

Optimizing Role Of Regional Government In Counter Terrorism In Indonesia: Aceh Provincial Case

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Abstract: This study explains the counter terrorism optimization through the role of Aceh regional government of Indonesia. This study uses a mix methodology, i.e. normative method with a statutory, a conceptual and a comparative approach; and empirical socio-legal approach. The results indicates that the optimization of the role of Aceh government in countering terrorism can be carried out by resolving the root causes of terrorism such as social and economic inequality and violence caused by conflict. Such issues then combining with Islamic law and customs approach, and collaboration with the National Counter Terrorism Agency (BNPT) as the leading sector. Then, a forum for anti-terrorism (FKPT) as a communication forum for preventing terrorism as an extension of the BNPT, needs to be strengthened through a local wisdom approach. The Aceh government also needs to empowering former terrorism convicts, not only by economic empowerment but also making a program that makes them as preventing the development of radicalism in society.

Keyword: Optimization, Counter Terrorism, Aceh Government, Indonesia

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I. Introduction

Terrorism is an extraordinary crime that can threaten a state security. These acts of terrorism are carried out in order to impose their will on parties considered opponents by terrorist groups, so that their interests are recognized and respected.¹ Terrorism has become a worldwide concern since the events of September 11, 2001, when an act of terror was carried out by the collision of the WTC (World Trade Center) tower in New York, United States of America. The Al-Qaeda group was the party that considered to be responsible the most for these terrorist acts.² This incident was marked as the beginning of the war on terrorism carried out by America and its allies. Not only in the United States, acts of terror carried out by terrorist groups also occur in Indonesia. In 2002, there was the Bali Bombing I which was one of the biggest acts of terrorism in Indonesia which claimed the lives of up to 202 (two hundred and two) people. A year after the incident, on August 5, 2003 there was a bombing of the JW Marriot hotel. After these two events, in the last two decades there have been dozens of terror acts in Indonesia such as the Bali Bombing II (2005), the Ritz Carlton Bombing (2009), the Cirebon Az-Zikra Mosque Bombing (2011), the Sarinah Bombing (2016), the Police Headquarters Bombing Solo (2016), Kampung Melayu Bombing (2017) and Surabaya and Sidoarjo Bombings (2018). The latest one is the bombing that occurred at the Makassar City Cathedral in March 2021.³

The occurrence of these acts of terror requires the government to take a quick and responsive policy not only through prosecution but also prevention and countermeasures so that acts of terrorism do not occur again in the future. After the Bali Bombings I occurred, the President issued Government Regulation in Lieu of Law (Perppu) Number 1 of 2002 concerning Eradication of Criminal Acts of Terrorism as stipulated in Law Number 15 of 2003 concerning Stipulation of Government Regulations in Lieu of Law Number 1 Year 2002 on

¹ Muhammad Musthofa, "Memahami Terorisme: Suatu Perspektif Kriminologi", *Jurnal Kriminologi Indonesia* Vol. 2 No. III Desember 2002, p. 31

² Poltak Partogi Nainggolan (et.al), *Kerjasama Internasional Melawan Terorisme*, Yogyakarta: Yayasan Obor Indonesia, 2019, p. 3

³Daftar Kasus Ledakan Bom dalam 2 Dekade Terakhir yang terjadi di Indonesia, <http://www.cnnindonesia.com/nasional>, daftar-ledakan-bom-di-indonesia-2-dekade-terakhir, accessed on August 24, 2021

the Eradication of Criminal Acts of Terrorism.⁴ Various policies and the functioning of institutions in countering terrorism have not been able to solve the problem of terrorism in Indonesia. One of the reasons is the unsynchronized counter-terrorism policies, such as deradicalization and national preparedness, which have not given local governments a clear role and authority to be involved in the program. According to the Habibie Center study, it shows that local governments with all their powers and potential scopes of authority must be given a role in countering and preventing terrorism, so that these efforts are not carried out centrally by the central government as what is currently being carried out is not running effectively.⁵

There are various regions in Indonesia that are the basis for the development of radicalism and terrorism, including Poso, Bekasi, Solo, and Depok.⁶ For the province of Aceh, based on the results of research conducted by BNPT related to the potential for radicalism throughout Indonesia, it shows that for the province of Aceh, the number that needs to be watched out for is 57.28% (fifty-seven point twenty-eight percent). This figure shows that the level of potential for radicalism in Aceh is in the category of medium to strong potential.⁷ This condition shows that the existence of the Aceh government still does not have a significant role in the landscape of dealing with terrorism.⁸ The Aceh government can carry out various preventive interventions through various efforts by providing access to health resources and services as well as access to various welfare programs in order to increase economic capacity and welfare as an effort to prevent the development of extremism and terrorism movements.

II. Material And Methods

This research is included in the type of normative juridical research. In normative juridical research, various research approaches. As for this research, the approach used is the statutory approach, the conceptual approach, and the comparative approach. This research is also included in the type of empirical juridical research, because it will examine legal norms in empirical reality on the enforcement or implementation of normative law in action on a legal event. In empirical juridical research, the approach used is socio-legal. This approach is important because it is able to provide an overall (holistic) view of the application of a legal norm in the reality of life.⁹

III. Result

1. Aceh in the Dynamics of the Terrorism Movement in Indonesia

Terrorism is a complex issue, considering that terrorism has become a debate even starting from its meaning. Although the law has provided a clear definition of terrorism, the definition which has a strong legal basis in its implementation still raises many problems. This is like the view of Graham E. Fuller in criticizing the definition of terrorism formulated by the United States government which is legalistic and tends to put the truth in the perspective of state interests so that it does not solve the root cause of terrorism itself as a form of threat to humanity.¹⁰ Terrorism is a complex issue, considering that terrorism has become a debate even starting from its meaning. Although the law has provided a clear definition of terrorism, the definition which has a strong legal basis in its implementation still raises many problems. This is like the view of Graham E. Fuller in criticizing the definition of terrorism formulated by the United States government which is legalistic and tends to put the truth in the perspective of state interests so that it does not solve the root cause of terrorism itself as a form of threat to humanity. Paul Wilkinson in his book *Terrorism Versus Democracy: The Liberal State Response* as quoted by Hesti Wulandari stated that terrorism only covers a small part of the total number of acts of terrorism that occur in the world. The majority of acts of terrorism are carried out by ethno-religious

⁴ Maulana Rahmat, "Politik Hukum Terhadap Tindak Pidana Terorisme in Pembaharuan Hukum Pidana Indonesia", *Jurnal Wawasan Yuridika* Vol. 1 | No. 2 | September 2017, p. 57

⁵ Muhammad Hasan Ansori (et.al), *Memberantas Terorisme di Indonesia: Praktik Kebijakan dan tantangan*, Jakarta: The Habibie Center, 2019, p. 76

⁶ Daerah Basis Perkembangan Teroris, nasional.tempo.co, daerah-ini-disebut-basis-bertumbuhnya-teroris, Accessed September 26, 2021

⁷ BNPT, Hasil Survey Nasional Daya Tangkal Radikalisme Masyarakat Provinsi Aceh tahun 2017, in Mukhlisuddin Ilyas, *Kajian Analisis Pencegahan Terorisme Tahun 2018: Dinamika Radikalisme & Respon Dayah di Aceh*, Banda Aceh: Bandar Publishing, 2018, p. 39

⁸ Muhammad Hasan Ansori, *Op. Cit*, p. 77

⁹ Jonaedi Efendi dan Johnny Ibrahim, *Metode Penelitian Hukum: Normatif dan Empiris*, Jakarta: Prenada Media, 2018, p. 153

¹⁰ Graham E. Fuller, *Apa Jadinya Dunia Tanpa Islam*, Penerjemah: T. Hermaya, Jakarta: Mizan Pustaka, 2014, p. 351

organizations, conflicts over ideology and the state and also occur at the border between the government and its citizens.¹¹

Terrorism grows and develops supported by the situation of society experiencing political pressure, social injustice, and income disparity between rich and poor people. This condition can be used by actors of radical organizations to carry out revolutionary actions against the government through a violent approach.¹² Regarding terrorism that occurred in Indonesia, Rusdi Marpaung stated that terrorist activities occur due to various factors such as social and economic inequality, injustice, poverty, global pressure and double standard politics, as well as ineffective conflict management in the society where terrorism develops.¹³

According to Mukhlisuddin Ilyas, the beginning of the Aceh region being included in the terrorism discourse was when the Mujahideen training took place on the Lhokseumawe-North Aceh border in 2009 under the (invisible) command of Dulmatin. In its development, Aceh's involvement in the context of terrorism in Indonesia occurred during military training in Blang Raya, Jalin Mountains, Jantho, Aceh Besar, in February 2010.¹⁴ On the other hand, Aceh also has various social problems that have arisen as a result of prolonged conflicts and unresolved socio-religious problems. The main social problems that occur in Aceh are the high level of poverty and the disparity that occurs in the management of the economy and natural resources.

Tabel No 1: Terrorism Convict

No	Regency/City	Quantity
1	Banda Aceh	2
2	Aceh Besar	13
3	Aceh Utara	6
4	Aceh Timur	8
5	Pidie	3
6	Bener meriah	1

Source: The National Counter Terrorism Agency (BNPT)

The results of research by Kamaruzzaman Bustamam-Ahmad and BNPT also show that the province of Aceh has five potentials for radicalism and terrorism:¹⁵ First, in the study of radicalism in Southeast Asia, Aceh has the potential for the development of terrorism ideas and movements. This was marked by the emergence of a military training camp in the Jalin Mountains of Aceh Besar which involved 17 people who were domiciled in Aceh. In addition, the arrests of several people involved in terrorist movements such as Sofyan Tsauri (Abu Ayas/Former Police) who admitted to joining Al-Qaeda in 2006 and had a role as a supplier of terrorist weapons in Aceh. Yudi Zulfachri was also arrested, a former terrorist who had been a follower of Aman Abdurrahman and served as a liaison between terrorism networks in Java and Aceh.¹⁶ Second, there is violence in the name of religion, which is caused by the problem of deviant sects, Christianization, and false beliefs. Third, the emergence of symptoms of intolerance among the Acehnese in socio-ritual and normative aspects of religion.¹⁷ Fourth, there are erroneous interpretations of religious teachings among the people which are textual and symbolic. Fifth, the emergence of various variants of political conflict in Aceh after the Helsinki MoU which actually attracted the involvement of groups that became a force in society.¹⁸

Meanwhile, Mukhlisuddin Ilyas stated that the root of the problem of terrorism in Aceh is not a theological problem, but the gaps that occur in various fields such as social, economic, and political.¹⁹ This problem is indeed the main problem faced by the people of Aceh and even became one of the main reasons for the emergence of the rebellion by the GAM group, so that efforts to solve the problem of terrorism must be able

¹¹ Hesti Wulandari, *Terorisme dan Kekerasan di Indonesia Sebuah Antologi Kritis*, Jakarta: Lulu.com, 2014, p.7

¹² Sukawarsini Djelantik, *Terorisme: Tinjauan Psiko-Politis, Peran Media, Kemiskinan, dan Keamanan Nasional*, Jakarta: Yayasan Obor Indonesia, 2010, p. 4

¹³ *Ibid*, p. 7

¹⁴ Mukhlisuddin Ilyas, *Kajian Analisis Pencegahan Terorisme Tahun 2008: Dinamikan Radikalisme dan Respon Dayah di Aceh*, Banda Aceh: Bandar Publishing, 2018, p. 33

¹⁵ Kamaruzzaman Bustamam-Ahmad, in Mukhlisuddin Ilyas, *Kajian Analisa Pencegahan Terorisme Tahun 2018: Dinamika Radikalisme & Respon Dayah di Aceh*, Banda Aceh: Bandar Publishing, 2018, p. 36

¹⁶ Syarifurohmat Pratama Santoso, *Pengantar Dasar Kajian Terorisme Abad 21 Menjaga Stabilitas Keamanan Negara*, Yogyakarta: Deepublish, 2020, p. 66

¹⁷ *Ibid*, p. 37

¹⁸ Kamaruzzaman Bustamam-Ahmad, *Memahami Potensi Radikalisme & Terorisme di Aceh*, Banda Aceh: Bandar Publishing, 2016. p. 106-108

¹⁹ Mukhlisuddin Ilyas, *Op.Cit*, p. 28

to touch the root of the problem. After looking at the root causes of the emergence of radicalism and terrorism, it is also necessary to look at the potential for the development of these ideologies and movements. The potential for terrorism movements in an area can be seen in the level of violence and the socio-economic life of the community.

In addition, the potential for terrorism movements is also seen from the presence of former terrorism convicts who have just completed their sentences as well as several Acehnese who are involved in terrorism movements. The last few years, in 2019 there were 11 (eleven) ISIS sympathizers from Aceh who were deported by the Thai government. Furthermore, in 2019 Densus 88 also made arrests in Aceh against 9 (nine) suspected of being involved in terrorism networks. That year, (Ex Napiter Jalin) was also arrested for allegedly facilitating the JAD group network in Gunung Salak, North Aceh Regency, led by Hendra Saputra alias Abu Hamzah.²⁰

In 2021 in Langsa City, Banda Aceh City and Aceh Besar District, Special Detachment 88 (Densus 88) Anti-Terrorism again arrested 5 (five) suspected terrorists who were suspected of being involved in the Medan Polrestabes Bombing network and terrorist networks arrested in Riau. The group plans to carry out acts of terror in Aceh and go to Afghanistan to join the Daula ISIS group.²¹ In 2021, Densus 88 Anti-Terrorism Unit also made arrests and house searches (former convicts in the Jalin Jantho case) in Peukan Baro District regarding the sale of softgun water to terror suspects at the National Police Headquarters.²² In addition, the potential for terrorism movements in Aceh can be seen from the presence of former terrorism convicts who have served their sentences and returned to their hometowns in Aceh. Among the ex-convicts, those are who were undergoing the coaching process carried out by the BNPT.²³ There are also some of the ex-convicts who have completed training.²⁴

2. Optimization of Counter Terrorism by the Aceh Government

In looking at the issue of radicalism and terrorism in Aceh, an approach is needed to remember that the real root of the problem of terrorism is not only in the aspect of not working legal norms, but also various factors outside the law that affect the operation of the law. When the legal norms have formulated the institutional construction and all the authorities it has in tackling terrorism, then there is a role for social and cultural institutions that influence the role and authority to run optimally. In relation to the role of the Aceh government in overcoming and preventing radicalism and terrorism, this is in addition to looking at the workings of the norms as formulated in the laws and regulations, as well as looking at various other dimensions that influence this role. The various dimensions referred to are social structures, community culture, social forces, and central government policies, considering that terrorism is related to the interests of state security. As the holder of power in Aceh, the Aceh government on the one hand is an extension of the central government in Aceh, but on the other hand, the existence of special autonomy which gives special authority to the Aceh government provides an independence to run special government for certain fields such as education, administration of Islamic law, and traditional life.

The ideal role of the Aceh government in countering terrorism must be done holistically. The role of government in general consists of: 1) Role as a facilitator; 2) Role as regulator; 3) Role as a dynamist; and 4) Role as a catalyst.²⁵ The role of facilitator is carried out by the Aceh government by providing various facilities and infrastructure that support the implementation of terrorism prevention and control programs such as counter-terrorism, deradicalization, and national preparedness. The role as a regulator is carried out by forming policies and regulations (regional regulations) that support counter-terrorism programs. The role as a dynamist in countering terrorism is intended through efforts to mobilize the government structure and socio-cultural strength of the community in carrying out countermeasures and prevention of the notion of terrorism.

²⁰ *Ibid*, p. 29

²¹ Densus 88 Tangkap 5 Terduga Teroris yang melakukan rencana Aksi teror di beberapa wilayah di Aceh, <https://regional.kompas.com/read/densus-88-tangkap-5-terduga-teroris-yang-rencanakan-pengeboman-di-aceh>, accessed on March 20, 2022

²² Densus 88 Tangkap Penjual Airgun, <https://news.detik.com/berita/d-5518517/densus-88-tangkap-penjual-airgun-ke-zakiah-aini-di-aceh>, accessed on March 20, 2022

²³ There are 1 person currently undergoing guidance, namely parole convicts involved in the shooting of Erhard Bauear/Member of PMI Germany, the shooting of the houses of 2 USK lecturers and the throwing of grenades at the UIN Ar-Raniry office...

²⁴ There are 18 (eighteen) people who have finished undergoing coaching and mentoring who come from various backgrounds and live in different places in all districts/cities in Aceh. The ex-convicts have different activities, such as breeders, farmers, traders, and also continue their education.

²⁵ Jazim Hamidi, (et.al), *Teori dan Hukum Perancangan Perda*, Malang:Universitas Brawijaya Press, 2012, p. 31

Optimizing terrorism countermeasures through the role of the Aceh government as follows: First, solving the root causes of terrorism such as social and economic inequality and violence caused by political conflicts. Social and economic disparities as the cause of the emergence of radicalism in society have become a long-standing discourse as the root of the problem of terrorism not only at the local but also global level. This is in accordance with Azyumardi Azra's view which states that adherents of extremism usually come from marginalized groups.²⁶ Resolving the problem of social and economic inequality is indeed the main responsibility of the Aceh government. The allocation of special autonomy funds in the APBA every year must be used optimally to realize prosperity and overcome inequalities in society.

Until now, the problem of social and economic inequality has become a major problem that has not been able to be resolved. The gap shows a state of the government's inability to provide a decent life expectancy for its citizens.²⁷ That life expectancy is actually a reason for every citizen to submit and obey the rules made by the state. When the government cannot provide a better life expectancy for its citizens, then as citizens of that country it is easy to become the target of doctrinalization from terrorist groups, given that they are able to provide a hope through religious doctrines of eternal and eternal life.²⁸ Although not everyone who is a member of a terrorist group is caused by economic inequality, this is one of the most decisive factors. Terrorism requires an ideology and conditions as a threat in order to strengthen the internal and militant strength of its members. This ideology will develop into a dangerous movement if it is in the hands of people who are marginalized and face injustice in life.²⁹ In addition to social and economic inequality, the situation exploited by the terrorist movement is violence caused by political conflicts. Such violence is common in Aceh ahead of local elections. This has often happened over a long period of time, even since regional head elections were held for the first time in Aceh in 2007.

Kamaruzzaman Bustamam-Ahmad's study shows that the unfavorable political situation in Aceh sometimes influences violent acts in the name of religion. If this is called a radical action, then the condition of society that is not harmonious due to polarization in the local political constellation becomes a significant trigger for radicalism actions.³⁰ Thus, solving the problems of social and economic inequality as well as violence due to political conflicts becomes a necessity. This is done to determine the causality between the cause as a trigger and the effect, namely the emergence and development of radicalism and terrorist movements. Second, optimizing the implementation of Islamic law and traditional life in preventing the development of radicalism and terrorism. The implementation of Islamic law and traditional life is part of the specialty given to the Aceh government which is motivated by historical factors about the glory of Islam in the past and socio-cultural factors that Islam is not only the majority religion adopted by the Acehnese people, but also as values, values in society. Islamic Shari'ah in Aceh gave birth to a system of norms that apply in the civil law, jinayat, and Shari'ah economics. In addition to legal substance, Islamic law also contains values that lead to the creation of a peaceful and harmonious society in a homogeneous society. These values are part of the concept of social order that has been exemplified by the Prophet Muhammad when administering a government in the diverse order of Medina society.³¹

On the other hand, the symbolic implementation of Islamic law has actually become a big agenda for religious fundamentalism groups³² in various countries in carrying out its movement. This is certainly an interesting thing because Aceh legally has formally implemented Islamic law and parties with fundamentalist views should fully support the agenda and no longer carry out the movement, given that the big agenda they want has been realized. In fact, even though Islamic law has been implemented, these groups are still carrying out their actions. This certainly shows a dilemma that there is another agenda that they may not have achieved.

²⁶ Medcom.id, Kesenjangan Sosial dan Ekonomi Dapat Menyebabkan Munculnya Paham Ekstremisme, [https://www.medcom.id/nasional/politik/yNL4I4yN-kesenjangan-sosial-ekonomi-picu-ekstremisme], accessed on March 20, 2022

²⁷ Data released by the Central Statistics Agency (BPS) shows that in March 2021 the level of inequality in Acehnese society will widen in March 2021. This is reflected in Aceh's Gini ratio which reached 0.324, an increase compared to September 2020 which was 0.319. Katadata.co.id Tingkat Ketimpangan di Aceh Makin Tinggi, https://databoks.katadata.co.id/datapublish/2021/07/21/tingkat-ketimpangan-aceh-makin-tinggi-pada-maret-2021, accessed on March 20, 2022.

²⁸ Andi Irawan, "Terorisme dan Kesenjangan Ekonomi", https://kolom.tempo.co/terorisme-dan-kesenjangan-ekonomi, accessed on March 20, 2022.

²⁹ Irfan Idris, *Membumikan Deradikalisasi: Soft Approach Model Pembinaan Terorisme Dari Hulu Ke Hilir Secara Berkesinambungan*, Jakarta: Daulat Press, 2017. p. 293

³⁰ Kamaruzzaman Bustamam-Ahmad, *Op. Cit.*, p. 185

³¹ Muhammad Ridwan Lubis, *Agama Dan Perdamaian Landasan, Tujuan, dan Realitas Kehidupan Beragama di Indonesia*, Jakarta: Gramedia, 2017, p. 354

³² Irfan Idris, *Op. Cit.* p. 277

Third, streamlining the collaboration between BNPT and the Aceh Government in implementing the deradicalization program. The deradicalization program that applies nationally requires a form of coordination and cooperation between various institutions at both the central and local government levels. BNPT as the leading sector in implementing the program divides it into two. The first is the deradicalization program outside prisons which is intended for ex-terrorist convicts and their families who are vulnerable to radical ideas. This program is intended to realize economic independence from the families of terrorism convicts, the process of reconciliation or reintegration of ex-terrorist convicts in society.³³

In implementing the first program, BNPT can cooperate with local governments, especially in realizing economic independence for families of terrorism convicts. The role of the Aceh government here is very important, given that economic prosperity and independence are also one of the goals of administering the Aceh government. On the other hand, the Aceh government has various resources and a fairly large budget and has been allocated in the APBA every year, so that Aceh government programs that are community economic empowerment can be directed to include former terrorism convicts as part of the empowerment program. The second is the deradicalization program that is carried out in prisons. This program is intended for terrorism convicts of core and militant categories. The implementation of this program is concentrated on changing the radical ideology of the inmates and going through four stages, namely identification, rehabilitation, re-education, and resocialization.³⁴

Fourth, optimizing the role of FKPT in carrying out deradicalization through a local wisdom approach. The approach of local wisdom in countering terrorism is carried out through local cultural values which have the function of forming the character of community members who are cultured and have social sensitivity. In the study of Kamaruzzaman Bustamam-Ahmad in an anthropological perspective, the macro-cosmic aspects embodied in the form of local wisdom need to be explained to those who understand religion symbolically and textually.³⁵ Fifth, optimizing efforts to empower former terrorism convicts in realizing economic independence. To realize this goal, an empowerment program is an option, considering that through this program they will be directed and given the opportunity to be economically independent. The Aceh government certainly has an economic empowerment program aimed at all people from weak economic backgrounds. Economic empowerment of ex-terrorist convicts has not run optimally. This is because the Aceh government's economic empowerment program has not been running effectively.

On the other hand, some former terrorism convicts have tried to take the initiative by asking the district/city government for assistance, but the government itself has not provided a solution and program that is empowering for them. Economic and welfare issues are indeed a serious problem faced by the Aceh government, so that not only ex-terrorist convicts, the general public who come from economically weak circles have also not received serious attention. The Aceh government does not yet have a formula in the form of regulations, policies and programs that are sustainable in order to overcome the problems of poverty and social inequality. In fact, in various studies it has been stated that the problem of poverty and economic and social inequality is one of the factors for the high rate of crime and violence.

IV. Conclusion

Optimization of counter-terrorism by the Aceh government can be carried out through its role as a regulator, facilitator, catalyst, and dynamist. Initially it needs to (a) identify the root causes of terrorism such as social and economic inequality and violence caused by political conflicts; b) optimizing the implementation of Islamic law and customs in preventing the development of radicalism; c) making effective cooperation between BNPT and Aceh Government in implementing the Deradicalization program; d) Optimizing the role of FKPT in carrying out deradicalization program through local wisdom approaches and empowerment of ex-terrorist convicts.

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³³ MD. Shodiq, *Paradigma Deradikalisasi Dalam Perspektif Hukum*, Jakarta: Pusat Harakutana, 2018. p. 46

³⁴ *Ibid*, p. 47

³⁵ Kamaruzzaman Bustamam-Ahmad, *Op. Cit.* p. 152

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