself if it has a name. Second, based on the occurrence of terrorist acts. Third, based on the name of the group's prominent figures. Some Solo network terrorist groups are classified as old group networks and new groups based on the above categories (Purwawidada, 2014). Hambali Group, Ali Gufon Group aka Muklas, Nurdin M Top Group, Sigit Qardhawi Group, Farhan Group, Muhammad Thoriq Group, Abu Hanifah Group, Abu Roban Group, Dayat Group, Fadli Sadana Group, Santoso Group, and ISIS Group. Those mentioned groups known as the Solo Network are all Islamic activists.

Throughout 2015 to 2018, based on data released by the online magazine Tempo.co on Monday, January 14, 2019, the number of terrorists in

Indonesia in 2015 was 82, 170 in 2016, 176 in 2017, and 396 in 2018 so that the total perpetrators of criminal acts of terrorism from 2015 to 2018 were 824 perpetrators.



Source: <https://data.tempo.co/data/247/jumlah-pelaku-terorisme-di-indonesia-sejak-2015>, accessed on September 29, 2019, at 17.00

TERRORISM STIGMATIZATION

In terms of the quantity of handling of the Crime of Terrorism, it can be considered as an extraordinary counter. However, based on the quality of handling the Crime of Terrorism, it needs to be re-examined. The Siyono case who was executed by Densus 88 before court trial, Hasan Al Rosyid a.k.a Bang Toyib case was accused on the poor basis of giving his friend IDR 300,000 to go to Jakarta and it turned out his friend in Jakarta met the perpetrator of the Criminal Act of Terrorism. Also, Ahmad Ramdhan Deny alias Azzam Case, who raised funds for humanity and interacted with the perpetrator of criminal acts of terrorism. All of them are Muslim and remained called terrorists (Williamson, Murphy, & Sargean, 2020). However, the incident at Alam Sutra Mall who evidently carried the bomb, OPM that clearly killed 32 innocent lives and Wamena where immigrants were burnt and brutally killed, those events clearly fulfilling the elements of terrorism based on the Law on the Eradication of the Criminal Act of Terrorism are the actual terrorists.

On October 28, 2015, at around 12.00 a.m., a bomb exploded on the LG floor, to be precise, in the men's toilet, at the Alam Sutera Mall employee canteen. The bomber of the Alam Sutera named Leopard. Based on information obtained by CNN Indonesia, Leopard is an Alumni of STTIKOM Insan Unggul Department of Informatics Management, Computer & Informatics Concentration in 2005, and graduated in 2008. Leopard was born in Rangkas Bitung, August 3, 1986. In high school, Leopard was enrolled as a student in Krakatau Steel Cilegon and graduated in 2005. He was previously a student of SMP Mardi Yuana Cilegon. From the data obtained from Leopard, it is found that he lived in Griya Serdang Indah

Housing Block B16 Number 16, Cilegon, Banten, and was married. According to the Director of General Criminal Polda Metro Jaya, Sr. Comr. Khrisna Murti, the police had got a complete picture of Leopard's background. "The perpetrator has made five bombs, two bombs were detonated, two bombs failed to explode, and one bomb was successfully defused," said Krishna at a Press Conference at Polda Metro Jaya Headquarters today, Thursday (29/10). Police Chief Badrodin Haiti said the Alam Sutera Mall bombing had nothing to do with terrorism. "The motive is extortion, pure crime," he said during a visit to Banda Aceh, Thursday, October 29, 2015.

On Tuesday, December 12, 2017, 16 people from the Armed Criminal Group (KKB) allegedly shot Yovick Sondak (34), an excavator operator for the Trans Papua Wamena-Mumugu road Ndunga Regency, to death yesterday (12/12). Not only that, but this group also looted the SS1 weapon of TNI member of the task force for the construction and improvement of the POP1 Wamena-Mumugu (PPJWM) area of Nduga Regency, Prada Didimus. At the end of 2018 in Yigi District, Nduga, Papua, another shooting resulting 31 deaths happened. It was not labeled terrorism but referred to as the Armed Criminal Group. With the number of victims reached 31 people, the media only titled their news as a massacre.

From the interview results of the author and the wife of one of the terrorism convicts, there was stigmatization where the suspected terrorist family was shunned by the surrounding community.

In arrests and searches, law enforcers often highlighted Islamic matters as evidence, such as the Quran, Jihad-related books. Besides, they highlighted the physical characteristics of the suspected terrorists, such as beards and short trousers (above the ankle).

From the interview results of the author and the Legal Counsel for the criminal act of terrorism, the implementation of the Law on the Eradication of Terrorism has not fulfilled the principle of equality before the law, because they have already stigmatized against Muslim.

CONCLUSION

During the Old Order and New Order, many Islamic activists were arrested and imprisoned using the Subversive Law with the issuance of a Government Regulation in Lieu of Law Number 1 of 2002 enacted by Law Number 15 of 2003 on the Eradication of Criminal Acts of Terrorism. A new chapter of the relationship between Islam and State in Indonesia emerged. Lots of Muslims were arrested because they were suspected of being part of the Terrorism network and charged with Government Regulation in Lieu of Law No.1 of 2002 enacted by Law Number 15 of 2003 on the Eradication of Criminal Acts of Terrorism.

This is clear evidence that Muslims are discriminated against in every arrest of terrorism suspects. Because in every arrest, it is always stated that the suspect is a devout Muslim by having a *jihad* book, the Quran, their trousers are only in the ankle and their wife wearing a veil as a sign that they are Muslim. In this case there are stigmatization on Abomination of the body (Physical inequality) since they are judged their appearance with beard, with trousers are only cover ankle, jihad book and Quran as the holy book of Muslim.

REFERENCES

Ali, Z. (2009). *Metode Penelitian Hukum*, Jakarta: Sinar Grafika.

- Amirudin & Asikin, Z. (2012). *Pengantar Metode penelitian Hukum*. Jakarta: PT Raja Grafindo Persada.
- Diantha, P.M. (2016). *Metode penelitian Hukum Normatif*. Jakarta: Predana Media Group.
- Djaelani, Q.A. (2016). *Sejarah Perjuangan Politik Umat Islam di Indonesia*. Jakarta: Yayasan Pengkajian Islam Madinah Munawarah Jakarta.
- [Http://m.liputan6.com](http://m.liputan6.com)
- <http://www.panjimas.com>
- <https://data.tempo.co/data/247/jumlah-pelaku-terorisme-di-indonesia-sejak-2015> , accessed on September 29, 2019 at 17.00
- <https://katadata.co.id/berita/2018/12/27/kapolri-aksi-terorisme-meningkat-selama-2018> accessed on September 29, 2019, at 07.00 A.M .
- <https://nasional.tempo.co.id>
- <https://news.okezone.com>
- Lesus, R. (2017). *Perjuangan yang dilupakan Mengulas Perjuangan Umat islam yang ter (di)lupakan dalam sejarah Indonesia*. Yogyakarta: Pro-U Media.
- Madrah, M.M. (2012). *Stigma Media dan Terorisme*. Yogyakarta: Bandar Publishing.
- Mubarok. (2012). *Stigma Media dan Terorisme*. Banda Aceh: Bandar Publishing.
- Muqqoddas, B. (2011). *Hegemoni Rezim Intelijen Sisi Gelap Peradilan kasus komando Jihad*. Yogyakarta. Pusham UII.
- Popular Scientific Dictionary. 2006. p.467
- Purwawidada, F. (2014). *Jaringan Baru Teroris Solo*. Jakarta: PT. Gramedia.
- Sinaga, O. (2017). *Terorisme kanan Indonesia dinamika dan penanggulangannya*. Jakarta: PT Gramedia.
- Soebani, A.B. (2009). *Metode Penelitian Hukum*. Bandung: CV. Pustaka Setia.
- Soemitro, H.R. (2001). *Metodologi Penelitian Hukum dan Jurimetri*. Jakarta: Ghalia Indonesia.
- Suratman & Dillah, P. (2003). *Metode penelitian Hukum*. Bandung: Alfabeta.
- Tamrin, I.M. (2007). *Densus 88 Undercover*. Solo: Quovadis.
- Williamso, H., Murphy, K., Sargean, E. (2020). The grievance-identity relationship: understanding the role of identity processes and stigmatisation on Muslims' perceptions of terrorist grievances. *Journal of Policing, Intelligence and Counter Terrorism*, 15 (2), 1-20. doi: 10.1080/18335330.2020.1817526.
- Wiyono, R. (2014). *Pembahasan Undang-Undang Pemberantasan Tindak Pidana Terorisme*. Jakarta: Sinar Grafika.