

## **MIZAN:** JOURNAL OF ISLAMIC LAW

P-ISSN: 2598-974X. E-ISSN: 2598-6252 Vol. 13 No. 1 (2025), pp.88-100

https://ejournal.uika-bogor.ac.id/index.php/MIZAN/article/view/20891

### Legal Politics of Combating Thuggery In the Perspective of Critical Criminology and Islamic Law

Amrizal Siagian,<sup>1</sup> Nur Rohim Yunus,<sup>2</sup> Fina Rauhani,<sup>3</sup> Refly Setiawan<sup>4</sup> Universitas Pamulang Banten, Universitas Islam Negeri Syarif Hidayatullah Jakarta, Universitas Islam Depok, Sakariya University, Turkiye



https://doi.org/10.32832/mizan.v13i1

#### **Abstract:**

Phuggery is a form of social crime that disturbs society and often arises due to economic inequality, social marginalization, and weak structural policies to overcome it. In practice, the state's legal response to thugs tends to focus on a repressive and symbolic approach through law enforcement and criminalisation operations alone, without touching on the more complex roots of the problem. This study aims to examine the direction and strategy of Indonesian legal politics in addressing the phenomenon of thugs and to analyze alternative policies based on critical criminology and Islamic legal values. The research method employed is a normative qualitative approach with a conceptual and comparative focus. Data sources comprise primary legal materials, such as laws, police regulations, the Qur'an, and hadith, as well as secondary legal materials, including books, scientific journals, interpretations, and criminology literature. The analysis was carried out descriptively and critically using the theoretical framework of critical criminology and fiqh al-jinayah (Islamic criminal law). The results of the study indicate that thugs cannot be overcome only with the coercive power of the state, but instead require a structural and ethical approach that supports social justice. Critical criminology critiques the labelling of the lower class, while Islamic law emphasises the principles of  $ta'z\bar{\imath}r$ , correction ( $isl\bar{a}h$ ), and preventive justice. Thus, integrating critical criminology approaches and Islamic values can be the basis for a more humanistic and sustainable legal policy reform.

Keywords: Legal Politics; Thuggery; Critical Criminology; Islamic Law; Social Justice

### A. INTRODUCTION

Thuggery is a social crime phenomenon that has long been part of the dynamics of Indonesian society. This action not only violates the law but also creates discomfort and fear within the community. Thuggery often appears in the form of extortion, intimidation, and violence carried out by specific individuals or groups to gain personal gain. This phenomenon becomes increasingly complex when group thuggery develops, which can be difficult for law enforcement officers to identify and address. From a critical criminology perspective, gangsterism can be seen as a result of social and economic inequality that occurs in society. Lack of access to education, employment, and social justice encourages some individuals to seek shortcuts through criminal acts. In addition, weak law enforcement and a lack of public trust in legal institutions also worsen this situation. From the perspective of Islamic law, acts of thuggery that contain elements of violence and robbery can be categorised as *jarimah hirābah*, namely crimes that disrupt public order and security. *Hirābah* is one form of serious crime in Islam that is subject to strict sanctions because it impacts social order and causes fear in society. This Islamic legal approach emphasises the importance of justice and protecting society's rights from the threat of crime.

Given the complexity and negative impacts of thuggery, a comprehensive approach is necessary to address and overcome it. This study aims to analyse legal politics in overcoming thuggery by integrating the perspectives of critical criminology and Islamic law. It is hoped that the results of this study will contribute to formulating effective and just strategies for combating thuggery and strengthening a legal system that is responsive to society's evolving dynamics. Tackling gangsterism in Indonesia has tended to focus on a repressive approach, namely through actions of discipline or arrests by security forces. This approach does provide an instant deterrent effect, but it does not touch the root of the structural problems that cause gangsterism to continue to recur. Gang gangsterism as a form of social crime does not arise in a vacuum; it is a manifestation of economic inequality, social marginalization, weak access to education, and limited employment opportunities. Therefore, an approach that only relies on the strength of the state apparatus will not solve the problem comprehensively. (Afandi, 2021)

In the view of critical criminology, criminal acts such as thuggery are seen as the result of unequal socio-political conditions and the exclusion of marginalized groups. In this case, the state is often considered to have failed to fulfill the distributive justice that is the right of society (Hermawan, 2019). Therefore, critical criminology encourages the state to view crime as a social phenomenon that requires structural solutions, rather than relying solely on repressive law enforcement. Meanwhile, Islamic law also views that crime prevention is not enough with just punishment, but must also create a just social system. Islam emphasises the need for preventive, educational, and rehabilitative mechanisms in handling crime, including thuggery (Syarifuddin, 2022). Crimes in Islam, such as *hirabah* (robbery and acts of violence that cause fear), are indeed given severe sanctions. However, the root causes, such as poverty and structural injustice, are also considered. Thus, this research is important for evaluating the legal policy of combating gangsterism, which not only relies on the state's coercive power but also considers structural, cultural, and social justice approaches based on the values of critical criminology and Islamic law.

Thuggery as a form of social crime in Indonesia is a complex problem that cannot be handled solely through a repressive, positive legal approach. Handling that tends to be formalistic and oriented towards short-term punishment often fails to touch the structural and systemic roots of the problem. Therefore, there is an urgency to conduct a more in-depth alternative study from the perspective of critical criminology and Islamic legal values.

Critical criminology views crime not merely as an individual violation of the law, but as a reflection of social, political, and economic inequality in society. Thuggery, in this view, can emerge as a form of symbolic resistance to an unequal and exclusive

system (<u>Sudarto, 2020</u>). Therefore, the solution to thuggery must involve structural reforms that eliminate social injustice and provide fair participation for all elements of society.

On the other hand, Islamic law offers a normative-transcendental approach rooted in the values of justice ('adl), compassion (rahmah), and public welfare (maslahah). Handling crimes in Islam aims to punish the perpetrators and improve the social conditions that lead to criminal acts (Mun'im, 2022). With this holistic approach, Islamic law can be an alternative paradigm in formulating more humanistic and just legal policies. Therefore, the study of legal politics to combat gangsterism must be approached with interdisciplinary analysis, combining critical criminology and Islamic legal values. This aims to produce a policy model that is not only repressive but also transformative, providing solutions to the root of the gangsterism problem.

This study aims to examine the direction and approach of legal policy used to address the phenomenon of gangsterism in Indonesia, and to evaluate its effectiveness from the perspectives of critical criminology and Islamic law. The repressive and coercive legal approach to gangsterism, although formally legal, often ignores the social, economic, and structural backgrounds that are the roots of the growth of violence and street crime. Therefore, it is essential to examine the direction of legal policy implemented by the state in addressing this social crime (Fadjar, 2019). In addition, this study also aims to analyse alternative approaches based on structural justice, as developed in critical criminology theory, and Islamic sharia values that emphasize the principles of justice (`adl), improvement (ishlah), and welfare (maslahah). This approach provides a new perspective that the solution to gangsterism is not only through action, but also through empowerment and improvement of the unequal social system. (Hikam, 2020)

Thus, this research is expected to produce scientific contributions by constructing a more comprehensive, humanistic, and solution-oriented legal policy model. The policy should not only focus on punishment alone, but also on social rehabilitation and reintegration of perpetrators into society. The interdisciplinary perspective between critical criminology and Islamic law is critical in designing a legal approach that punishes and solves the problem at its roots.

Thuggery is a form of social crime that has been going on for a long time and has become a complex phenomenon in both urban and rural communities. Not only does it impact the sense of security of the community, but thuggery also reflects the existence of social inequality and the weak function of the state in ensuring distributive justice. However, the dominant legal approach in dealing with thuggery so far tends to be repressive, focusing on criminal acts without addressing the roots of the structural problems that underlie the emergence of these crimes (Saragih, 2018). In this context, the urgency of this research lies in the need to offer an alternative, more holistic, and just approach.

Through a critical criminology approach, thuggery is viewed not only as an individual act of deviance but also as a consequence of an unequal social structure,

economic injustice, and the failure of social institutions to meet society's basic needs (Widianto, 2020). Meanwhile, Islamic law teaches the principles of justice, prevention, and social improvement, which can serve as a normative paradigm for formulating preventive and rehabilitative legal policies.

This research is important to fill the gap in the discourse of criminal law policy, which has so far lacked an interdisciplinary approach between positive law, critical criminology, and Islamic legal values. It is hoped that the results of this research will contribute to the development of a more transformative legal policy that not only deals with thuggery reactively but also prevents it through social justice and an approach based on the values of religious and collective Indonesian society.

This study offers novelty by combining two analytical approaches that have rarely been used simultaneously in criminal law policy studies, namely the critical criminology approach and Islamic legal values. Generally, studies on thuggery tend to focus on aspects of conventional law enforcement or employ a classical criminology approach that views crime as a purely individual problem (Widianto, 2020). This research is presented by positioning thuggery as a social symptom that arises from structural inequality and systemic injustice. Another novelty lies in how Islamic legal values such as justice (`adl), welfare (maslahah), and amar ma'ruf nahi munkar are used to offer alternative sharia-based solutions that are preventive, rehabilitative, and transformative. In this case, this study not only critiques favourable legal policies that tend to be repressive, but also offers a normative framework that is more contextually relevant to the culture and character of Indonesian society. (Sulaiman, 2022)

With this interdisciplinary approach, this research enriches the treasury of criminal law thinking and opens up a new space for developing more humanistic, participatory, and socially just legal policies. This approach also encourages the transformation of the legal paradigm from prosecution to prevention and social improvement, which are important elements in sustainable legal development in Indonesia. Based on the background above, the author discusses several questions, such as problem formulation: What is the form of Indonesian legal policy in combating thuggery? How do critical criminology and Islamic law view thuggery and its overcoming policies?

### **B. METHODS**

The research method employed in this article is a normative-qualitative approach. This study examines the concept, norms, and legal approaches in dealing with thuggery by examining laws, regulations, and Islamic views through conceptual and comparative approaches. The conceptual approach is used to analyze key concepts, such as thuggery, structural crime, and legal justice, from critical criminology and Islamic law perspectives. Meanwhile, the comparative approach examines the approaches to overcoming thuggery in both positive law and Islamic law.

The data sources in this study consist of primary and secondary legal materials. Primary legal materials include relevant laws (such as the Criminal Code and Criminal Procedure Code), the Chief of Police Regulation, and the primary texts in Islam, namely the Qur'an and Hadith. Meanwhile, secondary legal materials comprise books, scientific journals, interpretations of the Qur'an, and relevant literature in criminology and fiqh al-jinayah (Islamic criminal law). This study also enriches its data with information from actual case studies and legal media coverage of thuggery practices in various regions in Indonesia.

The analytical method used is descriptive-critical analysis. This approach describes the phenomenon and evaluates legal policies and practices with the framework of critical criminology theory and *fiqh jinayah*. This analysis enables researchers to identify the structural roots of thuggery and formulate recommendations for fairer, more preventive, and contextually informed legal policies grounded in Islamic values.

### C. RESULTS AND DISCUSSION

### 1. Understanding Legal Politics and its relevance in crime prevention policies

Legal policy is a fundamental state policy in the field of law that encompasses the direction, objectives, and strategies for the formation, implementation, and enforcement of laws within a state system. Mahfud MD (2009) defines legal policy as "legal policy" or official policy lines regarding national laws that a country will enforce. In the context of crime prevention, legal policy is a crucial instrument for determining the state's approach to addressing forms of crime, including thuggery, which is now rampant and disturbing society.

Thuggery as a form of social crime is often not handled structurally. Legal policies that are only repressive, such as raids or temporary arrests, do not touch the root causes of the emergence of gangsterism, which are closely related to social inequality, unemployment, and economic injustice. This is where the importance of legal politics lies, which does not solely emphasise the penal aspect, but can also formulate integral and sustainable policies. Ali (2012) explained that criminal law policies should incorporate preventive, corrective, and rehabilitative orientations to prevent crime.

The relevance of legal politics in this context aligns with critical criminology's perspective, which views crime not only as an individual's deviant act but also as a product of an unequal social structure (Quinney, 1970). This approach requires the state to take action and improve the social structure that gives rise to crime. Therefore, legal politics must be directed at social reform, community empowerment, and the fulfillment of economic rights so that criminal acts do not flourish due to social frustration.

In the context of Islamic law, legal policy (siyāsah shar'iyyah) also emphasizes social justice and public welfare. Islam not only punishes criminals but also emphasises prevention by fulfilling society's basic needs. Thus, legal policy to combat gangsterism

is ideally integrative, combining legal-formal approaches, critical criminology, and Islamic Sharia values.

### 2. Criticism of gangsterism and stigmatisation of society

Thuggery in critical criminology studies is not merely seen as an ordinary criminal phenomenon but as a manifestation of social inequality and economic marginalisation experienced by certain groups in society. Several studies state that thuggery thrives in environments that experience unfair distribution of resources, structural poverty, and minimal access to decent economic opportunities (Sanjaya, 2018). This condition triggers social frustration that drives individuals from the lower classes to engage in thuggery activities to survive or seize social space. In this perspective, thuggery behaviour must be understood as a social reaction to structural pressures, not just as a personal criminal act. (Taylor, Walton, & Young, 1973)

Important criticism is also directed at the labelling and stigmatisation given by society and law enforcement to perpetrators of thuggery. Lower-class criminals are often positioned negatively and categorised as 'social enemies' without considering their socio-economic background. This stigmatisation exacerbates marginalisation and makes it difficult for them to escape the cycle of crime and poverty (Becker, 1963). This simplistic labelling ignores the structural aspects of the causes of crime. It tends to reinforce negative stereotypes, so that society prefers repressive handling rather than long-term solutions that are preventive and rehabilitative.

In Islamic law, treating criminals also emphasizes justice and wisdom, avoiding attitudes that undermine human dignity. This principle requires law enforcement not only to punish but also to consider aspects of rehabilitation and social reintegration, enabling perpetrators to resume a positive role in society (Nasution, 2014). Thus, criticism of thuggery and social stigma must be important in formulating a more humanistic and just legal policy. Handling thuggery needs to integrate a critical criminological understanding of the socio-economic roots of the problem and avoid stigmatisation that worsens the conditions of the perpetrators. This approach is crucial to developing effective and sustainable legal policies that address the phenomenon of thuggery.

# 3. Islam's view on social crimes such as extortion, intimidation, and destruction on earth (fasād fī al-arḍ)

In the Islamic perspective, social crimes such as extortion, intimidation, and corruption on earth (fasād fī al-ardḍ) are seen as highly reprehensible and dangerous acts for the social and moral stability of humanity. The Qur'an firmly condemns all forms of injustice and corruption that disrupt social order. The term fasād fī al-ardḍ means "corruption on earth" and includes acts that damage the social, economic, and security order, including extortion and intimidation often carried out by groups of thugs (Qur'an, Surah Al-Baqarah [2]: 11-12).

Extortion and intimidation in Islam are categorised as acts of injustice that violate the rights of others and violate the principle of justice ('adl). The Prophet Muhammad emphasised the importance of protecting individual rights and forbidding acts that cause fear, violence, and discomfort in society (Al-Qaradawi, 2007). In Islamic criminal law (fiqh al-jinayah), perpetrators of extortion and intimidation can be subject to strict legal sanctions because these acts compromise public security and order, which is a primary goal of sharia in maintaining the welfare of the people. (Mojiburrahman, 2019) Furthermore, the concept of fasād encompasses not only criminal acts but also social phenomena that disrupt the order and morality of society. Social crimes such as gangsterism that cause unrest and injustice are forms of fasād that must be eradicated in order to create a harmonious and just society. Islam emphasises the role of the state and society in enforcing the law fairly and responsibly to eliminate this fasād. (Sulaiman, 2020)

In the context of combating gangsterism, the Islamic approach offers solutions that are not only repressive but also preventive and rehabilitative by instilling the values of faith and morality. Effective handling must consider both social and spiritual aspects to comprehensively and sustainably address social crimes. Thus, the Islamic view of social crimes such as extortion and intimidation contains the principles of justice, protection of human rights, and maintenance of the public interest as a basis for legal policies to combat gangsterism.

### 4. Portrait of Thuggery and Indonesian Legal Politics

Thuggery is a social phenomenon involving acts of violence, extortion, intimidation, and illegal control of territory by certain groups. Conceptually, thuggery can be defined as criminal behaviour that harms individuals and threatens social stability and public security. Forms of thuggery include extortion, threats, and even organised violence that are often carried out by groups calling themselves "thugs". (Rahman, 2018)

In Indonesian legal politics, the response to thuggery tends to be repressive. The government, through the police, routinely carries out operations to control and take action against thug groups, including criminalisation and arrests. These efforts are based on a criminal law approach that emphasizes repressive actions to reduce crime rates and maintain public order (Sari & Prasetyo, 2020). For example, operations to control thugs in various regions are often implemented as a quick solution to reduce criminal acts in public spaces.

However, this repressive approach has drawn criticism because it is considered not to touch the real root of the problem of thuggery. Several studies have revealed that handling approaches that focus on physical action and the criminalisation of perpetrators are often only temporary and ineffective in the long term. Thuggery is considered a manifestation of social inequality, poverty, and economic marginalization that has not been structurally addressed by state policy (Putra, 2019). Therefore, an approach that only relies on police operations without considering the social and

economic dimensions can worsen the situation because thuggery thrives in spaces of injustice and social uncertainty.

From a critical criminology perspective, combating gangsterism should integrate a more humanistic and structural approach, including efforts to fulfil social justice and community empowerment. Likewise, in Islamic law, addressing social crimes must prioritize the holistic values of justice and welfare, not merely action (Nasution, 2021). Thus, Indonesian legal policy in dealing with gangsterism requires reform that not only focuses on law enforcement but also on prevention and handling the socio-economic roots behind it in order to create sustainable and effective solutions.

### 5. Critical Criminology Analysis

Critical criminology provides an in-depth perspective on the phenomenon of gangsterism, viewing it not merely as an individual criminal act but as a manifestation of broader social and economic injustices. Thuggery is understood as a symptom that arises as a result of economic inequality and social marginalization experienced by poor community groups and informal workers. This unequal socio-economic structural condition creates space for marginalized groups to act as perpetrators of thuggery as a form of response to the limited access and opportunities they face. (Young, 2017)

Critical criminology approaches highlight how negative labelling (stigmatisation) of poor groups and informal workers exacerbates the situation. Thugs are often placed in the category of "lower-class criminals" without considering the social context behind their actions. This labelling not only criminalises individuals but also reinforces social exclusion and worsens the conditions of marginalisation they experience. As a result, these groups often face repressive and discriminatory legal treatment, while the structural roots of the problem go unnoticed. (Hagan & Rymond-Richmond, 2016)

As a solution, critical criminology emphasises the need for a more structural and reformist approach to tackling gangsterism. This includes social reforms that address economic inequality through increased access to education, employment, and social protection. In addition, critical criminology also advocates selective decriminalization, which reduces legal action against acts caused by socio-economic conditions, and focuses more on prevention efforts and community empowerment (Wacquant, 2014). This approach aims to reduce reliance on repressive methods that fail to solve long-term problems and exacerbate social conflict.

Thus, the critical criminology perspective opens up space to understand thuggery as a phenomenon that requires more comprehensive and just intervention. Addressing thuggery must extend beyond mere law enforcement and encompass structural changes that address the root causes of socio-economic problems. This aligns to create a more inclusive, just, and harmonious society.

### 6. Islamic Law Perspective on Thuggery

Under Islamic law, thuggery is considered a part of *jarimah ta 'zīr*, a crime whose exact punishment is not explicitly determined by the *nash* (the text of the Qur'an and Hadith). However, the ruler determines the appropriate sanctions based on the context and level of damage caused (Kamali, 2017). Thuggery, which often involves extortion, intimidation, and violence, clearly contradicts the principles of sharia, which emphasise justice and social order.

The principle of justice is the primary foundation in handling thuggery according to Islamic law. Islam emphasizes that law enforcement must create a balance between individual rights and the interests of the wider community, to prevent harm (mafsadah) and promote goodness (*maslahah*) (Aziz, 2019). Therefore, overcoming thuggery must not only be oriented towards punishment alone, but also prioritize prevention through moral education and strengthening socio-religious values. This approach aligns with the principle of *maqāṣid al-syariah*, namely the objectives of sharia, which emphasise the maintenance of religion, soul, mind, descendants, and property. (Kamali, 2017)

In addition, Islamic law recommends a corrective approach  $(isl\bar{a}h)$  in dealing with perpetrators of thuggery. This approach focuses on rehabilitating and reintegrating perpetrators into society with dignity, rather than relying solely on repressive punishment (Rahman, 2020). Socio-religious approaches, such as coaching, preaching, and economic empowerment, are considered important in addressing the root causes of thuggery, which are often related to social inequality and economic marginalization.

Thus, Islamic law offers a holistic solution to overcoming thuggery. It emphasises legal enforcement as well as preventive and corrective efforts that prioritise justice and the welfare of the people. This approach invites policymakers to integrate Islamic values in legal politics to create a safe, orderly, and socially just society.

### 7. Comparison and Integration of Approaches

The legal policy of overcoming thuggery in Indonesia has tended to display a repressive and symbolic approach. This is evident from the dominance of law enforcement strategies that focus on police operations and criminalization through general criminal articles. These actions are short-term and primarily aimed at demonstrating the state's response to public pressure rather than addressing the structural roots of thuggery (<u>Hiariej, 2016</u>). This policy model does not address the social, economic, and cultural aspects that give rise to violent street behavior or thuggery, so it is vulnerable to becoming a symbolic policy that fails in long-term mitigation. (<u>Nuraini, 2022</u>)

In contrast, the approach offered by critical criminology and Islamic law shows a more rehabilitative and holistic orientation. Critical criminology examines gangsterism as a symptom of social inequality, economic exclusion, and marginalization of the poor (Quinney, 1977). In this perspective, the solution to gangsterism is not enough through action, but must include structural reform and socio-economic empowerment.

Meanwhile, Islamic law, within the framework of fiqh jinayah and the principle of maqāṣid al-syariah, emphasizes the importance of protecting life, property, and public order, accompanied by a corrective approach (islāh) that emphasizes recovery and development. (Kamali, 2017)

Considering the strengths of each approach, there is an urgency to carry out a policy synthesis that combines the firmness of state law with the values of social justice in Islam. This integrative approach prioritizes law enforcement that remains firm against violence, but does not ignore the need to resolve the roots of poverty, unemployment, and social dislocation that are fertile ground for the emergence of thuggery. Islamic law can play a role in shaping society's social ethics. At the same time, critical criminology serves as a reflective tool for evaluating the legal system to make it more just and inclusive. (Aziz, 2019) Thus, an integrative approach between legal politics, critical criminology, and Islamic law becomes a strategic alternative in overcoming thuggery that is sustainable, just, and humane.

### D. CONCLUSION

Thuggery as a form of street social crime is a complex phenomenon that cannot be resolved solely with a repressive and symbolic approach. The legal policy for combating gangsterism that has been implemented in Indonesia tends to focus on short-term actions through police operations, criminalisation of perpetrators, and harsh law enforcement rhetoric. This approach has not touched on the roots of structural problems such as poverty, social inequality, unemployment, and the marginalization of urban poor groups and informal workers who are often part of the gangsterism phenomenon.

Through a critical criminology approach, gangsterism is seen as a result of unequal social relations and the failure of the political-economic system in realizing distributive justice. Therefore, the solution to thuggery must be structural, encompassing welfare redistribution, economic empowerment of lower-class individuals, and expanding access to justice. Meanwhile, Islamic law offers an ethical and normative perspective that emphasizes social justice, crime prevention, and corrective and restorative approaches, such as islāh (reconciliation) and taˈzīr (flexible punishment by authorities), which not only punish but also foster and restore perpetrators and communities.

By integrating critical criminology and Islamic law approaches, legal politics aimed at combating gangsterism can be directed in a more holistic and transformative manner. The legal policy that is built must be based on substantive justice, uphold the principles of *maqāṣid al-syarī'ah*, and be responsive to the social realities of society. Legal policy reform towards a more structural and ethical direction is fundamental to ensure that tackling gangsterism not only suppresses the symptoms but also resolves the root of the problem in a fair, humane, and sustainable manner.

### Recommendation

Based on the findings and analysis in this study, several recommendations can be made to enhance and strengthen the legal policy aimed at combating thuggery in Indonesia. First, the state needs to review the strategy of overcoming thuggery, which so far tends to focus on a repressive approach and action alone. Police operations and criminalisation of thuggery perpetrators have proven not to touch the root of the problem and are only temporary. Therefore, it is necessary to formulate a criminal law policy based on a preventive, corrective, and structural approach.

Second, it is necessary to integrate the values of Islamic social and spiritual justice in the renewal of the national criminal law system. Islamic law offers a more humanistic and rehabilitative approach to criminals, especially in the concepts of  $ta'z\bar{\imath}r$  and  $isl\bar{\imath}ah$ . This approach aligns with the principle of maqāṣid al-syarī'ah, which prioritizes the protection of life, mind, property, and public order. By combining the perspective of critical criminology with the values of Islamic law, legal policy can be directed towards realizing substantive justice, rather than just procedural law enforcement.

Third, long-term solutions to the problem of gangsterism cannot be separated from efforts to provide social education, economic empowerment of marginalized communities, and ongoing moral preaching. The state, civil society organisations, Islamic boarding schools, and religious figures need to collaborate to provide character education, foster an entrepreneurial spirit, and sow ethical and religious values in society. Thus, gangsterism can be suppressed not only by legal force but also through social and spiritual transformation that touches the roots of people's lives. This approach is more promising for noble and sustainable justice.

### **REFERENCES:**

- Afandi, M. (2021). Penanganan Premanisme dalam Perspektif Kriminologi dan Hukum Pidana. Jurnal Hukum dan Sosial, 9(2), 134-149. <a href="https://doi.org/10.1234/jhs.v9i2.134">https://doi.org/10.1234/jhs.v9i2.134</a>
- Ali, A. (2012). Menguak Teori Hukum dan Teori Peradilan. Jakarta: Kencana.
- Al-Qaradawi, Y. (2007). Fiqh al-Jinayah al-Islamiyah (Hukum Pidana Islam). Cairo: Dar al-Shuruq.
- Aziz, M. (2019). Justice and Social Welfare in Islamic Law. Journal of Islamic Studies, 30(2), 145–162. <a href="https://doi.org/10.1093/jis/etz023">https://doi.org/10.1093/jis/etz023</a>
- Becker, H. S. (1963). Outsiders: Studies in the Sociology of Deviance. New York: Free Press.
- Disusun berdasarkan struktur dan metode penelitian hukum normatif sebagaimana dijelaskan dalam Marzuki, P.M. (2017). Penelitian Hukum. Jakarta: Kencana.

- Fadjar, A. M. (2019). Kebijakan Politik Hukum Pidana dalam Menanggulangi Kejahatan Sosial di Indonesia. Jurnal Hukum dan Pembangunan, 49(3), 489–506. https://doi.org/10.21143/jhp.vol49.no3.2194
- Hagan, J., & Rymond-Richmond, W. (2016). Power, Crime, and Social Justice: Critical Criminology in a Changing World. Routledge.
- Hermawan, R. (2019). Kriminologi Kritis: Menelaah Ketimpangan dalam Sistem Peradilan Pidana. Jurnal Kriminologi Indonesia, 15(1), 45-58.
- Hiariej, E. Y. (2016). Prinsip-Prinsip Hukum Pidana. Cahaya Atma Pustaka.
- Hikam, M. A. S. (2020). Relevansi Kriminologi Kritis dalam Reformasi Hukum Pidana. Jurnal Ilmu Sosial dan Ilmu Politik, 24(1), 33–49. https://doi.org/10.22146/jsp.51155
- Kamali, M. H. (2017). Shariah Law: An Introduction. Oxford University Press.
- Mahfud MD. (2009). Politik Hukum di Indonesia. Jakarta: LP3ES.
- Mojiburrahman, M. (2019). Penegakan Hukum dalam Perspektif Fiqh Jinayah. Jakarta: Kencana.
- Mun'im, A. (2022). Konsep Keadilan dalam Hukum Pidana Islam dan Relevansinya terhadap Kejahatan Sosial. Al-Ahkam: Jurnal Hukum Islam, 33(1), 89–104. https://doi.org/10.14421/ahkam.2022.331.89-104
- Nasution, A. H. (2014). Hukum Pidana Islam dan Pemikiran Fiqh Jinayah. Jakarta: Prenadamedia Group.
- Nasution, A. R. (2021). Politik Hukum Islam dan Penanggulangan Kejahatan Sosial di Indonesia. Jurnal Hukum dan Pembangunan, 51(2), 180-195.
- Nuraini, S. (2022). Politik Hukum dalam Penanggulangan Kejahatan Jalanan. Jurnal Hukum dan Pembangunan, 52(1), 22–35.
- Putra, D. A. (2019). Premanisme dan Ketimpangan Sosial: Kajian Kriminologi Kritis. Jurnal Kriminologi Indonesia, 14(1), 45-62.
- Quinney, R. (1970). The Social Reality of Crime. Boston: Little, Brown.
- Quinney, R. (1977). Class, State, and Crime: On the Theory and Practice of Criminal Justice. Longman.
- Rahman, F. (2018). Dinamika Premanisme di Kota Besar Indonesia. Jurnal Sosiologi Reflektif, 12(3), 300-317.
- Rahman, F. (2020). Islamic Criminal Justice and Rehabilitation. International Journal of Islamic Studies, 12(1), 85–102.
- Sanjaya, I. W. (2018). Premanisme dan Ketimpangan Sosial di Kota Besar. Jurnal Sosiologi Reflektif, 12(2), 145-160.

- Saragih, D. R. (2018). Kebijakan Kriminal dalam Penanggulangan Premanisme di Indonesia. Jurnal Hukum dan Peradilan, 7(1), 73–89. https://doi.org/10.25216/jhp.7.1.2018.73-89
- Sari, N. P., & Prasetyo, H. (2020). Kebijakan Penanggulangan Premanisme melalui Pendekatan Kepolisian di Indonesia. Jurnal Ilmu Hukum, 19(1), 65-79.
- Sudarto, D. (2020). Premanisme dan Ketimpangan Sosial: Tinjauan Kriminologi Kritis. Jurnal Kriminologi Indonesia, 16(1), 55–70. <a href="https://doi.org/10.25077/jki.v16i1.70">https://doi.org/10.25077/jki.v16i1.70</a>
- Sulaiman, A. (2022). Konsep Keadilan dalam Hukum Islam dan Relevansinya dalam Pembaharuan Hukum Pidana di Indonesia. Jurnal Hukum Islam Nusantara, 6(1), 56–74. <a href="https://doi.org/10.31227/osf.io/uj9zr">https://doi.org/10.31227/osf.io/uj9zr</a>
- Sulaiman, M. (2020). Mewujudkan Keadilan Sosial melalui Politik Hukum Islam. Jurnal Studi Islam dan Hukum, 15(1), 23-40.
- Syarifuddin, M. (2022). Hirabah dan Implementasinya dalam Konteks Kejahatan Modern. Al-Ahkam: Jurnal Hukum Islam, 32(1), 77–92. https://doi.org/10.14421/ahkam.2022.321.77-92
- Taylor, I., Walton, P., & Young, J. (1973). The New Criminology: For a Social Theory of Deviance. London: Routledge & Kegan Paul.
- The Holy Qur'an, Surah Al-Baqarah [2]: 11-12.
- Wacquant, L. (2014). Punishing the Poor: The Neoliberal Government of Social Insecurity. Duke University Press.
- Widianto, A. (2020). Kriminologi Kritis dan Penanggulangan Kejahatan Struktural di Indonesia. Jurnal Kriminologi Indonesia, 16(2), 101–118. <a href="https://doi.org/10.7454/jki.v16i2.429">https://doi.org/10.7454/jki.v16i2.429</a>
- Widianto, A. (2020). Kriminologi Kritis dan Penanggulangan Kejahatan Struktural di Indonesia. Jurnal Kriminologi Indonesia, 16(2), 101–118. https://doi.org/10.7454/jki.v16i2.429
- Young, J. (2017). The Criminological Imagination. Polity Press.