



CYBER TERRORISM PREVENTION FROM A LEGAL PHILOSOPHICAL PERSPECTIVE

Agung MAFAZI

Universitas 17 Agustus 1945 Surabaya, Indonesia

Made WARKA

Universitas 17 Agustus 1945 Surabaya, Indonesia

Budiarsih BUDIARSIH

Universitas 17 Agustus 1945 Surabaya, Indonesia

Received: June 18, 2025

Accepted: Aug 06, 2025

Published: Dec 01, 2025

Abstract:

Research Purpose: This study aims to identify the challenges faced in preventing cyber terrorism examined through a philosophy of law lens and to formulate a concept for preventing this crime. Methodology: The study employs a normative legal research method. Main Findings: The response to terrorist offences must be both effective and precisely targeted, because the clear and serious threat posed by this crime can endanger state sovereignty. Eradicating terrorist offences cannot be achieved solely through repressive law enforcement or —hard approaches; —soft approaches are also required. When applying a soft approach especially to curb the spread of radical-terrorist ideology in cyberspace prevention must begin by using virtual media to counter that spread. This need sparked the author's interest in exploring how preventive measures can be undertaken to avert cyber-terrorism. Practical Application: The findings can serve as a reference for government bodies and prospective researchers interested in tackling cyber-terrorism. Novelty: The study is expected to help the government craft a prevention concept for cyber terrorism.

Keywords:

Cyber terrorism, Prevention, Legal philosophy

1. Introduction

Cyber terrorism is a crime perpetrated by exploiting information technology facilities. Advances in information technology are harnessed for their negative potential because the perpetrators, lacking sufficient knowledge and awareness, treat technology not as a means of improving welfare but as a tool for committing crime. Acts of terrorism around the world pursue diverse aims and motives. In Indonesia, such crimes are driven by political, economic, legal and even religious-ideological motives. —Radicalism is not caused solely by misinterpreting religion; other factors also play a part in fostering violence in the name of faith, including economic, social, cultural and educational factors (Alius 2019). As this crime has evolved, information technology has become a vehicle for spreading radical terrorist ideology. It is recognized that this radical ideology is embraced by perpetrators of terrorist offences; radicalism, indeed, forms the embryo from which terrorism emerges (Arini Indah Nihayati 2020).

Acts of terrorism constitute a serious, transnational crime: they have far-reaching effects that undermine a nation's security, threaten global peace, and violate humanitarian values. Terrorism is humanity's enemy (Bakti 2016). Preventing it requires identifying its fundamental causes, which demands answering a crucial question: why do individuals or groups commit terrorist acts? A philosophical inquiry is needed to uncover these root problems and to devise preventive measures particularly in cyberspace so that people or groups refrain from engaging in terrorism.

Philosophically, crime can arise when people or groups are driven by inner dissatisfaction frustrations that remain unresolved and are aggravated by limited knowledge that should otherwise guide self-control. —Radicalism often begins with dissatisfaction over existing social and political conditions. Social injustice, discrimination, and

corruption, for instance, can strongly motivate individuals to seek extreme solutions (Rahman 2020). Such circumstances incline them to take shortcuts through crime, including terrorism. Ultimately, this inner dissatisfaction can be contained if individuals cultivate robust self-restraint grounded in sound knowledge, true understanding, and a stable economic situation.

The problem of terrorism arises not only in developing nations such as Indonesia but also in developed countries. A wide range of grievances rooted in dissatisfaction with existing conditions can drive individuals or groups to commit crimes. Discontent over economic hardship, shortcomings in law enforcement, social inequality, political rivalry, cultural tensions, and even ideological conflicts all contribute to the emergence of terrorism worldwide. Because terrorism is transnational in character, it poses a challenge that every state must confront.

Combating terrorist offenses must be both effective and precisely targeted, as the genuine threat posed by this crime can endanger a nation's sovereignty. As H. M. D. Shodiq has stated, —The eradication of terrorist crimes cannot be accomplished solely through repressive law enforcement or hardline methods; it must also involve soft approaches (Shodiq 2018). In pursuing a soft- approach strategy especially with respect to the online spread of radical-terrorist ideology prevention must start by harnessing virtual media to block that dissemination. This consideration motivates the author to investigate how preventive and counter-active measures can be designed to keep cyber-terrorism from occurring.

2. Problem Formulation

How can cyber terrorism be prevented from a legal philosophical perspective?

3. Literature Review

Legal philosophy (philosophy of law) studies law philosophically its essence, structure and aims (Pudjiono 2018). Philosophy of law probes the law to its very roots in a systematic, logical, critical, radical, contemplative, and rational manner.

Gustav Radbruch's triad covers:

1. Justice: equal rights before the law.
2. Purpose: justice and utility.
3. Legal certainty: ensuring rules are obeyed.

In philosophical legal analysis, the following hallmarks of philosophical thought can be identified:

- Comprehensive, it must encompass multiple dimensions of knowledge holistically to achieve human happiness.
- Fundamental, it questions the very process of assessing truth and the criteria by which truth is judged.
- Speculative, it begins with speculative assumptions that enable truth to evolve.

The philosophy of law also encompasses the ontological, epistemological, and axiological dimensions. Its object of study is the law itself, explored in depth from its very core or foundation—that is, the essence of law, which is ultimately directed toward human welfare. If the law cannot bring about human happiness, it must be reassessed. The three aims of the philosophy of law are to understand human existence, to realise human potential, and to awaken human awareness of the law. Consequently, the philosophy of law's ultimate goal is human welfare, achieved by upholding justice. This goal accords with the welfare-state theory adopted by the Republic of Indonesia: —The concept of a welfare-based rule-of-law state is that the state or government is not merely the guardian of public security and order, but the primary bearer of responsibility for achieving social justice, the general welfare, and the greatest prosperity of the people (Manan 1994).

This view indicates that, in preventing and combating crime including cyber-terrorism the State must take into account its duty to protect citizens by fostering understanding of cyber-terrorism and the proper use of information technology, by ensuring fair treatment in law-enforcement processes, and by undertaking concrete measures to address the improvement of public welfare. Regarding the concept of justice, Aristotle distinguishes two forms:

- Distributive justice, which grants each person according to their rights and merits.
- Corrective (cumulative) justice, which is received without regard to individual merit.

Amran Suadi, drawing on Gustav Radbruch, explains that justice —the crown of every legal system (Suadi 2020):

1. Subjective justice, grounded in personal qualities.
2. Objective justice, governing relationships among individuals.

3. Pure procedural justice.

4. Justice based on the principles of freedom and equal opportunity.

Law and justice are interrelated, mutually determining elements. The correlation between the philosophy of law and justice is exceedingly close, for it is woven through wisdom, norms, and the balance of rights and obligations. Law represents the manifestation of authentic justice and embodies the spirit of realizing the ideals of the legal order.

4. Research Methodology

According to Pieter Mahmud Marzuki, —Legal research is a process of discovering legal rules, legal principles, or legal doctrines in order to address the legal issues at hand (Marzuki 2016). The research method employed in this study is normative legal research, also known as doctrinal legal research or library research, because it focuses on written regulations as primary legal materials and related literature as secondary legal materials. Both primary and secondary legal materials are examined through a philosophy-of-law lens to formulate a concept for preventing acts of terrorism. Normative legal research encompasses theory, philosophy, comparison, structure, consistency, the binding force of regulations, and the use of legal language. Consequently, its scope is very broad.

5. Results And Discussion

Crimes committed by individuals or groups stem from inner discontent such as dissatisfaction with the law, a sense of injustice, social inequality, political power, or even ideology. This deprivation or dissatisfaction sparks radical ideas that can evolve into criminal acts carried out in cyberspace, which are then referred to as cyber terrorism. This is reflected in the observation made by Ludigdo and Mashuri, who write: —Many theorists argue that the point of departure of radicalism is a sense of relative deprivation the perception that one's in-group receives less than it deserves and a sense of injustice the perception that one's in-group has been or is currently being treated unfairly (Ludigdo and Mashuri 2021).

Such dissatisfaction is then openly expressed in cyberspace through hate speech, resistance, and acts of terror. This makes it imperative for the state to take preventive action, because the root cause is dissatisfaction itself. The author maintains that if the discontent felt by individuals or groups is remedied, they will not resort to crime. Offences arise because there are motivating factors: if the dissatisfaction is economic, the remedy should be economic; if it stems from law enforcement, the legal system must reflect a sense of justice for those seeking it, and so on.

Efforts to prevent cyber terrorism through a soft approach that leverages information technology include:

1. Disseminating government programmes aimed at public welfare.
2. Providing avenues for community participation in designing welfare programmes.
3. Sharing information on performance achievements, bureaucratic transparency, and progress updates.
4. Delivering civic-education initiatives to foster patriotism and moderate religious understanding to counter radicalism in the name of religion.
5. Communicating legal information and the law enforcement process while upholding human rights principles.
6. Supplying accurate counter information to halt the spread of radical terrorist ideology.
7. Offering public question and answer services.
8. Conducting online training to improve the community's economic well being.
9. Establishing partnerships with civil society organisations, community leaders, and religious figures to engage them in cyber terrorism prevention.

Possible repressive measures

1. Prosecute cyber-terror perpetrators under the law.
2. Strengthen regulations governing cyber-crime.
3. Shut down websites that are proven to meet the elements of cyber-terrorism offences.

Philosophical inquiry reveals that many cyber terrorism perpetrators give little thought to the far reaching consequences of their actions; some simply wish to vent their dissatisfaction. Consequently, the law should serve not merely as a tool of retribution but also as a means of rehabilitation particularly when the offender is a minor, for safeguarding and nurturing a child's future is paramount. Social welfare acts as a barometer of crime risk: the State, as mandated by the constitution, must ensure the well being of its citizens; the higher the level of welfare, the lower the crime rate. Law, as the umbrella of justice, must therefore guarantee social protection and public welfare.

6. Conclusion

Preventing cyber terrorism through a philosophy of law approach oriented toward justice and public welfare is a crucial, foundational effort to resolve the root problems that drive cyber terrorist offenders. With such preventive measures, cyber terrorism can be curbed. A society that can easily access positive information will feel satisfied and will not be inclined to commit crimes. Knowledge and education thus become instruments for controlling the spread of radical terrorist ideology in cyberspace. The concept of cyber terrorism prevention must address its primary source the dissatisfaction felt by individuals or groups. Cyber terrorism spreads by influencing and recruiting others in cyberspace. Therefore, it must be countered with educative information that prioritises public awareness, meets citizens' information needs, and promotes social welfare. These goals can be realised through civic and moderate religious education, entrepreneurship training aimed at improving the community's economic well being, transparent and equitable law-enforcement processes, and the cultivation of tolerance, humanity, and the importance of social harmony.

References

- Alius, Suhardi. 2019. *Pemahaman Membawa Bencana: Bunga Rampai Penanggulangan Terorisme* (Jakarta: Gramedia Pustaka Utama)
- Arini Indah Nihayati, Bagong Suyanto. 2020. 'Strategi Pembinaan Mental Masyarakat Dalam Menghadapi Radikalisme', *Journal Al Tazkiah*, 9.2: 95–112
- Bakti, Agus Surya. 2016. *Deradikalisasi Nusantara: Perang Semesta Berbasis Kearifan Lokal Melawan Radikalisasi Dan Terorisme*, Cetakan I (Jakarta: Daulat press)
- Ludigdo, Unti, and Ali Mashuri. 2021. 'Negative Evaluations of National Ethics and Its Impact on Islamic Radicalism', *SAGE Open*, 11.3 <<https://doi.org/10.1177/21582440211041099>>
- Manan, Bagir. 1994. *Hubungan Antara Pusat Dan Daerah Menurut UUD 1945* (Jakarta: Pustaka Sinar Harapan)
- Marzuki, Peter Mahmud. 2016. *Penelitian Hukum* (Jakarta: Prenada Media Group)
- Pudjiono, Farkhani; Elviandri; Sigit Sapto Nugroho; Moch Juli. 2018. *Paradigma Modernisme Menuju Post Modernisme* (Solo: Kafilah Publishing)
- <[https://repository.unikom.ac.id/66636/1/_2020-ke-4-pdf-Bahan Kuliah Filsafat Hk- UNIKOM.pdf](https://repository.unikom.ac.id/66636/1/_2020-ke-4-pdf-Bahan%20Kuliah%20Filsafat%20Hk-UNIKOM.pdf)>
- Rahman, M Taufiq. 2020. *Agama, Kekerasan Dan Radikalisme* (Bandung: Prodi S2 Studi Agama-Agama UIN Sunan Gunung Djati Bandung), IV
- Shodiq, MD. 2018. *Paradigma Deradikalisasi Dalam Perspektif Hukum* (Jakarta: Pustaka Harakatuna)
- Suadi, Amran. 2020. *Filsafat Keadilan (Biological Justice Dan Praktiknya Dalam Putusan Hakim)* (Cet. I, Jakarta: Kencana)