

THE EX-TERRORIST SOCIAL REINTEGRATION BASED ON COMMUNITY PARTICIPATION THROUGH A CORPORATE SOCIAL RESPONSIBILITY PROGRAM

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Abstract: This study examines how former terrorism convicts or prisoners can be integrated into society using the company's CSR funding help strategy. The author discovers a gap in regulatory standards because the Terrorism Law solely governs measures to prevent and suppress terrorism. This research aims to provide an overview of the reform of the Terrorism Law and the social reintegration model for former convicts using an empirical research model that involves interviewing sources. The findings of this study suggest that the Terrorism Law should be amended and the BNPT reimagined as an entity dedicated to preventing terrorist attacks in Indonesia.

Keywords: Ex-Terrorist; Reintegration; Community Participation; BNPT; CSR

I. INTRODUCTION

Counterterrorism and terrorism in the world have a long history, dating back to the 8th century BC, as seen by the Zealots' operations in Palestine. Terrorism also emerged during the French Revolution in the 18th century. In the 1890s, Armenian terrorists fought against Turkey. In addition to Palestine and France, terrorism began in Russia in the mid-19th century, followed by the second wave in 1902, which was sponsored by the Social Revolutionary Party and included the killing of Bal Mashev. In 1910, Egypt's Prime Minister, Boutros Pasha, was assassinated, as were other leaders (Sertkaya, 2023). In the post-reform era, the first act of terrorism in Indonesia emerged in 2009. This is shown in the occurrence of 2 bomb explosions, namely at the J.W. Marriott Hotel and the Ritz Carlton Hotel in Jakarta on July 17, 2009. This event is known as the 2009 Mega Kuningan Bombing. In 2010, there were several shootings of civilians in Aceh. Then, on August 18, 2010, the CIMB Niaga Medan bank robbery was carried out by the Medan 3 network terrorist group. Terrorist attacks are typically sporadic. Among other things, on April 15, 2011, a suicide bombing occurred in the Cirebon Police Headquarters Mosque; although the victims were suicide bombers, 25 civilian casualties were reported, including the Cirebon Police Chief.

On September 25, 2011, a suicide bombing happened at GBIS Kepunten Church in Solo. The terrorism incident in 2012 was also marked by grenade throwing and shooting at some Eid Security Police Posts in Solo. These events occurred on September 17, 19, and 30, 2012. In October 2012, two members of the Poso Regional Police were found murdered in the Tamanjeka

forest, Poso⁴. In addition to the events in Solo and Tamanjeka, Poso, on December 20, 2012, three members of the Central Sulawesi Mobile Brigade (Brimob) were shot by armed groups in the Tambarana area, Poso (Prakasa et al., 2021). In addition to individuals and groups as targets, terrorists have also shifted terror targets against churches and mosques to monasteries (although still in planning). This was revealed from the findings of the Police when arresting terrorists in Ciputat on December 31, 2023. During the raid, police found a list of terrorism targets of approximately 50 temples in Jakarta and surrounding areas in the form of *printouts*. The National Police Public Relations Division in the Public Information Bureau explained that the impact of international and regional developments in the world is one of the reasons for changes in terrorism trends in Indonesia.

BNPT/*Badan Nasional Penanggulangan Terorisme*, or the National Counterterrorism Agency, is a critical element in efforts to prevent acts of terrorism (Madjid, 2022). Deradicalization efforts are also an essential point for BNPT in overcoming terrorist acts. Therefore, former terrorists are important subjects in several discussions and scientific articles. The existence of former terrorism convicts in Indonesia is a part that must be considered because terrorism crimes are one of the extraordinary crimes that threaten the safety of others. As a result of the actions committed, a person gets a punishment according to the level or degree of crime that has undergone a process in court to have permanent legal force. So that former prisoners or terrorist convicts need to get more access and touch. One of the investigations that the author attempted to do was to establish a link between the company's CSR and attempts to coach convicts. Economic concerns are undeniably barriers to former inmates' reintegration into society. The stigma associated with ex-prisoners appears to be highly scary. Thus, coaching and economic empowerment in partnership with corporate CSR are imperative tasks.

This research delves into the critical role of entrepreneurship in the deradicalization process. A key aspect of implementing entrepreneurship programs is securing funding, which ensures proper oversight and support by the government. One promising approach is leveraging Corporate Social Responsibility (CSR) initiatives from state-owned enterprises (SOEs). By integrating CSR into deradicalization efforts, these companies can significantly contribute to rehabilitating and reintegrating former prisoners. However, it is essential to establish a clear and appropriate legal framework to guide the use of CSR in such activities (Gunawan & Joseph, 2017).

This research highlights the significant legal gap surrounding enterprises' use of Corporate Social Responsibility (CSR) funds in supporting deradicalization programs and prisoner reintegration into society. Currently, no legal framework defines how CSR can be utilized for these crucial efforts. Philosophically, it is essential to establish such frameworks, as they ensure that efforts to rehabilitate and reintegrate terrorism-related prisoners are effective, preventing them from reoffending and protecting society from further harm. The process of social reintegration, supported by CSR, is vital for providing former prisoners with the economic assistance they need to rebuild their lives. However, without clear legal standards, the potential contribution of state-owned companies through their CSR initiatives remains unrealized, creating a normative vacuum that this study seeks to address.

The lack of a legal framework for using CSR funds in prisoner correctional programs poses a significant challenge (Boateng et al., 2021). This research addresses this issue by focusing on the recurrence of terrorism, often driven by economic hardship. Although laws exist to support

deradicalization through entrepreneurship, funding remains a major obstacle. Therefore, the core of this study lies in exploring post-prison deradicalization efforts for former terrorism offenders. The research seeks to understand how the government can create a conducive environment for preventing terrorism and facilitating the reintegration of ex-prisoners into society, thus ensuring public safety and welfare. Utilizing CSR in these efforts can help break the network of ex-prisoner organizations and support their acceptance in society. Establishing a legal framework to authorize CSR funding for deradicalization is crucial. Ultimately, this research aims to enhance the welfare of former inmates through entrepreneurial opportunities and disrupt terrorism networks (Ginting & Talbot, 2023).

II. RESEARCH METHOD

Legal science can be classified as either normative or empirical based on legal philosophy (Al-Fatih, 2023). Empirical law arises from a positivistic view, while normative law science stems from a normative perspective. Thus, law can be studied through normative and scientific lenses, each with distinct characteristics. This study focuses on the legal processes (Al-Fatih & Siboy, 2021) in implementing deradicalization through entrepreneurial activities, as required by law, with normative legal research (Negara, 2023). This approach begins with analyzing existing laws and regulations (Qamar et al., 2017) that facilitate entrepreneurship as a part of the deradicalization process, which requires funding, mainly through CSR initiatives. Normative legal research is a scientific study that seeks truth using the logic of legal science from its normative perspective (Irwansyah, 2023).

III. RESULTS AND DISCUSSION

The overlap between anti-terrorism law enforcement activities and existing BNPT entities warrants careful consideration (Daud, 2021). The multi-agency terrorism prevention model implemented by BNPT is shown in the following diagram;

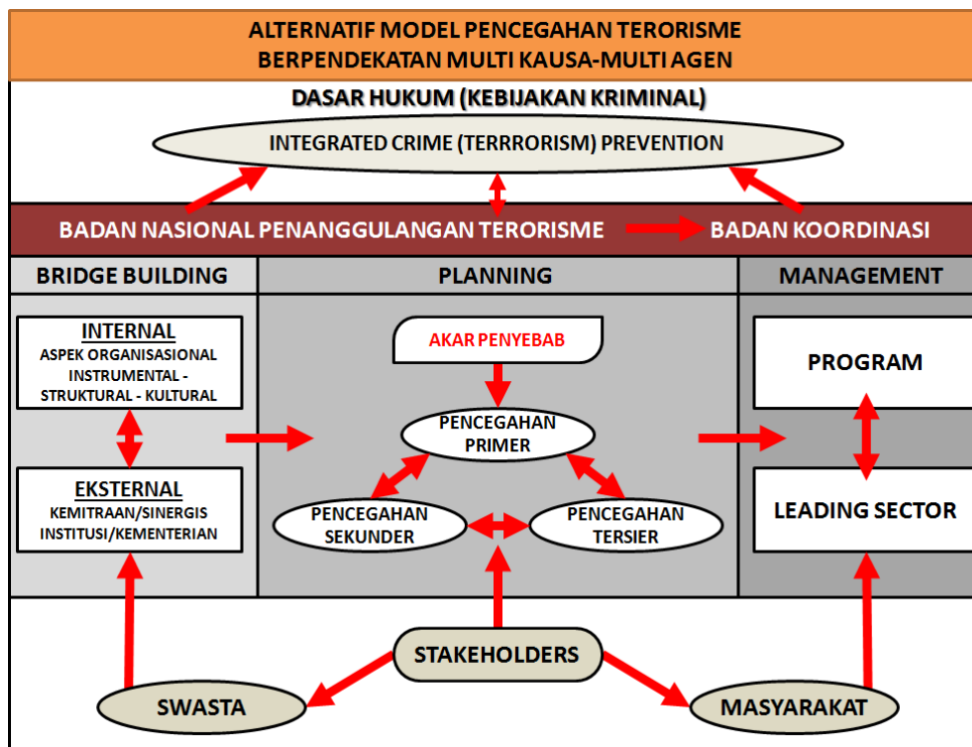


Figure 1. Counterterrorism Alternative Model

When it comes to the existence of BNPT, two distinct concepts are frequently combined: Multi-Institution networks and multi-institutional Collaboration. Networking is a contact process in which institutions talk and exchange ideas and information, as well as, where possible, providing support and guidance to particular institutions in need. In this case, it is expected that Ministries/Agencies related to terrorism prevention together with BNPT discuss to jointly design terrorism prevention programs or activities to achieve harmony among terrorism prevention programs or activities carried out by each Ministry/Institution. Collaboration goes far beyond interaction and actively accepting input between resources to bring about change for the community and institutionally. In this case, BNPT, as a Multi-Agency coordinator, will integrate terrorism prevention programs or activities based on the problem or root cause and appoint a "leading sector" among the Ministries/Agencies that are most dominant in preventing the root causes of terrorism (Aminah, 2016). This approach ensures that terrorism prevention efforts are tailored to specific root causes, with the designated "leading sector" working in conjunction with relevant Ministries/Agencies to effectively combat terrorism.

In assigning roles to each Ministry/Agency in this terrorist prevention effort, the BNPT must act fairly and appropriately. This is significant because it prevents a Ministry/Agency from believing its contribution is overlooked. According to Clarke and Mayhew (1980), some distinctions frequently result in disparities in an institution's ability to contribute or whether an institution will be willing to give. These ministries may face "structural subordination," which puts them in a less influential and powerful position than other agencies. If this circumstance continues, the Ministry/Agency may refuse or oppose coordination (Al-Fatih & Aditya, 2019).

Given the complex and multi-causa nature of terrorism, a novel approach is essential for effective terrorism prevention. Addressing terrorism's diverse causes necessitates the involvement of multiple ministries and agencies; any absence can hinder success (Clarke and Mayhew, 1980). The BNPT emphasizes creating "partnerships" or "coalitions" through a multi-agency approach in its prevention programs. This strategy involves forming a BNPT body composed of diverse organizations and institutions, each contributing unique skills and resources to provide a coordinated response to terrorism (Masyhar & Emovwodo, 2023). But how effective is this in practice? Can different Ministries and Agencies truly collaborate to deliver better results than other approaches? This study seeks to explore the real-world efficacy of such partnerships

According to Cummings, the BNPT, a multi-institutional body for preventing terrorism, faces significant challenges related to low structure, high complexity and limited resources. BNPT, being relatively new, grapples with issues like high complexity, uncertainty, and internal conflicts. Internally, the organization is marked by conflicting interests between directorates and personnel from various Ministries and Institutions working on a "loan" basis, leading to sectoral egos. Consequently, members of the BNPT struggle to understand and integrate their roles within the broader framework of terrorism prevention, especially when coordination with other institutions is required (Budiono et al., 2023).

Cummings highlighted that when institutions within multi-institutional organizations prioritize sectoral egos and adhere to their own methods and beliefs, the effectiveness of terrorism prevention efforts is compromised. The BNPT faces significant challenges due to limited organizational and skilled human resources in tackling multi-causal terrorism. Overcoming these obstacles requires personnel within such organizations to set aside their sectoral egos and share resources previously managed independently (Burton et al., 1998). communication or interpersonal networks among them. The situation is further complicated if there has been no

selection, training, or leadership rotation within these personnel. These conditions hinder BNPT from developing a cohesive organizational culture transcending individual or institutional contexts (Nohria and Ghoshal, 1997). The author illustrates these real-world challenges faced by BNPT in fulfilling its duties and functions in the figure below.

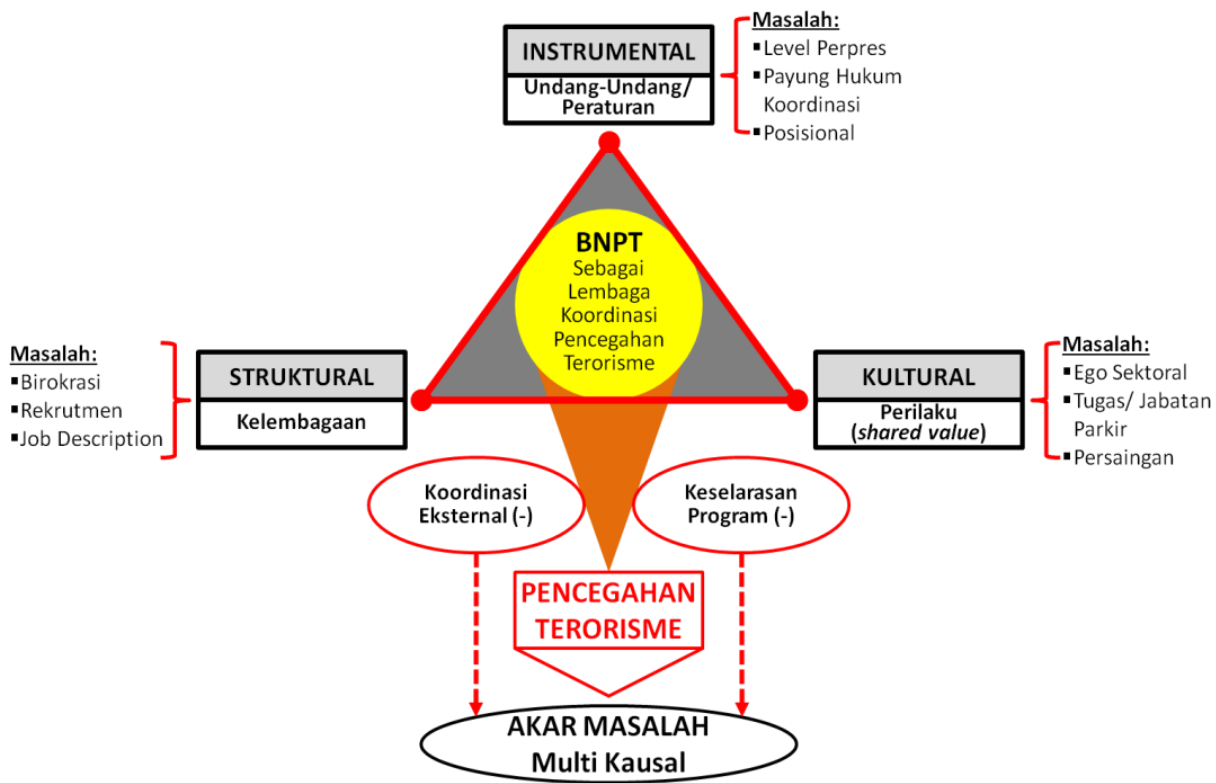


Figure 2. Counterterrorism Action Plan in Indonesia

Providing the basis for the existence of BNPT as a Multi-Agency agency in terrorism prevention is deemed weak (Paikah, 2019). Its establishment is solely based on a Presidential Regulation, positioning BNPT leadership under the coordination of various Ministries/Institutions. To effectively fulfill its multi-agency coordination role, BNPT needs a legal framework to ensure that relevant Ministries and Institutions collaborate on integrated terrorism prevention efforts, leaving behind sectoral egos and their respective internal interests, moving beyond sectoral egos and internal interests. The current policy places BNPT in a position that seems to usurp crime prevention programs and activities from existing Ministries and Institutions, complicating efforts to coordinate and integrate terrorism prevention in Indonesia (Eko Timuriyono, 2020).

Thus, the fundamental cause of terrorism prevention can be identified by a comprehensive, planned, and quantitative effort (Terrorism, 2014). As previously mentioned, this study attempts to launch social reintegration initiatives utilizing corporate CSR funding to combat terrorism, mainly to allow former convicts to be accepted into society. Social reintegration through corporate social responsibility (CSR) is a method that tries to help former terrorist convicts and those involved in radical activities reintegrate into society by offering private sector support. Corporate social responsibility (CSR) refers to a company's commitment

to long-term economic development by collaborating with employees, their families, local communities, and society to improve their quality of life (Gunawan & Joseph, 2017).

Companies can use CSR programs to give former terrorist offenders skills training or education and help them find suitable jobs or start small enterprises. Companies can also help with social reintegration programs in local communities, such as mentorship programs or social activities encouraging social inclusion and reconciliation. This strategy not only benefits the individuals involved but it also helps to build a more stable and inclusive society. CSR may be essential in preventing radicalization and creating a more harmonious society by expanding collaboration networks between the commercial sector, government, and civil society organizations (Hidayat et al., 2022).

IV. CONCLUSION

Given the long history of terrorism and the government's efforts to combat it in Indonesia, the establishment of the Terrorism Eradication Coordination Desk (DKPT), later upgraded to the National Counterterrorism Agency (BNPT), reflects these initiatives. However, the author argues that BNPT's efforts to prevent terrorism will remain ineffective if internal and external challenges persist. This conclusion is supported by field findings analyzed using relevant theories and both primary and secondary data.

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