

ABSTRAK

PENEGAKAN HUKUM TERHADAP TINDAK PIDANA TERORISME DALAM PENYEBARAN ALIRAN SESAT OLEH JAMAAH ISLAMIAH (Studi pada Satuan Tugas Densus 88 Anti Teror Polri Wilayah Lampung)

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Penegakan hukum terhadap tindak pidana terorisme di Indonesia menghadapi tantangan kompleks, khususnya dalam menangani penyebaran aliran sesat oleh Jamaah Islamiyah yang digunakan sebagai strategi radikalisme terstruktur. Penyebaran aliran sesat bukan sekadar penyimpangan teologis, melainkan tahapan awal pembentukan jaringan operasional teror melalui doktrinasi, perekrutan anggota, dan pembangunan loyalitas penuh terhadap kelompok. Meskipun Indonesia telah memiliki landasan hukum melalui Undang-Undang Nomor 5 Tahun 2018 tentang Pemberantasan Tindak Pidana Terorisme, masih terdapat hambatan dalam implementasi penegakan hukum, terutama terkait ketiadaan frasa "aliran sesat" secara eksplisit dalam regulasi, yang menimbulkan ruang multitafsir dan kesulitan pembuktian.

Penelitian ini menggunakan metode yuridis normatif dan yuridis empiris dengan pendekatan kualitatif. Data primer diperoleh melalui wawancara mendalam dengan narasumber Densus 88 Anti Teror Polri Wilayah Lampung, Forum Koordinasi Pencegahan Terorisme Lampung, dan Dosen bagian Hukum Pidana Fakultas Hukum. Data sekunder dikumpulkan dari literatur hukum, peraturan perundang-undangan, dan dokumen resmi terkait penanggulangan terorisme.

Berdasarkan hasil penelitian menunjukkan penegakan hukum telah berjalan melalui tiga tahap sistematis: formulasi dengan UU No. 5/2018 yang memperkuat regulasi, aplikasi melalui koordinasi antar lembaga penegak hukum, dan eksekusi lewat program deradikalisasi bagi narapidana serta keluarganya. Namun, efektivitasnya masih terhambat oleh lima faktor utama: gap normatif dalam substansi hukum, keterbatasan personel Densus 88, kebutuhan peningkatan teknologi cyber intelligence, rendahnya partisipasi masyarakat meski kesadaran tinggi, serta budaya toleransi semu yang dimanfaatkan kelompok radikal. Faktor hukum lebih dominan karena menjadi sumber hambatan pertama dan utama karena ketidakkonsistenan dan kelemahan dalam substansi hukum UU Terorisme menciptakan ketidakpastian hukum, membatasi gerak aparat, mempersulit pembuktian, serta secara tidak langsung memperkuat hambatan sosiokultural di masyarakat.

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Saran dari penulis diperlukan reformulasi hukum dengan perluasan definisi terorisme mencakup unsur indoktrinasi, penguatan teknologi digital untuk monitoring, perbaikan program deradikalisasi di Lapas, edukasi masif literasi anti-radikalisasi, penguatan sistem perlindungan pelapor, dan pemberdayaan tokoh agama moderat untuk counter-narrative guna meningkatkan efektivitas penegakan hukum secara komprehensif dan berkelanjutan.

Kata Kunci: Penegakan Hukum, Tindak Pidana Terorisme, Jamaah Islamiyah, Aliran Sesat

ABSTRACT

LAW ENFORCEMENT AGAINST TERRORISM CRIMES IN THE SPREAD OF DEVIANT TEACHINGS BY JEMAAH ISLAMIYAH (Study on Densus 88 Anti-Terror Task Force of the Lampung Police Region)

By

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Law enforcement against terrorism crimes in Indonesia faces complex challenges, particularly in addressing the spread of deviant teachings by Jemaah Islamiyah, which serves as a structured radicalization strategy. The dissemination of deviant doctrines is not merely a theological deviation but constitutes the initial stage of establishing operational terror networks through indoctrination, member recruitment, and building complete loyalty to the group. Although Indonesia has established a legal framework through Law Number 5 of 2018 on the Eradication of Terrorism Crimes, obstacles remain in law enforcement implementation, especially regarding the absence of the explicit phrase "deviant teachings" in regulations, creating interpretative ambiguity and evidentiary difficulties.

This research employs normative juridical and empirical juridical methods with a qualitative approach. Primary data were obtained through in-depth interviews with respondents from Densus 88 Anti-Terror Task Force of the Indonesian National Police Lampung Region, Lampung Terrorism Prevention Coordination Forum, and Criminal Law Lecturers at the Faculty of Law. Secondary data were collected from legal literature, legislation, and official documents related to counter-terrorism efforts.

The findings indicate that law enforcement has proceeded through three systematic stages: formulation with Law No. 5/2018, which strengthens regulation; application through coordination among law enforcement agencies; and execution through deradicalization programs for inmates and their families. However, its effectiveness is still hindered by five main factors: normative gaps in legal substance, limited personnel in Densus 88, the need for enhanced cyber intelligence technology, low public participation despite high awareness, and a pseudo-tolerance culture exploited by radical groups. The legal factor is more dominant because it serves as the primary source of obstacles legal inconsistencies and weaknesses in the substance of the Terrorism Law create legal uncertainty, restrict the movement of law enforcement officers, complicate evidence gathering, and indirectly reinforce sociocultural barriers in society.

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Legal reformulation is required to expand terrorism definitions to include indoctrination elements, strengthen digital forensic technology for monitoring, improve deradicalization programs in correctional facilities, implement massive anti-radicalization literacy education, strengthen whistleblower protection systems, and empower moderate religious leaders for counter-narratives to enhance comprehensive and sustainable law enforcement effectiveness.

Keywords: Law Enforcement, Terrorism Crimes, Jemaah Islamiyah, Deviant Teachings