PETITA

Jurnal Kajian **Ilmu Hukum dan Syariah**

PATTERNS OF SPREADING RADICALISM IN MUHAMMADIYAH ISLAMIC BOARDING SCHOOLS IN EAST JAVA

SATRIA UNGGUL WICAKSANA PRAKASA
Faculty of Law, Universitas Muhammadiyah Surabaya, Indonesia
Email: satria@fh.um-surabaya.ac.id

SAMSUL ARIFIN
Faculty of Law, Universitas Muhammadiyah Surabaya, Indonesia
Email: samsularifin@fh.um-surabaya.ac.id

ACHMAD HARIRI
Faculty of Law, Universitas Muhammadiyah Surabaya, Indonesia
Email: achmadhariri@fh.umsurabaya.ac.id

NADIEF RAHMAN HARRIS
Faculty of Law, Universitas Muhammadiyah Surabaya, Indonesia
Email: nadief.rahmanharris-2018@fh.um-surabaya.ac.id

AHMAD BAHRUL EFENDI
Faculty of Law, Universitas Muhammadiyah Surabaya, Indonesia
Email: ahmad.bahruleffendi-2018@fh.um-surabaya.ac.id

Abstract: The fact that more and more Islamic boarding schools are affiliated with terrorist groups such as ISIS, cannot be denied. The latest data submitted by BNPT states that there are at least 198 Islamic boarding schools exposed to radicalism, both those affiliated with the Anshorut Khalifah congregation, the Islamiyah congregation, and the Daulah Anshorut Jamaah. This fact shows that efforts to prevent the spread of radicalism and the eradication of criminal acts of terrorism are not completed only with national preparedness, deradicalization, and counter-radicalization. From these problems, the question of this research is how the pattern of the spread of radicalism that occurs in the Muhammadiyah Islamic boarding school in East Java. The method used in this research is *Socio-Legal* with an ethnographic approach. The purpose of this study is to understand and describe the pattern of the spread of radicalism in the Islamic boarding school environment, and how to anticipate it.
Keywords: Islamic Boarding School, Radicalism, Terrorism.

Abstrak: Fakta bahwa semakin banyak pesantren yang berafiliasi dengan kelompok teroris seperti ISIS, tidak dapat dipungkiri. Data terakhir yang disampaikan BNPT menyebutkan setidaknya ada 198 pondok pesantren yang terpapar radikalisme, baik yang berafiliasi dengan jemaah Khalifah Anshorut, jemaah Islamiyah, maupun Jamaah Daulah Anshorut. Fakta ini menunjukkan bahwa upaya pencegahan penyebaran radikalisme dan pemberantasan tindak pidana terorisme tidak hanya dituntaskan dengan kesiapsiagaan nasional, deradikalisasi, dan kontra-radikalisasi. Dari permasalahan tersebut, pertanyaan penelitian ini adalah bagaimana pola penyebaran radikalisme yang terjadi di pondok pesantren Muhammadiyah di Jawa Timur. Metode yang digunakan dalam penelitian ini adalah Socio-Legal dengan pendekatan etnografi. Tujuan dari penelitian ini adalah untuk memahami dan menggambarkan pola penyebaran radikalisme di lingkungan pondok pesantren, dan bagaimana mengantisipasinya.
Kata Kunci: Pesantren, Radikalisme, Terorisme.

Introduction

In each of their actions, the methods used by terrorists become a threat that has been attached to humans since ancient times. This has received global attention because of its huge impact. Loss of life, property and insecurity. The level of insecurity and uncertainty caused by acts of terrorism also affects the decision making of policy makers. Conservative decision making and analysis of the risks involved are often used as a way to compensate for these feelings of insecurity.[1]

Terrorism has existed throughout history with mixed success in every action. Terrorism has become a tool used by anarchist groups since the 20th century which also marked the beginning of the first world war. The pattern used is in the form of acts of murder, kidnapping, taking hostage, and bombing. Terrorism continues to develop in an environment filled with political and ideological chaos, so that terrorists use the driving force and suppress their presence and existence to be accepted and prove their independence, and in the end terrorism becomes an end for itself. One of the factors that trigger the violence of terrorism, among others;[2]

1. Political factors; such as a government that is oppressive, authoritarian, disliked, or a corrupt government.
2. Social factors; the absence of a middle class or the existence of disparities that are too high to cause discrimination.
3. Economic factors; severe poverty, high unemployment rate.
4. The ideological factor; different and conflicting lines of political thought.
5. Geopolitical Factors; presence of a large foreign population and/or border disputes.
6. Religious factors; religious disputes, religious violence, intolerance.
7. Foreign Influence Factors; support either from foreign parties or corporations related to activities against a government.

Understanding terrorism is not finished by conducting a normative study alone, that if studied from the perspective of human behaviour in society, terrorism is a part and the whole social phenomenon that lives in society, that to eradicate it is not enough to catch terrorists and punish them severely. terrorism cannot be separated from our understanding of violence. A more complex understanding of what "violence" is is helpful to show that;[3]

1. Terrorism can occur in a small (micro) scope, how violence perpetrated by a husband against his wife or a father against his children can have an impact not only physically, as we know that someone is said to be a victim. when experiencing losses from three things, namely, physical, economic, or psychosocial/psychological losses.
2. Terrorism in many cases is part of the violence such as murder, persecution, destruction of facilities that occur. Interventions on one dimension will have an impact on other dimensions. That the prevention and control of criminal acts of terrorism will succeed if it is accompanied by the eradication of these various forms of violence.
3. There needs to be self-awareness in identifying people who commit violence, terrorists are also known as "conflict tourists", whose desires and interests are fulfilled when violence continues.

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[1] Olusola A. Olabanjo, B. S. (2021). An ensemble machine learning model for the prediction of danger zones: Towards a global counter-terrorism. *ELSEVIER*, 1.
doi:https://doi.org/10.1016/j.socl.2021.100020
[2] Herdi Sahrasad, A. C. (2017). *Fundamentalisme, Radikalisme, Terorisme: Perspektif agama, masyarakat dan Negara.* Aceh-Jakarta: CSS-UI, Freedom Foundation
[3] Thomas, S. (2017). Aspek Sosio-Kultural Pencegahan Terorisme. *Jurnal Hukum & Pembangunan*, 306-307.

4. Terrorism opens the way that has a big influence on conflict transformation, in terms of responding to a situation.

One of the acts of terror that is still lingering in our memories is the tragedy of 9/11 which was not only recorded as the single deadliest attack in history but has also drawn world attention to the urgent need to investigate, predict, and eradicate social and economic enemies. called terrorism. This is based on the fact that any act that is carried out and threatens the representative public order is a prohibited act and is characterized as an oppressive and illegitimate act. This happens because terrorism itself is synonymous with violence, extremism, intimidation and actions that are contrary to public and social order. Terrorism can also be understood as an anti-colonial movement, cruelty and competition among political opponents.

This incident became a new era after the cold war that terrorism was always synonymous with Islam. That the terrorism movement is no longer secular organizations such as the Japanese Red Army (JRA), the Tamil Tigers in Sri Lanka, the Red Brigades in Italy, and others, on the contrary now the terrorism movement is considered affiliated and identified with the Islamic religion such as Al-Qaeda, the congregation Islamiyah, and ISIS.[4] in Indonesia, as a country where the majority of the population is Muslim, it cannot be separated from the stigma that radical ideas can thrive in it, including in the scope of education such as modern schools or Islamic boarding schools.

Pesantren which in the public's view is known as an educational institution that is classified as traditional aims to understand, appreciate, and practice Islamic teachings in daily life, however, *pesantren* has its own connection to the rise of radicalism. This cannot be separated from;[5]
1. The increasing intensity of politicization of religion, this has triggered radical groups to strengthen and strengthen their intentions, that what they understand is the right action, and is a religious command
2. Increased intolerance both at the individual and group.
3. *The problem of Digital Illiteracy* in a certain instrument (such as social media)
4. The return of groups that counter the narrative of radicalism, violent extremism, terrorism, and anti-Pancasila

This condition should receive special attention from the government, by remaining vigilant and taking appropriate precautions it is not enough to deradicalize and counter radicalization efforts. As we know that the education model applied in Islamic boarding schools is the basis for the formation of educational systems and patterns that are owned and become characters, on the one hand the formation of a culture cannot be separated from the patterns or processes applied by the leadership and must be obeyed by the students. There are several reasons behind the *pesantren* tradition of being tolerant and open;
1. *Pesantren* is an institution based on social reality that grows and develops in line with the development of society, so that it has relevant social cohesion between the two.
2. *Pesantren* is a reflection of the culture of the local community (Miniature Society)
3. The values and teachings that live in the *pesantren* can adapt to the community environment, where the religious understanding of the majority adheres to the understanding of *Ahl Al-Sunnah Wa Al Jama'ah*.
4. From this fact, Islamic education is faced with a problem. This can not be separated

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[4] Ghifari, I. F. (2017). Radikalisme di Internet. *Jurnal Agaman dan Lintas Budaya CORE*, 124.
[5] Muh. Zubair, B. A. (2021). Sosialisasi Bahaya Penyebaran Paham Radikalisme Melalui Literasi Media Online Di Pondok Pesantren Unwanul Falah NW Paok Lombok, Lombok Timur Nusa Tenggara Barat. *Jurnal Pengabdian Magister Pendidikan IPA*, 384-385.

from the education pattern which is considered narrow and encourages the birth of *Chauvinism*

5. which has been under the spotlight after many acts of radicalism took place in the name of religion. Since the fact that the Bali bombing tragedy was revealed that one of the perpetrators of the bombing was an alumni of the Al-Islam Islamic boarding school located in Lamongan, sectarianism and hatred of Islam have become increasingly prevalent. Even though this mindset is considered heretical, we cannot deny that Islamophobia is really happening.[6]

This fact is proof that Islamic boarding schools have great potential for the spread of radicalism, this cannot be separated from the education culture in Islamic boarding schools which has a closed tendency, marked by a management system and teachers/ustadz who provide learning. This is where the religious understanding that is developed so easily gives birth to an attitude of intolerance, namely claims to justify oneself and blame people who have different opinions. From the problems mentioned above, this study tries to understand and explain the implementation of policies by the government related to efforts to eradicate the spread of radicalism, as well as the pattern of spreading radical ideas, especially in the Muhammadiyah Islamic boarding school in East Java.

Methods The method used in this research is a Socio-Legal study (empirical legal research) which is the result of a marriage between normative legal research methods and social sciences.[7] The use of the Socio-Legal research model with the ethnographic approach as an effort to be able to provide an overview related to a problem that develops in a group/community being studied,[8] by exploring or clarifying a existing symptoms, phenomena, or social realities, so that later conclusions can be drawn in accordance with the existing problems, accompanied by a study of positive law (relevant laws) regulated in Indonesia.

The Politics of Criminal Law and the Implementation of Policies for Combating Criminal Acts of Terrorism

Sudarto in his book entitled *"Pemidanaan Pidana dan Tindakan"* (Sudarto, 1982) said that legal politics is a series of efforts made to create legal norms that are in accordance with conditions a certain era. Meanwhile, criminal politics can be understood as the overall principles and methods used to be used as the basis for imposing criminal penalties as a reaction to the crimes that have occurred, including the legal processes that occur in them, ranging from investigations, investigations, prosecutions in court, to the issuance of a judge's decision. On this basis, legal politics and criminal politics cannot be translated into a broader goal, namely social *policy.* Which consists of several efforts for social welfare *(Social Welfare Policy).* and efforts to increase protection for the community *(Social Defense Policy).[9]*

In this way, we can understand that crime prevention (including criminal acts of terrorism) through criminal law must be carried out in order to achieve the goals of public welfare and

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[6] Abdul Malik, A. S. (2017). Kultur Pendidikan Pesantren dan Radikalisme. *JURNAL PEMBANGUNAN PENDIDIKAN FOndasi dan Aplikasi, 4*(2), 104-105

[7] Efendi, J. (2016). *Metode Penelitian Hukum Normatif Dan Empiris.* Prenada Media.

[8] Farida, N. (2014). METODE PENELITIAN KUALITATIF Dalam Penelitian Pendidikan Bahasa. Retrieved from https://e-journal.usd.ac.id/index.php/LLT%0ahttp:/jurnal.untan.ac.id/index.php/jpdpb/article/viewFile/

[9] Wibowo, A. (2012). *HUKUM PIDANA TERORISME Kebijakan Formulatif Hukum Pidana dalam Penanggulangan Tindak Pidana Terorisme di Indonesia.* Yogyakarta: Graha Ilmu.

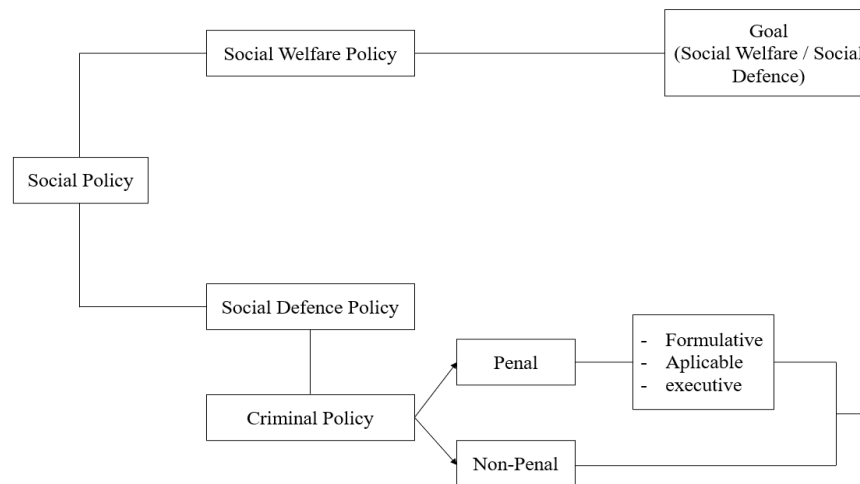protection, the description above can be understood from the schematic image below; [10]

Figure I: *Political Scheme of Criminal Law*

One of the major obstacles to efforts to tackle and eradicate criminal acts of terrorism that has been carried out by the government is the definition of "terrorism" itself. There *is no universally accepted definition of terrorism (there is not a universally accepted definition of terrorism)*. So that the state with its freedom can provide its own definition of any act that can and/or cannot be categorized as a criminal act of terrorism. Although so far there have been so many international conventions, they cannot provide a definition that can cover the various types of terrorism. The more definition of terrorism is given, the more open other interpretations of the definition of terrorism are.[11]

There needs to be a special approach related to the notion of terrorism itself. We can see how the Government Regulation in Lieu of Law (Perppu) No.1 of 2002 concerning the Eradication of Criminal Acts of Terrorism was enacted, apart from the emergency conditions at that time, other reasons behind the birth of the Perppu were;

    a. Provide a valid legal basis, in order to achieve one of the objectives of the law itself (legal certainty). It also includes the process of handling terrorism cases, starting from investigations, investigations, prosecutions, examinations in court, to the execution of decisions.

    b. It is expected to be able to provide a sense of security, order, and peace for the wider community, who are also traumatized as a result of the occurrence of a criminal act of terrorism.

    c. As an effort to prevent, both against criminal acts of terrorism that originate from radical understanding, as well as against law enforcers who have the potential to abuse the authority given by the state in the context of preventing and eradicating criminal acts of terrorism

    d. As a basis for continuing to apply the principles of transparency and accountability in carrying out law enforcement duties against criminal acts of terrorism.

    e. Efforts to prevent criminal acts of terrorism are also based on protecting state sovereignty.[12]

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[10] Prakasa, S. U. W., Al-Fatih, S., & Haqqi, A. R. A. (2021). Terrorism Eradication in ASEAN Countries: Human Rights Perspective. *AL-IHKAM: Jurnal Hukum & Pranata Sosial*, *16*(2), 327-361.

[11] Ali, M. (2012). *HUKUM PIDANA TERORISME Teori dan Praktik.* jakarta: Gramata Publishing

[12] Darma, N. B. (2018). Kebijakan Formulasi Hukum Pidana Dalam Penanggulangan Tindak Pidana Terorisme di Indonesia. *Jurnal Daulat Hukum*, 141-156 .

The policies taken by the government as an effort to combat terrorism consist of at least two important strategies. Namely with the *Hard Power approach,* by taking action and law enforcement through the police (Densus 88) and the enforcement task force of the National Counter-Terrorism Agency (BNPT).[13] Then the *Soft Power* uses non-litigation and prevention methods such as deradicalization, counter-radicalization, and incapacitation. These two efforts are a form of *counter terrorism* in the prevention and control of terrorism.[14] from various efforts that have been made by the government, among others;

a. The promulgation of Perppu No. 1/2002 became Law No. 15 of 2003 concerning the eradication of criminal acts of terrorism. Which was later revised and amended with the enactment of Law No. 5/2018 concerning amendments to Law No. 15 of 2003 concerning the stipulation of a government regulation in lieu of Law No. 1 of 2002 concerning the eradication of criminal acts of terrorism.
b. formation of a special task force from the police, namely the Data on

Patterns of Dissemination of Radical

History of terrorism has a long history and its development always goes hand in hand with human development with all the means that support it. The phenomenon of radicalism and terrorism in Indonesia has undergone several changes whose impact has been felt by the wider community. Competition in trade, economy, and industry is increasingly pushing big countries to exert influence, which in the end can give birth to a process of globalization and modernization, and during this process terrorism continues to expand its network, coupled with media games with broad coverage, so that terrorists can easily reach the goal.[15]

Having a radical attitude and understanding does not guarantee that someone will become a terrorist. There are other factors that cause a person to become and join a terrorist group. Radicalism becomes the embryo of the birth of terrorism, and is an attitude towards the wishes of a group who crave a comprehensive and revolutionary change. The first thing to do is to drastically eliminate the values that live in society with violence *(violent)*. The main characteristics of radical attitudes and understandings include;

1. Intolerance, that differences of opinion are no longer a necessity, do not want to respect the opinions and beliefs of others.
2. Fanatic, that himself and his group are the most correct, and those outside it are wrong and must be straightened out.
3. Exclusive, distinguishing themselves from Muslims in general.
4. Revolutionary, an inner attitude that justifies all means and always wants major changes to a social order or state.[16]

From the research the author conducted in two Muhammadiyah Islamic boarding schools in East Java, there are at least three things behind the entry of radicalism into the *pesantren* environment, including;

a. Sense of Equality

Understanding the spread of radical ideas and acts of terrorism has been used so much by using the approach that one of the factors behind this happening is political, economic, education, health, corruption, and so on. Consciously or not, one of the important factors that encourage the majority of Indonesian people to easily sympathize with radical

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[13] Prakasa, S. U. W. (2021). Involvement of the Indonesian National Military (TNI) in Legislation about Anti-Terrorism. Journal of Southeast Asian Human Rights, 5(1), 63-83.
[14] Ulfah K.Y., R. S. (2014). COUNTER TERRORISM BAGI PELAKU TINDAK PIDANA TERORISME SEBAGAI UPAYA PENANGGULANGAN KEJAHATAN TERORISME DI INDONESIA. *Law Reform*, 84-98.
[15] Tim SETARA Institute. (2012). *DARI RADIKALISME MENJU TERORISME: Studi Relasi dan Transformasi Organisasi Islam Radikal di jawa Tengah & D.I. Yogyakarta.* jakarta: Pustaka Masyarakat setara.
[16] Pranoto, P. (2016). Strategi Menghadapi Paham Radikalisme Terorisme-ISIS. *ACADEMIA*, 1-2.

groups is the emergence of a sense of equality of fate which is motivated by similar beliefs (fellow Muslims).

We can see how the efforts to spread radical ideas carried out by ISIS, ranging from propaganda through the media, political practices of sectarianism, the use of religious symbols, to declaring themselves as representatives of God, have succeeded in gaining sympathy by some Muslims in the world, especially in Indonesia and Malaysia where the majority of its citizens are Muslim,[17] so they can easily achieve what has been their initial goal.

b. The attitude of the *Pesantren* Leaders

The paradigm that has been built and has become a belief to date has encouraged some leaders of Islamic boarding schools to be exclusive and closed. This is influenced by several factors. *First,* the exclusive paradigm that tends to place Islamic boarding schools as educational institutions that have old doctrines and traditional ties, and have not met with scientific discourse other than religious knowledge (Islam). Other things that do not contain elements of Islam are considered contradictory and even threatening.

Second, the semi-liberal paradigm that positions Islam as a religion that has an important role in terms of social change. of course this is a good discourse, but it becomes irrelevant and even tends to be anarchic when the truth is absolute and one-way. Social elements other than Islam are considered wrong and do not have a place in the *pesantren* environment. The two paradigms that have become the attitude of the *pesantren* leadership have indirectly pushed the position of the *pesantren* to fall into the abyss of terrorism.[18]

c. Learning Patterns

become a miniature of society, various life problems that usually occur in the outside world also occur in the world of Islamic boarding schools. The students as early as possible are faced with various problems and are expected to be able to provide *Problem Solving* to them. Abdurrahman Wahid as quoted by Mujib Ridlwan[19] added that the scope of the learning model implemented in Islamic boarding schools is wider than formal education. *Pesantren* should not only focus on religious learning. They must also be able to produce Muslim scholars, so that they can become *counters* against the stigma of the western world that Islam is a radical religion.
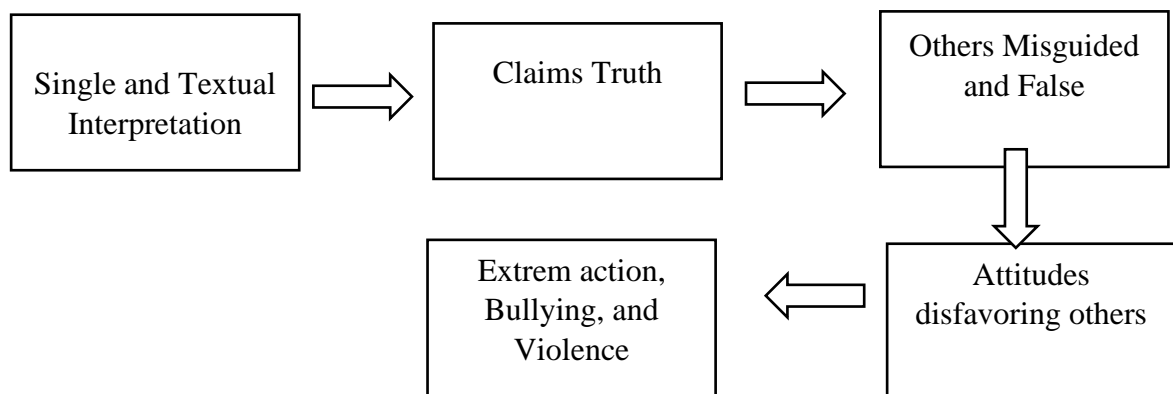

Figure II: Exclusive Education Patterns & Phases of Change in Religious Attitudes

[17] Arifin, S. (2020). perlindungan Hukum terhadap Anak dalam Tindak Pidana terorisme. *Jurnal panorama Hukum*, 40-62.

[18] Farida, U. (2015). Radikalisme, Moderatisme, dan Liberalisasi Pesantren: Melacak Pemikiran dan gerakan Keagamaan Pesantren di Era Globalisasi. *EDUKASIA Jurnal Penelitian Pendidikan Islam*, 145-163

[19] Ridlwan, M. (2019). Dialektika Pesantren dan Radikalisme di Pesisir Utara Lamongan. *JURNAL DARUSSALAM, Jurnal Pendidikan, Komunikasi dan Pemikiran Hukum Islam*, 36-55.

From the two locations that became the object of research, it was found that the learning patterns applied in Islamic boarding schools has a very important position that encourages the students to be intolerant and radical. The two paradigms adopted by the *pesantren* leadership as mentioned above have killed the essence of the world of education itself which should be open and put forward scientific truth. What happens is the opposite, for teachers/ustadz the truth lies in books or books. This pattern not only encourages students to become intolerant, but also kills the potential that exists within each student.

We can see the data submitted by Boy Rafli Amar as Head of the National Counter-Terrorism Agency (BNPT) during a presentation at Commission III of the DPR, which stated that the number of Islamic boarding schools affiliated with terrorist groups was increasing. There are at least 11 Islamic boarding schools affiliated with the Anshorut Khalifah congregation, 68 Islamic boarding schools affiliated with the Islamiyah congregation, and 119 Islamic boarding schools affiliated with the Anshorut Daulah who are ISIS sympathizers.[20] If the three factors as mentioned above are not immediately anticipated by the *pesantren* leadership. The potential for the spread of radicalism will be even higher.

Efforts to Prevent the Entry of Radical Understanding
Radicalism and terrorism in the current context is no longer a question of who the perpetrators, organizations, and networks are. More than that, terrorism has become an act that has roots in beliefs, doctrines, and ideologies that can hypnotize public awareness. terrorism will thrive when living in a society whose thoughts are polluted by extreme fundamentalism or religious radicalism. From the results of interviews conducted with the Leaders of Pondok Modern Muhammadiyah Paciran, Lamongan, and the Leaders of the Entrepreneurial Boarding School Al-Maun Muhammadiyah Pasuruan, there are several things that can be understood and applied in Islamic boarding schools as an effort to prevent the entry of radicalism.

a. Standardization of Islamic Boarding Schools

The government's effort to eradicate the spread of radicalism is to carry out "Islamic boarding schools standardization" through compulsory books and *pesantren* competency standards. This is done in order to strengthen the ideology and characteristics of the *pesantren*, without having to change or delete the characteristics of the *pesantren*.

Efforts that have been made to strengthen this ideology are strengthening in terms of science. The government must continue to establish communication so that it continues to synergize with each other. This synergy aims to make *pesantren* not only improve scientifically.

b. Putting forward the Principle of "Discussion"

Truth is no longer absolute and does not only belong to the ustadz, teachers in Islamic boarding schools must be able to implement this principle. On the one hand, it can also improve the *public speaking* each student. From the theological point of view, there needs to be an emphasis on understanding the concept of faith which is the basic foundation in the world of Islamic boarding schools. In terms of learning, the curriculum used in it must contain the principle of multiculturalism. And the last thing is to keep on guarding the footsteps of each group that has intolerance and radical characteristics.

Referring to the problems described above, if the leadership of the *pesantren* implements these alternatives, surely some things that have always cornered the

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[20] Rachman, A. (2022, Januari 25). *BNPT Sebut Ada Ratusan Pesantren yang Terafiliasi dengan Jaringan Teroris*. Retrieved from TEMPO.CO : https://nasional.tempo.co/read/1553931/bnpt-sebut-ada-ratusan-pesantren-yang-terafiliasi-dengan-jaringan-teroris

position of the *pesantren*, ranging from accusations of radical groups, to being considered affiliated with ISIS, can fade and erode by themselves. As well as avoiding the crime of Mass Media which has a major contribution to the current stigma of *pesantren*. (Noorhayati, 2017)

c. The precautionary principle and critical

Islamic boarding schools should foster enthusiasm to continue to develop learning models, and make their uniqueness with the paradigm of the good past. the existence of periodic evaluations, to the courage to adopt new knowledge in order to open the horizons of the students. Kiai and all the devices in it are required to always think critically in formulating learning systems, because this, as explained above, has the greatest influence on whether or not the santri can become ideal individuals or become radical individuals.

Conclusion

Islamic boarding schools that have been contaminated or have been affiliated with terrorist groups have actually deviated from the original purpose of establishing the *pesantren*. They have lost their habitus which should be an example of how the pattern of life in a good and right society can be applied in it. On the one hand, we as Muslims cannot assume that

Technological developments do not only provide benefits. The birth of a new discovery results in the emergence of new behaviours/habits, and from these new habits a new mode of crime emerges. This also occurs in the development of criminal acts of terrorism. we can see how the pattern of spreading radicalism that occurs in Islamic boarding schools, starting from the emergence of sympathy due to the similarity of beliefs, attitudes taken by *pesantren* leaders, to learning patterns that tend to be exclusive have encouraged radical understanding to thrive. This is used by terrorist groups to recruit them, ranging from spreading hatred, to propaganda through the media.

From these problems, we can see that Efforts to eradicate terrorism cannot be completed only by taking legal action. In the *pesantren* environment, to prevent the spread of radicalism, what can be done is to improve the learning methods in it. On the one hand, the *pesantren* leadership is obliged to be open to new knowledge while still prioritizing critical and prudent principles, perhaps the truth is absolute, but the students must also be given the freedom to ask what and why it is considered true.

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