ABSTRACT

Objective: This study delves further into the application of restorative justice to the problems faced by young people in Indonesia who have been exposed to terrorism. Restorative justice is advocated as a feasible approach for addressing this complex issue because of its focus on restoration and readjustment.

Methods: This subject is affected by legal norms and philosophy. The constraints of restorative justice and the necessity for stakeholder engagement limit its potential advantages in combating juvenile terrorism.

Results: This research shows that restorative justice is part of a broader approach to prevent youth radicalization, including effective education, quick intervention, and support for at-risk families and communities. This research also emphasizes the necessity for legal, educational, family, and community involvement with teen terrorists. Restorative justice programs work best when they are part of a larger plan that identifies at-risk individuals, intervenes on their behalf, and supports their families and communities, according to the research.

Conclusion: This research examines restorative justice for Indonesian teenage terrorists. Restorative justice's emphasis on rehabilitation and reintegration makes it useful for rehabilitating teen terrorists. The idea allows victims and community members a say in decisions.

Keywords: restorative justice, children, terrorism, criminal, rehabilitation.
RESUMO

Objetivo: Este estudo aprofunda a aplicação da justiça reparadora aos problemas enfrentados pelos jovens na Indonésia que foram expostos ao terrorismo. A justiça restaurativa é defendida como uma abordagem viável para abordar esta questão complexa por causa de seu foco na restauração e reajuste.

Métodos: Este assunto é afetado por normas legais e filosofia. As limitações da justiça reparadora e a necessidade de envolvimento das partes interessadas limitam as suas vantagens potenciais no combate ao terrorismo juvenil.

Resultados: Esta pesquisa mostra que a justiça reparadora faz parte de uma abordagem mais ampla para prevenir a radicalização juvenil, incluindo educação eficaz, intervenção rápida e apoio a famílias e comunidades em risco. Esta pesquisa também enfatiza a necessidade de envolvimento legal, familiar e comunitário com terroristas adolescentes. Os programas de justiça restaurativa funcionam melhor quando fazem parte de um plano maior que identifica indivíduos em risco, intervêm em seu favor e apoia suas famílias e comunidades, de acordo com a pesquisa.

Conclusão: Esta pesquisa examina a justiça restauradora para os terroristas adolescentes indonésios. A ênfase da justiça reparadora na reabilitação e reintegração torna-a útil para a reabilitação de adolescentes terroristas. A ideia permite que vítimas e membros da comunidade tenham voz nas decisões.

Palavras-chave: justiça reparadora, crianças, terrorismo, crime, reabilitação.

1 INTRODUCTION

Terrorism is a worldwide issue that poses a danger to all nations, including Indonesia. Terrorism is a growing problem on a global scale since it has struck both affluent and impoverished countries, such as Indonesia (Mitchell, 2016). Between 1908 and 1945, the growth of national movement groups was a defining feature of human rights in Indonesia. (Budi Oetomo) The leaders' recognition of the value of association and their ability to have their voices heard can be seen in the petitions made to the colonial government and the articles published in the Goeroe Desa newspaper (Rs et al., 2023).

Hamed el-Said and Richard Barrett found that domestic and transnational terrorism have had significant effects on political, economic, social, and psychological consequences for the UN. The resurgence of paramilitary organizations in countries where Foreign Terrorist Fighters (FTF) have established recruitment bases has extended conflict and enhanced destructive power, while also posing a new terrorist danger (El-Said & Barrett, 2017). The study analyzes the role that terrorism plays in fostering national unity and progress. Terrorism's centrality in shaping legislation and motivating
people to work together toward a shared objective is highlighted. Terrorism has three key features, according to Robertson: obsession with the goal, ignorance about the objective, and refusal to negotiate (Robertson, 2010). Terrorism is seen as a weapon of the weak by J. Bowyer Bell and as an effort to influence others via psychological alterations in the minds of others by David Fromkin. Acts of violence and sadism are at the heart of terrorism, which makes it a global crime and diminishes its "noble" intentions because of a lack of disclosure (Suryani, 2017).

Given Indonesia's lengthy history of terrorism, incidents of this kind are not surprising. Beginning with the Bali I and Bali II bombings and continuing with the JW Marriott I and JW Marriott II bombings and many additional terror disasters, including the Sarinah attack in early 2016, terrorism has been a persistent problem in Indonesia (Tomsa, 2016). There were 396 known terrorists before the end of 2018. Of the entire population, 141 were tracked by law enforcement all the way to trial, 204 were investigated, 25 were killed by law enforcement, 13 by suicide, 12 were sentenced, and 1 succumbed to sickness (Widowati, 2018). There was a 57% drop in terrorist attacks in 2019 compared to 2018. In 2019, there were 19 terrorist attacks, 275 terrorists were detained by the National Police, 2 were convicted, 42 are awaiting trial, 220 are under investigation, and 3 were killed in the attacks (Gumiwang, 2019).

There has been an uptick in the involvement of minors, particularly youngsters, in terrorist acts of different kinds. Because they have such a hard time luring in adult recruits, terrorist groups often look to minors to fill their ranks. Children, on the other hand, are remarkably malleable and influenced. Religion provides another justification for enlisting youngsters, in this case by urging them to jihad. In 2018, a woman and her two children committed a terrorist act by bombing the prayer room of an Indonesian Christian Church (GKI) on Jalan Diponegoro in Surabaya. This case exemplifies the role of children in acts of terrorism. The 2016 assault on Medan's St. Joseph Catholic Church, for example, also shows the participation of youngsters. A young person with the initials IAH committed the act of terror. He brandished a knife in an attempt to harm the priest.

In addition, the criminal act of terrorism includes a cycle known as the vengeance cycle, in which a terrorist is regarded to have been more effective by other terrorists if he receives a criminal punishment, including the death penalty. Therefore, rehabilitation or deradicalization measures are required in addition to penal actions against terrorist act offenders (Simanjuntak, 2014). According to statistics compiled by the Indonesian
National Counterterrorism Agency (BNPT), 500 terrorists had 1,800 children in custody in 2018. The number of offspring of released terrorists is not included in this tally since their information is not adequately documented. Without help, the children of terrorists and other violent extremists may grow up to be followers of such organisations (Mulyana et al., 2020).

Seven children were among the many injured in the Surabaya bombing on 13 and 14 May 2018, sending several of their parents to the hospital's urgent care unit. Three of the people implicated were really terrorists' offspring (Arianti, 2018). The bombing of the Surabaya Police Headquarters resulted in the arrest of four persons, including a child, on suspicion of involvement in terrorism. One kid was killed in a terrorist incident in Sibolga, North Sumatra, another example of terrorism and extremism using minors in Indonesia.

The following is data on perpetrators of criminal acts of terrorism by age in 2018-2022: (database.cds.or.id, n.d.)

<table>
<thead>
<tr>
<th>Actor's Age</th>
<th>Amount</th>
</tr>
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<tbody>
<tr>
<td>&gt;50</td>
<td>28</td>
</tr>
<tr>
<td>41-50</td>
<td>112</td>
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<tr>
<td>31-40</td>
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<tr>
<td>18-30</td>
<td>227</td>
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<tr>
<td>&lt;18</td>
<td>4</td>
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<table>
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<tr>
<th>Year</th>
<th>Free</th>
<th>Granted</th>
<th>Free</th>
<th>Strengthen</th>
<th>Not acceptable</th>
<th>Reject</th>
<th>Total Verdict</th>
</tr>
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<tbody>
<tr>
<td>2018</td>
<td>-</td>
<td>26</td>
<td>-</td>
<td>11</td>
<td>6</td>
<td>8</td>
<td>51</td>
</tr>
<tr>
<td>2019</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>-</td>
<td>4</td>
<td>2</td>
<td>10</td>
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<td>2020</td>
<td>1</td>
<td>5</td>
<td>-</td>
<td>-</td>
<td>6</td>
<td>2</td>
<td>14</td>
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<tr>
<td>2021</td>
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<td>6</td>
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<td>8</td>
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<td>15</td>
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<td>2022</td>
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<td>2</td>
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<td>2</td>
</tr>
</tbody>
</table>

Source: Directory of Decisions of the Supreme Court of the Republic of Indonesia

Data on terrorist perpetrators in Indonesia reveals that those between the ages of 18 and 30 make up the majority, but the participation of youngsters under the age of 18 raises unique challenges, especially when it comes to deradicalization. Because of this, it's important to critically examine current legal approaches, such as the deradicalization concept in Indonesian law for juveniles, and to apply restorative justice principles that place equal emphasis on punishment and rehabilitation, among other things. contrasts between the intervention of radical ideas in children and adults, and the issue of child terrorism in light of the Convention on the Rights of the Child. Deradicalization of
children in counterterrorism programs tries to change radical beliefs that lead to terrorist crimes and is informed by data from the terrorism case judgment. Several laws govern this idea, including the Law on the Eradication of Terrorism (Law No. 5 of 2018), the Law on the Protection of Children (Law No. 35 of 2014), and the Law on Juvenile Justice (Law No. 11 of 2012). However, the idea of diversion for juveniles who have run afoul of the law is not completely consistent with the KHA.

Imprisonment or counseling makes a huge difference between a criminal law strategy and one based on restorative justice. For instance, deradicalization methods may become too punitive, placing less emphasis on reintegration and rehabilitation. Children who commit terrorist actions, for instance, may be sent straight to the criminal court system without any thought given to their upbringing, education, or mental health. The Panel of Judges at the Klaten District Court, for instance, said that the accused terrorist AW (Initially), 17 years old, was proved guilty of committing a crime of terrorism. This is despite the fact that in Indonesia, there is an emphasis on jail terms for youngsters who are participating in terrorist operations. AW was given a two-year jail term as a result of this trial. The CRC mandates that all decisions that have an effect on children must be made with their best interests in mind. Even though Article 1 Number 6 of Law Number 11 of 2012 concerning Juvenile Justice emphasizes restorative justice with the settlement of criminal cases involving perpetrators, victims, perpetrator/victims, and other related parties to jointly strive for a fair resolution from the outset emphasizes reconciliation of situations, not revenge (criminal/imprisonment), this does not mean that the law does not impose criminal or incarcerative penalties for those who break its provisions.

This research provides a more in-depth analysis of how restorative justice has been used to address the needs of young people who have been exposed to terrorism in Indonesia. With its emphasis on healing and reintegration, restorative justice is promoted as a viable option for dealing with this complicated problem. The research concludes that restorative justice is a viable alternative to repressive and punishment-oriented systems, and that it is crucial to include communities and victims in the settlement process. This research offers a critical and constructive perspective on how the ideas of restorative justice might be used in the Indonesian setting, where there are difficulties in bringing criminal law into line with children's rights.
2 LITERATURE REVIEW

Throughout its existence, criminal law has evolved with society. The goal is to leverage these alterations, which are occurring on several levels, to exert more control over society (Kartika et al., 2023). Kuflik questions the reliability of legal moralism from a liberal perspective. The primary tenet of liberalism is the belief that individual freedom is a fundamental human right. This begs the issue, is it right for the government to limit individual liberties? Kuflik uses this argument to criticise legal moralism, arguing that even in a society where everyone agrees on what is right and wrong, there are "good moral reasons" not to codify every moral norm into law (Suwito et al., 2023). According to research by Sumarwoto et al. (2020), attempts to prevent terrorism via deradicalization must include not only the judicial system. (Sumarwoto et al., 2020) Counter-radicalization efforts are carried out for the general public to increase the preventive effect on terrorist radicalism in Indonesia, while de-radicalization is implemented for terrorists and their families and sympathizers. This research contrasts the methods used to counteract radicalization in the United States with those used in Thailand.

Additionally, Prastiyo and Setiabudhi (2021) study the function and standing of minors in terrorist operations. They believe that terrorist kids are really just innocent bystanders who have been brainwashed into doing bad things. Therefore, it is crucial to take a human rights-based approach to safeguarding young people from the dangers of terrorism. (Prastiyo & Setiabudhi, 2021) This study also examines the criminal laws that address the issue of children being engaged in terrorist operations, such as the rules for rehabilitating radicalized kids and providing a safe haven for the kids of parents who are in terrorist networks.

Meanwhile, the United Nations Office of Drugs and Crime's (2017) handbook details the challenge posed by terrorist and extremist organizations' recruitment and exploitation of minors across the world (Crime, 2017). Children are utilized as human shields and explosive devices, among other functions, and this manual details all of them.

Horgan, Altier, Shortland, and Taylor conducted a research in 2017 that looked at people who had successfully abandoned dangerous right-wing extremism. The findings of this study highlight the need of considering the extremists' point of view while designing deradicalization programs (Horgan et al., 2017). They stress the importance of personal experiences in determining a more tailored and successful deradicalization approach.
Additionally, Koehler's "Understanding deradicalization: methods, tools, and programs for countering violent extremism" (2016) provides extensive information on the many strategies that have been used to help in the deradicalization process in this conflict (Koehler, 2016). Koehler claimed that efforts to deradicalize should include not only individuals, but also the larger social and institutional factors that may have contributed to radicalization.

However, stress is the fundamental component in radicalization, as claimed by Agnew in "A general strain theory of terrorism" (2010) (Agnew, 2016). Taking a concept from criminology called "strain," he explains how an individual's life experiences might influence their propensity for extremism.

Furthermore, the importance of social media in the radicalization of young people is highlighted in "Youth and violent extremism on social media: Mapping the research" (Alava, Frau-Meigs, & Hassan, 2017) (Séraphin et al., 2017). They argue that social media may play a role in preventing violent extremism and in both the radicalization and deradicalization processes. Finally, Gendron (2017) looked at deradicalization programs at the community level (Gendron, 2017). Gendron exemplifies how neighborhoods may assist at-risk individuals by enacting deradicalization programs to counter terrorist recruitment.

From this diverse literature review, it appears that law enforcement and deradicalization of law-abiding children in the context of terrorism in Indonesia requires a multidimensional approach that not only focuses on punishment, but also involves rehabilitative and preventive aspects. An in-depth understanding of individual experiences, the role of stress and the social environment in radicalization, as well as the use of social media as a deradicalization tool are key in this effort. In addition, the need for a human rights approach in protecting children from terrorist violence is also an important element. Meanwhile, community-level de-radicalization programs can be an effective strategy to prevent recruitment and support vulnerable individuals. However, there are significant challenges in their implementation, including how to effectively design such programs and determine how to best engage various stakeholders, both at the individual, community, and institutional levels.
3 RESEARCH METHODS

The concerns and/or themes that have been brought forward as research subjects classify this study as a kind of normative legal research. Philosophy, analysis, and logic are at the heart of this study's methodology, and the study's final results will hopefully lead to the development of novel insights that provide solutions to the study's identified key difficulties (Ishaq, 2017). It will also be studied utilizing descriptive analytical techniques, such as providing a summary of the relevant statutes, regulations, and legal theory, as well as examples of effective law enforcement policies and procedures (Mahmud Marzuki, 2011).

4 DISCUSSION

4.1 PREVENTION AND CONTROL OF CHILD TERRORISM IN INDONESIA: COMPREHENSIVE ANALYSIS OF POLICIES, STRATEGIES AND IMPLEMENTATION

In accordance with international accords, Indonesia just recently began using the word "terrorism" after the Bali bombing. In the wake of the Bali I bombing, President Megawati Soekarnoputri ordered the Coordinating Minister for Political, Legal, and Security Affairs to establish a task force to destroy terrorism (Khamdan, 2016). In order to combat terrorism, President Susilo Bambang Yudhoyono issued an instruction to establish the Counter-Terrorism Coordination (DKPT). Since its inception in 2002 (Article 2 in the Decree of the Coordinating Minister for Political and Security Affairs Number Kep-26/Menko/Polkam/11/2002 Concerning the Formation of a Coordinating Desk for Combating Terrorism), Ansyaad Mbai has been responsible for formulating policies involving prevention, prevention, countermeasures, termination, settlement, and legal action.

While the Indonesian National Armed Forces (TNI) and the State Intelligence Agency (BIN) provide help, the Indonesian National Police (POLRI) is the primary factor in eliminating criminal acts of terrorism in Indonesia. In 2003, the Indonesian National Police formed the Anti-terrorist Special Detachment 88 (Densus). Presidential Regulation (Perpres) number 46 of 2010 concerning the National Counterterrorism Agency (BNPT) was issued by President Susilo Bambang Yudhoyono in response to suggestions made in 2009 for the formation of a specific counter-terrorism agency. Policies of prevention,
protection, and deradicalization; law enforcement; and national readiness are all under the purview of this institution.

The National Counterterrorism Agency (BNPT) has three deputies—the Deputy for Prevention, Protection, and Deradicalization; the Deputy for Enforcement and Development; and the Deputy for International Cooperation—to carry out these responsibilities. The establishment of the National Agency for Combating Terrorism (BNPT) marked the beginning of a peace-building strategy directed both at the local populace and at those now serving or having previously served time for terrorism-related crimes. The work on this has not stopped.

The government issued Government Regulation in Lieu of Law (Perppu) Number 1 of 2002, which was ratified as Law Number 15 of 2003 on April 4, 2003, regarding the eradication of criminal acts of terrorism, and was subsequently updated by Law Number 5 of 2018, regarding amendments to Law Number 15 of 2003 regarding the stipulation of Government Regulations in Lieu of Law Number 1 of 2002 regarding the eradication of criminal acts of terrorism.

Violence, threats, or actions that generate panic and dread, as well as harming public facilities for ideological or political objectives, are all explicitly defined under Indonesia's statute against criminal acts of terrorism. Members, recruiters, founders, and controllers of terrorist groups face jail terms of between two and twelve years under the statute. Penalties for using military, paramilitary, or any other kind of training to plan or carry out terrorist crimes range from 4 to 15 years in jail. The law also specifies a maximum sentence of 5 years in prison for incitement related to terrorist organizations, and it includes an additional clause for the involvement of minors in terrorist crimes that increases the punishment by one-third of the standard amount.

Article 46 of Law Number 15 of 2003 concerning Government Regulations in Lieu of Law Number 1 of 2002 concerning Eradication of Criminal Acts of Terrorism emphasizes the retroactive application of the principle. The application of the retroactive principle makes an act that was not previously considered a criminal act subject to a criminal penalty. Provisions for the application of the retroactive principle used to impose death penalty on the perpetrators of the Bali Bombing I, namely Amrozi, Ali Imron, and Imam Samudera (Salam, 2010), as well as a manifestation of an extraordinary preventive attitude because the principle of retroactivity is a deviation from the principle of legality of criminal law which prohibits the application of law.
retroactively. The Criminal Code (KUHP) has not specifically regulated and is not sufficient enough to eradicate criminal acts of terrorism. Retroactive enforcement is intended to prevent the immunity of perpetrators of crimes, prevent legal vacuum, and the principle of justice.

Surveillance, counter-propaganda, deterrent, and vigilance are all part of the larger process of preventing terrorism. There must be a set of quantifiable, methodical, and ongoing procedures for each objective. According to Richardson, it's not just about finding ways to stop terrorist attacks anymore; prevention is just as important (Louise, 2006). In the field of prevention, this measure was carried out with extraordinary means because the criminal act of terrorism is classified as an extraordinary crime (Hiariej, 2010). In addition to the government's National Counterterrorism Agency (BNPT), community groups (civil society) also implement this plan via their own social organizations.

In the realm of security, this action is conducted to provide safety from the participation and effects of terrorist criminal activities. People's levels of protection for culpability depend on whether they are suspects, defendants, witnesses, or victims. First, in 2003, the government passed Government Regulation Number 24 of 2003, which is titled Procedures for the Protection of Witnesses, Investigators, Public Prosecutors, and Judges in Terrorism Crime Cases.

Witnesses and reporters play an essential part in uncovering illegal activities, as mandated by Law Number 13 of 2006 concerning Protection of Witnesses and Victims. The government provides security against the effects of terrorist crimes by developing and expanding state institutions, particularly in the sphere of countering terrorism. The National Counterterrorism Agency (BNPT) was established when the Coordinating Minister for Politics and Security (Menkopolkam) was tasked with establishing a Coordinating Desk for Combating Terrorism. Special Detachment (Densus) 88 Anti-Terror was formed to bolster the police force.

State attempts to deradicalize terrorists, their supporters, and members of the general public who have been exposed to extremist ideology are expanding at the same time. The term "deradicalization" refers to an approach of reducing violent radical activities that emphasizes encouraging new patterns of behavior, cutting relationships, and rejecting the use of violence (Golose, 2009). When it comes to prosecuting terrorist acts, the government has bolstered the National Police's position via Detachment 88.
Although authoritarian measures cannot be entirely removed, the Indonesian government hopes to forsake them in counter-terrorism operations using this strategy. When anything like this occurs, unfortunately, the media (print, broadcast, and digital) tend to overemphasize it. The resulting stories are often outlandish and, to a certain extent, promote the growth of radicalism, both among those sheltering behind old and new organisations.

Terrorism prevention, protection, de-radicalization, and law enforcement all need to be modified to accommodate the growing number of underage perpetrators. Laws and regulations, such as Law No. 5 of 2018 and Law No. 35 of 2014, must be applied to govern the treatment of juveniles who commit terrorist crimes. Manus ministras doctrine states that the rights of children who commit terrorist crimes must be respected and upheld. The focus must move from inquiry to court in order to deliver restorative justice that will enable young offenders to avoid punishment and rejoin society. Children who are active in terrorist networks need extra safeguards because they are easy targets for recruitment and indoctrination into the ideology of jihad. Children who are a part of terrorist activities need to be given extra protection and restorative justice should be included as part of the judicial procedure for this crime (Mahyani, 2019).

According to a study by the International Crisis Group (ICG) titled "Deradicalization and Indonesian Prisons" from 2007, terrorist prisoners at Bali's Kerobokan Penitentiary (LAPAS) have sway over their fellow detainees and the prison staff (Septian, 2012). This demonstrates the worry that LAPAS prisons may become incubators for and incubators of radicalism.

The Minister of Social Affairs has transformed eight children's shelters into special protection children's social rehabilitation facilities (BRSAMPK). The services offered by the center to disadvantaged children span 15 different areas, including diagnosis, treatment, advocacy, monitoring, evaluation, mapping, and information. The 78 LPKS in Indonesia work to safeguard children involved with the legal system, promote healthy development, and forestall prejudice and violence (developer, 2018). Children who have been harmed as a consequence of terrorist acts need the support of governments, families, religious leaders, community leaders, and other organizations. A moral movement must be developed to counteract extreme ideology and terrorism, rehabilitate ex-offenders into mainstream society, and reduce social isolation. This shift calls for novel pedagogical tools, academic inquiry, and strategic approaches. In order to
effectively combat terrorism and radical ideology, it is necessary to take a multifaceted strategy that integrates the work of academics, publishers, and the media (Khamdan, 2015).

There has to be extensive critical examination of the restorative justice method to dealing with terrorist crimes, particularly where children are involved. Recognized in international law, restorative justice provides a more empathic and inclusive response to illegal behavior, including terrorist activities. There are primarily three aspects to this:

1. Adaptation of Restorative Justice in Handling Terrorism

Opportunities for a more compassionate response to terrorism might be found in restorative justice's emphasis on conversation and healing. This is especially important to keep in mind while thinking about juvenile terrorists. By using both strategies together, we may find middle ground between punishment and rehabilitation in our fight against terrorism. Effective interventions to stop future radicalization may be planned if the history and motivations of a terrorist are well understood.

2. Implementation in the Indonesian Context

Indonesia's government has taken significant steps toward adopting a more holistic approach to countering terrorism. Legislation like 2018's Number 5 and others show a commitment to tailoring the justice system to the unique circumstances of juveniles who commit terrorist crimes. The government, families, religious leaders, and communities all need to work together for this to be successful.

3. Potential Challenges

Restorative justice's potential is undeniable, but it faces obstacles when applied to terrorist crimes. Concerns for victims' safety, power imbalances, traumatic repercussions, and others have been suggested as grounds for exercising care in its implementation.

In addition, terrorists may be able to manipulate the system in Indonesia due to a lack of knowledge of restorative justice, hostility to more inclusive methods, and other factors. The key to success in overcoming this obstacle will be cautious implementation and attentive observation. The results of this investigation show that a more successful and humanitarian strategy, especially in the case of juvenile offenders, may be achieved by connecting restorative justice with the prosecution of terrorist crimes. However, care
must be taken in its execution, since there are several obstacles that might arise. The best strategy will include in-depth familiarity with local dynamics, proficiency in restorative justice, and a dedication to collaboration among all parties. Above all else, there must be a solid understanding that any person involved in a criminal act of terrorism, including children, is a complex legal subject that requires a diverse and flexible approach, rather than a monolithic approach that may be easier but is less effective.

4.2 RESTORATIVE JUSTICE IN CHILD TERRORISM: IS REHABILITATION MORE IMPORTANT THAN PUNISHMENT?

In many parts of the globe, restorative justice is still mostly used for first-time offenders, juvenile offenders, or cases involving relatively minor offenses. Meanwhile, Article 5 of Police Regulation No. 8 of 2021 specifically bans activities that are radical in character and promote separatist from the scope of restorative justice in Indonesia's criminal justice system. In situations involving significant crimes or offenders who are rooted in serious criminal behaviors, however, restorative justice approaches are showing greater promise. With high-risk repeat offenders, restorative justice has been demonstrated to have the greatest effect on decreasing recidivism (Sherman et al., 2015).

Even though terrorism is a capital offense in Indonesia (carrying the death sentence if convicted), the involvement of minors in such activities is a major concern. Women play a significant role in luring children into participating in criminal acts of terrorism, and these youngsters are then recruited into terrorist networks where they are taught to become terrorists. As children who are engaged in the crime of terrorism unquestionably need particular management and legal certainty, it is important that these children be included in the group of children who are in conflict with the law. Scheltema argues that the following constitute a "lawful state" (rechtsstaat) (Engels, 1989):

1. Legal certainty;
2. Equality;
3. Democracy; And
4. Government that serves the public interest.

An element of legal certainty is urgently needed if Scheltema's above opinion pertains to terrorist acts involving children, where this element must be able to encourage the state to make law a foothold and guideline in handling criminal terrorist acts, especially those involving children. In his book The Limits of the Criminal Sanction,
Horbert L. Packer outlined two distinct approaches to criminal punishment (Panjaitan & Simorangkir, 1995):

1. **crime prevention strategy, namely the crime prevention strategy when the perpetrator of the crime is seen as an object of investigation. The crime control model is distinguished by its use of the presumption of guilt and the speed with which suspects are apprehended and prosecuted in court.**

2. **Model of rights protection that takes offenders as subjects in case examinations; often known as the "due process" model. Due process is characterized by safeguarding suspect rights, requiring a trial that is free from bias, and operating on the presumption of innocent. Juries in the criminal justice system take the age of the juvenile offender into account; those under the age of 12 are treated as adults. When a child reaches the age of 18, they are treated as an adult under the law. Arrangements and legal actions in instances of terrorism perpetrated by or involving minors are governed by Indonesia's Special Criminal Law, which includes Law no. 11 of 2012 pertaining to the juvenile justice system and Law no. 35 of 2014 pertaining to child protection. The youngster must be evaluated in a certain manner to see whether or not he may be held criminally accountable and returned to his parents.**

Conditions for sentence include evidence of guilt or guilt (subjective guilt) on the part of the individual who did not conduct the crime. In other words, the individual must take responsibility for his acts, otherwise the outcomes of his activities may be traced back to him alone. (Sudarto, 1988) Realization and comprehension of the multifaceted nature of the causes of terrorist crimes is essential. Consequently, a set of multi-pronged preventative measures is essential. (Nitibaskara, 2002)

Involvement of minors in terrorist activities is a worldwide issue that affects Indonesia as well. Case 22/PID.SUS-ANAK/2016/PN.JAK.TIM from the East Jakarta Court Decision in 2016 revealed instances of children being involved in committing criminal acts of terrorism (bringing them face to face with the law) and resulted in a two-year prison sentence (Mahyani, 2019). Children who come into contact with the law as a result of terrorist activities are almost never the primary offenders of these attacks, but rather victims who need protection rather than prosecution or incarceration. Protocol II to the 1949 Geneva Convention addresses the issue of children who are in confrontation
with the law as perpetrators of illegal acts of terrorism, although as indicated above, children are nevertheless often rendered defenseless "victims."

There is still a long way to go before we have an appropriate system in place for dealing with the issue of children's participation in terrorist attacks. Today, law enforcement officers only encounter children who are in confrontation with the law (in this example, perpetrators of criminal actions), and terrorist activities involving children are still treated the same as other crimes committed by children. Terrorism does fall within the categories of crimes and criminal activities since it is the same as breaking the rules. However, it must be stressed once again that terrorism is a particularly heinous crime.

There are three main reasons that make children easily become victims of criminal acts of terrorism, including the following:

1. The child's mental condition can be said to be still unstable (not yet stable), so that he cannot clearly reject the recommendations of the adult perpetrators of terrorism;
2. The condition of being unaware of the "opponents" of terrorism which is exploited by the use of children as perpetrators of terror; And
3. The condition of the perpetrators who know exactly that children will not be fully responsible for their actions.

However, the United Nations Office on Drugs and Crime identifies several factors that are particularly salient in a range of settings. The first is the use of children in terrorist organizations' propaganda and public relations campaigns; groups like Boko Haram and ISIS often utilize young victims to shock the public and display their strength. The second is demographic shifts, particularly in developing nations, where substantial pools of recruitable youngsters are now available. Third, the strategic benefits of child recruitment, such as the employment of children as spies, messengers, and perpetrators of assaults, as well as community expectations and control over these roles (Crime, 2017).

The author in this case tries to classify the factors that lead to acts of criminal acts of terrorism by involving children as perpetrators into two, namely:

1. Internal factors, namely factors that occur and come from within the child. In this case, it is due to the mental condition of the child, who in fact is still immature and the presence of parents who previously attracted their children to join the terrorist network.
   a) Child Mental Factors
According to Article 1 Number 1 of Law Number 23 of 2002 Concerning Child Protection, a child is defined as someone who has not reached the age of eighteen (18), which includes unborn children. Children are the nation's future and the seeds from which it will grow. Children are still developing as whole people, and as a result, they require the guidance of adults, namely parents who have shown their ability to steer their children in a positive path.

Last but not least, adults prey on young kids because of their naivety, even if doing so is immoral, illegal, and against the law. Parents are the primary perpetrators of their children's aberrant behavior. They rationalize their actions by arguing that their children will never be held legally responsible for their actions since they are youngsters (Panjaitan & Simorangkir, 1995).

As a result, safeguarding children is measured and guided by the fact that they are innocent and vulnerable because of their young age. In addition to the state using its resources, parents or other parties have responsibilities to ensure children's health, safety, and development. For the sake of this discussion, "protection" means ensuring that children have a good moral education, have access to age-appropriate news, and are shielded from hoaxes and other forms of false information that may incite them to violence.

b) Factors Role of Parents

That's because there's also the function of the parents to consider, which has a causal link with the components already present in the kid. The position of parents is frequently questioned in order to defend the steps they have taken against their children when youngsters conduct illegal acts of terrorism. However, it is important that we all keep in mind that even young children's mental and emotional development is still in its early stages, making it difficult for them to determine when an action is appropriate and when it is not. Due to the prevalence of these factors, parents often have custody of their children when they are implicated in criminal acts of terrorism.

If both parents have been radicalized, it's only natural for the radicalized parent to invite and indoctrinate their children. By teaching their children to hate others and their own nation, parents risk influencing their children to take extreme positions that cannot be supported by reason or law.

2. External factors, namely factors that come from outside the child. In this case it is generally caused by environmental factors, developments in technology
and information, as well as things that do not originate from the child's internal factors.

a) Environmental factor

It is undeniable that environmental influences contribute to juvenile delinquency, or behavior that causes juveniles to stray from the right path. Children will not develop normally if they are exposed to an environment that is hostile to their growth and development, one that is not conducive to children's needs. Terrorist organizations will have less room to operate if society as a whole prioritizes the well-being of its children and fosters social movements that promote harmony from the smallest unit, the family, to the largest, the community.

b) Media Factor

The potential for social media to play a significant role in increasing radical knowledge in Indonesia is high right now. Moreover, social media provides a platform where people from all walks of life may get the most current information about events occurring anywhere in the globe. Because of their proficiency with technology, today's kids may readily obtain extremist material or things that they shouldn't see on social media. There is a mutualistic symbiotic tie between terrorism and the media. What gives? The media does this because it requires stories that will interest the public at large. Terrorists do the same thing by using media and technology to keep their presence in the public eye and convince people that they are still active threats.

Terrorists utilize the media, both actively and passively, to influence public opinion and spread ideas and threats that may cause widespread fear. Moreover, the media plays a role for these terrorists in trying to attract new members to the terrorist movement by prioritizing the recruitment of young people by arousing these children's disappointment with the performance of the government, so that children who are notabena are still unstable in terms of emotions and decision-making about good and bad things can be included in the terrorist network.

In their research, Laura Huey and Eric Witner noted that women's participation in pro-terrorist organizations was at first underappreciated, but that this is changing with the rise of social media (Huey & Eric, 2016). They serve at least two functions here. First, it serves as a hub for female terrorist supporters and potential recruits to share information and ideas. These ladies have the ability to recruit new members, disseminate propaganda, and rally supporters, even if those supporters are children and their parents. Second, pro-
terrorist organization networks that include women have been seen to use social media in a wide variety of ways. Third, in terms of fighter/bomber, terrorist organizations increasingly use women, particularly white ones, owing to Western governments' preconceived notions of Muslim terrorists. Terrorist organizations are actively recruiting Caucasian women and children who don't seem like they're from the Middle East. In particular, women who are neither Arab nor South Asian have a distinct edge when it comes to infiltrating a certain nation and carrying out assaults there.”

Children who commit terrorist crimes should be dealt with using a restorative justice system that places an emphasis on rehabilitation and reintegration (Sherman et al., 2015). Child offenders may use restorative justice to make amends for their wrongdoing and reintegrate into society more effectively. The idea of "subjective guilt" is also fundamental in restorative justice philosophy (van Wormer, 2009). A kid may be both a perpetrator and a victim if he or she is engaged in a terrorist act of violence. Both the perpetrators and the victims of juvenile delinquency are to blame for the crime because of the unlawful nature of the behavior (Liefaard & Sloth-Nielsen, 2016).

This idea is consistent with others in the field of criminology, such as the theory of learnt behavior, which argues why terrorist acts are often perpetrated by minors who have picked up the conduct from their peers (Agnew, 2009). It's possible that young people who grow up to commit acts of terrorism were influenced by their parents or other adults in their lives. In addition, the theory of strain or the theory of pressure, which explains that criminal acts often occur in response to pressures or tensions in life, is consistent with the factors you mentioned that make children easy to become victims of criminal acts of terrorism, such as the perpetrators' knowledge that children will not be fully accountable for their actions.

If we're serious about understanding the roots of criminal behavior, we need to look at the biological, psychological, and social factors at play. While some children commit crimes, many more are killed as victims. Terrorism is an uncommon crime often committed by well-developed criminals. The explosion claimed the lives of children and caused some of them to take their own. No one should be able to take away a child's right to be a kid for the rest of their lives. Children who are taught extremist ideology by their parents are more likely to become terrorists themselves. Because of the widespread presence of environmental patterns in which reciprocal care and respect for others do not
arise, children have become the victims of their own parents and the society in which they were nurtured (Narwastuty, 2018).

Generally speaking, there are many different types of elements that contribute to terrorism. These include: perpetrator factors, motivation factors, driving motive factors, victim factors, and target considerations. From the perspective of the terrorists who carried out the attack in Surabaya, children who grow up to join the terrorist movement have a "role" as medepleger (those who participate) under their parents' (doenpleger) direction. Parents and their children are the primary terrorist offenders. On May 13th, 2018 at 06.30 WIB, their biological children, Yusuf (18) and Firman (16), bombed the Santa Maria Catholic Church, killing themselves and five others. Instead, according to reports on the ground, his mother and two children, Famela (9) and Fadhila (12), carried out a second bombing at 07.15 WIB (they were at the Indonesian Christian Church), and his father, who was at the Pentecostal Church, carried out a third bombing at 07.53 WIB. This shows that the Surabaya bombs followed a predetermined plan, which naturally included children. (‘Serangan bom di tiga gereja Surabaya’, 2018)

The Indonesian Child Protection Commission (KPAI) views the use of children in terrorist actions as a novel tactic in Surabaya. When a youngster first shows signs of not wanting to take part in flag ceremonies or sing the Indonesia Raya hymn, it is important to explain why. The incident at Wonocolo Rusunawa, Sidoarjo, is an example of the same issue. Police reports indicate that Sidoarjo bomber's son Anton Ferdiantono did not attend school and kept to himself and his family. According to KPAI members, neighbors should be on the lookout for kids from banned households and report them promptly to KPAI, KPAD, and the police if they spot any (Debora, 2018).

To add insult to injury, Hasan, the Assistant Deputy for Child Protection in Facing the Law and Stigmatization at the Ministry of Women's Empowerment and Child Protection (Kementerian PPPA), stated that many children are involved in criminal acts of terrorism because they are persuaded, seduced, indoctrinated, and taught to take radical actions and terrorism by the people closest to them, including neighbors, teachers, playmates, and tragically, unscrupulous parents. Internal elements, such as the child's lack of awareness of religion, national insight, gender, age, IQ, and emotional maturity, and external ones, such as the child's exposure to violent media, are the two causes of the birth of radicalism and criminal acts of terrorism, respectively, in his view. Family,
environment, media, poverty, and access to education are examples of external variables (Sulistyawati, 2019).

According to the National Counterterrorism Agency (BNPT), large-scale terrorist networks operate in eight regions in Indonesia, from the country's west to its east. Aceh, North Sumatra, Banten, West Java, Central Java, East Java, West Nusa Tenggara (NTB), and Southeast Sulawesi are the eight provinces that make up Indonesia. Terrorist organizations in Indonesia's eight provinces have ties to the Jamaah Ansharut Daulah (JAD), Jamaah Ansharut Khilafah (JAK), and Jamaah Islamiyah (JI), according to a statement by BNPT Enforcement Director Hamli (2019, CNN Indonesia) (CNN Indonesia, 2019).

Naturally, all the terrorist network organizations in the eight provinces have been exposed to extreme ideology. This suggests that extremist ideology and terrorist attacks in Indonesia continue to exist and perhaps thrive. Criminals function methodically by constantly relocating to establish new networks and cells, which they then staff with young, impressionable youngsters. Terrorists brainwash impressionable youth into believing they must fight to the death for their faith, using twisted reasoning to justify violence, launching random attacks, and even sacrificing family members if necessary.

The government, society, and families all face significant challenges when attempting to address the problem of juvenile terrorism and extremism. Given the interplay of internal and external forces, it's clear that we need to tackle this issue from several angles. Legal measures alone are not enough to ensure the healthy development of children; parents and teachers must work together to provide their children with a safe and nurturing environment, and the media and the internet must be closely monitored. Based on this premise, restorative justice (or restorative justice) is a legal method that prioritizes reparation and reconciliation between offenders and victims above retributive punishment. When it comes to preventing terrorist activities in which minors are engaged, this strategy is crucial. Why?

To begin, the primary goals of restorative justice are not punishment but rather the restoration of the offender's relationship with the community. Young people who commit terrorist crimes are typically influenced by their surroundings, their teachers, and their parents. Restorative justice provides a route forward for these youths, allowing them to make amends for their wrongdoing and start anew. Second, the community is engaged in the dispute resolution process via restorative justice. Community assistance is crucial for
the successful reintegration of youth who have participated in criminal acts of terrorism. Individuals, the judicial system, and the society at large are all participants in this process.

Third, victims, in this instance those impacted by terrorism, are given a voice in the resolution process via restorative justice. This may aid in the healing and peacemaking processes by increasing understanding and empathy between offenders and victims. However, putting restorative justice into practice is challenging, particularly in extreme circumstances like terrorism. To guarantee the success of this strategy, it is necessary for the legal system, educational institutions, families, and communities to work together.

Finally, restorative justice must be integrated into a larger plan for keeping youngsters out of the terrorist movement. This involves helping families and communities that are susceptible to extremist influences by early intervention to identify and prevent radicalization and through effective teaching about the ideals of peace and tolerance. To safeguard children against terrorism's long-term repercussions, restorative justice should be seen as part of a larger strategy.

5 CONCLUSION

This study proves that restorative justice or restorative justice has great potential as an approach in handling cases of children involved in terrorism in Indonesia. Although the implementation of this approach poses challenges, restorative justice offers an alternative more oriented towards rehabilitation and reintegration, rather than solely punishment. In this context, the participation of communities, legal systems, educational institutions and families is important. Restorative justice should be part of a broader strategy, involving education about the values of peace and tolerance, early intervention to prevent radicalization, and support for vulnerable families and communities. While not a single solution, restorative justice is an important component in efforts to protect children from the damaging effects of terrorism.
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