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**RESEARCH ARTICLE**

## Model for Coaching Terrorist Convicts in Increasing Legal Awareness Based on Progressive Law

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### ABSTRACT

Prisoners in cases of criminal acts of terrorism in correctional institutions (prisons) do not receive maximum legal awareness or national and state awareness. Guidance is carried out only to relieve obligations for correctional guardians, community counselors and other related agencies. This training does not have much influence on legal awareness programs national and state awareness for terrorist prisoners, so many still do not recognize the Unitary State of the Republic of Indonesia. The aim of this research is to analyze the ideal model for developing terrorist prisoners in Indonesian Correctional Institutions in realizing progressive-based legal awareness. The research methodology uses a sociolegal approach which emphasizes the social phenomena that occur. The social phenomena in question are the principles and thoughts of terrorist prisoners and guidance officers related to the implementation of punishment and the guidance process carried out in prisons. The findings show that the development of legal awareness, national and state awareness by correctional guardians, community counselors, and Densus 88 Polri is not running using a planned and structured program. Coaching is only carried out based on the experience of the actors, so the impact produced by the coaching is not very successful in the program. The coaching program is to create a coaching model with prisons as the coaching center by involving the Ministry, non-governmental organizations and other stakeholders.

### KEYWORDS

Coaching; legal awareness; progressive; terrorist convict.

### ARTICLE INFORMATION

**ACCEPTED:** 02 March 2024

**PUBLISHED:** 25 March 2024

**DOI:** 10.32996/ijlps.2024.6.2.5

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### 1. Introduction

The crime of terrorism is a transnational crime that can disrupt security within the territory of the country, including in Indonesia. This crime is a transnational crime and an Extraordinary Crime which creates fear in the public by threatening to detonate a bomb somewhere or even a suicide bombing. The emergence of acts of terror began with the phrase "cimbricus terror". Deadly crimes like Terrorists committed Al-Qaeda Bruce Hoffman (2006) describes a handful of infa-mously deadly terrorist attacks, followed by questionable statistics that pretend such attacks are representative of terrorism in general (Hoffman,2006). He claims, for example, that"While al-Qaeda perpetrated only 0.1 percent of all terrorist attacks between 1998 and 2004, it was responsible for nearly 19 percent of total fatalities from terrorist attacks during that time period (Hoffman,2006, p. 88) (Romano et al., 2019). At the same time, a number of fatal terrorist attacks conducted in the name of political Islam have hit several Europeancountries (see Helbling and Meierrieks2020 for an overview) (Czymara et al., 2023).

There have been many acts of terror that have occurred internationally and in Indonesia since 2001. At the beginning of the 21st century, a historic act of terrorism occurred on September 11, 2001, when 19 terrorists hijacked four commercial aeroplanes in the United States (US). Each of the hijacked planes crashed into the twin towers of the World Trade Center (WTC) in New York, the Pentagon building in Arlington, Virginia, and a fourth plane crashed in Pennsylvania. The event known as 9/11 caused the collapse

of the WTC Twin Towers, and approximately 3000 people died (Taylor, 2011) (Subandi et al., 2023). History records that the first period of securitization was restricted from the WTC bombing on September 11, 2001, to the Bali bombing on October 12, 2002 (Hara & Azizah, 2022). Then, several bomb attacks in Surabaya in 2018 became clear evidence of the emergence of a new ISIS. Several of the 2018 bomb attacks in Surabaya became concrete evidence of ISIS' new strategy in propagating the group's ideology (Yumitro et al., 2023). Achsin (2019) that, historically, Indonesian terrorism has never been separated from the terrorist attacks in 2000. However, the 2018 suicide bombings in Surabaya, East Java, and 2019 in Sibolga, North Sumatra, signaled the birth of a new pattern of the role of women and children in Indonesian terrorism, which was previously passive and has now become active (Yumitro et al., 2023). The majority of terrorism's objectives are driven by ideological and political motivations; therefore, as long as these objectives are accomplished, victims—both human and other physical objects—need not be considered (Titahelu et al., 2023).

Terrorism has been outlined in Law Number 5 of 2018 concerning Terrorism. The law emphasizes that a terrorist act is an action that threatens the integrity of the state and disrupts the stability of national security, so it needs to be regulated as a criminal act that must be eradicated in the territory of the Republic of Indonesia. (Law Number 5 of 2018 Concerning Criminal Acts of Terrorism, 2018) Terrorism can be carried out by changing people's thought patterns and attitudes and can be spread through social media. So, it is necessary to carry out prevention and guidance for every terrorist perpetrator in order to reduce their impact. In 2019, there was a massive wave of Indonesians leaving for ISIS. In the case of Indonesia, the Indonesian National Counter-Terrorism Agency (BNPT) recorded a total of 2,199 Indonesian citizens departing to ISIL territory as of 6 October 2019, and only 674 have returned (Rahmanto & Golose, 2022).

The perpetrators of terror argue that the existing constitution is not in accordance with the teachings of the religion they adhere to, so this must be replaced with a constitution based on religion that is in accordance with the principles and beliefs of the perpetrators of terror. In Russia, there are improvements to the constitution to fight terrorism. Russia pays special attention to Problems identified that require special attention from the state, and proposals are made related to the specifics of countering terrorism in cyberspace (Guk et al., 2022). In Indonesia, by strengthening existing regulations, counter radicalism can be overcome so that the current terrorism problem can be overcome. This is further emphasized by providing an understanding of the Pancasila ideology to terror perpetrators and terrorist prisoners in correctional institutions. Then, strengthen confidence and recognition in the unitary state of the Republic of Indonesia.

Convicts serving a criminal term are placed in correctional institutions in various regions of Indonesia. However, to make it easier to train and control terrorist prisoners, they are placed in special prisons with the high risk prison category at the Nusakambangan prison. In Nusakambangan Prison, there are 158 terrorist convicts with the details as follows:

Table 1. Number of Terrorist Convicts in Prisons throughout Nusakambangan as of 1 December 2022

No	Name of Correctional Nusakambangan	in Nusa	Number of Terrorist Convicts
1.	Batu Class I Prison		11 people
2.	Pasir Putih Class IIA Prison		84 people
3.	Iron Class IIA Prison		14 people
4.	Permissan Class IIA Prison		8 people
5.	Kembang Kuning Class IIA Prison		7 people
6.	Karang Anyar Class IIA Prison		34 people
	amount		158 people

*Source: Primary Data in Prisons throughout Nusakambangan*

Based on the data above it shows that the number of terrorist prisoners in prison is quite large, namely 158 terrorist convicts, so they require more serious treatment so that each person does not return without a basic understanding.

Understanding Radicalism is actually a neutral concept and is not pejorative (harassing). Because radical change can be achieved through peaceful and persuasive means, but it can also be achieved through violence. In prisons for terrorist prisoners, there have been many deradicalization efforts carried out by prisons in collaboration with the Special Detachment 88 Police of the Republic of Indonesia, the National Counter-Terrorism Agency, and other institutions involved. In Poland, there is also a Polish criminal law code that: 'the aim of the execution of a custodial sentence is to stimulate the prisoner to develop a will to cooperate in shaping their socially desirable attitudes, in particular, the sense of responsibility and the need to respect the legal order, and thus refrain from returning to crime' [article 67 § 1 Code of Penal Enforcement (Lelental, 2010, p. 117) (Miszewski, 2022).

According to Special Detachment 88 Police data from 2018 – 2020, there are a number of terrorist convicts who have been deradicalized. The data is as follows:(88, 2022)

Table 2. Data on Deradicalization of Terrorist Convicts for 5 Years (2018 to 2022)

No.	Name of Correctional UPT in Nusakambangan and other UPTs	2018	2019	2020	2021	2022
1.	Batu Class I Prison	9	4	9	10	5
2.	Pasir Putih Class IIA Prison	7	7	24	7	8
3.	Iron Class IIA Prison	4	19	6	-	-
4.	Permissan Class IIA Prison	4	2	-	-	-
5.	Kembang Kuning Class IIA Prison	10	-	1	-	-
6.	Karang Anyar Class IIA Prison	-	2	8	1	7
7.	Cipinang Class I Prison	-	-	-	1	-
	Amount	34	34	48	19	20

Source: Primary Data from Densus 88 Polri 2022

The data above shows that the deradicalization rate for terrorist convicts is irregular and cannot be predicted, and self-recognition of the Unitary State of the Republic of Indonesia cannot be clearly determined from the typology. The basis for deradicalization as a determinant of the success of a program carried out by prisons together with Special Detachment 88 Police is also not optimal compared to the number of terrorist convicts in prisons totaling 158 people in prisons throughout Nusakambangan. This shows that there is a need for special guidance and the formulation of a model of guidance that must be given to terrorist prisoners in increasing their national, state and legal awareness in order to achieve maximum results. Based on the view of Special Detachment 88 Police, in 2022, only 20 people will successfully deradicalize and become aware of the law, nation and state. When compared with the number of terrorist prisoners in prisons, it can be concluded that not enough has been done to increase legal, national and state awareness of terrorist prisoners.

In Sapto Priyanto's research, former terrorist convicts who have takfiri beliefs do not want to take part in the deradicalization program. Terrorist recidivism is largely due to the strong influence of terrorist groups on former terrorist convicts; the deradicalization program in Indonesia is still being implemented partially, and there are no competency standards for implementing deradicalization, yet There are standard parameters to determine the success of the implementation of deradicalization, the terrorist category used by the National Counterterrorism Agency. Based on research by Jeffry Oktavianus (2023), future campaigns may benefit from involving these stakeholders to encourage greater public participation in counter-terrorism efforts. Moreover, the movement can help the public cope with terrorist attacks by spreading powerful messages to defy terror and motivating the public to unite to counter-terrorism (Oktavianus & Davidson, 2023). Based on the research above it shows that there is no model for training terrorists in Indonesia, so there needs to be a special model that provides enlightenment for training terrorist prisoners.

The implementation of guidance at the Nusakambangan Super Maximum Security (SMAX) Prison shows that the form of treatment and guidance for terrorist convicts has not shown guidance in accordance with the expectations outlined in the implementation of correctional revitalization. Terrorist convicts who are placed in one man, one cell do not demonstrate the implementation and mandate of Law Number 22 of 2022 concerning Corrections, which improves life relations, lives and livelihoods for terrorist convicts in accordance with the correctional system. Apart from that, the expected training cannot run optimally and is unable to change terrorist prisoners for the better because the training does not run according to what is mandated in the law. Thus, there needs to be a change in the model for training terrorist prisoners to increase legal, national and state awareness. Based on the background above, the problem formulation is as follows: What is the ideal model for developing terrorist convicts in correctional institutions in realizing progressive legal awareness?

## 2. Literature Review

The research by Josephin Mareta, the study illustrates terrorism as an individual issue requiring special coaching according to individual guidance principles and the stages of terrorism prisoners' rehabilitation. The effective implementation of rehabilitation requires the participation of prisoners and facilitators, the availability of procedures and coaching modules, and the evaluation of successful rehabilitation of terrorist prisoners (Mareta, 2018). This research emphasizes the participation of third parties in coaching prisoners. Research Sapto Priyanto, terrorist convicts who have an understanding of the unwilling to follow the deradicalization program, the terrorist initially primarily due to the strong influence of the terrorist group against former terrorist prisoners, deradicalization programs in Indonesia are still carried out partially. There are no standards for the implementation of

deradicalization competence. There is no standard parameter to know the successful implementation of deradicalization. The terrorist category used by the BNPT is currently for terrorists originating from the group only; while terrorist categories originating from individuals do not yet exist, a sectoral ego still strong among government agencies is still a serious problem (Priyanto, 2020). This research has not emphasized strengthening guidance by reconstructing models that lead to social reintegration to increase legal awareness. The last research conducted by Haryono Research shows that the treatment of high-risk inmates at the correctional institution Clas III of Gunung Sindur has not been implemented yet, in accordance with the Regulation of the Director General of Corrections Number PAS-58.OT.03.01 the Year 2010 on Procedures for the Treatment of High-Risk inmates. This fact caused by obstacles such as the lack of regulation socialization, human resources and infrastructure and facilities (Haryono, 2017). This research emphasizes that the regulations made by the directorate general of corrections are not running optimally due to constraints on facilities and human resources.

### **3. Methodology**

This research uses a socio-legal approach with an emphasis on looking at the social phenomena that occur. The social phenomena in question are the principles and thoughts of terrorist convicts related to the implementation of punishment and the coaching process carried out in prisons. This socio-legal approach provides symbolic meanings for social actors, as seen in their interactions. Then human action that has value takes a hermeneutic approach to find the meaning contained in the views, attitudes, behavior and ideology held by terrorist convicts in prison. According to Banakar & Travers (2005), in Irianto, Sulistyowati said that this is why when a socio-legal researcher uses social theory for analytical purposes, they are often not aiming to pay attention to sociology or other social sciences, but rather law and the study of law. (Irianto & Shidarta, 2011) The method used was in-depth interviews with 4 terrorist convicts, namely terrorist convicts in the ideological category at the Class IIA SMAX Karang Anyar Prison and the Class I SMAX Class I Batu Prison, which were selected as samples. Carry out interviews with guardians and community counselors and then make direct observations to see the conditions and coaching models that exist in the two correctional institutions. This research will be carried out from 2022 to 2023 in Nusakambangan.

### **4. Results and Discussion**

#### ***4.1 Model for the Development of Terrorist Convicts in Indonesia***

Robert Martinson's view is that with programs of this type that have been tried, it's hard to find any more grounds for enthusiasm than we found with skill development and education (Martinson, 1974). Robert found that it was important to provide guidance and education for every prisoner to change their mindset and realize the importance of becoming a better human being. Then, the Progressive Law view emerged around 2002, with the initiator, Satjipto Rahardjo, stating that progressive law is law for humans, not law for laws. The idea of Progressive Law emerged out of concern for the quality of law enforcement in Indonesia, especially since the reformation took place in mid-1997. If the function of law is intended to participate in solving social problems ideally, then what is experienced and happening in Indonesia today is very contrary to ideals (Nuryadi, 2016)

#### ***4.2 Model of Development of Terrorist Convicts in Correctional Institutions***

##### ***4.2.1 Social Living Conditions of Prisoners in Nusakambangan Prison***

When carrying out the research, he conducted in-depth interviews with 4 (four) terrorist convicts in the two prisons with ideological categories that were difficult to be aware of in the SMAX class I prison in Batu and the SMAX class IIA prison in Karang Anyar, Nusakambangan. During the interview process, terrorist convicts cannot meet directly but are limited by glass and cannot touch one another. Terrorist convicts can only interact with the interviewer through the glass, which has several holes in it so that the interviewer's voice and the terrorist convict can be heard. During the interview process, terrorist convicts are still handcuffed and chained to ensure security during the interview process, then next to terrorist prisoners, there are still security officers waiting to ensure that undesirable things don't happen, such as going on a rampage, screaming or even fighting the interviewer during the interview process.

The first terrorist convict, Aman Abdurrahman or AA for short, was a terrorist convict who was part of suicide bombings in several places, such as the suicide bombing in Kampung Melayu, Sarinah Thamrin Bombing, Samarinda Church Bombing, Attack on the North Sumatra Regional Police Headquarters, Attack on police in Bima, West Nusa Tenggara. Even a series of riots at the Kelapa Dua Prison, a suicide bombing in Surabaya, the Sidoarjo Bombing and an attack on personnel at the Riau Police Headquarters. AA was born in Sumedang, West Java. From the results of the researcher's interview with AA, he is classified as an intelligent child. He received the academic title cum laude when he graduated from the Islamic and Arabic Science Institute (LIPIA) in Salemba in 1999. He completed his high school level education at the Madrasah Aliyah Special Program (MAPK) in Ciamis in 1992, his junior high school education was completed in Sumedang at Madrasah Sanawiyah Negeri (MTSN) in 1989, and after graduating from college and getting married, AA settled in Cimanggis, Depok. From 1999 to May 2000, he was a teacher at the Tahfidzh Al Quran Al Hikmah Islamic Boarding School and, at the same time, the coordinator of Al-Quran Instructor Cadre Generation in the field of Al-Quran Memorizing studies in Cirebon. From June 2000 to April 2003, he was the Imam of the Al-Sofwa Mosque in Lenteng Agung, South Jakarta. In the midst of his busy life in broadcasting Islam, he also became an Assistant Lecturer at LIPIA for a year (BNPT, n.d.).

AA originally came from Jamaah Ansyari Daulah and was the author of books about jihad. AA is a terrorist prisoner in the ideology category who is able to influence other people to follow his thoughts, so he is said to be very dangerous when he meets other people. So, with his thinking, many people were trapped, and AA was arrested many times since 2004 in the Ambon case. Because of the actions he carried out, he moved from place to place of detention from outside the Nusakambangan prison until now (Abdurrahman, n.d.).

The second terrorist convict, Abrory alias Maskadov, is a terrorist convict in the ideology category because he is able to influence other people to join his thoughts. Based on the interviews and studies of the results of Litmas carried out by community guidance Bapas Nusakambangan, it is related to education. In 1993, he received a recommendation from one of the senior officials from Jamaah Islamiyyah, namely Usman Haidar Als Ustadz Fahim from Surabaya, to study at Abu Bakar Islamic Boarding School, but the results did not pass the selection, so Abrory decided to study at Al Muttaqin Islamic Boarding School, Jepara, Central Java, led by Abu Rusdan from 1994 to 1997. In 1998, Abrory had the opportunity to teach at Al Muttaqin Islamic Boarding School until 1999, when Abrory decided to return to Bima at the request of his parents. In 2003, Abrory and his relatives founded the Umar Bin Khotob Islamic Boarding School and then carried out operations until 2011, when finally, there was a bomb explosion at the Umar Bin Khotob Islamic Boarding School, which caused Abrory to be arrested.

Abrory's view is that the difference between the JAD and JI groups. Abrory said that in the current period, many of the people who join the Anshor Daulah group only have the capital of passion, but without knowledge, they learn only from social media without the guidance of a teacher, so they are prone to deviations in matters of aqidah. So they tend to easily believe in disbelief and are very easily provoked into carrying out acts of amaliyah, but this cannot necessarily be blamed because it is weighed from the aspect of their lack of knowledge, and they feel that the Anshor Daulah group is able to fight against the Government like Rasulullah Sallallahu Alaihi Wa Sallam after the Hijrah to Medina (Kuwadi, n.d.). Currently, Abrory views Indonesia as an infidel country. This is judged based on the Ijtihad of Nadjed ulama (Arab scholars), which states that when a country implements Islamic law but has a Muslim minority, the country is an Islamic country (Daarul Islam). On the other hand, if a country does not implement Islamic law even though the majority of society is Muslim, then the status of the country is an Infidel country (Daarul Kufri).

The third terrorist convict, Wahid Artanto Bin Floryadi, was born in Bima in 1995, the first of three children. Wahid is a group of terrorist convicts in the militant category because he is able to mobilize other people in an organization. Wahid was sentenced to 4 years in prison. According to his confession, he had created an amaliyah group that mobilized 300 people while attending the congregation. Wahid's social conditions Wahid was born to a Bugis father who lived in Bima. The lives of his parents, who are men, live their religion as usual for Muslims in general. His parents worked as planters with a final education in STM (Mechanical Engineering School), and his mother, who had an SPG (Teacher Education School) education, was Javanese and worked as a teacher. Wahid married a woman who was born in Bima and was forced to join him in routine study activities (Kuwadi, n.d.). During his time as a student, terrorist convict Wahid participated in student organizations and actively took part in social activities organized by the community and government agencies. Before joining the JAD group, this terrorist convict still rarely prayed. After taking part in the JAD study, the client diligently carried out his prayers until now. Terrorist convict Wahid committed a terrorist crime because he was influenced by the radical studies of the JAD Bima NTB network.

The fourth terrorist convict, Agus Salim, was a terrorist convict who came from West Sumbawa in 1985 and was the first of three brothers. He was sentenced to 3.6 years in prison. This terrorist convict has a formal education, graduating from Package C in Sumbawa. He was born to a father who worked as a farmer and graduated from elementary school, while his female parents also worked as farmers and graduated from elementary school. This terrorist convict was raised in a simple family environment and in an environment where the majority were Muslim. However, his parents paid little attention to religious education, so as a child, he was unable to recite the Koran and pray. When he was 19 years old, he started studying religion through social media and started praying diligently (Widadi, n.d.).

#### **4.2.2 Development of Prisoners at the SMAX Class IIA Karang Anyar Prison and the Class I SMAX Prison at Batu Nusakambangan**

The development program for prisoners is adjusted to the length of sentence the prisoners will serve in order to achieve the targets set so that they become good prisoners in the future. This includes training for terrorist convicts who should be given the same treatment, but in SMAX prison, they do not receive the same training as other prisons if they do not reduce risks or recognize the Unitary State of the Republic of Indonesia while serving their sentence. There are two types of coaching in prison, namely personality coaching and independence coaching. These two coaching activities are not carried out on terrorist convicts in prisons in the SMAX prison category.

Law 22 of 2022 states that the training carried out for each prisoner is the same. However, the form of treatment will be different with the establishment of the Regulation of the Ministry of Law and Human Rights of the Republic Number 35 of 2018 concerning the Implementation of Correctional Revitalization. In the Regulation of the Ministry of Law and Human Rights, prisons are classified into 4, namely: SMAX, Maximum Security Prison (MAX), Medium Security Prison (MED), and Minimum Security (MS) Prison. This

classification of prisons has the effect that high risk prisoners, including terrorist convicts, are placed with the SMAX classification type. The aim of coaching is to return terrorist convicts to society through social reintegration. If we refer to the goals of correctional institutions, namely reintegration and resocialization, then in the author's view, this is contrary to these goals.

The view of AA terrorist convicts is that they will not recognize this country even if they are sentenced to death. At the time of the interview, this terrorist convict was actually expected to be executed immediately in accordance with his criminal decision. He did not want to take legal action for appeal and cassation and accepted the death penalty. His view is that this country tells him to kiss the flag and recognize Pancasila as the state ideology so he will not submit to the unitary state of the Republic of Indonesia. In his view, Indonesia is an infidel country because it does not adhere to a constitution that came from Allah SWT but was made by humans. If the constitution is made by humans, it is considered thagut or idolatry. With this in mind, he will not submit to the state until he dies. In his view, being sentenced to death is a martyr's death on the basis of his beliefs.

Terrorist convict Abrori is a terrorist convict who has determined and adheres to the religious proposition that he will not recognize the Unitary State of the Republic of Indonesia and submit to it before Islamic law is enforced. The terrorist convict who leads the Islamic boarding school admits that this country cannot be recognized and submitted to the state because it still considers it a tagut and an idol that must be eliminated. Under these conditions, these terrorist convicts do not recognize the Unitary State of the Republic of Indonesia and are not subject to the legitimate government. (*Abrori, Interview with Terrorist Inmates at Class IIA Prison Karanganyar Nusakambangan, "Interview by Umar Anwar, 'November 30, 2022', Audio: 00:59," n.d.*)

Terrorist convict Wahid is a terrorist convict in the Ideologue category who is difficult to persuade to recognize the unitary state of the Republic of Indonesia and Pancasila. There is no special training for terrorist convicts in prison, especially since one comes from the Muhajirin Anshor Tauhid (MAT) terrorist network, which has different beliefs from other groups. The goal is to establish an Islamic state oriented towards ISIS (Islamic State of Iraq and Syria). This terrorist convict has received training, but it was not carried out optimally in prison because the training tended to be carried out by ustad without any development curriculum. Terrorist convicts are only given the opportunity to receive lectures from religious teachers who are occasionally summoned from outside the prison. (*Wahid, "Wahid, Interview with Terrorist Inmates at Batu Nusakambangan Class I Prison, "Interview by Umar Anwar, 'December 1, 2022', Audio: 01:10", n.d.*)

Based on the four terrorist prisoners above, it shows that all of them are terrorist prisoners in the ideology category, namely terrorist prisoners in the category of mobilizing, becoming preachers and teaching others to follow them. So, it requires specific coaching to be able to make it aware. To develop this category of terrorist convicts, stakeholders outside the prison are needed who can guide and provide understanding regarding state life.

#### **4.2.3 Development of terrorist convicts in the Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number 35 of 2018**

Social reintegration is one of the goals of correctional institutions, and it should remain an important part of the final process of punishment in the correctional system. Snarr (1999) explains that punishment is not entirely carried out in the form of imprisonment because there are several other forms of crime that are carried out outside of imprisonment. In his opinion, Snarr (1999) emphasized several things. First, in the philosophical (theoretical) aspect, the school of reintegration basically emphasizes the need for non-punitive and non-imprisonment efforts. Snarr even explained that alternative models of punishment are part of the reintegrative model of punishment. Second, the effectiveness of punishment in this view lies precisely in the extent to which the development programs are based in the community or not. Coaching in isolation tends to be ineffective. Third, community involvement in the coaching process is important, especially in the form of accepting convicts who want to return to society. (Iqrak Sulhin, 2010)

From direct observation at SMAX Prison, the treatment is by giving one person one cell. However, there are several rooms provided in the communal form for terrorist prisoners who want to reduce their risk to the next stage. Every room in SMAX Prison is monitored by Prison Officers using the Closed Circuit Television (CCTV) application. So, each picket officer on duty is only given access to terrorist prisoners by carrying out remote control. If there is a problem with the terrorist convict, he can raise his hand or give instructions by lifting his clothes around the CCTV so that officers can see him in the block and cell environment.

#### **4.2.4 Legal Awareness Development for Terrorist Convicts**

Legal awareness is an effort to make terrorist convicts achieve high legal awareness so that they are aware of their rights and obligations in order to contribute to upholding law and justice, protection of human dignity, order, peace, legal certainty and the formation of the behavior of every Indonesian citizen who obeys the law. In the Standard Operational Procedure for fostering legal awareness, the implementation of fostering legal awareness is carried out as follows: a. The initial stage is carried out once, b. Advanced stage I is carried out once, c. Advanced stage II is carried out once, d. The final stage is carried out once. So, the implementation of legal awareness development was only carried out 4 times while in prison. This awareness training is also not

carried out in SMAX prison because of the strictures placed on terrorist inmates in leaving their cells. However, the implementation of these Standard Operational Procedures is not implemented optimally in prisons, so it does not have a significant impact on the development of terrorist prisoners.

One specific method to provide awareness for terrorist prisoners in increasing legal awareness in SMAX prison is usually carried out by the prison authorities asking the Fathers to carry out pre-guidance, namely assessment and Community Research. (Kuwadi, n.d.) Guidance is carried out in two divisions, namely, activities inside prison and outside prison. Those who are in prison for guidance while serving their criminal period and those outside prison are related to clients who have been released on parole and are undergoing social reintegration with society. (Kuwadi, n.d.) Mahasin's opinion is that The role of community guidance in the Nusakambangan fathers is indeed significant, meaning that the core business of the fathers is mentoring. (Kuwadi, n.d.)

Legal awareness is also demonstrated by the recognition of the Unitary State of the Republic of Indonesia. That confession does not directly admit what the terrorist convict said. Community counselors must first provide treatment for a minimum of six months in SMAX Prison to ensure that the terrorist inmate is serious or just wants to move to a lower prison. In this way, we can only take steps to carry out initial community research and continue with further community research to ensure that these terrorist prisoners believe in and recognize the Unitary State of the Republic of Indonesia or simply want to move prisons. Mahasin said that there are actually 4 stages in conducting mentoring. First, namely, identification to find out the network family. Second, Rehabilitation designs these terrorist prisoners so that they slowly learn their position. Third, education, educational guidance, providing education and guidance for him while he is still in prison. Fourth is reintegration; if these three components have been implemented, reintegration can run properly. (Kuwadi, n.d.)

From the student's view, the above is a pattern for fostering legal, national and state awareness of terrorist prisoners. However, these four stages are only given by community counselors but have not become standard regulations in carrying out legal, national and state awareness development for terrorist prisoners. These two prisons do not yet have specific methods and models for fostering legal awareness for terrorist prisoners, so each prison is different in how it trains terrorist prisoners.

#### **4.3 Model for Development of Terrorist Convicts by Densus 88 Police**

Based on the results of an interview with Densus 88 Police, Mr Iwan, on January 11 2023, the Densus has been carrying out the deradicalization process since 2008, although it is still in the form of a trial in implementing deradicalization for terrorist prisoners and is more focused on security and supervision for terrorist convicts in Nusakambangan. Gradually, it was successful even though not many people participated, and it was realized after this activity was underway. (Iwan, 2023) The success of the development process was the impact of the collaboration between Densus 88 Polri and correctional guardians in prisons, although their role was not optimal. The development of terrorist convicts was successful in deradicalization with the help of Allah SWT. "That the deradicalization process can be successful, firstly because of help from Allah SWT, secondly because of the cooperation of fellow stakeholders, fellow correctional guardians, almost every day we discuss it together. (Iwan, 2023)

Then, Densus 88 Police made a new breakthrough by creating a coaching pattern called deradicalization. This coaching pattern is not included in the prison program but is carried out by Densus 88 Police. Together with the Densus, they mobilized terrorist convicts who were aware of giving lectures and tausiah in prison. It must start with an assessment, building emotional closeness with his children and wife. (Iwan, 2023) The densus expression "rallying between terrorist convicts" means that terrorist convicts help each other in the process of solving their problems, like finding out between a teacher and his students. Where the teacher has recognized the Unitary State of the Republic of Indonesia, but the students are still in the red zone (not yet recognizing the Unitary State of the Republic of Indonesia), so this meeting provides awareness to the students about an action that has been wrong so far and is being advised.

The development of the national insight program is carried out by the National Police Densus 88 in high-risk prisons because they should not be given an understanding of national insight; they don't even want to admit this country, that this country is an illegal country, so to provide national insight, to those who are still red in high-risk prisons, of course, we consider using a religious approach strategy, which I mentioned earlier, such as mobilizing among prisoners. After they were ready for the Republic of Indonesia, they then began to instill the ideology of Indonesian history, the form of Pancasila and so on. (Iwan, 2023)

If the coaching process is successful and recognizes the Unitary State of the Republic of Indonesia, an assessment will be carried out by the Community Guidance Officer to reduce the risk at MAX Prison. With this collaboration it will facilitate the coaching process for terrorist prisoners who have recognized the Unitary State of the Republic of Indonesia to be coached in MAX Prison. In prison, MAX, in collaboration with Densus 88 Police, has prepared books in a special library in the prison which can be studied by terrorist prisoners in the process of reducing risks in prison. The books that have been prepared include many national history books, national insight and religious books.

Based on the findings, it is known that there is a correlation (relationship) between the attitudes of terrorist convicts who are still radical and their views on Pancasila and the Unitary State of the Republic of Indonesia. The more radical, the stronger the rejection of Pancasila and the Unitary State of the Republic of Indonesia as the embodiment of legal, national and state consciousness. This view is a very strong form of understanding of radicalism, even though they are pro-active in accepting the deradicalization team. Therefore, specifically convicted terrorists who fall into the very radical category must be isolated until they are no longer radical.

#### ***4.4 The ideal model for developing terrorist convicts in correctional institutions in creating legal awareness***

Based on the analysis and research above, the author created the parameters and model for developing terrorist convicts as follows:

##### ***4.4.1 Parameters of Prison Development in Prisons***

Based on the theoretical analysis in the discussion above, it is necessary to create several parameters and models in developing appropriate guidance for terrorist convicts in the high risk category who are in SMAX Prison. This parameter measures the level of success in developing personality and independence in the SMAX prison. After knowing these parameters, you can measure the level of success of training prisoners in SMAX prison.

Currently, there is no clear direction for the development of terrorist prisoners in prisons, so the guidelines and references that can be applied in the development and legal, national and state awareness for terrorist convicts are not optimal; they need guidelines with clear direction and objectives. Every non-governmental organization, Densus 88 Police, BNPT, Ministry of Religion and other institutions must refer to the Development Program that has been created by the prison, which will become the education center. The parameters for creating a coaching model are as follows:

##### ***4.4.2 Provide regular counseling***

Based on the results of analysis using the Risk and Need Responsiveness (RNR) Theory, varying levels of education, different needs and a relatively shallow level of understanding of religion make it easier to indoctrinate to become radical. By carrying out initial identification continuously, we can understand the type of intervention needed for each terrorist convict. Then Hamdani Bakran's religious counseling theory states that routine and ongoing counseling is very important in providing and understanding terrorist prisoners on an ongoing basis.

Anti-social understanding is important so that you can accept other people/other groups in relationships. It is not easy to disbelieve other people or other religious groups (such as the words *tagut*, which are often mentioned by AA prisoners, Abrori, or other prisoners). This anti-social understanding must be corrected first so that they are willing to accept opinions and other people who provide advice and knowledge other than what they understand. Excessive disbelief by terrorist convicts will actually create a counterpoint to the existing situation. So, understanding social groups, being willing to accept other people, accepting people's opinions during discussions, and understanding differences will be a good start in providing a broader understanding of the existence of prisoners. Sometimes, disbelieving other people as a result of contextually interpreting a study without following it up by analyzing it more widely in in-depth studies of the Prophet's *sunnah*, *ijma'*, and *qiyas* gives rise to a shallow understanding of prisoners, and they do not accept other people who do not agree with their group.

Providing social counseling and religious counseling is needed regularly to transform terrorist convicts into human beings who are aware of themselves, God, the universe and other human beings. Allah revealed the religion of Islam as "*Rahmatan Lil Alamin*" (Mercy for the Universe), not for certain groups and certain beliefs. Thus, this kind of understanding should require strong religious counseling with *ustad* and *ulama*, who already understand religion well.

##### ***4.4.3 Carrying out rehabilitation, re-education of prisoners and reintegration of prisoners***

As is the view of the Nusakambangan Community Guidance Officer and Habibi Correctional Officer for Class I Cipinang terrorist convicts, one of the guidance processes is re-education, namely providing reinforcement of formal and non-formal education for terrorist convicts whose educational level is low. Thus, it is necessary to provide formal education to open the horizons of thinking and improve the quality of prisoner education. Education can be carried out online (distant classes) at the campuses closest to the prison. Education can also be carried out according to the educational level of terrorist convicts such as Education Packages A, B, to C and continued with undergraduate education level for terrorist convicts who have graduated from high school.

Re-education by increasing awareness of educational values and increasing insight so that they are not rigid and contextual in interpreting each verse in the *Al-Qur'an* that they study. Terrorist convicts need to gain a new understanding of the values and knowledge that exist outside themselves and their social environment. Then, proceed with rehabilitation by providing appropriate coaching. Strengthening religious values, providing comparative studies with an understanding of religion so that it is not too contextual in interpreting it. Rehabilitation in prison is only carried out on an ongoing basis in Medium Security Prisons throughout Indonesia. However, in SMAX prison, this is actually an obstacle that must be resolved by making improvements to rehabilitation,



personality development, and independence, which must be carried out well. If they wait until they become aware of their doctrine, many terrorist prisoners will not be aware of the strong influence of their group. Special studies are still being done to develop the group. This is still happening, so many terrorist convicts in SMAX prison are not aware and reduce their risks and are still willing to be placed in SMAX prison in accordance with their beliefs.

#### **4.4.4 Strengthening understanding of laws, improving regulations and national insight**

Terrorist convicts can be enlightened by a basic understanding of the positive laws that exist in Indonesia. Connecting the laws of Allah, Pancasila and the current constitution. This can be carried out together with legal counselors who can work continuously in prisons. Strengthening this understanding must also coincide with strengthening the law, statehood and national insight in collaboration with campuses so that lecturers who understand science can provide strengthening and understanding regarding this matter. Understanding of history and national insight because terrorist prisoners have a deeper understanding of religious knowledge, which is not supported by an understanding of state and political knowledge; Understanding Pancasila as an ideology, as the source of all sources of law and also a shallow understanding of basic law. Providing legal awareness needs to be carried out by several stakeholders in order to be able to strengthen the doctrine that is inherent in prisoners. Providing strengthening the understanding of Pancasila values, the 1945 Constitution, national history, national insight, Indonesian and international politics, and relevant materials to support strengthening in providing a basic and convincing understanding of this knowledge.

Strengthening legal awareness by ensuring that existing laws also originate from the Pancasila Ideology, which is extracted from God's Law. This strengthening needs to be carried out by legal and national science experts to explain the relationship between religious law and the Pancasila ideology, which is the basis of the state. Then, strengthen the understanding that the 1945 Constitution is the basic constitution that originates from Pancasila, which is extracted from the religious values adhered to by the Indonesian people. By strengthening this, prisoners can be made aware of accepting their country as a country that adheres to basic principles originating from religion.

#### **4.4.5 Separation of prisoners by categorization in coaching**

In accordance with the results of the RNR (Risk and Need Responsiveness) theory analysis, terrorist prisoners need to differentiate between ideologue, militant, participant and conditional prisoners in coaching. This separation needs to be done to differentiate coaching interventions according to knowledge and religious understanding. With this separation, intervention is easy for every terrorist prisoner to carry out. This separation is still carried out by observing strict guidance for each terrorist prisoner. The goal is that each terrorist prisoner does not influence others and strengthens existing doctrine. According to Maxweber's interaction theory, ensuring that each terrorist convict does not influence each other strengthens the instillation of new values by increasing the frequency of interaction and coaching carried out by several parties.

#### **4.5 Mobilization between prisoners**

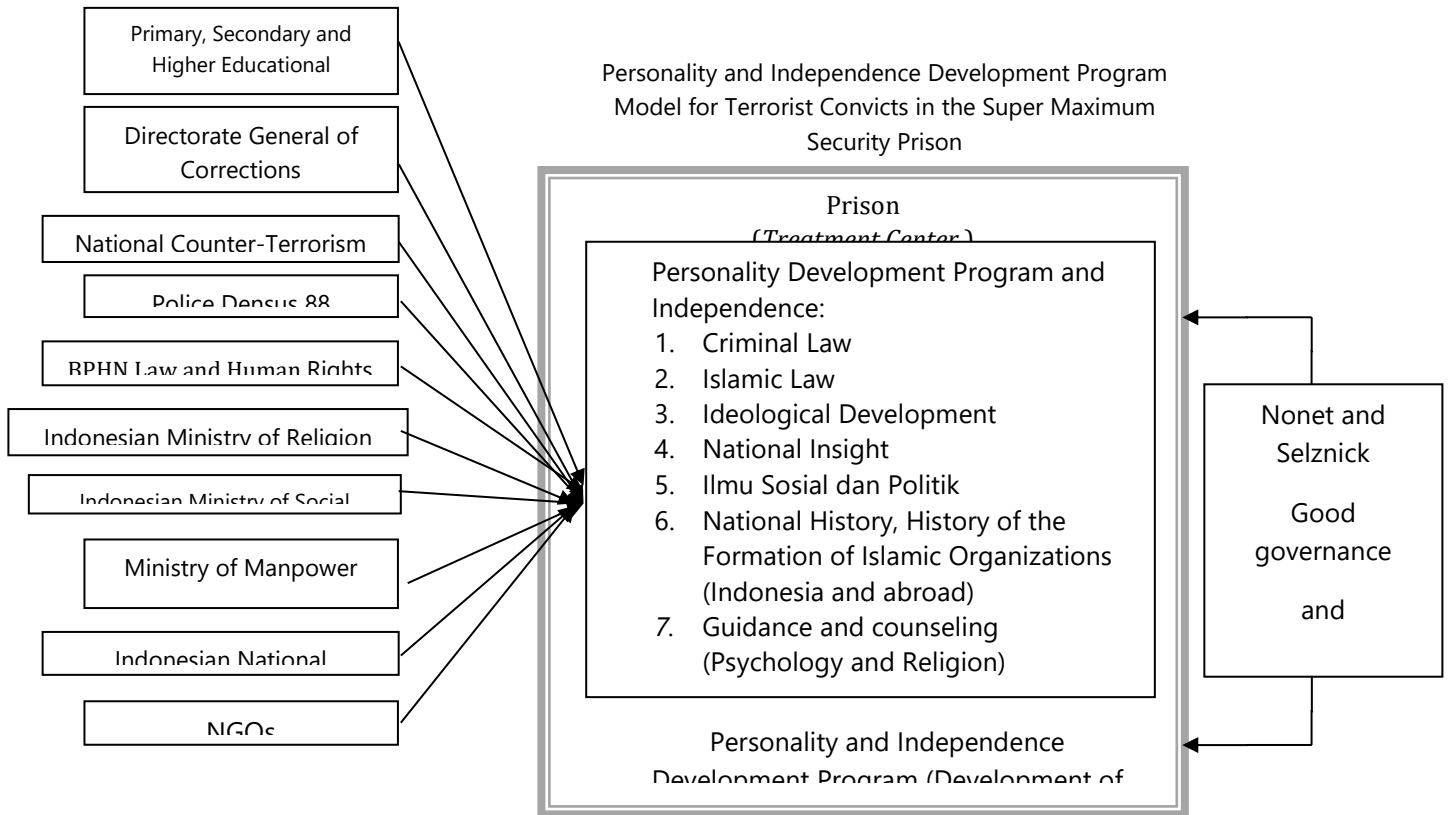
The campaign between convicts, as carried out by Densus 88 Police, needs to have a routine and programmed schedule. The campaign is not only in accordance with Densus 88 police but there is a special program created by the prison to increase awareness of terrorist prisoners. Strong understanding of religion with the raising of convicts and the presence of ulama to be special speakers in coaching activities (results of interviews with the Densus 88 Polri team).

#### **4.6 There is a need to foster independence for life provisions**

At the SMAX prison, there is no independence development because the prisoners in the SMAX prison are mostly in their cells and rarely leave their cells, afraid they will escape and socialize with other terrorist prisoners. This needs to change the way we view prisoners. Treating terrorist convicts like humans in general so that they can easily interact, understand their problems and facilitate dialogue and desires during the process of serving their criminal terms. Prisons do not need to wait until the risk level decreases to provide independence development programs, but while serving their criminal period in SMAX Prison, they are given independence development that is not too risky, such as entrepreneurship, entrepreneurship training or other activities that do not disturb the security and order conditions in prison.

#### **4.6.1 Creation of a Prisoner Development Model in SMAX Prison**

In building a development model for prisoners, it is necessary to pay attention to the fact that every prisoner has the right to receive guidance. There are two forms of development for each prisoner, namely personality. The ideal model for terrorist development is as follows:



**Figure 1: Model for Development of Terrorist Convicts**

Development and independence: Both forms of coaching are carried out by several related institutions that assist in the coaching process, but the main implementer is the prison to prepares all the coaching programs carried out in prison. In this way, the author will form a personality and independence development program model. Based on the model image above it shows that it is necessary to create a coaching model that is centered in prisons. Other parties are only part of supporting implementation with a budget that is all centralized within the prison.

This section is the central part of the article. It is where the author should explain in words what the author discovered in the research. It should be laid out and in a logical sequence. The results of the study presented in this section are based on a clean process of data analysis, such as statistical calculations and testing processes or other processes for the achievement of its research. State the findings of the study concisely. If the authors want to display a table, use the following format:

**5. Conclusion**

Based on the results of the analysis above, fostering legal, national and state awareness for terrorist prisoners needs to create an ideal model in order to increase their awareness. Legal awareness development is currently a coaching model that does not have specific guidelines for each coaching institution, including in prisons and Densus 88 Polri. The ideal model is to provide special guidance which contains religious guidance to clearly understand the religion one adheres to, historical guidance to provide an understanding of one's state outlook, understanding of ideology to ensure understanding of ideology as a view of life and basic philosophy in national and state life, understanding of psychology to restore mental condition, understanding of national insight to provide strengthening related to the pillars of the state, nationalism and defending the country and understanding of legal awareness to provide strengthening of positive legal understanding which is related to basic principles originating from the holy book. Finally, life provisions should be provided, including work and entrepreneurship training, so that they can try after completing their criminal term. All coaching is carried out with the prison as the coaching center. It is hoped that in future research, there will be increased research on prison-based training and forms of coordination with other stakeholders regarding how the training will be carried out. This research is still limited because the researcher looks at it from the perspective of prisoners as the main research informants and officers as guidance actors, and the research was only carried out in the Indonesian Nusakambangan Prison. Then, limited research time and randomly selected informants can influence the research results. It is hoped that in future research, we

can examine the model of prison facilities and infrastructure more deeply, the suitability of officers to become inmate coaches, and policies in coaching in prisons so that they can complete this research.

**Funding:** This research received no external funding.

**Conflicts of Interest:** The authors declare no conflict of interest.

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